

MEETINGS: 3
NO. OF REGULAR: 3

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
April 26, 2020 7:00PM**

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

APPROVE VILLAGE BOARD MEETING MINUTES – April 12, 2021 – 4 Approve
and Trustee Ziemba Abstain

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING
FOR TAX PAYMENT DEFERRMENT**

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise
for a public hearing to be held on Monday May 10, 2021 at 7:00PM in the Depew Village
Hall Council Chambers the purposes of the hearing to discuss the possibility of deferring
Village of Depew village tax payments for a term of 30 days past the July 1, 2021 due
date per the Governors Executive Order that was signed January 30, 2021.

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

APPOINT – PERMANENT POLICE CAPTAINS

Pursuant to Section 40-400 of Village Law, I Mayor Kevin Peterson, do hereby appoint

Timothy Norek

William Curr

To the position of Permanent Police Captains effective immediately. They will be
promoted under the Police Captain eligibility list # 75-828

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

Chief Miller congratulated both Captains and expressed what a great job they have both
done. Chief Miller said he wouldn't know what he would do without them!
Conratulations!!!

APPOINT PROVISIONAL POLICE LIEUTENANT

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

John Thomson

to the position of Provisional Police Lieutenant effective immediately. He will be
required to take the Police Lieutenant first line supervisor exam on June 5, 2021. If he is
not reachable after canvass, he must be removed from the position within 60 days of the
list establish date.

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

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

Chief Miller congratulated John on his new position. For those of you who do not know, John has 16 years of experience, 11 ½ of them being in the Detective Bureau. He will lead the Bureau into the bureau we are looking for and be an asset to our department!

APPOINT POLICE DETECTIVE

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

Nate Turner;

to the position of Detective effective April 24, 2021. This promotion is based on Civil Service Exam 79-314.

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

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

Chief Miller congratulated Nate and let everyone know that he has over 10 years of experience. He has been a patrol officer all of his career! Nate thanked the Mayor and Board of trustees, he looks forward to working in this new position and serving the public!

SEQR – 124 GOULD AVE.

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

WHEREAS, the Board of Trustees of the Village of Depew (hereinafter “Board”) having duly considered the application for the proposed construction of a 10,000 sq ft pre-engineered steel building to be used for an accessory fabrication shop located at 124 Gould Ave, Depew, New York (hereinafter the “project”) and that such proposed action may possibly be considered to have an effect on the environment; and

WHEREAS, the Board by operation of law is the lead agency authorized to perform a review under the State Environmental Quality Review Act (hereinafter “SEQRA”) pursuant to Article 8 of the Environmental Conservation Law and undertook an UNCOORDINATED review and enlisted the services of appropriate consultants, specifically the Planning Board of the Village of Depew, to study and analyze the proposed action and provide professional opinions as to the classification of the nature of the proposed action for purposes of SEQRA; and

WHEREAS a comprehensive review of the proposed project has been completed and it has been determined that the project is an UNLISTED ACTION for purposes of SEQRA; and

WHEREAS a Short Environmental Assessment Form (SEAF) was reviewed, discussed, and completed during a special meeting of the Planning Board of the Village of Depew held on the 1st day of April, 2021 at which time the Planning Board reviewed the criteria and determined the significance of the project including the proposed action, its location, its purpose, and its potential impacts on the environment and issued the recommendation that the project be determined to be an UNLISTED ACTION for purposes of SEQRA .

NOW THEREFORE BE IT RESOLVED, that as an UNLISTED ACTION under SEQR, the project has been found to categorically to not have a significant adverse impact on the environment and no further review under is SEQR is required, and it is further

RESOLVED, that the BOARD issues a negative declaration in connection with the SEQRA review of this project, and it is further

RESOLVED, that based upon the consideration and completion of the SEAF process the Board determined that based upon the classification and negative declaration noted above, no further action is required by the Board to comply with SEQRA.

THEREFORE, BE IT RESOLVED: All of the above foregoing resolutions were 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

ADOPT 2021-2022 BUDGET

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

BE IT RESOLVED, the Budget for the Village of Depew for the fiscal year 2021/2022 is hereby **ADOPTED** with a tax rate of \$12.5927686 per thousand for residents on the Cheektowaga portion of Depew and \$10.4519979 per thousand for residents on the Lancaster portion of Depew.

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

AUTHORIZE MAYOR TO PURCHASE ALL INCLUSIVE PLAYGROUND EQUIPMENT.

