

MEETINGS: 22  
NO. OF REGULAR: 21

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
January 24, 2021 7:00PM**

ROLL CALL: Trustee Hamernik - PR  
Trustee Ziemba - PR  
Trustee Kucewicz - PR  
Deputy Mayor Stempniak - ABS  
Mayor Peterson - PR

**ON A MOTION BY**, Trustee Ziemba and seconded by Trustee Kucewicz the January 10, 2022 board meeting minutes were approved.

Chief Miller took the opportunity to present Certificates of Appreciation to and for the following:

On January 8 at approx. 9am. We received a 911 call from Joshua Tobias, stating his mother was not breathing. This young man recognized his mother's medical emergency and was able to stay calm, dial 911 and give our dispatcher the address of the emergency and specific details of his mother's condition. This young man's quick actions saved his mother's life that day and is a hero not only to his family and this Police department but the entire community.

We also want to recognize our officers that responded to that call where Josh escorted them into his mother's bedroom. The officers recognized that Joshua's mother was not breathing and immediately began CPR, they quickly attached the AED **defibrillator** unit and administered a shock - ultimately saving the patient, this all occurring before the paramedics arrived on scene.

For their outstanding service and quick life savings actions -We proudly recognize

**Lt Justin Refermat**

**Po Robbie Utz**

**PO Scott Hoffhines**

**Public Comment Agenda Items Only:** N/A

**PERMISSION SCHOOL**

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

**BE IT RESOLVED**, permission is hereby granted to Aleksander Wojciechowicz to attend the Drug Recognition Expert School interview on February 9, 2022 at The Hampton Inn, 6082 S. Transit Rd, Lockport, NY. Use of the company vehicle is approved.

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

**ADOPT AND ALLOCATE FUNDS FOR AN OUTDOOR FITNESS COURT AS PART OF THE 2022 NATIONAL FITNESS CAMPAIGN**

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

**WHEREAS**, The Village of Depew has submitted a Grant Application to National Fitness Campaign (NFC) for participation in their 2022 initiative to install and activate outdoor fitness courts in 200 cities and schools across the country, and;

**WHEREAS**, The Village of Depew will accept a \$50,000 National Grant from the NFC Grant Committee and Statewide Partners, and provide a local match in the amount of \$90,000 for the initial P.O cost and another \$25,000 at the June launch for a total match of \$115,000.

**WHEREAS**, The Village of Depew will secure supplemental funding as needed through community sponsors, which will be made available and committed to the program for the purchase of the outdoor Fitness Court, and;

**WHEREAS**, the Village of Depew will commit to construction and launch of the outdoor Fitness Court by the end of the 2022 calendar year, and;

**WHEREAS**, the Village of Depew Board of Trustees believes the outdoor Fitness Court in an important wellness ecosystem that supports healthier communities, commits to funding/fundraising to participate in the NFC's 2022 Campaign, and will earn local and national recognition as a leader in providing affordable health and wellness.

**NOW THEREFORE BE IT RESOLVED**, that the Village of Depew Village Board of Trustees will collaborate with NFC to implement the outdoor Fitness Court and make fitness free to community residents and visitors.

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

Trustee Hamernik - Y

Trustee Ziemba - Y

Trustee Kucewicz - Y

Deputy Mayor Stempniak - Y

Mayor Peterson – Y

**MITIGATION PLAN**

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

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**

**AUTHORIZING THE ADOPTION OF THE**

**2022 ERIE COUNTY, NY HAZARD MITIGATION PLAN**

**WHEREAS**, all jurisdictions within Erie County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

**WHEREAS**; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

**WHEREAS**; a coalition of Erie County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Erie County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Depew:

- 1) Adopts in its entirety, the 2022 Erie County Hazard Mitigation Plan (the "Plan") as the jurisdiction's Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Planning Partnership as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

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

Trustee Hamernik - Y

Trustee Ziemba - Y

Trustee Kucewicz - Y

Deputy Mayor Stempniak - Y

Mayor Peterson – Y

**PERMISSION – FIRE DEPARTMENT**

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

**WHEREAS**, Permission is hereby granted to the Depew Fire Department to take Engine #6, Ladder #5 and Engine #1 to attend trainings at Town Line Fire Co, 6507 Broadway, Lancaster, NY 14086 on Saturday January 29, 2022 from 9:00 AM until 12:00 PM.

