

MEETINGS: 21
NO. OF REGULAR: 19

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
February 13, 2017 7:00PM**

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

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Jakubowski, the January 23, 2017 Village Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Paul Sprada – 58 Argus – What does number 8 entail? The village just passed no parking on the North side of Hanwell Street, there was a law already for no parking on the south side. That leaves those residents with no parking, so we want to correct that by rescinding the No parking on the South side

Authorization for Mayor to sign Grant Agreement

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

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

SEQR Type II Determination

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

Whereas, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the state Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conversation Law;

NOW, THEREFORE BE IT RESOLVED, that the Village Of Depew hereby determines that the proposed engineers study for the comprehensive evaluation of I/I within the Sewer Collection System is a Type II action in accordance with 6 NYCRR Section 617.5 (c)(1)(8) which constitutes the information collection including basic data collection and engineering studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action, and is therefore not subject to review under 6 NYCRR part 617.

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 Peterson-Y
Trustee Kucewicz- Y
Mayor Nikonowicz- Y

NYS RETIREMENT RESOLUTION FOR STANDARD WORKDAY

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

NOW, THEREFORE, BE IT RESOLVED, that the Village of Depew establishes the following standard work days for the following appointed officials and will report the days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk/Treasurer’s Office:

Appointed Officials

Village Administrator, Maureen Jerackas – Standard work day – 7 hours – term begins/ends 4/6/15-4/1/19 – participates in employer’s time keeping system – 20 days/month

Zoning Board Member, Paul Sprada – Standard work day – 7 hours – term begins/ends 3/16-4/21 – does not participates in employer’s time keeping system - .67 days/month

Village Attorney, Kathleen McDonald – Standard work day – 7 hours – term begins 4/15-4/19 – does not participate in employer’s time keeping system – 4 days/month.

Village Prosecutor, Joseph Keefe – Standard work day – 7 hours – term begins 7/16-4/17 – does not participate in employer’s time keeping system – 1 day/month.

Acting Judge, Paul Bumbalo – Standard work day – 7 hours – term begins 4/16 – 4/17 – does not participate in the employer’s time keeping system – 1.3 day/month

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

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

AUTHORIZE MAYOR and ADMINISTRATOR TO SIGN DASNY GRANT APPLICATIONS

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

WHEREAS, the State of New York State and Municipal Facilities Program is offering SAM grants and the Village Administrator would like to apply for these grants,

- Acquisition of Firetruck #7621 - \$100,000
- Purchase of Wood Chipper #8046 - \$50,000
- Renovations to three Fire Stations #8618 - \$125,000

BE IT RESOLVED, Mayor Jesse Nikonowicz and the Board of Trustees hereby approve these applications and Mayor Jesse Nikonowicz and Administrator Maureen Jerackas are authorized to sign any and all paperwork for the DASNY “SAM” Grant Applications.

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 Peterson - Y
- Trustee Kucewicz - Y
- Mayor Nikonowicz - Y

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR CANVAS THE VOTE MEETING

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

The Administrator is authorized to advertise for a Canvas the Vote meeting to take place on Wednesday March 22, 2017 at 7 pm.

The foregoing resolution was seconded by Trustee Peterson and **CARRIED**

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR REORGANIZATIONAL MEETING

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

The Administrator is authorized to advertise for the reorganization meeting to be held on Monday April 3, 2017.

The foregoing resolution was seconded by Trustee Bukowiecki and **CARRIED**.

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – SIDEWALKS

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for bids for the Community Development Sidewalk Improvement Project, date will be set once the bid package is completed.

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

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING – RESCIND PORTION OF LOCAL LAW 240-9, NO STANDING ON SOUTH SIDE OF HANWELL PLACE

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

WHEREAS, on October 24, 2016 the Village passed Local Law #5 of the Village Code, which was an amendment to the Village Code Section 240-9 relating to Parking, Standing and Stopping on Village roads , and

WHEREAS, that amendment made it illegal to park on the North side of Hanwell Place, and

WHEREAS, at that time there was within the law a prohibition as follows, “No standing anytime on the south side from the east curblineline of Transit Road to the west curblineline of Darwin Drive.”, which would prevent the residents and their guests from parking on either side of Hanwell Place, and which was an unintended inconvenience to the residents, and

WHEREAS, the Village Board of Trustees wishes to ban parking from only the side of the street as stated in Local Law #5 of 2016, and to allow parking on the side which had previously had a “No Standing” designation,

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for public hearing to be held on February 27, 2017 at 7:00pm in regards to rescinding the section of the Village Code Section 240-9 which reads:

Hanwell Place.

No standing anytime on the south side from the east curblin of Transit Road to the west curblin of Darwin Drive.

[Added 3-4-1974 by Ord. No. 74-3]

The forgoing resolution was seconded by Trustee Jakubowski, and CARRIED.

MODIFY 2016/2017 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2016/2017 Budget in the following manner:

See attached spreadsheet with budget transfers.

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 Peterson - Y
Trustee Kucewicz - Y
Mayor Nikonowicz - Y

MODIFY 2016/2017 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2016/2017 Budget in the following manner:

Revenues - Other Classified 4-2770 \$150.00
Expenditures – Fire – Materials 3410-414 - \$150.00 Aspire

Revenues - Other Classified 4-2770 \$150.00
Expenditures – Fire – Materials 3410-414 - \$150.00 Joseph's Catering

Revenues - Other Classified 4-2770 \$150.00
Expenditures – Fire – Materials 3410-414 - \$150.00 Helping Hands Daycare

Revenues - Other Classified 4-2770 \$150.00
Expenditures – Fire – Materials 3410-414 - \$150.00 General Security

Revenues - Other Classified 4-2770 \$300.00
Expenditures – Fire – Materials 3410-414 - \$300.00 Wegmans

Revenues - Other Classified 4-2770 \$168.50
Expenditures – Fire – Ground Maintance 3410-450 - \$168.50 Refund

Revenues - Other Classified 4-2770 \$59.90
Expenditures – Park – Ground Maintance 7110-450 - \$59.90 Refund

Revenues - Other Classified 4-2770 \$2,000.00
Expenditures – Judgements and Claims 1930-400 - \$2,000.00 Refund

Revenues - Other Classified 4-2770 \$10628.70
Expenditures – Police – Automotive repair 3120-451 - \$10628.70 Insurance Recovery

The following 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 Peterson - Y
Trustee Kucewicz - Y
Mayor Nikonowicz - Y

AUTHORIZE MAYOR TO SIGN COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT 2016

Trustee Peterson, 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 2016 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 2016 Program Year.

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

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

NEGATIVE DECLARATION RELATING TO NEW SIDEWALKS

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

WHEREAS, the Village of Depew would like to add and replace sidewalks on the West Section of the Village of Depew on Cayuga Blvd., S. Ellington Avenue, Zurbrick Road, Bigelow Place, and Rutherford Place and on the East Section of the Village of Depew on Warsaw Street, Bloomfield Avenue, Calumet Street, Terrace Blvd., and St. Mary's Street, and

WHEREAS the Board of Trustees and Mayor, along with their legal and engineering staff, have examined all relevant factors of the short form environmental impact statement to consider whether any negative environmental impact will occur from the installation of the sidewalks, now

BE IT RESOLVED, the Board of Trustees and Mayor hereby make a finding that there is NO substantial evidence that the project may have a significant effect on the environment, and

BE IT RESOLVED, that the Board of Trustees issues a negative declaration.

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

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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT EXPLORER

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

BE IT RESOLVED, membership is hereby granted to the following in the Depew Fire Department pending the passing of their physical:

Explorer

Nathan LeFever 14 Humboldt Place Depew

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 Peterson - Y
Trustee Kucewicz - Y
Mayor Nikonowicz - Y

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Cayuga Hose Company to use the Southside Fire Hall for their Annual Company Installation on Saturday April 22, 2017 from 1PM till Midnight.

and

Permission is hereby granted to Aetna Hose Company to use the Southside Fire Hall for their Annual Company Installation on Saturday April 8, 2017 from 5PM till Midnight.

and

Permission is hereby granted to Aetna Hose Company to use the Southside Fire Hall for their Annual Chicken BBQ on Saturday June 3, 2017 from 10AM till 10PM.

and

Permission is hereby granted to Aetna Hose Company to use the Southside Fire Hall for their Annual Christmas Parties (Children and Adult) on Saturday December 9, 2017 from 10AM till Midnight

The foregoing resolution was seconded by Trustee Bukowiecki, and

CARRIED.

EMPLOYMENT APPLICATIONS

Recreation – Melissa Green, Jessica Leach, Michael Wolford, DPW – Andrew Mrozek, Village – Laura Strickland

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Peterson, and seconded by Trustee Kucewicz, Department of Public Works January 2017, Electrical end of 2016 year, Police Department December 2016 and January 2017 were accepted.

DPW – cut down approx 100 trees mostly dead ash trees, also for sidewalk and sewer issues. Tree trimming is next. Sewer issue on Alys Drive were fixed and one will be worked on French road this week, which may cause traffic issues. Residents blowing snow back onto the road is a hazard, people found doing this can be ticketed. Blow the snow on the grass.

Recreation – Getting ready for summer, taking applications, need lifeguards

Code – Zombie properties take at least 2 weeks for the village to receive the transfers.

Contact the building department if you notice activity at a property known to be vacant.

Fire – Safer Grant for recruiting, AFG grant for air packs, Fire prevention grant which covered smoke detectors to those that qualified, and the DASNY garage door grant have been filed.

COMMITTEE REPORTS

None.

UNFINISHED AND OTHER BUSINESS

None.

PUBLIC CONCERNS AND COMMENTS

Captain Sean Patrick Smith – 84 Susan Drive – 79 Susan Drive for the last 2 years has been nothing but a dump site. Had a fire previously, garbage all over, lawn not mowed, music so loud your windows rattle. He watches people there hold matches under objects. Four to five moving trucks unloaded bunk beds and futons. People of all kinds that are obviously not family. This is a flop house. He believes they are taking advantage of the old man that lives there. He has spoken to Tony, but the process is slow. Tony was just granted access to the neighbor's property to take pictures. He is looking at litigation. Multiple animals and kids in the street were also issues he brought up. Mayor told the man to keep calling the PD for the noise problem. The tacking of those calls helps. Tony noted that the elderly man is still alive. A final notice has been sent out, and the mayor and board plan on following up.

Dave Burkhardt – 5 Autumn Lee – How much id the block grants for approximately. The Administrator noted all sidewalk projects are approximately \$400,000. This is limited to the blighted areas. He wanted work done in the other areas of the village. The superintendent responded that HUD tells us what we can do and where. The mayor noted that it was based on census information. Dave asked about additional taxes being put on certain residents for this work like in Cheektowaga. The Mayor noted that this is not the case with this project.

Mr. Walters from Town of Lancaster was is attendance.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Kucewicz, seconded by Trustee Peterson, the following claims are to be paid: \$206,708.12 General, \$1,984.50 Sewer, \$208,092.62 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Peterson, the meeting was adjourned in memory of Former Supervisor Bob Giza, Ruth Tedesco, Mother of Karen Tedesco, Clerk in Court, and Kevin Pryzbl, PT Dispatcher at **7:49 PM**. The motion was **CARRIED**.

Respectfully submitted,

Maureen Jerackas
Village Administrator