

MEETINGS: 12  
NO. OF REGULAR: 12

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
September 14, 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 Hamernik and seconded by Trustee Voll the August 24, 2020 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Hamernik and seconded by Trustee Voll the August 13, 2020 Village Board Minutes were accepted.

1. Jamie Ohleman, 91 Terrell St. For a variance to permit her to erect an accessory structure (shed) less than five (3') feet from the property line as required by Village Ordinance. Denied.
2. Lee Kreuzer, 30 Wyandotte St. For a variance to permit him to add a driveway for parking exceeding the allowable distance in front of the house as required by the Village Ordinance. Granted.

**PUBLIC COMMENT** N/A

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to the Depew Fire Department for their Fill-the Boot Fundraising effort on September 14, 2020 from 3:30pm till 6:30 pm at various intersections in the Village. The rain date will be September 15, 2020.

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

**ACCEPT RETIREMENT – POLICE CAPTAIN**

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

**BE IT RESOLVED**, the retirement of Ken Kaczmarek, Captain of The Depew Police Department effective September 4, 2020 is accepted.

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

**AUTHORIZE MAYOR TO SIGN SUCCESSOR AGREEMENT - PBA**

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

**BE IT RESOLVED**, Mayor Kevin Peterson is authorized to sign a successor collective bargaining agreement with Village of Depew Police Benevolent Association, representing the members of the Depew Police Department containing the revisions agreed upon by the parties in the August 26, 2020 tentative agreement for the period June 1, 2020 to May 31, 2022.

The foregoing resolution was seconded by Trustee 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

#### **AUTHORIZE MAYOR TO SIGN INTERMUNICIPAL AGREEMENT**

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

**WHEREAS**, the County of Erie desires to distribute a portion of its allocation of Coronavirus Relief Funds with the local governments in order to assist the local governments with the impacts of the COVID-19 emergency, and the Village of Depew desires to enter into this intermunicipal agreement in order to set forth the terms and conditions pertaining to such distribution.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the intermunicipal agreement with the County of Erie for the allocation of the relief funds for the Village of Depew.

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

#### **AUTHORIZE MAYOR TO SIGN MUNICIPAL SOLUTIONS PROPOSAL**

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

**WHEREAS**, the Village of Depew has utilized Municipal Solutions Inc for their advisory services related to capital borrowing on an as needed basis;

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the proposal continuing disclosure filings and regulations by Municipal Solutions services.

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

#### **ADOPT RECORDS RETENTION POLICY**

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

**BE IT RESOLVED**, By the village Board of the Village of Depew that *Records Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

**FURTHER RESOLVED**, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Records Retention and Disposition Schedule LGS-1* after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

The following resolution was seconded by Trustee 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

#### AUTHORIZATION - STORMWATER COALITION

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

**WHEREAS**, the Village of Depew would like to enter into the memorandum of agreement with the Western New York Stormwater Coalition.

**BE IT RESOLVED**, that the Mayor has the permission of the Board of Trustees to enter into the memorandum of agreement with the Western New York Stormwater Coalition.

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

#### ADOPT SAFETY POLICY

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

**BE IT RESOLVED**, The Village Board will adopt the safety policy for the employees of the Village of Depew.

The following 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

#### DPW TREE REMOVAL

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

**WHEREAS**, the village has encountered complaints of dead and dangerous trees on a vacant lot located at the corner of George Urban Blvd and Rossiter Ave (SBL: 103.08-11-1.12) orders to remedy have been issued to the property owner on record;

**BE IT RESOLVED**, permission is granted for the Department of Public Works or a contracted company to remove the trees from the vacant lot. The owner on record will be sent an invoice for the work performed, if not paid by the owner, the cost will be attached to the village tax bill for that property.

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

#### **PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to Cayuga Hose Co. #3 to use Southside Fire Station for their Carrubba's Chicken Pit chicken BBQ on Sunday September 20, 2020 from 6:00 AM–6:00 PM. All social distancing measures will be taken in relation to COVID-19.

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

#### **PERMISSION – FOOD DRIVE**

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

**BE IT RESOLVED**, permission is hereby granted to Depew Fire Department to take several pieces of apparatus, on a rotating basis, to the food drive in the parking lot of the Tops D & L Plaza on Saturday September 26, 2020 from 9:00 am until 5:00 pm. The apparatus will still remain in service during this detail.

The forgoing above resolution was seconded by Trustee Jakubowski, and **CARRIED**

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

#### **DEPARTMENT HEAD REPORTS –** Building Dept & Police Dept – August 2020

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

#### **PUBLIC CONCERNS AND COMMENTS**

Mayor Peterson welcomed Mr. Ziemba, who joined us for our meeting! Glad to have you with us.

Chief Miller: see attached report

Mayor for Fire Chief: see attached report

Mayor for Rec: The rink opened up tonight so our director is quite busy with the kids and making sure of social distancing, etc. The Regals will have to make sure they are following our guidelines as to how many kids can be at the rink and that they all maintain social distancing rules as well. Yoga is still going strong even at this time in September. Trustee Voll asked if Kevin could take some pictures of the rink so we could put it on the website to show everyone how great it came out. The rink has never looked better!!!

Code Enforcement: Tony reported that they are keeping up and staying open by using their window, located on the side of the building. Dollar General put their signage up today and it looks real nice. The new Burger King has been approved to begin their outdoor renovations. Trustee Voll asked about the landscaping and if they will now be doing it. The Mayor said he had the Rec department doing it over the summer to make sure it was kept up on and looked well maintained.

Trustee Voll for OEM: see attached report.

Mayor Peterson for DPW: see attached report

Elizabeth Brinkworth for Assembly Member Wallace: They are still working with the public on unemployment matters, stimulus questions and trying to help people understand the filing process, etc. They are also working on getting movie theatres open and businesses open quicker. Elizabeth urges residents to contact their office with questions. She is also looking into the issue of nursing homes not allowing people in for 28 days, which most now, just got dropped to 14 days for visiting, salons opening, etc. Resident James Paul said his nursing home told him 30 days!! Elizabeth suggested he contact them to ask for their reasoning.

Bob Brandon for Senator Tim Kennedy: The Senator has been very busy. Just a reminder that people can vote by mail, drop box or in person. The Senator is working on a bill for Salt Reduction. He's working on getting a committee together to see what can be done to help protect the environment. Mayor Peterson said that the Senator will be present with him at the news conference on Thursday, 9/24 to unveil the George Urban Blvd safety system. A question was also raised as to what is the alternative to salt? Bob said it's a mix of salt and sand and they are looking into it at this point.

Trustee Hamernik reported that the renovations to the new community center will begin soon. It will be the first phase of the project. On 9/26 there will be a food drive at all three Tops locations, Rehm Road, French and the D&L Plaza from 9am – 5pm.

Trustee Jakubowski said the last NEST meeting was well attended, outside to meet social distancing needs. The item that is the concern to the Village is that it is going to begin costing us money to have our recyclables picked up beginning next year when our current contract runs out. Very big concern to the Village.

Trustee Voll wanted to thank all of the members of our Police Department. Right now is a very difficult time to be an officer. And they are working in very hard times. October 9<sup>th</sup> is the last day to register to vote, so please do so. And just to be perfectly clear and to clear up some social media rumors, the board has made NO decision on Halloween yet. We will soon, but as of this date, it has not been decided.

Trustee Stempniak is looking forward to the meeting at Fireman's Park. We will be unveiling the architects renditions and look forward to hearing from the public and getting their thoughts and input!

Attorney Alba has been very busy with the old Blue Wireless leases and have come to some terms with an agreement. Also the old landfill on Broadway will be brought up at the next meeting possibly. All he can say right now is that there is a large land sale happening.

Administrator Wachowiak said she is still trying, so far with no results to get people to give us estimates on the Gazebo for repairs. The Mayor said that if anyone out there knows of someone or does that type of work, to please contact us and we can discuss what needs to be done.

### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Stempniak and seconded by Trustee Jakubowski, the following claims are to be paid: \$440,438.09 General, \$204,585.61 Capital Projects, \$645,023.70 Capital was **CARRIED**.

### **ADJOURNMENT**

**ON A MOTION BY** Trustee Jakubowski, seconded by Trustee Voll, the meeting was adjourned with a moment of silence for the 19<sup>th</sup> Anniversary of 9/11, Past Chief Donald Trepacz, Erie County Legislative & Civil Service Commissioner of Personnel Richard Slicz at 8:22 **PM**. The motion was **CARRIED**.

Respectfully submitted,

Teresa Wachowiak  
Village Administrator

