

MEETINGS: 9  
NO. OF REGULAR: 9

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
August 24, 2015**

**ROLL CALL:**

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

**ON A MOTION BY**, Trustee Hammer, and seconded by Trustee Kucewicz, the July 27, 2015 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Bukowiecki, and seconded by Trustee Hammer, the August 6, 2015 Planning Board Minutes were approved as follows

1. Ranjodh Singh (Depew One Stop Auto Sales LLC)- 4525 Broadway-Car Dealership License – Approved with Stipulations.
2. Upstate Cellular Network d/b/a Verizon Wireless -2086 George Urban Boulevard / 651 Dick Road – Cell Tower - Approved as submitted.

**ON A MOTION BY**, Trustee Bukowiecki, and seconded by Trustee Kucewicz, the August 13, 2015 Zoning Board Minutes were Accepted as follows

1. Michael and Debra Angierski- 285 Calumet Street- Shed –Approved with Stipulations
2. Marlene Steck- 3 Warner Road- Fence - Approved

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

Paul Sparada – 58 Argus – What needs to be signed for a fire truck #4. The Mayor Answered Angela Wozniak offered 100,000 to the fire department if the village gets a fire truck. If we move quickly we could have the same purchase price as the last truck but we need a decision from the comptroller. What is the price of the truck? The mayor replied the last truck was about 439,000. So the savings would be about 20%? The mayor replied that is about what I calculated. Terry Mescell - 26 Susan Drive - When did we buy the last fire truck. The mayor replied 2014 Joan Priebe - 15 Howard Lane - Do we have the Money? How will we pay for this truck? Rush deal, we should have more meetings. What are we going to do to bond the truck?

Response: the rush is because of the money we are being given. The Last administration had a report done that showed that the fire dept. needed 3 new trucks. Not just one. She asked about needing to outfit the trucks with hose and other equipment. Do we have money for that?

Response: the equipment that doesn't come with the truck will come from the old truck.

The Mayor responded that he is trying to get as much money as he can back for the old trucks as well, understand \$3,000 is the most value he has been able to get for the truck, and he may have to take it.

Terry Mescell – 26 Susan Drive - Asked if the Mayor could clarify the details of the Burton report, which he did.

Dan Butler – 26 Tyler - Asked about obtaining the report. He also asked if the report could be foiled. The Mayor responded that the fire Chief will give out copies requested.

Ron Machiejewski -24 Kibler - He stated that over 9 years they have been asking for trucks. Promised by previous administrations. We cannot put a price on the lives of our firefighters and residence.

David Burkhardt – 5 Autumn Lee - He would like to see what residence would like to say.

Paul Sparada –58 Argus - Permission to move the Cannon, When? Where? On a pad in the left quadrant near Meridian. He would like to see it in a triangle instead of the left quadrant of the park.

Jerry - 504 Gould Ave – He would like the preservation of the cannon. He submitted a picture previously and thinks it should be closer to flag poles. He gave his opinion where he would like to see it go?

Roger Abodory –lives across from Veteran Park - He asked if they will be voting on the cannon and then went on to read a speech about how beautiful the park is and how to him the cannon represents death and destruction. He believes it should be by the post office.

Dave - 17 Brookhaven – The Peaceful and tranquil park is that way because of the weapon.

**PUBLIC HEARING – 3322 Walden Ave.**

Starting 7:27PM

Dan Butler -26 Tyler – He stated that roof caved in, and drums of oil and other things. While things have been cleaned up some, this has to come down and must be a Heath Hazzard.

Tony Code Enforcement read his letter to the board of the history and status which was submitted and attached. Requesting a resolution with a 30 day deadline.

Village of Depew August 24, 2015

Mike Mescal – Resident and Emergency Manager- Agrees that this is an issue, but what about environmental remediation if the Demo is done. The Mayor Responded DEC will be involved. The next meeting will have a resolution but the 30 day notice starts at this meeting.

**ON A MOTION BY**, Trustee Hammer, and seconded by Trustee Kucewicz the hearing was closed.

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

End time 7:38PM

**AUTHORIZE MAYOR TO SIGN IMPERIAL DOOR CONTROLS, INC**

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

**WHEREAS**, the Village of Depew has utilized Imperial Door Controls Inc. for our automatic door services;

**NOW THEREFORE BE IT RESOLVED**, that Mayor Jesse Nikonowicz is authorized to sign the one year agreement in the amount of \$700.00.

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- abs  
Trustee Kucewicz- Y  
Mayor Nikonowicz- Y

**ADOPT TIME WARNER CABLE TV FRANCHISE RENEWAL AGREEMENT**

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

**WHEREAS**, a Public Hearing was held on Monday, April 13, 2015, on the renewal of the Time Warner Cable TV Franchise Renewal, and

**WHEREAS**, all persons for or against said franchise renewal were heard.

**NOW, BE IT RESOLVED**, after due consideration, the Village Board does hereby adopt the Village of Depew Franchise Agreement with Time Warner Cable for a period of ten years from the date the agreement is accepted by the Public Service Commission, and

**BE IT FURTHER RESOLVED**, that Mayor Nikonowicz is hereby authorized to sign said agreement on behalf of the Village of Depew.

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- abs  
Trustee Kucewicz-Y  
Mayor Nikonowicz- Y

**AUTHORIZE MAYOR TO SIGN PIERCE MANUFACTURING, INC**

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

**WHEREAS**, the Village of Depew has utilized Pierce Manufacturing, Inc. for our Fire Apparatus purchases;

**WHEREAS**, this authorization is subject to the approval of the NY State Office of the State Comptroller's office approving procurement based on a prior awarded bid to our Village Attorney.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Jesse Nikonowicz is authorized to sign a Purchase Agreement with a purchase price of no more than \$479,998.00

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

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

**MODIFY 2015/2016 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2015/2016 Budget in the following manner:

Increase Budgeted Revenues – Minor Sales- 10-4-2655- \$320.00 – Sale of Fire Dept. Pagers  
Increase Budgeted Expenses – Fire Dept – Monitors – 5-3410-250 - \$320.00

The following 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- abs  
Trustee Kucewicz-Y  
Mayor Nikonowicz- Y

**MODIFY 2015/2016 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2015/2016 Budget in the following manner:

Increase Budgeted Revenues – Minor Sales- 10-4-2655- \$593.05 – Sale of Village Shirts  
Increase Budgeted Expenses – Recreation - Admin – 5-7020-0402 - \$593.05

The following 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- abs  
Trustee Kucewicz-Y  
Mayor Nikonowicz- Y

**AUTHORIZATION FOR RELOCATION OF CANNON TO VETERANS PARK**

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

**WHEREAS**, THE JOINT VETERANS COMMITTEE is seeking to relocate the canon from the triangle area across from the Depew Boys and Girls Club to a new location in Veteran Park

**WHEREAS**, that will be the only artifact allowed in the park, and

**WHEREAS**, at a later date this artifact needs to be replaced it will only be replaced with one at the current size or smaller;

**BE IT RESOLVED**, permission is granted by the Village Board for THE JOINT VETERANS COMMITTEE to move the Cannon to the new location in Veteran's Park,

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

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

**Disaster Mitigation Plan**

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

**WHEREAS**, the Village of Depew with the assistance from URS Corporation, has gathered information and prepared the Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update ("the Plan"); and

**WHEREAS**, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000;and

**WHEREAS**, the Village of Depew is a local unit of government that has afforded the citizens an opportunity to comment and input in the plan and actions in the plan; and

**WHEREAS**, the Village of Depew has reviewed the plan and affirms that the Plan will be updated no less than every five years;

**NOW THEREFORE, BE IT RESOLVED**, by the village of Depew the Depew adopts the Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

The following 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- abs  
Trustee Kucewicz- Y  
Mayor Nikonowicz- Y

**CHANGE OF VILLAGE BOARD PRE MEETING TIME**

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

**BE IT RESOLVED**, the Village Board Pre Meeting will start at 6pm instead of 6:15PM for the board to discuss Village Business.

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

**PERMISSION OUTDOOR MUSIC**

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

**WHEREAS**, Dennis Rogowski from the Chosen Few Motorcycle Club has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on August 15, 2014 for an anniversary party/pig roast on Saturday September 12, 2015 from 3 pm until 9:30 pm at 94 Main St Depew; and

**WHEREAS**, there will be live music; and

**BE IT RESOLVED**, the Village Board does agree to allow the live music during the hours posted above and if allowed the noise must not surpass the decibel levels in Chapter 148. Subject to building department Inspection.

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

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

**PERMISSION SEMINAR**

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

**BE IT RESOLVED**, permission is hereby granted to Karen Tedesco, Dawn Gauthier, and Jacki Federowicz, Court Clerks, to attend the Annual Fall Conference for Judges and Clerks on Tuesday September 29, 2015 in Niagara Falls, NY. The cost for the school is \$40.00 each. Use of a village vehicle is authorized.

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

**PERMISSION SEMINAR**

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

**BE IT RESOLVED**, permission is hereby granted to Detective Sgt. Panzarella and Detective Thomson, Village Police, to attend Introduction to Narcotics Surveillance Tactics training on Wednesday September 16, 2015 in Niagara Falls, NY. The cost for the school is \$45.00 each. Use of a village vehicle is authorized.

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

**PERMISSION SEMINAR**

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

**BE IT RESOLVED**, permission is hereby granted to Kathleen McDonald, Terry Mescal, Judy Matuszak, Julianne Renczkowski, Frank Latchford and Audrey Hamernick, members of the planning and zoning boards, to attend the Western Southern Tier Building Officials Educational Conference on Thursday September 17, 2015 in Mayville, NY. There is no cost for the school. Use of a village vehicle is authorized.

The foregoing 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 Maureen Jerackas, Village Administrator, to attend the New York State Retirement System Employer Education Unit Training on Thursday September 10, 2015 in Batavia, NY. There is no cost for the school. Use of a village vehicle is authorized.

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

**PERMISSION SEMINAR**

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

**BE IT RESOLVED**, permission is hereby granted to Matt Fischione, Code Enforcement Officers to attend the CEDAR orientation training on Tuesday August 25, 2015 at the Erie County training Facility. There is no cost for the school. Use of a village vehicle is authorized.

And

**BE IT RESOLVED**, permission is hereby granted to Tony Fischione, Code Enforcement Officers to attend the CEDAR orientation training on Wednesday August 26, 2015 at the Monroe County training Facility. There is no cost for the school. Use of a village vehicle is authorized.

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

**PERMISSION – MEMBERSHIP DEPEW FIRE DEPARTMENT**

Trustee Hammer, 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:

**West End Hose Company #6**

Shaun Helsel  
53 Nadine Dr.  
Depew, NY 14043

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

**EMPLOYMENT APPLICATIONS RECEIVED:**

Rec – Michael Refermat, Sarah Bzibiak, Lindsay Wiechert, Joshua Peters, Allyson Yelich, Jeffery Morgan, DPW- Richard Mazurek, Timothy McCarthy PD – Jennifer Pupura, Any – Linsay Cameron

**DEPARTMENT HEAD REPORTS:** None

**COMMITTEE REPORTS:** None

**UNFINISHED AND OTHER BUSINESS:** **ON A MOTION BY** Trustee Kucewicz seconded by Trustee Hammer 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**

Diane - 79 Claude Dr. – Believe next door neighbor has drug activity occurring. It stopped for a while but it started again. Non-residents are showing up at the property as well. 2-5 min sent text and put hand in a car window. The chief will follow up, but some arrests were made.

Andy Shearer - 64 Claude – To add people are throwing up in the middle of the street. This person added that most activity occurs between 11pm and 1AM, There is a car with no muffler that is very loud and left skid marks once proving a very high rate of speed.

Steve Weiss– 135 Olmstead – He has lived on Olmstead for 30 years. After the rain storm, He wanted to comment on how the mayor came out to view the issues the residence were having on Olmstead Ave. in the rain. As it said in the bee finally someone who cares, correction we have the police chief, Bob, and the fire chief too... Applause

Suzette Kosikowski – 106 Bloomfield – She is still having problems with the garbage dumpster at Good Tymes and submitted a timeline. She commented on how our current code is weak and we should consider changing our code. Bob mentioned he did stop by again as did Tony and noted changes the owner had in process. Bob will look further into this as will Suzette.

Joan Priebe - 15 Howard - reminded the mayor about her driveway before the end of the month. The Mayor will have a date set up.

Dan Butler – 26 Tyler - Asked about Zurbrick Rd. Mary Holtz said it was to be done by the engineering dept., but the waterline needs to be fixed. They are not replacing the sanity sewer, to have an end of Oct. Completion. Lincoln? Mayor stated approx. 2 months, the Dam occurred but the emergency contact was contacted and eliminated flooding.

Paul Sparada – 58 Argus – Good Article Sunday’s paper the Transit quarter. 47 Argus – sanity Sewer new mushroom cap? Tony, code enforcement stated we found our 99<sup>th</sup> vacant property today. He could force entry? Phil stated it will not affect the work. Jesse and Phil will look at that tomorrow. Time line for lines at cross walks. Phil responded they are starting tomorrow.

Dancesations? Milton is doing the remodeling based on a lease. All of the entry is from the side road that should be considered as well ask parking. Jesse and Tony will look at the site plan tomorrow and possibly talk to Milton. Phil will also look into stripping the crosswalk.

Tom Swartz - 32 Donna Court – How does the Land Bank work if they go for a property, will they usually get it? What is the timeline for the transfer? The mayor replied we do not have one. He requested that the date is checked as it might be wrong.

Transit Bridges

Tom Swartz- 32 Donna Ct. – Steel Salvage will take out the bridges at no cost if they get to keep the steal.

Audrey Hammernick – 87 Mary Lou Ln -Good job – PD and Scott Hossfeld for the night out event.

Paul Sparada – 58 Argus - Dredging Cayuga creek. Ted Morton Answered. 3 year project now not just 2 and we should not have a problem after this 16/17/18.

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Hammer, seconded by Trustee Kucewicz, the following claims are to be paid: Sewer \$996.13, General \$507,595.52, Capital projects \$823.52 Capital \$509,415.17. **CARRIED.**

**ADJOURNMENT**

**ON A MOTION BY** Trustee Bukowiecki, seconded by Trustee Hammer, the meeting was adjourned in memory of John Feness Sr. Retired Police Lieutenant, Malcom Francis former Building Inspector, and Ray Weaver former Captain Aetna Hose Company at **8:16 pm**. The motion was **CARRIED.**

Respectfully submitted,

Maureen Jerackas  
Village Administrator