

MEETINGS: 17
NO. OF REGULAR: 17

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
November 28, 2023 7:00 PM

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

ON A MOTION BY, Trustee and seconded by Trustee, the minutes of the November 13, 2023 village board meeting were approved.

ON A MOTION BY, Trustee and seconded by Trustee, the minutes of the September 14, 2023 Zoning Board Meeting minutes were accepted.

1. Dale Ranney for the property located 67 Mary Lou Dr, Depew, NY 14043, of Chapter 260, §260-14(B)(1)(h) to be allowed to construct a concrete driveway exceeding the maximum allowance of 5ft, for a total of 9ft in front of the principal dwelling, requesting 4ft of relief. Granted.
2. Joey's Pizza for the property located 4538 Broadway St, Depew, NY 14043, of Chapter 260, §260-37(B)(7) to be allowed to construct a 101 x 32.2 inch sign on roof of building for business located at the property. Granted

ON A MOTION BY, Trustee and seconded by Trustee, the minutes of the September 28, 2023 Zoning Board Meeting minutes were accepted.

1. David Sylvia for the property located at 70 Harvard Ave, of Chapter 260, §260-14(B)(1)(h), to allow him to construct a driveway within the required minimum setback of three feet to any interior, rear or exterior property line, requesting two feet of relief from three feet setback. Granted.
2. Alyssa Williams for the property located at 97 Terrell St, of Chapter 260, §260-14(B)(1)(h), to be allowed to construct a concrete driveway 5ft past the allowed 5ft projection in front of the principal dwelling. Denied
3. Vincent Sperandeo for the property located at 91 Terrell St, of Chapter 260, §260-14(B)(1)(h), to be allowed to construct a concrete driveway 3ft past the allowed 5ft projection in front of the principal dwelling and 3ft to property line. Granted.

ON A MOTION BY, Trustee and seconded by Trustee, the minutes of the October 12, 2023 Zoning Board Meeting minutes were accepted.

1. The application of Joseph Milazzo for the property located at SBL 103.12-4-21.1 and 103.12-4-23.1, of Chapter 260, §260-23(A)(2), for relief from minimum lot width requirements and of Chapter 260, §260-14(B)(1)(h), for relief from required driveway setbacks.
Variance GRANTED

Public Comment Agenda Items Only:

Assistant Fire Chief Musielak: Wanted to thank Village Board, Village Administrator and Village Attorney for their cooperation and continued support for the utility truck project. Also thanked the Apparatus Replacement Committee for their work on the project and

their diligent efforts to be fiscally responsible. New truck will be a great addition to their fleet.

PERMISSION – POLICE DEPARTMENT

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

Permission is hereby granted to Lt Menard and Det. Turner to attend the Wellness Workshop “Train the Trainer” at the OP Overwatch, 7209 Rapids Rd, Lockport, NY 14094 on December 8, 2023 from 9:00 AM – 4 PM. The use of a vehicle is also requested. No overtime and no cost for the course is associated with this training.

The foregoing resolution was seconded by Deputy Mayor Adolf and **CARRIED**.

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 their physicals:

Cayuga Hose Co #3
James K Stoll

Depew Hose Co #4
Scott F Wenneman

Move up from the DFD Jr Firefighter ranks to Depew Hose Co #4
Aiden C Kent

The following resolution was seconded by Trustee Ziembra, and **CARRIED**

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 West End Hose Company #6 to use the West End Fire Station to hold its annual adult Christmas party on Saturday December 16, 2023 from 4 PM – Midnight.

AND

Permission is hereby granted to the Depew Fire Department’s West End Hose Company #6 to use Engine #6 and Rescue #7 to have Santa deliver toys to the children and grandchildren of our members on Saturday December 23, 2023 from 12:00 PM – 2:00 PM with both pieces of apparatus leaving the village for a visit to a residence just outside the village boundary, Captain Herr’s home. Then, from 2:00 PM – 5:00 PM, Engine 6 and Rescue 7 will be out in the neighborhoods that surround the West End Fire Station shuttling Santa throughout the area.

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

APPOINT – PERMANENT POLICE LIEUTENANT – 1st LINE SUPERVISOR

Pursuant to Section 40-400 of Village Law, I Mayor Kevin Peterson, do hereby appoint:

Christopher Keib

To the position of Permanent Police Lieutenant – 1st Line Supervisor effective immediately. Lieutenant Keib was provisionally promoted to this posting on September 26, 2022 pending the results of an upcoming promotional exam for this position. The results of the promotional exam were established on November 17, 2023 and Lieutenant

Keib was reachable for the position on per the eligibility list. The position is now permanent under the Police Lieutenant eligibility list # 75-618.

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

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

APPOINT FULL TIME LABORER DPW

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

Michael Matheis

to the position of Full Time Laborer DPW at the pay rate per the budget effective December 12, 2023.

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

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

AWARD BID- UTILITY TRUCK FOR FIRE DEPARTMENT

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

BE IT RESOLVED, that upon the recommendation of the Depew Fire Department, the bid for the Depew Fire Truck Utility Truck from the bid opening Monday September 25, 2023 in the bid amount of \$166,801.00 be awarded to:

Firematic Company and Supply
340 Sanford Rd. S
Churchville, NY 14428

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

ADOPT LOCAL LAW #4 OF 2023 – Electric Scooter and Bicycle Law

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

WHEREAS, the Board of Trustees of the Village of Depew, New York held a public hearing on October 23, 2023 7:00 pm in the Council Chambers of the Municipal Building, 85 Manitou St, Depew, NY to hereby adopt a local law for Electric Scooter and Bicycle use within the Village of Depew.

WHEREAS, all persons were given an opportunity to speak for or against this local law;

NOW THEREFORE, BE IT RESOLVED, this local law is hereby adopted.

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 – DPW – Michael Matheis

DEPARTMENT HEAD REPORTS –

Don Bielefeld, Code Enforcement: Reminder that winter is coming, so keep your sidewalks clear. Also, anyone who wants to do snow plowing needs to come in and file for a snow plow permit.

Chief Miller, Police Department: Been very busy this year – 11,500 calls for service. For the month of October we had 1025 calls for service, 125 non-criminal, 100 criminal complaints, two stolen vehicles, one recovered vehicle, 29 motor vehicle accidents, one injury accident, arrested 17 males, 12 females and wrote 105 traffic summons. There has been an increase in motor vehicle thefts lately throughout the county so please remember to lock your cars, and reminder parking ban will begin on Friday, December 1.

Sam Alba, Village Attorney: We prevailed in lawsuit where someone was suing to get all items back from a search warrant, it was dismissed and glad to see our local law pass unanimously.

Chief Gauthier, Fire Chief: Thank you to Village Trustees on the resolution for the utility truck, it will be a huge benefit for our department. 15 calls for the month of November, 345 year to date.

Recreation Department Report (Read by Deputy Mayor Adolf): Ice sales have been picking up, especially on Sunday, selling early ice during the week at 4pm, another tournament is coming in two weeks, tree lighting ice skating went well, Learn to skate first week had 30 skaters, open skate weekends have very strong attendance.

Ken Pyc, DPW Superintendent: You don't have to call for pickup for leaves, they will pick up, and keep your hydrants and sidewalks clear

Trustee Hamernik: Thank you so much everyone for all the thoughts and prayers, can't tell you how much it really meant just being out and knowing people were there caring and praying for you. The Community Center on Thursday night, December 7th, 6pm is having an open house so please everyone come and see our new building and what it's going to be. We got a 300,000 cultural grant for the building, we teamed up with Lancaster Opera House, they will be practicing improv on the stage and have a show on May 10th, and the art society from the Lancaster Opera House will come in and teach art and drawing and different things to the residents. Mr. Todaro was behind everything as the legislator. On Thursday, December 7th, I will be recipient of the Citizen of the Month for Erie County from the Legislator Department.

Trustee Kraft: Ton of fun at the Tree Lighting last night, can't wait to see next year with the new tree.

Deputy Mayor Adolf: Congratulations gentleman for all your work you put in to help us make the decision on the truck, second, I'd like to thank everyone involved in the local law, everyone worked swiftly and together. We also officially applied for our Tree City USA application in the Arbor Day Foundation, appreciate everyone's work on everything and have a very night Thanksgiving.

Mayor Peterson: From my point of the view, the annual tree lighting, a little bit different wrinkles with use of the pavilion, some things we can do a bit better job on, next year

parking is one of those issues. We have showcased the building since Fall Fest and the Fire Department's trunk and treat event on October 29 and then yesterday was open to the public. We've gotten a number of rental already and after last night have two or three people reach out. Big weekend this weekend, on Friday, two on Saturday, we are getting the hang of it, still need to hire someone to help us with that. We're doing Toys for Tots this year, had two young Marines there last night, Sant was there again, he did ride in on a truck. We will be taking toys until the distribution date to the Marines on Dec 13, we have boxes at Village which you can stop by and drop them off.

Regina Grzankowski, Village Administrator: Thank you to everyone that helped out with our tree lighting, just another very successful event with all our departments coming together. Our craft vendors had a great time even though it was a shorter event, really nice to utilize the pavilion and let the community see why we did that project.

Trustee Ziemba: Erie County Sheriff's Office Citizen's Academy was cancelled last week because of accident at Rainbow Bridge, it was the active shooter drill. That was week eight, so one more week to go, we visited both jails, Alden and Downtown, we visited the shooting range, Sheriff's boat, underwater recovery, a bunch of stuff.

PUBLIC COMMENTS:

Liz Brinkworth, Assemblymember Monica Wallace's Office: Hope everyone had a great Thanksgiving, Audrey, so good to see you back, great seeing everyone last night, a little cold but a good success, great seeing Santa and all the fire trucks lit up still from the Village of Lancaster Annual Christmas Truck Parade. Assemblymember Wallace has been very busy, a lot of legislation has been passed, whether she sponsored or co-sponsored it. One of the things that the Legislator is proud of is Assembly Bill 3301 which Assemblymember Wallace co-sponsored and got into law that will establish a 15 member board from the New York Asian American and Pacific Islander Commission to develop policies to improve the community, economic and social well-being and the health and educational needs that are important to the Asian American Pacific Islander communities in the State. In honor of Veteran's Month this month, legislation that Assemblymember Wallace had helped champion in 2022 took effect this month, Assembly Bill 5278 of 2022, which helps Veteran's who were discharged less than honorably as a result of PTSD, traumatic brain injuries, military sexual trauma or LGBTQ + status will be receiving credit for their military service within New York State. Assemblymember Wallace visited the Lancaster VFW Post 7275 to announce a \$29,550 grant she helped secure as part of the Veteran's non profit capital grant that was pass in this year's budget. Congratulations to Cheektowaga Chief of Police Brian Gould on his retirement and encouraging those to shop small, shop local this holiday season.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Ziemba and seconded by Trustee Kraft the following claims are to be paid: \$273,264.47 General, \$5,067.86 Capital Projects for a total \$278,332.47 was **CARRIED**.

EXECUTIVE SESSION

At 7:50pm Deputy Mayor Adolf made a motion to enter executive session to discuss a labor matter, Trustee Ziemba seconded.

At 8:38pm Deputy Mayor Adolf made a motion to exit out of executive session, Trustee Ziemba seconded.

ADJOURNMENT

ON A MOTION BY Trustee Kraft and seconded by Trustee Hamernik the meeting was adjourned at 8:38 PM.

Respectfully submitted,

Regina Grzankowski
Village Administrator