

MEETINGS: 6
NO. OF REGULAR: 6

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
June 13, 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 Trustee Ziemba the May 23, 2022 board meeting minutes were approved.

ON A MOTION BY, Deputy Mayor Hamernik and seconded by Trustee Kucewicz the June 2, 2022 Planning Board Minutes were approved.

1. Michael Carrubba, on behalf of Carrubba’s Chicken Pit for property located at 2197 George Urban Blvd. Seeking final site plan approval for construction of two accessory structures and an outdoor cooking space. Approved with a recommendation for the Village Board to accept the SEQR Type 2 and a stipulation to confirm the dumpster setback.

ON A MOTION BY, Trustee Ziemba and seconded by Trustee Kucewicz the June 9, 2022 Zoning Board Minutes were accepted.

1. Christopher Federowicz, for the property located at 3112 George Urban Blvd, of Chapter 260, §260-23(B)(2) to allow him to construct a pole barn greater than the maximum accessory structure height allowable of 12ft. Granted.

Public Comment Agenda Items Only:

Jared Martin, 29 Leonard, spoke to the board about his son who is working on his project for the Boy Scouts of America where he is charged with learning the different levels of government. On a personal note he came to meet with the Code Department regarding 28 Leonard, which was in disarray, the roof was gone and the house was in terrible shape. The house has been restored, thanks to the new homeowner, and he appreciates everything we’ve done. Jared thanked the board for the reports and for allowing him and his son to sit in on our pre-board meeting. There is another home he is concerned about at 11 Leonard. Mayor Peterson explained that we are working with the Zombie Home personnel about some of the houses in the Village to address these issues. Unfortunately, it takes some time to get through the whole process. He told him that it is not an isolated issue in the Village, it happens on other streets, Kennedy Court for example. Deputy Mayor thanked Troop 554, they were the ones responsible for all of the Village’s little libraries which are a big success!!!!

Patricia Cordovani thanked Chief Miller for allowing her to be the next Clerk in the Police Department. Mayor Peterson explained that we would be addressing that very issue during the resolutions part of the meeting, coming up next.

Chief Miller stated that when he learned of Margie’s pending retirement, he knew he had some big shoes to fill and Pat fit all of the needs of the position!

APPOINT PART TIME ACCOUNT CLERK – POLICE DEPARTMENT

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

Patricia Cordovani

to the position of Part Time Account Clerk- Police Department effective June 22, 2022.

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

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:

LAST NAME	FIRST
Rosa-Mutighani	Johnica
Woods	Daynah
Dellaneve	McKenzie
Kurtowicz	Bianca
Cegielski	Alyson
Clemens	Megan
Pyc	Luisa
Koedel	Allyson
Steffens	Michael
Steffens	Timothy
Kaus	Theresa
Huber	Marcus
Kwiatkowski	Kera
Massaro	Madison
Leach	Haley
Paul	Brenna
Marlowe	Liam
Wypij	Benjamin
Mintz	Vanessa
Gradwell	Kellen
Kaus	Stephen
Ziemba	Nathan
Bak	Ethan
Garry	Samantha

The forgoing nominations were 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

APPOINT SUMMER DEPARTMENT OF PUBLIC WORKS

Pursuant to Section 4-400 of Village Law, I Mayor Kevin Peterson do hereby appoint the following for the summer 15-week program to the Department of Public works:

Tyler Arndt
Chris Kobis
Ray Mandel
Justin Riederer

The forgoing nominations were 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

APPOINT ALTERNATE PLANNING BOARD MEMBER

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint John Spencer to the Village Planning Board as an Alternate, for said term to expire at noon on the first Monday of April 2023, at a salary of \$50 per meeting when filling in for a Planning Board member.

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

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

APPOINT ZONING BOARD MEMBER

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint Ken Menard to the Village Zoning Board with said term to expire at noon on the first Monday of April 2026, at a salary set forth in the budget.

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

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

AUTHORIZE MAYOR TO SIGN ERIE COUNTY SNOW REMOVAL CONTRACT

Deputy Mayor Hamernik, 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 \$4,693.86 per lane mile for the 2022-2023 snow season, \$4,881.61 per lane mile for the 2023-2024 snow season and \$5,076.88 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

DPW GRASS CUTTING

Trustee Ziemba, 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 property that is not mowed by the due date on the order to remedy for the 2022 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 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 – CAR SHOWS

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

Permission is hereby granted to the Polish Falcons of Depew to hold cruise nights on the following Thursday nights:

June 16, 2022
June 23, 2022
June 30, 2022
July 7, 2022
July 14, 2022
July 21, 2022
July 28, 2022
August 4, 2022
August 11, 2022
August 18, 2022
August 25, 2022
September 1, 2022
September 8, 2022
September 15, 2022
September 22, 2022

The 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 – DEPEW HIGH SCHOOL SENIORS MOTORCADE

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

BE IT RESOLVED; permission is hereby granted to have Engine 2, Engine 4, Engine 6 and Ladder 5 to participate in the Depew High School Seniors motorcade on Wednesday June 8th at 1:00 PM

A portion of the route will be outside the village but within the student boundaries.

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

AUTHORIZATION FOR MISSING CHILDREN BICYCLE RUN

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

WHEREAS, on Friday June 3, 2022, The Center for Exploited and Missing Children will hold a bicycle run including the following Village of Depew:

PLEASE SEE ATTACHED SHEET

The bicycle run will then leave the Village of Depew following their predetermined route.

BE IT RESOLVED, permission is granted by the Village Board to have the above-mentioned streets in the Village of Depew used for the bicycle run.

WITH THE STIPULATIONS, from the Police and Fire Chiefs.

The following 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

YEAR END BUDGET ADJUSTMENTS

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

BE IT RESOLVED, the Administrator is hereby authorized to adjust the 2021/2022 Budget for year-end adjustments.

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 –POLICE DEPT TOWING FEES

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

WHEREAS, the Police Department has proposed a new fee schedule for the towing services.

BE IT RESOLVED that the new department fee rates for the Police Department are hereby approved.

See attached lists:

The 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

SEQR- NEGATIVE DECLARATION -2197 GEORGE URBAN BLVD

Trustee Ziemba, offered the following resolution and moved for its adoption:
WHEREAS, The Depew Village Board has considered the Environmental Record prepared for this action, including any comments received from the public and Interested Agencies, and the proposed Negative Declaration.

WHEREAS, the Village of Depew Village Board, as lead agency, has reviewed the minutes of the Planning Board meeting held on June 2, 2022, in which the Planning Board recommended to the Village Board, as lead agency, that the proposed action involving the final site plan approval for construction of two accessory structures and an outdoor cooking space improvements at the above referenced property is consistent with an unlisted SEQR action and furthermore, that the proposed action will not have a significant adverse impact on the environment and that a negative declaration should be issued; and

WHEREAS, the Village Board, as lead agency, has applied the criteria listed in 6 NYCRR 617.4(b) to this action and considering all the relevant documentation and information submitted, determines that this action will not have a significant adverse impact on the environment; and

WHEREAS, the Village Board of the Village of Depew, as lead agency, concurs with the recommendation of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Depew, as lead agency, for the SEQRA review of the proposed action hereby issues a negative declaration in connection with this unlisted activity; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute any necessary documents relating to an issuance of a negative declaration.

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

EMPLOYMENT APPLICATIONS – Rec – Benjamin Wypij, Stephen Kaus, Alyson Cegielski

DEPARTMENT HEAD REPORTS –

Liz Brinkworth was in attendance and gave a report on Assembly Member Monica Wallace’s latest activities:
Assemblymember Monica Wallace is back in the district following the end of a very busy session.
Assemblymember Monica Wallace passed 7 bills of her bills this session in the Assembly.

- A744 – requires health clubs with a membership of 50 or more to have at least 1 automated external defibrillator on the premises which is accessible to the staff, members and guests.
- A811-A – allows for the use of green lights or alternating green and amber lights on municipal vehicles being used for snow removal.
- A7489 – related to victim compensation for unlawful surveillance crimes.
- A8880 – establishes a statewide advanced care planning campaign to promote public awareness of hospice and palliative care services
- A8881 – establishes the office of hospice and palliative care access and quality
- A9154 – relates to contracts awarded by the Erie County Water Authority. Purpose of this bill would raise the threshold for which the ECWA must invite sealed bids or proposals for construction-related projects and for equipment, material and supplies.
- A6716-A – establishes the crimes of making a threat of mass harm and aggravated threat of mass harm

-Assemblymember Monica Wallace attend the Moms Demand Actions and March for Our Lives community event this weekend in Buffalo. One of her bills was part of the gun package – A6716-A.

-On Friday, Assemblymember Monica Wallace visited Bellevue Fire District to see the ATVs, SCBAs and computers the fire district were able to purchase with the \$75,000 of state funding she was able to get Bellevue.

-On June 5th Assemblymember Monica Wallace attended the Pride Parade.

-On June 2, Assemblymember Monica Wallace passed a resolution urging federal lawmakers to reinstate the ban on assault weapons and high-capacity magazines.

-Assemblymember Monica Wallace is looking forward to participating in the numerous community events that are occurring across the district.

-As always if you need any assistance on the state level. Please contact our office.

Police Department -

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

We continue to participate in the Police Traffic safety grant – targeting aggressive driving and we will be primarily targeting operators that are speeding in the school zones.

Monthly report numbers

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

Also with summer upon us – keep an eye out for pedestrians, bicycles and motorcycles – slow down and drive safe

Code Department – Don explained that it is grass cutting time and a lot of violations went out for grass that had not been cut. They are very busy now with construction season for both residential and businesses throughout the Village and asked that the residents be patient.

DPW – Ken reported that they had already purchased two green lights for their plows. The All Inclusive Dawson Park is just about completed, maybe 2 more weeks. The fitness pad has been dug up and stone is next. Then the department will move on to Fireman’s Park where they will be preparing another volleyball court. After that, they will address the long shed demolition.

Mayor Peterson explained that when residents here that the DPW crew is working, people immediately think of grass cutting, trimming, repairing lawns, tree cutting, etc. But we really have a lot of talented people in our DPW!! West Dawson Park for example, Jeff Morgan and his crew did a tremendous job on that project, all of the projects that are on-going at Fireman’s Park, just to name a few!!! This all shows when we ask them to work on special projects.

Chief Gauthier - 10 calls so far for the month of June
138 calls year to date.

After cutting your grass, do not just put your mower in a shed or garage, keep your lawn equipment 10 to 15 feet away from any structure until it Cools down.

If you have battery power lawn equipment monitor your charging and unplug chargers when battery is charged. There has been several fires nationally due to battery charging.

Attorney Alba reported that almost all of our tax litigations have been completed, with maybe only two left which are a later date tax reduction. We should have our lease to the lower part of the Solar location shortly. He is presenting a legal education class on Red Flag laws and everyone is welcome. It is not solely for lawyers. It is a very interesting program and we ourselves have used it in the past to help save people who are thinking of harming themselves or others.

Administrator Wachowiak stated that the room that was driven into is making progress. The window will take the longest to come in, so a make shift system will be installed until it arrives. The outside stone has been replaced, it is not an exact match, since the building is so old, but it looks real nice. Next will be working on the inside of the room, the HVAC and electrical work.

Trustee Kucewicz thanked Margie for her years of service to the Village. She congratulated our newly and returning employees, Pat, John, Ken. She gave her opinion of the outcome of the newly painted swimming pool and it looks fantastic! She will be working with Marie at our Rec. Department on the pool passes for the summer.

Trustee Adolf wished all Dads, Step-Dads, Father figures a very happy Father's Day!!!

Trustee Ziembra also wished them the same, hoping they can enjoy their day.

Trustee Hamernik accepted another \$2,000 donation to their new community center. The Kitchen is almost and next is to fill in the bowling alley area. On June 23rd at 3pm she will be at a presentation for small business and home business locations to attend to learn about funding opportunities, if you know of anyone who could stand to benefit, please pass the information along.

Mayor Peterson told everyone that we are very eagerly awaiting our Employee Award dinner where employees will be honored for their work at the Village. There will also be a short program to recognize them at the Founders Day kick off on Friday the 22nd of July. The dinner will be catered by Smokin' Little Diner and tickets will be available in his secretary's office. Our Concert Series begins on Thursday the 30th and goes through August 18th. We have gotten great support for these events!!!

PUBLIC COMMENTS OR CONCERNS –

Paul Sprada, 58 Argus told the board that our Thursday Concert Series also coincides with the Cruise Night's at the Polish Falcon's. But he doesn't think that had too much of an effect on us. The Polish Falcons is having a Polka Party in honor of Ronnie Dombrowski tomorrow. There will be an inaugural Town Band Concert where they will service refreshments. It is a wonderful event to take a lawn chair to, enjoy a refreshment and just listen to music and relax. They are going to have some vendors there as well.

CLAIMS AND ACCOUNTS

ON A MOTION BY Deputy Mayor Hamernik and seconded by Trustee Kucewicz, the following claims are to be paid: \$981,883.81 General, \$1,125.72 Community Development, \$39,647.03 Sewer Fund, \$94,894.85 Capital Projects, \$1,117,551.41 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Adolf and seconded by Deputy Mayor Hamernik the meeting was adjourned with a moment of silence for Frank Atlas, father of DPW employee Frank Atlas, Jr. The father of Jeff Morgan, DPW employee. Our Fire Chief's Father, John Gauthier Sr. Norbert Liss, father of the Cheektowaga Supervisor. We wish a speedy recovery for Willie of Depew Deli.

At 8:09pm Deputy Mayor Hamernik made a motion to enter into executive session, Trustee Ziembra seconded.

At 9:52pm Deputy Mayor Hamernik made a motion to exit out of executive session, Trustee Ziembra seconded.

ADJOURNMENT

Trustee Adolf made a motion at 9:53pm to adjourn the meeting, Deputy Mayor Hamernik seconded.

Respectfully submitted,

Teresa Wachowiak
Village Administrator