

MEETINGS: 2  
NO. OF REGULAR: 2

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**April 11, 2022 7:06 PM**

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

**ON A MOTION BY**, Trustee Ziemba and seconded by Trustee Kucewicz the March 28, 2022 board meeting minutes were approved.

**ON A MOTION BY**, Trustee Adolf and seconded by Trustee Kucewicz the April 4, 2022 reorganization board meeting minutes were approved.

**Public Comment Agenda Items Only:**

There we no comments.

Public Hearing on the Tentative Budget opened at 7:09 by Deputy Mayor Hamernik and seconded by Trustee Kucewicz:

A public hearing will be held on Monday April 11, 2022 at 7:00PM in the Depew Village Hall Council Chambers regarding the 2022-2023 tentative budget.

The meeting room is wheelchair accessible.

There we no comments. Mayor Peterson offered the following background information: Looking back on the year prior to this, the first year of COVID, March of 2020, everything got shut down, we were told to send 50% of our staff home. Our DPW made up most of that 50%, they were still on call but they were at home and they were getting paid, there was no problem with that. It was a great early March, no snow and some really nice weather. But we also made a decision, for example, there were 3 pools that between here, Lancaster and Cheektowaga, we all decided not to open. There was a huge savings as far as the pool goes, basically the pool is a money loser for the Village. We didn't hire any lifeguards or ticket takers and we didn't have any summer staff like we usually do. Numbers for sales tax didn't come in as disastrous as we thought. For example year ending May 31<sup>st</sup>, 2021 there was a \$1.4 million dollar surplus. That goes into our fund balance. We are doing well with the fund balance so we are going to put some of that money back to the Village into the budget. This year too, even though we have about 6 weeks to go in this fiscal year, the numbers are looking good again, not as robust because we did have the pool open and paid a little higher rate than normal, and barring any disaster, we should, the numbers should look good again and that will go back into our fund balance as well. He thinks that many municipalities see the same thing, it was talked about that the sales tax revenue would be less 80% than normal. If you recall, all of the internet sales were put into sales tax revenue so our sales tax revenue has been almost 19% ahead of last year. We were a little conservative when we did the budget last year as well. Even though we are at a 12.2% increase, there are places that we can work on to bring that number in a little more palatable. We have contract negotiations to deal with now, the last time we only did contracts for 2 years. They went from a 4 year deal to a 2 year deal because of the unknowns. Each of those unions accepted a 1% pay hike for both of those 2 years. We'll probably need to compensate that, so numbers in the budget will be in order to compensate that. We'll be looking at a 4 year contract this time.

The public hearing was closed at 7:16 by Deputy Mayor Hamernik and seconded by Trustee Kucewicz.

Public Hearing on the Dawson Field Market opened at 7:17 by Trustee Kucewicz and seconded by Deputy Mayor Hamernik:

A public hearing will be held on Monday April 11, 2022 at 7:00PM in the Depew Village Hall Council Chambers. The purpose of the hearing is to discuss a proposed market at Dawson Field, every other Saturday this summer from June to September. The meeting room is wheelchair accessible.

