

MEETINGS: 2  
NO. OF REGULAR: 2

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**April 11, 2016**

ROLL CALL:

Trustee Jakubowski  
Trustee Bukowiecki  
Trustee Peterson  
Trustee Kucewicz  
Mayor Nikonowicz

**ON A MOTION BY**, Trustee Bukowiecki, and seconded by Trustee Jakubowski, the March 18, 2016 Village Board Minutes were approved.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

The mayor announced Mitch Martin from Senator Gallivan's office was at the meeting.  
Irv Rianing – 380 Columbia - He asked about the contract with Cheektowaga. The recreation director answered the questions noting that the village would receive \$140 per 2 hours rented of the facility, also that the ice rink where the sports court will be is not in operations during the summer months that Cheektowaga will use the facility. He asked about the Garbage Bid and the amounts. The mayor replied with the waste disposal cost were BID for \$1,023,000.00. Recycling was questioned. The Deputy Mayor said that we do not pay for recycling tonnage and we save by not paying for the recycling as garbage.  
Gabby Miller – 61 Olmstead – Asked about the garbage bid in relation to businesses not using dumpster and instead using totes. The mayor notes that the figure bid was calculated from a tonnage supplied by the village.

**PUBLIC HEARING – TENTATIVE BUDGET**

Irv Reining – 380 Columbia - He doesn't believe that this budget should be adopted. He stated that the tax base is not growing. Politian's raise taxes/ fees/ and debt. He talked about town verse village taxes. He stated 2.46% is not in line with the Tax cap. He mentioned the use of fund balance. Mentioned that he believed if the PD was cut it would save 30% in taxes. He believes with no long range plan that there is no balanced budget and no guide. He believes dissolution is the only answer. He submitted a document to the administrator.  
Dan Buetler – 26 Tyler – He asked about page 31 and Fund balance. It was explained to him how this chart reads so he understood. He defended Irv and wanted the viability of the village looked at. He doesn't blame this board, but the money is not there. Fire Department did a good job but maybe could have done it in a different vehicle.  
Joan Priebe – 15 Howard - Asked about page 20 and the senior's labor. The administrator noted that this was for the van driver and the senior center director. She asked about contractual services verse professional services. The secretary to the mayor she questioned the need as this position was recently added. The mayor noted they were going to do part time however she covers other departments. Having the position full time was recommended by the former Administrator before she left. Joan stated because she has worked here she knows. She stated 70% is for village staffing. She agreed with dissolving the village. She asked if the second fire truck was in the budget. I was noted that it was in the budget. She said the town can provide all services so the village should dissolve.  
Dave Burkhardt – 5 Autumn Lee – Asked if the town could take over a shift for the PD, the Chief replied no.  
Gabrielle Miller – 61 Olmstead – She asked why the proposed taxes and the final tax numbers were different. It was noted that this was only the proposed budget, and that is the correct figure. Asked about the revenue being down in recreation. The recreation director said they did not sell all the ice time, there are more rinks. She asked about concessions, and the recreation director stated that was the revenue from the vending machines. She asked about the pro-shop decrease and the recreation director noted it is only for public skate which has decreased. She asked about the increase in lighting, and it was explained that the street lights are included. Asked about the labor attorney and her fees asking if it was per hour. She asked about the DPW contracts and if the GPS was the reason for the decrease. She asked about raises and the Trustee Kucewicz said it would happen when the contracts settle and there would be a resolution. She questioned the need for the secretary to the Mayor, Her work in other departments was part of the need. She was told her time was up by the mayor. She continued asking about minimum wage, the mechanics salary. She suggested combining the Recreation and DPW department.

Anthony Schiavone - 3004 George Urban Blvd. – He loved the village and the people. He spoke about his assessment and that taxes keep going up. He chooses to stay, but will argue increases in taxes. He lives on the Cheektowaga side and wants a break. The board noted that the village doesn't do the assessments, it is done at the town.

On a MOTION by Trustee Peterson, Seconded by Trustee Kucewicz the Public hearing was closed at 7:41PM

**APPOINT PART-TIME COURT OFFICER – DEPEW JUSTICE COURT**

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Pamela Conners, 25 Bissell Avenue, Depew, NY 14043 to the position of Part-time Court Officer, effective April 13, 2016, at the salary stipulated in the budget.