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

BE IT RESOLVED, that Mayor Kevin Peterson and Board of Trustees are authorized to purchase all-inclusive playground equipment and Poured in Place surface for Dawson Park. The total of the all-inclusive equipment and surface not to exceed \$164,980.00. Community Development Block Grant funding will be used.

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- GARBAGE / RECYCLING BID

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

WHEREAS, the Village has prepared specifications for the Collection and Hauling of Municipal Solid Waste, Bulk Waste and Recyclable Collection, Hauling and Processing from Village parcels, and

WHEREAS, sealed bids for the Collection and Hauling of Municipal Solid Waste, Bulk Waste and Recyclable Collection, Hauling and Processing were received and publically opened by the Village Administrator on March 25, 2021, as tabulated below:

Contractor	Bid Price
1. Casella Waste Management of NY, Inc Buffalo, NY Collection 2409 Whitehaven Rd. Grand Island, NY 14072	\$1,036,266.10
2. Modern Disposal Services 4746 Model City Rd. PO Box 209 Model City, NY 14107	\$1,244,850.88
3. Waste Management of New York, LLC 100 Ransier Dr. West Seneca, NY 14224	\$1,287,899.34

BE IT RESOLVED, that upon review and the recommendation of the Village Administrator, the Base Bid rate of \$183.67 per parcel (5,642 total parcels) in the bid amount of \$1,036,266.10 for the Collection and Hauling of Municipal Solid Waste, Bulk Waste and Recyclable Collection, Hauling and Processing the Garbage and Recycling be awarded to:

Casella Waste Management of NY, Inc
Buffalo, NY Collection
2409 Whitehaven Rd.
Grand Island, NY 14072

The following 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

ACCEPT FIRE DEPARTMENT ELECTION RESULTS

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

WHEREAS, on Thursday, April 8, 2021, the Depew Fire Department held their Annual Fire Department Chiefs Election with the following results.

Fire Chief	Todd Rzestuek	Aetna Hose Company
1 st Assistant Chief	John Gauthier	Hose Company #1
2 nd Assistant Chief	Brian Musielak	Hook & Ladder Company #1
3 rd Assistant Chief	Vacant	
4 th Assistant Chief	Vacant	
5 th Assistant Chief	Vacant	

BE IT RESOLVED, that the Village Board approves the above election results and congratulates the elected Chief and Assistant Chiefs.

Mayor Peterson explained that they are looking to install a steering committee to try to resolve the lack of the proper number of chiefs. He brought this to the members of the counsel already.

The forgoing resolution was seconded by Trustee Kucewicz and **CARRIED**

PERMISSION – FIRE DEPARTMENT

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

WHEREAS, Permission is hereby granted to the Aetna Hose Company to take Engine #2 to the NYS Pump Operators Course being held at the Town Line Fire Department, 6507 Broadway St, Lancaster, NY 14086 on Thursday April 29, 2021 from 7 PM – 10 PM.

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

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

PERMISSION TRAINING COURSE

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

BE IT RESOLVED, permission is hereby granted to Police Officer Adam Van Kuren to attend the Field Training Officer Course on June 1 – 4, 2021 at Niagara County Law Enforcement Academy, Niagara University, Marian House, Niagara University, NY 14109. The classes will be from 8:00 AM – 4:00 PM. The fee is \$150.00 for the course. Use of a village vehicle is authorized.

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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Ziembra, 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:

Cayuga Hose #3

- David Pace
- Richard Jezierski

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 Ziembra - Y
- Trustee Kucewicz - Y
- Deputy Mayor Stempniak - Y
- Mayor Peterson - Y

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Depew Hose Co #1 to use the Northside Fire Station for their Company Installation Dinner on Saturday May 8, 2021 from 4:00 PM–12:00 AM. All Covid 19 guidelines will be followed.

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Depew Hook & Ladder Col #1 to use Southside Fire Station for chicken BBQ on Saturday June 19, 2021 from 11:00 AM–5:00 PM. All social distancing measures will be taken in relation to COVID-19.

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

EMPLOYMENT APPLICATIONS – Rec – Christopher Krull, Jacob Falter, Natalie Witt

DEPARTMENT HEAD REPORTS –

FIRE CHIEF’S REPORT VILLAGE BOARD MEETING April 26, 2021

1) CURRENT ROSTER: 115 FIREFIGHTERS, 7 EXPLORERS

2) APRIL 2021 CALLS TO DATE: 17 YTD CALLS: 82

3) YTD DAMAGES: \$250,000

4) THE FIRE DEPARTMENT CONTINUES TO REMAIN HARD AT WORK. OUR TRAINING HOURS HAVE INCREASED TREMENDOUSLY SINCE THE EASING OF SOME COVID RESTRICTIONS. WE ARE ALSO IN THE PROCESS OF PLANNING SEVERAL LARGE SCALE INTER-AGENCY DRILLS FOR THE SUMMERS MONTHS. I WANT TO THANK OUR FIREFIGHTERS FOR THEIR CONTINUED HARD WORK. THEIR COMMITMENT TO THE VILLAGE AND ITS RESIDENTS IS UNWAVERING, AND I APPRECIATE THEIR CONTINUED DEDICATION TO THIS VILLAGE AND OUR DEPARTMENT.

5) AS THE ENSUING MONTHS BEGIN TO WARM UP, AND WE BREAK OUT OUR GRILLS AND SMOKERS, I WOULD LIKE TO REMIND RESIDENTS TO MAKE SURE THEIR OUTDOOR COOKING QUIPMENT IS OPERATING SAFELY. THESE COOKING APPRATUS SHOULD BE INSPECTED BEFORE USE, TO INSURE THERE ARE NO PROPANE LEAKS OR OTHER HAZARDOUS CONDITIONS THAT COULD RESULT IN A FIRE SPREAD AND/OR EXPLOSION. MAKE SURE YOUR BBQ GRILLS ARE PLACED AND OPERATED AWAY FROM ANY STRUCTURE, AS TO NOT BE TOO CLOSE IN CASE OF A MALFUNCTION OR FLARE UP. ALSO, YOU SHOULD NEVER UTILIZE YOUR BBQ GRILL OR OTHER OUTDOOR COOKING EQUIPMENT INDOORS, INCLUDING INSIDE GARAGES OR UNDER PORCH OVERHANGS. AS CRAZY AS THAT SOUNDS, WE HAVE SEEN THIS BEING DONE ON NUMEROUS OCCASIONS OVER THE YEARS. IT IS NOT ONLY A FIRE SAFETY ISSUE, BUT COULD POTENTIALLY BE A LIFE SAFETY ISSUE IN REGARDS TO CARBON MONOXIDE SPREAD, DEPENDING ON THE OUTDOOR COOKING UNIT YOU ARE USING. THESE APPLIANCES ARE LABELED ‘OUTDOOR’ FOR A REASON, AND RESIDENTS ARE ASKED TO UTILIZE THESE COOKING DEVICES IN THE MANNER IN WHICH THEY WERE INTENDED TO.

Respectfully Submitted,
Todd J. Rzeszutek Todd J. Rzeszutek Fire Chief

Chief Miller – see report

Mayor Peterson announced that he wants to get back to holding in-person meetings again as soon as we can. We will need to see just how many people we can fit into the Chambers area while maintaining proper distancing. Some municipalities are taking reservations for their board meetings now, that may be a possibility for us too.

UNFINISHED AND OTHER BUSINESS – N/A

PUBLIC CONCERNS AND COMMENTS

DPW Super. – Ken said they are continuing to topsoil and seed and asks that the public please water the areas if in their respective yards. His Team will begin the excavation at Dawson Field. Mayor Peterson asked about paving this year and Ken stated that they have a number of streets in mind. Ken will get a list to the Mayor. He said his CHIPS funding has increased over last year so that will help immensely. Supt. Pyc thanked the board for their support in his recent equipment purchases. Trustee Hamernik thanked him and his crew for doing such a nice job of brush pick up, she saw the new chipper and it looks fantastic.

Trustee Ziembra informed the Mayor that Tuesday meetings are hard for him when he inquired as to if he heard anything about representing the Village as our NEST liaison. Mayor Peterson told him that the last few meetings have been via ZOOM.

Trustee Kuciewicz thanked the residents for their support at the Engine #4 chicken dinner!!

Trustee Hamernik asked Mayor Peterson about the flashing beacon by the bridge. Mayor Peterson explained that there are a few options. He is looking into a system that will alert dispatch when a vehicle trips the warning lights, a patrol car can then look for that vehicle in the area. This will tell us, of X number of times the warning signal was tripped, how many vehicles actually hit the bridge and how many heeded its warning.

Mayor Peterson assured everyone that the Gazebo renovations are coming along very, very nicely. Should be wrapping up that project soon.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Kucewicz and seconded by Trustee Ziembra, the following claims are to be paid: \$295,213.78 General, \$1916.49 Community Development, \$1,520.71 Sewer \$1,851.13 Capital Project – Building Reno \$300,502.11 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Hamernik, seconded by Deputy Mayor Stempniak the meeting was adjourned at 8:31 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak
Village Administrator