

MEETINGS: 9  
NO. OF REGULAR: 8

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
July 25, 2016**

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

**ON A MOTION BY**, Trustee Peterson, and seconded by Trustee Bukowiecki, the July 11, 2016 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Kucewicz, and seconded by Trustee Bukowiecki, the July 7, 2016 Planning Board minutes were approved.

1. Kevin Nowak Sr. - 5086 Broadway- to develop a parking lot on the lot adjacent to the existing business. Accept with stipulations.
2. Marc Shuttleworth - Buffalo Distribution, Inc. - 5600 Transit Road- re-submission of site plan to erect a new 5000 sq. ft. building with office space. Accept the plans with stipulations.
3. Sean W. Hopkins, Esq. - Varma Enterprises, Inc. - 3941 Broadway- redevelop as a single-story retail project (about 4,400 sq. ft.) including a Tim Horton's with a drive-thru facility and 16 stacking spaces. Accept the concept site plan with stipulations.

An Award was presented to Angela Wozniak from the Depew Fire Department for her support.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

None

**APPOINT AFFIRMATIVE ACTION OFFICER**

Pursuant to Section 4-400 of Village Law, I, Mayor Jesse Nikonowicz do hereby appoint Trustee Donald Jakubowski to the position of Affirmative Action Officer for the Erie County CDBG Urban County Consortium.

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

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – SEWER**

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

**BE IT RESOLVED**, the Village Administrator is hereby authorized to advertise for bids for the Community Development Sewer Improvement Project, date will be set once the bid package is completed.

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

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

**PERMISSION SEMINAR**

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

**BE IT RESOLVED**, permission is hereby granted to Jesse Nikonowicz, Mayor; Kathleen McDonald, Village Attorney; and Maureen Jerackas, Village Administrator, to attend the NYCOM fall Training School on Sept 12<sup>th</sup>-Sept 16, 2016 at in Saratoga, NY. The cost of the seminar is \$285.00 each. Use of a village vehicle is authorized.

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

**AUTHORIZATION TO ADVERTISE LOCAL LAW**

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

WHEREAS, The Depew Fire Department and all Depew Fire Companies provide vital services to the residents of the Village of Depew, and, also provide these same vital services to non-residents who travel on the highways in the Village of Depew, and,

WHEREAS, The Depew Fire Department and Depew Fire Companies are staffed by well trained volunteers without the cost of salaries to the Village of Depew and its residents, and

WHEREAS, the Depew Fire Department and all Depew Fire Companies purchase equipment and supplies both with Village money and various Fire Department/Company fundraisers; and

WHEREAS, many emergencies attended by the Depew Fire Department and Companies use product that must be replaced and that create wear and tear upon various equipment that needed to be maintained and upgraded, and

WHEREAS, in many situation there is insurance coverage available for the services provided,

**BE IT RESOLVED**, That the Village Administrator is authorized to advertise for a public hearing to be held on a law to be established by the Village of Depew as follows:

- Chapter 106 (10) Emergency Services Cost Recovery
  - 1. Program Established.

The Village hereby establishes a cost recovery program which allows the Village to be reimbursed, to the extent legally permissible, by those utilizing emergency services provided by the Fire Department. The fees are established in the fee schedule in part 2.

- 2. Fee Schedule.

The following fee schedule shall apply to the Fire Department cost recovery program established in paragraph 1 of this chapter.

- A. Hazard control/Cleanup, minor: \$145.00
  - 1. Minor spill control

2. Fire hazard precautions
  3. Scene safety
  4. Battery disconnects
  5. Debris Cleanup
- B. Hazard control/ Cleanup, major: \$360.00
1. Significant spills resulting from tank leaks or ruptures
  2. Major fire hazard precautions
  3. Vehicle stabilization procedures
  4. Vehicle disentanglement.
- C. Heavy Rescue Service: \$585
1. Patient extrication procedures requiring the use of hydraulic, pneumatic or electric power tools.
  2. Multiple patient removal and/or treatment that requires extended on scene time and extra personnel.
- D. Hazmat Response.
1. Hazardous material control/ standby: \$400.00 to \$1,050.00
    - a. Incidents involving commercial trucks, vans and motor carriers
    - b. Large amounts of spilled or released product.
    - c. Requires extra personnel and equipment response for an extended period of time.
  2. If a DEC number is issued for a spill, the responsible party will be billed directly (not the auto insurance) for the actual costs, including costs to other departments and agencies. In this situation, if there is a need for other types of service, then the auto insurance agency may be billed also.
- E. Fire Suppression.
1. Motor vehicle fire suppression and extinguishment \$150.00
    - a. Auto Fires
    - b. Heavy equipment fires.
    - c. Auto fires requiring extinguishment with foam or wetting agent shall include the \$150.00 fee listed in this part, plus reimbursement for replacement of commodities or equipment used or damaged up to \$200-\$2,000.
  2. Fire extinguishment in structures
    - a. Fire extinguishment in a structure that requires foam or wetting agent will include reimbursement for replacement value of agents or commodities used or damaged from \$200 up to \$5,000.
    - b. Fire Extinguishment in a commercial structure that requires foam or a wetting will include reimbursement for replacement value of any agents or commodities used or damaged from \$500 up to \$5,000.
  3. Equipment repair or replacement
    - a. Structure or auto fires that as a result of firefighting operations cause damage to equipment, apparatus, and personal protective equipment shall be billed the actual cost of replacement or repair to the insurance agency.

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

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

## **EMPLOYMENT APPLICATIONS**

DPW – Tylet Schultz, Police – Jackie Feggans, Paige Hayden

## **DEPARTMENT HEAD REPORTS**

**ON A MOTION BY**, Trustee Peterson, and seconded by Trustee Kucewicz, the June 2016 Police, Building, and Fire Department reports were accepted.

Recreation – Pool is doing well and Night out is Next Tuesday

Code – None

Police – The Chief Read his June report and Night out is Aug. 2 from 5-9PM

Fire - None

## **COMMITTEE REPORTS**

No reports.

## **UNFINISHED AND OTHER BUSINESS**

## **PUBLIC CONCERNS AND COMMENTS**

Gabby Miller – Olmstead Ave – she questioned the number of people attending the NYCOM seminar and the expense. The administrator noted that each attendant would not be in the same room there are different topics at the same time geared toward different attendants. Trustee Peterson felt the spring training he went to was very informative. Trustee Kucewicz noted that when he went he wanted to go to multiple classes at a time so it is great to have multiple people go and review what they learned in the evening. He also noted the value of Networking when it was asked about doing classes on-line. Village Attorney McDonald noted that we do as many online classes as possible when it is offered. She also noted she would be taking the classes that were legal in nature. Miller asked if a report would be given.

Dan Beutler – 26 Tyler – Asked about the fees that they were looking to add on the Agenda. He complimented the Fire Chief for these. He asked about the Quonset Hut. It was noted while 160 barrels of oil have been removed, we are waiting for the DEC to get a warrant to go on the property. They want a specific warrant before they will go on the property. He asked about the Narcan training and how many officers were trained. The Chief responded all officers including himself was trained. He asked about the board, the board is not trained.

Paul Sparada – 58 Argus – Spoke about the abandoned property at 47 Argus and he received another letter from the loan servicing company which he submitted to the Administrator. It was from an Orlando FL company, and mailed from Iowa. Carnival Kids will be performing at the Gazebo on Thursday at 7PM. It should be a great evening.

## **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Kucewicz, seconded by Trustee Peterson, the following claims are to be paid: General \$284,080.80, Capital Projects \$383,451.27, \$825.00 Community Development. \$2,958.37 Sewer, Capital \$671,315.44, **CARRIED**.

## **ADJOURNMENT**

**ON A MOTION BY** Trustee Bukowiecki, seconded by Trustee Kucewicz, the meeting was adjourned at **7:47 PM** to welcome back Chief Alec from Kuwait with thanks for his service, Congratulate Julie from the Bee on her new job at Roswell, and in memory of Robert Sharp from American Legion 1528. The motion was **CARRIED**.

Respectfully submitted,

Maureen Jerackas  
Village Administrator