



MEETINGS TO DATE: 5

NO. OF REGULARS: 4

### AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW

May 13, 2024 7:00PM

PLEDGE OF ALLEGIANCE

INVOCATION -

NOTIFICATION OF FIRE EXITS

ROLL CALL:           Trustee Hamernik  
                          Trustee Ziemba  
                          Trustee Kraft  
                          Deputy Mayor Adolf  
                          Mayor Peterson

APPROVE VILLAGE BOARD MEETING MINUTES – April 9, 2024

APPROVE VILLAGE BOARD MEETING MINUTES – April 22, 2024

APPROVE SPECIAL BUDGET MEETING MINUTES – April 29, 2024

### PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing - TEMPORARY DUMPSTERS AND NONMUNICIPAL COLLECTORS
2. Permission – Village Administrator
3. Approve – SLA Waiver
4. Permission – Fire Department
5. Permission to Sign – USDA Survey
6. Permission to Sign - Independent Health and TASC
7. Approve – Award Bid - Lancaster
8. Approve – Award Bid – Cheektowaga
9. Approve – Fire Dept.- Retro Events
10. Authorize – Accept Bid – Court
11. Permission - Parade
12. Employment Applications – REC – Nancy Ninov, Kennedy Klein, Joseph Podraza, Taylor Thompson  
Nicholas Karnyski, Brady Meyer, Joseph Aquino, Nathan Gervase-  
Reynolds  
DPW – Joseph Aquino  
Police – Joseph Aquino, Cody Burnett
13. Department Head Reports – Police - April
14. Unfinished and Other Business
15. Public Concerns and Comments
16. Claims and Accounts
17. EXECUTIVE SESSION
18. Adjournment

**BE IT RESOLVED**, the Village Administrator is hereby authorized to advertise for a public hearing to discuss temporary dumpsters and nonmunicipal collectors, Local Law #2 of 2024. The public hearing will be held on May 13, 2024 at 7 PM in the Council Chambers, Village Hall, 85 Manitou St, Depew, NY 14043.

**VILLAGE OF DEPEW**  
**DUMPSTERS AND NONMUNICIPAL COLLECTORS.**

**A. Definitions.**

(1) A residential dumpster shall be defined as any temporary dumpster located in a residentially zoned area and not to exceed \_\_\_\_\_ in size.

(2) A commercial dumpster shall be defined as any temporary dumpster located in the Village of Depew and not to exceed \_\_\_\_\_ in size.

**B. Fees.**

For a residential dumpster permit, the fee shall be \$10.00, plus \$35.00 per day for each day or fraction thereof that the dumpster shall remain upon public property beyond FOURTEEN ("14") days.

For a commercial dumpster permit, the fee shall be \$100.00, plus \$35.00 per day for each day or fraction thereof that the dumpster shall remain upon public property beyond THIRTY ("30") days.

**C. Exclusions.**

Specifically excluded from this provision and this fee requirement are any dumpsters permanent in nature located at residential complexes, commercial buildings, or other properties in the Village which are either owned by the property owner or leased pursuant to an agreement of more than 90 days.

**D. Penalties for Offenses.**

The penalties for violation of any provision of this article shall be as follows:

**(1)** A fine of \$50 for the first violation.

**(2)** A fine of \$100 for the second violation.

**(3)** A fine of \$200 for the third and each subsequent violation.

In addition to the above fines, the Village shall be entitled to collect the dumpster fees due and owing for each day exceeding the dumpster permit fee. Only one violation fine may be issued for each dumpster rental event.

### **E. PRIOR REGULATIONS**

The dumpster regulations detailed in Village of Depew Code Section 260-14(j) and 260-35(c)(1)(f) remain in full force and effect and compliance with these requirements is a condition of a residential or commercial dumpster permit.

**PERMISSION TO PURCHASE MATERIALS**

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

**WHEREAS**, permission is given to the Village Administrator to purchase materials using restricted fund balance from the General Fund, not to exceed \$17000 from the ice rink improvement funds for the Recreation Department.

**NOW THEREFORE BE IT RESOLVED**, that the Village Administrator has permission to use these funds to purchase materials.

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

Trustee Hamernik -  
Trustee Ziemba -  
Trustee Kraft -  
Deputy Mayor Adolf -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024  
Agenda Item # 2

\_\_\_ Approved \_\_\_ Denied

RESOLUTION

May 13, 2024

AUTHORIZATION FOR Waiver

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

WHEREAS, 57 Ninety Restaurant & Catering has completed the Standardized Notice Form for Providing 30-Day Advance Notice of Intent to file a new application for an On-Premises Alcoholic Beverage License for beer to the Village of Depew to be sold at 5790 Transit Road, Depew, New York 14043 for an on-premises liquor license; and

WHEREAS, pursuant to the applicable provisions of the Alcohol and Beverage Control Law Section 64, Subdivision 2(a), the Village of Depew has been notified of their intent to file an application for a liquor license with the New York State Liquor Authority; and

WHEREAS, a thirty (30) day hold before said application can be filed is mandated by New York Alcohol and Beverage Control Law, unless, this time is waived by the municipality, and

WHEREAS, the Village of Depew Board of Trustees wishes to assist the applicant in expediting the application process and sees no objection to the issuance of a Liquor License;

**NOW, THEREFORE, BE IT RESOLVED**, that to the extent permitted by the New York State Liquor Authority, the Village of Depew Board of Trustees hereby waives the requirement that written notice of the application be given to the Village at least thirty (30) days prior to submitting this application; and

**BE IT FURTHER RESOLVED**, that the Village Administrator is hereby authorized to issue a letter to the applicant and to the New York State Liquor Authority to confirm the Village's receipt of the Notice of Intent to file for the liquor license and a waiver of the thirty (30) day hold on the processing of said application

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

Trustee Hamernik -  
Trustee Ziembra -  
Trustee Kraft -  
Deputy Mayor Adolf -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024  
**Agenda Item # 3**

\_Approved \_Denied

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to the Depew Fire Department's Central Hose Company #4 on Saturday, May 18<sup>th</sup> to use the picnic shelter at our northside fire station located at 112 Brewster Street from 12:00pm till 10:00pm for a company membership appreciation event.

And

Permission is hereby granted to the Depew Fire Department's Hook & Ladder Company #1 on Saturday, June 15<sup>th</sup> to use the southside fire station for their annual Chicken Barbecue fundraiser from 06:00am till 8:00pm.

And

Permission is hereby granted to the Depew Fire Department the following apparatus to go to a live fire training at the Fire Academy located on Broadway in Cheektowaga on Tuesday, May 28th.

- 1.) Morning Drill- Ladder 5 & Rescue 7 from 9:00am till 11:30 am
- 2.) Evening Drill- Engine 1, Engine 3, & Rescue 7 from 18:30 hours till 21:30 hours.

The foregoing resolution was seconded by Trustee \_\_\_\_\_ and **CARRIED.**

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024  
Agenda Item # 4

\_\_Approved \_\_Denied

RESOLUTION

May 13, 2024

**AUTHORIZE MAYOR TO SIGN USDA INVASIVE INSECT SURVEY**

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

**BE IT RESOLVED**, that Mayor Kevin Peterson, is authorized to sign an agreement with USDA invasive insect survey with the Animal and Plant Health Inspection Service through the US Department of Agriculture.

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

Trustee Hamernik -  
Trustee Ziemba -  
Trustee Kraft -  
Deputy Mayor Adolf -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024

Agenda Item # 5

\_\_Approved \_\_Denied



RESOLUTION

May 13, 2024

**PERMISSION TO SIGN – INSURANCE AGREEMENT**

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

**BE IT RESOLVED**, Village Administrator Regina Grzankowski is authorized to sign the Independent Health and TASC insurance agreements.

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

Trustee Hamernik -  
Trustee Ziemba -  
Trustee Kraft -  
Deputy Mayor Adolf -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024

Agenda Item # 6

\_\_Approved \_\_Denied

RESOLUTION

May 13, 2024

**AWARD BID- SIDEWALK BID – LANCASTER SECTION**

Trustee \_\_\_\_\_ offered the following resolution and moved for its adoption:

**BE IT RESOLVED**, that upon the recommendation of the Village Engineer, the bid for the Sidewalk Bid from the bid opening April 18, 2024 in the bid amount of \$144,547.50 be awarded to:

Premier Concrete and Landscapes of WNY  
3045 Seneca St.  
West Seneca, NY 14224

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

Trustee Hamernik -  
Trustee Ziemba -  
Trustee Kraft -  
Deputy Mayor Adolf -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024  
**Agenda Item # 7**

\_Approved \_\_Denied

RESOLUTION

May 13, 2024

**AWARD BID- SIDEWALK BID**

Trustee \_\_\_\_\_ offered the following resolution and moved for its adoption:

**BE IT RESOLVED**, that upon the recommendation of the Village Engineer, the bid for the Cheektowaga section of Sidewalk Bid from the bid opening April 18, 2024 in the bid amount of \$92,195.00 be awarded to:

P&J Construction Co. Inc  
709 Pleasant View Dr.  
Lancaster, NY 14086

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

Trustee Hamernik -  
Trustee Ziemba -  
Trustee Kraft -  
Deputy Mayor Adolf -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024  
**Agenda Item # 8**

\_\_Approved \_\_Denied

**PERMISSION – DEPEW FIRE DEPT - RETRO**

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

Permission is hereby granted to the Depew Fire Department's Engine 2 to be used for an EVOC that 2 of our members are taking at South Wales Fire Station on Saturday, May 11th from 8:00am hours till 12:00pm.

AND

Permission is hereby granted to the Depew Fire Department's Engine 6 & Rescue 7 to be at the Fire Academy in Cheektowaga for live fire training on Tuesday, May 7th from 7:00pm till 9:00pm.

And

Permission is hereby granted to the Depew Fire Department's use of the gazebo at the northside fire station for a going away celebration for Firefighter Christopher Peters Jr. on Saturday, May 11th 12:00pm till 6:00pm.

The foregoing resolution was seconded by Trustee \_\_\_\_\_ and **CARRIED**

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024  
Agenda Item # 9

\_\_Approved \_\_Denied

RESOLUTION

May 13, 2024

**AUTHORIZATION TO ACCEPT BID AND TO SIGN CONTRACT**

Trustee \_\_\_\_\_ offered the following resolution and moved for its adoption:

WHEREAS, the Village Board had previously approved the bid of Advance Alarm for purchase and installation of security equipment for the Depew Village Court, and,

WHEREAS, Advanced Alarm has withdrawn the bid at the present time,

BE IT RESOLVED, that the Depew Village Justice court is allowed to accept the next lowest bid proposal, which was submitted by Kiercom Communications, Inc., 11460 Tomarsue Rd., Marilla, NY, in the amount of \$7,440.00 and it is

FURTHER RESOLVED that the Village shall make in-kind contributions to the project including the Village Attorney assisting in the preparation of a contract for service, utilizing the Village electrician and IT Contractor for integrating the system into the existing system within the village and into the Court clerks' office, and it is

FURTHER RESOLVED that the Depew Village Justice, Kathleen M McDonald is permitted to sign all contracts and necessary documents for the fulfillment of this project, including all needed accounting to be provided to the State, and it is

FURTHER RESOLVED that copies of all information related to this project, including but not limited to the contract, submission and payment of bills, and compliance paperwork, shall be jointly shared with and completed by the Court staff and the Village Administrator.

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

Trustee Hamernik -

Trustee Ziemba -

Trustee Kraft -

Deputy Mayor Adolf -

Mayor Peterson -

VILLAGE OF DEPEW

May 13, 2024

Agenda Item # 10

\_\_\_Approved \_\_\_Denied

RESOLUTION

MAY 13, 2024

**PERMISSION TO HOLD MEMORIAL DAY PARADE**

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

**BE IT RESOLVED**, permission is hereby granted to the Depew Joint Veterans Committee to hold their annual Memorial Day Parade and Services on Monday, May 27, 2024 beginning at 10:45 AM. The Police Department who will provide necessary traffic enforcement has approved the parade route, which is Manitou St. to Terrace Blvd and ending at Veteran's Park.

Depew Fire Department, Depew Police Department, Depew High School Marching Band and various Boy Scout and Girl Scout troops will be in the parade.

The Electrical Department will set up the speaker system. The South Side Fire Hall will be used for refreshments.

The forgoing resolution was seconded by Trustee \_\_\_\_\_ and **CARRIED**.

VILLAGE OF DEPEW  
BOARD MEETING  
May 13, 2024

**Agenda Item # 11**

\_\_Approved \_\_Denied