

MEETINGS: 5
NO. OF REGULAR: 4

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
May 13 2024 7:06 PM

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

ON A MOTION BY, Deputy Mayor Adolf and seconded by Trustee Kraft, the minutes of the April 9, 2024 village board meeting were approved.

ON A MOTION BY, Trustee Kraft and seconded by Deputy Mayor Adolf, the minutes of the April 22, 2024 village board meeting were approved.

ON A MOTION BY, Trustee Hamernik and seconded by Trustee Ziemba, the minutes for the special budget meeting on April 29, 2024 were approved.

Public Hearing

The Public Hearing was opened at 7:19 PM by Deputy Mayor Adolf and seconded by Trustee Kraft

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.

The Public Hearing was closed at 7:24 PM by Deputy Mayor Adolf and seconded by Trustee Kraft.

Public Comment for temporary dumpsters and nonmunicipal collectors, Local Law #2 of 2024

Paul Sprada, 58 Argus Dr: Asked if there is going to be a size and time limit on them. Asked if seasonal or all year round.

Deputy Mayor Adolf: Stated this came about because of dumpsters sitting a long time on properties for an excessive amount of time, aim to put the dumpsters on the books so we know where they are and make sure they are timely, not going to comment on the size going forward, amend the draft, it’s the timeframe that matters. Stated it is all year round.

Dave Burkhardt, 5 Autumn Lea: Asked if anyone who wants a dumpster has to get a permit for it. Asked if other municipalities have it.

Deputy Mayor Adolf: Stated there will be a form we will develop and will allow the Code Enforcement office to have discretion as to where the dumpster goes and what is it going to be used for. Stated there are other municipalities that have dumpster permits, used those to structure those as well.

Mayor Peterson: Stated it’s another way of getting the items collected where Casellea will take only two bulk items a week, a way to get rid of, if you’re cleaning out your basement but to your neighbor’s concern, its not going to sit there forever.

Public Comment Agenda Items Only:

N/A

PERMISSION TO PURCHASE MATERIALS

Trustee Ziemba, 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 Deputy Mayor Adolf 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

AUTHORIZATION FOR Waiver

Trustee Hamernik, 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 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

PERMISSION – DEPEW FIRE DEPT

Deputy Mayor Adolf, 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 18th 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 15th 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 Hamernik and **CARRIED**.

AUTHORIZE MAYOR TO SIGN USDA INVASIVE INSECT SURVEY

Trustee Kraft, 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 Deputy Mayor Adolf, 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 TO SIGN – INSURANCE AGREEMENT

Trustee Ziemba, 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 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

AWARD BID- SIDEWALK BID – LANCASTER SECTION

Trustee Hamernik 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 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

RESOLUTION

May 13, 2024

AWARD BID- SIDEWALK BID

Trustee Kraft 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 Deputy Mayor Adolf 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 – DEPEW FIRE DEPT - RETRO

Deputy Mayor Adolf, 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 Kraft and **CARRIED.**

AUTHORIZATION TO ACCEPT BID AND TO SIGN CONTRACT

Trustee Ziemba 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 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 TO HOLD MEMORIAL DAY PARADE

Trustee Hamernik, 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 Kraft and **CARRIED.**

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

DEPARTMENT HEAD REPORTS: Police Department, Building Department

PUBLIC COMMENTS:

Don Bielefeld, Code Enforcement: For the month of April, issued 63 permits, year to date 234. Grass cutting season is upon us, went out twice now, at least 65 potential violations, lot of grass out there needs to be cut, so please cut your grass so we don't have to send you a violation letter, not observing no mow may, if it continues, will go to court, not doing repeat violations. About 95% of people have their grass cut properly, if people are saying they can't get it done, really no reason for it, and if you do have a good reason, bring to our attention and we will work with you. DMV is officially open as of this morning, boutique opens tomorrow and Sew What has their final tomorrow. So another couple businesses open for the residents.

Chief McNamara, Police Department: For the month of April, handled 1075 complaints, 95 were criminal, 26 arrests, 36 accidents in the Village, six injury accidents, one involved a bicycle. One vehicle stolen, recovered in the City of Buffalo. 15 parking tickets, 376 traffic summons. We kicked off our e-bike campaign, there are flyers out there on the table and on social media, trying to educate the youth and public about e-bikes, please follow those rules.

Chief Musielak, Fire Department: 17 calls since last Village Board meeting, 120 year to date, 2 mutual aid structure fires in the Village of Lancaster, one of old railroad trestles the past Friday behind the ice rink was on fire, want to thank our mutual aid company, Bellevue for coming out to help us with their utility vehicle and side by side, it was quite a ways back – Assistant Chief Aquino was in charge of that call and everybody worked pretty hard that was there. Utility truck project is going forward, seems to be going well, fingers crossed going to receive that apparatus in the Fall. Radio improvement and communication project is going well, hopefully this time next year will have new radios and portables and improved communication between PD and ourselves at a fire scene. By the end of this month, all our members will be in 100% compliance and certified in CPR and basic first aid, and wish one of our members who got a career job at Prince William County in Virginia good luck in his future endeavors, Christopher Peters Jr, really good firefighter, got his start here as a junior, losing a good firefighter but wish him good luck. Time of season where everyone is grilling, cutting lawns, doing stuff outside, just make sure of fire safety, wait until lawnmower cools off before putting in garage or shed, grill cools off before putting away/too close to the house.

Recreation Report (Read by Regina Grzankowski): Will have to interview for lifeguards, have 22 applicants, pool is up and running, floor hockey starts tomorrow night, Chief there will be cars at the rink until 11pm, just an FYI. Pool is already clear, all renters at the pavilion very happy and always complimentary, Fire Chief, thank you for the hose, men are very grateful, thank you Kevin.

Mayor Peterson: Just so we are clear on the pool, we authorized last year, an early attempt to get at the pool so we didn't run into something we had a couple years ago when we went to get it all hooked up and the pump didn't run properly. So yes, the pool is being cleared and cleaned and chlorinated and opening date is June 23rd if not mistaken, but you can certainly call there for passes and so forth. We don't have a DPW report but I can tell you that they've been pretty busy, they graded the large area in the front of the Pavilion, where the geothermal heating unit is, it has been hydroseeded, they've done work prepping the basketball court for the new lights the Electric Department put up. I know they are working on the rest of the grass areas coming up as well as new dugouts for the little league field. The staff there is also doing work to improve the conditions of those little league fields.

Trustee Ziemba: Good evening, just want to remind residents we will be hosting the Home Hazardous Paint and Battery collection on July 13, it will be at DPW grounds, you cannot register yet, cannot register until a month in advance. I don't have details on the hours finalized yet, but when I do I'll let you know.

Trustee Hamernik: Next time you come to our Village meeting the front of the Village will be all yellow. Centerpoint Church is donating their time to fix up the front of our Village, to give them credit for that.

Deputy Mayor Adolf: Like to thank everyone who attended the Arbor Day celebration, Paul, thanks for coming out. Handing out some trees to residents, so hopefully those were planted. Additionally, after the event, I handed several trees to residents throughout the Village that came to me or were interested. Hopefully, have some new trees throughout the Village which is great. We are a Tree City USA again which I'm very proud of.

Mayor Peterson: There are 12 new trees in Fireman's Park that were donated to the Village by the Lancaster Depew Rotary Club.

Dave Burkhardt, 5 Autumnlea: Wanted to speak to DPW because states last year got a letter from them saying they wouldn't pick up his hedge trimmings anymore because they clog the machine.

Paul Sprada, 58 Argus Drive: Mentioned the new restrooms in the newly remodeled DMV. Mentioned Arbor Day was on same day as Lancaster's and while at event, someone went by on e-bike.

Mayor Peterson: Stated he stopped him after third time and gave a little bit of counseling session.

Trustee Hamernik: Updated on the community center, hoping to move along, maybe in June once have certificate of occupation, maybe get the doors open for the middle level, Cheektowaga gave us a wheelchair elevator, so will be somewhat ADA compliant. Discussed potential partnership with Depew Schools, Special Education program for off-site rooms, working on framing meeting rooms upstairs, Schuster finishing the stage area, Coming along really nice, Monica Wallace gave \$125000 towards it.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Ziemba and seconded by Deputy Mayor Adolf the following claims are to be paid: \$186,671.25 General, \$8,020.00 Community Development, \$56,095.00 Capital Projects for a total \$250,786.25 was **CARRIED**.

EXECUTIVE SESSION

ON A MOTION BY, Deputy Mayor Adolf and seconded by Trustee Hamernik, the executive session was tabled.

ADJOURNMENT

ON A MOTION BY Trustee Hamernik and seconded by Trustee Kraft the meeting was adjourned at 7:59 PM.

Respectfully submitted,

Regina Grzankowski
Village Administrator