

MEETINGS: 23
NO. OF REGULAR: 21

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

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

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

ON A MOTION BY, Trustee Jakubowski, and seconded by Peterson, the February 23, 2017 Zoning Board were accepted.

1. Damani Properties LLC – as purchaser of property at 4444 Broadway-to permit an extension of a previously permitted industrial use in a C-2 Zone. The Zoning Board approved the variance with stipulations.
2. Daniel Baccari, R.A. on behalf of Russell Licata-3160 Walden Avenue-to allow for an industrial zone use in a C-2 Zone. Approved with stipulations.

PUBLIC COMMENT – AGENDA ITEMS ONLY

None

APPOINTMENT TO THE ZONING BOARD OF APPEALS - CHAIR

I, Mayor Jesse Nikonowicz, pursuant to Village Law 7-712 (8) hereby appoint Sandra Hockwater 136 Colony, Depew NY 14043, to the position of Chairman of the Zoning Board of Appeals for a term to expire at noon on the first Monday in April 2017, at a salary of \$21.00 per variance.

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

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

AUTHORIZE MAYOR TO SIGN SUCCESSOR AGREEMENT – CSEA UNIT 815

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

BE IT RESOLVED, Mayor Jesse Nikonowicz is authorized to sign a successor agreement with Village of Depew CSEA DPW Unit 815, representing the members of the Department of Public Works for the period June 1, 2015 to May 31, 2020.

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 Peterson - Y
Trustee Kucewicz – Absent
Mayor Nikonowicz - Y

DECLARE SURPLUS PROPERTY

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

BE IT RESOLVED, the Police Department has a 2015 Ford Explorer, that is surplus and is due to be traded in, sold or auctioned off in the near future.

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 - Absent
- Mayor Nikonowicz - Y

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

Trustee Bukowiecki, 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 \$20,000 based upon a total estimated maximum project cost of \$120,000.00. 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 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 – Absent
- Mayor Nikonowicz - Y

MODIFY 2016/2017 BUDGET

Trustee Peterson, 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 – State Aid Other 4-3830 \$1500.00
Expenditures – Justice – contractual services 1130-435 - \$1,500.00 JCAP Grant

Revenues - Other Classified 4-2770 \$145.00
Expenditures – Fire – Materials 3410-414 - \$145.00 Insurance

Revenues - Other Classified 4-2770 \$145.00
Expenditures – Fire – Materials 3410-414 - \$145.00 Insurance

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 – Absent
- Mayor Nikonowicz - Y

AUTHORIZE MAYOR TO SIGN PENFLEX AUTHORIZATION FORM FOR 2015 SERVICE AWARD PROGRAM

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

BE IT RESOLVED, that Mayor Jesse Nikonowicz and Board of Trustees are authorized to sign the 2016 Service Award Program Administration Form and after the 30 day period forward to Penflex, Inc for the purpose of administering the 2016 Service Award Program for Depew Firefighters.

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 - Absent
Mayor Nikonowicz - Y

PERMISSION RUN

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

BE IT RESOLVED, permission is hereby granted to Our Lady of the Blessed Sacrament School 20 French Road, Depew, NY to hold a fun run (Color-a-thon) on May 13, 2017 at 6:15 pm. The Depew Fire Department will provide traffic control. The route has been approved by the Chief of Police. Village code must be adhered to.

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Depew Hose Company #1 to use the Northside Fire Hall for their Annual Installation Banquet on Saturday April 22, 2017 from 5PM till Midnight.

and

Permission is hereby granted to Central Hose Company #4 to use the Northside Fire Hall for their Annual Polish Dinner Fundraiser on Saturday September 23, 2017 from Noon till 8PM.

and

Permission is hereby granted to Central Hose Company #4 to use the Northside Fire Hall for their Annual Christmas Party on Saturday December 2, 2017 from 5PM till Midnight.

and

Permission is hereby granted to Central Hose Company #4 to use the Northside Fire Hall for their Annual Meeting on Sunday March 26, 2017 from 2PM till 8PM.

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

SUPPORT FOR EXTENSION OF THE FIREFIGHTERS BENEFIT LAW

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

WHEREAS, the health risks to firefighters responding at an emergency are well documented in medical and occupational literature and include many tests showing that workplace exposure to carcinogenic hazards exceeds what is considered acceptable; and

WHEREAS, typical carcinogenic hazards that firefighters are exposed to on a daily basis include polycyclic aromatic hydrocarbons in soot and tar, benzene exposure, formaldehyde, 1,4-butadiene, arsenic, polychlorinated biphenyl, dioxins, asbestos, and diesel engine exhaust; and

WHEREAS, studies show there is an increased rate of cancer in firefighters including brain, digestive tract, genitourinary tract, lympho-hematopoietic, skin and lung cancers; and

WHEREAS, on January 24, 2017 the New York State Senate passed bill S-1411, expanding the existing Volunteer Firefighters' Benefit Law to cover many additional types of cancer that correlate to exposure to the above names carcinogens which volunteer firefighters are frequently exposed to during knockdown and overhaul phases at fire scenes.

NOW, THEREFORE, BE IT

RESOLVED, Mayor Nikonowicz and Village Board of Trustees urges the New York State Assembly and Governor to approve the extension of the Volunteer Firefighters' Benefit Law to cover all instances of melanoma, as well as cancers of the digestive, hematological, lymphatic, urinary, prostate, neurological, breast and reproductive systems; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York Delegation to the New York State Legislature, the Hon. Andrew Cuomo, the Fireman's Association of the State of New York, and any party deemed necessary and proper.

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 – Absent
Mayor Nikonowicz – Y

EMPLOYMENT APPLICATIONS

Recreation – Jenna Donati, Sarah Bagley, Ryan Robinson, Timothy Steiner, Sarah Steiner, Alyssa Kranz

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Jakubowski, the Fire Department February 2017, Building Department February 2017, DPW February 2017 were excepted

DPW – absent
Recreation – Lifeguards needed
Code – None
Fire - read report submitted, and thanked the board for passing the Firefighter's cancer bill

COMMITTEE REPORTS

None.

UNFINISHED AND OTHER BUSINESS

The Mayor presented a graph showing the fiscal stress monitoring scores. It showed the improvement the village had in the last budget year ending May 2016. Receiving a score of 6.7 from the 30.4 in fiscal year ending May 2015. This was a huge improvement.

PUBLIC CONCERNS AND COMMENTS

Matt Walters for the town of Lancaster was present.

Dave Burkhardt – 5 Autumn Lee – Did the village purchase a third firetruck. Mayor replied No, the fire chief confirmed stating there is not even a committee or talks for another truck. He asked if we received the \$100,000 grant for the last truck. The Mayor replied no, but the paperwork has been submitted, we received a number and he has followed up with both Wozniack before she left and Monica Wallace after she started. Vanessa – from Monica Wallace's office – came on behalf of Monica Wallace, they are also in support of the cancer bill and there office has someone assigned to follow up on that grant award already.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Peterson, seconded by Trustee Bukowiecki, the following claims are to be paid: \$72,815.23 General, \$1,306.61 Sewer \$73,121.84 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Peterson, the meeting was adjourned in memory of Ed Brotz, Brother of Robert and a life member of the Cayuga Hose Company, Louis Cane – Past owner of Riva’s Pizza at **7:28 PM**. The motion was **CARRIED**.

Respectfully submitted,

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Maureen Jerackas
Village Administrator