

MEETINGS: 17  
NO. OF REGULAR: 16

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**November 8, 2021 7:00PM**

ROLL CALL: Trustee Hamernik  
Trustee Ziemba  
Trustee Kucewicz  
Deputy Mayor Stempniak  
Mayor Peterson

**ON A MOTION BY**, Deputy Mayor Stempniak and seconded by Trustee Ziemba, the October 25, 2021 board meeting minutes were approved.

**ON A MOTION BY**, Trustee Hamernik and seconded by Trustee Kucewicz, the October 14, 2021 Zoning Board Minutes were accepted.

1. David Gena for property located at 90 Harvard Ave, of Chapter 260, §260-23(B)(2) to permit him to install a deck within the minimum required 5ft setback from property line. Amended variance granted.
2. Gerald Fernandez for property located at 116 Meridian St, of Chapter 260, §260-23(B)(2) to permit him to construct a garage within the minimum required 5ft setback from property line. Denied
3. Tim Bunch for property located at 6321 Transit Rd, of Chapter 260, §260-26(A)(2) to permit him to erect a fence within the required 30ft setback. Tabled

Public Comment on the Agenda – Paul Sprada, 58 Argus – He is very pleased to see that the sidewalk bid is going to be awarded to Master’s Edge! They do excellent work! Master’s Edge and the contractor prior to them both do excellent work! He hired them to do his own sidewalk work, very pleased with how fast and clean they work!! Mayor Peterson explained that this was money that was left over from previous year(s) from the CDBG grant money that was not spent fully. We were a little light and they made it available for us to go out and use it again, so it’s good.

Village of Depew  
Notice of Public Hearing

A public hearing will be held on Monday November 8, 2021 at 7:00PM in the Depew Village Hall Council Chambers. The purpose of the hearing is to discuss the Cannabis Legislation The meeting room is wheelchair accessible.

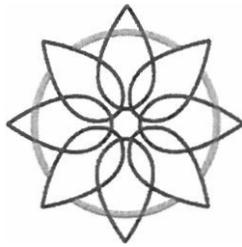
The public hearing was opened at 7:20 PM by Deputy Mayor Stempniak and seconded by Trustee Kucewicz.

Paul Sprada, 58 Argus – Is this Statewide? Yes, it is. He asked if the board had any inventory of anyone who has passed it or is against it? The Mayor and Deputy Mayor Stempniak said they spoke to some villages at their last Village Officials Meeting Orchard Park – Out, Grand Island – Out, Clarence – Paul heard a rumor that they opted Out and the Mayor confirmed that yes, that was on the news, Springville – In, Blasdell – In. Erica said the majority of them seemed to opt in. The Mayor explained that our goal is in the next month here to take any input that would come about and as a group come up with a decision so it can be decided at the first meeting in December. The Mayor asked Paul if he would like us to have the ability to sell marijuana...Paul replied not particularly. Do you have any reasons why? This is what we are trying to get....since you’re a regular here, he values his opinion. Paul explained that he’s been retired for over 8 years now, but he worked at the border for 35 years. Canada legalized it and a neighbor still works for Homeland Security. He tells him how lucky he is that he retired, he is on an Ice team and he told Paul that he wouldn’t believe

what's coming in. He does a lot with Canada Post, people sending lot of stuff via mail, wouldn't believe what people try to get away with. He has personal reasons and we have enough problems in this world and we don't have to appease these people. Mayor Peterson told everyone, just to be clear, this is not to regulate the use of it. Darrin has sat in on meetings with the Mayor and they've come to know by listening other municipalities, where you can't smoke cigarettes, you will not be able to light up a cannabis cigarette. There are a number of places like that, parks, places of employment are like that. Paul added that the University of Buffalo's North campus is no smoking on the whole campus. Mayor Peterson asked Chief Miller if he had anything to add and he told everyone that he shares Paul's sentiment on it. He thinks it's a lot of unknowns. We have a lot of marijuana legislation passed but we don't have any rules on how to enforce it. Permits, if someone gets in a car, we don't have any technology to measure how much marijuana could be consumed, so he hesitant.

Dave Burkhardt, 5 Autumn Lea – On the property where this store would be, would they be allowed to smoke it in the parking lot? Deputy Mayor Stempniak thinks that yes, you probably could and Mayor Peterson agrees. Dave would hate to see a store like that in the Village then because he thinks it will cause problems if they're smoking it on the property and then driving away and somebody get into a car accident or something....he thinks it would cause problems. Chief Miller said his understanding is if you aren't allowed to smoke a cigarette in say a bar, like it is in Erie County, you wouldn't be able to smoke marijuana in those places. But, they have smoking areas outside and would they be able to smoke it outside, he imagines that yes, they would. Dave also said that you could have a bunch of kids, young adults, stopping at the store and sitting on a bench smoking that stuff for a half an hour, hour whatever and just meeting and talking and going out driving, you never know. Mayor Peterson told Dave that there is going to be some coordination as to where you can put these shops. We passed ordinances, a law a couple of years ago that where sales of cigarettes are cannot be within 500 feet a school building, church. Even if we make this decision to Opt Out of it or if we don't do anything, it means we are In, it will be at least a couple years before anything happens. At this point anyone can get their hands on marijuana from an illegal source. Dave just worries about people driving. Trustee Hamernik offered that there are some areas in some states where they have a cannabis shop and on one side you go in and buy your legal use marijuana and on the other side it is a recreational use room, almost like a cigar smoking shop. She thinks a lot of people are thinking about that too and then people are coming out and if they get into a car and are driving, that's where the hands of our police are tied because there is nothing to regulate it to, no parameters were set. How do we detect it? Dave wishes they would wait until a machine was made to detect something like that before they ok this thing.

Mayor Peterson told everyone that we did have a statement to read from Thomas Snider and we will ask Trustee Ziemba to read it: it reads as follows:



# THE HELPFUL CAFE

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## CANNABIS DISPENSARY

Good Evening to everyone in attendance and watching on YouTube. My name is Thomas Snider, I am a business owner in Depew.

First I would like to thank Ms. Grzankowski for notifying Mayor Peterson that I cannot be in attendance tonight and also thank you to Mayor Peterson for agreeing to read this statement on my behalf, I am grateful for the courtesy you have extended.

Currently I own and operate 2 businesses in Depew, am a member of The Lancaster Area Chamber of Commerce and am also a member of The New York Cannabis Growers and Processors Association. I would also like to be an owner operator of a Cannabis Dispensary in Depew. One of the businesses which I would be closing should I be granted a dispensary license is Cloud Chasers Vapor Lounge. This business is an age restricted site that has operated free of infraction of any kind for 6 years.

On September 22nd I had the opportunity to speak with FOCUS Foundation Program Director John Brusio (absolutely great guy and a straight shooter, by the way) about a survey they had sent out. This survey was sent only to people that subscribe to their newsletter. I do not know the results of it, but felt it probably leaned in the foundations favor. On October 6 I made a post on the Facebook page You Grew Up In Depew, NY, to get a broader view of what the citizens of Depew think about having safe access to regulated Cannabis is. Of 30 respondents 27 reported Yes they would support dispensaries, I asked the 3 No votes why they felt that way to no response. Mr. Brusio also made some good points at Lancaster's Public comment hearing on October 7 about packaging and THC levels.

New York State will implement the Nation's strictest standards on packaging, no child friendly images or colorful pictures as well as a cap on THC levels at 3%.

I had sent all board members an email on September 18th at 12:19 P.M. to introduce myself and offer my knowledge of this subject to help guide the model of an industry I would like to see in our community and to do so with integrity and empathy for the end user.

I have heard concern over "who is going to be running these businesses?" I am one of those people, someone who has run businesses in your Village for the past 6 years, and has run them clean, someone that has fought to self-impose restrictions against my own Vapor business to make clear our goal is safe access to age restricted products for adults only. I have spent the entirety of my life as a resident of both Lancaster and Depew, and have a vested interest in seeing a cannabis business operated to the highest standards. I want my shop to be looked at by all others as the benchmark of professionalism and aesthetic. At the top of this email is our logo design and name, The Helpful Cafe Cannabis Dispensary.

We all know Black Market cannabis sales have been going on since there has been cannabis prohibition. We need look no further than Main Street, Depew. But with legal sales we have the opportunity to curtail this activity. Think about it this way, if you are selling cannabis illegally do you want to set up somewhere that there is safe, legal access to cannabis or do you want to set up in a Town Village that is still prohibiting its sales?

We can also ensure legal cannabis sales are clean cannabis sales, with no chance of having product on the street that has been laced with substances such as fentanyl.

Legal Cannabis will be taxed at a rate of 13%, 9% will go to the State, 4% to the County of that 4%, 3% will stay in the Town or Village in which a Legal Cannabis sale was made. That 3% does not need to go into the general fund either. It can be used as a direct funding source for anything the Village may feel passionately about but fall short on funding in. On a very conservative estimate of a shop doing \$1,000,000 in revenue that would equate to \$30,000 to the Village of Depew for whatever they may need. New York is estimated to bring in anywhere from \$350,000,000 to \$43,000,00 in year 1 of Legal Cannabis sales Tax Revenue (estimates from The Tax Foundation). Tax revenues in every state where Cannabis is legal have gone up every year since legalization, with California bringing in over 1 Trillion dollars last year. But if we are not opted in we receive none of it.

You may say, 'we can always opt in later', but there will be a finite number of licenses granted, Senate Majority Leader Peoples-Stokes Senior Advisor Leah Halton Pope has told me if Towns Opt out now their chances of Opting in later and their municipality getting a licensee are very narrow.

Should the Board choose to opt out, I ask the local law be amended to allow for referendum and put it to a public vote.

Thank you again Mayor Peterson and Ms. Grzankowski for allowing this statement and to the entire Board for hearing me out as well.

I would be grateful to have a seat at the table on this process and shape what Cannabis sales in The Village of Depew can look like now and in the future. I look forward to hearing from you all, my direct phone number is located below and I can be reached thru email as well.

Thomas Snider

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Cannabis Dispensary

Trustee Ziemba was not going to read his phone number aloud at the public hearing. Mayor Peterson asked if Mr. Snider had any comments on the YouTube page and they were, Opting in would not prevent people from still using it and would not stop people from driving when using it, it's been going on for decades already and one correction, the number was \$431,000,000. Trustee Ziemba noted that the document is missing a zero then. Mayor Peterson thanked Darrin for reading that, it came in late and he appreciates him taking that time.

Anyone else? A resident at the meeting asked if anyone knew why he had mentioned Main Street? Unless that's his competition or the reason why he wants to open a shop. He said they sell that stuff on every street in American, doesn't matter where it is. Administrator Wachowiak asked the gentleman for his name....Frank Stalteri. Mayor Peterson re-read the excerpt referring to Main Street but does not know why he did so and told Mr. Stalteri that he was right, they're selling it everywhere.

The public hearing was closed at 7:37 PM by Deputy Mayor Stempniak and closed by Trustee Kucewicz.

#### **APPOINTMENT – DPW CREW CHIEF**

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

Ronald Hottum

to the position of full time General Crew Chief for the Department of Public Works, effective November 9, 2021, at the rate per the budget. The probationary period for this appointment will be for a period of 26 weeks.

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

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

#### **ACCEPT RESIGNATION – PART TIME CODE ENFORCEMENT OFFICER**

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

**BE IT RESOLVED**, the resignation of Patrick McNulty, Part Time Code Enforcement Officer effective November 5, 2021 is accepted.

The 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

**AWARD BID- SIDEWALK BID – CHEEKTOWAGA SECTION**

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

**BE IT RESOLVED**, that upon the recommendation of the Village Engineer, the bid for the Sidewalk Bid from the bid opening October 5, 2021 in the bid amount of \$44,100.00 be awarded to:

Master’s Edge Concrete  
3409 Broadway,  
Cheektowaga, NY 14227

The following 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

**APPROVE – USING FUNDS FOR FIREMANS PARK**

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

**WHEREAS**, the Board of Trustees of the Village of Depew, New York held a special meeting to discuss the proposal to build the new Fireman’s Park Pavilion / Bathrooms, or any other ideas for using American Rescue Plan Funds on November 1, 2021 at 7 PM in the Council Chambers, 85 Manitou St, Depew, NY 14043.

**WHEREAS**, all persons were given an opportunity to speak for or against the use of the American Rescue Plan Funds to build a new Pavilion / Bathroom structure in Fireman’s Park.

**NOW THEREFORE, BE IT RESOLVED**, the proposed use of American Rescue Plan Funds for this project is hereby adopted.

The following 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

**AUTHORIZE MAYOR TO SIGN MEMORANDUM OF AGREEMENT**

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

**WHEREAS**, the Village of Depew and The PBA have come to the mutual agreement for dental reimbursement. All requests for reimbursement of dental expenses incurred in the fiscal year (June 1 through the following May 31) must be submitted to the Village by June 30<sup>th</sup> immediately following the end of the fiscal year.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the Memorandum of Agreement.

The foregoing resolution was seconded by Deputy Mayor Stempniak 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

### **RETURN UNPAID TAXES TO COUNTY OF ERIE**

Deputy Mayor Stempniak 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 2021-2022 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, 2021, has collected the sum of \$10,896,053 leaving a balance of \$178,398.32. 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 \$384.00 to the balance, we are also adding the unpaid lawn mowing charges of \$4,426.08, thereby leaving a balance of \$183,208.40, 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 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

### **AUTHORIZATION EMERGENCY SEWER REPAIR**

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

**WHEREAS**, in response to a collapsed sewer line at 39 Lincoln St. The sewer is being repaired as part of an emergency order with E & R General Construction Inc. The emergency work being done will be at no expense to the Village once reimbursement has been paid.

**BE IT FURTHER RESOLVED**, that the work is authorized to be completed as per the proposal from E & R General Construction.

The foregoing resolution was seconded by Deputy Mayor Stempniak, 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 CONFERENCE**

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

**BE IT RESOLVED**, permission is hereby granted to Code Enforcement Officer Anthony Fischione to attend The Niagara Frontier Building Officials Education Conference to be held at The Millenium Hotel, 2040 Walden Ave, Cheektowaga, NY from January 24 -26, 2022. The use of village vehicle is authorized.

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

### **PERMISSION COURSE**

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

**BE IT RESOLVED**, permission is hereby granted to Police Officer Alex Wojciechowicz to attend the Taser Instructor Course to be held at the Syracuse Police Dept, 511 State St, Syracuse, NY 13202 from 8 AM – 5 PM on December 16, 2021. The use of village vehicle is authorized.

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

### **PERMISSION – Christmasville Parade**

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

**BE IT RESOLVED**; permission is hereby granted to Depew 9, Engine #1, Engine #4, and Ladder #5 to attend the Christmasville Parade on Saturday November 27, 2021 from 6PM – 9PM in Lancaster.

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

### **PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to Firefighters Thomas Klukowski and Kora Daige to utilize Depew Engine #1 on Saturday November 6, 2021 from 3:00pm – 6:00pm for the celebration of their wedding. The wedding will take place on The BFLO Event Center, 4545 Transit Rd, Clarence, NY.

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

### **APPOINT FULL TIME DEPARTMENT OF PUBLIC WORKS LABORER**

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

Dillon Snyder

to the position of Full Time Department of Public Works Laborer at the salary stipulated in the budget.

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

Trustee Hamernik - Y  
Trustee Ziembra -N  
Trustee Kucewicz – N  
Deputy Mayor Stempniak - Y  
Mayor Peterson – Y

### **PERMISSION TREE LIGHTING PARADE**

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

**BE IT RESOLVED**, permission is hereby granted for the Annual Tree Lighting Parade including Fire Apparatus and Santa on Monday, November 29, 2021, beginning at 6:00 PM. The Depew Police Department who will provide the necessary traffic enforcement has approved the parade route.

**BE IT FURTHER RESOLVED**, permission is being granted for House of Munch and Bene Cibo food trucks to be at the event and the permit fee is waived. Fire pits will also be provided and supervised by Depew Fire Department for roasting marshmallows.

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

### **PERMISSION –WAIVE PERMIT FEE**

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

**WHEREAS**, The Depew Community Action Team has requested permission to waive the permit fees pertaining to the installment of the heating and ventilation equipment at 570 Gould Ave, Depew, NY 14043 to restore the Dom Polski building.

**NOW, THEREFORE, BE IT RESOLVED**, that permission is hereby granted to The Depew Community Action Team has requested permission to waive the permit fees pertaining to the installment of the heating and ventilation equipment at 570 Gould Ave, Depew, NY 14043 to restore the Dom Polski building.

The forgoing resolution was seconded by Deputy Mayor Stempniak and **CARRIED**.

### **EMPLOYMENT APPLICATIONS** – Rec - Benjamin Fleck

### **DEPARTMENT HEAD REPORTS** - Building October 2021

Village Board meeting November 8, 2021

Depew Police Dept Report

Our department and our officers are doing a great job.

The safety of the public is our highest priority and we are committed to ensuring all our residents feel safe in this village.

We are currently reviewing and updating all our department policies and procedures to assure that we applying best practices throughout our organization

We began deploying body cameras today. Each officer will go through training before being issued a body camera. Once they are issued a camera, they will be expected to use it accordance with our departmental policy and as directed. I think its important that we thank Assembly member Wallace for securing the funding for these cameras. They will benefit the officers as well as the public we serve – so thank you.

October report

I just want to thank the public for their support and encourage anyone to call us if they think they have been a victim of a crime or observes something strange. We are here to help and we can't do that if you don't call us to make us aware of a problem

Kevin Ferguson – Rec is working on the tree lighting. New lights are arriving Wednesday. Andy from the Senior Center will be Santa this year. We had a great first public skate with over 50 people. Rented over 20 pairs of skates and collected over \$700.00. We sold over \$15,000 worth of ice in September and October and are selling more now that the high school hockey will be starting. The senior center is doing great. They went to the Casino on November 1<sup>st</sup>. They are busy with ceramics, cards and bingo.

Liz Brinkworth for Assembly Member Monica Wallace's office told everyone that their Senior Care Event was this past Saturday and it was titled Caring For Aging Loved Ones, it was really well attended so we thank the public for taking their time out of their Saturday morning for coming. They had presenters from ECMC, Elderwood, Hospice and Palliative Care Buffalo. They talked about living wills and stuff that happens during long term care like that happen. Governor Hochul signed into legislation a bill that Assembly Woman Wallace sponsored for home owners insuring that they are made aware of the ability to have sprinkler systems installed in their homes And the cost and options of doing so. They cost about the same as a granite table top and dramatically reduce the risk of death or injury in the event of a fire. This is not a mandate, it is just an option. They are hosting another free event in the district at the Cheektowaga high school parking lot for recycling. You must make reservations and early morning appointments are filling up fast. Mayor Peterson asked if Sun King charges for TV's and they do not, but they do limit the number they can bring to 4.

Mayor Peterson shared the results of our own recycling event held a few weeks ago and the results from BCR are below



Buffalo, NY 14206

## Thank You!!!

The team at Buffalo Computer Recycling wished to reach out and give a big thank you to both our partners at Casella and the Village of Depew for helping facilitate a successful recycling drive. Due to our combined efforts, we collected and recycled 2,768.5 pounds of electronics from the residents of Grand Island! This includes 800 pounds in desktops and laptops, 1,040 pounds in televisions, 14 pounds in cell phones, and 728.5 pounds in small appliances and electronics! Now none of those items will end up in landfills!

Thank you again for giving us the opportunity to help the residents of the Village of Depew recycle their e-waste responsibly and safely. We can't wait for our 2nd Annual event next year!

