

MEETINGS: 26
NO. OF REGULAR: 26
NO. OF SPECIAL MEETINGS: 1

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
MARCH 23, 2009**

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

ON A MOTION BY, Trustee Fusani, and seconded by Trustee Monti, the March 9, 2009 Village Board Minutes were approved.

ON A MOTION BY, Trustee Keefe, and seconded by Trustee Hammer, the March 19, 2009 Village Special Meeting Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Dave Burkhardt - 5 Autumn Lea Road – Questioned what the dumping permit was for. Mayor Alberti stated the dumping permit was applied for as a renewal.

PROCLAMATION SERTOMA CLUB FREEDOM WEEK

“DEPEW-LANCASTER SERTOMA CLUB FREEDOM WEEK”

WHEREAS, Sertoma International, a civic service organization, the motto of which is “SERVICE TO MANKIND”, has adopted a Freedom Program dedicated to the re-emphasis of the values and responsibilities of people in a free society, and

WHEREAS, independence and freedom are elemental parts of American character which has flourished in this rich and bountiful land and have made the United States a great and powerful nation, and

WHEREAS, it is the duty of every American and every American Association to study and practice the principles of freedom and liberty and to remain ever vigilant, and

WHEREAS, for many years, the Sertoma Clubs have diligently exercised that high duty of American Citizenship with patriotic dedication in their Freedom Program, and

WHEREAS, the Depew-Lancaster Sertoma Club is planning to carry out special patriotic and civic activities during 2009 Freedom Week.

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the Village of Depew, do hereby proclaim the week of March 23, 2009 through March 29, 2009

DEPEW-LANCASTER SERTOMA CLUB FREEDOM WEEK

and do urge every citizen to join the Depew-Lancaster Sertoma Club during that week in special observation of the blessings of Freedom and Liberty in our Country in order to inspire constant daily adherence to such observation throughout the year.

Barbara A. Alberti

APPROVE/DENY SERVICE AWARD POINTS -RZESZUTEK

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

BE IT RESOLVED, that the Village Board approves 26 service award points to Todd Rzeszutek for the year ending December 31, 2008.

**VILLAGE OF DEPEW
MARCH 23, 2009**

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

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

APPROVE/TABLE/DENY DUMPING PERMIT – THOMAS R MITTNER

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

WHEREAS, Thomas R. Mittner 5079 Thompson Rd Clarence NY 14031, has applied for a Dumping Permit for a 25-acre vacant parcel he owns behind 470 & 496 Rowley Rd.

NOW THEREFORE BE IT RESOLVED, a Dumping Permit is hereby **APPROVED** with the following conditions:

- 1) Documentation must be provided where the fill is coming from and that the fill material has been tested and does not contain any contaminants.
- 2) Fill must be leveled monthly.
- 3) No concrete, construction debris or grass or landscaping materials – clean fill only.
- 4) Roadway must be kept clean.
- 5) Dumping & grading must occur only Monday –Friday, excluding holidays and between the hours of 8 a.m. and 5:30 p.m. only. No dumping or grading will be done on holidays or weekends.
- 6) No more than 2,000 cy for the season.
- 7) Permit ends September 30, 2009.

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

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

APPROVE/TABLE/DENY HOME OCCUPATION APPLICATION

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

WHEREAS, Irvine G. Reinig II 380 Columbia Ave Depew NY 14043, has applied for a Home Occupation Permit 380 Columbia Ave Depew NY 14043 DBA Trains N Things,

NOW THEREFORE BE IT RESOLVED, a Home Occupation Permit is hereby **APPROVED** as long as all sections of the Village Code are followed with regards to home occupation permits.

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

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

**VILLAGE OF DEPEW
MARCH 23, 2009**

AUTHORIZE ADMINISTRATOR TO ADVERTISE PUBLIC HEARING FOR THE TENTATIVE BUDGET FOR THE YEAR 2009/2010

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

BE IT RESOLVED, that the Village Administrator is authorized to advertise for a public hearing on the Tentative Budget for the Year 2009/2010, to be held on April 13, 2009 at 7:30 PM in the Village of Depew Council Chambers.

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE PUBLIC HEARING FOR LOCAL LAW # 1 OF 2009 – AMENDMENTS TO CHAPTER 231 USED CAR DEALERS

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

BE IT RESOLVED, that the Village Administrator is authorized to advertise for a public hearing on amendments to Chapter 231 Used Car Dealers, to be held on April 27, 2009 at 7:30 PM in the Village of Depew Council Chambers.

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

SERVICE AWARD PROGRAM REGARDING WORKERS COMPENSATION BENEFITS

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

BE IT RESOLVED, that the Village Board clarifies when a firefighter on Village of Depew Workers Compensation coverage will receive Service Award Points by following the guidelines stated below:

If as a result of his or her participation in a line of duty activity, a volunteer firefighter is either temporarily and totally or partially and permanently disabled and is paid benefits under the Volunteer Firefighter Benefits Law, an example is workers compensation benefits, the volunteer is given 5 points per month under the point system while he or she is being paid volunteer firefighter workers compensation benefits.

If a volunteer firefighter is on workers compensation but not due to his participation in a line of duty activity, the volunteer firefighter is not allowed to participate in any firefighter activities or earn points while being paid workers compensation benefits through the Village of Depew.

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

Trustee Fusani - Yes
Trustee Hammer - Yes
Trustee Keefe - Yes

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

PERMISSION TO HOLD MEMORIAL DAY PARADE

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

BE IT RESOLVED, permission is hereby granted to the Depew Joint Veterans Committee to hold their annual Memorial Day Parade and Services on Monday, May 25, 2009, beginning at 10:30 AM. The Police Department who will provide necessary traffic enforcement has approved the parade route.

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

**VILLAGE OF DEPEW
MARCH 23, 2009**

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to:

The Depew Fire Department to use the Northside Fire Hall on Sunday April 5, 2009 between 9:00 am and 8:00 pm for the Depew Hose Company #1 Spaghetti Dinner & Theme Auction Fundraiser.

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

TREE TRIMMING/REMOVAL: 343 French Road, 87 Lincoln Street, 300 River Street, 9 Patsy Lane

EMPLOYMENT APPLICATIONS

Maintenance – Lee Kreuzer, Recreation – Kelly Kreuzer, Paul Cordaro, Stephen Moskal, David Balus, Mark Lubera, Bob Nowicki, Nicholas Weigand, DPW Summer Help –Richard Roll II, David Hottum

DEPARTMENT HEAD REPORTS

None.

BUILDING APPLICATIONS AND REPORTS

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

REPORT OF THE VILLAGE ATTORNEY

Regulation pending regarding used cars, signs

REPORT OF THE VILLAGE ENGINEER

Absent.

COMMITTEE REPORTS

Trustee Keefe - Dell and Goodwill are offering free recycling. Goodwill is located at Genesee & Union, and they will accept computers. The reuse program will help to clean up polluted areas and help with pollution prevention. Businesses can contact the Erie County Department of Planning at 858-8006 to get rid of junk.

UNFINISHED AND OTHER BUSINESS

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

No trees on public property within the Village of Depew shall be removed without the consent of the Village Board. It is the intention of the board to analyze the recent reports of the arborist who examined the trees, especially in the Village parks and along Terrace Boulevard, Bloomfield Avenue, Litchfield Avenue, Suffield Avenue and Westfield Avenue. This resolution shall take effect immediately but shall not apply to an emergency situation as determined by the Depew Public Works.

VILLAGE OF DEPEW
MARCH 23, 2009

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

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

- Mayor Alberti – 1. She attended honor awards for the Lancaster Fire Council. She gave an award to Timothy Michaels, who serves as webmaster for our Village website.
2. Read letter from Cheektowaga, thanking Michael Moskal and Timothy Michaels for their help with the 3407 plane crash.
3. She has been floating around while her office is being remodeled. Offered thanks to Chris Juliano for sending two men to do this work, and thanked the Electrical Department for their work on this project.
4. Received a letter this week regarding the railroad bridges. CSX owns two bridges closest to Walden, then the County, then Norfolk Southern. The letter stated the bridges were inspected and they do not intend to do any work. There are not any plans from the DOT to widen Transit Road from French Road to Broadway.
5. There is a problem on Zurbrick Road, she did write to the Town of Cheektowaga. Superintendent of Public Works Chris Juliano put up markers on Zurbrick. Papers have been drawn up and sent to Albany applying for 2.5 million dollars to fix this street.
6. Two years ago, there was a referendum to downsize the Village Board. Tonight will be the last meeting you see Trustee Fusani. She was a member of an opposing party, but worked with us 100%. Teresa has made the trip with us to NYCOM in the past, and combs through the vouchers to see there is no problems. She never misses a Board Meeting. (Mayor presents Trustee Teresa Fusani with roses.)

PUBLIC CONCERNS AND COMMENTS

1. Chief Domino – Proclamation – First Responders – has to do with plane crash – gave proclamations to Mayor Alberti.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Fusani, seconded by Trustee Hammer, the following claims are to be paid: General \$176,498.67, Sewer \$206.19. The motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Fusani, the meeting was adjourned at **8:06 pm** in honor of Chuck Durrenberger, Henry Kacala & John Ricci. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator