

MEETINGS: 13  
NO. OF REGULAR: 13

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**September 28, 2020 7:00PM**

ROLL CALL: Trustee Jakubowski – Pr  
Trustee Voll - Pr  
Trustee Stempniak - Pr  
Trustee Hamernik - Pr  
Mayor Peterson– Pr

**ON A MOTION BY**, Trustee Stempniak and seconded by Trustee Jakubowski the September 14, 2020 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Voll and seconded by Trustee Hamernik the September 10, 2020 Village Zoning Board Minutes were accepted.

1. Michael & Leah Krafchak, 379 French Rd, for a variance to permit them to replace a 4ft open picket fence with a 6ft privacy fence on a corner lot as required by the Village Ordinance. Granted.
2. William J. Harrop, 200 Zubrick Rd, for a variance to permit him to exceed the allowable accessory structure height of 12ft for a new 36ftx40ft garage as required by the Village Ordinance. Granted

**PUBLIC COMMENT: Agenda Items**

Chief Miller explained the reasoning for motions 1 and 2 in his department and his new Flow Chart of command.

**APPOINT PROVISIONAL POLICE CAPTAINS**

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

Tim Norek

William Curr

for the position of Provisional Police Captains effective immediately; with an increase of 1% to match the current PBA agreement.

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

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

**APPOINT POLICE LIEUTENANT**

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

Cory Skok

for the position of Police Lieutenant from Civil Service Exam No. 077-910 List.  
Salary as per PBA Union Contract.

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

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

**APPOINT FULL TIME RECREATION LABORER**

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

Robert Fargino

to the position of Full Time Recreation Laborer.

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

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

**APPOINT PT WINTER RECREATION PROGRAM**

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

Vladimir Jovig

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

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

**RETRO WAGE PAYMENTS**

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

**BE IT RESOLVED**, that the Village Administrator is authorized to retro pay wage payments to the Police Chief at the rate increase of 1% for June 1, 2020 – September 26, 2020 and to the Police Captain at the rate increase of 1% for June 1, 2020 – September 26, 2020.

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

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

**AUTHORIZE AUTISTIC CHILD IN AREA SIGN – OLANTA ST.**

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

WHEREAS, there is an Autistic child residing on Olanta St. and for safety and notification reasons there should be a street sign noting this.

BE IT RESOLVED, that upon the request of the parent of the Autistic child on Olanta St., the Department of Public Works is authorized to place an Autistic Child sign on Olanta St.

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

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE PUBLIC HEARING - CDBG**

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

The Administrator is authorized to advertise a public hearing to discuss the Community Development Block Grant at the October 13, 2020 board meeting.

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

**AUTHORIZE MAYOR TO SIGN SERVICE AGREEMENT -NYSEFC**

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

**WHEREAS**, the Village of Depew would like to utilize New York State Environmental Facilities Corp, 625 Broadway, Albany, NY 12207 for a grant agreement for the village of Depew;

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the NYSEFC - Engineering Planning Grant Agreement.

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 Voll -Y  
Trustee Hamernik - Y

Trustee Stempniak - Y  
Mayor Peterson - Y

**AUTHORIZE MAYOR TO SIGN JUSTICE COURT GRANT APPLICATION**

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

**WHEREAS**, the State of New York Unified Court System is offering a Justice Court Assistance Program with grants available up to \$30,000 and Judge Willis would like to apply for this program,

**BE IT RESOLVED**, Mayor Kevin Peterson and the Board of Trustees hereby approve this application and Mayor Kevin Peterson is authorized to sign the Justice Court Assistance Program Grant Application.

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

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

**PERMISSION - SEQR**

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

Adopt SEQR Negative Declaration Re: Purchase and sale agreement with 4293 Broadway, LLC

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

**AUTHORIZE MAYOR TO SIGN PURCHASE AND SALE AGREEMENT**

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

**WHEREAS**, Mayor Kevin Peterson is requesting permission to sign a purchase and sale agreement with 4293 Broadway, LLC for the sale of 15 acres of land consisting of part of 4309 Broadway St, Depew, NY 14043 to 4293 Broadway, LLC at a rate of Ten Thousand Seven Hundred Twenty-One and 76/100 dollars per acre (\$10,721.75/ACRE

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is allowed to sign the purchase and sale agreement with 4293 Broadway, LLC.

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

## **PERMISSION CHICKEN BBQ**

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

**BE IT RESOLVED**, permission is hereby granted to Parish of Blessed Mother Teresa of Calcutta, 496 Terrace Blvd, Depew, NY, to hold a TAKE OUT ONLY Chicken BBQ Dinner on Saturday October 17, 2020 from 3 pm until 5:30 pm. All COVID guidelines will be followed.

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

**EMPLOYMENT APPLICATIONS** - Rec -Vladimir Jovig, Rec -Rob Fargino, Village Hall – Brandon Daniels

**DEPARTMENT HEAD REPORTS** - None

**UNFINISHED AND OTHER BUSINESS** – Phillip Laugeman Assistant Engineer, Region 5 Highway Design New York State Department of Transportation, new sidewalks along Transit Rd between French Rd. and Wehrle Dr.

## **PUBLIC CONCERNS AND COMMENTS**

Chief Miller – see attached report

Chief Rzeszutek – see attached report

Superintendent of PW Mazurek – the guys are between jobs now, leaves, DI's and hot patching. Every day stuff is being addressed. The street sweeper is out and also using to pick up leaves. Our mechanics are working on the actual leaf picker to get that back on the road. Also working at the North Side Fire Hall doing some lawn work and removing trees. Next week we'll be working with our Electrician, George at Vet's Park to build a shelf for him to place his turn on/shut off equipment.

Mayor Peterson for Recreation Director Kevin Ferguson – The rink is now open and looks fabulous. We are getting a lot of cooperation from our coaches and players for our social distancing rules and regulations. It is disappointing however, that we are not yet allowed to open the rink to the public for our learn to skate program and open skates. As soon as we can we will let everyone know.

RJ Nieman OEM Director – all is pretty much the same for them. Ordering supplies as we need them and making sure everyone has what they need.

Mayor Peterson for Code Enforcement Officer Tony Fischione – Exciting business going on in the Village. Dollar General is about to open and Made in America, on Transit Road across from Rt 78 had its soft opening that he attended. Very excited to have them in our Village!!

Trustee Hamernik – to Kevin Ferguson, the rink looks absolutely tremendous! Worked on cleaning out the upcoming Community Center last Saturday and now getting ready to meet with future people/organizations who may be interested in donating their time or materials to begin more renovations. On the 26<sup>th</sup> we had our Food drive which brought with it \$3000 in cash donations and 250 boxes of food! Thank you to the DFD, PD for being at the D&L Plaza for it. Mayor Peterson also thanked Bowmansville Fire Dep't for also taking part in it.

Trustee Jakubowski – will be getting together with Supervisor Benczkowski in Cheektowaga to see how they are doing with their recycling program that they just implanted not long ago and report back to the board at our next meeting.

Trustee Voll – Congratulations to all of our promotions! Will have other points at the next meeting to review. Thank you Mayor for the work on getting the Grant for George Urban Blvd!

Trustee Stempniak – On 10/17 we will have our postponed Arbor Day Event at Fireman's Park. There will be more to come on that, keep your eyes on social media for updates.

Elizabeth Brinkworth – The Assemblywoman has hosted 2 local food drives lately and both were very successful. Thank you Trustee Hamernik for your hard work. She is also working on a bill to allow for earlier, expanded visitation to our nursing homes.

Bob Brandon – the deadline for the census has been extended again until 10/30. Please complete yours if you have not already. They are also working on increasing the broad band in our area for better results. There will be more CDBG money to be shared by the Town of Cheektowaga, not sure exactly what it is for just yet.

From the public – congratulations to all new promotions!!!!!! A resident asked how to report fireworks being blown off during Bills' games now in the area of Wayside Drive. Chief Miller told her to call our dispatch number at 683-1123 to report it so a car can be dispatched to check the area. If you don't call, we don't know about it.

### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Stempniak and seconded by Trustee Jakubowski, the following claims are to be paid: \$423,075.71 General, \$ 840.99 Sewer Fund, \$423,916.70 Capital was **CARRIED**.

### **ADJOURNMENT**

**ON A MOTION BY** Trustee Jakubowski, seconded by Trustee Hamernik, the meeting was adjourned with a moment of silence for Justice Ruth Bader Ginsberg and Lorraine Jankowski, former employee in Justice Court for many years at 8:22 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak  
Village Administrator

