

MEETINGS TO DATE 14
NO. OF REGULARS: 13

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
NOV 14, 2011**

ROLL CALL: Trustee Hammer
Trustee Nolder
Trustee Pecora
Trustee Nikonowicz
Mayor Hoffman

ON A MOTION BY, Trustee Pecora, and seconded by Trustee Hammer, the October 24, 2011 Village Board Minutes were approved.

ON A MOTION BY, Trustee Nikonowicz, and seconded by Trustee Nolder, the November 7, 2011 Zoning Board Minutes were accepted.

ON A MOTION BY, Trustee Hammer, and seconded by Trustee Pecora, the November 3, 2011 Planning Board Minutes were approved.

PROCLAMATIONS – Mayor Hoffman and Deputy Mayor Pecora read two proclamations for Company C&D 401 2nd Civil Affairs Battalion from Tonawanda. The proclamations thanked the men and women of the companies for their service to their country. US Army major Todd Van Orsdale, Commander of Company D and US Army Sgt. Anthony Ehrenreich, Commander of Company C accepted the proclamations.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Joan Priebe – 15 Howard – what is #2?

Rick Coburn – explained there are code enforcement revisions defining the responsibilities of the dept and redefining the dept. The local law will be available next week.

Jennifer Dougherty– represents AT &T and is here for any cell phone tower questions.

RETURN UNPAID TAXES TO COUNTY OF ERIE

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

BE IT RESOLVED, the report of the Village Administrator, showing that in accordance with Article 14, Section 1436, Paragraph 2 of the Real Property Tax Law, she is returning to the County of Erie, Department of Finance the 2011-2012 unpaid Village Tax accounts together with the unpaid sewer account pursuant to verification and certification of the Board of Trustees, and also that as of November 1, 2011, she has collected the sum of \$8,696,166.33 which is 97% of the original amount (including petitions and payments in lieu) of \$8,967,391.87 leaving a balance of \$271,225.54 and, in accordance with section 987 of Real Property Tax Law, the Village has imposed a fee of \$2.00 per parcel for the “Notice of Unpaid Taxes”; the Administrator has added \$492.00 to the balance, thereby leaving a balance of \$271,717.54, which has been transferred to Account A440, Due from Other Governments, for further collection on the Town/County bill, is hereby accepted.

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

AUTHORIZE ADMINISTRATOR TO ADVERTISE PUBLIC HEARING – LOCAL LAW 8 OF 2011 – CHAPTER 76 REVISIONS

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for a Public Hearing for the purpose of adopting Proposed Local Law #9 of the Year 2011 to be held on Nov 28, 2011 at 7:30 PM regarding amendments to Chapter 76 – Building Construction and Fire Prevention.

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

**VILLAGE OF DEPEW
NOVEMBER 14, 2011**

APPROVE SPECIAL USE PERMIT – CELL TOWER

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

BE IT RESOLVED, the Special Use Permit for 651 Dick Rd – New Cingular Wireless PCS. LLC (“AT&T”) to add one (1) SBNH-1D6565C panel antenna to each sector for a total of three (3) additional antennas, all at the existing height; add three (3) Ericsson RRUL-11 to be strapped to the existing monopole; add one (1) DC6-48-60-18-8F Surge Suppressor; and add one (1) small LTE GPS antenna to be strapped to the existing monopole at a minimum of 10 feet from the existing GPS (collectively, the “Equipment Upgrades”) is hereby approved. The Village Code Chapter 260.24 and Chapter 220 must be followed upon approval of the special use permit. The fee for the special use permit is \$150.00.

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 Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

CHANGE OF VILLAGE BOARD MEETING DATE

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

BE IT RESOLVED, the Village Board Meeting scheduled for Monday, December 26, 2011 is hereby changed to Tuesday, December 27, 2011 (starting at 7:00PM) due to the Christmas Holiday.

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

CHANGE PLANNING BOARD MEETING TIME

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

BE IT RESOLVED, Regular Meetings of the Village of Depew Planning Board will be held on the first Thursday of every month at 7:00 P.M. in the Council Chambers. This change will take effect with the December 1, 2011 Planning Board Meeting. If there are no applications to the Planning Board then the Board will not meet that month.

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

PERMISSION SEMINAR

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

Permission is hereby granted to Liz Melock to attend the NYS GFOA Western Holiday Seminar December 1, 2011 from 10 am until 3 pm at the AcQua Buffalo NY. The cost of the seminar is \$45.00.

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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Nikonowicz, 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:

CAYUGA HOSE CO #3

Colleen Ashlock 470 Rowley Rd Depew NY 14043
Arthur Leonard 55 Muskingum Depew NY 14043

**VILLAGE OF DEPEW
NOVEMBER 14, 2011**

AETNA HOSE

Luther Jordan 5170 Transit Rd Depew NY 14043
Larry Jordan II 5170 Transit Rd Depew NY 14043

DEPEW HOOK & LADDER

James Bane 5527 Transit Rd Apt 3 Depew NY 14043

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

MODIFY 2011/2012 BUDGET –POLICE DEPT

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

WHEREAS, the Village of Depew Police Dept. has received \$500.00 from Noco Energy Corp. for use in the Police Department;

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2011/2012 Budget in the following manner:

A510	Estimated Revenue	
	Sub Account 010. 2655 Minor Sales	\$500.00
A960	Appropriations	
	Sub Account 3120.202 – Police Computer Equipment	\$500.00

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

TREE/TRIMMING REMOVAL: 121 Rumford St

EMPLOYMENT APPLICATIONS: General – Salvatore Valvo, Police Officer – Alex Kirkpatrick

DEPARTMENT HEAD REPORTS, Clerk/Treasurer’s Office June –Oct 2011, Building Dept Jan-Oct 2011

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

REPORT OF THE VILLAGE ATTORNEY

Chapter 76 – good revisions to the code, Mutual Aid agreement being reviewed, proposed demos next step is 30 day hearing on two.

REPORT OF THE VILLAGE ENGINEER

Finalized report on sanitary sewer overflow. DEC will bid out job for lead remediation in the early part of next year.

COMMITTEE REPORTS:

Mayor Hoffman – No Parking Ban goes into effect Nov 15th through March 15th from 2 am until 7 am.
Trustee Nikonowicz – Dec 5th is the Tree Lighting at Fireman’s Park from 6pm until 9 pm. Free Public Skate will be available from 6:30 pm until 8:30 pm. Fire Truck parade with Santa. Both Veteran’s Park and Fireman’s Park will be lit up.

**VILLAGE OF DEPEW
NOVEMBER 14, 2011**

Trustee Nolder – Police Chief Carwile will be “locked up for MDA” on Nov 16th. He needs about \$1000 in bail money.

UNFINISHED AND OTHER BUSINESS –

AWARD BID- PORTABLE SEWER TV SYSTEM

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

BE IT RESOLVED, that upon the recommendation of the DPW Superintendent, the bid for the Portable Sewer TV System from the bid opening on November 10, 2011 in the bid amount of \$78,980.00 be awarded to:

Joe Johnson Equipment
62 LaGrange Ave
Rochester NY 14613

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

Trustee Hammer – Yes
Trustee Nolder – Yes
Trustee Pecora – Yes
Trustee Nikonowicz – Yes
Mayor Hoffman – Yes

PUBLIC CONCERNS AND COMMENTS –

Dave Burkhardt – 5 Autumn Lea – If the DEC bids out something how does it affect us? Wanted to know when Zurbrick Rd will be functioning again.

Curt Krempa – the cleanup is being performed with Superfund money. The DEC could do a lawsuit against the Village to recoup its loses. He has not seen the plans for Zurbrick yet but once the lead is remediated then the road work has to be completed.

Joan Priebe – 15 Howard - #3 cell tower. Inquired on the monthly rate. Ms. Priebe also said the DPW phones are now working. Administrator said the fee is \$500 to add antennae.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Nolder, seconded by Trustee Pecora, the following claims are to be paid: General \$1,029,102.74, Sewer Fund \$3,476.68, Community Development \$100,110.05, the motion was **CARRIED**.

ADJOURNMENT-

ON A MOTION BY Trustee Hammer, seconded by Trustee Nikonowicz, the meeting was adjourned at 7:55 pm. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator