

MEETINGS: 2
NO. OF REGULAR: 2

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
April 13, 2015

ROLL CALL: Trustee Hammer
Trustee Buckowiecki
Trustee Peterson
Trustee Kucewicz
Mayor Nikonowicz

ON A MOTION BY, Trustee Buckowiecki, and seconded by Trustee Peterson, the March 23, 2015 Village Board Minutes were approved.

ON A MOTION BY, Trustee Kucewicz, and seconded by Trustee Hammer, the April 6, 2015 Village Board Meeting Minutes were approved.

ON A MOTION BY, Trustee Peterson, and seconded by Trustee Kucewicz, the April 9, 2015 Zoning Board Minutes were Accepted. The March 26th Minutes were not acted on.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Dan Beutler- 26 Tyler –Asked what the deferred comp plan was.

Irv Reinig – 380 Columbia – Asked questions regarding the advertising of the Darwin Argus project. He also asked about the totals spent on the sewer project and wanted to know if there was a master plan. Have the previous sewer projects been monitored thus far and were the outcomes favorable. Could the board report back on the monitoring.

PUBLIC HEARING – TENTATIVE BUDGET 15-16

Irv Reinig – 380 Columbia – He stated that this was a bare bones budget and that the tax levy increased 80% with stagnate growth. He doesn't believe we are competitive with the towns. He believes we have redundant services with the towns and the new board will need to make a big change. He believes a capital plan will need to be made. He also stated while he lives on the Lancaster side of Depew, He feels it is unfair that the Cheektowaga side pays for police services in their town tax.

Joan Priebe – 15 Howard – She stated that 3 Union contacts are coming up in June, she asked if there was money for them in the Budget.

Dan Beutler – 26 Tyler – He felt Disillusionment of the village is a thought process, or merging of the police department. He also stated that adding 8 houses and demolishing 7 shows that we are not growing.

Steve Hoffman – 16 Colony – While he commended the Mayor for cutting salaries, He asked if the Mayor planned to keep his salary at \$10,000 or if he will bring it back to \$11,800. He also stated that the Fire Marshall position was cut out of the budget because he felt it was a no show position. He asked that they look hard before putting the position back into the budget. The Mayor said under advisement he will keep his salary at \$11,800, not for himself but for future Mayors. He accepted the advisement of Mr. Hoffman and would look into it more as they continue to look into the budget. The Mayor did comment that the code enforcement officers that Steve brought aboard are doing a wonderful job.

Gabrielle Miller – 61 Olmstead Ave. – She sated she believed that the police agreement with Cheektowaga occurred when the towns and village were formed. She also stated that the Police department saved her life in a situation. It is her opinion that we should keep the police, fire department and DPW in the village even though her taxes are higher.

The Mayor said he would keep an open mind, no favoritism.

ON A MOTION BY Trustee Kucewicz, seconded by Trustee Hammer, the public hearing was closed at 7:22 pm.

PUBLIC HEARING – Time Warner Cable Franchise Agreement Renewal

Joan Priebe – 15 Howard – She asked for a synopsis of what the agreement is, The Mayor referred to Village Administrator, Liz and she responded with a 10 year agreement for 5% on cable franchise fee, which are changed for Cable TV. It is a revenue source for the village.

ON A MOTION BY Trustee Peterson, seconded by Trustee Bukowiecki, the public hearing was closed at 7:25 pm.

APPOINT ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL REPRESENTATIVE

Pursuant to Section 4-400 of Village Law, I, Mayor Jesse Nikonowicz, do hereby appoint Kevin Peterson to the position of Erie County Environmental Management Council Representative (ECEMC), for the term of two year, said term to expire May 31, 2017 at no additional salary.

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

Trustee Hammer -Yes
Trustee Bukowiecki - Yes
Trustee Peterson - Yes
Trustee Kucewicz -Yes
Mayor Nikonowicz – Yes

Amend Deferred Compensation Plan

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

WHEREAS, the Employer has previously adopted the Village of Depew Deferred Compensation Plan & Trust, herein after called the “Plan”, effective as of December 1, 1993; and

WHEREAS, the Employer desires to amend and state the Plan;

That Jules Percora and Mike Nolder are removed as Trustees;

That Karl Bukowiecki and Kevin Peterson are added as Trustees; and

That Steven Hoffman is replaced as the Mayor and Employer by Jesse Nikonowicz

NOW, THEREFORE, BE IT RESOLVED, that the Employer hereby amends and restates the plan in the form of the Village of Depew Deferred Compensation Plan& Trust and Trust/ Custodial Account, effective as of April 17, 2015;

BE IT FURTHER RESOLVED, that the proper trustees of the Municipality are and each of them is hereby authorized and directed in the name of and on behalf of the Municipality, to execute and deliver the Plan and to do all other things, including the execution of any other necessary documents setting forth the terms and conditions of the amended and restated Plan;

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 Bukowiecki - Yes
Trustee Peterson - Yes
Trustee Kucewicz - Yes
Mayor Nikonowicz – Yes

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS
DARWIN/ARGUS SEWER PROJECT**

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for bids for the Darwin/ Argus Sewer Project.

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING
FOR MS4 REPORT**

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for public hearing for MS4 report to take place on Monday April 27, 2015 at 7PM in the council chambers.

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

MODIFY 2014/2015 BUDGET - FEMA

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

WHEREAS, the Village of Depew has been approved for \$247,584.31 from FEMA for damages and expenditures associated with the November Snowstorm for our DPW, Police and Fire submitted project worksheets, and the proceeds of this payment will reimburse the accounts where the expenditures were made,

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2014-2015 Budget in the following manner:

A510	Estimated Revenue	
	Sub Account 010.4960 – Federal Aid – FEMA 90-91	\$247,584.31
A960	Appropriations	
	Sub Account 5142-435 – Snow Removal Contractual	\$147,259.77
	Sub Account 1490.200 – Salt Barn	\$3,750.00
	Sub Account 1490.104 – DPW Overtime	\$51,557.02
	Sub Account 5110.414 – Street Maintenance – Landscaping	\$11,145.65
	Sub Account 3120.107 – Police – Reporting In Time	\$20,803.79
	Sub Account 3120.298 – Police – Police Cars	\$6,896.30
	Sub Account 3120.100 – Police – Labor	\$591.81
	Sub Account 3410.414 – Fire - Materials	\$5,579.97

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

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

PERMISSION 10 K RACE

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

WHEREAS, The Depew-Lancaster Boys and Girls Club requested permission to hold their 38th Annual 10K Race on Saturday July 4, 2015 starting at 9 am;

BE IT RESOLVED, the race is approved and will follow the same route as last year. The race will last about one hour.

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

PERMISSION – MEMBERSHIP DEPEW FIRE DEPARTMENT

Trustee Kucewicz, 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 his physical:

Aetna Hose Company

Michael Carrubba
349 Olmstead Ave
Depew, NY 14043

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

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 Office of State Comptroller's basic accounting school on June 2-4, 2015 at the Dulles State Office Building, Watertown, NY. The cost of the seminar is \$85.00. Use of a village vehicle is authorized.

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

PERMISSION SEMINAR

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

BE IT RESOLVED, permission is hereby granted to Matt Fischione, Code Enforcement Officer and Linda Gangloff, Secretary to the Mayor, to attend the Spring 2015 Regional Local Government Workshop on Thursday May 14, 2015 at the Burgundy Basin Inn, Pittsford, NY. The cost of the seminar is \$75.00 each. Use of a village vehicle is authorized.

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

TREE TRIMMING/REMOVAL:

EMPLOYMENT APPLICATIONS: Recreation – Jim Ramsey, Lindsay Wichelt, Jessica Leach, Bob Lewek, Jonathan Burlett,
Village Hall Positions- Maureen Jerackas, Linda Gangloff, Ron Maciejewski, Don Jakubowski, Mike Moskal, Kathy McDonald, Paul Bumbalo, Michael LoCicero, Roy Nieman, David Burkhardt, Barbara Bigos, Donna Ricotta, Joanne Barone, Pam Baron, Kimberly Northem, Diane Gangloff, Dawn Gangloff, Thomas Anticola, Tiffany

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Demonja, Darlene Torre, Nicole Simon, Kim DePrist, Katrina Lubecki, Corinne Kiszewski, Steven Socha, Sandra Pieczynski, John Dudziak, Timothy Dwan, Jeanne Miskey, Nadine Fronckowiak, Michelle Kosin, Alexandra Wachowski, Michelle Hahn, Susan Haskins, Janet Metz, Derek Chinni, Kiersten Minnick
DPW – Matthew Beicke,

DEPARTMENT HEAD REPORTS : Building Department March 2015

ON A MOTION BY Trustee Peterson seconded by Trustee Bukowiecki the Department Head report was accepted as presented.

