

MEETINGS: 17
NO. OF REGULAR: 16

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
December 12, 2017 7:00PM**

ROLL CALL: Trustee Jakubowski - Y
Trustee Bukowiecki -Y
Trustee Hamernik - Y
Trustee Peterson - Y
Mayor Nikonowicz – Y

ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Peterson, the November 27, 2017 Village Board Minutes were approved.

PUBLIC COMMENT

Dave Burkhardt – 5 Autumn Lea – He asked about what the sewer project was and where. The administrator told him it was in the Pamela Sherwood area. He then asked about the CDBG contract and was explain by the administrator it was the contract for a grant we obtain for the Cheektowaga side of the village and it was used to pay for sidewalks and senior services.

APPOINT FULL TIME VILLAGE HALL CLEANER

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint

Kathleen Garry – 865 Sherwood Ct., Depew, NY 14043

to the position of Full Time Village Hall Cleaner at \$18.54 per hour effective January 16, 2018.

The forgoing nomination was acted upon in the following manner by the Board of Trustees:

Trustee Jakubowski - Y
Trustee Bukowiecki - Y
Trustee Hamernik - Y
Trustee Peterson - Y
Mayor Nikonowicz - Y

AWARD BID- 2017 SEWER BID

Trustee Bukowiecki, offered the following resolution and moved for its adoption:

BE IT RESOLVED, that upon the recommendation of the Village Engineer, the bid for the Phase 2 Pamela Sherwood Sewer Project from the bid opening December 7, 2017 in the bid amount of \$828,550.00 be awarded to:

Kenyon Pipeline Inspection
68 Park Rd.
Queensburty, NY 12804

The following resolution was seconded by Trustee Jakubowski, and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski – Y
Trustee Bukowiecki –Y
Trustee Hamernik -Y
Trustee Peterson –Y
Mayor Nikonowicz – Y

**AUTHORIZE MAYOR TO SIGN MAINTENANCE AGREEMENT –
Cummings Northeastern**

Trustee Peterson, offered the following resolution and moved for its adoption:

WHEREAS, the Village of Depew is currently utilizing Cummings Northeast, LLC 6193 Eastern Ave. Syracuse NY 13211 for the maintenance of the Generators at the Village of Depew facilities;

WHEREAS, the Village of Depew would like to continue the Planned Maintenance Agreement for \$4,073.91 per year starting February 1, 2018 and ending January 31, 2019.

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz is authorized to sign the Planned Maintenance - Renewal.

The foregoing resolution was seconded by Trustee Hamernik and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski - Y
Trustee Bukowiecki-Y
Trustee Hamernik- Y
Trustee Peterson - Y
Mayor Nikonowicz - Y

**AUTHORIZE MAYOR TO SIGN MAINTENANCE AGREEMENT – TERRY’S
BIKES**

Trustee Jakubowski, offered the following resolution and moved for its adoption:

WHEREAS, the Village of Depew was in need of a company to run the Skate Shop at the Village of Depew Ice Rink;

WHEREAS, the Village of Depew would like to utilize the services of Terry’s Bikes Etc, 5471 Transit Rd, Depew, NY 14043 to run the Skate Shop at Depew Ice Rink at no cost to the Village starting October 1, 2017 and ending April 30, 2018.

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz is authorized to sign the Agreement.

The foregoing resolution was seconded by Trustee Bukowiecki and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski - Y
Trustee Bukowiecki-Y
Trustee Hamernik- Y
Trustee Peterson - Y
Mayor Nikonowicz - Y

**AUTHORIZE MAYOR TO SIGN COMMUNITY DEVELOPMENT BLOCK
GRANT SUBRECIPIENT AGREEMENT 2017**

Trustee Hamernik offered the following resolution and moved for its adoption:

WHEREAS, federal regulations require that a subrecipient agreement be executed between the Town of Cheektowaga and the Village of Depew in order for the Town to disburse Community Development Block grant funds to the Village from the 2017 Program Year budget,

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz, is authorized to execute a Subrecipient Agreement with the Town of Cheektowaga, as required by federal regulations at 24 CFR, Section 570.503, whereby such Agreement specifies the federal regulations governing the Community Development Block Grant

program and the program activities to be carried out in the Village with Community Development Block Grant funds from the 2017 Program Year.

The foregoing resolution was seconded by Trustee Peterson and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski - Y
Trustee Hamernik - Y
Trustee Bukowiecki - Y
Trustee Peterson - Y
Mayor Nikonowicz – Y

CANCEL VILLAGE BOARD MEETING

Trustee Bukowiecki, offered the following resolution and moved for its adoption:

BE IT RESOLVED, the Village Board Meeting scheduled for Monday, December 25, 2017 is hereby cancelled due to the Christmas Day holiday.

