

MEETINGS: 5
NO. OF REGULAR: 5

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
May 22, 2017 7:00PM

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

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Jakubowski, the May 8, 2017 Village Board Minutes were approved.

ON A MOTION BY, Trustee Jakubowski, and seconded by Trustee Hamernik, the May 11, 2017 Zoning Board Minutes were accepted.

1. Peter Pellegrino -233 Bissell Ave. – relief of 2 ft. side setback to widen the driveway. The Zoning Board approved the variance.

ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Bukowiecki, the May 4, 2017 Planning Board Minutes were approved.

1. Carmina Wood Morris PC – Varma Enterprises, Inc – 3941 Broadway –the final site plan approval. Planning Board makes the recommendation to the Village Board to accept the site plans as submitted.

PUBLIC COMMENT

None

APPOINT PT SEASONAL DPW

Pursuant to Section 4-400 of Village Law, I Deputy Mayor Kevin Peterson, do hereby appoint

Andrew Mrozek, 66 Green Terrace, Depew, NY 14043,
Justin Leach, 145 Castlewood Dr. Cheektowaga, NY 14227,
Nicholas Serofin, 52 Spruce Wood, Cheektowaga, NY 14227,
Christopher Wild, 33 Southwest Pkwy, Lancaster, NY 14086
to the position of Seasonal Laborers Part Time at the Department of Public Works, effective 6/01/2017, at \$13.00 per hour for 10 weeks.

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

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

PERMISSION CHICKEN BBQ

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

BE IT RESOLVED, permission is hereby granted to Parish of Saint Mother Teresa of Calcutta, 496 Terrace Blvd, Depew, NY, to hold a Chicken BBQ Dinner on June 24, 2017 from 3 pm until 6 pm. There will be a beer tent from 3 pm until 10 pm with music in the tent from 5 pm until 9:30 pm directly outside the rectory office. The tent will be fenced and security will be on site. The Chief of Police must be provided the list of security officers and their credentials at least two weeks prior to the event. The Fire Department must approve site and Village code must be adhered to. The Tent Structure Permit needs to be applied for and the application fee will be waived.

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

RELEASE OF VILLAGE EASEMENT AT 5190 TRANSIT ROAD

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

WHEREAS, on February 6, 1973 Frontier Purchasing Corp., as owner of the Premises, located at 5190 Transit Road, Depew, New York, entered into a certain Easement Agreement with the Village of Depew (Village) which was duly recorded in the Erie County Clerk's Office in Liber 8013 of Deeds at Page 393 on February 9, 1973 (hereinafter referred to as "Easement"); and

WHEREAS, the Village has determined that the easement was originally acquired for drainage remediation, and that the final drainage remediation did not use the acquired easement, nor is there any further drainage issues for which the easement would be required by the Village, and

WHEREAS, the present property owner, **JOSEPH ZANGHI and MARIA ZANGHI (ZANGHIS)** asked that the Village relinquish the easement and release the Premises from the Easement for the purpose of the sale and/redevelopment of the property located at 5190 Transit Road, Depew, New York, and

WHEREAS, the Village believes it would be beneficial to the Village to make the property more marketable for future Village business,

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in a Release of Easement proposed by the ZANGHIS, including payment to the Village of the nominal sum of One Hundred and 00/100 dollars (\$100.00), and the payment by the ZANGHIS of all preparation and recording costs,

BE IT RESOLVED, the Village hereby agrees that the Easement is no longer needed by the Village and authorizes the Mayor to sign all papers necessary to terminate and to release the Premises from the Easement and further relinquish all right, title and interest in and to the Premises that were conveyed and granted by the Easement,

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

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

AUTHORIZE MAYOR TO SIGN SERVICE AGREEMENT - GHD

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

WHEREAS, the Village of Depew is currently utilizing GHD 285 Delaware Ave. Suite 500 Buffalo, NY 14202 for Engineering Services in the village of Depew;

WHEREAS, the Village of Depew requires a Financial Capability Assessment, for the Plans related to the DEC Consent Order

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz is authorized to sign the Professional Engineering Service Proposal Financial Capability Assessment.

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
Deputy Mayor Peterson - Y
Mayor Nikonowicz - ABS

APPROVE RAIN BARRELS AND COMPOST BINS

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

WHEREAS, the Village of Depew shall approve appropriate containers for Rain Barrels and Compost Bins per Village Code; and

WHEREAS, Erie County has an approved list; and

WHEREAS, the Local Home Centers sell above ground rotating/tumble style Composters; and

WHEREAS, the Village requires that all Rain Barrel and Compost Bins be maintained properly and used as designed as per village Code 198- Solid waste and Chapter 3 of the property maintenance code of NY; and

WHEREAS, the Village of Depew wishes to give the residents options.

NOW, BE IT RESOLVED, that the Village approves the Rain Barrels and Compost Bins listed by Erie County for spring 2017 or above ground rotating/tumble style Composters, when used as designed and maintained properly.

BE IT FURTHER RESOLVED, that the Village prefers an above ground rotating/ tumble style Compost Bin, however if the Ground version is selected a Rodent Screen must be added to the base of that Composter

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
Deputy Mayor Peterson - Y
Mayor Nikonowicz - ABS

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – Garage Doors

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for bids for new Garage Doors for the Village Fire Halls, date will be set once the bid package is completed.

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
Deputy Mayor Peterson –Y
Mayor Nikonowicz – ABS

PERMISSION SEMINAR

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

BE IT RESOLVED, permission is hereby granted to Police Officer Wolfe, Police Officer VanKuren, and Police Officer Phelps to attend the Tactics in Traffic Seminar on Monday, June 12, 2017 at Niagara University. The registration fee is \$139 for the seminar. Use of a village vehicle is authorized.

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to the Depew Fire Department to use the Northside Fire Station on June 11, 2017, for their Family BBQ.

And

Permission is hereby granted to the Depew Fire Department to use the Southside Fire Station on September 9, 2017, for their Annual Department Inspection Dinner.

And

Permission is hereby granted to the Central Hose Company to use the Northside Fire Station on December 9, 2017, from 5:00PM until Midnight for their Annual Christmas Party.

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

PERMISSION TO SIGN – INSURANCE

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

WHEREAS, the Village of Depew received quotes on the Village’s Worker’s Compensation insurance; and

WHEREAS, the Village of Depew asked for additional quotes including their current company to requote the insurances; and

WHEREAS, the lower quote, which will meet the needs of the village was Comp Alliance through Scott Danahy Naylor Co.; and

WHEREAS, the Village of Depew wishes to renew their Policies for General Liability and Fire with the current vendors Scott Danahy Naylor Co. and WNY Insurance.

NOW, BE IT RESOLVED, Mayor Jesse Nikonowicz or the Village Administrator is authorized to sign the agreements with:

Scott Danahy Naylor Co.
300 Spindrift Dr.
Williamsville, NY 14221

And

WNY Insurance Agency
93 Diane Drive
West Seneca, NY 14224

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
Deputy Mayor Peterson - Y
Mayor Nikonowicz - ABS

MODIFY 2016/2017 BUDGET

Trustee Hamernik, 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 \$362.68
Expenditures – Police – Automotive repair 3120-415 - \$362.68 Insurance recovery

Revenues – Other Classified 4-2770 \$868.50
Expenditures – Police – Automotive repair 3120-415 - \$868.50 Insurance recovery

Revenues - Other Classified 4-2770 \$937.00
Expenditures –Central Storage – Gas, Oil 1660-416 - \$937.00 Refund

Revenues - Other Classified 4-2770 \$108.74
Expenditures – Fire – Materials 3410-414 - \$108.75 Fire Clean up

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

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

Revenues - Other Classified 4-2770 \$1702.82
Expenditures – Fire – Materials 3410-414 - \$1702.82 Fire Return/over payment

Revenues – State Aid Other 4-3830 \$1734.00
Expenditures – Police – Soft Body Armor 3120-261 - \$1734.00 DOJ Vest Grant

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 Hamernik -Y
Deputy Mayor Peterson - Y
Mayor Nikonowicz - ABS

MODIFY 2016/2017 BUDGET

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

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

EMPLOYMENT APPLICATIONS

Recreation – Andres Pyc, Donald Horbett, Jayden Zajac, Jennifer Freeman, Ryan Lee, Grace VanHouten. DPW: Gary Cummings, Peter Borgosz, Justin Leach, Nicholas Serafin, Matthew Hubert.

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Jakubowski, and seconded by Trustee Hamernik, Building Department April 2017, Police Department March and April 2017, Fire Department April 2017 were accepted.

DPW – working on fire halls and sewer repairs, milling roads which will be posted on the web. 25 roads to be complete, we received the most funding this year. Flowers at veteran's park.

Fire – April report was read off and the Chief spoke of the live burn

Code – Asked if you live by a vacant property DO NOT CUT THE LAWN we need to know about the property.

Recreation – Still looking for Life guards.

Administrator – Taxes are due in the month of June. Bills will be mailed soon if not received or you have any questions call the clerk's office for information.

COMMITTEE REPORTS

UNFINISHED AND OTHER BUSINESS

PUBLIC CONCERNS AND COMMENTS

Bob Brandon from Senator Kennedy's office was in attendance and stated he was happy to hear from people at the meeting.

Courtney from Monica Wallace's office was in attendance she noted that Phil was in attendance for the Scajaquada creek project meeting Monica had and wanted to give him snaps for that. Monica Wallace's office applied for a grant for the village for security items the Administrator reported. Phil spoke about the meeting and possible grants to help support the initiative.

Audrey Hamernik – Live burn went well. Matthews table tomorrow at 5:30 everyone is welcome. Lord of life and tri- community do a great hot meal.

June 3rd will be the food pantry. The mayor and board are trying to utilize the senior center to reach out to the community.

Karl Bukowiecki – Kevin and Karl went to the master plan meeting in Lancaster, he has the information for residents who inquire. Tax relief meeting first reviewed the Village budget where Maureen came for hours to review the budget. Now they will be moving toward the towns. They have an 8 month Plan.

Jake Jakubowski – there is an Erie county Hazardous waste drop off from 9am to 2pm at ECC south, it is posted on-line. He complimented the DPW on saving money fixing the fire halls.

Kevin Peterson mentioned the concert in the park June 29, 2017 is the first one of the year. Founder's day was mentioned. The chambers is looking for 10-15 Depew restaurants to take part. Parade, CKSO Steal orchestra band that day. Many departments coming together to get things done. Boy Scots, cub pack and explorers to sell hotdogs at the other concerts.

Art Domino – 76 Chateau Court – former Mayor and Historian – asked about cleaning the creek out. Phil stated we need to be realistic about what we can do, we have limited staff and we are trying to find ways to get things done.

Glenn Kranz – Went through the creek ears ago to get everything cleaned out, he is hoping we get help with that.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Hamernik, the following claims are to be paid: \$65,035.52 General, \$1,440.23 Sewer, \$66, 475.75 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Bukowiecki, seconded by Trustee Hamernik, the meeting was adjourned in with a moment of silence for Jeff Simme, Head of Lancaster Building Department and Inspector at **7:46 PM**. The motion was **CARRIED**.

Respectfully submitted,

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Maureen Jerackas
Village Administrator