

MEETINGS: 19
NO. OF REGULAR: 18

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
December 9, 2019 7:00PM**

ROLL CALL: Trustee Jakubowski – Pr
Trustee Stempniak - Pr
Trustee Hamernik - Pr
Trustee Voll - Pr
Mayor Peterson– Pr

ON A MOTION BY, Trustee Jakubowski, and seconded by Trustee Stempniak the November 25, 2019 Village Board Minutes were approved.

PUBLIC COMMENT N/A

RETURN UNPAID TAXES TO COUNTY OF ERIE REVISED

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

BE IT RESOLVED, the report of the Village Administrator, showing that in accordance with Article 14, Section 1436, Paragraph 2 of the Real Property Tax Law, is returning to the County of Erie, Department of Finance the 2019-2020 unpaid Village Tax accounts together with the unpaid sewer account pursuant to verification and certification of the Board of Trustees, and also that as of November 1, 2019, has collected the sum of \$10,461,185.75, leaving a balance of \$204,645.71. In accordance with section 987 of Real Property Tax Law, the Village has imposed a fee of \$2.00 per parcel for the “Notice of Unpaid Taxes”; the Administrator has added \$506.00 to the balance, we are also adding the unpaid lawn mowing charges of \$1,741.31, thereby leaving a balance of \$206,893.02, which has been transferred to Account A440, Due from Other Governments, for further collection on the Town/County bill, is hereby accepted.

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

Trustee Jakubowski – Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING -
AMEND SIDEWALK LAW – LOCAL LAW 5 OF 2019**

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

Be It Resolved; the Village Administrator is authorized to advertise for a public hearing. The public hearing will be held on Monday December 23, 2019 at 7:00 pm in the Council Chambers. The purpose of this hearing is to consider Local Law 5 of 2019 authorizing an amendment to the existing Sidewalk Law Chapter 203 – 2 Sidewalk Maintenance in the General Municipal Law adding the subsection D. If adopted, the proposed local law shall read as follows:

- A. Generally. Every owner or occupant of any premises shall keep the public sidewalk of such premises free and clear from snow, ice, dirt and other obstructions.
- B. Duty to maintain sidewalks and area between sidewalks and street pavement. It shall be the duty of every owner or occupant of premises abutting any public street or grounds to keep the sidewalk and the area between the sidewalk and street adjoining same in good order and repair and no one shall brush, sweep,

shovel, or plow any accumulation of refuse or other material into the street, nor allow any accumulation of refuse or other materials to remain thereon.

- C. Snow and ice. It shall be the duty of every owner or occupant of any premises adjoining any public street or alley to remove all snow and ice which may have fallen upon the sidewalk adjoining said premises by 9:00 a.m. In case the snow and ice on the sidewalk shall be frozen so hard that it cannot be removed without material difficulty or injury to the pavement, the owner, lessee, tenant, occupant or other person having charge of any building or lot of ground as aforesaid shall within the time specified above, cause the sidewalk adjoining the premises to be strewn with ashes, sand, sawdust, salt or some suitable material and shall as soon thereafter as the weather permits thoroughly clean said sidewalks.
- D. It shall, in all cases, be the duty of the owner of every lot or piece of land in the Village of Depew to keep the sidewalks adjoining the owner's lot or piece of land in good repair and to remove and clean away all snow and ice and other obstruction from such sidewalks. Failure to do so will result in the costs of any repair done by the Village of Depew to be assessed against the landowner as detailed in 203-3 and 203-12, and, further, said landowner shall be liable in tort for any injuries to any person or property as a result of the landowner's failure to comply with this article.**

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

Trustee Jakubowski - Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

AUTHORIZATION TO SIGN MUTUAL AID AGREEMENT

Trustee Stempniak, 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 Voll, and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski - Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Central Hose #4 to use the Northside Fire Station for their annual Children's Christmas Party on Sunday December 15, 2019 from 12:00 PM – 4:00 PM.

The foregoing resolutions were seconded by Trustee Hamernik and **CARRIED**.

EMPLOYMENT APPLICATIONS – Rec –Gregory Puglisi, Village Hall - Beau Reibel

DEPARTMENT HEAD REPORTS N/A

UNFINISHED AND OTHER BUSINESS N/A

PUBLIC CONCERNS AND COMMENTS

OEM – Continuing to update documents and also wanted to thank RJ and Galen for their well done job at the tree lighting.

Electrical – Street lights being changed, should be done by end of year or early January. Updated security at the ice rink and will be doing his shop as well. Worked on updating some fire department vehicles' electrical outlets.

Police – Chief Miller gave his monthly report and said that the Christmasville parade was nice even though they didn't win in the competition. Working on the newly enacted laws for reveal and no bail that begins on January 1st.

CEO – Monthly report was given, catching up from the holiday week and with Ken at school.

Fire – Chief was not able to be at meeting but Trustee Voll gave his report and Jamie wanted to say thank you to all for their help during the tree lighting. Mostly wanted to update everyone on equipment repairs. Mayor Peterson gave a congratulations to Scott Wegst who attended the meeting on winning first place at the Christmasville Parade. Great job!!!!

DPW – Ken was not able to attend the meeting but wanted to let residents know they are still picking up leaves when they see them. Thanked his crew for their hard work on repairing the equipment and during the last snowfall.

Attorney Alba said that they ran into a small hurdle with the small cell wireless law and explained the reasons behind the upcoming local law amendment for the sidewalks saying that the property owners are now held responsible for maintaining their sidewalks and sharing the liability in case of an injury. Had a special guest from Hodgson Russ at Planning Board meeting regarding the SEQR law who did some training for the board. Very good training.

Trustee Jakubowski will be attending the re-scheduled NEST meeting in the beginning of January and will report back on that regarding recycling.

Trustee Stempniak reported that the Tree Board met and that they are fully staffed and will meet every other month. Met with the students from UB on Fireman's Park. Very impressed with their presentation and look forward to working with them in the future.

Trustee Voll reported for Kevin at Rec that we are averaging approximately \$500 on skate rental and sharpening, which is nice because we kept it in-house this year so the revenue stays with the Village.

Mayor Peterson wanted to thank the Village Departments, each one of them contributed to the Tree Lighting ceremony.

Mr. Corigliano stepped forward to once again thank the Depew Police and Fire Departments for their help in extinguishing a small fire that began in his office at his place of business, this one, not long after the larger fire at the same location. As he stated before, these firemen are so professional and contrary to what people believe, they caused no further damage than what had already occurred. They could have torn through the roof looking for further point of fire, but damage was very limited. Both the police and fire department, are great and he is very thankful to all of them.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Voll and seconded by Trustee Stempniak, the following claims are to be paid: \$204,164.10 General, \$160.00 Sewer, and \$204,324.10 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Hamernik, the meeting was adjourned at 7:41 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak
Village Administrator