The foregoing resolution was seconded by Trustee Jakubowski, and **CARRIED**

AUTHORIZATION EMERGENCY DEMOLITION

Trustee Peterson, offered the following resolution and moved for its adoption:

WHEREAS, in response to a resident complaint, Code Enforcement Officer Anthony Fischione and Fire Marshal Scott Wegst made an exterior inspection of the the building located at 5521 Transit Road, Depew, NY formerly known as the “Shamrock”, and

WHEREAS, their inspection found a brick chimney atop the two story structure that was structurally unsound and appeared to be collapsing into the roof, and

WHEREAS, the portion of the chimney that remained outside the building roof was listing more than 15⁰, and appeared to be in imminent danger of falling into the area in front of the building, and was therefore an imminent safety hazard to the residents of the Village,

BE IT RESOLVED, that pursuant to Chapter 81 and specifically 81-3(h) of the Depew Village Code, the structure was determined to be structurally unsound, and that it had parts thereof which are so attached that they may fall and injure members of the public or property, and

BE IT FURTHER RESOLVED, that pursuant to Chapter 81, subdivision 11 of the Depew Village Code the Board of Trustees finds that the structural deficiencies set forth above appear to present a clear and imminent danger to the life safety or health of any person or property unless it is immediately repaired and secured or demolished, and

BE IT FURTHER RESOLVED, that the Village of Depew Board of Trustees approves the Declaration for Emergency Demolition of the chimney and for the securing of the roof structure after the removal of the chimney, at the premises at 5521 Transit Road, (SBL # 104.62-1-4), in the Village of Depew, for safety reasons, and

BE IT FURTHER RESOLVED, that pursuant to Chapter 81, subdivision 10 of the Depew Village Code, the cost of said removal shall be assessed against the land on which said building is located, levying on the tax bill if needed.

The foregoing resolution was seconded by Trustee Hamernik, and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski – Y
Trustee Bukowiecki – Y
Trustee Peterson – Y
Trustee Hamernik – Y
Mayor Nikonowicz – Y

AUTHORIZATION TO SIGN MUTUAL AID AGREEMENT

Trustee Jakubowski, offered the following resolution and moved for its adoption:

WHEREAS, the Village of Depew has previously given and received mutual aid and assistance from other local municipalities through an informal procedure, and

WHEREAS, Erie County has proposed an Agreement that puts the informal procedure of municipalities regarding mutual aid into a written Agreement, which provides the contact information for each municipality, and that has no new or additional cost to any municipality for the continued provision or receipt of mutual aid during emergencies, and

BE IT RESOLVED, that the Mayor has the permission of the Board of Trustees to enter into and sign the Agreement on behalf of the Village, and

BE IT FURTHER RESOLVED, that the Emergency Manager has permission to sign the Agreement and to annually supply the appropriate contact information to the appropriate agencies listed in the Agreement, and

BE IT FURTHER RESOLVED, that this resolution shall be filed with the Erie County Deputy Commissioner of Disaster Preparedness, The Erie County Disaster Coordinators Association and the Erie County Disaster Preparedness Board.

The foregoing resolution was seconded by Trustee Bukowiecki, and duly put to a roll call vote which resulted in the following:

- Trustee Jakubowski – Y
- Trustee Bukowiecki –Y
- Trustee Hamernik –Y
- Trustee Peterson – Y
- Mayor Nikonowicz – Y

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Hamernik offered the following resolution and moved for its adoption:

WHEREAS, Carson Kistner was previously with our Explorer Program and we are happy that he wishes to continue to become a member of Central Hose Co. #4.

NOW, BE IT RESOLVED, membership is hereby granted to the following in the Depew Fire Department:

CENTRAL HOSE Co. #4

Carson Kistner, 540 French Rd, Depew, NY 14043

The foregoing resolution was seconded by Trustee Peterson, and duly put to a roll call vote which resulted in the following:

- Trustee Jakubowski - Y
- Trustee Bukowiecki - Y
- Trustee Hamernik –Y
- Trustee Peterson -Y
- Mayor Nikonowicz - Y

EMPLOYMENT APPLICATIONS – Village Hall – Kathleen Garry, Peggy Steiner

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Bukowiecki , and seconded by Trustee Jakubowski, the Building Dept report for November was accepted

DPW -

Jim – Rec – Thanks for all that helped with tree lighting. Mayor said Jim and his team did a good job.

Code –

Police Chief –

Fire –

UNFINISHED AND OTHER BUSINESS

Mayor Nikonowicz read Proclamation – Village of Depew School Choice Week

PUBLIC CONCERNS AND COMMENTS

NONE

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Peterson, seconded by Trustee Bukowiecki, the following claims are to be paid: \$229,485.54 General, \$22,236.50 Capital Projects, \$251,722.04 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Hamernik, the meeting was adjourned with a moment of silence for Bill Lynch, founder of Depew Saints and recovery for Jeff Morgan Jr. at **7:24 PM**. The motion was **CARRIED**.

Respectfully submitted,

Maureen Jerackas
Village Administrator