

MEETINGS: 13
NO. OF REGULAR: 11

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
September 24, 2018 7:00PM

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

ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Peterson to approve the September 10, 2018 Village Board Minutes. Motion Carried, 4-0..

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Hamernik, to approve the September 6, 2018 Planning Board Minutes with stipulations. Motion Carried, 4-0.

1. Patrick Sheedy Jr. EIT Carmina Wood Morris DPC, on behalf of Homes by Walter, Inc. for property located at 4510 Broadway- for resubmittal of site plan review for proposed 12 unit multi family dwelling.-Planning Board makes the recommendation to the Village Board to accept the site plans as submitted with the following stipulations: 1.submit final deed, 2 fence west side extended to end of turnaround, 3.3rd party underground retention system certification and 4. Paving of turn around
2. Edward Lewandowski on behalf of Ed Lew Wholesale, for property currently located at 4895 regarding site plan for a used car lot at 3160 Walden.- Planning Board makes the recommendation to the Village Board to table the site plans as submitted pending the completion of 3160 site plan.

ON A MOTION BY, Trustee Peterson, and seconded by Trustee Bukowiecki, to accept the September 13, 2018 Zoning Board Minutes with stipulation. Motion Carried, 4-0.

1. Steven and Mary Badhorn for a variance on property located at 40 Lewan Drive- to permit them to erect an addition to their garage less than 5 ft. from the property line. The Zoning Board approved the variance.

IN ATTENDANCE

Representative from Erie County Legislator Brusco's office
Bob Brannon from Senator Kennedy's office.

PROCLAMATION

Mayor Nikonowicz read a proclamation honoring Donald E. Kwak for his dedication and years of service as the village's first recreation director and community basketball program director and to proclaim the renaming of Village of Depew Ice Rink as the Donald E. Kwak Arena.

Recreation Director Ramsey also presented a plaque to Mr. Kwak honoring his years of service.

Mr. Kwak thanked everyone and gave a short speech highlighting the important aspects of his career.

PUBLIC COMMENT – AGENDA ITEMS

Mayor Nikonowicz read aloud the items on the agenda and asked the public if anyone wished to speak regarding the agenda items. Being none, moved to agenda items.

PUBLIC HEARING – LOCAL LAW 1-2018

Administrator/Clerk-Treasurer read aloud the public hearing notice. Mayor Nikonowicz asked if anyone wished to speak. Being none, motion by Trustee Hamernik to close the public hearing at 7:16pm, motion seconded by Trustee Peterson. Motion carried, 4-0.

ADOPT LOCAL LAW #1 OF 2018 – Amend Parking Restrictions

Trustee Bukowiecki, 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 September 24, 2018 at 7:00 pm in the Council Chambers of the Municipal Building, 85 Manitou St, Depew, NY to consider the amendment to local law Section 240, subdivision 9 of the Laws of the Village of Depew, and

WHEREAS, all persons were given an opportunity to speak for or against this local law;

WHEREAS, the proposed local law to be amended is as follows:

- 1. Section 240 of the Laws of the Village of Depew, “Vehicle and Traffic”, subdivision 9, “Parking, Standing and Stopping Restrictions” shall be amended as follows:**

Lackawanna Avenue

No standing anytime on the east side from the north curblineline of Broadway to the south curblineline of Terrace Boulevard.

by adding

No Parking on the west side from a point 30 feet south of the intersection of Terrace Boulevard and Lackawanna Avenue and running northerly to a point on the south curblineline of Terrace Boulevard.

2. All other portions of Section 240, subdivision 9, not affected by this amendment shall remain in full force and effect.
3. Effective date: This amendment to local law shall take effect immediately upon filing with the Secretary of State, and shall be added to the text of the Local Laws thereafter

NOW THEREFORE, BE IT RESOLVED, this amendment to local law 240, subdivision 9 is hereby adopted.

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

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

ACCEPT RESIGNATION – VILLAGE HISTORIAN

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

BE IT RESOLVED, the resignation of Arthur Domino, Village Historian as of September 10, 2018 is accepted.

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

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

APPOINT VILLAGE HISTORIAN

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

Theresa Wolfe – 18 West Home Rd, Bowmansville, NY 14026, to the position of Village of Depew Historian effective September 11, 2018.

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

Trustee Jakubowski – Absent

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

AUTHORIZE MAYOR TO SIGN MAINTENANCE AGREEMENT – IMPERIAL DOORS

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

WHEREAS, the Village of Depew is currently utilizing Imperial Doors for the maintenance of the doors at the Village of Depew facilities;

WHEREAS, the Village of Depew would like to continue the Maintenance Contract for \$720.00 annual labor charge starting October 1, 2018 and ending September 30, 2019.

