

MEETINGS: 26
NO. OF REGULAR: 23

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
March 25, 2019 7:00PM

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

ON A MOTION BY, Trustee Jakubowski, and seconded by Trustee Peterson the March 11, 2019 Village Board Minutes were approved.

ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Jakubowski the March 20, 2019 Village Board Minutes were approved

AGENDA ITEM PUBLIC COMMENTS

ADOPT LOCAL LAW #1 OF 2019 – TAX CAP OVERRIDE

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

WHEREAS, the Board of Trustees of the Village of Depew, New York held a public hearing on March 25, 2019, at 7:00 pm in the Council Chambers of the Municipal Building, 85 Manitou St, Depew, NY to consider the adoption of a local law authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c.

WHEREAS, all persons were given an opportunity to speak for or against this local law; **NOW THEREFORE, BE IT RESOLVED**, this local law is hereby adopted.

If adopted, the proposed local law shall read as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Depew to adopt a budget for the fiscal year commencing June 1, 2019 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Section 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3: Tax Levy Limit Override

The Board of Trustees of the Village of Depew, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4: Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

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 - ABS
Trustee Hamernik - Y
Trustee Peterson - Y

Mayor Nikonowicz - Y

APPOINT PART TIME PUBLIC SAFETY DISPATCHERS POLICE

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint

Brandon J. Kuczmariski – 82 Croydon Dr, Depew, NY 14043

to the position of Part Time Public Safety Dispatchers Police at \$15.55 per hour effective March 26, 2019.

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

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

ACCEPT RETIREMENT – DIRECTOR OF PARKS AND RECREATION

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

BE IT RESOLVED, the retirement of Jim Ramsey, Director of Parks and Recreation effective April 1, 2019 is accepted.

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

AUTHORIZE MAYOR TO SIGN PENFLEX AUTHORIZATION FORM FOR 2018 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 2018 Service Award Program Administration Form and after the 30 day period forward to Penflex, Inc for the purpose of administering the 2018 Service Award Program for Depew Firefighters.

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

PERMISSION 15 K RACE and LIVE MUSIC WITH A BEER TENT

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

WHEREAS, St. Martha's Parish requested permission to hold their 5K Race on Friday May 3, 2019 starting at 6:00 PM.

WHEREAS, said race route and traffic enforcement will be authorized by the Police Department.

WHEREAS, traffic enforcement will be provided by the Depew Fire Department.

WHEREAS, there will be a beer tent with music from 6:30 PM -10:30 PM on St. Martha's grounds.

BE IT RESOLVED, the race is approved. The race will last about one hour.

BE IT FURTHER RESOLVED, 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**.

PERMISSION – FIRE DEPARTMENT

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

WHEREAS, Depew Fire Department Ladder #5 would like permission to drive the truck to the Alden Fire Department, 13336 Broadway, Alden, NY 14004 on Saturday April 13, 2019 at 7:30 AM – 2:30 PM for an exterior firefighting operations course.

And

WHEREAS, Depew Fire Department Engine #1 would like permission to drive the truck to the Alden Fire Department, 13336 Broadway, Alden, NY 14004 on Monday April 22, 2019 at 6:00 PM – 10:00 PM for an exterior firefighting operations course.

And

WHEREAS, Depew Fire Department Rescue #7 would like permission to drive the truck to the Alden Fire Department, 13336 Broadway, Alden, NY 14004 on Monday April 29, 2019 at 6:00 PM – 10:00 PM for an exterior firefighting operations course.

And

WHEREAS, Depew Fire Department Engine #4 would like permission to drive the truck to the Alden Fire Department, 13336 Broadway, Alden, NY 14004 on Wednesday May 13, 2019 at 6:00PM – 10:00 PM for an exterior firefighting operations course.

And

WHEREAS, Depew Fire Department Ladder #5 and Engine #4 would like permission to drive the truck to the Amherst Training Facility, 540 Smith Road, Amherst, NY on Tuesday June 4, 2019 at 6:30 PM – 9:30 PM for a live fire training.

BE IT RESOLVED, that the Depew Fire Departments are hereby authorized to proceed to take the requested truck out of service for the above described reasons.

THEREFORE, BE IT RESOLVED: All of the above foregoing resolutions were seconded by Trustee Hamernik and duly put to a roll call vote which resulted in the following:

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

PERMISSION – FIRE DEPARTMENT

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

WHEREAS, Depew Fire Department Ladder #5, Engine #2, and Engine #6 would like permission to drive the truck to the Erie County Fire Training Facility, 3359 Broadway # 2, Buffalo, NY 14227 on Tuesday April 9, 2019 at 6:30 PM – 9:30 PM for a live fire training.

And

WHEREAS, Depew Fire Department Ladder #5, Engine #3, and Engine #1 would like permission to drive the truck to the Erie County Fire Training Facility, 3359 Broadway # 2, Buffalo, NY 14227 on Tuesday May 7, 2019 at 6:30 PM – 9:30 PM for a live fire training.

BE IT RESOLVED, that the Depew Fire Departments are hereby authorized to proceed to take the requested truck out of service for the above described reasons.

THEREFORE, BE IT RESOLVED: All of the above foregoing resolutions were seconded by Trustee Peterson and duly put to a roll call vote which resulted in the following:

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Aetna Hose Company to have a Meat Raffle Fundraiser at the Fraternal Order of The Eagles at 4769 Broadway St, Depew, NY 14043 on Friday November 2, 2019 from 5:00 PM–12:00 AM.

And

Permission to granted to West End Engine #6 and Rescue #7 company to hold their annual fundraiser offsite at the Bowmansville Fire Station, located at 36 Main St, Bowmansville, NY from 12:00 PM – 12:00 AM.

The foregoing resolutions were both seconded by Trustee Jakubowski, and **CARRIED.**

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 their physicals:

Cayuga Hose Co. #3

Justin Everett, 55 Manitou St, Depew, NY 14043

And

Aetna Hose Co.

David Anderson, 148 Gould Ave, Depew, NY 14043

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 -ABS
Trustee Hamernik- Y
Trustee Peterson - Y
Mayor Nikonowicz - Y

PERMISSION – EXPLORER STATUS

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

BE IT RESOLVED, the following Depew Fire Department Explorers are moved up to restricted duty status:

Noah Shaw – 17 Years Old

Brandon Hejza – 17 Years Old

Tyler Connors – 16 Years Old

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 -ABS
Trustee Hamernik- Y
Trustee Peterson - Y
Mayor Nikonowicz - Y

EMPLOYMENT APPLICATIONS – Rec – Arianna Dommell, Robert Heine, Village Hall
– Saqib Hossain, DPW – Christopher Wild, Police – Brandon Kuczmariski

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Hamernik and seconded by Trustee Jakubowski the department head reports for Police – February 2019, Building Dept – February 2019 were approved.

UNFINISHED AND OTHER BUSINESS

PUBLIC CONCERNS AND COMMENTS:

CLAIMS AND ACCOUNTS

ON A MOTION BY ON A MOTION BY Trustee Peterson seconded by Trustee Hamernik, and third by Trustee Jakubowski the following claims are to be paid:
\$322,604.18 General was accepted.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski seconded by Trustee Hamernik, the meeting was adjourned with a moment of silence from Lorraine Maslach the mom of at 8:00 PM. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak

Village Administrator