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

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

**AUTHORIZE MAYOR TO SIGN AGREEMENT WITH TOWN OF CHEEKTOWAGA**

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

**WHEREAS**, the Village is the owner of the ice rink located at 90 Gould Avenue, Depew, New York 14043, and;

**WHEREAS**, the Town of Cheektowaga, Erie County, New York, a domestic municipal corporation having its principal place of business at Broadway and Union Road, Cheektowaga, New York 14227, hereinafter referred to as the “LICENSEE”;

**WHEREAS**, the Licensee is desirous of renting the ice skating rink facility in order to relocate its Inline Hockey and Adult Soccer Programs for the Summer of 2016;

**WHEREAS**, the Licensee agrees to pay the Village a rental fee of \$140 per two hour block of actual utilized time as outlined in Appendix A of the agreement. The Licensee agrees to reimburse the Village in 2 installments, paid no later than July 15<sup>th</sup> and August 31<sup>st</sup> respectively;

**NOW THEREFORE BE IT RESOLVED**, that Mayor Jesse Nikonowicz, is authorized to sign the Agreement with the Town of Cheektowaga, New York, in relation to renting the ice skating rink facility.

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 Peterson - Y  
Trustee Kucewicz - Y  
Mayor Nikonowicz – Y

**AWARD BID – WASTE COLLECTION & DISPOSAL**

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

**WHEREAS**, the Village of Depew sought bids for the Collection, Hauling and processing of Mixed Municipal Solid waste, Bulk Waste and Recyclables.

**WHEREAS**, bids were opened on Monday, April 1, 2016 at 10 am in the Council Chambers, and

**WHEREAS**, the low bidder was Modern Corporation in the amount of \$110.41 per unit and \$42.50 per ton for Mixed Municipal solid waste and \$0.00 for processing recyclables;

**BE IT RESOLVED**, the bid for the Collection, Hauling and Processing of Mixed Municipal Solid waste, Bulk Waste and Recyclables is awarded to:

Modern Corporation  
4746 Model City Road  
Model City, NY 14107

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 Peterson - Y  
Trustee Kucewicz - Y  
Mayor Nikonowicz - Y

**DECLARE SURPLUS PROPERTY & AUTHORIZE APPRAISAL**

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

**WHEREAS**, the Village of Depew is the owner of the following parcel(s): portions of 104.24-2-15, 104.24-2-16, 104.24-2-17, 104.24-2-18, 104.24-2-19, 104.24-2-20, 104.24-2-21, 104.24-2-22, and a portion of Kosciusko Street. Pursuant to Village Law §1 -102, the Village Board declares this property surplus property;

**WHEREAS**, the Village Board seeks fair and adequate consideration for this property, the Board approves the hiring of an appraiser for this property;

**BE IT RESOLVED**, the Village Administrator is authorized to receive an appraisal for this property and when the appraisal is complete the Administrator is authorized to advertise for a sealed bid on this property.

The following 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 Peterson – Y  
Trustee Kucewicz – Y  
Mayor Nikonowicz – Y

**PERMISSION 10 K RACE**

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

**WHEREAS**, The Depew-Lancaster Boys and Girls Club requested permission to hold their 39<sup>th</sup> Annual 10K Race on Monday July 4, 2016 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 Kucewicz, and **CARRIED**.

**PERMISSION SEMINAR**

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

**BE IT RESOLVED**, permission is hereby granted to Police Chief Stan Carwile and Lieutenant Jeffrey Gorski to attend the Buffalo Division Leadership Seminar by the Buffalo FBI on Monday April 25<sup>th</sup> – Friday April 29<sup>th</sup>, 2016 at the Air Force Base located in Niagara Falls, New York. There is no cost for attendance to the seminar. Use of a village vehicle is authorized.

The foregoing resolution was seconded by Trustee Jakubowski, 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 her physical:

**Hook & Ladder Company #1**

Amanda Scalfaro  
205 Calumet Street  
Depew, NY 14043

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

**PERMISSION FIRE DEPARTMENT POLISH DINNER**

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

**WHEREAS**, The Central Hose Company #4 is requesting to use the Northside Fire Hall on Saturday September 17<sup>th</sup>, 2016 from 9:00 am until 9:00 pm for their Company's Polish Dinner;

**BE IT RESOLVED**, the use of the Northside Fire Hall is approved during the hours requested for their Polish Dinner.

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

**PERMISSION FIRE DEPARTMENT CHRISTMAS PARTY**

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

**WHEREAS**, The Central Hose Company #4 is requesting to use the Northside Fire Hall on Saturday December 3<sup>rd</sup>, 2016 for their Company's Christmas Party;

**BE IT RESOLVED**, the use of the Northside Fire Hall is approved for use for their Christmas Party.

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

**EMPLOYMENT APPLICATIONS RECEIVED:**

Building Department – Rayne Degre; REC – Jacob Maciejewski; Department of Public Works – Kevin Fusani

**DEPARTMENT HEAD REPORTS:**

Building Department: March 2016 report

**ON A MOTION BY** Trustee Bukowiecki, seconded by Trustee Jakubowski, department head reports were accepted.

Code enforcement thanked the fire department for their work Friday. Recreation said the rink is closed and they are working on setting up for summer. DPW is hoping to get to shift to spring fixing plow damage and debris pick up. The fire department noted EFAT for kids learning. They are having an open house April 16, 2016 and they thanked the firefighter, ladies auxiliary, additional companies and trucks having heavy hearts for the families that lost everything. The police chief read their March report and all the officer now carry Narcan and it has already been used. Mitch spoke about Senator Gallivan having an event Mat 18<sup>th</sup>, 2016 from 6-8pm at Depew High school.

**COMMITTEE REPORTS:**

Trustee Kucewicz contacted the Library and he will be meeting with Erie county and Lancaster. He is also working with the mobile services to have their trucks to come at least to village hall with a full service truck, including computers, internet, book check outs, library cards and much more.

**UNFINISHED AND OTHER BUSINESS:** None

**PUBLIC CONCERNS AND COMMENTS**

Dan Butler – 26 Tyler – Asked about the Quanset Hut status. The attorney stated the DEC is still working with the owner, but she will let him know when the status changes. Lincoln Bridge? Contractors are still doing a punch list and money is being held. Cell Towers? The village is looking at other locations and nothing is settled or definite. Transit Rd project? Mitch Martin replied that the Senator asked for 20 Million which was not granted. 500 million was in the budget for Bridges and hopefully they will get that. Additionally he stated that we are region 5 and they are looking to open Bids this fall to take out the bridge that is already on the list.

Mr. Loos -75 Olmstead – Asked about the property being declared excess in relation to the towers. It was stated that the land was not big enough for the towers. And alternate locations are being looked at.

Dave Burkhardt – 5 Autumn Lee – He asked about the cost to have the property appraised and it was going to be \$1,000 but the mayor did try to find a way to get it done for free.

Gabby Miller – 61 Olmstead Ave. – Asked if we could charge the buyer the 1,000. It was explained that the property goes out for BID that is the amount we will get if the bid is accepted. We can refuse any bid less than the appraisal. The attorney stated while the purchaser will need to pay things related to the closing that fee is something the village had to pay. She questioned training in the clerk's office, it was noted that it was for the new employees in the office, she wanted to make sure it was not for the administrator. She asked about the Administrator's expenses asked for earlier by Joan Priebe. The mayor stated Joan had them and Joan said she would be sharing them. It was noted that the board approves all invoices before they are paid

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prior to the board meeting. Asked about the ice rink audit, and the mayor stated it is still being worked on.

Irv Reining – 380 Columbia - Cost effectiveness of maintaining village government. This is out of control. We cannot increase debt. He doesn't see a solution and he doesn't see growth opportunity. He asked if the Mayor would consider dissolution. The mayor stated he will listen. He stated the mayor had a responsibility to look into dissolution. The mayor said he would look into it.

Joan Priebe – 15 Howard Lane – asked about the reorg meeting and what was legal. The village attorney stated both. The second was done for those who could have missed the first meeting. She questioned the meeting on Feb 11<sup>th</sup> and the cell towers. It was noted that the meeting was a public meeting and the company information was available in the mayor's office. She asked about employees getting cell phones, and she stated she did not believe \$10,000 was enough. It was noted more meetings would be had. She asked about transit Road and it was said just what Mitch just reviewed. Joan also mentioned that when she came in village hall Friday a worker was eating at her desk and looked as though her hair was not brushed.

Lou Heltman – 235 Olmsted Ave – Yes we pay high taxes but what about getting rid of the town taxes. He goes to Irv's house 3 times in a week and he would not get that service from the Town. He said we need to think outside of the box.

Irv Reining – 380 Columbia – Lancaster taxes are very small and we still get services from Lancaster. He also noted Depew taxes are higher.

Lou Heltman - stated that the village paid half of the bridge project.

Scott Wegst – 925 Sherwood – Just because paying town taxes is the law doesn't mean it is right.

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Kucewicz, seconded by Trustee Bukowiecki, the following claims are to be paid: General \$129,351.80 Sewer \$5,136.04, Capital Projects \$14,750.00 Capital \$149,237.84. **CARRIED.**

**ADJOURNMENT**

**ON A MOTION BY** Trustee Peterson, seconded by Trustee Jakubowski, the meeting was adjourned at **8:32 pm**. The motion was **CARRIED.**

Respectfully submitted,

Maureen Jerackas  
Village Administrator