VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
July 24, 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 26, 2017 Village Board Minutes were approved.

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Peterson, the July 6, 2017 Planning Board minutes were approved individually as listed.
1. Dominic Corigliano- 5230 Transit Road- 9 parking spaces in the right of way. The current zoning is C-2 Shopping Center District. Denied
2. Joseph Mancini DBA PJ Cools (Ice Cream Shoppe)- 6160 Transit Road- to review and site plans including the barriers for exterior dining. The current zoning is C-2 Shopping Center District. Accept with stipulations the plan to make the provisional into permanent allowing the 3 (three) outdoor tables with the condition of the approved barriers needing to be added.
4. Daniel Baccari - Left Coast Design Studio- representing Dave Frank from Buffalo Lift Truck- 5100 Broadway- a proposed 40’ x 80’ storage building. Zoning is C-2 Shopping Center District. Accept
5. C & S Engineers Inc. - Burgio & Campofelice- 2475 George Urban Blvd- develop the 19.27 acre site with a 196,000 sq. ft. warehouse building with employee parking and truck loading docks. Zoning is M-1 Light Industrial. Accept with stipulations 1:that a wetland permit is obtained and 2:the engineer must have time to review the intersection road plans and the engineer must sign off.
6. Za Yar Nyo DBA Camellia Garden Restaurant- 5176 Transit Road- exterior dining on the preexisting dining deck. Zoning is C-2 Shopping Center District. Accept with stipulations 5 (five) tables with 4 (four) chairs at each maximum.

ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Jakubowski, the July 13, 2017 Zoning Board Minutes were accepted.
1. Thomas and Krista Lake- for the property located at 94 Meridian- requesting to permit a use variance to operate a dance/art studio in an R-1 Zone. Zoning Board approved the variance.

PUBLIC COMMENT
Courtney Ball from Monica Wallace’s office was in attendance
None

APPOINT POLICE OFFICER

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Alekender Wojciechowicz, 101 French Rd, Depew NY 14043 to the position of Police Officer, effective July 25, 2017, at a starting salary of $40,702.00. This appointment is from Exam No.62-731, Civil Service List established June 23, 2017.

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

Trustee Jakubowski - Y
Trustee Bukowiecki - Y
Trustee Peterson - Y
Trustee Hamernik - Y
Mayor Nikonowicz – Y
APPOINT PART TIME TEMPORARY CLERK

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Marilyn Roscoe, 17 Pamela Dr., Depew NY 14043 to the position of Part Time Temporary Clerk, effective July 31, 2017 at a starting hourly wage of $16.27

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

ACCEPT RESIGNATION – POLICE OFFICER

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

BE IT RESOLVED, the resignation of Robert D. Phelps as a Police Officer is accepted effective July 19, 2017.

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

WAGE PAYMENTS – NON-UNION

ON A MOTION BY, Trustee Jakubowski, and seconded by Trustee Hamernik, the resolution regarding non-union wages was tabled.

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

AWARD BID- DEMOLITION OF 511 TERRACE BLVD.

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

BE IT RESOLVED, that upon the Demolition of 511 Terrace Blvd from the bid opening on July 13, 2017 in the bid amount of $18,900.00 be awarded to:

Geiter Done of WNY
300 Greene Street
Buffalo, NY 14206

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 – Y
Trustee Hamernik -Y
Trustee Peterson –Y
Mayor Nikonowicz - Y
PERMISSION TO SIGN – COMPENSATION ALLIANCE

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

WHEREAS there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter "the Plan"); and

WHEREAS the Village of Depew is eligible for membership in the Plan;

and

WHEREAS the Village of Depew has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Village of Depew to participate therein; now, therefore, be it

RESOLVED that the Village of Depew enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED, that Village Administrator, Maureen Jerackas be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the Village of Depew; and be it further

RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

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 TO SIGN – WORKERS COMP – SELF INSURANCE

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

"RESOLVED, that the Village of Depew hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and be it further

"RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further

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
Trustee Peterson - Y
Mayor Nikonowicz - Y
PERMISSION – SEWER GRANT APPLICATION

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

WHEREAS, the Village Board of Trustees of the Village of Depew has determined that it is in the Village’s best interest to apply for funding to assist in the financing of the Village’s Phase II Sewer System Improvement Project and an Engineering Planning Grant to fund a Phase IV Sanitary Sewer System Evaluation Survey; and

WHEREAS, affordability for the Village’s residents and property owners is a significant concern in advancement of the proposed projects,

NOW, THEREFORE, be it RESOLVED as follows:

The Village Board of Trustees of the Village of Depew authorizes Municipal Solutions, Inc. to prepare applications for Water Quality Improvement Grant funding for 60% of the Phase II Sewer System Improvement Project Costs and an Engineering Planning Grant in the amount of $100,000 (20% local match requirement) to perform a Phase III Sanitary Sewer System Evaluation Survey through Round VII of the NYS Combined Funding Application Grant Process: and

The Village Board of Trustees authorizes Mayor Jesse Nikonowicz and Village Administrator- Clerk/Treasurer Maureen Jerackas to execute the applications necessary to apply for Consolidated Funding Application grant application funds and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the Village of Depew’s obligations under the grant agreement.

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

AUTHORIZE MAYOR TO SIGN PERMISSION – DOT

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

WHEREAS, DOT has requested permission to add a new, additional fire hydrant on Transit Road in the Village of Depew North of the Norfolk Southern Rail Road Bridge, at no cost to the Village for installation or supplies, and
WHEREAS, this hydrant will assist businesses located in the Village to continue to do business, employ workers and pay Village taxes, and
WHEREAS, the Village will pay the yearly contract fee with Erie County Water
WHEREAS, Village law requires that the Board of Trustees are responsible for granting or denying permission for additional fire hydrant within the Village,

NOW THEREFORE, BE IT RESOLVED, that permission is granted by the Board of Trustees and
Mayor Jesse Nikonowicz is authorized to sign any documents needed for the DOT to add a New Fire Hydrant on Transit Road North of the Norfolk Southern Rail Road Bridge.

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, Shannon Buono from Magruders, 4995 Broadway, Depew, NY has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on July 5, 2017 for a live band from 11:00 AM until 5 PM in the parking lot during the car show on Sunday August 6, 2017; 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.

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 OUTDOOR MUSIC

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

WHEREAS, The Lancaster – Depew Rotary Club has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on June 23, 2017 for a Car Show at Depew High School on Tuesday August 8, 2017 from 4:00 PM until 8:00 pm on 5201 S. Transit Rd.; 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 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 ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING FOR ROAD SAFETY ON BLOOMFIELD ST.

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for public hearing for road safety on Bloomfield St to take place on Monday August 28, 2017 at 7:01 PM in the council chambers.

The forgoing resolution was seconded by Trustee Hamernik, and CARRIED.
Authorize Administrator to Advertise for Public Hearing for Fire Department Incorporation

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

**BE IT RESOLVED**, the Village Administrator is hereby authorized to advertise for public hearing for the fire department incorporation to take place on Monday August 28, 2017 following the 7:01 PM public hearing in the council chambers.

The forgoing resolution was seconded by Trustee Peterson, and **CARIED**.

Employment Applications
Village Hall – Marilyn Roscoe

Department Head Reports
ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Jakubowski, Fire Department June 2017, Department of Public Works June 2017, Building Report June 2017 were accepted.

Police Chief that he was disappointed that his 2 youngest officers and dispatcher left due to the dissolution vote. He read the June report and reported data from the traffic sign that was out on Bloomfield.

Fire Chief read the June 2017 report

Code noted that anyone having flooding in their basements, we are all here to help you remedy your situation please call us.

Recreation is sad the summer is more than half over.

Committee Reports
ON A MOTION BY, Trustee Peterson, and seconded by Trustee Bukowiecki, the Tax Relief Meeting for June 2017 was approved.

Unfinished and Other Business
ON A MOTION BY, Trustee Hamernik, and seconded by Trustee Jakubowski, the Tax Relief Meeting for June 2017 was approved.

Public Concerns and Comments
Scott Labounty – 61 Bloomfield – thanked the chief for the speed sign from the Chief and is looking forward to the public hearing.
Paul Yates – 75 Bloomfield – Thanked the chief and submitted a document from the residents with their preferences on a solution.
Anthony Scarfalo – 496 Terrace Blvd – representing St. James – stated that the rectory had a lot of expensive work done on their sewers. He believes that roots from trees along terrace are causing problems. He wants the roots cut out of the sewers.
The Administrator stated she would have the crew chiefs look into the area.

Executive Session
ON A MOTION BY, Trustee Bukowiecki, pursuant to Open Meeting Law Section 105 we adjourn to executive session to discuss personnel matters. The motion was seconded by Trustee Peterson,
The Executive Session Began: 7:38 PM and was adjourned with the meeting being called back to order at 11:02 PM

Claims and Accounts
ON A MOTION BY Trustee Peterson, seconded by Trustee Jakubowski, the following claims are to be paid: $569,731.43 General, $209,673.44 Community Development, $7,927.01 Sewer, $173,514.30 Capital Projects, $960,846.18 Capital was CARIED.
ADJOURNMENT

ON A MOTION BY Trustee Bukowiecki, seconded by Trustee Hamernik, the meeting was adjourned with a moment of silence for Stuart Hoffman, Father of Past Mayor Hoffman at 11:04 PM. The motion was CARRIED.

Respectfully submitted,

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Maureen Jerackas
Village Administrator
Village of Depew Tax Relief Task Force

Meeting #4 June 19, 2017 @ 7:00PM

Attendance:

Kevin J. Peterson, Trustee
Audrey Hamernik, Trustee
Karl Bukowiecki, Trustee

Cheektowaga-side of Village Members:

Thomas E. Wiesmore
Erica Stempienak
Paul Liedkie
Edwin Voll III

Mary Jane Hughes
Peter Pellegino

Lancaster-side of Village Members:

Barbara Stanton
Koreen L. Scalfaro
Joseph W. Keefe
Michael Capan

The meeting began at 7:00PM.

The beginning of the meeting included a discussion with all of the members about re-wording/ re-writing the "Mission Statement" / goals of the Tax Relief Task Force. Since the original outline for the Committees was written back in early January 2017. Since then, our direction has become more defined. The members will be emailed an electronic copy of the original statement and they are to make any changes and email it back. A revised copy will be discussed at the July meeting.

The members then separated into their respective Committees for discussion.

Lancaster-side of Village:

There was discussion among the members of the Committee as to what are the Village of Depew residents actually receiving for the taxes that they are paying? They understand that the Village residents do have the ability to use the park system (Westwood Park, Keysa Park etc.), but do they? The Town does not check users of the parks to determine if they are in fact OK to use them (it was mentioned that Clarence does do that).

It was asked why the Village doesn’t handle the issuing of dog licenses since it appears that the Town of Lancaster collects about $60K in fees. It might be an income line for the Village. It is a question for the
Village. When you factor in the labor and benefits, would the Village benefit? Is it easier to issue the invoices each year (today) than it was when we gave it up?

The Village used to have an Assessor’s office, but years ago decided to consolidate into the Town of Lancaster (and Cheektowaga).

The committee members would like some insight on how the actually tax rate for the Village of Depew residents on the Lancaster side is created?

The committee members believe that Lancaster does not just make up a random number and use that to tax the residents. Therefore it would be helpful if we could gather any explanation or details on how that number is created.

It was also determined by the members of this Committee would also like an explanation on the services they are paying for in their tax bill that they receive from the Town of Lancaster.

We understand that the Village of Depew does not provide each and every service, and we also understand shared services such as the Town of Lancaster lending employees or equipment in order for the Village of Depew to be successful. However, we would like a better understanding of all the services such as those previously mentioned and any that maybe the Village of Depew residents don’t see or realize that the Town of Lancaster provides for example: dog warden.

The bottom line is that the members would like to have a complete breakdown of the budget and a complete breakdown of what services the Village of Depew residents receive.

These questions are what will be asked of the Supervisor of Lancaster and their financial team.

The Town of Lancaster Board meeting is the same night as our Task Force meeting. Can we attend a meeting on a different night? Who is available? It was determined that an email response to these questions would be acceptable. This way would be a simple, non-confrontational approach.

Cheektowaga-side of the Village:

A few of the general questions that our members came up with while reviewing the 2017 Town of Cheektowaga Budget were the following:

- How does the Town determine what the amount of the “credit” that the Village of Depew receives each year? How is it paid?
- Is there a formula that the Town uses to figure out this amount of credit?
- The main question after each of us have reviewed the budget is this: “What do the residents of the Village of Depew, Town of Cheektowaga get for the taxes that are paid”?

We understand the dog catcher and the services that the assessor’s office provides are a couple.
We also understand that the Village residents have the right to make use of the ice rink, swimming pools and Senior Center. Plus they can obtain a permit to use one of the shelters in the Town of Cheektowaga parks.

Our initial thought and line of questions to the Supervisor would be: “How many Village of Depew residents have Town of Cheektowaga Recreation cards?” This unknown, might give us some insight into how many of the Depew residents take advantage of this service that the Town of Cheektowaga provides and could give us some idea if the amount that we spend in taxes is worth it for the majority of those residents. After all, the Village of Depew has an ice rink, a pool, a Senior Center and park system.

It is possible, depending on the numbers an area where we could approach the Town for a reduction based on actual usage.

What about the Village of Sloan? What do they pay to the Town of Cheektowaga for the services that they receive?

It was decided that after the Town of Cheektowaga Supervisor agrees to a date to meet, our Committee would meet 1 week earlier to be sure to have our approach to the meeting worked out in advance.

Dates of the Town of Lancaster and Town of Cheektowaga Board Meetings and upcoming Village of Depew Board Meeting were presented to the Committees.

Next meeting is Monday July 17, 2017 @ 7:00PM.

Last Committee Meeting ended at 8:30PM.

Respectfully Submitted,

Kevin J. Peterson
Chairman of Cheektowaga-side Committee
Trustee, Village of Depew

Karl Bukowiecki
Chairman of Lancaster-side Committee
Trustee, Village of Depew