

MEETINGS: 3  
NO. OF REGULAR: 3

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**April 24, 2023 7:05 PM**

ROLL CALL: Trustee Hamernik  
Trustee Ziemba  
Trustee Kraft  
Deputy Mayor Adolf  
Mayor Peterson

**ON A MOTION BY**, Trustee Ziemba and seconded by Trustee Kraft the minutes of the April 10, 2023 village board meeting were approved.

**ON A MOTION BY**, Deputy Mayor Adolf and seconded by Trustee Hamernik the minutes of the April 6, 2023 Planning Board minutes were approved.

1. Joseph Skubis for the property located at 5836 Transit Rd, Depew, NY 14043. Requesting a special use permit to operate motorcycle dealership in a C-2 zone as per Chapter 260 § 260-27 under the guidelines of Chapter 260 § 260-33(K) and of Chapter 260 § 260-33(N). Concept plan approved with stipulations.

**Public Comments for Agenda items only**

Dave Burkhardt, 5 AutumnLea: Inquired about the training with the Coppola Firm. He was wondering if was mandated by the federal government because of the equity thing he has been reading about and if it wasn't mandated why hire a firm for that much money? Mayor Peterson explained that if you don't do it the right way and the person isn't training properly it can cost way more in legal fees, training to deal with sexual harassment, quid pro quo, or bullying, union issues. Village Attorney Alba stated it is higher level management training, to have someone train them and put procedures in place and is valuable to these departments.

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to the Depew Fire Department to use the Chief's vehicle on Friday May 19, 2023 and Saturday May 20, 2023 to go to the Fire Expo in Harrisburg Pennsylvania.

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

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to the Depew Fire Department to take Engines 1, 3, and 6 to Mercy Flight located at 100 Amherst Villa Cheektowaga NY on Tuesday May 16th 2023 from 6pm to 10pm for ground school training.

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

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to the Depew Fire Department to use the Northside Fire Hall on Friday May 12, 2023 from 5pm to 11pm for a get together for a member who will be leaving the area on military leave.

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

### **ADOPT 2023-2024 BUDGET**

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

**BE IT RESOLVED**, the Budget for the Village of Depew for the fiscal year 2023/2024 is hereby **ADOPTED** with a tax rate of \$ 8.953147 per thousand for residents on the Cheektowaga portion of Depew and \$ 10.290973per thousand for residents on the Lancaster portion of Depew.

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

Trustee Hamernik - Y  
Trustee Ziemba -Y  
Trustee Kraft -Y  
Deputy Mayor Adolf -Y  
Mayor Peterson -Y

### **PERMISSION – DIRT CONTRIBUTION**

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

**WHEREAS**, it has always been the intention of the Depew Village Board to contribute in some way to assist the not-for-profit Depew Community Action Team (DCAT) with their repurposing of the Dom Polski Building at 570 Gould Avenue, Depew, NY 14043 into a new Depew Community Center as the repurposing of the Dom Polski Building provides a benefit to the citizens of the Village of Depew; and

**WHEREAS**, the Village of Depew has an abundance of clean dirt fill which was given to the Village of Depew, free of charge, from the Town of Cheektowaga; and

**WHEREAS**, The Village will provide all of the clean dirt fill to DCAT as a part of its contribution to the project that will benefit many residents of Depew.

**THEREFORE, BE IT RESOLVED:** The above foregoing resolution was seconded by Trustee Ziemba and duly put to a roll call vote which resulted in the following:

Trustee Hamernik - Abstain  
Trustee Ziemba -Y  
Trustee Kraft -Y  
Deputy Mayor Adolf -Y  
Mayor Peterson -Y

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

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

**WHEREAS**, the Village of Depew would like to enter into an agreement with Lisa Coppola of the Coppola Law Group for HR training for our Department Heads, not to exceed \$16,000.

