

MEETINGS: 15  
NO. OF REGULAR: 15

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
November 23, 2015**

**ROLL CALL:**

Trustee Hammer  
Trustee Bukowiecki  
Trustee Peterson  
Trustee Kucewicz  
Mayor Nikonowicz

**ON A MOTION BY**, Trustee Bukowiecki, and seconded by Trustee Peterson, the November 9, 2015 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Peterson, and seconded by Trustee Bukowiecki, the November 12, 2015 Zoning Board Minutes were Accepted

1. Kimberly Schillinger-30 Zurbrick Road requesting a setback variance to sub-divide the property without creating a non-conforming use. Zoning Board approved with stipulations.
2. George Davis- 65 Autumn Lea Road to permit him to build an attached carport. Zoning Board approved as submitted

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

Joan Priebe – 15 Howard Lane- Questioned Bonding the full amount of the fire truck and how the money from Wozniak. The people were informed that any Grant money received would be used to pay down the debt of the truck. She then asked about the amount for the sidewalk tractor and stated that the village is in debt. She also asked about the Bond Rating and debt. She asked about the property location on West St. as well.

David Burkhardt – 5 Autumn Lee – He asked if it will take a year to get the grant money for the truck. The mayor explained the process of getting money. He asked about where the sidewalk tractor would be plowing and if it would include Walden. He asked if we have a side walk tractor, and we do have one that is past its useful life.

Dan Butler – 26 Tyler – DPW how many Laborers? 9, 4 w/o CDL. Asked about the fire bonding resolution. Asked about clearing the sidewalk area, and the response was that our responsibility is to clear the sidewalk for the school children but not the school itself. The chief and Superintendent stated we work together as a village, the school helped us during the storm.

**APPOINT PROVISIONAL PT LABORER - DPW**

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Kevin Fusani. 343 Canton Street Depew, NY 14043 to the position of Provisional Part Time Laborer effective November 24, 2015, at a starting rate of \$ 13.00/ hr. with reimbursement for such employment to be paid by NYS Access- VR as part of a vocational training program through January 18, 2016 with further extensions expected.

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

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

REQUEST TO ACQUIRE - LAND BANK

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

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an inter-municipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Depew Municipality, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT RESOLVED, that Depew Municipality hereby officially requests the BENLIC acquire the following properties:

#1	24 Miller St.	115.060-2-25
#2	4639 Broadway	103.840-3-2
#3	184 Bigelow Place	103.840-2-6
#4	168 Borden Rd	114.080-7-28.130
#5	174 Borden Rd	114.080-7-28.120
#6	3248 Walden Ave.	104.090-4-13.100
#7	40 Olmstead Ave	104.300-1-10
#8	519 Penora St.	104.550-2-38

; and be it further

RESOLVED, that the Depew Municipality has completed the requested Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plan to this resolution; and be it further

RESOLVED, that the Depew Municipality agrees to reimburse Erie County for the cost associated with foreclosure of this property; and be it further

RESOLVED, that the Depew Municipality agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that The Village of Depew hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, adopted September 19, 2014 and that pursuant to section 1610 of the New York Not-for Profit Corporation Law will remit to BENLIC 50% of real taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

#1	24 Miller St.	115.060-2-25
#2	4639 Broadway	103.840-3-2
#3	184 Bigelow Place	103.840-2-6
#4	168 Borden Rd	114.080-7-28.130
#5	174 Borden Rd	114.080-7-28.120
#6	3248 Walden Ave.	104.090-4-13.100
#7	40 Olmstead Ave	104.300-1-10
#8	519 Penora St.	104.550-2-38

;and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the Cities of Lackawanna and Tonawanda.

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

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

**BOND RESOLUTION – FIRE TRUCK**

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

**A BOND RESOLUTION, DATED NOVEMBER 23, 2015, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW, ERIE COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING THE ACQUISITION OF A FIRE-FIGHTING VEHICLE AND APPARATUS (2015) FOR USE BY THE VILLAGE AT AN ESTIMATED MAXIMUM COST OF \$480,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$480,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

BE IT RESOLVED, by the Village Board of Trustees of the Village of Depew, in the County of Erie, New York (the “Village”) (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as “Purpose”) to be financed pursuant to this resolution is the acquisition of a fire-fighting vehicle and apparatus for use by the Village including all preliminary costs and necessary equipment, apparatus, warranties and other such costs incidental thereto and in connection with the financing thereof. The estimated maximum cost of such purpose is \$480,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate amount not to exceed \$480,000 of the Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such acquisition is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that such purpose is an object or purpose described in subdivision 27 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such purpose is 20 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has determined that the purpose will not have a significant effect on the environment and, therefore, no other determinations or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this resolution are not substantially complied with,

**and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice; or**

2. such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

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

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

### **BOND RESOLUTION – SIDEWALK TRACTOR**

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

**A BOND RESOLUTION, DATED NOVEMBER 23, 2015, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW, ERIE COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING THE ACQUISITION OF A SIDEWALK TRACTOR AND EQUIPMENT FOR USE BY THE VILLAGE AT AN ESTIMATED MAXIMUM COST OF \$110,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$110,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

BE IT RESOLVED, by the Village Board of Trustees of the Village of Depew, in the County of Erie, New York (the "Village") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The class of objects or purposes to be financed pursuant to this resolution is the acquisition of a sidewalk tractor and equipment for use by the Village, including any preliminary costs and costs incidental thereto and in connection with the financing thereof. The estimated maximum cost of such objects or purposes is \$110,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of such objects or purposes by the issuance of serial bonds in an aggregate amount not to exceed \$110,000 of the Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such acquisitions is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that such class of objects or purposes described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such acquisitions is 15 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has determined that such class of objects or purposes will not have a significant effect on the environment and, therefore, no other determinations or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice; or

2. such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

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

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

**APPROVE CREATION OF POSITION – PT Account Clerk**

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

**BE IT RESOLVED**, that the position of PT Account Clerk, with the duties and responsibilities as set forth in the job specifications of the Erie County Civil Service, is hereby created.

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

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

**APPROVE CREATION OF POSITION – Clerk –Typist**

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

**BE IT RESOLVED**, that the position of Clerk Typist, with the duties and responsibilities as set forth in the job specifications of the Erie County Civil Service, is hereby created.

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

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE AUDITED FINANCIAL STATEMENTS ARE COMPLETED**

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

**BE IT RESOLVED**, the Village Administrator is authorized to advertise that the Village of Depew Financial Statements for May 31, 2015 have been audited and are available to the public via our web page or in the Clerk/Treasurer's Office.

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

**PERMISSION SEMINAR**

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

**BE IT RESOLVED**, permission is hereby granted to Tony Fischione and Matt Fischione, Code Enforcement Officers, to attend The Solar PV Permitting and Inspection Workshop on Jan 14, 2015 in Orchard Park, NY. The Seminar is no charge. Use of a village vehicle is authorized.

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

**PERMISSION –WAIVE PUBLIC SKATE FEES**

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

**WHEREAS**, the Depew Recreation Department has requested permission to waive the admission fee for Public Skating on Monday November 30, 2015 in conjunction with the Depew Tree Lighting.

**NOW, THEREFORE, BE IT RESOLVED**, that permission is hereby granted to the Recreation Director to waive the admission fee for Public Skating on Monday, November 30, 2015 from 7:00PM – 9:00 PM in conjunction with Depew Tree Lighting, and

**BE IF FURTHER RESOLVED**, that the Village Administrator will forward a copy of this resolution to the Village Recreation Director with the wishes of the Village Board for an enjoyable and successful Family Skating Event.

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

**PERMISSION TREE LIGHTING PARADE**

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

**BE IT RESOLVED**, permission is hereby granted for the Annual Tree Lighting Parade including Fire Apparatus and Santa on Monday, November 30, 2015, beginning at approximately 6:10PM. The Depew Police Department who will provide the necessary traffic enforcement has approved the parade route.

The foregoing resolution was seconded by Trustee Kucewicz, and **CARRIED**

**AUTHORIZATION FOR MAYOR TO SIGN WEST STREET PROPERTY**

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

**WHEREAS**, the Village wishes purchase the portion of the property owned by Patricia Greiner under SBL # 104.78-2-42 upon which the roadway known as “West Street”, which is the roadway connecting Breck Street and Elmwood Avenue, and

**WHEREAS**, the Village, requires the roadway plus an additional one (1) foot in order to provide a dedicated Village street and

**WHEREAS**; the Seller agrees to sell and the Village agrees to purchase the above described property for the sum of Two Thousand Five Hundred and 00/100 dollars (\$2,500.00) , and

**WHEREAS**, the Village has agreed to provide all costs of a Survey, Abstract of Title and Erie County Clerk’s filing fees,

**BE IT RESOLVED**, that the Board of Trustees of the Village of Depew authorizes the Mayor Jesse Nikonowicz to sign a contract with Patricia Greiner for the purchase of the described property, and further authorizes the Mayor to sign order and sign all necessary documents to complete the purchase, as it is proposed, and

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

- Trustee Hammer -Y
- Trustee Bukowiecki -Y
- Trustee Peterson- Y
- Trustee Kucewicz-Y

Mayor Nikonowicz-Y

**Tree Trimming/Cutting:**

: 251 Enez, 37 Bostwick, 19 Doehaven, 96 Argus, 102 Argus, 14 Michele, 143 University, 100 Columbia, 122 Irving, 153 Cornell, 6 Mary Lou, 13 Banko, 110 Dorset, 69 Green, 63 Forestview, 138 Lackawanna, 485 Terrace

**On a Motion by Trustee Bukowiecki Seconded by Trustee Kucewicz the attached list was added for Tree trimming and cutting.**

**EMPLOYMENT APPLICATIONS RECEIVED:**

: DPW – Joseph Banko

**DEPARTMENT HEAD REPORTS:** October 2015 Police Department, October 2015

Building Department

DPW – Leaf picking done, snow plows on, finding hydrants, tree trimming

Rec – for tree lighting perishable item or a dollar for the skate night for the food pantry.

Code – report submitted

Police – report submitted, the chief went to an Erie County Department of Health Drug Training and Lancaster High School Drug Training

Fire – Will be at the Village of Lancaster Fire Truck Parade and Depew Tree Lighting

**On a Motion by Trustee Peterson Seconded by Trustee Hammer the Department Head reports were accepted**

**COMMITTEE REPORTS:** None

**UNFINISHED AND OTHER BUSINESS:** None

**PUBLIC CONCERNS AND COMMENTS**

Dan Butler – 26 Tyler – Lincoln Street, open but bumpy? The Superintendent answered - In their opinion complete. We do not agree. To be discussed tomorrow. The village doesn't plan on signing off until complete. Dan also asked about Walden Ave. and the boats. CSX made a verbal complaint said they will put in writing and Tony will work to get him in front of the board if not in compliance.

Dave Burkhardt – 5 Autumn Lee – Jumped in with it looks like a dump. We should pull his special use permit. Open later than they should be open.

Dan continued with Casey's - vehicles where they should not be located and trailer being left 3 or 4 days – not in the Agreement. Tony said he doesn't have a copy of this agreement in street file. Linda Hammer to give Tony a copy of the agreement. Quonset Hut – Tony working with the Engineers. What are they doing by 84 lumber? Remediation site- Collecting ground water so it can be treated before it goes to public water. Zurbrick Road status? – Superintendent replied - Final Paving Complete. Doing clean up now. Transit road update. The Mayor replied Transit Rd Bridge had one community meeting will have another. 4 phases are planned CSX to Gould removing 2 center bridges, possibly CSX to Walden Ave

Walden to French

Left turn lane transit to George Urban Blvd.

Audry Hammernick – Complimented the DPW on the leave clean up in the village. Also the Fire and PD for the Barnabas Ave Trick or Treat.

Paul Sparada – 58 Argus – Paul also complimented the leave pick up by the DPW and Phil accepted the good job for his team! Opening date for Boys and Girls club? We do not have a confirmed date.

Joan Pribe – 15 Howard Lane – Create a position? Do we have a list? Yes, we are updating and creating positions needed. Administrator replied to question that our current list needs corrections and they will be made.

Paul Sparada – 58 Argus – Electronics Collections? The village is not having one but we post them all on-line that we are aware of.

Gabrielle Miller – 61 Olmstead Ave – Civil Service List – questioned the Depew list vs County list.

Trustee Peterson would like the residents to know that he shares their concerns about Casey's, Dipizio's and other business clean up.

Village of Depew November 23, 2015

Tracy Sunburg – 376 Olmstead – How about Dipizio’s yard on Broadway? Yes

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Kucewicz, seconded by Trustee Hammer, the following claims are to be paid: General \$1,364,459.92 Sewer \$4810.00, Capital \$1,369,269.92.  
**CARRIED.**

**ADJOURNMENT**

**ON A MOTION BY** Trustee Bukowiecki, seconded by Trustee Peterson, the meeting was adjourned in memory of the recent terrorist attacks at **7:58 pm**. The motion was **CARRIED**.

Respectfully submitted,

Maureen Jerackas  
Village Administrator