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz is authorized to sign the maintenance contract renewal.

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

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

AUTHORIZE MAYOR TO SIGN MUNICIPAL SOLUTIONS PROPOSAL

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

WHEREAS, the Village of Depew has utilized Municipal Solutions Inc for their advisory services related to capital borrowing on an as needed basis;

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz is authorized to sign the proposal continuing disclosure filings and regulations by Municipal Solutions services.

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

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

AUTHORIZE MAYOR TO SIGN MUNICIPAL SOLUTIONS PROPOSAL

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

WHEREAS, the Village of Depew has utilized Municipal Solutions Inc for their advisory services related to the SSES Phase V project study.

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz is authorized to sign the proposal continuing disclosure filings and regulations by Municipal Solutions services.

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

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

HONORARY NAMING OF THE DEPEW ICE RINK

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

WHEREAS, Donald E. Kwak was the original Recreation Director in the Village of Depew, serving for 22 years from 1964 through 1986, and,

WHEREAS, as Recreation Director, Donald E. Kwak developed and ran many recreation programs for the youth of the Village of Depew, including playground programs attended by hundreds of children every year, and sports programs that shaped thousands of children over the years, and

WHEREAS, Donald E. Kwak was a full time elementary teacher at John A. Sciole School in Depew, teaching and advising thousands of children from the Village of Depew and the Town of Lancaster, and

WHEREAS, even after he retired from the Depew Recreation Department, Donald E. Kwak continued to run the boys basketball program through 2008, and

WHEREAS, Donald E. Kwak was instrumental in having the Depew Ice Rink constructed, and in setting up the many skating programs and hockey programs utilized by Depew residents over the years so, and,

WHEREAS, the Depew Recreation Program has helped and continues to help to provide good examples, lessons in good sportsmanship and many life lessons to many boys and girls in the Village through recreation, playground programs and sports, all of which are due to the foundations put in place by Donald E. Kwak;

BE IT RESOLVED, that the Depew Ice Rink shall hereinafter be called the Donald E. Kwak Arena in recognition of his commitment and contributions to the youth of the Village of Depew.

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

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

PROCLAIM OCTOBER 31, 2018 AS OFFICIAL TRICK OR TREAT NIGHT

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

BE IT RESOLVED, the Official Trick or Treat Night in the Village of Depew, in conjunction with the Town and Village of Lancaster and the Town of Cheektowaga, is hereby designated as Thursday, October 31, 2018 between the hours of 6:00 PM – 8:30 PM.

The forgoing resolution was seconded by Trustee Bukowiecki. Carried, 4-0.

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Hamernik, 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 exam:

DEPEW HOOK AND LADDER

David J. Birch, 80 South Ellington Avenue, Depew, NY 14043

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

Trustee Jakubowski - Absent

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

APPOINTMENT

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

Rene Smith, 168 Cornell Dr, Depew, NY 14043;

to the position of Temporary Detective effective September 24, 2018. Starting salary will be \$79,630.09; and terms of employment and probation period will be in accordance with current Employee Policy Manual and current Erie County Rules for Classified Service as amended.

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

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

APPOINTMENT

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

Kenneth Mazurek – 212 Columbia Ave, Depew, NY 14043

to the position of DPW General Crew Chief effective September 17, 2018. Starting salary will be \$69, 000.00: and terms of employment and probation period will be in accordance with current Employee Policy Manual and current Erie County Rules for Classified Service as amended.

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

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

EMPLOYMENT APPLICATIONS – Rec – Melissa Green, Dakota Dommell, DPW – Andrew Gee, Charles Porebski

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Bukowiecki and seconded by Trustee Hamernik to approve department head reports. Motion Carried, 4-0.

Mayor Nikonowicz on behalf of Fire Chief Nusall read the Fire Department’s report for June 2018.

Chief Carwile welcomed Det. Smith as the Detective Bureau.

UNFINISHED AND OTHER BUSINESS

None

PUBLIC CONCERNS AND COMMENTS

Art Domino, 76 Chateau Court – Thanked the Board for appointing Theresa Wolfe as his replacement as village historian and after several decades of service to the community he felt it was time to step down but looked forward to assisting her as needed.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Peterson seconded by Trustee Bukowiecki, the following claims are to be paid: General Fund - \$317,925.22; Sewer Fund - \$6,569.90; Capital Fund - \$6,880.63. Motion Carried, 4-0.

ADJOURNMENT

ON A MOTION BY Trustee Hamernik seconded by Trustee Bukowiecki, the meeting was adjourned at 7:34 PM, with a moment of silence for all of the flood victims in North Carolina and those that passed away. Motion Carried, 4-0.

Respectfully submitted,

Bryan Gazda
Village Administrator