

MEETINGS TO DATE 6  
NO. OF REGULARS: 5

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
JUNE 14, 2010**

ROLL CALL: Trustee Hammer  
Trustee Keefe  
Trustee Maryniewski  
Trustee Monti

Absent: Mayor Alberti

**ON A MOTION BY**, Trustee Monti, and seconded by Trustee Keefe, the May 24, 2010 Village Board Minutes were approved.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

None

**APPOINT RECREATION TEMPORARY SEASONAL EMPLOYEES**

Pursuant to Section 4-400 of Village Law, I Deputy Mayor Linda M. Hammer, hereby appoint the following to the summer recreation program at a salary as stipulated in the current budget:

See attached list

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 – Absent

Additional Summer Employees:  
Nathan Godson 81 Tyler St  
Miranda Smaczniak 38 Joel Dr  
Nick Konst 1Streamview Lane

**ACCEPT RESIGNATION – SECRETARY TO MAYOR & DEPUTY REGISTRAR**

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

**BE IT RESOLVED**, the resignation of Carmi Poss as Secretary to Mayor & Deputy Registrar is accepted immediately.

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

**APPOINT CLERK TYPIST**

Pursuant to Section 4-400 of Village Law, I Deputy Mayor Linda M. Hammer, do hereby appoint Carmi Poss 167 Olmstead Ave Depew NY 14043 to the position of Clerk Typist, effective immediately, at a salary per the current budget. This appointment is from Exam No.041308, Civil Service List established Oct 5, 2009.

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

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

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**APPOINT DEPUTY VILLAGE REGISTRAR**

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

**BE IT RESOLVED**, that Pursuant to Section 4121 (3) of the Public Health Law, Marie Nelson, 26 Towne Square, Lancaster, NY 14086 is hereby appointed to the position of Deputy Registrar of Vital Statistics, said term to expire the first Monday in April 2011, at a salary as stipulated in the current budget.

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 – Absent

**APPROVE/DENY LEAVE OF ABSENCE REQUEST**

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

**WHEREAS**, Philip Fleck, DPW Head Mechanic, has requested a leave of absence due to personal hardships for a minimum period of one month starting June 14, 2010 to a maximum period of two months, returning to work on August 1, 2010, without pay, per Article 16 Section 1 of the CSEA Local 1000 CBA expiring May 31, 2011;

**WHEREAS**, Chris Juliano, Superintendent of Public Works and Mr. Fleck's department head has approved his request;

**NOW THEREFORE BE IT RESOLVED**, the Village Board approves the period of leave stated above.

The following 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 – Absent

**APPROVE RETIREMENT – POLICE CAPTAIN**

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

**BE IT RESOLVED**, the Village Board accepts the retirement of Mark M. Mediak, Police Captain, effective June 30, 2010 and approves his retirement buyout.

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

**AUTHORIZE MAYOR TO SIGN PAYMENT SUBAGREEMENT ADDENDUM**

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

**BE IT RESOLVED**, that Deputy Mayor Linda M. Hammer, is authorized to sign the Payment Subagreement Addendum to the original JAG MOU. This grant is to be used to fund the air filtration system for the police range.

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

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

**AUTHORIZE LAWN FETE – ST BARNABAS**

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

**BE IT RESOLVED**, permission is hereby granted to St. Barnabas, 2049 George Urban Blvd., Depew, NY for a Lawn Fete to be held on the Parish Grounds on August 27, 2010 (5:00 PM – 1:00 AM), August 28, 2010 (12:00 PM – 1:00 AM), and August 29, 2010 (12:00 PM – 10:00 PM)

MUSIC – will only be allowed until 11:00 PM. There will be no amplification other than what is required by the individual instruments. There will be no extension speakers. The volume of music shall be kept at a low setting so as not to annoy the peace and tranquility of the residential neighborhood.

SECURITY – on site private security will be provided by the applicant who will supply specification sheet detailing expected crowds. Past attendance records and other factors that would determine the amount of security required. A minimum of four (4) uniformed, armed officers will be posted in the enclosed beer tent area to check identification for under age patrons and to provide law and order.

A minimum of six (6) uniformed, armed officers with a maximum to be determined by the Chief of Police will be required to provide money escorts and maintain law and order on the grounds. Applicant will provide to the Chief of Police the name of the security company, the name of the supervisor in charge of the entire detail, the individual name of each guard and a schedule of the hours each supervisor and guard on duty. Said list to be supplied seven (7) days prior to said Lawn Fete.

PERMITS - the applicant shall obtain an amusement license pursuant to Chapter 19, Article I of the Depew Municipal Code.

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 – Absent

**PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT**

Trustee Keefe, 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:

WEST END HOSE CO

Bryan Sypniewski 6340 Transit Rd Depew NY 14043  
Scott Karaszewski 63 Irving Terrace Depew NY 14043

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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 - Absent

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to the Depew Fire Department for:

Engine 6 to be at the training towers in Cheektowaga for the FireFighter 1 class on July 2 from 7 pm until 10 pm.

And

To take the 1941 pumper to the Classic Car show at the George F. Lamm Post on Wehrle Dr in Williamsville on July 11, 2010.

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

**TREE TRIMMING/REMOVAL:**

**EMPLOYMENT APPLICATIONS:** Recreation – Natasha Petersen, Miranda Smaczniak,  
Dispatcher – Desiree Olecharski, General – Daniel Commaroto

**DEPARTMENT HEAD REPORTS:** Treasurer’s Office April & May 2010. Clerk’s Office April & May 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 Keefe, seconded by Trustee Monti, the building inspector’s reports were accepted as presented. Approval was granted to mow 45 Madeline Lane, 161 Calumet, 60 Laverack.

**REPORT OF THE VILLAGE ATTORNEY**

Discussion with Erie County – regarding Force Main and would appreciate any input from the residents.

**REPORT OF THE VILLAGE ENGINEER**

Zubrick Rd – no change since last report. Regarding flooding- on going study at Lee St. Curt gave a report on the amount of flow due to the storm on June 6. He showed charts with the normal amount of flow and the data from the heavy rains on June 4 and June 6. He said the sanitary sewers are overflowing because downspouts are connected incorrectly and floor drains should be plugged.

Gary Machniak – 21 Warner – commented that he is getting water.

Don Jakubowski – 54 Warner – questioned when Curt put the presentation together – Curt replied last week.

Fred Dotzler – 30 Warner – questioned why they are getting water.

**COMMITTEE REPORTS**

Trustee Keefe – Hazard Waste Drop Off – June 19 from 9 am – 2pm at ECC S. Old drugs can be dropped off at Eastern Hills Mall to be disposed of. He introduced Leigh Anne Wacht who is heading VOTE Depew. They have their meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Monday at 7 pm at the VFW Post on Litchfield. Leigh Ann announced a request for volunteers for a pamphlet drop – based at McGruders on June 26 at 9 am – need volunteers to cover the whole village. They will have a booth at the Lancaster 4<sup>th</sup> of July celebration.

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**UNFINISHED AND OTHER BUSINESS**

1. Deputy Mayor Hammer – received phone calls from residents about how the fire dept was funded. She explained that the department is funded by the village like every other dept. The caller said that they were told by a fireman when he came to solicit donations that they have to beg for money since they are not a district.
2. Fire Chief Cummings – explained that there are things not funded such as giving meals to volunteers, and the fitness room expenses. They also raise money from their fundraisers – Chicken BBQs.
3. Deputy Hammer thanked the Volunteer Firemen.
4. Ron Maciejewski – past Fire Chief – Fire Department has an insurance policy that covers injured firemen that they pay for and also Fire Prevention training in schools.
5. Paul Walters – the department supports other organizations in the village.

