

MEETINGS TO DATE 4  
NO. OF REGULARS: 4

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
MAY 11, 2009**

ROLL CALL: Trustee Hammer  
Trustee Keefe  
Trustee Maryniewski  
Trustee Monti  
Mayor Alberti

**ON A MOTION BY**, Trustee Monti, and seconded by Trustee Hammer, the April 27, 2009 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Keefe, and seconded by Trustee Maryniewski, the April 20, 2009 Zoning Board Minutes were accepted.

**ON A MOTION BY**, Trustee Keefe, and seconded by Trustee Maryniewski, the May 4, 2009 Village Board Minutes were approved.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

None

**OPEN PUBLIC HEARING – Local Law #2 – Abandoned Vehicles**

Liz Melock, Village Administrator read legal notice announcing Public Hearing and Mayor Barbara Alberti opened same at 7:35 pm. Attorney Nosek read the amended sections of the chapter.

Paul Weiss – 22 Victoria Boulevard – spoke on behalf of Ken’s Village Transmission. Stated the code is sufficient to address concerns. The new law would violate their due process and recommends the Board vote against it. The village attempts to subject different businesses to different codes.

**ON A MOTION BY**, Trustee Hammer, seconded by Trustee Monti, the Public Hearing was closed at 7:41pm. **CARRIED.**

**OPEN PUBLIC HEARING – Local Law #3 – Changeable Text Signs**

Liz Melock, Village Administrator read legal notice announcing Public Hearing and Mayor Barbara Alberti opened same at 7:43 pm. Attorney Nosek read the amended sections of the chapter.

Bruce Shearer – how often will you allow the text to change? Nosek – no provisions currently in code. Bruce – in the Village of Kenmore there are no graphics allowed and there is a limit to the amount of change and no colors allowed. Nosek stated that Kenmore’s code is atypical.

**ON A MOTION BY**, Trustee Maryniewski, seconded by Trustee Keefe, the Public Hearing was closed at 7:48pm. **CARRIED.**

**ADOPT LOCAL LAW #1 OF 2009 – 2009 AMENDMENTS –USED CAR DEALERS**

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

**WHEREAS**, the Village Board (“Village Board”) of the Village of Depew (“Village”) desires to enact the 2009 Amendments to Local Law regulating used car dealers (“the Local Law”); and

**WHEREAS**, the Village Board, as lead agency with respect to the adoption of the Local Law (the “Action”), used a short EAF to determine the environmental significance of the Action in accordance with § 617.6 and 617.7 of Title 6 of the NYCRR; and

**VILLAGE OF DEPEW  
MAY 11, 2009**

**WHEREAS**, the Village held a public hearing on the Local Law on April 27, 2009 to hear comments from the public regarding the Local Law and to consider any negative environmental impacts of the Action in accordance with § 617.7 of Title 6 of the NYCRR; and

**WHEREAS**, the Village Board reviewed and considered any comments from the general public concerning the adoption of the Local Law and concerning any negative environmental impacts of the Action; and

**WHEREAS**, the Village Board determined that the Action will have no significant adverse environmental impacts and will issue a negative declaration in accordance with 617.7 of Title 6 of the NYCRR; and

**WHEREAS**, the Village Administrator provided a copy of the Local Law to the Erie County Department of Planning to comply with General Municipal Law §239-m.

**THEREFORE, BE IT RESOLVED**, that the Village Board hereby adopts the EAF and issues a negative declaration of environmental significance, both attached hereto as Exhibit A, with respect to the Action; and

**BE IT FURTHER RESOLVED**, that the Village Board does hereby adopt the Local Law, to be known as Local Law Number 1 of 2009 attached hereto as Exhibit B; and

**BE IT FURTHER RESOLVED**, that the Village Board authorizes the filing of the Local Law with the New York State Department of State in accordance with § 27 of the New York Municipal Home Rule Law.

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

Trustee Hammer –Yes  
Trustee Keefe – Yes  
Trustee Maryniewski - Yes  
Trustee Monti - Yes  
Mayor Alberti – Yes

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

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

**BE IT RESOLVED**, Mayor Barbara A. Alberti is authorized to sign a successor agreement with Village of Depew Police Benevolent Association, representing the members of the Depew Police Department for the period June 1, 2009 to May 31, 2011.

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

Trustee Hammer –Yes  
Trustee Keefe – Yes  
Trustee Maryniewski - Yes  
Trustee Monti - Yes  
Mayor Alberti – Yes

**VILLAGE OF DEPEW  
MAY 11, 2009**

**AUTHORIZE MAYOR TO SIGN TAX WARRANT**

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

**BE IT RESOLVED**, pursuant to Section 1426 of the Real Property Tax Law, the Village Administrator Elizabeth C. Melock is hereby directed to collect the taxes levied in the Warrant, annexed thereto, signed by Mayor Alberti.