**THEREFORE, BE IT RESOLVED:** The above foregoing resolution was seconded by Trustee Hamernik and duly put to a roll call vote which resulted in the following:

- Trustee Hamernik - Y
- Trustee Ziemba - Y
- Trustee Kucewicz -Y
- Deputy Mayor Stempniak -Y
- Mayor Peterson - Y

**PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT – JUNIOR FIREFIGHTER PROGRAM**

Trustee Ziemba, 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 their physicals:

**Junior Firefighter’s**

- Aiden Kent
- Forrest Lehmann

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

- Trustee Hamernik - Y
- Trustee Ziemba - Y
- Trustee Kucewicz - Y
- Deputy Mayor Stempniak - Y
- Mayor Peterson - Y

**EMPLOYMENT APPLICATIONS – N/A**

**DEPARTMENT HEAD REPORTS –**

Elizabeth Brinkworth with Assembly member Wallace’s office first congratulated the Police Officers for their heroic actions, that was amazing and thank you so much for helping those in need in the community!!!! She told the board that on Friday January 21<sup>st</sup> Assembly member Wallace had donated some KN95 masks and hand sanitizer to local veteran’s organizations for all of their service to our Country and the fact that most of the people there are older folks. Their office is also trying to spread the word about the free at home test kits and she tried the link herself and knows it is up and running. She highly recommends getting on line and ordering some with the climate being the way it is now. Assembly member Wallace has been very busy in Albany being that they are back in session and has met with a lot of communities. They know the Governor has submitted their budget and they are hoping to do the same with the Assembly’s later this week or next. As always they are there to help with department of labor and EZ Pass questions, etc.

Bob Brandan of Senator Kennedy’s office said as Liz did, they too, received a lot of test kits and masks and handed them out to different Senior Centers. He went into a number of bills that have been passed recently, one of them is the marijuana bill. They do not believe we will see anything happen with this new bill until 2023 because the Cannabis Board is reviewing the rules and regulations that have to be completed. Another law was for online betting. In the first two weeks over \$600 million dollars were spent online in betting and he thinks that the Super Bowl will probably be triple that amount. The sales

tax revenue should be very helpful to local municipalities. One other bill he presented was for the paid family sick leave that passed. People can use this to take care of a parent, a spouse, child, anyone who is very ill or seriously ill, a grandparent, your in-laws, you will be able to get up to 12 weeks of paid leave. This doesn't have to be taken at one time, it can be by the day, by the hour, etc. Should be noted that it is paid for by the employees by a tax, about .5% on their income tax. Moving on to the next law was that Styrofoam containers will be legally be used, along with the peanuts that were used for packaging. After being out to dinner and ordering out, I've seen new containers that are made out of cardboard being used. The last law is the NYS minimum wage increase. The new minimum wage that took effect on 1/1/22 is \$13.20 an hour.

County Legislator Frank Todaro wanted to start by thanking the officers for their heroic actions was just great to hear about, he was not aware about that, so thank you for that. The first responders are very important to our community. He asked if anyone had any questions for him at the County Government level? Mayor Peterson asked about the test kits and Legislator Todaro responded that the County Executive has the ability to get more of them without any slow-down from the legislature, they already granted him that permission if it comes to COVID, then he can do it at will if it will help the community without another meeting. He will be getting more and they will be distributed to the local municipalities. Mayor Peterson told him that our OEM Director heard that the libraries were going to be doing the distributing of the tests.

Fire Chief Rzeszutek – 30 fire call so far. The departments are almost finished with the OSHA training, others will wrap it up in February. Code 3 comes in annually and does the training for them. The Chief is absolutely imploring the residents to adopt a fire hydrant on their street and dig it out from under the snow. They have been doing it but with their trainings and calls it's hard to ask the firemen to take another night away from their families. If the residents could take 2-3 minutes and dig out the hydrants, it could be a 2-3 minute difference between life and death. He has seen residents piling snow over the hydrants even further when snow blowing and shoveling their driveways. We cannot have this being done. Please, please help us help you.

Police Chief Miller - For those who are not aware our police officers respond to all EMS request and in most times arrive before the ambulance crews or Paramedics arrive. This allows us to administer aid to the patient and begin life saving efforts immediately. Our officers are fully trained in CPR and basic first aid.

Our department and our officers are doing a great job. They are engaged with the community and are working hard to keep this community safe.

Just a reminder - please remember to lock your cars, take your keys, and remove your valuables.

