

MEETINGS: 10  
NO. OF REGULAR: 10

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**August 10, 2020 7:00PM**

ROLL CALL: Trustee Jakubowski – Pr  
Trustee Voll - Pr  
Trustee Stempniak - Pr  
Trustee Hamernik - Pr  
Mayor Peterson– Pr

**ON A MOTION BY**, Trustee Stempniak and seconded by Trustee Voll the July 27, 2020 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Hamernik and seconded by Trustee Jakubowski the July 2, 2020 Planning Board Minutes were approved

1. 4388 Broadway, Joseph Palumbo of Carmina, Wood, Morris D.P.C. on behalf of Serafin Properties LLC for approval of proposed new parking area and creation of a new curb cut on Broadway Street. Site plans approved on condition that they meet NYS DOT requirements.
2. 4510 Broadway, Timothy Arlington of Apex Consulting Survey & Engineering Services PC on behalf of Homes by Walter Inc. for approval of revised site plan and engineering for the project approved at the September 6, 2018 Planning Board meeting. Project tabled until clarification of one-acre rule.

**PUBLIC COMMENT** – N/A

**APPOINT PART TIME COURT OFFICER**

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

William Delano

to the position of Part Time Court Officers at \$14.00 per hour effective August 11, 2020.

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

Trustee Jakubowski - Y  
Trustee Voll - Y  
Trustee Hamernik - Y  
Trustee Stempniak - Y  
Mayor Peterson - Y

**APPOINT DETECTIVE SARGEANT**

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

Detective John Thomson

to the position of Detective Sergeant, on a provisional basis effective August 11, 2020. He will need to take and pass the next Civil Servant Detective Sergeant exam, when scheduled. Starting salary will be as stipulated by the current PBA collective Bargaining Agreement. The terms of employment and probation period will be in accordance with the current PBA collective bargaining agreement and current Erie County Rules for classified service as amended.

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

Trustee Jakubowski - Y  
Trustee Voll - Y  
Trustee Hamernik - Y  
Trustee Stempniak - Y  
Mayor Peterson - Y

### **AWARD BID- SIDEWALK BID**

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

**BE IT RESOLVED**, that upon the recommendation of the Village Engineer, the bid for the Cheektowaga section of Sidewalk Bid from the bid opening July 30, 2020 in the bid amount of \$43,390.00 be awarded to:

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

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

Trustee Jakubowski - Y  
Trustee Voll -Y  
Trustee Hamernik - Y  
Trustee Stempniak - Y  
Mayor Peterson - Y

### **AWARD BID- SIDEWALK BID**

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

**BE IT RESOLVED**, that upon the recommendation of the Village Engineer, the bid for the Lancaster section of Sidewalk Bid from the bid opening July 30, 2020 in the bid amount of \$91,010.00 be awarded to:

Roman Construction Development Corp.  
7298 Paddock Ridge  
Pendleton, NY 14120

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

Trustee Jakubowski - Y  
Trustee Voll -Y  
Trustee Hamernik – Y  
Trustee Stempniak - Y  
Mayor Peterson - Y

### **PERMISSION PARCEL SUBDIVISION**

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

**WHEREAS**, The Village of Depew Board of Trustees authorizes the subdivision of a 12 foot by 391foot piece of land from 166 S. Bryant SBL# 104.17-1-2.2, to be annexed to the adjacent parcel SBL# 104.17-1-2, to create access to the Right of Way for a land locked parcel within the Floodplain.

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

Trustee Jakubowski - Y  
Trustee Voll - Y  
Trustee Hamernik - Y  
Trustee Stempniak - Y  
Mayor Peterson - Y

### **AUTHORIZE COMMUNITY OUTREACH EVENT**

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

WHEREAS, The Depew Police Department has teamed up with the Erie County Department of Health and will be participating in a Community Outreach and educational training on August 22, 2020 at the D&L Plaza.

It will be held 9am -1PM

The outreach will include

- Narcan on the spot training and distribution
- HIV Testing
- COVID screening Kits
- Free mask
- Free Sanitizer
- General Health Information

We will also be conducting Child safety seat checks and installations

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

Trustee Jakubowski - Y

Trustee Voll -Y

Trustee Hamernik - Y

Trustee Stempniak - Y

Mayor Peterson - Y

### **APPROVE FIREFIGHTER SERVICE AWARD POINTS**

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

During the recent COVID-19 health crisis, the New York State Senate passed Senate Bill 8251-B in an effort to amend the General Municipal Law in relation to the determination of points for service award programs for volunteer firefighters and volunteer ambulance workers during a state disaster emergency: and providing for the repeal of such provisions upon expiration thereof.