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

Trustee Hammer –Yes  
Trustee Keefe – Yes  
Trustee Maryniewski - Yes  
Trustee Monti - Yes  
Mayor Alberti – Yes

**AUTHORIZE MEDICAL COVERAGE TO RESERVISTS CALLED INTO ACTIVE MILITARY SERVICE**

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

**WHEREAS**, the Village of Depew realizes that any campaign of war may cause village employees to be called into active duty with the National Guard or Reserve Forces of the United States or the State of New York.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Depew will offer the following medical coverage to those employees called into the active duty service of their country:

1. The employee's medical coverage shall be continued for the period of ordered military duty for a period of one year at which time it will be reviewed with the possibility of renewal. This coverage shall take effect on the first day of the month which immediately follows the last day on which the employee was on the active payroll of the Village of Depew. All terms and conditions governing medical insurance provided to an employee on a medical leave of absence without pay shall apply to an employee receiving medical insurance pursuant to this paragraph.

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

Trustee Hammer –Yes  
Trustee Keefe – Yes  
Trustee Maryniewski - Yes  
Trustee Monti - Yes  
Mayor Alberti – Yes

**CHANGE BOARD MEETING**

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

**BE IT RESOLVED**, that the May 25, 2009 Village board Meeting is changed to May 26, 2009 due to the Memorial Day Holiday.

**VILLAGE OF DEPEW  
MAY 11, 2009**

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

**PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT**

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

**BE IT RESOLVED**, membership is hereby granted to the following in the Depew Fire Department pending the passing of their physical:

DEPEW HOSE CO #1

David Park 27 Michele Dr Depew, NY 14043  
John Piniewski 17 George St Depew NY 14043

DEPEW HOOK & LADDER

Luke Fisher 151 Kokomo St Apt 2 Depew NY 14043

The following resolution was seconded by Trustee Monti and **CARRIED**.

**TREE TRIMMING/REMOVAL**: 343 French Rd, 11 Bonita Dr., 4610 Broadway, 147 Arlington Pl.

**EMPLOYMENT APPLICATIONS**: Recreation – Tim Schierer, Cory Goleski, Allison Bracikowski, Alivia Roscoe, Melysa Markut, Collin Ouczarzak, Michael Fusani, DPW – Patrick Zent

**DEPARTMENT HEAD REPORTS**

None

**BUILDING APPLICATIONS AND REPORTS**

**ON A MOTION BY** Trustee Monti, seconded by Trustee Keefe, the building inspector reports were accepted as presented.

**REPORT OF THE VILLAGE ATTORNEY**

Working on Local Laws #4-square footage of sign, #5 – disposal of TVs, #6 – zoning fee changes

**REPORT OF THE VILLAGE ENGINEER**

Working on updating the zoning map – revising boundaries to follow lot lines

**COMMITTEE REPORTS**

Mayor Alberti –

Welcomed students from Government Class. Thanked Tammy Roll for Clean Up Depew Day – 47 people attended – cleaned up the parks, gateways. Thanked all the volunteers.

EPA Clean up will start in the middle of the month – Tyler, Rumford area

Zubrick Rd – received a letter from Senator Stachowski's office.

Attended abandoned home seminar.

Spoke about the Motorcycle Club on Main St and thanked Officer Wolfe for apprehending the suspects in the drive by shooting.

Thanked Dan Garry for heading up the Neighborhood Watch Meeting Group and him leaving for Active Duty at the end of the week with the Coast Guard Reserve.

Trustee Maryniwski – spoke about the Memorial Day parade to be at Village Hall at 10:30 am on May 25.

**VILLAGE OF DEPEW  
MAY 11, 2009**

**UNFINISHED AND OTHER BUSINESS**

None

**PUBLIC CONCERNS AND COMMENTS**

1. Art Domino – Village Historian – had a call from EPA looking for information in regards to the clean up on Tyler, Rumford area.
2. Joanne Blake – 17 Autumn Lea – house boarders Union Auto – flooding issues now due to Union Auto changing grade. Mayor informed her to meet with the building inspector after the meeting to review complaints and pictures.
3. Dan Garry – PBA President – thanked Board for ratifying the contract. Thanked the Negotiating Committee for the Village. Thanked the Board for covering his insurance while he is on active duty.

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Hammer, seconded by Trustee Maryneiwski, the following claims are to be paid: General \$144,718.65, Sewer \$3,981.27, Capital \$515,057.81. The motion was **CARRIED**.

**ADJOURNMENT**

**ON A MOTION BY** Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at **8:21 pm** in memory of Bertha Maciejewski. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock  
Village Administrator