With Appreciation,

A handwritten signature in black ink, appearing to read "R. Chumsky". The signature is fluid and cursive, written over a light blue horizontal line.

Richard  
Chums  
ky CEO

NYS Department of  
Environmental Conservation  
Registered # 00683 1430  
Clinton Street Suite 92  
Buffalo, N Y 14206  
v.www.buffalocomputerrecyclin  
g.c-0m

Superintendent Pyc said they may be a little behind with leaves, since they are all mostly still on the trees. He also reminded people who have been complaining about roads flooding, places your leaves in the right of way, not in the street!!!

Attorney Alba told everyone that no appeal was filed in our FOIL legal matter, so the issue is over and we won. The Village will be working on a policy on 1<sup>st</sup> Amendment Audits, which is happening all over the Country.

### **PUBLIC COMMENTS OR CONCERNS**

Dave Burkhardt asked who was going to pay for the repairs on the emergency sewer repair when the Village was reimbursed. Mayor Peterson explained that all of the funding for this Phase was already in process. We also receive grants for the funding through a few different sources that our Financial Advisors apply for on behalf of the Village.

Frank Stalteri, 166 Sawyer – At your September 26<sup>th</sup> Board Meeting, they presented the count from the orange traffic sign that was on Main Street and extrapolated out all in and out in all 4 directions the entire month. Over 68,000 cars are going down that street, over 20% of cars going down that street are speeding, which is almost 14,000. Almost 18% of them 12,200 something are going between 31-35 mph; 2% of them are going being 36-40 mph; .3% which is 203-205 cars are going between 41-45 mph; .1% are going between 41 – 65 which is around 70-75 cars. He guesses the Depew Police only issued 4 tickets, 4 warnings on 5 details. When you have 14,000 speeding cars and there's only 4 tickets, that's way out of proportion. That's not going to make a dent at all. He's interested in seeing if there's a way the Police to....Mayor Peterson began speaking and told him since he took up his concerns from one of the other meetings, he worked with Captain Norek and Chief Miller on getting vehicles out there. One thing that needs to be stated here Frank is of the 17,037 that were exceeding 30 mph, 12,267 of them were between 31-35 correct? Yes, Frank agreed. Mayor Peterson continued that if we are pulling over someone who is doing 4 miles over the speed limit or even 5 miles over the speed limit, he doesn't think our public is going to be totally in favor of that. Frank went on to say that the 17,000 number was just for two weeks so you have to multiply it times 4. Mayor Peterson told him based on what you faxed to me, which I've shared with the board and the Chief of Police, because he knows this number. He thinks the most important number there is the 205, correct me if I'm wrong, are the ones that are going between 41-45 and the 68 probably that going between 46 and 65. Mayor Peterson told him he doesn't know what the speed of the vehicles that the officers did pull over, he has no idea what that would be. Technically yeah, 12,267 cars were in violation of the law. However, I have to tell you that if they pulled me over for doing 4 miles over, I'd be somewhat hesitant about that. Frank began, there's still over....Chief Miller stated that he thinks that he has to look at it as this: You have the breakdown, you have 270 some cars in our target range of 41-65 and he thinks those are the target kinds, but the idea of having a police car there 24/7 he thinks is not a possibility and obviously you have to break down the data, which he did not have in front of him, and find out what times these things occurred and then we can have cars there in that time frame. Mr. Stalteri stated that it starts at 6am and goes until midnight. And Chief Miller told him again that we can't keep a car there 24/7. Mr. Stalteri said these drivers have absolutely no respect for the fact that it is a neighborhood. Chief Miller told him that his point was clear, there is a speeding issue going on Main Street and now it's time for us to address it. Now we have to breakdown this data into a specific time. You have to remember that if you put a police car out there all the time, everyone is going to slow down anyway. It's hard to catch those. Mr. Stalteri told him he saw the guy doing it on the day after Columbus Day and heard the sirens going and stopping somebody so he went outside and I saw him doing it, it can be done. Chief Miller told him, obviously, but you can't expect a car there 24/7. Mr. Stalteri told the Chief that he's been living there for 10 years and that's the first time, the day after Columbus Day, which is the first time in 10 years he saw a police