Bruce Stutz and Paul Giordono with the Lancaster Baseball Booster Club were in attendance and gave the board a flier about the Farmers Market they are proposing. Bruce explained that they took over the Historic Dawson Field in 2019. They've had 2 years of baseball, last year was a successful year for sure. Paul offered if anyone has driven by Dawson Field in the last year and half you'll see a tremendous improvement to that property on East and West. They feel that the Market is a big boost to the neighborhood. It's a Farmer's Market every other Saturday and the hours are from 8am to 2pm. They expect to have about 2 vendors. Mayor Peterson asked if they were talking about food and Bruce replied that it would be locally grown and harvested fruits and vegetables. They would be looking to expand to flowers, etc. The Mayor asked if it would need any type of inspection from the code officers, like if it was fried food or a popcorn stand, things that normally come to the summer concerts? Paul told him that they've spoken to the code enforcement officer and if someone were to bring a grill, they would be responsible to bring their own fire extinguisher. Pretty much everything has gone through the code enforcement officers and they have pretty much approved everything. The Mayor asked if that was with our previous CEO or our new ones? They replied everything with was the new CEO's. Perfect! Paul said it was just about a month ago. You see a lot about it online about the markets, you hear about it, the Alden Market the Clarence Market and their brainstorm was why not have it in Depew? Lancaster? He said yeah, there's Sam's Club, Walmart not really markets. They haven't seen anything on a grass setting. Where they saw that property and met with Superintendent of Depew Schools Dr. Rabey, who is still the owner of that property, The Depew School District and he said that property hasn't been used in 20 years. Couldn't remember having anything there or seeing anything there. They think that with the new West Dawson ADA playground it will be nice to get people to come to that property they'll see part of their vision. Their long term vision is to make it an all-inclusive property We'll have some of our top end athletes on one and we have everybody. Let's make it all inclusive, let's have the Farmer's Market there, let's put some sod in. Make it accessible to everybody. That's kind of their long term vision and they need a couple million dollars to get there yet but with the Farmer's Market it gets people to the property and to see it. What's going over here and what's going on over there? We're going to have a new playground, from what he hears they are going to have new sidewalks. So it's an exciting time and with the Market and everything that's trending to healthier food, locally sourced produce, it's fresh. The quicker you can harvest that to market, it will be healthier. The market will help generate revenue which helps them. They've canvassed the neighborhood and most of the neighbors are all on board with it. Mayor Peterson asked them if they have addressed parking with code and they said yes, the two businesses right by the park have agreed to let them use their lots. There were no questions from the board, Deputy Mayor Hamernik told them she thinks it's wonderful that they will be bringing people into the Village. Trustee Kucewicz asked about the 20 vendors and they replied that's what they are looking to get, they have no one now because they waited to come before the board. She said she goes to the Tonawanda one and it is phenomenal! The one in North Tonawanda and she replied yes. It's humungous so if we could get some of those people to come to it that would be great. The Mayor asked if it was in the street and she replied that it was in a parking lot. It's going to be a nice piece of property.

There we no other comments.

The public hearing was closed at 7:19 by Trustee Kucewicz and seconded by Deputy Mayor Hamernik.

### **MODIFY 2021/2022 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2021/2022 Budget in the following manner:

Revenues – Fund Balance - \$62,380.00

Expenditures – 10.5.3410.210 – Fire Dept Vehicle - \$62,380.00

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

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

**AUTHORIZE MAYOR TO SIGN AGREEMENT FOR SERVICES AND INDEMNIFICATION**

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

**BE IT RESOLVED**, that Mayor Kevin Peterson has permission to retroactively sign the Services and Indemnification agreement with Accadia Site Contracting.

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

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

**PERMISSION – FIRE DEPARTMENT**

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

**WHEREAS**, Permission is hereby granted to Engine 6 to preform car fire training with Millgrove Fire Company at Millgrove's station, 11621 Genesee St, Alden, NY 14004 on Monday, May 2nd from 6 PM till 10:00 PM.

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

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

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to Cayuga Hose Co. #3 to use of the Southside Fire Station on Saturday, April 23, 2022 from 5pm until midnight for their Installation Dinner

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

**EMPLOYMENT APPLICATIONS** – Rec Michael Steffens, Johnica Rosa -Mutignani, Timothy Steffen, Bianca Kurtowicz, Daynah Woods, Theresa Kaus, Brenna Paul

**DEPARTMENT HEAD REPORTS** – Police March 2022

## **PUBLIC COMMENTS OR CONCERNS –**

Bob Brandon, Senator Kennedy's office wanted to touch on the State Budget that just passed, it's been about 5 days. It was a little late, he thinks it's because of some of the legislative things that held it up and he'll touch on them.

Bail Reform, always a big deal, there were a lot of rumblings from police departments and DA's offices about people being released without bail. Some changes were made a while back but there were still changes that wanted to be made. They made more offenses as part of the bail process, the added offenses so that you could be held with bail. It gave Judge's more discretion on who could be held for bail. Dangerous repeat offenders you could set bail on. That was a really big stumbling block.

One that we all like, the Buffalo Bills Stadium, \$600 million that the State will be contributing toward the building.

Alcohol to go, during the pandemic, the Governor said there was an emergency and because the restaurants were suffering you could get your order to go and alcohol could go to with that order. It was a real big money maker for those restaurants.

Gas tax relief: June 1<sup>st</sup>, gas tax will be rescinded 16 cents a gallon, at least it's something.

Child care funding: This is a big deal, a lot of people can't go back to work because they do not have affordable child care, so they put in \$5 billion dollars for 3 years for child care. It will be income based so it's not for everybody but it's 200% of poverty level.

So those are the budget items.

Another thing they talked about it foreclosures. You talked about that in your pre-board meeting. It's going to be a big thing right now. During the pandemic a moratorium was placed on foreclosures and that has ended. Expecting a lot of foreclosures coming up. He is on the Zombie Task Force and Mickey Kearns, who is the chairman, had a press conference about 2 weeks ago, he wanted to let everyone know that this is going to be a huge problem. There were 2,900 letters sent out to homeowners in Erie County who were at least 90 days behind on their mortgages. They went out to every zip code in the County. He was surprised that the highest zip code was 14225! 14043 was in the middle of the pack as was 14227. Subcommittee of the Zombie Task Force is called Stay In Your Home, he is on that committee as well. One of the biggest points they want people to know is that if you get a foreclosure letter, you do not have to leave your house!!! If you do leave, it becomes a zombie house. There are free services to help you, you may be able to work out your mortgage or you may get relief of some sort. They had all sorts of things for people to get information. The message they want to get out there is if you get the letter, do not leave your home. Foreclosures can take up to two years.

He is also on the Cheektowaga Symphony Board. Hasn't played in two years. They are having a concert April 24<sup>th</sup> at 3pm at Villa Maria College. It is a 74 piece band made up of all volunteers.

Liz Brinkworth from Assembly Member Monica Wallace's office. As you all know the budget has passed and her staff is working diligently to see how what was done will impact the district. She told the board that she knows her boss brought some good news to you (board). Assembly Member Wallace was originally advocating to get some money and she was able to get some of that money allocated to Depew in the amount of \$120,000. She was also working out something to get a municipal Re-Tree NY plan and they are excited to announce that she was able to get \$200,000. This is specifically for municipalities that had trees that were infected by an invasive species. Another issue is for Child Care, \$7 billion is for child care over 4 years. This will expand eligibility to over 300% poverty level which comes to \$83,250 for a family of 4. They are also looking at helping the child care mom and pop centers to stay open longer. They know there was some concern with the direction things were going. There's also quite a bit of money going towards child care workers because they were one of the work forces that was severely under-funded because of COVID. May be around half a million dollars so it is very exciting to get them above minimum wage. As far as infrastructure goes they know as soon as the plows are done there will be some potholes left behind. So there is a \$32.8 billion dollar 5 year capital campaign plan. Mayor Peterson said there was some talk to what the numbers would be when he met with Senator Gallivan with CHIPS money and they said it would be at or above what we got last year. He asked Liz if she knew that to be a fact or no and she will go back and check her numbers. He said there was supposed to be increases in BRIDGE and then the pothole fund which is a new one. Liz did confirm that. That was supposed to be in along the same calculations of those other numbers. Mayor Peterson told her that Trustee Adolf is taking over for where Trustee Stempniak left off and is having a meeting with the board on Tuesday night. We have an Arbor Day event on the 30th and we're handing out trees. If you drive through the Village you'll see a lot of stumps so we had a tree inventory done and the majority of the trees that came down were diseased and fall into that category and could possibly be replaced with this grant right? Liz replied that yes because they specifically wanted to make sure it was for municipalities that were impacted by invasive species because we lost of trees to this. Mayor Peterson asked DPW Superintendent Pyc if we have a listing of the ones we have and he replied yes.

Recreation – Kevin Ferguson – On Sunday we had a very large Easter Egg Hunt at Fireman's Park that was done by Dawn of Depew's Little Pantry and it was a very, very well organized event. She had 250 kids who all got candy, all got prizes. They were done at 4:00pm and there were a total of 516 people there. If she wants to come back and do it next year he told her absolutely because she did such a great job with it. In June we have yoga coming to the park

Monday's, Wednesday's and Saturday's. Also coming to the Village they have kickball on Monday's, floor hockey in the rink on Tuesday's, Wednesday's softball, Thursday's Fireman's softball and a volleyball league. Also for the rink, they got the logo for the rink with the same kind of lines in the center of the rink and it's a very, very big logo. All of the satellite parks, all of the swings are up, everything is cleaned out real well and he told his crew that after everything was cleaned up they were to check all the swings and slides and if there are any problems, take a picture for him and we'll get it repaired. On Friday he is getting 100 yards of playground mulch delivered so in another 2 weeks, the parks will be all done.

