

MEETINGS: 2  
NO. OF REGULAR: 2

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**April 12, 2021 7:00PM**

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

APPROVE VILLAGE BOARD MEETING MINUTES – March 22, 2021  
APPROVE VILLAGE BOARD MINUTES – Reorg Meeting – April 5, 2021

Village of Depew  
Notice of Public Hearing

A public hearing will be held on Monday April 12, 2021 at 7:00PM in the Depew Village Hall Council Chambers regarding the 2021-2022 tentative budget. The meeting room is wheelchair accessible.

The Public Hearing was opened at 7:17 PM by Deputy Mayor Stempniak and Closed at 7:20, PM, with no public comments, by Trustee Hamernik.

**APPOINT POLICE LIEUTENANT**

Pursuant to Section 4-400 of Village Law, I Mayor Kevin Peterson, do hereby appoint Todd Pyc to the position of Police Lieutenant from the Civil Service Exam #77-910 list.

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

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

**ACCEPT RESIGNATION –CODE ENFORCEMENT OFFICER**

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

**BE IT RESOLVED**, the resignation of Kenneth Menard, Code Enforcement Officer effective April 5, 2021 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 - ABS  
Trustee Kucewicz - Y  
Trustee Stempniak -Y  
Mayor Peterson -Y

**AUTHORIZE MAYOR TO SIGN SUCCESSOR AGREEMENT – BLUE COLLAR**

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

**BE IT RESOLVED**, Mayor Kevin Peterson is authorized to sign a successor agreement with Village of Depew Blue Collar contract, representing the members of the Department of Public Works for the period June 1, 2020 to May 31, 2022.

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

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

**AUTHORIZE MAYOR TO SIGN COUNSEL FEE AGREEMENT**

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

**WHEREAS**, the Village of Depew is currently utilizing Hodgson Russ Attorneys 140 Pearl St #100, Buffalo, NY 14202.;

**WHEREAS**, the Village of Depew would like to continue the using Hodgson Russ for the use of Bond Counsel.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the agreement between the Village of Depew and Hodgson Russ Attorneys.

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 - ABS  
Trustee Kucewicz - Y  
Trustee Stempniak -Y  
Mayor Peterson -Y

## **AUTHORIZE MAYOR TO SIGN AGREEMENT – MUNICIPAL SOLUTIONS**

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

**WHEREAS**, the Village of Depew is currently utilizing Municipal Solutions, 62 Main St, Leroy, NY 14482 for services in the village of Depew;

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the amendment to extend the original contract dated May 31, 2019 in connection with the Village of Depew's SSES Phase VI Project. This amendment adds additional services and extends the contract for an additional 12 months.

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 - ABS  
Trustee Kucewicz - Y  
Trustee Stempniak -Y  
Mayor Peterson -Y

## **AUTHORIZE MAYOR TO SIGN AGREEMENT – MUNICIPAL SOLUTIONS**

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

**WHEREAS**, the Village of Depew is currently utilizing Municipal Solutions, 62 Main St, Leroy, NY 14482 for services in the village of Depew;

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the contract renewal in connection with the Village of Depew's general financial services to become effective at the expiration of the current contract.

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 - ABS  
Trustee Kucewicz - Y  
Trustee Stempniak -Y  
Mayor Peterson -Y

## **SEQR – 571 TERRACE BLVD**

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

**WHEREAS**, the Board of Trustees of the Village of Depew (hereinafter “Board”) having duly considered the parking lot expansion of Carmina, Wood, Morris DPC located at 571 Terrace Blvd, Depew, New York (hereinafter the “project”) and that such proposed action may possibly be considered to have an effect on the environment; and

**WHEREAS** the Board by operation of law is the lead agency authorized to perform a review under the State Environmental Quality Review Act (hereinafter “SEQRA”) pursuant to Article 8 of the Environmental Conservation Law and undertook an UNCOORDINATED review and enlisted the services of appropriate consultants, specifically the Planning Board of the Village of Depew, to study and analyze the proposed action and provide professional opinions as to the classification of the nature of the proposed action for purposes of SEQRA; and

**WHEREAS** a comprehensive review of the proposed project has been completed and it has been determined that the project is an UNLISTED ACTION for purposes of SEQRA; and

**WHEREAS** a Short Environmental Assessment Form (SEAF) was reviewed, discussed, and completed during a special meeting of the Planning Board of the Village of Depew held on the 4th day of March, 2021 at which time the Planning Board reviewed the criteria and determined the significance of the project including the proposed action, its location, its purpose, and its potential impacts on the environment and issued the recommendation that the project be determined to be an UNLISTED ACTION for purposes of SEQRA .

