

MEETINGS: 20  
NO. OF REGULAR: 19

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
February 12, 2018 7:00PM**

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

**ON A MOTION BY**, Trustee Peterson, and seconded by Trustee Jakubowski, the January 22, 2017 Village Board Minutes were approved.

IN ATTENDANCE:  
Bob Brandon – Senator Kennedy  
Matt Walters – Town of Lancaster Councilman  
Daniel Griewecki – Legislator John Bruss

**PUBLIC COMMENT**

NONE

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING –  
AMEND LOCAL LAW 106-10, EMERGENCY SERVICES COST RECOVERY**

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

**WHEREAS**, on September 12, 2016 the Village passed Local Law #4 of the Village Code, which was an amendment to the Village Code Section 106 relating to FIRE SAFETY, and

**WHEREAS**, that law allowed for the cost recovery for certain services, equipment and products used by the Depew Fire Department in emergency services, and

**WHEREAS**, since the inception of that law it has become clear that certain types of services of the Fire Department and certain means of enforcing the law were unintentionally not included in the original draft of the law, and

**WHEREAS**, the Village Board of Trustees wishes to include all types of incidents that are responded to by the Depew Fire Department in the cost recovery program, and to receive adequate compensation, when available, for all items which must be repaired or replaced due to the emergency services provided,

**BE IT RESOLVED**, the Village Administrator is hereby authorized to advertise for public hearing to be held on March 12, 2018 at 7:00pm in regards to amending the Local Law 106-10 as follows:

1. **Section 106 of the Laws of the Village of Depew, “Fire Safety”, subdivision 10, “Emergency Services Cost Recovery” “1. Program Established.” shall amend the last sentence “The fees are established in the fee schedule in part 2” as follows:**
  - a. The fees are established in the fee schedule in part 2.
  - b. All invoices for such fees shall be sent by the Village Clerk or her designee, and shall state prominently on the invoice that: a) all fees billed shall be due and payable within 90 days of the invoice date; b) all fees not paid within 90 days of the invoice shall be subject to a late fee of 10%; c) if not paid within 120 days, shall be subject to credit agency reporting or collection by all legal means.
2. **Section 106 of the Laws of the Village of Depew, “Fire Safety”, subdivision 10, “Emergency Services Cost Recovery” “2.E.3.a. “Equipment repair and replacement” shall be amended in its entirety as follows:**

- a. Structure or auto fires, motor vehicle accidents, and site cleanups that, as a result of any necessary fire department operations, cause damage to equipment, apparatus, and personal protective equipment shall be billed the actual cost of replacement or repair to the insurance agency.
3. All other portions of Section 106, subdivision 10, not affected by this amendment, shall remain in full force and effect.

The forgoing resolution was seconded by Trustee Bukowiecki, and **CARRIED**.

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

**APPROVE CREATION OF POSITION – PT DEPUTY PROSECUTOR**

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

**BE IT RESOLVED**, that the position of PT Deputy Prosecutor, with the duties and responsibilities as set forth in the job specifications of the Erie County Civil Service, is hereby created.

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

**Authorization for Mayor to sign Grant Agreement**

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

**BE IT RESOLVED**, that the Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village Of Depew’s obligation under the Engineering Planning Grant Agreement

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

**SEQR Type II Determination - Village of Depew Phase 4 Corrective Action Plan Implementation**

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

**WHEREAS**, the Village of Depew Board of Trustees is considering various improvements to correct sewer system defects and reduce inflow and infiltration; and

**WHEREAS**, the Board of Trustees is seeking funding assistance under the New York State Environmental Facilities Corporation's Clean Water State Revolving Fund, and is, therefore subject to environmental review obligations required to participate in the funding program; and

**WHEREAS**, pursuant to 6 NYCRR 617.5(c)(1) under SEQ, this project is a Type 2 Action as it involves the maintenance and repair of existing sewer infrastructure with no substantial change to existing manholes and sanitary sewer pipe.

**NOW THEREFORE BE IT RESOLVED**, that as a Type 2 action under SEQ, the project has been found categorically to not have significant adverse impacts on the environment and no further review is required.

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

**Authorization and Appropriation of Local Match (20% local match)**

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

**BE IT RESOLVED**, that the Village authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Village of Depew Engineering Study for the comprehensive evaluation of I/I within the sewer collection system. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated, subject to any changes agreed to by the Mayor, shall not exceed \$26,000 based upon a total estimated maximum project cost of \$130,000.00. The Mayor may increase this local match through the use in kind services without further approval for the Village of Depew.

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 TO PURCHASE ELEVATOR DOOR**

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

**WHEREAS**, Maureen Jerackas, Village Administrator request permission to purchase an Electronic door edge for the village elevator from

NJPA pricing contract #100516-TKE  
Thyssen Krupp  
2745 Broadway St.  
Buffalo, NY 14227

**BE IT RESOLVED**, that permission is hereby **GRANTED** to Maureen Jerackas to install an Electronic elevator door edge for an amount not to exceed \$2,789.00.

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

**PERMISSION TO PURCHASE SERVER**

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

**WHEREAS**, Maureen Jerackas, Village Administrator request permission to purchase a new Dell Server for Village facilities from

Pricing Contract Solution #9052528 – VIA Dell NYSC # 3809784  
Technet Task Group  
41 Central Ave.  
Lancaster, NY 14086

**BE IT RESOLVED**, that permission is hereby **GRANTED** to Maureen Jerackas to purchase a new Dell Server for an amount not to exceed \$9,000.00.

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 STOP DWI CONTRACT**

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

**BE IT RESOLVED**, Mayor Jesse Nikonowicz is authorized to sign the Stop DWI Contract with the County of Erie.

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

**AUTHORIZE MAYOR TO SIGN SERVICE AGREEMENT – AUCTIONS INTERNATIONAL**

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

**WHEREAS**, the Village of Depew is currently utilizing Auctions International for the sale and auction of surplus village property at the Village of Depew facilities;

**WHEREAS**, the Village of Depew would like to continue the Auction Services Agreement for \$30.00 per vehicle and \$5.00 for non-vehicle auctions starting February 1, 2018 and ending January 31, 2020.

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

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

**MODIFY 2017/2018 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2017/2018 Budget in the following manner:

Revenues - Other Classified 4-2770 - \$120.00  
Expenditures –Village Admin – Education - 1230-471- \$120.00 – GFOA Refund

Revenues – Other Classified - 4-2770 - \$150.00  
Expenditures - Fire - Materials 3410-414 - \$150.00 – Classic Cue Billiards

Revenues – Other Classified -4-2770 - \$25.18  
Expenditures – Fire - Chemicals-3410-415 - \$25.18 – Propane Exchange

The following 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

**ADJUST 2017/2018 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to adjust the 2017/2018 Budget in the following manner:

See attached spreadsheet with budget transfers:

The following 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

**DECLARE SURPLUS PROPERTY**

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

**BE IT RESOLVED**, the Department of Public Works has surplus property

on the attached spreadsheet:

that is surplus and is due to be auctioned off in the next 90 days.

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

**EMPLOYMENT APPLICATIONS** – Village Hall – Matthew Chavez, REC – Emily Scibetta

**DEPARTMENT HEAD REPORTS**

**ON A MOTION BY**, Trustee Hamernik, and seconded by Trustee Bukowiecki, Building – 2017 Year End, Electrical – 2017 Year End

Fire –

POLICE – Drug pill take back expected – correct unit soon. Officers in the middle of taser training.

DPW – Trying weekend w/persistent snow

REC – March 24, 2018 – 1:30 – 3:30 Northside Fire Hall Egg Hunt

TONY –

ADMIN –

**UNFINISHED AND OTHER BUSINESS**

Task Force Meeting – Looking for more application on Village Website.

**PUBLIC CONCERNS AND COMMENTS**

Sal Carlimino – 7<sup>th</sup> Grade Social Studies Teacher – Depew Freedom Contest – To try to get students to vote in the future, thought they would get to shadow all board members & Dept heads. They will win an opportunity to shadow in May. It's an exciting program and good success.

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Peterson, seconded by Trustee Bukowiecki, the following claims are to be paid: \$257,013.82 General, \$6,077.98 Sewer, \$7,649.86 Capital Projects and \$270,741.66 Capital was **CARRIED**.

**ADJOURNMENT**

**ON A MOTION BY** Trustee Peterson, seconded by Trustee Bukowiecki, the meeting was adjourned with a moment of silence for Don Ast, a 50-year member of the Cayuga Hose of Depew Fire Dept, Richard Ganci on USS Little Rock, Father of Cathy Ganci-Sunderlin on Planning Board for at **7:28 PM**. The motion was **CARRIED**.

Respectfully submitted,

Maureen Jerackas  
Village Administrator