DPW Superintendent Ken Pyc – keeping up with the plowing and sidewalk plowing on Transit and Broadway. We don't want to see anyone walking in the street on those streets. Mayor Peterson asked him to explain a little further about their jobs on sidewalks, especially after 22 inches of snow that the residents are responsible for on their sidewalks. He explained that they try and keep the main roads done. Once those are taken care of, they try and get to Village owned properties. He thanked the PD for their help with some of the businesses on Transit and Broadway who are creating safety hazards by mounding their snow in their lots and making it very dangerous for residents to try exiting their establishments, or on the corners of their lots, blocking oncoming traffic. Mayor Peterson also added that many people are placing snow in the streets, he explained again that the residents may think the plows will come along and push that snow down, but remember, in between those times, people still have to travel down those streets. It makes it harder for them to navigate and stop at a stop sign. Don't plow the snow into the streets!

RJ from Emergency Management told the board that the portable radios are in and both he and Galen have them, just checking out the frequencies and such. The mobiles are also in but they are waiting to hear that the portables are ok they will start to work on the mobiles.

Mayor Peterson added that they are going to work hard to get another drive through distribution of on the KN95 masks within the next 8-10 days. That will be coordinated with OEM, Village Board and our Police Department.

And saving the newest person for last, Mayor Peterson introduced Don Bielefeld Jr., as our new Code Enforcement Officer. We're forging ahead and we have one more person to hire, a Full Time Assistant CEO in the next 10 days. He asked Don to take a few minutes to introduce himself to the public. First of all congratulations to the police officers and that young man for saving his mother's life, it's wonderful. He personally has had experiences with it, his daughter has cerebral palsy and they've come to his house to take her to the hospital. Couldn't ask for better police officers or first responders, wonderful!!!! He thanked everyone for giving him the opportunity to serve the public. He promised to make it the most streamlined and easy as possible to do the permitting systems, to make it a place where people want to file for their proper permits and get their applications through and get their businesses up and running, your homes remodeled, whatever their department can do to help.

Sam Alba – Legal – The kick off meeting was held for the old reclamation landfill and our Village Engineer, Dave Britton was there for it, who said it went very well and very smoothly. It's nice to see things coming to fruition with it, it's been in progress for two years. He thought of a new idea that hasn't been brought up yet but hopefully we will be talking about in the future, there are big boulders on the site that have to be removed and he thought it would be a good idea to work them into the landscaping in front of the Village Hall to use as protection so that no one could drive through the building again. He commended the PD for sending him a contract to review, which had a clause in it that said if we needed to go to litigation on anything for it, we would have had to go to New Mexico to do it. Please send him any contracts that you are being asked to sign for his review. Sam welcomed Don to the Village. He did his homework on the non-domestic pets and service animals and he found that we need to develop a policy that we give to the Zoning Board of Appeals and the law is if the person can establish a medical reason for the service animal and present that to the Zoning Board and there will be a policy in place and that seems to be the answer.

Mayor Peterson explained that the public hearing on the non-domestic animal law, but the board felt it was important to allow residents to attend and speak at this public hearing. It's an important law. So we cancelled it and plan on rescheduling it for another meeting, possibly when we go back to public meetings, hopefully for the first meeting in March.

Administrator Wachowiak gave an update on the building damage and mentioned that after holding a departmental meeting, we will plan on moving on to talk with contractors to start the repairs.

Trustee Ziemba wants to welcome Don, he was part of the interview process with him and has no doubt that he'll look after the Village.

Trustee Kucewicz welcomed Don and told him that we are thrilled and excited to have him here. Wanted to take the time to thank the police officers for what they did not only with that situation but every day for everything they do for the Village.

Trustee Hamernik also wanted to thank the police department with a special thank you to Joshua, for a man his age for being so aware of the surroundings. On Tuesday the 25<sup>th</sup>, there will be no Matthew's Table due to COVID. It will resume in February. And on one more note she hopes everyone can come out and help at the benefit on the 29<sup>th</sup> at Bowmansville Fire Hall for our Community Center.

Deputy Mayor Stempniak received a message from Kevin Ferguson saying that he will be looking at hiring additional rink guards because open skate has been so successful and crowded.

Mayor Peterson added about open skate that a resident reached out to him via Face Book over the weekend.....open skate is Saturday and Sunday from 2-4pm. You need to use a credit card in order to pay and there are a couple of different plans that you can do and there's also skate rental is there. Check the Village Face Book, Recreation Department.

**PUBLIC COMMENTS OR CONCERNS – N/A**

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee and seconded by Trustee, the following claims are to be paid: \$295,774.58 General, \$3,158.04 Sewer Fund and \$298,932.62 Capital was **CARRIED**.

**ADJOURNMENT**

**ON A MOTION BY** Trustee Kucewicz and seconded by Deputy Mayor Stempniak the meeting was adjourned with a moment of silence for Laurine Fischione, wife of former Code Enforcement Officer Anthony Fischione at 8:05 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak  
Village Administrator