car loop around and pull a car over for speeding and it's been going on for 10 years. Mayor Peterson told him that he thinks what he should look at is that he came a few months ago and it did spur some action, whether or not it is as much as you'd like to see. And whether or not it had anything to do with these 273 cars clearly speeding, 41-65 on a street like that is a concern. Even when he was coming to Village Hall this morning, as he told the Chief, you guys were pretty tricky, you had one of the Durango's parked on George Urban Blvd on the inside corner and yeah, he could have been pulled over because he was above 30 mph. The Chief replied that once you have a car out there with its lights on pulling someone over, everyone else slows down too. You aren't going to get that with the 65 mph at that point. Chief Miller was trying to ask Mr. Stalteri what he wanted them to do and told him obviously there's a problem and they are trying to address it. He replied that he saw some trucks there today that were completely out of hand, they were flying. Chief Miller asked him again, what is your expectation, clearly we aren't going to have a car there 24/7. His response was to make a spectacle, once a week and people will know you're watching. They won't know when you're watching but they'll know you are and maybe they'll find some other way to go because they're cutting through that neighborhood and here's how they're turning: Off Broadway, down Penora, turning off Transit and going to Penora, they're going to Sheldon or Central and they're taking the short cut. They consider it a short cut, he wouldn't do that. You're going through people's neighborhoods. He's had scenarios when he's pulling into his driveway or he's walking and watching the things going on and he can't believe the nerve these people have to do that where they live, they'd be wanting Joe Biden to fly in on Airforce One. The Chief told him that he is not specific to Main Street, this happens everywhere in Depew and he can't have a car on every street in Depew 24/7, so we have to strategize the best times to enforce that. He just had to say he has not seen a Depew Police Car or a Lancaster Police Car pull over a car in 10 years and what your other counts are in 10 years, none of them are from there. So take some of that attention you're giving to other areas of Depew and put them over in the "hood" and help us out cause when you are pulling in or out of your driveway or going for a walk, he doesn't have children and he's not walking a dog, he's gone up to people and said do you notice things? They have to notice. Why they don't come to a board meeting he doesn't know, maybe they don't want to stand up in front of all of you and do this. Chief Miller told him he can guarantee him an increased presence. Mr. Stalteri replied that he's ticked off. The time he came to the meeting before he had a guy that almost climbed right over the top of his giant car and he didn't even get to complete the turn, he doesn't know where the hell he turned from, probably Sanilac or something, he just floored it cause he thought he could and he didn't have to slow down cause he just didn't have to. He understands that's just could. You told me the cameras are broken, that you were working on the cameras, when I asked about that camera you told me there was only one camera that does plates, that's by the motorcycle club, and he doesn't know if it's going to the FBI or if it's you guys, he doesn't know cause no one will say. Chief Miller told him he can neither confirm nor deny. He told him they are working on his concerns and that is his best answer to him. He just wants to say this is not just 4 tickets, this is the only 4 tickets he's seen in 10 years. Mayor Peterson thinks that Captain Norek has put that street on a rotation. Chief Miller agreed and said he has put a lot of effort into this. The Mayor's only concern is to take the numbers a little more for analyzation. The majority of them, yes they are over 30 but the majority of them are not excessive. Mr. Stalteri told the Mayor that it's actually a larger problem we have, it actually why the people are cutting down those streets and why do people feel they can do it? So that goes over to Terrace, the turn on Penora. Mayor Peterson told him you could say the same thing over on Bostwick on Transit to go to Walden to eliminate the light. There are so many of those "cut throughs". He replied where he grew up in Snyder, if you take the short cut on LaBrun and curve around to go to VA Hospital, he didn't see that happen too much. He would guarantee that if people were doing it the people on LaBrun would be complaining about it. Mayor Peterson told him he knows he wanted to be Deputated and put with a camera, but he could go outside for 15 minutes and tell you 25 things that could be done, the Mayor said we are not deputizing anyone anytime recently. He thinks he should take some solace in that he came before the board, you stated you had a problem and he worked with the Captain to get somebody out there, it's on a rotation. He thinks when you look at the numbers you can say wow, there's like 12,267 cars that could get a ticket is an impossibility. He could guarantee we'd get residents that would say what the heck are you pulling me over for 4 or 5 miles over? He told the Mayor he saw 5 trucks today that were flying down that street in about a 5-10 minute period, it's just unbelievable how fast they were going, that's all he can ya. Mayor told him he thinks he should be happy that in the 10 years now things are like that and he wants to say that the Captain is working on it. 20% of the trucks say Capozzi on them! The Chief told him that we are