Whereas The people of the State of New York, represented in the Senate and Assembly, did enact as follows: Section 1. Section 217 of the General Municipal Law is amended by adding a new subdivision (p) to read as follows:

(p)For the purposes of determining total points earned for a calendar year in which a state disaster emergency, as defined in section twenty of the executive law, has been declared pursuant to executive order# 202 of 2020, as amended, to address the outbreak of novel coronavirus, COVID-19, an active volunteer firefighter service award program may provide for the crediting of up to 5 additional points per month, prorated for periods of less than 1 month, to each active volunteer firefighter for each month that special emergency response rules were in place restricting firefighter responses to emergency responses and/or restricting the holding of activities for which points could be earned due to guidelines related to the state disaster emergency. A political subdivision electing to provide the additional points authorized under this subdivision shall adopt a resolution by April 30<sup>th</sup>, 2021 determining the number of additional points to be credited per month, provided that any additional points credited pursuant to this subdivision shall be in addition to any other points earned pursuant to this section during the state disaster emergency.

Whereas the Mayor and the Village of Depew Board of Trustees do hear-by adopt this amendment to the General Municipal Law Section 1, Section 217.

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

Trustee Jakubowski - Y

Trustee Voll -Y

Trustee Hamernik - Y

Trustee Stempniak - Y

Mayor Peterson - Y

### **EMPLOYMENT APPLICATIONS - N/A**

## **PUBLIC COMMENT**

Elizabeth from Monica Wallace's office attended and let the board know that the Assembly Woman has been working on Zombie properties and she will keep us informed. Also, they are working with some small businesses to find out why they are not yet allowed to open. Hopefully they can get them some answers and guidelines to reopen soon.

Bob Brandon from Senator Kennedy's office is working on tax payer incentives. The Senator unfortunately had to cancel their annual job fair that is usually held at the convention center due to COVID-19. However you can still find information on their website. The President's most recent executive order, if not challenged, will cost many states 25% to pay towards the unemployment benefit. Many states cannot afford such new fees. We'll hear more when they get some further direction.

Fire Department – see report

Police Department – see report and flier for upcoming outreach program.

OEM – Everything is going quiet and the numbers have remained low, which is fantastic news. If anyone needs supplies, please let RJ or Galen know, as they still have a large inventory in house.

CEO – The department has been very busy with new businesses coming in and preparing to open. Dollar General is under construction and Burger King is being completely remodeled. Tony is working on updating the grass cutting list as people, even though asked not to do so, are tired of cutting lawns that people have vacated. That list will go to the DPW when complete.

DPW – The crews have been working with both the Town and Village of Lancaster on their milling and paving, and in turn, they will help us beginning tomorrow. Streets that are being done are Jacki, Taylor, Dean, B&D and Green Terrace. Ken's men are working on the blacktop for the park on George Urban for the basketball court. The street sweeper paperwork is being taken to the DMV tomorrow to get registered and will be on the road soon.

Mayor Peterson reported for the Rec Director that yoga is still going very well and that we are looking to extend the time frame as long as the weather permits us to. Fireman's Park is busy tonight, little league baseball, softball, basketball, great to see the kids enjoying it. The park renderings have been completed and they look very, very nice. It's a very exciting time and we are truly hoping to see the entire grant application approved for this project.

Legal – have been very busy with trying to get the waivers completed for the properties that were sold. But we're closer than ever and once the signatures are obtained we can get everything filed.

Mayor Peterson let everyone know that the plan for the Senior Center is to open on 8/19 as long as the attorney can make sure we have all legal issues in line.

Trustee Jakubowski reported that there will be a HHW drop off at Erie County, by appointment. Please see their website for more details as to what is acceptable.

Trustee Stempniak was at the park for yoga and noticed children running around looking for the ducks that were hidden there, looked like they were really enjoying themselves.

Administrator – wanted to send out a big Thank You to all the ladies in the office, Melissa, Lisa, Ashley and Gina for going above and beyond helping us during the change over to the new phone system. Also, all of the patience and understanding from the entire Dispatch Team. We're close, should not be much longer. Also, we should have a quote on the construction aspect of the Gazebo and as soon as we do, we'll get moving on that repair.

Public Comments were to congratulate our new employees!!!!

## **DEPARTMENT HEAD REPORTS -** Police July 2020

## **UNFINISHED AND OTHER BUSINESS -** N/A

## **PUBLIC CONCERNS AND COMMENTS**

## **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Hamernik and seconded by Trustee Jakubowski, the following claims are to be paid: \$66,172.27 General, \$800.00 Sewer Projects, \$66,972.27 Capital was **CARRIED**.

**ADJOURNMENT**

**ON A MOTION BY** Trustee Stempniak, seconded by Trustee Voll, the meeting was adjourned with a moment of silence for Oliver Bauer, 40-year exempt member of the Cayuga Hose Co. #3 at 8:05 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak  
Village Administrator