

MEETINGS: 1  
NO. OF REGULAR: 1

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**April 4, 2022 7:00 PM**

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

**APPOINT VILLAGE OF DEPEW TRUSTEE**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint Andrew Adolf to the position of Village Trustee to fill the vacancy on the Village Board, said term is to begin effective April 4, 2022 and for the term to expire at noon on first Monday of April 2023.

**ORDER OF VOTING**

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

The order of Roll Call Vote by the Honorable Board of Trustees will be as follows:

1. Trustee Adolf
2. Trustee Ziemba
3. Trustee Kucewicz
4. Trustee Hamernik
5. Mayor Peterson

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

**SEATING ARRANGEMENT**

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

The seating arrangement is to be as follows, North to South:

Trustee Ziemba  
Trustee Hamernik  
Mayor Peterson  
Trustee Adolf  
Trustee Kucewicz

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

**APPOINT REGISTRAR OF VITAL STATISTICS**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson, do hereby appoint Teresa Wachowiak to the position of Registrar of Vital Statistics, for the term of one year to expire at noon on the first Monday in April 2023, at no additional salary.

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

Trustee Adolf - Y  
Trustee Ziemba -Y  
Trustee Kucewicz-Y  
Trustee Hamernik-ABS  
Mayor Peterson- Y

### **APPOINT DEPUTY MAYOR**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson, do hereby appoint Trustee Audrey Hamernik to the position of Deputy Mayor, for the term of one year to expire at noon on the first Monday in April 2023, at no additional salary.

### **APPOINT DEPUTY CLERK**

Pursuant to Section 4-400 of Village Law, I Mayor Kevin Peterson, do hereby appoint Melissa Dabb, for the position of Deputy Clerk for the term of one year to expire at noon on the first Monday in April 2023, at a salary of \$500 per year.

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

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

### **DEPUTY VILLAGE REGISTRAR**

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

**BE IT RESOLVED**, that Pursuant to Section 4121 (3) of the Public Health Law, is hereby appointed Lisa Barone to the position of Deputy Registrar of Vital Statistics for a term of one (1) year, said term to expire at noon on the first Monday in April 2023, at a salary of \$500 per year.

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

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

### **APPOINT VILLAGE ATTORNEY**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin J. Peterson do hereby appoint Samuel A. Alba, to the position of Village Attorney, for the term of one year to expire at noon on the first Monday in April 2023, at the salary listed in the budget.

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

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

### **APPOINT VILLAGE PROSECUTOR PT**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin J. Peterson do hereby appoint Marc Smith, to the position of Village Prosecutor PT, for the term of one year to expire at noon on the first Monday in April 2023, at a salary of \$240 per session.

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

Trustee Adolf -Y

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

### **APPOINT ACTING VILLAGE JUSTICE**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin J. Peterson, do hereby appoint Paul T. Bumbalo, to the position of Acting Village Justice, for the term of one year to expire at noon on the first Monday in April 2023, at the salary listed in the budget.

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

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

### **APPOINT PLANNING BOARD MEMBER**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint David Federowicz, who has been serving as an Alternate to the Village Planning Board, to complete the balance of Andrew Adolf's term with said term set to expire at noon on the first Monday of April 2024, at the salary listed in the budget.

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

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

### **APPOINT PLANNING BOARD MEMBER**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint Robert Murawski, to the Village Planning Board, for a five-year term with said term to expire at noon on the first Monday of April 2027, at the salary listed in the budget.

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

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

### **APPOINT ZONING BOARD MEMBER**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint Jan Yarborough who has been an Alternate on the Village Zoning Board, to complete the balance of Terry Mescall's term on the Village Zoning Board, with said term to expire at noon on the first Monday of April 2024, at a salary set forth in the budget.

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

Trustee Adolf -Y  
Trustee Ziemba-Y  
Trustee Kucewicz-Y

Deputy Mayor Hamernik-Y  
Mayor Peterson - Y

### **APPOINT PART TIME RECREATION DIRECTOR**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint Kevin Ferguson to the position of Part Time Recreation Director for the term of one year to expire at noon on the first Monday in April 2023, at the salary listed in the budget.

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

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

### **APPOINT EMERGENCY MANAGER**

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson do hereby appoint RJ Nieman, to the position Emergency Manager (137) at no salary for a one-year term said term to expire at noon on the first Monday of April 2023.

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

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

### **ATTENDANCE AT ASSOCIATION MEETINGS**

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

**WHEREAS**, there is to be held during the coming official year, various association meetings, and

**WHEREAS**, it is determined by the Board of Trustees, that attendance by certain municipal officials and employees at one or more of these meetings benefits the municipality, and

**WHEREAS**, Section 77-b of General Municipal Law provides for the attendance and reimbursement of claims upon prior approval by the Village Board,

**NOW, THEREFORE BE IT RESOLVED**, the following municipal officials and employees (or their designate) are hereby authorized to attend monthly County and Western New York Associations Meetings and/or seminars of which the Village is a bonafide dues paying members: Village Board, Administrator, Village Attorney, Deputy Clerk, Village Justice, Court Clerk, Clerk of Justice Court, Fire Marshall, Assistant Fire Chiefs, Emergency Manager, Deputy Emergency Manager, Police Chief, Supt. Of Public Works and Code Enforcement Officers, provided, written notice is given to the Village Board prior to the attendance at said meeting and noting whether or not a Village vehicle will be use.