addressing his concerns. Trustee Hamernik wanted to ask a question of Mr. Stalteri, she told him she just listened to his statement and that he's lived there and in the last 10 years he's never seen a Depew or Lancaster Police Car there. He replied No. Does that mean you stand at your window 24/7? No, he is just saying the hundreds of times he's gone to the post office or walk to the store or gone for a walk, or before he had a heart attack he used to bike 35 miles a day in the summer time and all those experiences he never saw a police car. Chief Miller said he can speak for himself that he has spent 25 years in the police department and he has spent a lot of time on Main Street so to say we're never there, that's not true.

Paul Sprada said he thought he'd bring a little light to the situation. The tree lighting, is that going to be at Fireman's Park or Veteran's Park, Mayor Peterson said Fireman's Park. On the new pine tree that was planted this summer – you betcha!!! Is that tree kind of small and Mayor Peterson told him it's the biggest one he could get from local growers. Erica told Paul jokingly not to bring it up because Kevin is upset about the size, it's going to grow. It grows 12 inches every year! What about the only pine tree in Veteran's park? It has been electrically re-wired so there will be lights on that as well. Local places sell between 10 and 11 foot trees so we got an 11 foot and that's the best he could get. The last one last year we had to cut down and as a Tree America we're trying not to cut down trees. It will be something to look at in a couple of years. One other comment he wanted to make with Fireman's Park and the new pavilion, do you have a time frame of when construction is going to begin? Mayor Peterson told him he is glad we were able to work our way through it because we don't want to miss next year's construction season and that is what the architects had stressed. Kevin asked her if he should do it at this meeting or one at the end of the month and her recommendation was this one. The earlier the better. Erica explained that we still have to get bids and everything and have to go through the process so we don't even have a company who will be doing it. Paul asked if we knew how long that process will take and end. Mayor Peterson said it's not a tremendously elaborate building, Paul agreed but thinks it's going to be a tremendous asset for the whole Village. Erica said with getting materials she would guess maybe one year tops maybe. Kevin would like to see it so that next year when we do tree lighting we'll be able to open up the doors there and have something going on in there. His ultimate goal is a year from now. Paul thinks it's going to be a tremendous asset, something that should have been done years ago. It was tried when a former Mayor was here but he wanted to put up the Taj Mahal but it was extremely pricy. He thinks for the money we're getting, this is free money and he thinks it is going to a good cause. It's gonna be pretty basic but it's going to be a tremendous improvement over what's there now. And it's not just for Firemen. It's named Fireman's but there's going to be two rooms over there that will be available for rental. He thinks we said with kitchen facilities, Mayor Peterson said yes, not elaborate but refrigerator, microwave, sink, that sort of thing and the bathroom incorporated in that building which will be huge compared to what we have over there now.

#### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Kucewicz and seconded by Trustee Hamernik, the following claims are to be paid: \$1,292,116.65 General, \$251.61 Community Development, \$63.06 Sewer Fund, \$8,672.71 Capital Projects, \$139,200.00 Capital Project Building Reno and \$1,440,304.03 was **CARRIED**.

#### **ADJOURNMENT**

**ON A MOTION BY** Trustee Hamernik and seconded by Deputy Mayor Stempniak the meeting was adjourned at 8:25 PM. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak  
Village Administrator