COMMITTEE REPORTS : None

UNFINISHED AND OTHER BUSINESS : None

PUBLIC CONCERNS AND COMMENTS

Terry Mescall – 36 Susan – He couldn't hear a word anyone was saying. He asked why the board did not accept the minutes from the March 26th zoning board meeting. The Mayor stated that they received a letter and it was brought to Legal. Village Attorney Kathy Mc Donald will usually be attending these meetings the former village attorney attended that meeting. The letter says there are some errors. Mr. Mescall stated that the Zoning board doesn't need permission of the Village Board. He also did not know anything about them not being accepted. Mr. Mescall also stated that prices and taxes go up. He has lived here 56 years. People have tried to dissolve the village. Move if you don't like.

Irv Reinig – 380 Columbia Ave – Mr. Reinig stated that this was the biggest cop out he has ever heard. You can make changes in a village. He stated that it has never been put to a vote by the taxpayers. If everyone was told to move every time they complained you would have no one left in Depew. Yes he knows prices go up, but Depew has not gone up proportionately. Other towns can do the same services at the same rates. Businesses do not come into Depew because the tax base doesn't make economic sense. Buying a house in Depew you pay 50 % more in taxes. Raising Taxes doesn't mean you're doing your job.

Mayor Nikonowicz stated that every person in this room is my constituent.

Frank Caparaso – 61 Wyandotte St. – He asked about FEMA Curb repair – He stated that tons of curbs need repairs and wanted to know who he can talk to about repairs. Mayor Nikonowicz said he would have to look at the report and see if that is all that is owed to us. The Mayor will also meet Frank for a ride to visit the area he is talking about tomorrow. The Mayor will also get the curbs looked at before the next meeting.

Joan Priebe – 15 Howard – Asked what MS4 was. Liz Answered, Storm drain water reports. She asked when her driveway would be repaired, and was looking for a time line for the repairs. Mayor Nikonowicz asked if she would also be home tomorrow and he would stop to see her driveway after he visited Frank. It was planned.

Gabrielle Miller – 61 Olmstead Ave – She asked Mayor Nikonowicz why he did not abstain from voting for administrator. The Mayor stated that he was not involved in the interviewing process. They picked the best person for the job. The Mayor said he will hire family members if they are the best qualified. He also wanted to show support. She asked about the secretary to the Mayor. The mayor said that the appointment was for full time as recommended by the Administrator, Liz. It will be reevaluated in a year. There are a lot of extra totes at the DPW, and questioned if it was a wise move to purchase extra. She asked if they could be sold at a discount. The Mayor also asked if he could meet with her the next day. Ms. Miller also brought up all the used car lots in the village and unlicensed vehicles. This makes the village look shabby. Some have more cars than cads say. Mayor to look into.

Dan Beutler – 26 Tyler – When will the building at the corner of Walden and Lincoln be taken down. Tony responded that the judgement on the building. His attorney has to work out steps. Owner's attorney appealed to a higher court. We have to wait.

Steve Hoffman – 16 Colony- Mr. Hoffman wanted to know how many people applied. He also wanted to know if the resumes are available to look at. Liz replied.

Gabrielle Miller – 61 Olmstead Ave – Stated that senior center labor and emergency manager increased. She noted the Ice rink expenses and asked if it was still a money maker. Mayor Nikonowicz said they would be looking at it.

Bruce from Precision Concrete. Stated he moved here from North Carolina. He stated that there are tripping hazards out there, and his company has programs for people. He has an appointment to see the Mayor in the morning. He wants people to know that he is out there and what he can do at much less cost.

Steve Hoffman – 16 Colony – Mr. Hoffman stated if you don't use the grant money the state will not give you money. He also stated that Joan's driveway is a mess.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Kucewicz, seconded by Trustee Hammer, the following claims are to be paid: Sewer \$4,766.74 , General \$296,774.74, Capital \$2470,118.00.
CARRIED.

ADJOURNMENT

ON A MOTION BY Trustee Peterson, seconded by Trustee Kucewicz, the meeting was adjourned at **7:58 pm** in memory of Jim Whipkey, who recently passed and was the brother of Fire Chief Joe Whipkey. The motion was **CARRIED.**

Respectfully submitted,

Maureen Jerackas
Village Administrator