

MEETINGS: 24  
NO. OF REGULAR: 23

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**February 14, 2022 7:00PM**

ROLL CALL: Trustee Hamernik - PR  
Trustee Ziemba - PR  
Trustee Kucewicz - PR  
Deputy Mayor Stempniak - PR  
Mayor Peterson - PR

**ON A MOTION BY**, Deputy Mayor Stempniak and seconded by Trustee Ziemba the January 24, 2022 board meeting minutes were approved.

**Public Comment Agenda Items Only:** N/A

Trustee/Deputy Mayor Stempniak

February 1, 2022

Fellow Board Members and Village Hall Administration,

It is with a heavy heart that I announce my resignation from the Village of Depew Board as a Trustee effective February 28, 2022. With my family expanding in March, I need to take a step back and focus on family. It would be unfair to stay on the Board knowing that my priorities will be drastically shifting and our residents deserve a Trustee who is available and will continue to fight to make this Village better.

When I was elected in 2019, I took an oath to serve the Village and the residents and unfortunately, I feel that I can no longer uphold that oath. With two kids under 2, I know my focus will be on family and not serving this community. I'm proud of the Board's accomplishments since I took office and I know that as long as you continue to focus on the residents and their concerns, the Village will be the best place to live! It has been an absolute pleasure getting to know everyone over the last few years and this is not a good-bye, but rather an "I'll see you later." I will still be around and plan to attend the amazing events held around the Village. I thank you all for helping serve our community and improve areas that matter to our residents. I know this Village is destined for great things with your leadership. Please keep up the good work in my absence.

Sincerely,

Trustee Erica Stempniak

**ACCEPT RESIGNATION – TRUSTEE AND DEPUTY MAYOR**

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

**BE IT RESOLVED**, the resignation of Erica Stempniak, Trustee and Deputy Mayor effective after the February 28, 2022 Board Meeting is accepted.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kucewicz - Y  
Deputy Mayor Stempniak - Abstain  
Mayor Peterson - Y

**ACCEPT RESIGNATION – PART TIME POLICE DISPATCHER**

Trustee Ziemba, offered the following resolution and moved for its adoption:  
**BE IT RESOLVED**, the resignation of Jacob Smith, Part Time Dispatcher effective February 2, 2022 is accepted.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kucewicz - Y  
Deputy Mayor Stempniak - Y  
Mayor Peterson - Y

**APPOINT FULL TIME ASSISTANT CODE ENFORCEMENT OFFICER**

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

Craig Blanchard

to the position of Full Time Assistant Code Enforcement Officer effective February 28, 2022.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kucewicz - Y  
Deputy Mayor Stempniak - Y  
Mayor Peterson - Y

**PERMISSION – AUTHORIZE MAYOR TO SIGN**

December 14, 2021 Approval of Agreement between Village of Depew and Civil Service Employees Association, Local 1000 AFSCME, AFL-CIO, Erie County Local 815, Village of Depew Unit #6717-01, and authorize supervisor to sign the same.

Motion By: Stempniak, Deputy Mayor

To adopt the following resolution:

RESOLVED, that the Depew Board of Trustees hereby adopts the agreement between the Village of Depew and CSEA Local 1000, AFSCME, AFL-CIO, Erie County Local 815, Village of Depew Unit #6717-01 for the period of June 1, 2020 to May 31, 2022 and authorizes the Mayor to execute same.

Second By: Trustee Ziemba

Ayes: 5

Noes:

Recuse:

Absent:

Trustee Hamernik - Y  
Trustee Ziemba -Y  
Trustee Kucewicz -Y  
Deputy Mayor Stempniak -Y  
Mayor Peterson -Y

**AUTHORIZING AND DIRECT THE VILLAGE ADMINISTRATOR TO ADVERTISE, RECEIVE, AND REVIEW BIDS FOR CONSTRUCTION OF THE WALDEN TRANSIT SANITARY SEWER IMPROVEMENT PROJECT PHASE 5 CAP**

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

WHEREAS, the Village of Depew is currently under an Order on Consent with the New York State Department of Environmental Conservation (NYSDEC) that requires a multi-phase sanitary sewer Corrective Action Plan (CAP) program to address sanitary sewer overflows (SSOs) within the Village owned system.

WHEREAS, Sewershed 4 (Walden Transit Project Area) was identified as Phase 5 of the program based on the results of an Infiltration and Inflow study that prioritized sewersheds based upon level of rainfall derived inflow and infiltration.

WHEREAS on September 13, 2021 a Bond Resolution Amending and Restating Bond Resolution for Sewer Improvements for Phase 5 was adopted by a majority of members of the Village Board.

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF DEPEW, ERIE COUNTY, NEW YORK THAT: Village Board for the Village of Depew hereby authorizes and directs the Village administrator to advertise, receive, and review bids for the construction of the Walden Transit Sanitary Sewer Improvement Project Phase 5 CAP.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kucewicz - Y  
Deputy Mayor Stempniak - Y  
Mayor Peterson - Y

**PERMISSION – FIRE DEPARTMENT**

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

**WHEREAS**, Permission is hereby granted to the Depew Fire Department to use of the Northside Fire Station grounds on February 26, 2022 and February 27, 2022 from 8am – 5pm for Flashover Simulator Training being given by the New York State Association of Fire Chiefs. This training will be held outdoors using an enclosed NFPA compliant live fire simulation trailer. Certified NYS Fire Instructors will be instructing both classes.

**THEREFORE, BE IT RESOLVED:** The above foregoing 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 Kucewicz - Y  
Deputy Mayor Stempniak - Y  
Mayor Peterson - Y

**PERMISSION – TASER INSTRUCTOR CERTIFICATION COURSE**

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

**WHEREAS**, Permission is hereby granted to James Reformat to attend the Taser Instructor Certification Course on March 24, 2022 from 8am – 5pm at The Niagara Falls Police Department, 1925 Main St, Niagara Falls, NY 14305

**THEREFORE, BE IT RESOLVED:** The above foregoing resolution was seconded by Deputy Mayor Stempniak and duly put to a roll call vote which resulted in the following:

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kucewicz -Y  
Deputy Mayor Stempniak -Y  
Mayor Peterson - Y

#### **MODIFY 2021/2022 BUDGET**

Deputy Mayor Stempniak, 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 – 10.4.2680 Insurance Recoveries - \$19,467.98  
Expenditures – 10.5.3020.260 – Public Safety Equipment - \$19,467.98

The following 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 Kucewicz - Y  
Deputy Mayor Stempniak - Y  
Mayor Peterson - Y

#### **AUTHORIZE MFA FROM ASSEMBLYWOMEN WALLACE**

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

**WHEREAS**, The Village of Depew Police Department has the need to purchase certain equipment, Body Cameras in the amount of \$61,929.19, All Traffic Speed Signs in the amount of \$5,100.00, Pagers for the Fire Department in the amount of \$32,996.25, Car Radios for the Office of Emergency Managers in the amount of \$9,982.25, and a Fire Boat for water rescues for the fire department in the amount of \$14,680.45.

**WHEREAS**, the Village was awarded a \$120,000 from New York State Assemblywomen Wallace in September 2021 for certain equipment, Body Cameras in the amount of \$61,929.19, All Traffic Speed Signs in the amount of \$5,100.00, Pagers for the Fire Department in the amount of \$32,996.25, Car Radios for the Office of Emergency Managers in the amount of \$9,982.25, and a Fire Boat for water rescues for the fire department in the amount of \$14,680.45.

**NOW THEREFORE, BE IT RESOLVED**, that effective February 14, 2022 the Village Board authorizes the acceptance of the \$120,000 grant for New York State to be used for certain equipment, Body Cameras in the amount of \$61,929.19, All Traffic Speed Signs in the amount of \$5,100.00, Pagers for the Fire Department in the amount of \$32,996.25, Car Radios for the Office of Emergency Managers in the amount of \$9,982.25, and a Fire Boat for water rescues for the fire department in the amount of \$14,680.45 in the Police Department, and

**BE IT FURTHER RESOLVED**, that the Village Board increase the General Fund budget for accounts A.3389 State Aid-Other Public Safety and A.3102.2 Police Equipment by \$120,000.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kucewicz - Y  
Deputy Mayor Stempniak - Y  
Mayor Peterson - Y

### **PERMISSION – FIRE DEPARTMENT**

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

**WHEREAS**, Permission is hereby granted to the Depew Fire Department to take Ladder #5 for an aerial operations course at Williamsville Fire Department on Tuesday, March 8th and Thursday, March 10th from 7:00 PM till 11:00 PM.

**THEREFORE, BE IT RESOLVED:** The above foregoing resolution was seconded by Deputy Mayor Stempniak and duly put to a vote and carried.

### **EMPLOYMENT APPLICATIONS** – N/A

### **DEPARTMENT HEAD REPORTS** – Police

#### **PUBLIC COMMENTS OR CONCERNS** – N/A

Elizabeth Brinkworth – Assembly Woman Wallace wished all a Happy Valentine’s Day. Also, in honor of National Women and Girls’ Sports Day, she invited Mrs. New York to Albany to celebrate the day and to dedicate the day to Sports day on February 2<sup>nd</sup> and spent the morning there with her, they toured all over the Capital and to the Assembly Floor. They were very honored to have her in Albany for a visit. She actually came to Buffalo when the Assembly Woman was working on the Sports Betting here. When the legislature passed the Sports Betting, she fought to make sure a portion of that money would go to benefit the Youth Sports Programs. This funding will make sure all young New Yorkers will have a chance to participate in sports development programs. The Office of Children & Family Services (OCFS) and details will come from them. On February 3<sup>rd</sup> Assembly Member Wallace met with Cornell services of Buffalo who just did a child care study in Erie County and it was really eye opening some of the statements and statistics, Mayor Peterson was there and Trustee Hamernik was there at Cheektowaga Chamber of Commerce, we’re really seeing a lot of loss in child care providers. We lost 11% of the work force just in child care in the community. They are dedicated to fighting to get any funding they can for child care. The wished Trustee/Deputy Mayor Stempniak well in the future and mentioned how much she will be missed by all. Sad to see you go, this board works really great together so sad to see you go but wished her the best in the future.

