

MEETINGS: 13
NO. OF REGULAR: 13

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
October 26, 2015**

ROLL CALL:

Trustee Hammer- ABS
Trustee Bukowiecki
Trustee Peterson
Trustee Kucewicz - ABS
Mayor Nikonowicz

ON A MOTION BY, Trustee Peterson, and seconded by Trustee Bukowiecki, the October 13, 2015 Village Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Gabrielle Miller – Community Development Director – Asked about the stipulations regarding the signage on village property. The Mayor and village attorney responded.

PUBLIC HEARING COMMUNITY DEVELOPMENT

Terry Mescall – 36 Susan Drive inquired about what projects the village was looking to have done. The Mayor replied with

1. 2015-2016 Bloomfield, Warsaw and Calumet Sidewalk Replacement \$178,341
2. 2015-2016 Cloyes, Bryant and Miller Sanitary Sewers and Manhole Remediation \$165,000

ON A MOTION BY Trustee Peterson, seconded by Trustee Bukowiecki, the public hearing was closed at 7:17 pm.

APPOINT RECREATION ATTENDANTS PT- WINTER PROGRAMS

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, hereby appoint the following as Winter Program Recreation Attendants PT (Rink Guards & Ice Rink Cashiers) effective immediately at a salary of \$8.75 per hour:

See Attached spread sheet

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

Trustee Hammer- ABS
Trustee Bukowiecki
Trustee Peterson
Trustee Kucewicz - ABS
Mayor Nikonowicz

**AUTHORIZE MAYOR TO SIGN CONTRACT WITH ERIE COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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

WHEREAS, the Village Board of the Village of Depew desires to enter into a contract with Erie County Community Block Grant Program (ECCDBG) for the following projects listed in order of their ranking of priority by the Depew Village Board:

3. 2015-2016 Bloomfield, Warsaw and Calumet Sidewalk Replacement \$178,341
4. 2015-2016 Cloyes, Bryant and Miller Sanitary Sewers and Manhole Remediation \$165,000

WHEREAS, the Village Board of the Village of Depew deems it in the public interest to authorize the Mayor of the Village of Depew to sign, submit and execute contracts with Erie County for CDBG funded projects upon approval of the CDBG for the aforementioned projects.

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Depew hereby authorizes the Mayor of the Village of Depew to sign, submit and execute contracts with Erie County for CDBG funded projects upon approval of CDBG for the following projects, listed in order of their ranking priority:

1. 2015-2016 Bloomfield, Warsaw and Calumet Sidewalk Replacement \$178,341
2. 2015-2016 Cloyes, Bryant and Miller Sanitary Sewers and Manhole Remediation \$165,000

BE IT FURTHER RESOLVED, that the Village Administrator forward a certified copy of this resolution to ECCDBG, Erie County Consortium.

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

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

AUTHORIZE MAYOR TO SIGN AGREEMENT – BURGER KING

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

WHEREAS, the Village wishes to enter into an agreement with Burger King for maintenance of the portion of Village property abutting the Burger King located at 5391 Transit Road; and

WHEREAS, the Village of Depew has made an agreement to remove all excessive trees and over growth on the property, in exchange Burger King will maintain the landscaping and mowing of that property with no cost to the village.

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

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

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

AUTHORIZATION FOR MAYOR TO SIGN SETTLEMENT OF VILLAGE LAWSUIT

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

WHEREAS, the Village of Depew was one of the named parties in an Order to Show Cause brought by Keith Wesolek, and,

WHEREAS, a resolution has been reached which has no cost to the Village,

BE IT RESOLVED, that Mayor Jesse Nikonowicz is hereby authorized to sign the Settlement Agreement on behalf 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 Hammer- ABS
Trustee Bukowiecki -Y
Trustee Peterson-Y
Trustee Kucewicz - ABS
Mayor Nikonowicz -Y

MAINTENANCE OF A PRIVATE DRIVEWAY IN EXCHANGE FOR USE BY THE VILLAGE

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

WHEREAS, the Village has used and wishes to continue to use a private driveway located at 7 Cloyes Street and 4 Cloyes Street, (which is actually known as 4 Wendell Street) for the purpose of a turnaround for Village vehicles, including but not limited to Sanitation and Department of Public Works vehicles and snowplows; and for the purpose of depositing excess snow from Cloyes Street, and,

WHEREAS, the Village trucks have put undue stress and wear and tear upon that private driveway.

BE IT RESOLVED, That the Village of Depew shall pave over and maintain the driveway located at 7 Cloyes Street and 4 Cloyes Street, (which is actually known as 4 Wendell Street) for as long as the, current owners, Kevin Nowak and Maria Nowak shall continue to allow the Village of Depew to use the driveway as a turnaround, and continue to allow the Village to deposit excess snow at the end of the driveway, and it is further

RESOLVED, that the Mayor is authorized to enter into and sign a written agreement with Kevin Nowak and Maria Nowak for that purpose.

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

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

SALE OF ONE FOOT STRIP OF PROPERTY ON COLONY STREET

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

WHEREAS, the Village of Depew had retained ownership in a one foot (1') wide and sixty foot (60') long piece of property on Colony Street, bordering the property of 250 Columbia Avenue owned by Madison Manor Services, LLC, and,

WHEREAS, the Madison Manor Services, LLC wishes to obtain the strip of property for the purposes of ingress and egress onto their property; and

WHEREAS Madison Manor Services, LLC then wishes to appear before the planning board for the purposes of subdividing the property into a second building lot, thereby increasing the taxable property within the Village of Depew,

BE IT RESOLVED,

That the Village of Depew shall sell the one foot (1') wide by sixty foot (60') long piece of property described above, to Madison Manor Services, LLC for Two Hundred Fifty and 00/100 dollars (\$250.00) with the purchaser paying all costs of the transfer, and it is further

RESOLVED, that the Mayor is authorized to enter into and sign a written agreement and all necessary documents with Madison Manor Services, LLC for that purpose.

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

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

PLACEMENT OF EVENT SIGNS UPON VILLAGE PROPERTY

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

WHEREAS, The Village owns the parcel of property at the intersection of French Road and George Urban Boulevard, and,

WHEREAS, The Village owns the parcel of property at the intersection of Broadway and Transit Road, and,

WHEREAS, various signs have been placed upon those parcels of village property for notice and advertising of future events for various village and non-village groups, and

WHEREAS, the Village Administration wishes to maintain control over the use of that village property for the above purposes and all other purposes,

BE IT RESOLVED,

1. That only churches, schools, civic organizations and not for profit groups located within the Village of Depew shall be allowed to place signs for events upon the Village property, and no individual persons or for profit entities shall be allowed to place signs upon Village property.
2. Any group, person or entity wishing to place signs upon or otherwise use the properties set forth herein, or any other properties owned by the Village of Depew, must come to the Village office and fill out an application stating the name and address of the group or entity, along with a copy of their not-for-profit designation, the date of the event and the type of the event, and the Village property where such signs shall be place.
3. The Village has the sole discretion to approve or reject the placement of such signs based upon size, content or any other issue that the Village shall determine violates the interest and convenience of the Village and its employees.

4. Such signs can only be placed upon Village property three (3) weeks prior to the event being advertised.
5. Such sign must be removed from the Village property within Forty Eight (48) hours after the date of the event.
6. Any signs that are not removed within 48 hours after the date of the event, an assessment of Fifty and 00/100 dollars (\$50.00), shall be assessed against the group that had applied to place such event signs and that group or entity shall not have the right to place any further signs upon Village property prior to the assessment being paid.
7. Any person placing signs or other advertising upon Village property without proper authorization under this resolution shall be subject to a fine in the amount of Fifty and 00/100 dollars (\$50.00)

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

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

APPROVE LONGEVITY PAYMENTS

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

WHEREAS, the Employee Handbook requires longevity payments to non-union personnel to be approved by the Village Board;

BE IT RESOLVED, longevity payments, as per the current budget, for the 2015-2016 be approved for the following:

Jacki Federowicz - \$1125
Maureen Jerackas - \$0
Melissa Barr - \$900
Linda Gangloff - \$0
Margie Burzynski- \$450
Phillip Fleck - \$1,452.70
Kenneth Kaczmarek - \$1450
Stanley Carwile - \$ 1350

These payments will be paid to the employees the first payroll in November 2015.

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

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

PERMISSION SEMINAR

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

BE IT RESOLVED, permission is hereby granted to Maureen Jerackas, Village Administrator, to attend the New York State Government Finance Officers' Association's Advanced Accounting Forum on Tuesday, November 17, 2015 in Batavia, NY. The cost of the school is \$165.00. Use of a village vehicle is authorized.

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

EMPLOYMENT APPLICATIONS RECEIVED:

Recreation – Arcadio Alfaro, Eben Borkowski, Sarah Bzibziak, Melissa Green, Lindsay Wiechelt, Jake Winklehofer, Jenna Donata, Katelyn Frawley, Emily Scibetta, Daniel Shanley
DPW – Daniel Shanley, Andrew Gee, Robert Laskowski Village Hall – Marie Fleck, Kristine Mazurkewic

DEPARTMENT HEAD REPORTS: The Fire chief announced that Chief Scott Wegst had a baby, and Chief Alek Wojciehowicz just got engaged!

COMMITTEE REPORTS: None

UNFINISHED AND OTHER BUSINESS: **ON A MOTION BY** Trustee Bukowiecki seconded by Trustee Peterson the Lawn will be cut by the DPW and the bills assessed to the tax rolls of those properties on the attached spreadsheet.

PUBLIC CONCERNS AND COMMENTS

Di Beose – 15 Yoga – Made a complaint that her neighbors lights were on all the time and the siding was coming off hitting her property. The property in question was thought to be vacant. Code enforcement welcomed her to his office to place a complaint any time.

Dan Butler – 26 Tyler –He Commented about the Lincoln street bridge project and the messy state it is left in by the company doing the project. He commented about speaking with Lancaster. The Mayor responded including that he had his eye on it too.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Peterson, seconded by Trustee Bukowiecki, the following claims are to be paid: Sewer \$10388.92, General \$180188.56, Capital projects \$342,926.65 Capital \$533,504.13. **CARRIED.**

ADJOURNMENT

ON A MOTION BY Trustee Bukowiecki, seconded by Trustee Peterson, the meeting was adjourned wishing everyone a Safe and Happy Halloween at **7:37 pm.** The motion was **CARRIED.**

Respectfully submitted,

Maureen Jerackas
Village Administrator