**BE IT FURTHER RESOLVED**, that attendance at any conference is authorized in advance by Village Board resolution.

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

Trustee Adolf - Y

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

### **ADVANCE APPROVAL OF CLAIMS**

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

**BE IT RESOLVED**, the Village Administrator is hereby authorized to make payment in advance of audit for claims for the following items: public utility services, postage, freight and express charges, payroll and charges for attendance at official meetings, seminars and conferences.

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

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

### **COMMITTEES**

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

**BE IT RESOLVED**, upon recommendation of Mayor Kevin Peterson the following Standing Committees for the official year 2021-2022, consisting of the following members of the Village Board are hereby appointed, the first named Chairman:

**Finance, Purchasing & Insurance**  
**Kucewicz, Ziemba**

**Disaster Preparedness & Public Safety**  
**Kucewicz, Ziemba**

**Zoning & Community Development**  
**Hamernik, Adolf**

**Personnel**  
**Ziemba, Hamernik**

**Public Works & Solid Waste**  
**Ziemba, Hamernik**

**Intermunicipal Co-operation**  
**Adolf, Kucewicz**

**Recreation, Seniors & Veterans**  
**Adolf, Kucewicz**

**Depew Business Liaisons**  
**Hamernik, Adolf**

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

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

## **MILEAGE ALLOWANCE**

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

**WHEREAS**, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles with prior approval from their department head while performing their official duties on behalf of the Village;

**NOW THEREFORE BE IT RESOLVED**, that the Board of Trustees shall approve reimbursement to such officers and employees at the rate of .55 cents per mile.

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

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

## **PER DIEM**

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

**WHEREAS**, the Board of Trustees has determined to pay a per diem amount set forth below for any meals taken during a conference or training seminar that are not paid for as part of that conference or training seminar, that employees or volunteer firefighters are attending on behalf of the Village of Depew;

**NOW THEREFORE BE IT RESOLVED**, that the Board of Trustees shall approve reimbursement for breakfast at \$12.00, lunch at \$15.00 and dinner at \$25.00. Detailed itemized receipts must be submitted to the Clerk/Treasurer's Office with a voucher as proof of the expenditure before reimbursement will be made.

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

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

## **OFFICIAL DEPOSITORIES**

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

**BE IT RESOLVED**, the following banks are hereby designated Official Depositories for the Village of Depew funds for a term of one year, said term to expire at noon on the first Monday in April 2023,

Bank of America, Depew, New York  
Manufactures and Traders Trust, Lancaster, New York  
J.P. Morgan Chase Bank, Buffalo, New York  
Key Bank, Depew, New York  
Citizens Bank, Depew, New York  
NYCLASS, White Plains, New York

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

Trustee Adolf- Y  
Trustee Ziemba- Y

Trustee Kucewicz- Y  
Deputy Mayor Hamernik- ABS  
Mayor Peterson- Y

### **OFFICIAL NEWSPAPER**

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

**BE IT RESOLVED**, that the Depew Bee is hereby designated as the Official Newspaper in and for the Village of Depew, New York for a term of one year, said term to expire at noon on the first Monday of April 2023.

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

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

### **MEETING DATES**

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

**BE IT RESOLVED**, Regular Meetings of the Village of Depew will be held on the Second and Fourth Monday of every month at 7:00 P.M. in the Council Chambers. There will be a Pre-Board Meeting prior to every regularly scheduled Board Meeting at 5:30PM in the Conference Room in Village Hall.

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

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

### **SPECIAL MEETINGS**

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

**BE IT RESOLVED**, a special meeting may be called by the Mayor, or any two Trustees, by giving all members of the Board of Trustees twenty-four (24) hour notice, and a Special Meeting may be waived of the twenty-four (24) hours' notice, if all five (5) Board Members consent to such waiver.

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

### **PUBLIC COMMENT RULES AND PROCEDURES**

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

**WHEREAS**, members of the public may wish to address the Board during the Public Comment portions of a Village Board Meeting, and

**WHEREAS**, the Village Board wishes to maintain an orderly comment period giving all residents the ability to speak.

**NOW, THEREFORE, BE IT RESOLVED**, that a person present at a Village Board meeting, upon recognition by the Mayor or individual present in the Chair, may address the Board for a maximum period of five (5) minutes, with the Mayor or Chair having the ability to further restrict the time allotted to a person whose remarks are repetitive, are irrelevant, or are not germane to the matter under consideration by the Board, and

**BE IT FURTHER RESOLVED**, that the Mayor or Chair may, at their discretion, choose to defer comment to a later date or to provide a written response to the question or questions presented.

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

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

### **ADJOURNMENT**

**ON A MOTION BY** Trustee Adolf and seconded by Trustee Kucewicz, the meeting was adjourned with a moment of silence for Patricia Mandell, Mother of David Adamberger, past fire chief. The motion was CARRIED

Respectfully submitted,

Teresa Wachowiak  
Village Administrator