

MEETINGS TO DATE 22
NO. OF REGULARS: 21

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
JANUARY 25, 2010**

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

ON A MOTION BY, Trustee Monti, and seconded by Trustee Hammer, the January 11, 2010 Village Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Dan Beutler – 26 Tyler – What is the tax credit and what do they pay otherwise.

AUTHORIZE MAYOR TO SIGN QUIT CLAIM DEED

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign a quit claim deed and any other documents needed to convey Cleveland Place to Anthony Rogacki 45 Miller St Depew NY 14043 for the sum of \$9550.00.

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 SIGN AGREEMENT FOR ENGINEERING STUDY – LEE ST

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign an agreement with Nussbaumer & Clarke for engineering analysis and report of the Lee Street sanitary and storm sewers. The initial fee is \$14,500.00

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

AUTHORIZE MAYOR TO SIGN AGREEMENT FOR GENERATOR MAINTENANCE

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign an agreement with Cummins Northeast 700 Aero Dr Buffalo NY 14225 for generator maintenance on the seven village generators at a cost of \$3,156.00 for the period of February 1, 2010 till January 31, 2011.

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

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AUTHORIZE MAYOR TO SIGN AGREEMENT WITH CHEEKTOWAGA –TAX CREDIT FOR POLICE SERVICES

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign an agreement the Town of Cheektowaga for a Tax Credit in the amount of \$390,000.00 against the Town assessment for the Village residents in the Town of Cheektowaga. The agreement is effective from January 1, 2010 to December 31, 2010

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

AUTHORIZE MAYOR TO SIGN YOUTH RECREATION PROGRAM ANNUAL REPORT

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign the Youth Recreation Program Annual Report for 2009.

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

PERMISSION – ATTEND NYCOM WINTER LEGISLATIVE MEETING

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

Permission is hereby granted to Mayor Barbara A. Alberti & Deputy Mayor Linda Hammer to attend the NYCOM Winter Legislative Meeting from February 21-23, 2010, at the Crowne Plaza – Albany. The cost of the conference and hotel is \$1026.00.

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

PERMISSION – ATTEND BASIC ACCOUNTING SCHOOL

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

Permission is hereby granted to Carmi Poss to attend the Office of the State Comptroller's Basic Accounting School in the Town of Aurora on April 20-22, 2010 at a cost of \$85.00. Use of the Village vehicle is also authorized.

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

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PERMISSION – ATTEND TREE SCHOOL 2010

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

Permission is hereby granted to a DPW employee to attend the Urban Forestry Tree School 2010 at Genesee Community College Batavia, NY on March 2 & 3, 2010 at a cost of \$375.00 plus \$77.00 for textbooks. Use of the Village vehicle is authorized.

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to:

The Depew Fire Department for the following:

To use the Northside Firehall for a Fire Fighter 2 training class on the following dates. The class is open to all Fire Fighters in Erie County.

Tuesdays and Wednesdays from 6:30 pm until 10:30 pm on February 2, 3, 9, 10, 16, 17 and Saturdays from 8 am until 1 pm on February 6, 13, 20.

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

TREE TRIMMING/REMOVAL:

EMPLOYMENT APPLICATIONS: Police Dispatcher – Michael Greiner

DEPARTMENT HEAD REPORTS: Electrical Dept Oct-Dec 2009, Police Dept 2009, Annual 2009 Police Dept. Report

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

BUILDING APPLICATIONS AND REPORTS

ON A MOTION BY Trustee Keefe seconded by Trustee Maryniewski, the building inspector report was accepted as presented.

REPORT OF THE VILLAGE ATTORNEY

Absent

REPORT OF THE VILLAGE ENGINEER

Zurbrick Rd – Army Corp completed applications hopefully get money and right of entry document.

COMMITTEE REPORTS

Trustee Keefe – Vanderbilt pump station and force main – EC is close to an agreement that will then come to the Village Board, there is no expense to the Village.

UNFINISHED AND OTHER BUSINESS

Mayor Alberti's comments:

1. Meeting Wednesday am developing 5600 Transit Rd w/various depts.
2. Working on another area with a developer.

PUBLIC CONCERNS AND COMMENTS

1. Dan Beutler – 26 Tyler – What does Lancaster charge for Police? Consolidation stuff due to newspaper article – have there been any talks with the Town. Mayor Alberti said no. Dan spoke about petitions and what is the thought process for eliminating the village.

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2. Mayor Alberti – Village can dissolve either by Board taking action or a petition by village residents signed by 10% of the registered voters. The Mayor nor anyone else ran with the intention of dissolving the village. They have been trying to save the village. The issue was brought up last summer. Andrew Cuomo presented a bill to lower the percentage required to dissolve the village which is the lowest level of government and provides the services. When people complain they do not go to the Towns or County to complain they come to the Village to complain. NYS sets all these mandates on the local governments. The bill passed fairly quickly. Board was exploring a grant to see the feasibility of dissolving the village. The Board wanted to have a plan before they were hit with a petition. At the NYCOM meeting the presentation showed little savings but a lot of special districts were created. Questions came up at the meeting and that they could not answer. NYCOM was seeking to amend law so that 25% would have to sign. Village would have spent \$45,000 or more on a study and when petition comes in then down the drain.
3. Dan Beutler – 26 Tyler – what is the debt load – will residents have to pay the debt? Mayor said yes.
4. Mayor Alberti- after petition is verified by the Administrator, which she has 10 days to verify the signatures, the Board has to set a date for the vote, if vote is in favor of dissolving then the Village has 6 months to come up with a dissolution plan. There is no super seniority and the Towns do not have to take any of the employees. The village makes the plan and hopefully the Towns accept it.
5. Dan Beutler – 26 Tyler – cost of feasibility study?
6. Mayor Alberti - said for a small municipality around \$50,000. The petition would need about 1080 signatures. The employees have to come together as one – synergy. Village Board would pick the people to be on the committee to do the plan.
7. Trustee Keefe – Erie County will not take over the sewers due to the debt load and village consent order.
8. Dave Brauen –199 Kieffer Ave – taxpayer for 50 years – taxes increased \$250.
9. Mayor Alberti – tax rate only went up 1.34%. Dave Marrano was here and at the Depew Seniors. Anyone could make an appointment with Dave. Village assessments – southside was over assessed, northside was under assessed.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Hammer, seconded by Trustee Monti, the following claims are to be paid: General \$185,066.19, Sewer \$59.22, Capital \$5,569.56. The motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Maryniewski, the meeting was adjourned at 8:07pm in memory of Mary Ann Machnik. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator