

MEETINGS: 5  
NO. OF REGULAR: 5

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
May 22, 2023 7:00 PM**

ROLL CALL: Trustee Hamernik  
Trustee Ziemba  
Trustee Kraft  
Deputy Mayor Adolf  
Mayor Peterson

**ON A MOTION BY**, Deputy Mayor Adolf and seconded by Trustee Kraft the minutes of the May 8, 2023 village board meeting were approved.

**ON A MOTION BY**, Trustee Hamernik and seconded by Trustee Ziemba the minutes of the April 27, 2023 Zoning Board Meeting Minutes were accepted:

1. Christian Newman for the property located at 27 Meadowlawn Rd, Depew, NY of Chapter 260, §260-24(A)(2), to allow them to construct an addition to an existing attached garage within the required 25ft rear yard setback.  
Granted

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kraft - Y  
Deputy Mayor Adolf - Y  
Mayor Peterson - Y

**Public Comments for Agenda items only**

Paul Sprada, 58 Argus: Had a question about agenda item #4 – inquired how many are applying and when the hearing is. Was told meeting is at the next Village Board meeting, on June 12. Had questions about how far they need to be from schools.

Dave Burkhardt, 5 Autumn Lea: Had question about the NOCO agreement for Gas & Electric. Was explained that still paying our companies directly, that they are just the supplier, they can provide a fixed rate for the service.

Thomas Spanos: Was asked by Village Attorney Alba to attend. He is a Cannabis Attorney and was in attendance to provide information about the current Cannabis legislation. He provided some of the language built into the NYS Cannabis legislation, including the required setbacks from schools and houses of worship. He also outlined the applicant process for the applicant and the municipalities role in their approval for licensing from New York State.

**APPOINT PART TIME COURT OFFICER**

Pursuant to Section 4-400 of Village Law, I Mayor Kevin J. Peterson, do hereby appoint:

Justin Everett

to the position of Part Time Court Officer at the pay rate per the budget effective May 23, 2023.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kraft - Y  
Deputy Mayor Adolf - Y  
Mayor Peterson - Y

**RESOLUTION WITH REFERENCE TO THE PROPOSED  
VILLAGE OF DEPEW, ERIE COUNTY, NY  
SEWER PHASE 7 PROJECT**

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

**WHEREAS**, the Village of Depew Village Board supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) grant application on behalf of the Village for a wastewater system improvement project, hereinafter referred to as the “Project”; and

**WHEREAS**, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water infrastructure projects that improve wastewater system quality and protect public health; and

**WHEREAS**, an Engineering Report entitled “Engineering Report Phase 7 Sanitary Sewer Evaluation Survey (SSES) and Corrective Action Plan (CAP),” dated June 2022, recommends implementing the Project to help improve wastewater quality and protect public health; and

**NOW, THEREFORE BE IT RESOLVED**, that the Village Board authorizes Municipal Solutions, Inc. to prepare an application for Water Infrastructure Improvement Act grant funds from the NYS Environmental Facilities Corporation (EFC).

**BE IT FURTHER RESOLVED**, that the Village Board authorizes Mayor Kevin Peterson to execute the application for Water Infrastructure Improvement Act grant funds from the NYS Environmental Facilities Corporation (EFC).

**BE IT FURTHER RESOLVED** that the Village of Depew Board fully supports the Project and the submission of the WIIA grant application by Municipal Solutions Inc on behalf of the Village to improve wastewater quality and protect public health.

The foregoing resolution was seconded by Trustee Adolf and put to a roll call vote:

Trustee Hamernik - Y  
Trustee Ziembra - Y  
Trustee Kraft -Y  
Deputy Mayor Adolf - Y  
Mayor Peterson - Y

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to the Depew Fire Department to take the Chiefs vehicle to the State Chiefs show and Expo in Syracuse on Thursday June 15th.

The foregoing resolution was seconded by Trustee Hamernik and **CARRIED**.

**AUTHORIZE ADVERTISE PUBLIC HEARING - CANNABIS DISPENSARIES**

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

The Administrator is authorized to advertise for a public hearing to discuss Local Law #3 of 2023, cannabis dispensaries in the Village of Depew. The public hearing will be June 12, 2023 at 7:00 PM in Council Chambers, 85 Manitou St, Depew, NY 14043.

The foregoing resolution was seconded by Trustee Ziembra and **CARRIED**.

**PERMISSION – VETERANS PARK CONCERTS**

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

Permission is hereby granted to The Yacht Fathers to use Veterans Park Gazebo for their concert on Thursday June 29, 2023 at 7:00 PM.

And

Permission is hereby granted to the Carnival Kids Steel Orchestra (CKSO) to use Veterans Park Gazebo for their concert on Thursday July 6, 2023 at 7:00 PM.

And

Permission is hereby granted to Tequila Sunrise to use Veterans Park Gazebo for their concert on Thursday July 13, 2023 at 7:00 PM.

And

Permission is hereby granted to Terry Buchwald to use Veterans Park Gazebo for his concert on Thursday July 20, 2023 at 7:00 PM.

And

Permission is hereby granted to Hit and Run to use Veterans Park Gazebo for their concert on Thursday July 27, 2023 at 7:00 PM.

And

Permission is hereby granted to The Lancaster Town Band to use Veterans Park Gazebo for their concert on Thursday August 3, 2023 at 7:00 PM.

And

Permission is hereby granted to Double Shot to use Veterans Park Gazebo for their concert on Thursday August 10, 2023 at 7:00 PM.

And

Permission is hereby granted to Envy's Mixtape to use Veterans Park Gazebo for their concert on Thursday August 17, 2023 at 7:00PM.

Permission is also granted for use of electric power and use of restrooms at the Southside firehall.

The foregoing resolution was seconded by Deputy Mayor Adolf and CARRIED.

#### **APPROVE MS4 REPORT**

Deputy Mayor Adolf, offered the following resolution and moved for its adoption:

**BE IT RESOLVED**, the MS4 report is completed and available for review on the Village of Depew website.

The forgoing resolution was seconded by Trustee Hamernik and **CARRIED**.

#### **PERMISSION FOR RESOURCE OFFICER CONTRACT WITH DEPEW UNION FREE SCHOOL**

Trustee Hamernik offered the following and moved for its adoption:

**WHEREAS**, there have been recent events involving attacks against schools that have shown the need for greater security, and a greater police presence within schools, and

**WHEREAS**, the Depew Union Free School District has budgeted \$85,000.00 to fund a full time School District Resource Officer for the 2023-2024 school year, \$90,100 for the 2024-2025 school year and \$95,506 for the 2025-2026 school year, and

**WHEREAS**, The Village of Depew Police Department has had a full time presence within the Depew Schools throughout the 2022-2023 school year, and is uniquely qualified to continue to provide a local police officer to act as School Resource Officer to the Depew Union Free School District on a full time basis, and

**WHEREAS**, the Village of Depew Police department and the Depew Union School district have negotiated a mutually beneficial agreement to provide the services sought for the 2023-2024, 2024-2025, and the 2025-2026 school year

**NOW, BE IT RESOLVED** that the Board of Trustees shall authorize the Depew

Police Department to continue to provide a School resource officer (SRO) to the Depew Union Free School district (DHS) through the term of the agreement to expire at the completion of the Depew Union Free School districts 2026 academic year.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kraft - Y  
Deputy Mayor Adolf - Y  
Mayor Peterson –Y

### **AUTHORIZE MAYOR TO SIGN ENERGY SUPPLIER AGREEMENT**

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

BE IT RESOLVED, that Mayor Kevin Peterson is authorized to sign an agreement with NOCO Natural Gas & Electric for the period of June 1,2023 through December 1, 2024 to switch to NOCO Natural Gas & Electric for the supplier of the electric and gas to all the Village accounts.

The foregoing resolution seconded by Deputy Mayor Adolf, and duly put to a roll call vote which resulted in the following:

Trustee Hamernik -Y  
Trustee Ziemba - Y  
Trustee Kraft -Y  
Deputy Mayor Adolf - Y  
Mayor Peterson - Y

**EMPLOYMENT APPLICATIONS** – Rec: Luke Genewich, Timothy Steffens, James Cleveland, Elizabeth Steffens, Nicholas Karnyski, Thomas Walsh, Marcus Huber, Genevieve Anna  
DPW: Luke Genewich

### **DEPARTMENT HEAD REPORTS –**

Don Bielefeld, Code Enforcement: Reminded public to cut their grass, and will be sending violations for high grass and as well as there has been a rash of unregistered vehicles in the Village.

Kevin Ferguson, Recreation Department: Stated all the programs were starting – Hockey started last week, kickball tonight, Wednesday is softball, Thursday is Volleyball, Friday is softball, Tuesday and Thursday is lacrosse as well. They are looking to rent the rink out for floor hockey practice to those on the league waiting list at an hourly rate. Pool will be filled by Friday, will be a month ahead of schedule.

Captain Norek, Police Department: Over the next two weeks, the Police Department will be taking part in the statewide “Click it or Ticket”, Buckle Up New York Campaign under the Governor’s Traffic Safety Committee grant. Two new officers will be graduating the academy on June 2<sup>nd</sup> and then will enter in to the field training program. New dispatch center is coming closer to completion.

Village Attorney Sam Alba: Has been working on the Cannabis law. Have a few article 7’s wrapping up. Looked into check received from a case action suit and is looking to where the funds should go to – was from Monsanto.

Trustee Ziemba: As soon as the details are released for the Home Hazardous Waste event, he will share them. Coming up on Memorial Day, wanted to thank all the Veteran's and all those who have served and lost – thank you for all the privileges I enjoy today.

Trustee Hamernik: Thank you to Centerpointe Church and it's volunteers for the cleanup in front of the building. The Lancaster, Depew Elma Chamber is holding a blood drive, if you are interested in any information. The Community Center is holding a Chicken Dinner with the Depew High School on June 9<sup>th</sup> and preorder is available. Moving along at the Community Center – the laundry mat has been inspected and passed approval, need to fix a few glitches to open it up. Channel 4 is coming to do a tour of the building and talk about the building. The dirt delivery is being put off for two weeks.

Deputy Mayor Adolf: Wanted to thank Mr. Spanos for his time tonight and the knowledge. Also wanted to thank Ken and DPW for planting additional trees and help to continue to greenify the Village.

Mayor Peterson: This week, on Monday, the Village and Fire Department and helping with the Veteran's and the Parade this year. The parade will begin at Village Hall at 10:45 am following a service at the Vine, with a service to follow at Veteran's Park. The Fire Department will be cooking hotdogs and handing out drinks as well. This Wednesday, at 4:30pm in Village Hall, in the Justice Court, Honorable Judge Kathleen McDonald, Associate Judge Paul Bumbalo and the staff upstairs will be hosting a gathering to honor past Village Judge Gordon Willis. And the Pavilion project is moving right along for a September opening.

#### **PUBLIC COMMENTS AND CONCERNS: -**

Paul Sprada, 58 Argus: Had questions for Fire Chief who was not in attendance regarding fire hydrants. Also inquired about the Solar Farm and its progress and whether we have had any chicken applications.

#### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Ziemba and seconded by Trustee Hamernik the following claims are to be paid: \$196,258.30 General, \$859.00 Sewer, \$2,492.25 Capital Projects, with a total of \$199,609.55 was **CARRIED**.

#### **ADJOURNMENT**

**ON A MOTION BY** Trustee Kraft and seconded by Trustee Ziemba the meeting was adjourned at 8:15pm.

Respectfully submitted,

Regina Grzankowski  
Village Administrator