

MEETINGS: 24  
NO. OF REGULAR: 23

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**March 11, 2024 7:03 PM**

ROLL CALL: Trustee Hamernik -PR  
Trustee Ziemba – PR  
Trustee Kraft - PR  
Deputy Mayor Adolf - PR  
Mayor Peterson - PR

**ON A MOTION BY**, Deputy Mayor Adolf and seconded by Trustee Ziemba, the minutes of the February 26, 2024 village board meeting were approved.

**ON A MOTION BY**, Trustee Ziemba and seconded by Deputy Mayor Adolf, the minutes of the March 1, 2024 special village board meeting were approved.

**Public Comment Agenda Items Only:**

Paul Sprada, 58 Argus: Commented that he hopes with the tentative budget the Village doesn't turn into what Amherst has turned into and a reminder about the bonding cost of the Fire Department utility truck and the expense of the Police Dispatch office.

Mayor Peterson: Explained how the Village changed out their streetlights for a cost of \$56000 as opposed to the costs facing the Towns of Cheektowaga and Amherst, and Legislator Frank Todaro provided funding towards the Dispatch project and mentioned the cost of 4 people retiring from the Police Department.

Dave Burkhardt, 5 Autumnlea: Wondered about the State paying out the retirement for retired workers and asked how much we have in the reserve funds.

The Public Hearing was opened at: 7:17PM with a motion by Deputy Mayor Adolf and a second by Trustee Kraft.

**BE IT RESOLVED;** the Village Administrator is authorized to advertise for a public hearing. The public hearing will be held on Monday March 11, 2024 at 7:00 PM in the Council Chambers, Village Hall, 85 Manitou St, Depew, NY 14043. The purpose of this hearing is to consider Local Law 1 of 2024 authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c. If adopted, the proposed local law shall read as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Depew to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**Section 3: Tax Levy Limit Override**

The Board of Trustees of the Village of Depew, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

**Section 4: Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, form or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5: Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

No Public Comments for the Public Hearing.

The Public Hearing was closed at 7:21 PM with a motion by Deputy Mayor Adolf and seconded by Truster Kraft.

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR A PUBLIC HEARING FOR TENTATIVE 2024-2025 BUDGET**

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

**BE IT RESOLVED**, the Village Administrator is hereby authorized to advertise for a public hearing for the tentative 2024 - 2025 budget to take place on Monday March 25, 2024 at 7:00 PM in the council chambers.

The following 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 Kraft - Y

Deputy Mayor Adolf - Y

Mayor Peterson – Y

**AUTHORIZE VILLAGE ADMINISTRATOR TO ADVERTISE FOR THE REORGANIZATION MEETING**

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

The Village Administrator is authorized to advertise for the reorganization meeting to take place on Monday April 1, 2024 at 7:00 pm in the council chambers, Village Hall, 85 Manitou St, Depew, NY 14043.

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 Kraft - Y  
Deputy Mayor Adolf - Y  
Mayor Peterson - Y

### **PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT**

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

**BE IT RESOLVED**, membership is hereby granted to the following in the Depew Fire Department pending the passing of his physical:

West End Hose Co  
Christopher M Gauthier

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

### **PERMISSION –WAIVE PERMIT FEE**

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

**WHEREAS**, Depew High School, 5201 S. Transit Rd, Depew, NY 14043 has requested permission to waive the sign permit fee for the portable temporary sign that is to be placed in front of the high school by Transit Rd to advertise their upcoming production of The Sound of Music, which runs March 15<sup>th</sup> and March 16, 2024.

**NOW, THEREFORE, BE IT RESOLVED**, that permission is hereby granted to Depew High School, 5201 S. Transit Rd, Depew, NY 14043 to waive the sign permit fee for the portable temporary sign advertising their production of The Sound of Music.

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

### **MODIFY 2023/2024 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2023-2024 Budget in the following manner:

1. Revenues – 10.4.2270 – \$22,084.28  
Expenditures 10.5.3120.107 -\$22,084.28
2. Revenues 10.4.2270 – \$56356.44  
Expenditures 10.5.3120.107 – \$56356.44
3. Revenues 10.4.2270 -\$364.28  
Expenditures 10.5.3140.403 - \$364.28

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

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

## **EMPLOYMENT APPLICATIONS**

## **DEPARTMENT HEAD REPORTS**

### **PUBLIC COMMENTS:**

Don Bielefeld, Code Enforcement: Spring is coming, keep up on your yards, number of violation letters have been sent out for unregistered vehicles, a lot still out there on their radar. A couple of new businesses – Pam’s Pudding & Pies, inspected the space and let them know what was needed to get into compliance, pierogi shop going into old Kentucky Greg’s smokeshop and working to tag some house for demolition.

Ken Pyc, DPW Superintendent: Tree cutting is winding down, started stumping, no need to call, we will topsoil and seed it. Streetsweepers were out for a few days, and will be back out weather permitting.

Kevin Ferguson, Recreation Department: Two weekends of open skate left, and two learn to skate sessions left, and then we are done for the year with the rink. Coming up for the spring, on Mondays, we have kickball, Tuesdays floor hockey, Wednesday, softball, Thursday, volleyball, lacrosse and Fireman’s softball, and Friday, another Co-ed softball league. All in May/first week in June.

Fire Department (read by Regina Grzankowski): 17 calls since the last board meeting and 66 calls year to date, Our apparatus replacement committee has a pre-construction meeting this Wednesday and construction will then begin on the new utility truck., Working on getting more of the details on the volunteer firefighter incentive program for state training courses to be funded through the state recently passed by Governor Hochul, I would like to thank Trustee Ziemba for his assistance in getting 3 pallets of bottled water donated to the fire department for a pallet at each of our fire stations for our

firefighters, Also I'd like to thank the DPW & Superintendent Ken Pyc for their assistance with some recent projects at our fire stations.-

Sam Alba, Village Attorney: Draft of dumpster law out with fees to make it so there is timing enforcement on residential dumpsters and commercial dumpsters, excluded from that are permanent dumpsters that larger buildings have that are regularly picked up. The hope is to have a public hearing on that in the next month or so – Trustee Adolf has stayed on top of it and have a strong working first draft. Still have a couple of Article 7's out there.

Captain Thomson, Police Department: 102 criminal complaints and 944 non-criminal complaints with a total of 1,046 criminal complaints, we had seven stolen vehicle, eight recovered stolen vehicles, property damage accidents were 13, injury accidents five, we had one pedestrian struck and twenty two male arrests, seven female arrests, 53 parking tickets issued, 62 disposed of, total of \$1,650 in fines paid and total value of property lost and stolen was \$114,700. Also there's been an increase in people coming into the neighborhood going through cars, we'd like to remind residents make sure you lock your doors keep, keep them locked and keep the keys out of them. So, they're taking the cars with the keys and obviously the Kia is also try to block it in so they can't get the Kia.

Trustee Ziemba: Residents are interested in composting the Northeast South own's Home Hazardous Waste Material which we are affiliated, the Village's affiliated with, Composters, it's \$30, you go online to [nest.composters.sale.com](http://nest.composters.sale.com). This will be on website tomorrow. Don't call Regina with questions if you got them. The organization's picking up half the cost so normally it would be \$61. This composter, with the screen to keep rodents out and the turner to grind stuff up, it's \$30. So, you go on to the NEST website, you reserve one, it'll be shipped after April 15th to our DPW and then you got to arrange for pickup after that from the DPW garage but don't call the DPW. If you got questions call Village Hall and hit extension 131 and I will get back to you. All the questions should come through me guys, my email [dziemba@villageofdepew.org](mailto:dziemba@villageofdepew.org), email me or call me with the questions. I'll just read a little bit about it, lightweight, easy to assemble, adjustable ventilation so it won't smell, conical shape for easy removal, pesticide restraint lid, 10-year warranty. It's on the NEST website, if you got questions call me at extension 131 or email me and I'll get back to you okay. The event in July, the Village will be hosting a home hazardous waste drop off event, the 2<sup>nd</sup> Saturday in July, Location will be the DPW Department again the grounds there. Exactly what we're going to take isn't out yet, the flyer will be generated by the County and by Nest so, as soon as that's done we'll put that out there. You're going to have to call in for that, make an appointment but you'll be able to drop off just about any stuff that normally isn't taken, paints, pool chemicals, batteries stuff like that. It's a home hazardous waste that you normally can't get rid of and it'll be free of charge at DPW garage. The hours and all the specifics will be coming out soon. I don't have them yet.

Trustee Hamernik: Asked for prayers for her brother who is not expected to make it through the night. The community center is coming along very well, hopefully soon will have the certificate of occupancy once we get the fire alarm finished in the ceiling on the stage. We did a co-op with Lancaster Opera House and are hoping maybe to open in late

spring. Bonnie Lockwood, Governor Kathy Hochul's executive director visited today – they were very impressed. Also selling raffle tickets, \$10 to benefit the community center with prizes donated from Salvatores.

Deputy Mayor Adolf: Save the date for the Arbor Day celebration – it will be the last weekend in April, on Saturday, 27<sup>th</sup>. We will have saplings to hand out, that order has been placed so we will have trees for the residents at Fireman's Park. If you are unable to attend it, hopefully we will have a few saplings left over where you can contact the Village and request a tree.

Mayor Peterson: Since the last meeting we had the community relations person from DPD, Lt. Menard and representation from the Fire Department, Assistant Chief John Hughey in the beginning stages of planning National Night Out which is August 6<sup>th</sup> and that will be at Fireman's Park, there will be more coming as they continue to meet and get things together. Our concert series lineup was finalized and posted on Facebook, we have little handouts people can pick up, there are 8 concerts, they start a week early, we are not doing a concert on July 4<sup>th</sup>, and the concert on July 18<sup>th</sup> will be incorporated as a part of Founder's Day, so the event stage and tent will be up on Terrance and kick off a total of two and a half days, so we have DoubleShot on Thursday, we were disappointed we didn't get Strictly Hip, but then we're happy we that we got the Strictly Hip back on the schedule for Friday, 19<sup>th</sup> and Nerds Gone Wild on Saturday. Glenn Colton will be performing for the kids, and we made arrangements for bounce houses on both Friday and Saturday.

Paul Sprada, 58 Argus: Liked the color of the room, lighting and ceilings. National Fuel subcontractors are replacing the gas lines and they are finally getting outside gas meters. Wanted to thank Ken and his crew for picking up a tree root, grinded it and then the streetsweeper was right there as well, didn't have to call them. And NYSEG sent postcard about replacing electric meters.

#### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Ziemba and seconded by Trustee Kraft the following claims are to be paid: \$145,157.62 General, \$1,301.17 Sewer, \$3,073.50 Capital Projects for a total \$149,531.84 was **CARRIED**.

#### **EXECUTIVE SESSION**

At 7:48pm Trustee Hamernik made a motion to enter executive session to discuss a personnel, labor and legal matter, Deputy Mayor Adolf seconded.

At 8:32 pm Trustee Hamernik made a motion to exit out of executive session, Deputy Mayor Adolf seconded.

No decisions were made.

#### **ADJOURNMENT**

**ON A MOTION BY** Trustee Hamernik and seconded by Trustee Ziemba the meeting was adjourned at 8:32 PM.

Respectfully submitted,

Regina Grzankowski  
Village Administrator