

MEETINGS: 17
NO. OF REGULAR: 16

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
November 12, 2019 7:00PM**

ROLL CALL: Trustee Jakubowski – Pr
Trustee Stempniak - Pr
Trustee Hamernik - Pr
Trustee Voll - Pr
Mayor Peterson– Pr

ON A MOTION BY, Trustee Jakubowski, and seconded by Trustee Hamernik the October 28, 2019 Village Board Minutes were approved.

PUBLIC COMMENT

AUTHORIZE MAYOR TO SIGN ERIE COUNTY SNOW REMOVAL CONTRACT

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

WHEREAS, the County of Erie and the Village of Depew would like to enter into a Intermunicipal Snow Removal and Ice Control Agreement for the period 9/1/2019-8/31/2022;

WHEREAS, the Village of Depew will be paid by the County of Erie \$4,193.37 per lane mile for the 2019-2020 snow season, \$4,340.14 per lane mile for the 2020-2021 snow season and \$4,470.34 for the 2021-2022 snow season with the Village having to remove snow and ice on 3.16 lane miles;

BE IT RESOLVED, Mayor Kevin Peterson is authorized to sign the Intermunicipal agreement with Erie County for the snow and ice removal and the Village Administrator is authorized to invoice the County for the two payments due the Village for the contract each year.

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

Trustee Jakubowski - Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

PERMISSION –WAIVE PERMIT FEE

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

WHEREAS, The Lancaster Baseball Booster Club has requested permission to waive the building permit fee for their proposed utility and storage shed.

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to The Lancaster Baseball Booster Club to waive the building permit fee for their proposed utility and storage shed that will be placed near the entrance gate off of Lincoln Street at Historic Dawson Field in the Village of Depew.

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

AUTHORIZE MAYOR TO SIGN SERVICE AGREEMENT – AUCTIONS INTERNATIONAL

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

WHEREAS, the Village of Depew is currently utilizing Auctions International for the sale and auction of surplus village property at the Village of Depew facilities;

WHEREAS, the Village of Depew would like to continue the Auction Services Agreement for \$30.00 per vehicle and \$5.00 for non-vehicle auctions starting November 13, 2019 and ending November 12, 2021.

NOW THEREFORE BE IT RESOLVED, that Mayor Kevin Peterson is authorized to sign the

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

Trustee Jakubowski - Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

AUTHORIZE MAYOR TO SIGN THE URBAN COMMUNITY FORESTRY FUNDING

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

WHEREAS, The Village of Depew is applying for Round 15 Urban Community Forestry funding from the New York State Department of Environmental Conservation to contract a tree inventory of and management plan for all street trees in the Village. The inventory and management plan will be created by a certified arborist. The Village will apply for funds not to exceed \$50,000. There is no required match for this funding program.

NOW THEREFORE BE IT RESOLVED, that Mayor Kevin Peterson is authorized to sign the Urban Community Forestry Funding contract,

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 Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

PERMISSION WEBINAR

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

BE IT RESOLVED, permission is hereby granted to Deputy Clerk / Clerk Typist, Melissa Dabb to attend the NYCOM Village Elections Webinar – Two-Part Series. The first part of the series will be Tuesday December 10, 2019 from 10:30 am – 12:00 pm. The second part of the series will be Thursday December 12, 2019 from 10:30 am – 12:00 pm. The registration fee is \$30 for each webinar.

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

RETURN UNPAID TAXES TO COUNTY OF ERIE

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

BE IT RESOLVED, the report of the Village Administrator, showing that in accordance with Article 14, Section 1436, Paragraph 2 of the Real Property Tax Law, is returning to the County of Erie, Department of Finance the 2019-2020 unpaid Village Tax accounts together with the unpaid sewer account pursuant to verification and certification of the Board of Trustees, and also that as of November 1, 2019, has collected the sum of \$10,461,185.75, leaving a balance of \$206,925.14. In accordance with section 987 of Real Property Tax Law, the Village has imposed a fee of \$2.00 per parcel for the “Notice of Unpaid Taxes”; the Administrator has added \$512.00 to the balance, we are also adding the unpaid lawn mowing charges of \$1,741.31, thereby leaving a balance of \$209,178.45, which has been transferred to Account A440, Due from Other Governments, for further collection on the Town/County bill, is hereby accepted.

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

Trustee Jakubowski – Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

APPROVE OEM VEHICLE USE

Trustee Jakubowski offered to table the following resolution:

WHEREAS, The Emergency Manager, Mrs. Judith Michaels, Deputy Emergency Manager Mr. Galen Purpura Jr. and Deputy Emergency Manager, Mr. Roy Neiman are required to respond to and coordinate responses to various emergencies as they arise. These emergencies include but are not limited to; fires, floods, law enforcement, emergency medical, environmental, hazardous material and other natural and non-natural and man-made events that affect life, safety and property of Village residents.

WHEREAS, the Village of Depew does not provide a municipally owned vehicle for use by Emergency Management personnel during the performance of their duties, and, the Village of Depew has provided and installed communications, warning and other equipment required to perform their official duties in the personal vehicles of Emergency Management personnel; therefore, I hereby authorize and designate the personally owned and village equipped vehicles of Mrs. Michaels, Mr. Nieman and Mr. Purpura as “Authorized Emergency Vehicles” as defined under Sections 101, 106A, 115D and 117C of the New York State Vehicle and Traffic Law (NYS-VAT) when conducting official Government business. The operators of said vehicles shall comply with the provisions and restrictions contained in Section 1104 of the NYS-VAT Law as it pertains to operation of an Authorized Emergency Vehicle.

BE IT RESOLVED, this authorization shall remain in effect during the entire term of their service appointment or until revoked or rescinded by Mayor Kevin Peterson

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

Trustee Jakubowski - Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson –Y

PERMISSION – EXPLORER MEMBERSHIP – DEPEW FIRE DEPARTMENT

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

BE IT RESOLVED, explorer membership is hereby granted to the following in the Depew Fire Department pending the passing of his physical:

ENGINE 1

Nathan Ricca

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

Trustee Jakubowski - Y
Trustee Stempniak -Y
Trustee Hamernik -Y
Trustee Voll - Y
Mayor Peterson – Y

APPROVE GEORGE URBAN BLVD SCHOOL SPEED ZONE

Trustee Voll offered the following resolution and moved for its adoption:

WHEREAS, the Village of Depew received a letter from Anne Spisiak, Executive Director, Cantalician Center for the Learning 2049 George Urban Blvd, Depew, NY 14043 requesting a school speed zone in the vicinity of the Cantalician Center located at 2049 George Urban Blvd; and

WHEREAS, the Village of Depew reviewed the request at its November 12, 2019 meeting where it was determined that the criteria for establishing a school speed zone is met in accordance with NYSDOT Traffic Engineering Directive OS 03-002; and

WHEREAS, the section of George Urban Blvd in front of the Cantalician Center is under the jurisdictions of Erie County, and

WHEREAS, by referral, Erie County Department of Transportation reviewed the request and determined that it will establish a 20 mile per hour school speed limit on George Urban between Dick Rd and Patrick Lane between the hours of 7:00 AM – and 6:00 PM; and

WHEREAS, the Village of Depew confirmed through conversations with Erie County Department of Public Works (ECDPW) that these signs may be posted by Village DPW along George Urban Blvd upon adoption of a Village Board Resolution and execution of a Village permit; and

THEREFORE BE IT RESOLVED, the Depew Village Board respectfully requests that ECDPW establish a 20 MPH school speed zone on George Urban Blvd between Dick Rd and Patrick Ln; and

THEREFORE BE IT FURTHER RESOLVED; the school speed zone shall be effective only on school days between the hours of 7:00AM – 6:00 PM; and

THEREFORE BE IT FURTHER RESOLVED; that the Village’s Highway Department obtain the necessary sign permits from Erie County and install the school speed zone signage in accordance to the Manual of Uniform Traffic Control Devices.

