

# Village of Depew, NEW YORK

*"The Village of Unexcelled Opportunity"*



MEETINGS TO DATE: 17

NO. OF REGULARS: 16

## AGENDA

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

November 8, 2021 7:00PM

PLEDGE OF ALLEGIANCE-

INVOCATION –

NOTIFICATION OF FIRE EXITS

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

APPROVE VILLAGE BOARD MEETING MINUTES – October 25, 2021

ACCEPT ZONING BOARD MINUTES – October 14, 2021

1. David Gena for property located at 90 Harvard Ave, of Chapter 260, §260-23(B)(2) to permit him to install a deck within the minimum required 5ft setback from property line. Amended variance granted.
2. Gerald Fernandez for property located at 116 Meridian St, of Chapter 260, §260-23(B)(2) to permit him to construct a garage within the minimum required 5ft setback from property line. Denied
3. Tim Bunch for property located at 6321 Transit Rd, of Chapter 260, §260-26(A)(2) to permit him to erect a fence within the required 30ft setback. Tabled

## PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing – Cannabis Legislation
2. Appoint – DPW Crew Chief
3. Accept – Resignation
4. Award – Sidewalk Bid
5. Approve – ARPA Funds Project
6. Permission to sign – DPD MOA
7. Authorize – Return Unpaid Taxes
8. Authorize – Emergency Repair
9. Permission – Conference
10. Permission – Taser Course
11. Permission – Fire Department
12. Approve – Use of Fire Truck
13. Appoint – DPW FT Laborer
14. Approve – Tree Lighting and Parade
15. Permission – Waive Fee
16. Department Head Reports – Building October 2021
17. Employment Applications – Benjamin Fleck
18. Unfinished and Other Business
19. Public Concerns and Comments
20. Claims and Accounts
21. Adjournment

Village of Depew  
Notice of Public Hearing

A public hearing will be held on Monday November 8, 2021 at 7:00PM in the Depew Village Hall Council Chambers. The purpose of the hearing is to discuss the Cannabis Legislation The meeting room is wheelchair accessible.

By order of the  
Board of Trustees  
Teresa Wachowiak  
Village Administrator

RESOLUTION

November 8, 2021

**APPOINTMENT – DPW CREW CHIEF**

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

Ronald Hottum

to the position of full time General Crew Chief for the Department of Public Works, effective November 9, 2021, at the rate per the budget. The probationary period for this appointment will be for a period of 26 weeks.

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

Trustee Hamernik -

Trustee Ziembra -

Trustee Kucewicz -

Deputy Mayor Stempniak -

Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021  
Agenda Item # 2

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

RESOLUTION

November 8, 2021

**ACCEPT RESIGNATION – PART TIME CODE ENFORCEMENT OFFICER**

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

**BE IT RESOLVED**, the resignation of Patrick McNulty, Part Time Code Enforcement Officer effective November 5, 2021 is accepted.

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

Trustee Hamernik -  
Trustee Ziemba -  
Trustee Kucwicz -  
Deputy Mayor Stempniak -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021

Agenda Item #3

\_\_Approved \_\_Denied

RESOLUTION

November 8, 2021

**AWARD BID- SIDEWALK BID – CHEEKTOWAGA SECTION**

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 Sidewalk Bid from the bid opening October 5, 2021 in the bid amount of \$44,100.00 be awarded to:

Master's Edge Concrete  
3409 Broadway,  
Cheektowaga, NY 14227

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

Trustee Hamernik -  
Trustee Ziemba -  
Trustee Kucwicz -  
Deputy Mayor Stempniak -  
Mayor Peterson -

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021  
**Agenda Item # 4**

  Approved   Denied

RESOLUTION

November 8, 2021

**APPROVE – USING FUNDS FOR FIREMANS PARK**

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

**WHEREAS**, the Board of Trustees of the Village of Depew, New York held a special meeting to discuss the proposal to build the new Fireman's Park Pavilion / Bathrooms, or any other ideas for using American Rescue Plan Funds on November 1, 2021 at 7 PM in the Council Chambers, 85 Manitou St, Depew, NY 14043.

**WHEREAS**, all persons were given an opportunity to speak for or against the use of the use of the American Rescue Plan Funds to build a new Pavilion / Bathroom structure in Fireman's Park.

**NOW THEREFORE, BE IT RESOLVED**, the proposed use of American Rescue Plan Funds for this project is hereby adopted.

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021

Agenda Item # 5

\_\_Approved \_\_Denied

**AUTHORIZE MAYOR TO SIGN MEMORANDUM OF AGREEMENT**

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

**WHEREAS**, the Village of Depew and The PBA have come to the mutual agreement for dental reimbursement. All requests for reimbursement of dental expenses incurred in the fiscal year (June 1 through the following May 31) must be submitted to the Village by June 30<sup>th</sup> immediately following the end of the fiscal year.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the Memorandum of Agreement.

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021  
Agenda Item # 6

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

RESOLUTION

NOVEMBER 8, 2021

**RETURN UNPAID TAXES TO COUNTY OF ERIE**

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

**BE IT RESOLVED**, the report of the Village Administrator, showing that in accordance with Article 14, Section 1436, Paragraph 2 of the Real Property Tax Law, is returning to the County of Erie, Department of Finance the 2021-2022 unpaid Village Tax accounts together with the unpaid sewer account pursuant to verification and certification of the Board of Trustees, and also that as of November 1, 2021, has collected the sum of \$10,896,053 leaving a balance of \$178,398.32. In accordance with section 987 of Real Property Tax Law, the Village has imposed a fee of \$2.00 per parcel for the "Notice of Unpaid Taxes"; the Administrator has added \$384.00 to the balance, we are also adding the unpaid lawn mowing charges of \$4,426.08, thereby leaving a balance of \$183,208.40, which has been transferred to Account A440, Due from Other Governments, for further collection on the Town/County bill, is hereby accepted.

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

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

VILLAGE OF DEPEW  
BOARD MEETING  
NOVEMBER 8, 2021  
Agenda Item # 7

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



RESOLUTION

November 8, 2021

**AUTHORIZATION EMERGENCY SEWER REPAIR**

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

**WHEREAS**, in response to a collapsed sewer line at 39 Lincoln St. The sewer is being repaired as part of an emergency order with E & R General Construction Inc. The emergency work being done will be at no expense to the Village once reimbursement has been paid.

**BE IT FURTHER RESOLVED**, that the work is authorized to be completed as per the proposal from E & R General Construction.

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

Trustee Hamernik  
Trustee Ziemba  
Trustee Kucewicz  
Deputy Mayor Stempniak  
Mayor Peterson

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021

**Agenda Item # 8**

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

RESOLUTION

November 8, 2021

**PERMISSION CONFERENCE**

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

**BE IT RESOLVED**, permission is hereby granted to Code Enforcement Officer Anthony Fischione to attend The Niagara Frontier Building Officials Education Conference to be held at The Millenium Hotel, 2040 Walden Ave, Cheektowaga, NY from January 24 -26, 2022. The use of village vehicle is authorized.

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021  
**Agenda Item # 9**

\_\_Approved \_\_Denied

RESOLUTION

November 8, 2021

**PERMISSION COURSE**

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

**BE IT RESOLVED**, permission is hereby granted to Police Officer Alex Wojciechowicz to attend the Taser Instructor Course to be held at the Syracuse Police Dept, 511 State St, Syracuse, NY 13202 from 8 AM – 5 PM on December 16, 2021. The use of village vehicle is authorized.

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021  
**Agenda Item # 10**

\_\_Approved \_\_Denied

RESOLUTION

November 8, 2021

**PERMISSION – Christmasville Parade**

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

**BE IT RESOLVED;** permission is hereby granted to Depew 9, Engine #1, Engine #4, and Ladder #5 to attend the Christmasville Parade on Saturday November 27, 2021 from 6PM – 9PM in Lancaster.

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021

**Agenda Item # 11**

\_\_Approved \_\_Denied

RESOLUTION

November 8, 2021

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to Firefighters Thomas Klukowski and Kora Daige to utilize Depew Engine #1 on Saturday November 6, 2021 from 3:00pm – 6:00pm for the celebration of their wedding. The wedding will take place on The BFLO Event Center, 4545 Transit Rd, Clarence, NY.

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021  
Agenda Item # 12

\_\_Approved \_\_Denied

RESOLUTION

November 8, 2021

**APPOINT FULL TIME DEPARTMENT OF PUBLIC WORKS LABORER**

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

Dillon Snyder

to the position of Full Time Department of Public Works Laborer at the salary stipulated in the budget.

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

Trustee Hamernik -

Trustee Ziemba -

Trustee Kucewicz –

Deputy Mayor Stempniak -

Mayor Peterson –

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021  
Agenda Item # 13

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

RESOLUTION

November 8, 2021

**PERMISSION TREE LIGHTING PARADE**

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

**BE IT RESOLVED**, permission is hereby granted for the Annual Tree Lighting Parade including Fire Apparatus and Santa on Monday, November 29, 2021, beginning at 6:00 PM. The Depew Police Department who will provide the necessary traffic enforcement has approved the parade route.

**BE IT FURTHER RESOLVED**, permission is being granted for House of Munch and Bene Cibo food trucks to be at the event and the permit fee is waived. Fire pits will also be provided and supervised by Depew Fire Department for roasting marshmallows.

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021

**Agenda Item # 14**

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

RESOLUTION

November 8, 2021

**PERMISSION –WAIVE PERMIT FEE**

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

**WHEREAS**, The Depew Community Action Team has requested permission to waive the permit fees pertaining to the installment of the heating and ventilation equipment at 570 Gould Ave, Depew, NY 14043 to restore the Dom Polski building.

**NOW, THEREFORE, BE IT RESOLVED**, that permission is hereby granted to The Depew Community Action Team has requested permission to waive the permit fees pertaining to the installment of the heating and ventilation equipment at 570 Gould Ave, Depew, NY 14043 to restore the Dom Polski building.

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

VILLAGE OF DEPEW  
BOARD MEETING  
November 8, 2021

Agenda Item # 15

\_\_Approved \_\_Denied