Craig from our Code department reported that Wednesday afternoon he is going to the Zombie Task Force roundtable, trying to get a grasp on the resources that the Village has and to make certain areas presentable again. The other thing was last week Bliss Republic at the corner of Gould and Transit were able to meet with them and it's a beautiful building that would be another great thing for the Village. They do like to open up the restaurant within the next couple of months. So he and Don were able to talk to them about a few things they need to do in order to open and would be another nice piece to add to the community.

Police –

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.

We will be participated in the National Highway Traffic Safety Administration distracted driving educational campaign “U drive, U text, Upay” – April 4<sup>th</sup>-11<sup>th</sup>

This program was developed to discourage dangerous and often deadly motorist behavior. Distracted driving is one of the largest causes of motor vehicle accidents. We issued **63** Summons

Monthly report for the month March

959 complaints

861 non-criminal

98 criminal

27 motor vehicle accidents

We issued 309 traffic summonses

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

Fire – see letter

Mayor Peterson added that he served under Todd and other Chief's so he knows that side of what you have to deal with and he respects that 150% what you go through. And for the family. He's missed some to come to your games, softball or hockey. When we were doing ZOOM meetings, he was sitting in his truck a lot of times. Or he remembers some time with the dog on the couch downstairs, Todd added sitting on his shoulder, yep. Mayor Peterson wanted to say thank you for your service to the Village for all of these times as the Chief and as the Department Chief, we really appreciate it. Todd received a standing ovation from everyone.

Electrical – George DelConte - in the last couple of months they've spent most of their time at the DPW. They brought in a new back-up compressor and getting ready to get rid of an old step up transformer to get ready for a new generator.

DPW – Ken Pyc His crew is still making head way at West Dawson playground, it's coming along great! Very near future they will break ground on the new fitness pad at Fireman's Park. Hopefully the snow is done and they can move on to other work. They are starting their spring jobs now.

Leal – Sam Alba – Everything is going well. We have a few not too interesting issues, some research to be done. Wrapping up most of our tax certs, has an appearance tomorrow and hopefully that will be the last big one.

Trustee Kucewicz – thank you to Regina for putting an employee Easter Event together that went great. She also thanked Deputy Mayor Hamernik. A shout out to our Easter Bunny Courtney Birch, she did a phenomenal job. She also wanted to thank Todd for all of the wonderful things he's done for all of the residents and the Village and thank you to your family for allowing us to have him, so thank you.

Trustee Adolf – Thank you Todd for all that you've given, coming from a family of firefighters he sees the toll it takes, he knows what he sacrifices so thank you for all of your service. Also as a reminder to all Depew residents, Fireman's Park, April 30<sup>th</sup> from 11-12 is our Arbor Day Celebration. Just going to keep putting it out there because we have some fun stuff planned including seedlings for our residents and there will be more information on social media that you can kind of be part of the celebration.

Trustee Ziembra – Just a quick thank you Mayor to Todd for his service to the Village.

Deputy Mayor Hamernik – Todd, it has been wonderful having you as our Chief. I've known you for many, many years and when you first started. You've come a long way and you brought the fire department to its peak, including the junior firefighters and everything else. I guess as being the wife of a former firefighter I can't thank you enough for what you do. And thank you Melissa (Todd's wife in audience) thank you for everything. Giada, Rocko, (Todd's children in audience), she knows what it's like, the sacrifices you've given gives us satisfaction just knowing we have that. Thank you. She told everyone that there's good news, the front of our building is going to be dressed up with flowers, Pastor Mike from Centerpointe and their congregation, on Sunday May 22<sup>nd</sup> is going to make us sparkle with flowers, looking forward to that.

Mayor Peterson asked if anyone had any questions for any department head or the board and when there we none said he likes that, means we talked about everything in depth. No questions on line either.

#### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Ziembra and seconded by Trustee Kucewicz, the following claims are to be paid: \$124,517.75 General, \$132.00 Community Development, \$25.97 Sewer, \$124,675.72 Capital was **CARRIED**.

#### **EXECUTIVE SESSION**

**ON A MOTION BY**, Deputy Mayor Hamernik and seconded by Trustee Ziembra, pursuant to Open Meeting Law Section 105 we adjourn to executive session to discuss a matter. The Executive Session Began: 7:59 PM and was adjourned with the meeting being called back to order by Mayor Peterson at 9:35 PM

#### **ADJOURNMENT**

**ON A MOTION BY** Trustee Kucewicz and seconded by Trustee Ziembra the meeting was adjourned at 9:37 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak  
Village Administrator