Bob Brandon wished everyone a Happy Valentine’s Day. He said that we will no longer be represented by Senator Kennedy due to the recent redistricting that occurred. Town’s cannot be broken up and Cheektowaga was taken out of his district, and so the Village was too. We will however be represented by Senator Gallivan beginning in January of 2022 and he will miss everyone. He has represented Cheektowaga and Depew for about 16 years, sad to see him go. Budget meetings start tomorrow with various members getting together to discuss projects they would like to see and plan for.

Captain Norek for PD read the Monthly Police report for activity.

Chief Rzesutek reported on the up-tic of new members which is a fantastic edition and their recruitment team is doing a fantastic job!! He is asking the public to once again be “Hydrant Hero’s” and adopt one near you. Please dig out a 4 foot area around it for your own safety. His men and women in the department try to get to as many as they can, but it’s difficult to do so many with all of their other requirements. Also, please check your Carbon Monoxide detectors. If it is beeping, do not just simply remove the batteries. It could be the end of life signal that it needs new batteries. Those items can be lethal if not replaced.

Attorney Alba told everyone that he has heard more from residents about the small animal law. The Village will be holding a public hearing in March on this topic for anyone concerned. He is leaving business cards in the Mayor's secretary's office if anyone needs to take one to address him via email. Our law allows people to have animals whereas the Town does not allow any! There are boulders at the old reclamation landfill that we are hoping to bring to the Village Hall to be placed in front of the municipal building to serve as a barrier between vehicles and our building.

Code Enforcement Officer Bielefeld told everyone that his department is finally beginning to catch up from work that was left behind prior to his start date. Once the new Assistant CEO is on board this should prove to be the help they need in order to get caught up and stay that way.

Rec Director Ferguson informed everyone that the rink is running at full capacity. This year, beginning May 3<sup>rd</sup> he will have indoor floor hockey teams!!! This is new and should be a big hit. He thanked the Superintendent and Mechanic, Matt, for all that they do. Snow removal and repairs to the Zamboni are done in one day.

DPW Superintendent Pyc looked at Zurbrick Road today and actually called the County to see if they had a water main break. But he did taken a high lift there to scrape the ice from the road. Will keep an eye on it. He informed the board that the new Fitness Pad equipment came in.

Trustee Ziemba asked if anyone noticed the 4 new brick and mortar signs welcoming people into the Village? They look great and look a lot better. He also let everyone know that he will be sitting in on the contract negotiations this year for the 3 unions.

Trustee Hamernik thanked everyone for coming out in support of their fundraiser, in total, they raised \$21,400!!!

Trustee Kuciewicz thanked Darrin for his work on the signs. She wished everyone a Happy Valentine's Day and thanked the Fire and Police Departments for their help in distributing the masks and tests the prior weekend.

Trustee/Deputy Mayor Stempniak offered the following:

February 1, 2022

Fellow Board Members and Village Hall Administration,

It is with a heavy heart that I announce my resignation from the Village of Depew Board as a Trustee effective February 28, 2022. With my family expanding in March, I need to take a step back and focus on family. It would be unfair to stay on the Board knowing that my priorities will be drastically shifting and our residents deserve a Trustee who is available and will continue to fight to make this Village better.

When I was elected in 2019, I took an oath to serve the Village and the residents and unfortunately, I feel that I can no longer uphold that oath. With two kids under 2, I know my focus will be on family and not serving this community. I'm proud of the Board's accomplishments since I took office and I know that as long as you continue to focus on the residents and their concerns, the Village will be the best place to live! It has been an absolute pleasure getting to know everyone over the last few years and this is not a good-bye, but rather an "I'll see you later." I will still be around and plan to attend the amazing events held around the Village. I thank you all for helping serve our community and improve areas that matter to our residents. I know this Village is destined for great things with your leadership. Please keep up the good work in my absence.

Sincerely,

Trustee Erica Stempniak

There were no other comments from the residents other than Assistant Chief Musielak who thanked the Chief and the board for their support with all of the up-coming training. This training is so important to the fire fighters as it teaches them survival skills in the closest thing to a live fire. These skills could save a fire fighters life in the future.

### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Ziemba and seconded by Trustee Kuciewicz, the following claims are to be paid: \$193,001.78 General, \$81,112.73 Community Development, \$999.83 Sewer Fund, \$30,505.97 Capital Projects, \$27,531.00 CP Building Reno and \$333,151.31 Capital was **CARRIED**.

**ADJOURNMENT**

**ON A MOTION BY** Deputy Mayor Stempniak and seconded by Trustee Hamernik the meeting was adjourned with a prayer for Code Enforcement Officer Don's grandson Lonzo at 7:55 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak  
Village Administrator