

# Village of Depew, NEW YORK

*"The Village of Unexcelled Opportunity"*



MEETINGS TO DATE: 26

NO. OF REGULARS: 25

## AGENDA

### VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW

March 14, 2022 7:00PM

PLEDGE OF ALLEGIANCE-

INVOCATION –

NOTIFICATION OF FIRE EXITS

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

APPROVE VILLAGE BOARD MEETING MINUTES – February 28, 2022

APPROVE VILLAGE PLANNING BOARD MINUTES – March 3, 2022

1. David Cox, of Passero Associates, on behalf of Royal Wash Development, LLC for property located at 4801 Broadway. Seeking concept site plan approval and a special use permit to construct a car wash. Approved.
2. Coral Silsbe, of Project Expeditors Consulting Corp. on behalf of JPMorgan Chase Bank for property located at 5075 Broadway. Seeking site plan approval for tenant fit out and exterior improvement for ADA compliance. Approved.
3. Michael Carrubba, on behalf of Carrubba's Chicken Pit for property located at 2197 George Urban Blvd. Seeking concept site plan approval for construction of two accessory structures and an outdoor cooking space. Approved.

## PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Perm to sign – GHD Engineering Agreement
2. Permission – Modify Budget
3. Permission - Overtime
4. Perm to Advertise – Tax Cap Override
5. Perm to Advertise – Dawson Field Markets
6. Approve – Award Bid
7. Permission to Purchase – Historical
8. Permission – Chicken BBQ
9. Approve – Fire Training
10. Department Head Reports – Building February 2022, Police February 2022
11. Employment Applications – Rec – Allyson Koedel
12. Unfinished and Other Business
13. Public Concerns and Comments
14. Claims and Accounts
15. Adjournment

**AUTHORIZE MAYOR TO SIGN ENGINEERING AGREEMENT - GHD**

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

**WHEREAS**, the Village of Depew is currently utilizing GHD 285 Delaware Ave. Suite 500 Buffalo, NY 14202 for Engineering Services in the Village of Depew;

**WHEREAS**, the Village of Depew would like to continue this Professional Engineering Service with a fee of \$140/hour for the calendar years 2022-2023 and 2023-2024.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the Professional Engineering Service Proposal.

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022

Agenda Item # 1

\_\_Approved \_\_Denied

RESOLUTION

March 14, 2022

**MODIFY 2021/2022 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2021/2022 Budget in the following manner:

Revenues – 10.4 2770 Unclassified Revenue - \$15,000  
Expenditures – 10.5.3120.451 Repairs to Auto - \$15,000

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022

**Agenda Item # 2**

\_\_Approved \_\_Denied

RESOLUTION

March 14, 2022

**PERMISSION CODE ENFORCEMENT OVERTIME**

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

**WHEREAS**, permission is requested for Code Enforcement Officer Donald Bielefeld to be approved for up to 3 hours a week in overtime for him to work on tasks that need to be completed. There is currently training that is required by the state. If additional work outside of normal business hours is required, an extension will be considered.

**BE IT RESOLVED**, that Code Enforcement Officer Don Bielefeld is hereby given permission to work 3 hours a week in overtime for him to work on completing the necessary tasks.

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022  
**Agenda Item # 3**

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING TAX CAP  
OVERRIDE – LOCAL LAW #2 OF 2022**

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

**Be It Resolved;** the Village Administrator is authorized to advertise for a public hearing. The public hearing will be held on Monday March 28, 2022 at 7:00 pm in the Council Chambers. The purpose of this hearing is to consider Local Law 2 of 2022 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, 2022 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, 2022 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.

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022

Agenda Item# 4

\_\_Approved \_\_Denied

RESOLUTION

March 14, 2022

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING  
FOR A MARKET AT DAWSON FIELD.**

Trustee \_\_\_\_\_, 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 a proposed market at Dawson Field, every other Saturday this summer from June to September, the public hearing will be held April 11, 2022 at 7 PM in the Council Chambers of Village Hall, 85 Manitou St, Depew, NY 14043.

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022

**Agenda Item # 5**

\_\_Approved \_\_Denied

RESOLUTION

March 14, 2022

**AWARD BID- SEWER 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 Phase 5 Cap, Walden Transit Sanitary Sewer from the bid opening March 8, 2022 in the bid amount of \$2,398,305.00 to be awarded to:

National Water Main Cleaning Company  
25 Marshall St.  
Canton, MA 02021

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022  
**Agenda Item # 6**

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

**PERMISSION FOR HISTORIAN TO PURCHASE MATERIALS**

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

**WHEREAS**, permission is given to the Village of Depew Historian to purchase materials using restricted fund balance from the General Fund, not to exceed \$15,000.

**NOW THEREFORE BE IT RESOLVED**, that the Village of Depew Historian 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 Adolf -  
Trustee Ziembra -  
Trustee Kucewicz -  
Deputy Mayor Hamernik -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022  
Agenda Item # 7

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



RESOLUTION

March 14, 2022

**PERMISSION CHICKEN BBQ**

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

**BE IT RESOLVED**, permission is hereby granted to Depew Hose Co. #1 to utilize the Northside Fire Station on May 14, 2022 for their company's Chicken BBQ from 9:00 AM until 4:00 pm.

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022

**Agenda Item # 8**

\_\_Approved \_\_Denied

**PERMISSION – FIRE DEPARTMENT**

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

**WHEREAS**, Permission is hereby granted to engine 1, ladder 5, and rescue 7 to take the apparatus to the fire academy in Cheektowaga on Wednesday, April 6th for training from 6:30 PM till 10:00 PM.

And

**WHEREAS**, Permission is hereby granted to use the northside fire station on Wednesday, March 30th from 6:00 PM till 10:00 PM for a safe driver class

**THEREFORE, BE IT RESOLVED:** The above foregoing resolutions were seconded by Trustee \_\_\_\_\_ and duly put to a roll call vote which resulted in the following:

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

VILLAGE OF DEPEW  
BOARD MEETING  
March 14, 2022

Agenda Item # 9

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