**PUBLIC CONCERNS AND COMMENTS**

1. Susan Machniak – 21 Warner – knowing what the weather was like – crew chiefs were told pumps would have been out. Pump wasn't put out till Sunday.
2. Trustee Monti – disciplinary action was taken.
3. John Betzig – 26 Warner – pump was not out there. Called police and told that they are aware of it and it took 2 hours to get the pump going.
4. Superintendent Juliano – crew chiefs were told to put the pumps out.
5. Donna Dotzler – 30 Warner – called DPW and got answering machine. Called police dept. female dispatcher told her DPW does not come out for one flooded basement. She called Mayor Alberti. Viaducts were flooded and two hours later pump was installed. Trustees Keefe, Monti, and Hammer were at Warner Rd and within 15 minutes of pump being on water receded. Who is going to start up the pumps, this is three times in the last year. Village should have a residency law – give the person 30 days to move into the village.
6. 21 Warner – Calvary did not come. Board needs to take some action - \$10,000-\$30,000 of damage has been done. Elderly are cleaning up crap off the floor. Want a study done, wants to see some drawings and sit down with the engineer. Paid over \$145,000 for the house 3 years ago and over \$6000 in taxes and this is the service we are getting?
7. Jennifer Waley – 112 Lee St – on diagram – sump pump direct connect into sewers- low part of hill – gravity is going to work. Everyone in the village is causing the problem for people at the lowest point. Need to go to all residents for the money.
8. 26 Warner – need a second in command who lives in Depew. (all three crew chiefs live in Depew).
9. Mrs. Lukowski – 15 Warner – no one to depend on but myself. This is the third time and my son was there to save me this time. Pipes antiquated – we should not have to live in fear.
10. Edwin Eberle – 59 Morris Circle – problem with water. What is the capacity for the system? We have had record rainfall and climatic changes but something needs to be done. How often are sewers maintained?
11. Superintendent Juliano – sewers are flushed and televised every day.
12. Trustee Monti – he took time Monday for a meeting with DPW. When pumps are in place we do not have the problems we have now. They addressed a lot of things in the meeting. Give us a chance we are trying to get it together. It should be okay now as we have a system in place.
13. 59 Morris Circle – wants to come in and see the policy and procedures.
14. Attorney Nosek – explained we do not have a personnel dept just a union contract. We are also under a DEC Consent Order that the village has a financial commitment to fund that addresses a variety of issues- inflow & infiltration, manage legal requirements against ability to fund, replace sewers with state of the art ones. The Board would love to do it put the process is done step by step and we must secure the funding for it. Overflows get dumped into the creek. If we discharge there then the DEC permits will go away. Every year there have been various sewer improvements. The hard part is balancing the budget with the work required by DEC.
15. 59 Morris Circle – need guide of what to follow. Looking for manual or rule book.
16. Attorney Nosek – we have progressive discipline.
17. Don Jakubowski – 54 Warner – a lot of great points made here. It is a lot of money to put in new sewers instead of using a band aid. When pumps are put up there and working no water, lots of rain then lots of water. Could not see one rung of the manhole until after pump was put on.
18. Glenn Krantz – DPW worker – convenient to blame DPW. By the time the worker got the call it was too late and the basement was flooded. Dispatcher said 2-3 calls before DPW is called.
19. 112 Lee St – why was the pump taken out?
20. 30 Warner – what is the determining factor? Years ago they would pull back the manhole and check.
21. Joan Priebe – 15 Howard Lane – have had water problems since 1963. The systems are old and there is an ongoing problem through various parts of Depew. DPW does a good job. Chris does a good job. Sat on this Board before. DPW does not man the phones at 5:30 am you must call the Police. See also had water at her property she owns in Cheektowaga.
22. 54 Warner – it is correct that the sewers are of age. For a number of years the pumps were there and we had no water.
23. Superintendent Juliano – 12 pumps – enough for every trouble spot.
24. 21 Warner – pump is on my lawn – if there is a problem I should call the Police?
25. Chief Domino – the rule given to the Chief was that there had to be 3-4 calls before dispatch could call a DPW worker. Chief wants to know when his department can call DPW.

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26. Trustee Monti – plan in place so that DPW can take care of their own stuff.
27. Fred Grzyb – plumbing inspector – process of elimination – can control sewer water not surface water.

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Keefe, seconded by Trustee Maryniewski, the following claims are to be paid: General \$287,044.50, Sewer \$31,606.61, The motion was **CARRIED**.

**ADJOURNMENT**

**ON A MOTION BY** Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at 8:55pm in memory of Michael Stoldt, son of Lancaster Police Chief Gary Stoldt, who passed away over the weekend from a motorcycle accident. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock  
Village Administrator