

MEETINGS: 7
NO. OF REGULAR: 7

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
June 26, 2017 7:00PM**

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

ON A MOTION BY, Trustee Jakubowski, and seconded by Trustee Hamernik, the June 12, 2017 Village Board Minutes were approved.

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Peterson, the June 1, 2017 Planning Board minutes were approved.

1. Joseph Mancini DBA: PJ Cools (Ice Cream Shoppe) for the property located at 6160 Transit Rd – for approval for additional exterior tables for dining.
TABLED

PUBLIC COMMENT

None

APPOINT EMERGENCY MANAGER

Pursuant to Section 4-400 of the Village Law, I, Mayor Jesse Nikonowicz, do hereby appoint Ryan Sheedy 71 Jeffrey Drive, Depew, NY 14043, for the position of Emergency Manager at no salary, for a the remainder of the predecessors term, said term to expire on the 1st Monday of April 2019.

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

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

PERMISSION - FOOD TRUCKS

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

Permission is hereby granted Lloyds Food Truck, and CheesyChik Truck to operate in Veteran's Park during the Special Delivery concert on June 29, 2017 at 7 PM.
And

Permission is hereby granted to Green Acres Truck and Polish Villa Truck to operate in Veteran's Park during the Buffalo Touch concert on July 6, 2017 at 7 PM.
And

Permission is hereby granted to CheesyChik to operate in Veteran ' s Park during the Lancaster Town Band concert on July 13, 2017 at 7:30 PM.
And

Permission is hereby granted to Rolling Cannoli, Lloyd's Taco Truck and Green Acres Truck to operate in Veteran's Park during the Ramblin Lou Family Band concert on July 20, 2017 at 7PM.
And

Permission is hereby granted to Lloyd's Taco Truck and Rolling Cannoli to operate in Veteran's

Park during the Lancaster Town Band concert on August 3, 2017 at 7:30 PM.
And

Permission is hereby granted to any other trucks invited to operate during concert in Veteran's Park concert series.

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

AWARD BID- GARAGE DOOR

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

BE IT RESOLVED, that the bid for the Garage Door for the Fire Halls for the amount of \$54,100.00 be awarded to:

Overhead Door Company of Buffalo – Niagara, Inc
2851 Sheridan Dr.
Tonawanda, NY 14150

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
Trustee Peterson - Y
Mayor Nikonowicz – Y

AUTHORIZE MAYOR TO SIGN SUCCESSOR AGREEMENT – CSEA Local 1000AFSCME, AFL-CIO

Trustee Jakubowski, 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 Local 1000AFSCME, AFL-CIO, representing the members of the White Collar Unit for the period June 1, 2015 to May 31, 2020.

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

AMEND ERIE COUNTY TAX ACT- SUPPORT HOME RULE REQUEST

Trustee Bukowiecki, offered the following resolution and moved for it's adoption:

WHEREAS, since 2015 more than 800 homes in Western New York have been deemed “zombie houses” defined as properties undergoing the foreclosure process that can remain vacant for years; and

WHEREAS, the economic result of such vacant properties is nearly \$58 million worth of real estate in Erie County since it was last calculated; and

WHEREAS, if the home remains vacant for a long enough period of time the property value could decrease to such a level that it is no longer in a bank's financial interest to foreclose on the property implying that time is a crucial factor in these cases; and

WHEREAS, these houses remain empty typically due to homeowners' misunderstanding of proper foreclosure procedure- leaving these houses in limbo, i.e. the homeowners no

longer maintain the property and banks are not legally obligated to. This means these properties are maintained oftentimes at the expense of taxpayers; and

WHEREAS, in the United States the average time it takes to foreclose on a property is two years. If a house has been deemed abandoned by the municipality the foreclosure process should only take one year; and

WHEREAS, as such the Village of Depew Legislature requests permission from New York State to make the following amendments to the legislation known as the Erie County Tax Act; and

