

MEETINGS TO DATE 18
NO. OF REGULARS: 16

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
JANUARY 28, 2013**

ROLL CALL: Trustee Hammer
Trustee Nolder
Trustee Nikonowicz
Trustee Pecora
Mayor Hoffman

ON A MOTION BY, Trustee Pecora, and seconded by Trustee Hammer, the January 14, 2013 Village Board Minutes were approved.

PUBLIC COMMENT AGENDA ITEMS ONLY:

None

APPOINT INSPECTORS OF ELECTION FOR 2013 VILLAGE ELECTION

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

BE IT RESOLVED, pursuant to Section 15-116 of the Village Election Law of the State of New York, the following Inspectors of Election are hereby appointed to serve at the specified amount of \$90.00/Chairman and \$75.00/Inspector per day for the General Village Election to be held on Tuesday, March 19, 2013. This list is from Erie County Board of Elections for 2013 Certified Inspectors and will be used to fill the positions and any alternate necessary to adequately run the elections.

See attached list.

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

March 19, 2013 Election Inspectors- Confirmed

Chairmans:

Nancy Bartel –
Grace Schwartz –

Election Inspectors:

Dorothy Machaczka –
Rita Przybyla –
Charlene Kotlowski –
Gloria Saskowski –
Nancy Falkowski –
Beverly McCall –
Sharon Nusall –
Barbara Walter –
Carol Brzezicki –
Donald Brzezicki –
Linda Krzyzanowski –
Marie Schultz –
Diane Doyle –
Julia Gangloff –
Sandra Len –
Sandra Stapleton –
Carl Mrozek –
Patricia Campbell

Plus any additional inspectors from Erie County Board of Elections list to supply the 4 districts with the proper staffing for inspectors and alternates.

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SUPPORT FOR NYS-CONTACT INFORMATION FOR VACANT STRUCTURES

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

WHEREAS, due to the financial situation of many taxpayers in New York State, a mortgage foreclosure crisis has emerged, causing many citizens to lose their homes, and

WHEREAS, banks foreclose on such properties, leaving them vacant many times, and

WHEREAS, although current State law requires the owner of a property to maintain it, municipalities lack the knowledge to know who to notify when a bank forecloses on such property, and

WHEREAS, many times the Village of Depew has had to maintain the properties of foreclosed properties owned by banks, and

WHEREAS, State Assemblyman Michael P. Kearns has sponsored legislation in the State Assembly (Bill No. A.00824) which would require mortgage foreclosure plaintiffs to provide contact information through a written notice to the municipality of the entity that is responsible for maintaining the property and to post such information on the vacant dwelling itself, and

WHEREAS, the contact information required by this proposed legislation would greatly assist the Village of Depew and other municipalities in ensuring that vacant properties are well maintained, thus keeping up the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Depew hereby supports Assembly Bill No. 00824, and

BE IT FURTHER RESOLVED, that this Village Board of the Village of Depew hereby memorializes the State Senate and State Assembly, including Senator Patrick Gallivan, Assemblyman Dennis H. Gabryszak and Governor Andrew M. Cuomo to adopt said bill, and

BE IT FURTHER RESOLVED, that the Village Administrator of the Village of Depew be and hereby is authorized and directed to forward copies of this resolution to New York State Senator Patrick Gallivan, New York State Assemblyman Dennis H. Gabryszak, New York State Assemblyman Michael P. Kearns and Governor Andrew M. Cuomo.

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

AUTHORIZE MAYOR TO SIGN AGREEMENT FOR GENERATOR MAINTENANCE

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

BE IT RESOLVED, that Mayor Steven P. Hoffman, is authorized to sign an agreement with Cummins Northeast 700 Aero Dr Buffalo NY 14225 for generator maintenance on the seven village generators at a cost of \$3,387.63 for the period of February 1, 2013 till January 31, 2014.

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

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AUTHORIZE MAYOR TO SIGN AGREEMENT WITH CHEEKTOWAGA –TAX CREDIT FOR POLICE SERVICES

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

BE IT RESOLVED, that Mayor Steven P. Hoffman, is authorized to sign an agreement the Town of Cheektowaga for a Tax Credit in the amount of \$440,000.00 against the Town assessment for the Village residents in the Town of Cheektowaga. The agreement is effective from January 1, 2013 to December 31, 2013.

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

AMEND FLEXIBLE BENEFITS PLAN

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

WHEREAS, the Village of Depew previously adopted a Code Section 125 Cafeteria Plan and a Code Section 105 Health Care Spending Account (“HCSA”), collectively referred to as the Flexible Benefits Plan (the “Plan”);

WHEREAS, Article 9.02 of the Plan allows the Employer to amend the Plan;

WHEREAS, effective January 1, 2013 the Patient Protection and Affordable Care Act of 2010 (the “Affordable Care Act”) amended Internal Revenue Code Section 125(i) to limit salary reductions for HCSAs to \$2,500;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Depew has hereby reviewed the attached amendment and Summary of Material Modifications and does hereby approve the adoption of the amendment as set forth therein;

BE IT FURTHER RESOLVED, that the officers of the Village of Depew are authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

AUTHORIZE SERVICE AWARD POINTS

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

WHEREAS, the Village of Depew has received a request from the Depew Fire Department to authorize LOSAP points to Thomas Domino due to his accident in September 2012;

WHEREAS, Thomas Domino had accumulated 44 points prior to his accident;

BE IT RESOLVED, the Village Board approves the additional 6 points for Thomas Domino for the year 2012.

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

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Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

MODIFY 2012-2013 BUDGET – NYSERDA REBATE

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

WHEREAS, the Village of Depew has received \$20,000.00 from NYSERDA for the purchase of energy efficient refrigerators, copiers and air conditioners;

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2012-2013 Budget in the following manner:

A510	Estimated Revenue	
	Sub Account 010. 2655 Minor Sales	\$20,000.00
A960	Appropriations	
	Sub Account 3410.204 Fire Dept – Copiers	\$7,230.00
	Sub Account 3120.201 Police Dept – Remodeling	\$ 693.00
	Sub Account 3120.202 Police Dept – Computer equip	\$3,749.00
	Sub Account 1490.435 DPW- Contractual Services	\$3,749.00
	Sub Account 1410.200 Clerk – Equipment	\$2,244.00
	Sub Account 7265.200 Recreation – Equipment	\$1,425.00
	Sub Account 1640.419 Central Garage – Bldg Maint.	\$ 217.00
	Sub Account 7020.414 Recreation Administration – Materials	\$ 693.00

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Nikonowicz, 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:

HOOK & LADDER CO #1 – EXPLORER

Lonnie Bowlds 206 Calumet St Depew NY 14043

DEPEW HOSE CO. #1

Scott Hewitt 26 Sturm St Lancaster NY 14086

CAYUGA HOSE CO. #3

Joshua Rogacki 699 Terrace Blvd Depew NY 14043

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

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TREE/TRIMMING REMOVAL:

EMPLOYMENT APPLICATIONS: DPW – Justin Sergi, David Simpkin

DEPARTMENT HEAD REPORTS: Building Dept – Dec 2012, Annual 2012

ON A MOTION by Trustee Nolder, seconded by Trustee Hammer, the department head reports were accepted.

COMMITTEE REPORTS:

None

UNFINISHED AND OTHER BUSINESS –

None

PUBLIC CONCERNS AND COMMENTS –

Joan Priebe – 15 Howard – complained about the construction vehicles parked on Airview near Howard and material piles. Stated vehicles parked in abandoned houses driveway.

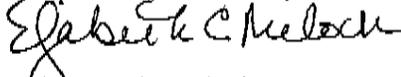
CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Pecora, seconded by Trustee Nolder, the following claims are to be paid: General \$216,995.19, Sewer \$839.44, Capital Projects \$58,419.62, the motion was **CARRIED**.

ADJOURNMENT-

ON A MOTION BY Trustee Nikonowicz, seconded by Trustee Hammer, the meeting was adjourned at 7:18 pm with a moment of silence and prayers for Jackie Mau, Past Fire Chief Ken Mau's wife and Derrick Adamberger, son of Fire Chief Dave Adamberger who are both battling cancer. The motion was **CARRIED**.

Respectfully submitted,



Elizabeth C. Melock
Village Administrator