**NOW THEREFORE BE IT RESOLVED**, that Mayor Kevin Peterson is authorized to sign the agreement with The Coppola firm.

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

Trustee Hamernik - Y  
Trustee Ziemba - Y  
Trustee Kraft - Y  
Deputy Mayor Adolf -Y  
Mayor Peterson - Y

**EMPLOYMENT APPLICATIONS** – DPW - Charles Hall, Jonathan Brumbaugh  
REC – Samantha Garry, Jonathan Brumbaugh

**DEPARTMENT HEAD REPORTS –**

Don Bielefeld, Code Enforcement: 73 Main Street, we did pick the contractor we are going to use and hopefully down by the end of next month, and we are on track to start to take some of the older buildings down, we have a game plan going.

Ken Pyc, DPW: Department picked up trees that they will be planting in the next week and the crabapple trees will be sprayed on Columbia and Doe Haven.

Kevin Ferguson, Recreation: All the summer programs are set, the first sport coming up is in about 3 weeks, the rink is turned into a floor hockey arena, with ten teams coming into play. Three guys are getting the pool cleaned up and ready to go, opening it Mid-May this year to make sure everything is ready to go. Yoga starts July 1<sup>st</sup> and is switching to Veteran's Park because of construction in Fireman's Park.

Mayor Peterson: Urged residents to take a look at the construction at Fireman's Park and states it should be completed in September. People have been inquiring about rentals, it will be available throughout the winter and the rates will be raised, with a few different plans to be considered, there might be a 9-2 shift maybe for a birthday party, then a break where Rec can clean up for the next person, which might be 3-8. There might be the ability to go from 9-8 for a different number and there is no clean up there until then. There will be built into the building, natural gas grills, it will be a rental item, Rec will get it set up for whoever is renting it. There is a commitment to July 1<sup>st</sup> to have that ready to go, there is fireplaces in there for the winter time, the bathrooms will be accessible through an app the Rec Director will have. The glass garage doors can be opened depending on the weather. There will be a fee and it will probably be similar to Westwood Park. We are not sure about the non-resident rental yet. Like the pool and ice skating, residents get a break. The Vets had reached out that they were not going to do the parade this year, they couldn't do the walk from the Vine to Terrace. I know a lot of people look forward to the Parade. I reached out to the Fire Council, we will pick the Vets up in the 1941 truck, they can sit in the back, and they will ride the truck to Veteran's Park and we will use some of the funds we had leftover from Founder's Day last year to do the hot dogs and pop like they normally did. We felt it was important to give back to the Veteran's for their service to the Country. That will be on Monday, May 29, we kick off after a service at the Vine Church, about 10:45am for 11am service at Veteran's Park. I appreciate help of the Fire Department. Audrey, your sidewalk work is scheduled for mid September to early October so that will clean that up for you. Danforth did the Senior Center over the past week with all new heating and air conditioning units with money we obtained from CARES Act going back to 2020. We got the most money from any other senior center in Erie County. \$102, 304. It completes the project at the Senior Center because they also had the touchless water faucets and toilets and such.

Captain Curr, Police Department: Marching toward the finish line of our Dispatch project that has been a year in the making, hoping end of May/beginning of June we will have the cut over from our current dispatch center, the ambiguity end date is based on getting all our vendors and contractors to get on the same date. Hopefully that will be done in

the next sixty days or less. It's about 90% there – the 10% is the electrical and communications lines and it takes a lot of folks to get it all on the same day. There are dedicated restroom facilities, this center is much more livable, there is a kitchen facility, the current center they are in too small, we maxed it out. This is a more workable, comfortable environment. The equipment creates so much heat in there, those issues have been addressed in the new dispatch center. There are a lot of partners that came on board to get this done.

Chief Gauthier, Fire Department: This Saturday, the 29<sup>th</sup>, at our West End Firehall from noon to 3pm we will be having what we are calling a Showcase, it is the first time we are doing it. Inviting the public and anyone who wants to join can come down and we will basically be having a drill – we will go through the activities we do on drill night, letting the residents see. We will have people there ready to talk to you about possibly joining the Fire service. A great opportunity to invest in your future and commitment to this Village. Hopefully, we will get a lot of people out there and hopefully we get some applicants. We scheduled our open house, it will not be in October this year, it will be first Tuesday in August, August 1<sup>st</sup>, and it will be 6pm to 9pm in Veteran's Park. There will be more to come on that. Fire Calls for April is 24 so far and Year to Date is 109.

Sam Alba, Village Attorney: Not too much tonight. There was a robust discussion about what the Village should do about the Marijuana stores that are going to be coming in and where we should regulate the Zoning on that. So, hopefully at the May meeting we will have something on the Agenda and we will welcome comments from Dave, Paul and anyone else who wants to show up. It was great to hear that we had three bids that were under the threshold for formally putting it out to bid for the demolition of 73 Main Street, hopefully that will be demolished, the process will work and we can get rid of some of these buildings in the Village.

Trustee Kraft: Kind of like piggybacking of the talk about the budget and the cuts we had to make, We have a meeting, Andrew and I with Kevin and Marie to kind of throw around some ideas, we were talking about what we might be able to do with Rec programs, that is a hill I will die on.

Trustee Ziemba: With respect to Agenda #3, thank you in advance to the Fire Department member for their service they will be partaking. I didn't want that to go without being said.

Trustee Hamernik: On Saturday morning, from 9-12, Darrin and I handed out CO detectors to low income residents in the parking lot. We only handed out 15, we will advertise better and still have a lot of them leftover that we will be giving out in the future that we will notify the public of. And a little note, on Wednesday night at Salvatore's I am honored to be receiving the Volunteer of the Year award from the Lancaster, Depew, Elma Chamber of Commerce. We are really moving along very good in the building, everyone is welcome to take a tour. Heat pumps are going in upper level, the laundromat is 90% finished, the large gymnasium is 70% done, all the electrical is in, fire alarm systems are in, security is in, - it has been painted the last three days now, Sherwin Williams reached out and donated all the paint for the building for free. Just to give a couple figures – with all the community donations for the building, it came out to \$369,000 from our Depew, Cheektowaga, Lancaster residents and businesses, retail value is \$572,000. We have been very blessed, looking forward to it. If we can get a certificate of occupancy, a June 1<sup>st</sup> opening, upper level.

Deputy Mayor Adolf: Trees. Depew's Arbor Day Celebration is going to be on May 6<sup>th</sup> this year, something new so we won't conflict as much with other Arbor Day celebrations in the area. May 6<sup>th</sup> is a Saturday, we are going to have it at noon until one pm at Fireman's Park. I will reach out to other local reps as well as the DEC and others. We should have a variety of seedlings and saplings to hand out to residents on a first come, first served basis. This year seedlings, we have tulip trees, northern red oak, black cherry, elderberry, hazelnut, and we also have transplants of white pines and Norway spruces. The Mayor will give the Arbor Day proclamation and it will be great day had by all.

## **PUBLIC COMMENTS AND CONCERNS: -**

Elizabeth Brinkworth: Good evening everyone! My name is Elizabeth Brinkworth and I am Chief of Staff for NYS Assemblymember Monica Wallace. Assemblymember Monica Wallace applauds SUNY's decision to scrap standardized testing requirements. By moving toward a fairer admission process, SUNY will extend opportunities to countless gifted students who will succeed in Higher Education and beyond. Regarding this decision AM Wallace was featured today on the popular Albany podcast Capitol Pressroom to discuss SUNY's decisions. Assemblymember Monica Wallace worked with Senator Gallivan on introduction a resolution in the Assembly that commemorated the heroic actions of the Erie County Federation of Snowmobile Clubs. Their actions saved countless lives during the Christmas blizzard of 2022. Assemblymember Monica Wallace joined Coalition of Labor Union Women to discuss women and labor. She was joined by CWA's Debbie Hayes, AFL-CIO's Angela Blue, Attorney Candace Morrison. Assemblymember Wallace is in Albany this week. Hope to report that the budget will be passing soon.

Dave Burkhardt, 5 AutumnLea: Inquired about the new pavilion – when it would be completed, will the rental fees go up and can two separate families use the building? Concerned about the shared space with multiple families and there should be a discount for the residents.

Paul Sprada, 58 Argus Dr: Inquired about the trees, whether they were bare root trees. Stated he read in the paper about the state giving Lancaster, Cheektowaga and Depew a lot of money to get Scajaquada Creek cleaned up and inquired if anyone knew about it. Trustee Hamernik relayed that she read it and it mentioned that Scajaquada Creek runs through Cheektowaga, Lancaster and Depew but that was about all, it was just a blanket statement. Mr. Sprada mentioned he has seen lots of fallen trees there and asked about the plans with the Village. Mayor Peterson said it would not be done by the Village. Mr. Sprada relayed there is an Arbor Day Celebration this Saturday at Westwood Park for Lancaster and Depew residents, for people of all ages, just a reminder. He questioned the free dirt and if it included the transportation. On a safety issue, on Patrick Lane, in Cheektowaga, across from the old Barnabas Church, that there is no center line painted. It is a very busy street and a pretty wide street. He remembers that not too many years ago, that our part in Depew of French Road, there was a fatal car crash, head on, before the fatal car crash there were no lines, now we have a double yellow line, could that be possible for Patrick? DPW mentioned they will look into, are trying to get paint. Mr. Sprada addressed Mr. Alba, asking how the Solar Farm is coming. Mr. Alba relayed they paid us a whole bunch of money but was paid wrong – needed two checks, one for the permit, one for the escrow and that was the only hold up. Mr. Bielefeld stated it came today and permit is basically pretty much issued, that he requested a PDF version of the plans. Mayor Peterson mentioned he spoke to Jim Bodecker and Paul Markivich and they sent over a new timetable – starting in September, finishing in December with plans in January to be turned on. Mr. Alba said there were a lot of moving parts but glad to see it come to fruition. Mr. Sprada inquired if anyone knew that next to where the solar farm is going to be, Twin Village Salvage and to the west of them, the former landfill, is anybody ever looked into wind generating electricity on top of those hills? It's wasted space. Mayor Peterson said there has been some negative press about wind turbines, that they pulled them out of the lake and other places there was resistance.

Theresa Wolfe, Village Historian: Stated she has been working very steadily this week with people requesting information. She met with a representative of the Depew, Lancaster, Elma Chamber of Commerce, they are putting a book together and they are looking for photographs and information of our history. Tomorrow, she has a someone come from a church, looking for information on the architect, the people who designed the stained glass windows, I am afraid we won't have much to give her. We have the history of the congregation, not of the building. Then she has a third person coming from out of town, looking for information on the railroads, so the requests keep coming. She also got a letter from the Erie County Fair, last year she had request that Depew had

never been in the fair in the historical building and that they had empty slots, and wanted someone to fill them and she did, they were lucky enough to win second prize. Most of the presentation is in the hallway on display. They were invited back this year and the theme is Vietnam so they are working on it. It is pretty open, they can talk about the war itself, you can talk about the community, and people who fought in the war. She will be going to the University of Rochester to look at some archives from a woman who used to live her that was active in supporting the troops in Vietnam.

Mayor Peterson mentioned about planting of trees by DPW, if requested in the right of way, part of being Tree City USA. Deputy Mayor Adolf relayed that we have to spend a certain amount per capita for the Village residents to maintain the Tree City USA status.

#### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Hamernik and seconded by Trustee Ziembra, the following claims are to be paid: \$294,902.37 General, \$877.00 Sewer, \$5601.00 Capital Projects, with a total of \$301,380.37 was **CARRIED**.

#### **EXECUTIVE SESSION**

The executive session was opened at 8:07 PM by Deputy Mayor Adolf and seconded by Trustee Hamernik

The Executive session was closed at 8:54 PM by Deputy Mayor Adolf and seconded by Trustee Hamernik

There was no decision made in the executive session.

#### **ADJOURNMENT**

**ON A MOTION BY** Deputy Mayor Adolf and seconded by Trustee Kraft the meeting was adjourned at 8:54 PM.

Respectfully submitted,

Regina Grzankowski  
Village Administrator