WHEREAS, the purpose of this resolution is to recommend the New York State Senate and Assembly amend § 9-1.0 of the Erie County Tax Act to shorten the period in which the holder of a tax sale certificate may foreclose on a property that is certified by a municipality to be vacant and abandoned from two years to one year; and

WHEREAS, additionally to recommend § 11-2.0 of the Erie County Tax Act be amended to shorten the period in which the county may foreclose on a tax certificate on a property that is certified by a municipality to be vacant and abandoned from two years to one year

NOW, THEREFORE, BE IT

RESOLVED, the following resolution is hereby adopted by the Village of Depew Village Board and be it further,

RESOLVED, that the Village Administrator, Maureen Jerackas, forward certified copies of this resolution to the New York State Assembly attention Speaker Carl E. Heastie and New York State Senate attention Majority Leader Flanagan as well as to the Erie County Executive, the Honorable Mark Poloncarz and to all other parties 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 Hamernik-Y
Trustee Peterson - Y
Mayor Nikonowicz – Y

PERMISSION OUTDOOR MUSIC

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

WHEREAS, Matthew Rigerman from Centerpointe Church has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on June 23, 2017 for an outdoor event on Saturday July 15, 2017 from 11:30AM until 8:00 pm at 56 Burlington Ave Depew; and

WHEREAS, there will be live music; and

BE IT RESOLVED, the Village Board does agree to allow the live music during the hours posted above and if allowed the noise must not surpass the decibel levels in Chapter 148. Subject to building department Inspection.

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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Peterson, 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 his physical:

WEST END - COMPANY #6

William Kidder – 2191 George Urban Blvd, Apt #2, Depew, NY 14043

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 Hamernik - Y
Mayor Nikonowicz - Y

RESOLUTION

June 26, 2017

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Joe Walden to have his marriage ceremony on the West End Fire Hall ramp in front of the fire hall in late August. The ceremony would be short and then the wedding party will leave the fire hall grounds to have the reception at another location.

The foregoing resolution was seconded by Trustee Hamernik, and

CARRIED.

EMPLOYMENT APPLICATIONS

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Peterson, Police May 2017 were accepted.

Chief – Deployed speed sign, found some glitches and fixed them. Feels data will be helpful.

DPW put Speed sign on trailer and it is solar powered, which is 1/3 cost of a mobile unit.

Deploying again this week.

Mayor – Good job police

Rec – Pools & playground are open. Voted unanimously on possible hire that will be voted on officially retro at next meeting, if hired as lifeguard.

COMMITTEE REPORTS

ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Peterson, the Tax Relief Meeting for April and May 2017 were approved.

UNFINISHED AND OTHER BUSINESS

NONE

PUBLIC CONCERNS AND COMMENTS

Scott LaBounty - 61 Bloomfield – presented a petition to put a 4 way stop or traffic signal at the corner of Bloomfield & Wynona. Speed sign would be a start. Drivers speed to make the traffic light. Chief suggested to make it a dead end, like Litchfield, that should eliminate the accidents. The concern about making a dead end is the drivers will go down Wynona, where young families live. Chief stated 4 way stop would be easiest, it may make them think to take another route. Chief stated he will make a point of putting up speed sign & look at the data. Mr. LaBounty also presented a report for Bloomfield & Wenona from 1/2010 – 6/2017 along with pictures.

John Parker – 66 Bloomfield – There have been triple the amounts of accidents over 50 years. He never sees patrols. Asked if speed sign gives data, chief stated that the accidents numbers are enough evidence. Talked about it becoming a dead end.

Courtney from Monica Wallace's office was present.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Peterson, seconded by Trustee Bukowiecki, the following claims are to be paid: \$941,483.74 General, \$3,201.00 Community Development, \$1,980.00 Capital Projects, \$946,664.76 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Hamernik, the meeting was adjourned with a moment of silence for Joe Filipowicz, Brother of former building inspector Matthew. Trustee Hamernik was honored Citizen of the Year at **7:33 PM**. The motion was **CARRIED**.

Respectfully submitted,

Maureen Jerackas
Village Administrator