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

Trustee Jakubowski – Y
Trustee Stempniak –Y
Trustee Hamernik -Y
Trustee Voll – Y
Mayor Peterson - Y

EMPLOYMENT APPLICATIONS – None

DEPARTMENT HEAD REPORTS – Building Dept October 2019

UNFINISHED AND OTHER BUSINESS N/A

PUBLIC CONCERNS AND COMMENTS

OEM – Attended the airport drill with was a very good learning experience for the department. NYS sent out a questionnaire if the Village had any major damage from the last wind storm and Judy reported that we did not. The recent power outage was due a NYSEG error and was correct by approximately 1pm. It was nearly impossible to get any information from NYSEG during the incident and Judy will follow up, as an Emergency Management Dep't they should be able to contact someone with direct knowledge regarding street lights not working, etc during these outages. Matt from Lancaster suggest she contact Lt. Rosler and they have in the past for direct information.

Mayor Peterson explained that Ken from the DPW was not at tonight's meeting due to the snowfall the night before and being here during it with his crew. They did a tremendous job and many residents were thankful as the posted such statements on the website and sent emails to Kevin personally. Great job DPW!

Chief Nusall stated that the fire department is down to 1009 members now and recapped his monthly report. They are working with the Water Authority in the area of Walden and Vanderbuilt while the authority is trying to minimize water loss. There may be low water pressure in that area until the situation is resolved.

Attorney Alba stated that the Village is moving ahead with their surplus properties and the 5G small cell wireless to be completed by the end of this year.

Chief Miller gave a recap of his October report, As a reminder to all residents, the parking ban goes into effect on November 15th, this Friday and his officers are now issuing their "warning tickets" to remind these residents still parking in the street. As of Friday this will become a violation. The NYS has made it mandatory that each criminal case they process must have all evidence turned over within 20 days of arrest. This will be very time consuming and cumbersome. His department is working on doing this now to see what type of an impact it will have. Just in October the department processes 103 criminal cases so the task is daunting.

CEO Tony reminded residents and businesses alike that with the snowfall comes the enforcement of clearing sidewalks from the snow. His department will be sending out reminder letters to residents and businesses to remind them to do so. Please, help your neighbors, the elderly, etc to keep the sidewalks clear.

Trustee Jakubowski will have more information at the next meeting from his NEST meeting.

Trustee Hamernik reported that Ryan Coons has the rest of the libraries ready to go, but the weather is delaying the installation. He has applied for Eagle scout status and can earn a college scholarship if he receives this so she wishes him the best of luck.

Trustee Stempniak reported that we are moving forward with the Urban Forestry Grant and also the meeting at Buddy Knaus hall Wednesday night, the 13th at 7pm to discuss residents' ideas on improvements to Fireman's Park.

Mayor Peterson stated for Rec Director Kevin Ferguson that the tree lighting ceremony is December 2nd and there are many activities scheduled, inside and out for the evening and encouraged all residents to come out.

Elizabeth from Monica Wallace's office stated that the Legislator is working on a Vets 1 Stop grant for all veterans coming home and readjusting. She will be hosting a press conference on December 13th.

Matt Walker from Lancaster stated that the Pack Building meeting will be on November 13th for input on usage from residents. Mayor Peterson asked if they had a new Supervisor yet and he said unfortunately no, going through write in votes now. Could be another month.

Paul Sprada, 58 Argus heard a rumor that Burger King is closing and wondered if anyone on the board heard the same thing. No one had and Trustee Jakubowski said he hear the opposite, that they were remodeling. He also stated that he noticed a lot of the trucks coming down George Urban are Canadian truck drivers who only understand metric measurements and most do not speak English, let alone read it. Chief Miller explained that it is not only Canadians, but Russians and Asians have hit the bridge and their GPS spoke warnings of “low bridge, low bridge, low bridge” and they still kept going so it isn’t only the Canadians, but a lot of people.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Voll and seconded by Trustee Stempniak, the following claims are to be paid: \$1,097,074.60 General, \$11,714.30 Community Development, \$23,746.20 Capital Projects and \$1,132,535.10 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Hamernik, the meeting was adjourned with a moment of silence for Carolyn Pratt, Ron Pratt’s wife and Dr. DiPerio at 7:55 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak
Village Administrator