

MEETINGS: 7
NO. OF REGULAR: 7

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
June 28, 2021 7:00PM**

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

ON A MOTION BY, Trustee Ziemba and seconded by Trustee Kucewicz, the May 24, 2021 Village Board Minutes were approved.

Public Comment on the Agenda – Edwin After Buffalo, 526 Gould Ave asked the board where the 4th of July Parade will be, Mayor Peterson replied in the Village of Lancaster.

Paul Sprada, 58 Argus inquired as to what the towing rates were and what they are going to be. Chief Miller explained.

ACCEPT RETIREMENT – POLICE LIEUTENANTS

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

BE IT RESOLVED, the retirement of Jason Ostrach, Police Lieutenant effective June 21, 2021 is accepted

And

BE IT RESOLVED, the retirement of Richard Ballistrea, Police Lieutenant effective June 25, 2021 is accepted

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

APPOINT PROVISIONAL POLICE LIEUTENANT

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

Rochelle Menard

Adam VanKuren

to the position of Provisional Police Lieutenant effective June 29, 2021. Once the results are posted and the list is established from the June 5th, 2021 promotional exam, they must be reachable. If not, they will be removed from the position within 60 days in accordance with Erie County Civil service rules.

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

APPOINT CHAPLAINS

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

Pastor Galen Purpura

Pastor Brian Williams

to the position of Police Chaplain with the Depew Police Department at no cost to the Village of Depew.

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

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 village property that is not mowed by the due date on the order to remedy for the 2021 year. The cost of said mowing(s) will be attached to the village tax bill for that property.

Please see attached list of properties.

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

PERMISSION –WAIVE PERMIT FEE

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

WHEREAS, Centerpointe Church, 56 Burlington Ave, Depew, NY 14043 has requested permission to waive the tent permit fees for the following events:

1. An outdoor prayer service on Sunday August 22, 2021 from 6:30pm to 8:30pm. At this service we will have a speaker lead our congregants in prayer for our community with a live worship team supporting the prayer through the playing of music.
2. A summer Vacation Bible School (VBS) program from Monday August 23, 2021 through and including Thursday August 26, 2021. The VBS will occur from 5:30pm to 8:30pm. This event is free and open to children between the ages of K-5th grade.
3. A church picnic on Sunday August 29, 2021 from 10:00am to 4:00pm. The picnic is free to the congregates of CenterPointe Community Church and will consist of food and outdoor games for those in attendance.

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to Centerpointe Church to waive the tent permit fees for the events named above.

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

APPROVE AUCTION RESULTS

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

BE IT RESOLVED, that the results from Auctions International bid for the online auction ending 6/23/2021 totaling \$44,472.00 be approved for the following bidders:

Lot 5 – 1999 Volvo Autocar 42B Dump Truck, Plow and Wing	\$6,100	figureitout
Lot 6 – 1995 Volvo Autocar Dump Truck with Plow and Wing	\$7,200	Gramps32594
Lot 7 – 1995 New Holland LX865 Turbo Skid Steer	\$9,600	ztenluv
Lot 8 – 1996 Ferguson 46A Double Drum Roller	\$2,900	Bobbynyny
Lot 9 – Rugby 9’L Dump Bodies	\$2,850	junkyardjim
Lot 10 – Salt Dogg 8’ Plastic Salter	\$2,275	Elitefitness2016
Lot 11 – Air Boss Skid Steer Tires	\$105	thebull
Lot 12 – Jack Hammers	\$210	signals
Lot 13 – 50LB Pneumatic Hammer Drill & Multiple Bits	\$220	icslax100
Lot 14 – Carolina Horizontal Band Saw	\$350	everett
Lot 15 – Van Dorn ½” Drill & Stand	\$12	Brianv123
Lot 16 – AWB – 1100 Car Wheel Balancer	\$560	Pmonkelban
Lot 17 – OTC #3225 Breakout Box	\$47.50	Brianv123
Lot 18 – Klene #2000 Wheel Whiz	\$830	Ears
Lot 19 -Ford New Holland Hoses	\$10	mbrown7997
Lot 21 – Homelite 4’ Trash Pump	\$115	AIRBRAKES
Lot 22 – Homelite 4” Trash Pump	\$77.50	Biker
Lot 23 – Concrete Forms	\$500	Cmur7472
Lot 25 – Clarke 2000 & Advance Pacemaker Floor Cleaner	\$50	RRpeeb
Lot 26 – Altigen Telephone IP7 Series	\$260	stargeezer

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

APPROVE –POLICE DEPT TOWING FEES

Trustee Hamernik, 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 Hamernik - Y
Trustee Ziemba - Y
Trustee Kucewicz - Y
Deputy Mayor Stempniak - Y
Mayor Peterson - Y

PERMISSION – JULY 4TH PARADE

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

BE IT RESOLVED; permission is hereby granted to The Village of Depew Police Department to participate in the Village of Lancaster’s July 4th Parade on Sunday July 4, 2021.

The forgoing resolution was seconded by Trustee Ziemba, and **CARRIED**

PERMISSION – FIRE DEPARTMENT

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

WHEREAS, Depew Fire Department would like permission to take Engine #1 & Engine #2 to the Twin District Fire Training Facility, 4999 William St, Lancaster, NY 14086 on Tuesday July 6, 2021 from 6:30 PM – 9 PM for training.

THEREFORE, BE IT RESOLVED: The above foregoing 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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

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

WHEREAS, Courtney Birch was previously with our Junior Firefighter Program and we are happy that she wishes to continue to become a member of Hook & Ladder Co. #1

NOW, BE IT RESOLVED, membership is hereby granted to the following in the Depew Fire Department:

Hook & Ladder Co. #1

Courtney Birch

The foregoing 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

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 Northside Fire Station for their chicken BBQ on Saturday July 17, 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.**

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to West End Hose Co. #6 to use the West End Fire Station for a July Christmas Party (Their December Christmas Party was canceled due to Covid-19) on Saturday July 17, 2021 from 6:00 PM–12:00 AM. All Covid 19 guidelines will be followed.

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

PERMISSION – JULY 4TH PARADE

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

BE IT RESOLVED; permission is hereby granted to The Village of Depew Fire Department to participate in the Village of Lancaster’s July 4th Parade on Sunday July 4, 2021. The apparatus in the parade is yet to be determined.

BE IT RESOLVED; permission is hereby granted for family members to ride on the trucks during the parade in non-emergency mode. The trucks will be out of service at that time.

The forgoing resolution was seconded by Trustee Ziembra, and **CARRIED**

EMPLOYMENT APPLICATIONS – Police David Passalugo Jr.

DEPARTMENT HEAD REPORTS - Building May 2021

Fire Chief’s Report
Village Board Meeting
June 28, 2021

Current Roster: 118 Firefighters, 6 Junior Firefighters

June 2021 Calls to Date: 28 YTD Calls: 139

YTD Damages: \$60,000

On Friday, June 18th at approximately 5:34pm, our department was dispatched to a reported house fire at 17 S. Kokomo Street on the south side of the Village. My first Assistant Chief was right around the corner at the time of dispatch, and was on location within a minute. First arriving fire apparatus were also on location within three minutes, and began a primary search of the structure. Upon locating the seat of the fire in a rear bedroom, initial crews were able to quickly extinguish the fire, then subsequently located a deceased victim wedged between the bed and the wall. The fire is currently under investigation and a cause has yet to be determined. The male victim was 34 years old. Fire crews also located a dog near the front door of the structure who was also found to be deceased. DFD and mutual aid crews did a great job at quickly knocking down the fire, preventing any serious extension beyond the bedroom, which appears to be the room of origin. Although my crews are taking this pretty hard, I want to commend them for their quick and efficient work. They did what they were trained to do, but unfortunately we weren’t able to get to the victim in time, as it appears the male was most likely deceased prior to our arrival.

We also recently responded to a structure fire on Babbette where the homeowner improperly disposed of ashes from a smoker in a container, then placed the container next to a wooden picket fence. The fence subsequently started on fire, and then started the back exterior of the residence on fire before the homeowner noticed. The homeowner acted quickly, and after calling 911, he began extinguishing the fire with his garden hose, which ultimately saved his home from further destruction. The fire did not extent into the

interior of the residence, and they are very lucky. Several fires that we have responded to over the past few years had much worse outcomes with similar circumstances. Residents are asked to please dispose of your ashes from smokers in a safe manner. Wet them down with water until they are thoroughly soaked, and keep them away from anything that can burn for at least 24 hours.

We also responded to a porch fire on Canton Street on June 16th. It was found that the resident had a portable fire pit on the attached wooden porch that was used the night before. The wind appeared to knock over the fire pit, almost 20 hours later, and since the ashes were still hot, they ignited the porch on fire. I want to thank Asst. Emergency Manager Galen Purpura for his quick actions. He noticed smoke coming from the rear of the residence as he was driving down the street, stopped to investigate, and began extinguishing the fire with a garden hose that was present. Residents are reminded to abide by the Open Burn Law in the Village of Depew, and for this exact reason. A grandmother was home babysitting her 3yr old grandson, who were both upstairs at the time of the call and didn't notice the fire. If it wasn't for the quick actions of Galen Purpura, this incident could've had far worse consequences.

Village Board meeting June 28, 2021

Our department and our officers are doing a great job. I want to thank the for their dedication to this Village and our residents to achieve a safe and secure community. Parking restrictions – All parking restrictions were born from residents' complaints. We studied each complaint and agreed that in the best interest of public safety that parking restrictions are recommended.

PO MENARD - has 10 years of experience in the patrol division, she is a FTO and a certified trainer. She shows great interpersonal skills, excellent communication skills and has great knowledge and understanding of police work. These skills demonstrate a firm foundation for the Police Lieutenant position. Officer Menard has really stepped up in the past few years, and has assisted this administration with securing several traffic grants. Her abilities and skills will be a great asset to the command staff and align with the needs and missions of the Depew Police Department.

PO VANKUREN - has 5 years' experience in the patrol division, he is a field training officer and has a military background. He served in Marine Cops for 4 years and assigned as the platoon leader where he oversaw a squad of marines in training, as well as combat deployment in Iraq. His experience in the patrol division, his understanding of teamwork and his leadership skills he developed in the military will be a great asset to this department and for years to come.

PASTOR PURPURA - ST. Johns Lutheran Church
PASTOR WILLIAMS - North Point Church

Both of these men are a great asset to this department. Pastor Purpura has been a part of our crisis intervention team for several years and has often been called out to assist and support our officers. Pastor Williams has experience down south as a Police Chaplain and has recently assisting our department with support or crisis intervention when pastor Purpura was unavailable. The chaplain Unit mission is to help in times of crisis and to aid in critical incidents. The Chaplain will be on site to assist our officers and support staff during trying circumstances. They will assist us with traumatic incidents and help make notifications of serious injuries or death and assist and counsel those affected. They will counsel officers as needed, participate in department ceremonies, provide scene support and assist with post -incident intervention debriefing support.

We talked a lot about officer wellness during Police reform, this chaplain program addresses this issue. We are one of the first agencies in the county to set up this type of program and will become the model for other departments to follow – so Congratulations to both of you and thank you for your much needed support.

I want to thank all our residents for their support, we couldn't do this increasingly difficult job without it – so thank you. The safety of the public is our highest priority and we are committed to ensuring all our residents feel safe in this village.

Thank you

Liz from Assemblywoman Wallace's office told the audience that she is sponsoring a summer reading program. Read for 15 minutes for 40 days and you will be certified to enter a contest to win a tablet! Looking forward to attending and participating in the 4th of July Parade this year!!! The Assemblywoman is proud to announce that they were able to secure a \$120,000 funding for the Police Department to be used on cameras!

DPW – We wanted to offer a little information on our new hauling contractor, Casella. When you put out your refuse and recycling, give Casella a chance to do their second trip around if necessary. At least give them until the next day before you being calling Debbie at the DPW. They will be back to get it. Whether the previous hauler picked something up or not is not the point, Casella is doing it the proper way, the way we agreed to. Everything must be in a tote, the tipper must reach the very top of the truck to get it inside, whereas the previous hauler's was located in the back of the truck. All must be in the tote.

Mayor Peterson wanted to share a little educational piece with the public. A pamphlet of photos were passed out to the audience, the pictures are of OVER EXCESSIVE bulk items being put out by some residents. These photos will be on Facebook. Each resident is allowed 2 bulk items per week, we did not change anything when Casella began picking up for us. Looking at the pictures, you can clearly see that they do not comply with those rules. Yard waste is NOT allowed in garbage bags or plastic bags, even though our neighbors to the West may do so, our hauler does not. It must be in the tote. When we switched to Casella they offered their services for complaints, residents could call a 1-800 number, but we felt that we wanted to have that connection with our residents so we said we would take the calls. Tags are also being placed on items that are not acceptable with a reason as to why. Casella bought 6 new trucks to service our Village so they definitely showed their commitment to us by doing so.

DPW – also reported that the contractor doing the water line replacement work are not working for the Village. They are working for the Erie County Water Authority. Complaints should go directly to 716-684-0900. Unsafe conditions, messes left behind are the biggest. However the County told us that they reigned in the contractors and are making them start and complete a job, including clean-up etc., before they can move on to another street. Paving will start the week of 7/15 and 7/16, our supplier pushed us back a week or so. Areas we will be working on are Ledyard, W. 4th, Buchanan, Bissel and Harvard. To meet the requirements for paving, the last paving job must have been done 10 years to the current year we are in.

Code – Please be patient with all of our clerks. They are trying to help when answering the phones. They are doing everything they can to help you. We are short-handed right now, but with a little luck, we will correct that this week.

Rec – the park is being used every day! Yoga is on Wednesday and Saturday's. Lacrosse is being played outside, Co-ed softball is Tuesday and Volleyball 5 nights a week. The diamonds are all being used and many people are in attendance for the games. Our pool opened on Sunday, we are open to Village residents only at this time.

Law – the law department is busy, as usual. We are working on an agreement with Cheektowaga, much like we have with Lancaster. We will follow up with that. We are also close to closing on the old reclamation land fill. If anyone has driven by it, the mounds of dirt are for the solar company, per DEC requirements. 350 acres were sold and 15 of those are for the solar company. We had to get creative on how to offset our remedial costs put upon us by the DEC.

Trustee Kucewicz thanked our Rec. Director, Kevin Ferguson for taking care of the pool! It looks beautiful!!!! Kudos to you and your team.

Trustee Ziemba added that he attended his first N.E.S.T meeting that was very interesting. The topic of flares came up and in order to get rid of old ones, you must treat them as a hazardous waste.

Trustee Hamernik gave a Kudos to the DPW for the upkeep of Veteran's Park. Thank you to Mayor Peterson for the wonderful concert Thursday, food trucks attended and so did many residents. The event was very well run. The CDAT building was given a

\$30,000 donation for the concrete wall inside. The bottom windows were installed and the building looks great!!!

Deputy Mayor Stempniak let residents know that our RFP went out to arborists to get our tree inventory under way. We should be able to start helping DPW with tree requests soon.

Mayor Peterson spoke about the upcoming concerts, which you can find online and on Facebook. Found's day will be on 7/23 with Hit and Run playing.

Paul Sprada, 58 Argus – came before the board to say that the concerts are just great! He wanted to clarify who the Screaming Pineapples were and if they were a polka band, Mayor Peterson replied no, probably music from his and Paul's era. There were a few building Paul wanted updates on, which Tony answered. Also, he offered, Great Job on the Gazebo!!! He knows it's not 100% complete just yet. Mayor Peterson informed him that Schuster Construction did the rebuilding work while our electrical department worked on their portion. It isn't done just yet, but hopefully soon. Good job on the Dom Pulski building too, it's coming along very nicely. Trustee Hamernik reported that the big sign on the front of the building will be coming down very soon. Paul asked the board what will happen with the solar panels when they go bad? He read an article that they are not recyclable. Attorney Alba said he would look into it and let everyone know. Paul likes the new garbage guys, if there is every any spill over, they come back for it and the trucks look very nice. He thinks they are doing a great job. And finally, his last comments were about the viaducts on Transit Road. He again complained about their condition and asked if the federal money that is supposed to be coming can be used for them. Mayor Peterson said he is two weeks ahead of him. He asked and the government has no interest in any of them. But if you were talking about the Skyway or Delaware Park, they'd listen. However, the Delaware Park project is losing momentum as well.

Dave Burkhardt, 5 Autumn Lea Drive rents the shelters at Fireman's Park and has for years! He is doing it again and wanted to say thanks, they look great. There are tents at different location where they are selling fireworks. Dave asked how they can do this, fireworks are illegal, where can they blow them off? Chief Miller and CEO Tony Fischione stated that only sparklers and fireworks that are not projectiles can be set off but that we have no power to place restrictions on the sales. It is regulated by the State.

Frank Stalter of Main, 166 Sawyer approached to board to discuss the excessive speeding on Main Street. All of the side streets leading to Main are out of control with speeding. No way are the doing 5 or 10 mph, more like 30. He's never, in all the years that he's lived there seen a patrol car. Nor has he seen any officer give out tickets. He suggested that someone put an officer there and they'd have a whole slew of tickets. He complained that the people driving in that area are nuts!!! You should set up patrol from 5am – 12 midnight. Mayor Peterson told him that one of the items to come out of the police reform bill was for enforcing traffic law. The Cantalician signs are very effective. He said he has called and has been told, after nearly being hit, that the camera on Wyandote does not work!!! Mayor Peterson assured him that coming before the board was the first step, the Police Chief will look into it, come back to the board with his department's recommendation and go from there.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Kucewicz and seconded by Trustee Ziembra, the following claims are to be paid: \$418,407.47 General, \$22.05 Community Development, \$833.00 Sewer, \$419,262.52 Capital was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Hamernik seconded by Deputy Mayor Stempniak the meeting was adjourned with a moment of silence for Asst Chief Ettenburg for South Line Fire Department and his family at 8:20 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak
Village Administrator

