

MEETINGS: 5
NO. OF REGULAR: 5

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
May 23, 2022 7:06 PM**

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

ON A MOTION BY, Trustee Adolf and seconded by Deputy Mayor Hamernik the May 9, 2022 board meeting minutes were approved.

ON A MOTION BY, Trustee Kucewicz and seconded by Trustee Ziemba the May 12, 2022 Zoning Board Minutes were accepted.

1. William Hammond, for the property located at 134 Burlington Ave, of Chapter 260, §260-23(B)(2) to allow him to construct a garage within the required 5ft setback from lot line. Approved

Public Comment Agenda Items Only: N/A

AUTHORIZE MAYOR TO SIGN ERIE COUNTY SNOW REMOVAL CONTRACT

Trustee Ziemba, 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 9/1/2022-8/31/2025;

WHEREAS, the Village of Depew will be paid by the County of Erie \$4693.86 per lane mile for the 2022-2023 snow season, \$4,693.86 per lane mile for the 2023-2024 snow season and \$4,693.86 for the 2024-2025 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 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

APPROVE MS4 REPORT

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

BE IT RESOLVED, the MS4 report is completed and available for review on the Village of Depew website.

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

AUTHORIZE MAYOR TO IMPLEMENT CYBER SECURITY PLAN

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

BE IT RESOLVED, that Mayor Kevin Peterson and Board of Trustees are authorized to implement new cyber security measures as directed by our insurance company throughout Village Hall.

The foregoing resolution was seconded by Deputy Mayor 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

AUTHORIZATION TO RAISE THE PER SESSION RATE FOR COURT STENOGRAPHERS

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

WHEREAS, the Village of Depew employs independent contractor stenographers in the Depew Village Justice Court, who supply their own equipment and receive no additional benefits, and

WHEREAS, Court Stenographers are currently paid at the rate of \$100 per session, with each session being up to 3 hours of stenographic services, and

WHEREAS, there has been no increase in the per session rate of payment to the Court Stenographers in over fifteen years, and

WHEREAS, the current budget of the Village of Depew Justice Court has adequate funds to support the increase in the rate of pay, and

BE IT RESOLVED, that the rate of payment for court stenographers retained by the Depew Justice Court shall increase to \$125.00 per session, and

The foregoing 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

PERMISSION – FIRE DEPARTMENT

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

WHEREAS, Permission is hereby granted to the Depew Fire Department to take, Engine #1, Engine #6, and Ladder #5 fire academy in Cheektowaga for department drill on Tuesday, May 31st from 6:30 PM till 9:30 PM.

THEREFORE, BE IT RESOLVED: The above foregoing resolution was seconded by Trustee Ziemba 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 10 K RACE

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

WHEREAS, The Depew-Lancaster Boys and Girls Club requested permission to hold their 44th Annual 10K Race on Monday July 4, 2022 starting at 9 am;

BE IT RESOLVED, the race is approved and will follow the same route as previous years. The race will last about an hour and a half.

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

PERMISSION – USE OF SENIOR CENTER

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

Permission is hereby granted to the Depew Fire Department to use the Senior Center for a department wide meeting on Tuesday June 14, 2022 from 6:30 PM – 10:00 PM.

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

PERMISSION – FUNDS TRANSFER

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

BE IT RESOLVED; the Administrator is authorized to make a transfer of funds in the amount of \$33,700.00 from the Sewer Fund to Capital Fund to cover the costs of GHD’s invoices for post construction monitoring and reporting. The EFC will not reimburse for those costs as per Municipal Solutions.

THEREFORE, BE IT RESOLVED: The above foregoing 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

APPOINT PT SUMMER RECREATION PROGRAM

Pursuant to Section 4-400 of Village Law, I Mayor Kevin Peterson do hereby appoint the following to the summer recreation program

Lifeguard:
Vanessa Mintz

Park Attendant until the Pool Opens and then he will be a lifeguard
Kellen Gradwell

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

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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Kucewicz, 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:

Aetna Hose Co.
Cory Stepien

Hook & Ladder Co. #1
Joshua Abell-Gabner

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

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

EMPLOYMENT APPLICATIONS – DPW – Justin Riederer
REC – Vanessa Mintz
Kellen Gradwell
VILLAGE HALL – Erik Hisel
Laura Beicke

DEPARTMENT HEAD REPORTS –

Chief Miller - Our department and our officers continue to do a great job and continue to work hard to keep this community safe.

It's been a tough couple of weeks, with the passing of Lt Gorski, I want to thank everyone who attended the wake and funeral – On behalf of the PD we appreciate your thoughts, your kind words, and your prayers

We began the NY Governors highway safety campaign – Buckle up NY, we have additional patrols on the road for next couple of weeks. – This detail is meant to save lives; the use of seatbelts does saves lives.

In June, we will participate in the Police Traffic safety grant – targeting aggressive driving. This will be in conjunction with the end of the school year and we will be targeting operators that are speeding in the school zones.

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

Chief Gauthier –

CEO Don Bielefeld & Assistant CEO Craig Blanchard – reported that it has been very busy in the Code Department. Construction permits, shed permits, and Craig is in training until Thursday when he is completely done and will be certified. Please just be patient as we get to each on as soon as they come in. FOIL requests have been coming in sometimes three times a week. Mayor Peterson advised that the grass cutting list will be coming out, please be patient.

Recreation Department – Trustee Kucewicz read the report for Director Ferguson – IN May we have kickball, floor hockey and volleyball leagues. In June we have Yoga, softball, lacrosse, Fireman's baseball league and little league baseball. The pool is ready to be painted and we are looking forward to opening.

Deputy Mayor Hamernik read the DPW report for Superintendent Pyc – Stump grinding will be finishing up, they will then fill with topsoil and seed where the trees were. Please remember to water those so the grass grows. Also working on repairing lawn damage that may have taken place during the plowing season. Soon they will be starting

the street paving work, please be patient when we are working on your surrounding streets.

OEM Director RJ Nieman told everyone that our final mitigation plan is coming in this week and that he is also working on the plans for our concerts in the park series. They will also have the plan done for Founder's Day as well.

Attorney Alba – Just wanted to let everyone know, if you remember a couple of weeks ago I told everyone that we received another tax cert that may cost the Village money. He spoke with the attorney and told him that it was served on us but was truly a property located in Lancaster. The Village will not have to pay anything on this one. FOIL requests are coming in a lot and some are just not reasonable. Send all to him like we do and he will determine if something is not reasonable and contact the person directly. If you work on a FOIL request, Stop after 2 hours and call the individual asking for it to explain it is taking a long time to get the information together and if you continue they will have the labor hours. If they do not wish to continue with their request, the matter is closed. The turn-around times in the law are very strict. He will give us something to reference in the event he is not available to use in order to continue with the request. Also, the Chief and Sam worked on a revision for the police department for FOIL requests and he would like to implement them Village wide. More to come on that.

Trustee Kucewicz thanked the Centerpoint congregation that came and beautified the front of the municipal building and 2 Gateway signs. She also thanked the Police Department for honoring Lt. Jeff Gorski at his wake and funeral. She told everyone her heart goes out to all those who were killed in that senseless people. Please be kind to one another.

Trustee Ziembra – these are crazy times we are in. But please, do be kind to one another.

Deputy Mayor Hamernik – She told everyone that the tribute that was given to Lt. Gorski was done so with great respect to him. Matthew's table is a drive through on Tuesday.

Mayor Peterson told everyone that he and Deputy Mayor Hamernik visited the Lord of Life for their 50 Year Anniversary. It was very nice and so far they've given out 7,000 meals!!! The church is located in the 14043 Depew Zip Code but they are not located in the Village. He also thanks Pastor Wrigglesworth for beautifying the front of Village Hall. He and his team of volunteers had 30+ people here. And thank you for doing the same to the two Gateway signs.

PUBLIC COMMENTS OR CONCERNS –

Linda Paulus, 69 Main St – came before the board to express her displeasure with the house next door to hers, it is 73 Main Street. She has lived here for 20 some years and that property has never been occupied. It is completely open, no doors, window, roof, raccoons, rats, mice live in it. Her downstairs neighbors can't even sit outside because the rats are all over. There is no longer any signs on the house warning of it being unsafe. No sign condemning it either. 3 times she has had to replace her drywall due to the mold from the house. With it like it is, it brings down the value of her own property. The tenants downstairs want to move out. This is creating and has created a financial hardship on her!

Her other concern are the 5G towers that are going up. She said that they are keeping track of people, causing cancer, they emit too much radiation. They are no good and are a detriment to this Village. It's detrimental to children and their health. Please do some research and consider taking them down and getting rid of them. Attorney Alba explained that we do not have any in the Village. We did not allow it when Verizon approached us previously. We have a local law on it as well. It hasn't stopped Verizon from asking, but we've turned them down each time. Mayor Peterson and Attorney Alba asked her where she has seen them and she told them on Transit and Genesee. They explained that this location is not in the Village. The FCC regulates what we can and cannot do with the law.

Mayor Peterson told everyone that he has met with many County leaders regarding Zombie Homes. The group actually went to 79 Main Street being that it is vacant. Craig is taking over the Zombie home properties. He's been to many classes regarding them. Ms. Paulus said she understands all of the hoops that you have to jump through with them. It's on the website as an auction item. Someone needs to tape it off. It's dangerous

and she is afraid someone is going to be injured. Don will revisit it and get a report to the board. Our law department will as well with Don. Mayor Peterson is going to contact Kate Lockhardt tomorrow himself. He knows that no one can rebuild on it, there is not enough room. They will also work with the WNY law department.

CLAIMS AND ACCOUNTS

ON A MOTION BY Deputy Mayor Hamernik and seconded by Trustee Kucewicz, the following claims are to be paid: \$210,503.27 General, \$101.14 Community Development, \$859.00 Sewer Fund, \$66,813.62 Capital Projects, \$278,277.03 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Kucewicz and seconded by Trustee Adolf the meeting was adjourned with a moment of silence for Depew Police Dept Lieutenant Jeff Gorski and Gene Molinaro, Former Depew Trustee and Buffalo Police Officer at 7:46 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak
Village Administrator