

MEETINGS TO DATE 23
NO. OF REGULARS: 22

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
FEBRUARY 8, 2010**

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

ON A MOTION BY, Trustee Monti, and seconded by Trustee Maryniewski, the January 25, 2010 Village Board Minutes were approved.

ON A MOTION BY, Trustee Hammer, and seconded by Trustee Keefe, the February 4, 2010 Planning Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Dave Burkhardt – 5 Autumn Lee – what is number 3 about? Mayor responded that it is about gaining entry to a homeowner’s property for Zubrick Rd soil testing.

APPOINTMENT – DETECTIVE

Pursuant to Section 4-400 of Village Law, I, Mayor Barbara A. Alberti, hereby appoint Donald Panzarella, 88 Kennedy Ct. Lancaster, NY 14086 to the position of Detective effective immediately at a salary as stipulated in the budget.

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

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

Detective Panzarella thanked the Board and Chief Domino presented him with his detective badge.

PROCLAIM MARCH 11, 2010 WORLD KIDNEY DAY

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

WHEREAS, healthy kidneys are essential to regulate the body by water and other chemicals in your blood, remove fluids, waste, toxins and drugs introduced to the body, release hormones that regulate blood pressure, make red blood cells and promote strong bones, and,

WHEREAS, more than 26 million Americans, about one in nine adults, suffer from chronic kidney disease and,

WHEREAS, 170,000 Western New Yorkers have Chronic Kidney Disease and another 170,000 are at risk and don’t know it,

WHEREAS, 1,600 Western New Yorkers are on dialysis,

WHEREAS, nearly 500 Western New Yorkers are awaiting a kidney transplant,

WHEREAS, approximately 40 percent are African American and 16 percent are Hispanic, and,

WHEREAS, the two main causes of chronic kidney disease are diabetes and high blood pressure, which are responsible for up to two-thirds of the cases,

WHEREAS, the National Kidney Foundation Serving WNY has a free health screening program to identify people in the early stages of kidney disease, and,

WHEREAS, the mission of the National Kidney Foundation Serving WNY is to prevent kidney and urinary tract diseases, improve the health and well-being of individuals and families affected by these diseases, and increase the availability of all organs for transplantation,

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WHEREAS, early detection including regular reporting of the GFR calculation, currently the best indication of kidney disease staging can help prevent the progression of kidney disease to kidney failure, which requires continual dialysis or kidney transplant to maintain life, and,

WHEREAS, the cost of treatment for kidney disease patients is disproportionately higher than that of any other chronic disease, and,

WHEREAS, most patients who have end-stage renal disease rely primarily on Medicare and Medicaid to cover the costs of their life-sustaining care, which includes dialysis treatment, medications, laboratory testing, and as necessary, transportation services to the dialysis facility, and as a consequence, any changes in Medicare and Medical eligibility, significantly put them at risk, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE VILLAGE OF DEPEW,

That March 11th is recognized as “World Kidney Day” in New York State and the Village of Depew in the hope that all possible support will continue to be extended to Chronic Kidney Disease patients in New York and throughout the country and world.

The foregoing 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 RIGHT OF ENTRY

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign a Right-of Entry agreement between the Village of Depew and Bernice M. Sticht for a period of six months to allow the Village of Depew, Corps of Engineers, Somat Engineering or their designees to complete boring tests and exploratory work as necessary to complete the investigation into the lands with regards to the Zurbrick Road Stabilization Project. The agreement contains seven items.

The foregoing 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

ACCEPT FIRE DEPARTMENT ELECTION RESULTS

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

WHEREAS, on Friday January 29, 2010, the Depew Fire Department held a Special Chief’s Election with the following results:

4th Assistant Chief Scott Wegst Central Hose #4

BE IT RESOLVED, that the Village Board approves this election result and congratulates the elected Assistant Chief.

The forgoing resolution was seconded by Trustee Maryniewski, and **CARRIED**.

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AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS –FIRE DEPT ROPE SYSTEM

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for bids for the fire department rope system.

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

SUPPORT FOR THE NYSDEC HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM

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

Urging Governor David Paterson to continue to support the Department of Environmental Conservation (NYSDEC) Household Hazardous Waste State Assistance Program.

WHEREAS, the Village of Depew acknowledges its responsibility to keep our communities safe, clean and healthy, and

WHEREAS, household generated hazardous waste is a dangerous and problematic waste stream which increases risk from fire and poisonings if improperly stored, and

WHEREAS, improper disposal of household hazardous waste can pollute our environment, pose a risk to sanitation workers, and impact wildlife, and

WHEREAS, the safe recycling and/or disposal of household generated hazardous waste is a priority for County residents and their elected officials, and

WHEREAS, the New York State Department of Environmental Conservation is authorized by section 54-0705 of the Environmental Conservation Law, and the 6NYCRR Subpart 373-4 Regulations, to enter into contracts on behalf of the State to provide grants to reimburse 50% of expenses to municipalities for Household Hazardous Waste Programs, and

WHEREAS, the Village of Depew has through the Northeast Southtowns Solid Waste Management Board (NEST), worked with the Erie County Department of Environment and Planning to host an annual collection event to reduce risks, protect the environment and insure proper disposal of household hazardous waste materials, and

WHEREAS, the Town of Amherst, NEST has paid the disposal costs for a household hazardous waste collection in 2009, and

