

MEETINGS: 11
NO. OF REGULAR: 9

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
August 12, 2024 7:02 PM

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

ON A MOTION BY, Trustee Kraft and seconded by Deputy Mayor Adolf the minutes of the June 24, 2024 village board meeting were approved.

ON A MOTION BY, Deputy Mayor Adolf and seconded by Trustee Ziemba, the minutes of the July 8, 2024 village board meeting were approved.

ON A MOTION BY, Trustee Ziemba and seconded by Trustee Kraft, the minutes of the July 22, 2024 special village board meeting were approved.

Public Comment Agenda Items Only:

N/A

PERMISSION TO ATTEND NYS MAGISTRATES CONFERENCE

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

WHEREAS, the Depew Village Court is requesting permission for Village Justice Kathleen McDonald to attend the New York State Magistrates’ conference to be held at the Niagara Falls Convention Center, Niagara Falls, NY from September 22-25, 2024; and

WHEREAS, the Depew Village Court has funds within their budget for educational conferences for the Justice; and

WHEREAS, the training provides both mandatory Judicial training, as well as networking with other Judges throughout the state, and other information relating to the law and judicial duties in the Depew Village,

NOW, BE IT RESOLVED, that authorization is given for Hon. Kathleen M McDonald to attend the training event including payment for the conference and any meals not included, and

BE IT FURTHER RESOLVED that Hon. Kathleen M. McDonald is entitled to the use of the Village vehicle or reimbursement for mileage for travel to and from the event, and

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

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

PERMISSION ATTEND NYS CLERKS CONFERENCE

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

WHEREAS, the 2024 New York State Magistrates and Clerks conference will be held in Niagara Falls, and no funds will be expended for hotel lodging, and

WHEREAS, the Depew Village Court had requested permission for Court Clerks Linda Gangloff, Dawn Gauthier, and Chief Administrative Clerk Sarah Hinsken to attend the New York State Clerks conference to be held in Niagara Falls, NY from September 29 – October 2, 2024; and

WHEREAS, the Depew Village Court has funds within their budget for educational conferences for the Court Clerks; and

WHEREAS, the training provides both mandatory Court Clerk training, as well as networking with other Court Clerks throughout the state, and other information important for properly performing the clerks duties in the Depew Village,

WHEREAS, the Court Clerks shall divide their time at the conference, so that at least one clerk shall be at the Court Clerks' office and the Office shall remain open during its normal hours, and

NOW, BE IT RESOLVED, that authorization is given for Linda Gangloff, Dawn Gauthier and Sarah Hinsken to attend the training event, including payment for the conference at \$125 per clerk, and any meals not included, which shall be vouchered by the Court and paid by the Village Clerk, and

BE IT FURTHER RESOLVED that the clerks shall carpool whenever possible, but are entitled to the use of the Village vehicle or reimbursement for mileage for travel to and from the event, and

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

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE BIDS.

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

The Administrator is authorized to advertise for bids for Phase 7 CAP project with the bid opening to be held on September 18, 2024 at 10am in The Council Chambers, 85 Manitou St, Depew, NY 14043.

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to the Depew Fire Department's for Engine 2 to attend a New York State Pump Operations Course at Collins Fire Department on Thursday, August 1st from 6:00 PM hours till 10:00 PM.

And

Permission is hereby granted to the Depew Fire Department's Engine 6, Rescue 7, & the water rescue boat to leave the village for training at Como Park in the Village of Lancaster on Tuesday, July 30th from 7:00 PM till 9:30 PM.

And

Permission is hereby granted to the Depew Fire Department's Engine 6, Rescue 7, & the water rescue boat to go to Alden Fire Department for water rescue training on Tuesday, August 6th from 7:00 PM till 9:30 hours.

And

Permission is hereby granted to the Depew Fire Department's Hose Company #1 to use the pavilion at the northside fire station on Saturday, August 17th from 12:00 PM till 10:00 PM for a company event.

And

Permission is hereby granted to the Depew Fire Department's Ladder 5 to attend the Annual Tunnels To Towers at Losson Park in the Town of Cheektowaga on Saturday, September 7th from 08:00 AM till 1:00 PM.

The foregoing resolutions were seconded by Trustee Ziemba and **CARRIED**.

APPOINT FULL TIME PUBLIC SAFETY DISPATCHER

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

Jessica Scott

to the position of Full Time Public Safety Dispatcher in the Police Department effective August 13, 2024. The salary will be as per budget.

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

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

PERMISSION TO SIGN – TRANSFER DOCUMENTS

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

WHEREAS, due to a clerical error, certain real property located at 0 Tyler Street, S.B.L. 104.22-1-4, was never transferred from the Village of Depew to Ann Marie Wilson, deceased, when the same was purchased and became part of her lot located at 5963 Transit Road,

WHEREAS, despite the clerical error, Ann Marie Wilson, deceased, and her predecessor in interest have paid taxes on the parcel since the 1940s

WHEREAS, Mayor Kevin Peterson is requesting permission to sign documents to transfer real property located at 0 Tyler Street, S.B.L. 104.22-1-4 from the Village of Depew to the Estate of Ann Marie Wilson or her successor in interest or assignee, for \$1.00,

NOW THEREFORE BE IT RESOLVED, that Mayor Kevin Peterson is permitted to sign the real estate transfer documents for 0 Tyler Street, S.B.L. 104.22-1-4,

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

Trustee Hamernik - ABS
Trustee Ziemba - Y

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

PERMISSION TO SIGN – Proposal for Professional Engineering Services

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

BE IT RESOLVED, The Village of Depew Mayor, Kevin J. Peterson is requesting permission to sign the Proposal for Professional Engineering Services Phase 10 Sanitary Sewer Evaluation Survey Investigation (SSES).

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

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

PERMISSION TO SIGN – PHASE 8 CAP

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

BE IT RESOLVED, The Village of Depew Mayor, Kevin J. Peterson is authorized to sign Proposal for Professional Engineering Services Alys East and West Sewer Improvement Project (Phase 8 CAP).

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

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

APPOINT PT RECREATION POSITION

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

Mason Vail

to Regular Part Time Laborer for the Recreation Department effective August 13, 2024.

The forgoing nominations were acted upon in the following manner by the Board of Trustees:

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

ACCEPT RESIGNATION – RECREATION DEPARTMENT

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

BE IT RESOLVED, the resignation of Nathan Ziemba, Recreation Department effective July 14, 2024 is accepted.

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

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

APPROVE LEAVE OF ABSENCE EXTENSION REQUEST

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

WHEREAS, Carmi DelConte, Village of Depew Building Department employee, has requested an unpaid medical leave of absence extension until September 6, 2024.

WHEREAS, Village Administrator, Regina Grzankowski, recommends the approval of this request.

NOW THEREFORE BE IT RESOLVED, the Village Board approves the period of leave stated above.

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

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

DPW GRASS CUTTING

Deputy Mayor Adolf, 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 property that is not mowed by the due date on the order to remedy for the 2024 year. The cost of said mowing(s) will be attached to the village tax bill for that property.

15 Pamela
427 Dick Road
883 Sherwood Court
340 Bellevue Street
21 A Street
51 West 2nd Avenue
17 Brewster Street
159 Princeton Avenue

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

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE BIDS.

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

The Administrator is authorized to advertise for bids for a Greenworks 60" Commercial Ride-On, Electric, Zero Turn Mower with the bid opening to be held on September 5, 2024 at 10am in The Council Chambers, 85 Manitou St, Depew, NY 14043.

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE BIDS.

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

The Administrator is authorized to advertise for bids for a Vilter 456XL ammonia compressor with 100 HP Motor and starter with the bid opening to be held on September 5, 2024 at 10:30am in The Council Chambers, 85 Manitou St, Depew, NY 14043.

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE BIDS.

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

The Administrator is authorized to advertise for bids for a 20ftx20ftx20ft baseball backstop chain link fence on Fireman's Park Baseball Diamond #1 and Diamond #2 with the bid opening to be held on September 6, 2024 at 10am in The Council Chambers, 85 Manitou St, Depew, NY 14043.

And

The Administrator is also authorized to advertise for bids for 60ft of 1ft high baseball netting along the Pavilion of Fireman's Park with a opening to be held on September 6, 2024 at 10:30am in The Council Chambers, 85 Manitou St, Depew, NY 14043.

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

EMPLOYMENT APPLICATIONS - DPW – Austin Carson, Max Snuszka, Joseph Brown Sr., Eli Mayer, Jonathan Brumbaugh, Mason Vail

DEPARTMENT HEAD REPORTS – Police July 2024, Building May 2024 – July 2024

PUBLIC COMMENTS:

Kate Zaganiaczyk, Code Enforcement: Still an issue with grass cutting, find it problematic people still on list at end of summer, new Code Enforcement Officer doing an excellent job and will have those cut and cleaned shortly. Going to start cracking down on unregistered vehicles. New community center is looking good to get temporary certificate of occupancy, multiple new businesses, a couple of spas, two State Farms and O'Reilly Auto Parts coming along pretty quickly.

Recreation Report (read by Regina Grzankowski): Pool and programs ending this Saturday, 8/17, they are getting ready for the fall, the Zamboni is at DPW for a tune up and sport court is coming up and getting labeled for storage.

Captain Thomson, Police Department: 124 Criminal complaints, 1087 non-criminal, total of 1211 complaints, two stolen vehicles, one recovered locally and one from another municipality. We had 26 property damage accidents, six injury accidents, 25 male arrests, nine female arrests, nine parking tickets issued, 318 traffic summonses.

Chief Musielak, Fire Department: 41 calls since last meeting, 228 year to date. 2 of those calls were structure fires, one at 725 Terrace Blvd, which our firefighters had a great stop and one at 72 Angela in the Town of Cheektowaga which was mutual aid. Had an

interesting call on July 15 at 14 Crane, with a hazardous materials call, somebody had found a glass vial labeled cyanide, turns out it was, from WWII memorabilia that was bought. Our firefighters spent a long weekend at Founder's Day that was successful for the Village in July, we also brought back National Night Out that was co-sponsored by the Police Department. Assistant Chief John Hughey and Lt. Rochelle Menard did a fantastic job of organizing and planning it along with the help of others. New utility vehicle is on track to be delivered in October, would like to congratulate the new Public Safety Dispatcher. Also, on safety aspect, just be careful on how using power strips and extension cords.

Mayor Peterson: PD and Fire did a tremendous job on bringing back National Night Out, the Pavilion worked out well, great job.

Sam Alba: Village Attorney: Article 7 season, they are property tax challenges, if feel over assessed, can file an informal application with the Town and if they don't like the Town's response, they can file a petition to State Supreme Court, it goes to court, and basically argue over the value of property. Our interest isn't really arguing over the value of property, that's the Town Assessors job, our interest is making sure if their wrong, the settlement agreement doesn't make it so the Village has to pay out lots of money.

Regina Grzankowski, Village Administrator: Gearing up for our Fall Festival, the date is September 21, date has been picked since January. Have a call out for vendors, if you know of anyone interested in joining the event, we have some great entertainment lined up, highlight the amenities in the park, the pickleball courts, the fitness court, basketball courts, playground equipment. Thanked all the departments for help in Founder's Day, it was really successful and couldn't do it without everyone coordinating together. Just wrapped up movie night which was a great success with Green Acres at the Pavilion. Great to see so many kids coming out watching movie at night in the park.

Trustee Ziemba: Home Hazardous Waste event the Village hosted on July 13 was deemed a success by the county. The totals we collected: 2,200 gallons of flammable liquids 3,000 lb of pesticides, 5100 lb, of oxidizer corrosive materials, 2,200 lb of aerosol containers, 81 fire extinguishers, 200 1lb propane canisters, 250 gallons of Antifreeze, 80 lbs of rechargeable batteries, 400 lb of alkaline batteries and several mercury containing devices – all that stuff will be properly disposed of or recycled. Thanks to everyone in the Village that helped with the event; PD, Fire Police, everybody, thank you. That event went so good, I think they're probably going to ask us to host it next year.

Mayor Peterson: I was out there with you, appreciate your help in doing that, it was tremendous. A lot of positive people dropping off stuff that were happy to have a chance to do so. County people had nothing but great things to say, so appreciate your work on efforts. E-waste, September 28th.

Trustee Kraft: Echoing the notes from Founder's Day, that was awesome, Kid zone I think is going to be a growing pain for next couple of years, trying trial and error, but was really awesome, I think the kids had a lot of fun. Movie nights, my family enjoyed, lets bring it back next year. Thank you to George and the Electrical team to make sure all the bounce houses were good and going plus the stage.

Mayor Peterson: Started Founder's Day with a small event in 2017 & 2018, 2019 for our 125th, we missed out on 2020, 2021 was Founder's Day lite, just a one day thing, then the last three years being two or three day events again with Fire, the guys and gals handling the bar duties, it's a big job. Our OEM, do reports and programs for each of the days, they are on site the entire weekend. DPW, Rec, Electrical, PD with their tent, Fire brought County EMS, its starting to grow, people talk about it, look forward to it, hopefully we will continue to do so.

Deputy Mayor Adolf: Jessica, welcome aboard, hope you find that Depew is a very collaborative Village and that you enjoy working here. Final reminder that Thursday is our last concert series, Barnstorm Band, Thursday at 7pm, so show up for final for the summer.

Paul Sprada, 58 Argus Drive: Like new tennis courts and pickleball courts in Fireman's Park, being used much more now than ever seen, people in the Village appreciate that. DPW repainting white lines for stop signs and intersections are nicely done. Asked about

baseball backstops. Questioned if we have anything on law in Village about cryptocurrency mining, would like to see something on law about them. Mentioned counted 47 planes in 4 hrs because of runway work, questioned if we have anything in our law about drones.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Ziembra and seconded by Trustee Kraft the following claims are to be paid: \$1,185,664.24 General, \$87,639.53 Community Development, \$1,892.41 Sewer, \$75,876.96 Capital Projects for a total \$1,351,073.14 was **CARRIED**.

EXECUTIVE SESSION

ON A MOTION BY, Deputy Mayor Adolf and seconded by Trustee Kraft, the executive session was opened at 7:51 PM for a legal issue.

ON A MOTION BY, Deputy Mayor Adolf and seconded by Trustee Kraft, the executive session was closed at 8:26 PM.

No decision was made in the executive session.

ADJOURNMENT

ON A MOTION BY Deputy Mayor Adolf and seconded by Trustee Kraft the meeting was adjourned at 8:26 PM.

Respectfully submitted,

Regina Grzankowski
Village Administrator