

MEETINGS: 6
NO. OF REGULAR: 5

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
June 10, 2019 7:00PM**

ROLL CALL: Trustee Jakubowski - Here
Trustee Stempniak - Here
Trustee Hamernik - HERE
Trustee Voll - Here
Mayor Peterson-Here

ON A MOTION BY, Trustee Voll, and seconded by Trustee Stempniak, the May 28, 2019 Village Board Minutes were approved.

PUBLIC COMMENT

Paul Sprada – Agenda item #5, What is it? CEO explained that it is a SEQR requirement that says there is no negative impact on the environment for this project for Taylor Road

APPOINT DEPUTY PROSECUTOR PT

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson, do hereby appoint Samuel A. Alba, 195 Fruitwood Terrace, Williamsville, NY 14221, to the position of Deputy Part Time Village Prosecutor for the term of one year, said term to expire at noon the first Monday of April 2020, at a salary of \$240.00 per session per attendance.

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

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

APPOINT VILLAGE POLICE HISTORIAN

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

Steven Lehman – 9633 Partridge Rd, Colden, NY 14033

to the position of Village of Depew Police Historian effective June 11, 2019 at no additional salary.

Steve Lehman retired from the Depew Police Department on 4/1/2010 after 32 years of service

He was a patrol officer for	16 years
An Accreditation Officer for	1 year
And A Detective for	15 years

During his career, and throughout his retirement, he has taken great care of Police Department material of historical significance including documents, log books, photographs and artifacts. He truly loves the history of the Depew Police Department and has been the Police Departments unofficial historian for many years.

Steve - you deserve to be honored for all your hard work, dedication and commitment to this village and the Depew Police Department. It is our honor to welcome you back, as the first ever official Depew Police Department historian

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

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

See attached List

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

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

AUTHORIZE MAYOR TO SIGN MAINTENANCE AGREEMENT – CUMMINS INC

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

WHEREAS, the Village of Depew is currently utilizing Cummings Inc, 155 Rittenhouse Cir, Bristol, PA 19007 for the maintenance of the Generators at the Village of Depew facilities;

WHEREAS, the Village of Depew would like to continue the Planned Maintenance Agreement for \$3,938.03 per year starting February 1, 2019 and ending January 31, 2022.

NOW THEREFORE BE IT RESOLVED, that Mayor Kevin Peterson is authorized to sign the Planned Maintenance - Renewal.

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

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

NEGATIVE DECLARATION RELATING TO 125 TAYLOR

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

WHEREAS, the Village of Depew Planning Board has previously reviewed the individual applications of Robert F. Kasprzak on behalf of Buffalo Materials Handling, for property located at 125 Taylor Drive, Depew, New York for their building addition and renovation, and

WHEREAS, The Planning Board has recommended approval of the application for the project,

WHEREAS, the Board of Trustees and Mayor, along with their legal and engineering staff, have examined all relevant factors of the short form environmental impact statement to consider whether any negative environmental impact will occur from the building addition, now

BE IT RESOLVED, the Board of Trustees and Mayor hereby make a finding that there is NO substantial evidence that the project may have a significant effect on the environment, and

BE IT RESOLVED, that the Board of Trustees issues a negative declaration.

The forgoing resolution was seconded by Trustee Stempniak, and **CARRIED**.

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

APPROVE – BUILDING DEPT FEES

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

WHEREAS, the Building Department has proposed new fee rates for the services that are provided by their department.

BE IT RESOLVED that the new department fee rates for the Building Department and the Recreation Department are hereby approved.

See attached lists:

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

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

APPROVE – RECREATION DEPT FEES

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

WHEREAS, the Recreation Department has proposed new fee rates for the services that are provided by their department.

BE IT RESOLVED that the new department fee rate for the Recreation Dept is hereby approved.

See attached lists:

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

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

DPW GRASS CUTTING

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

WHEREAS, the village is encountering numerous vacant and foreclosed homes in the village and orders to remedy have been issued to the property owner on record;

WHEREAS, the high grass is a nuisance to neighbors and attracts rodents;

BE IT RESOLVED, permission is granted for the Department of Public Works to mow any village property that is not mowed by the due date on the order to remedy for the 2019 year. The cost of said mowing(s) will be attached to the village tax bill for that property.

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

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

AUTHORIZE GHD TO SEND REPORT

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

WHEREAS, the Village of Depew is currently utilizing GHD 285 Delaware Ave. Suite 500 Buffalo, NY 14202 for Engineering Services in the village of Depew;

NOW THEREFORE BE IT RESOLVED, that Mayor Kevin Peterson authorizes GHD to advertise for Erie County Department of Environment and Planning administered portion of the 2019 CDBG Sidewalk replacement project within the six identified areas, east of Transit Rd, to include improvements along Marengo, Bloomfield, Meridian, Terrace, Minden and Gould.

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

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

PERMISSION – FIRE DEPARTMENT

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

WHEREAS, Depew Fire Department West End Fire Dept Rescue #7 would like permission to drive the truck to M & M U Pull, William St across from Doyle #1 on Wednesday June 19, 2019 at 7:00 PM.

And

WHEREAS, Depew Fire Department Engine #6 would like permission to drive the truck to Townline, 6507 Broadway, Lancaster, NY 14086 on Wednesday July 17, 2019 at 7:00 PM for a live burn drill.

BE IT RESOLVED, that the Depew Fire Departments are hereby authorized to proceed to take the requested trucks out of service for the above described reasons.

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

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

PERMISSION SEMINAR

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

BE IT RESOLVED, permission is hereby granted to Code Enforcement Officer, Anthony Fischione, Village Trustees Ed Voll, Audrey Hamernik, Planning Board Member Cathy Sunderlin, Zoning Board Members Frank Latchford and Terry Mescall and Village Attorney Sam Alba to attend the Zoning and Land Use Fundamentals for Municipal Officers on Thursday May 13, 2019 at The Millennium Hotel, 2040 Walden Ave, Cheektowaga, NY 14225. There is no fee for this training seminar. Use of a village vehicle is authorized.

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

PERMISSION – CHARITY EVENT

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

Permission is hereby granted to Majestic Pools, 6315 Transit Rd, Depew, NY 14043 to hold a benefit event in their parking lot they will be holding a basket raffle, having Aussie Bites Food Truck on hand and crafting vendors on Sunday June 9, 2019 from 10:00 AM – 3:00 PM.

Permission is hereby granted to Majestic Pools for their Charity Event,

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Hose Company #1 and Central Hose Company #4 to use the North Side Fire Station, 112 Brewster St, Depew, NY 14043 and the adjoining shelter and grounds for a joint get together on Friday June 14, 2019 from 6:00 PM –12:00 AM.

And

Permission is hereby granted to Chief James Nusall to use the North Side Fire Station, 112 Brewster St, Depew, NY 14043 and the adjoining shelter and grounds for the Bi-Annual Fire Department picnic on Saturday August 17, 2019 from 10:00 AM –10:00 PM.

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

EMPLOYMENT APPLICATIONS – DPW – Devin Peters, Walter Smigiera, Village Hall – Kenneth Menard, Robyn Kozmycz, Angelica Luke, Michaeline White, ANY Position – Siri Johnston

DEPARTMENT HEAD REPORTS

ON A MOTION BY, Trustee Stempniak, and seconded by Trustee Hamernik, the department head reports were approved.

Fire – The members attended 3 public affairs events since the last board meeting
DPW – Sewer flushing is on-going, brush pick-up is on-going, milling will begin and the list of streets will be on the website with dates of expected completion. The Mayor asked if the smoke testing was still on-going and Ken responded that it has been completed.

REC – Kevin told the attendees that the first 2 yoga classes were very well attended and even some board members were in attendance. There will be no class this weekend but it will resume the following weekend.

TONY – Tony explained a little about the new fee schedule for the building dept, that the Village of Depew is still one of the lowest in neighboring municipalities.

ADMIN –

POLICE – Jerry’s 2 “deputy chiefs” from the shadow program helped him read his monthly report. Also gave kudo to Steve Lehman as the new Police Historian, as he has done so much for this for the Village over the years and thanked him once again. Jerry explained that the the ”beard program” that the officers took part in last year raised \$2400 for Unyts in memory of a young man who was brutally murdered a number of years ago, who, thru the donations of his organs, was able to save 6 other person’s lives. Thought it only appropriate to donate to something that would also help that cause.

OEM – Judy explained that they are currently working on the incident action plan for Founders Days in conjunction with the County of Erie.

UNFINISHED AND OTHER BUSINESS

Attorney Alba updated the public on the Village’s Food Truck code, stating that he did research recent case law and found that the only cases that were upheld he cited were in California. He is of the opinion that the Village will move forward with the new Local Law as is, because it does protect the current brick and mortar businesses in the Village over the new, incoming food trucks. One item that was tabled, he found another municipality that has a very good way to legally get around the background checks, by simply requiring the food truck owner and driver to disclose their arrest record back ground prior to being issued their permit to operate in the Village.

PUBLIC CONCERNS AND COMMENTS

Dave Burkhardt asked if the soccer fields on Rehm Road were the responsibility of the Village and the Mayor deferred the question to CEO Fischione, who told him that those are strictly the responsibility of the Town of Cheektowaga.

Past Chief of Police Domino wanted to let the board know that their appointment of Mr. Lehman could not be wiser, made a great decision.

Paul Sprada wanted to thank the DPW for their excellent work in Fireman’s Park, it looks just beautiful. Only thing is that there are carpenter bees now in the gazebo that he feels will be a hindrance during the summer concert series. Ken Mazurek responded that they will have to hire an exterminator for that. Paul mentioned that the roof appears to have leaks and Ken replied, not any more.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Voll, seconded by Trustee Stempniak, the following claims are to be paid: \$832,489.78 General, \$38,304.06 Sewer, \$4,335.52 Capital Projects \$875,129.36 Capital was **CARRIED**.

In a special presentation, Mayor Peterson presented the student from Depew High School, Zachary Buck, a certificate of appreciation for his design of the new SRO car for the Police Department. SRO officer Shawn presented the award.

Mayor Peterson then presented all three Shadow Students with certificates for their participation in the days' program with Chief Miller, Captain Kazmarek from the PD, and the student who shadowed the Village Attorney, Sam Alba. Mayor Peterson thanked them all for their participation.

ADJOURNMENT

ON A MOTION BY Trustee Jakubowski, seconded by Trustee Hamernik, the meeting was adjourned with a moment of silence for Acct. Clerk Ashley Buczkowski's grandfather at **8:00 PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak
Village Administrator