**NOW THEREFORE BE IT RESOLVED**, that as a UNLISTED ACTION under SEQR, the project has been found to categorically to not have a significant adverse impact on the environment and no further review under is SEQR is required, and it is further

**RESOLVED**, that the BOARD issues a negative declaration in connection with the SEQRA review of this project, and it is further

**RESOLVED**, that based upon the consideration and completion of the SEAF process the Board determined that based upon the classification and negative declaration noted above, no further action is required by the Board to comply with SEQRA.

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 Ziembra - ABS  
Trustee Kucewicz - Y  
Trustee Stempniak -Y  
Mayor Peterson -Y

**SEQR – 5636 TERRACE BLVD.**

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

**WHEREAS**, the Board of Trustees of the Village of Depew (hereinafter “Board”) having duly considered the application for the demolishing of a 75ft x 100 ft section of existing block building and replace with a 75ft x 125ft new steel building located at 5636 Transit Rd, Depew, New York (hereinafter the “project”) and that such proposed action may possibly be considered to have an effect on the environment; and

**WHEREAS**, the Board by operation of law is the lead agency authorized to perform a review under the State Environmental Quality Review Act (hereinafter “SEQRA”) pursuant to Article 8 of the Environmental Conservation Law and undertook an UNCOORDINATED review and enlisted the services of appropriate consultants, specifically the Planning Board of the Village of Depew, to study and analyze the proposed action and provide professional opinions as to the classification of the nature of the proposed action for purposes of SEQRA; and

**WHEREAS** a comprehensive review of the proposed project has been completed and it has been determined that the project is an UNLISTED ACTION for purposes of SEQRA; and

**WHEREAS** a Short Environmental Assessment Form (SEAF) was reviewed, discussed, and completed during a special meeting of the Planning Board of the Village of Depew held on the 4th day of March, 2021 at which time the Planning Board reviewed the criteria and determined the significance of the project including the proposed action, its location, its purpose, and its potential impacts on the environment and issued the recommendation that the project be determined to be an UNLISTED ACTION for purposes of SEQRA .

**NOW THEREFORE BE IT RESOLVED**, that as a UNLISTED ACTION under SEQR, the project has been found to categorically to not have a significant adverse impact on the environment and no further review under is SEQR is required, and it is further

**RESOLVED**, that the BOARD issues a negative declaration in connection with the SEQRA review of this project, and it is further

**RESOLVED**, that based upon the consideration and completion of the SEAF process the Board determined that based upon the classification and negative declaration noted above, no further action is required by the Board to comply with SEQRA.

**THEREFORE, BE IT RESOLVED:** All of the above foregoing resolutions were seconded by Deputy Mayor Stempniak and duly put to a roll call vote which resulted in the following:

Trustee Hamernik - Y  
Trustee Ziembra - ABS  
Trustee Kucewicz - Y  
Trustee Stempniak -Y  
Mayor Peterson -Y

## **PERMISSION – FIRE DEPARTMENT**

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

**WHEREAS**, Permission is hereby granted to the Depew Fire Department Engine 1 would like permission to attend the Emergency Vehicle Operators Course skills evaluation exam on Tuesday, April 13, 2021 at ECC North, 6205 Main St, Williamsville from 6pm-9pm.

And

**WHEREAS**, Permission is hereby granted to the Depew Fire Department Engine 4 would like permission to take part in the NYS Firefighter 2 course on Wednesday, April 14<sup>th</sup> from 6pm-10pm at the Erie County Fire Training Academy, located at 3359 Broadway, Cheektowaga.

And

**WHEREAS**, Permission is hereby granted to the Depew Fire Department Rescue 7 would like permission to take part in vehicle extrication training with the U-Crest Fire Company on Monday, April 26, 2021 from 7pm-10pm on McKesson Pkwy in Cheektowaga.

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

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

## **PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to Aetna Hose Co to use the Southside Fire Station for their Company Installation Dinner on Saturday April 17, 2021 from 5:00 PM–11:00 PM. All Covid 19 guidelines will be followed.

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

## **PERMISSION – DEPEW JUNIOR FIREFIGHTERS**

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

Permission is hereby granted for the Depew Junior Firefighters to participate in the HEMS ANGELS fundraiser on Saturday, June 12, 2021 from 4pm – 7pm at the Hill Top Grove, 11389 Genesee Street, Alden. This fundraiser is sponsored by the Red Knights NY Chapter 47, and it's proceeds directly benefit local Junior Firefighter and Explorer programs. The DFD Junior firefighters will be supervised at all times by the Junior Firefighter Program adult advisors

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

**EMPLOYMENT APPLICATIONS –** Rec – Michael Steffens

**DEPARTMENT HEAD REPORTS –** Building and Police March 2021

**UNFINISHED AND OTHER BUSINESS –** N/A

### **PUBLIC CONCERNS AND COMMENTS**

Chief Miller welcome Todd Pyc into his newly appointed position of Lieutenant. See attached for full report.

Chief Rzeszutek – please see attached report

DPW Superintendent Ken Pyc reported that the department has finished pouring the footers near the bridge for the beacon lights, the guys are top soiling and seeing where they were doing stump grinding and asked the public to please remember to water them.

OEM – RJ reported that there is not much to report on their end. They still have PPE and cleaning supplies if anyone needs anything, just let him or Galen know.

Rec Director Kevin Ferguson told everyone that the rink has now been shut down as of the 10<sup>th</sup>. The parks have been worked on with fresh coats of paint and and rototilled as well. He will be sending the board the shelter rental agreement to review, as it was approved by Sam. Holly will be having yoga again this year on Wednesdays and Saturdays at 6pm and 10am respectively.

Attorney Sam Alba the reason we have to read the entire SEQR resolutions is to make sure they cannot be overturned. Many FOIL requests have been coming in, which we are working on. He also plans to review the SEQR process to make it a more streamlined process. We may need an executive session for pending litigation which the initial board members are aware of, however the new board members can reach out to him to get updated on it as well.

Mayor Peterson welcomed Trustee Kucewicz to her first actual board meeting and asked if she had anything for the night. She wanted to thank the residents for giving her the opportunity to serve them.

Trustee Hamernik also thanked the residents for re-electing her and she will work hard to do what's best for them.

Deputy Mayor Stempniak updated the board on the status of the Tree Board. On Saturday we received a packet from Tree City USA which contained two signs letting people know that Depew is a Tree City, USA member. Perhaps they could go on the welcome to the Village signs. Erica will be looking to send out our RFP for an arborist, including those that have contacted her about it. She welcomed everyone to the board. Deputy Mayor Stempniak then wanted to speak to the flyer that was circulated about the grants the Village received versus the ones that Lancaster received. The point was that Lancaster received \$2.75 million and we received \$330,000. They have a main street project going on and the roun-a-bouts as well. They have different qualifications than we do. As of 7/10 the Village has gotten \$363,000 and \$95,000, plus a \$100,000 CFA grant that we worked with UB students on. It's unfair to compare the two, we're different municipalities with different needs.

Bob Brandon of Senator Kennedy's office wanted to review a few of the State budget items that were passed. Transportation funds are at \$100 million and CHIPS got an increase of 22% for DPW work, \$35 million, up 53% for EWR funds, a 50% increase to PAVE NY increase which the Senator was instrumental in getting. AIM was once again restored fully. Nursing homes got 70% of their revenue for patient care and 40% for staffing incentives. Rents and utilities for renters and owners has also been addressed for those qualifying for the aid to pay for their utilities and rents.

Mayor Peterson reported that they have been working to try and get some funding for repairs to the Transit Road viaducts and the conversation he had with Congressman Jacobs was not encouraging. Bob will ask the Senator if there is anything they can do. Mayor Peterson thanked the Senator for his support with the infrared system and would like to have him come out to see the finished project when it is completed.

Elizabeth is not present tonight but the Mayor informed everyone that he had a conversation last week with her that Assemblywoman Wallace has given funds to help the Village purchase the Body Cams for the PD, pagers for the FD which are very much needed and even the OEM radios.

Public comments included congratulations to newly promoted Lieutenant Pyc. A thank you for fixing the hole to the DPW.

### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Hamernik and seconded by Trustee Kucewicz, the following claims are to be paid: \$98,496.96 General, \$900.22 Sewer, \$1,722.60 Capital Projects, \$2321.00 Capital Project – Building Reno \$103,440.78 Capital was **CARRIED.**

### **ADJOURNMENT**

**ON A MOTION BY** Trustee Hamernik, seconded by Deputy Mayor Stempniak the meeting was adjourned with a moment of silence for 53 Year Member of the Depew Fire Dept Past Chief Richard Kropp at 8:14 **PM.** The motion was **CARRIED.**

Respectfully submitted,



Teresa Wachowiak  
Village Administrator