WHEREAS, the Town of Amherst, NEST has not received a State reimbursement contract from the application submitted for 2009 program expenses, and

WHEREAS, the Town of Amherst, NEST has not been reimbursed for 50% of the costs generated by the collect event held on May 9 & June 20, 2009, and

WHEREAS, and there is great concern about the sustainability of the Household Hazardous Waste Collection Program and its ability to continue to offer this important service to residents of Erie County without the fiscal assistance from New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Depew does hereby urge New York State Governor David Paterson to release funds necessary to fulfill reimbursement expectations of municipalities which, in good faith, provided Household Hazardous Waste Collection opportunities to residents in 2009, and

AND BE IT RESOLOVED, that New York State Governor Paterson, is encouraged to continue support and fund this important reimbursement program in 2010 and beyond to protect our residents and our environment, and

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FURTHER RESOLVED, that the Administrator of the Village of Depew shall forward copies of this resolution to Governor David Paterson, New York State Comptroller's Office, Senate Majority Leader Pedro Espada Jr, Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian Kolb.

The foregoing 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

PERMISSION –WAIVE PUBLIC SKATE FEES

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

WHEREAS, the Depew Recreation Department has requested permission to waive the admission fee for Public Skating on Sunday March 7, 2010 in conjunction with the Family Asset Building Month being run by the Lancaster Youth Department.

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to the Recreation Director to waive the admission fee for Public Skating on Sunday, March 7, 2010 from 2:00PM – 3:45 PM in conjunction with Family Asset Building Month, and

BE IF FURTHER RESOLVED, that the Village Administrator will forward a copy of this resolution to the Village Recreation Director as well as to the Lancaster Youth Department along with the wishes of the Village Board for an enjoyable and successful Family Skating Event.

The forgoing resolution was seconded by Trustee Keefe and **CARRIED**.

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

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

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

AETNA HOSE COMPANY

Mark Schneegold 292 Terrace Blvd Depew NY 14043
James R Trombley Jr. 334 Terrace Blvd Depew NY 14043

DEPEW HOSE COMPANY #1

Stanley F. Wszalek III 73 Alys Dr. W Depew NY 14043

CENTRAL HOSE COMPANY #4

Dustin A. Smith 650 Lancer Court Apt #7 Depew NY 14043

The foregoing 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

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PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to the Depew Fire Department for:

The use of the Northside Fire Hall for the Depew Hose Company #1 Annual Spaghetti Dinner on April 11, 2010 between the hours of 8 am and 8 pm.

AND

The use of the Southside Fire Hall for the Hook and Ladder Annual Chicken Barbeque on June 19, 2010 between 6 am and 9 pm.

AND

The use of the Southside Fire Hall for the Aetna Hose Company Annual Chicken Barbeque on June 5, 2010 between 6 am and 9 pm.

AND

Use of two pumpers on February 10, 2010 from 7 pm till 10 pm and February 13, 2010 from 8 am until 11am and to use a ladder and pumper on February 20, 2010 from 8 am until 11 am for the Firefighter 2 Course. Trucks will be responding to Erie County Training Academy.

The foregoing resolution was seconded by Trustee Maryniewski, and
CARRIED.

PERMISSION – ATTEND COURT CLERK SEMINAR

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

Permission is hereby granted to Jacki Federowicz and Karen Tedesco to attend a Court Clerk Seminar at 92 Franklin St Buffalo NY at no cost on Tuesday February 23, 2010 at 9:00 am. Use of the Village vehicle is also authorized.

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

TREE TRIMMING/REMOVAL:

EMPLOYMENT APPLICATIONS: DPW – Garrett Schwenk, Robert Bishop Jr, Welder – Ronald Seidel

DEPARTMENT HEAD REPORTS: Recreation Dept Jan 2010, Clerk's Office Jan 2010, Treasurer's Office Jan 2010, Senior Center Jan 2010.

ON A MOTION BY Trustee Monti seconded by Trustee Maryniewski, the department head reports were accepted as presented.

BUILDING APPLICATIONS AND REPORTS

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

REPORT OF THE VILLAGE ATTORNEY

No Report

REPORT OF THE VILLAGE ENGINEER

Absent

COMMITTEE REPORTS

Trustee Keefe – spoke about NEST resolution regarding the free waste disposal clinics that the state is not reimbursing the Town of Amherst for.

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UNFINISHED AND OTHER BUSINESS

Mayor Alberti's comments:

1. Benefit for 2 year old Caleb Rinehard with cancer on March 6 from 7-11 pm at Lancaster Elks – Flyer in Village Hall.
2. Spoke about Lancaster OEM visit with Fire Chief Mau. Explained how they are collecting items to send to servicemen and woman overseas.
3. This Friday is the reopening of the police firing range. Thanked DPW workers for their great work in the range.

PUBLIC CONCERNS AND COMMENTS

1. Mayor Alberti – In 2 wks Trustee Keefe will be the moderator for the meeting as the Mayor and Deputy Mayor will be in Albany to get some answers. Attorney Nosek will also be absent.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Hammer, seconded by Trustee Maryniewski, the following claims are to be paid: General \$157,447.67, Sewer \$1,635.00. The motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at 8:02 pm in the honor of the 100th anniversary of the Boy Scouts of America. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator