

MEETINGS: 02
NO. OF REGULAR: 02
NO. OF SPECIAL MEETINGS: 0

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
APRIL 14, 2008**

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

ABSENT: Trustee Hammer

ON A MOTION BY, Trustee Keefe, and seconded by Trustee Monti, the March 24, 2008 Village Board Minutes were approved.

ON A MOTION BY, Trustee Keefe, and seconded by Trustee Monti, the April 7, 2008 Village Board Minutes were approved.

ON A MOTION BY, Trustee Fusani, and seconded by Trustee Maryniewski, the March 3rd, April 17th and April 3rd, 2008 Zoning Board Minutes were accepted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Irv Rienig – 380 Columbia Ave. – Questioned why a public hearing for Agenda #3 Local Law #3. Tony Nosek responded, due to your comments and because aspects of the law were changed.

OPEN PUBLIC HEARING – TENTATIVE BUDGET 2008/2009

Liz Melock, Village Administrator read legal notice announcing Public Hearing and Mayor Barbara Alberti opened same at 7:35 pm.

1. Dan Beutler – 26 Tyler St. – questioned the percentage of increases – fuel was 30% alone, lucky to get away with a 3.6% increase.
2. Irv Reinig – 380 Columbia Ave – Read a letter regarding increase of taxes (attached to minutes).
3. Joan Priebe – 15 Howard Ln. – Questioned if more cuts could be made. Stated in the past surplus was used in prior terms.

ON A MOTION BY, Trustee Fusani, seconded by Trustee Monti, the Public Hearing is closed at 7:47pm. **CARRIED.**

Mayor Alberti's Comments

- Next meeting will tell what we have accomplished this past year. We will show how we have made progress. Still working to bring the budget down.

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING –
STORMWATER DISCHARGES DRAFT PLAN**

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for a public hearing regarding the Stormwater Discharges Draft Plan to be held on Monday April 28, 2008 at 7:30 p.m.

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

**VILLAGE OF DEPEW
APRIL 14, 2008**

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING – LOCAL
LAW #3 OF 2008 – GARBAGE LAWS**

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

WHEREAS, Local Law No. 3 of 2008 (“Village of Depew Waste Container Law”) has been proposed, which seeks to regulate the storage and handling of waste; and

WHEREAS, the Local Law shall amended §198 of the Code of the Village of Depew (“Code”); and

WHEREAS, all terms used but not defined herein shall have the meanings given to them in § 617.2 of Chapter 6 of the New York Code of Rules and Regulations; and

WHEREAS, the New York State Environmental Quality Review Act (“SEQR”) requires that a lead agency be established to undertake, fund, or approve any action; and

WHEREAS, in accordance with § 617.6 of Chapter 6 of the New York Code of Rules and Regulations, which outlines the procedure for uncoordinated review of certain unlisted actions, the Village Board may proceed under SEQR as if it were the only involved agency and, therefore, as lead agency; and

WHEREAS, the approval of the Local Law by the Village Board (the “Action”) constitutes an unlisted action under SEQR; and

WHEREAS, the Village Board must make a determination as to the environmental impact of the Action; and

WHEREAS, a public hearing (“Public Hearing”) is required regarding the Local Law; and

NOW THEREFORE BE IT RESOLVED, that the Village Board shall conduct an uncoordinated review of the proposed Action under SEQR; and

BE IT FURTHER RESOLVED, that uncoordinated the Village Board shall act as lead agency; and

BE IT FURTHER RESOLVED, that a Public Hearing shall be held on Monday April 28, 2008 at 7:35 p.m.; and

BE IT FURTHER RESOLVED, that the Village Board hereby authorizes the preparation of a short EAF to be circulated within the Village Board together with the full text of the Local Law; and

BE IT FURTHER RESOLVED, that the Village Board will consider whether or not to issue a Negative Declaration with respect to adopting the Local Law during and subsequent to the Public Hearing.

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

Trustee Dillemath - Yes
Trustee Fusani -Yes
Trustee Hammer -Absent

Trustee Keefe - Yes
Trustee Maryniewski - Yes
Trustee Monti – Yes

Mayor Alberti -Yes

**VILLAGE OF DEPEW
APRIL 14, 2008**

AUTHORIZE MAYOR TO SIGN TOWN OF CHEEKTOWAGA COMMUNITY DEVELOPMENT BLOCK GRANTS

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

WHEREAS, federal regulations require that a subrecipient agreement be executed annually between the Town of Cheektowaga and the Village of Depew for the Community Development Block Grant Program,

NOW BE IT RESOLVED, that Mayor Barbara Alberti is authorized to execute a Subrecipient Agreement with the Town of Cheektowaga, as required by federal regulations at 24 CFR, Section 570.503, whereby such Agreement specifies the federal regulations governing the Community Development Block Grant program and the program activities to be carried out in the Village with Community Development Block Grant funds for the 2007-2008 Program Year.

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

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

AUTHORIZE MAYOR TO SIGN GARBAGE CONTRACT RENEWAL LETTER

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

WHEREAS, the current Village contract with NEI expires May 31, 2008 and there are provisions in the contract for two renewal periods.

NOW BE IT RESOLVED, that Mayor Barbara Alberti is authorized to sign a renewal letter authorizing a renewal period of five years effective, June 1, 2008 – May 31, 2013 with NEI/Modern Corporation. This renewal letter authorizes NEI to implement the allowable increase based on the change in the Consumer Price Index per the current contract.

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

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

AUTHORIZE MAYOR TO SIGN SERVICE AWARD SPONSOR FORM

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

WHEREAS, the 2007 firefighter service listing has been posted for at least 30 days in the firehalls,

NOW BE IT RESOLVED, that Mayor Barbara Alberti is authorized to sign the 2007 Sponsor Authorization Form and return the data request package to Penflex.

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

Trustee Dillemoth - Yes	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Absent	Trustee Monti - Yes	

**VILLAGE OF DEPEW
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AUTHORIZE MAYOR TO SIGN SERVICE AWARD AUDIT ASSISTANCE DIRECTIVE

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

WHEREAS, Article 11-A of the NYS General Municipal Law was amended to require annual audits of Service Award Program records by an independent accountant,

NOW BE IT RESOLVED, that Mayor Barbara Alberti is authorized to sign the Audit Assistance Directive from Penflex, Inc to allow them to prepare the LOSAP Audit Package for the year 2008 for a fee not to exceed \$445 for the report.

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

Trustee Dillemoth - Yes	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Absent	Trustee Monti - Yes	

AUTHORIZE YEAR END BUDGET TRANSFERS

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

BE IT RESOLVED, that the Administrator is hereby authorized to adjust and amend the 2007/2008 General, Sewer, Capital and Community Development Fund Budgets; and to reconcile and amend all appropriations and revenue accounts to actual as of May 31, 2008 and make adjustments to encumbrances and accounts payable.

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

Trustee Dillemoth - Yes	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Absent	Trustee Monti - Yes	

AUTHORIZE ADMINISTRATOR TO TRANSFER FUNDS

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

BE IT RESOLVED, the Administrator is authorized to make the following transfer of funds:

From Account:		Amount:	To Account:		Amount:
Contingency Account	1990.400	1350.00	Fire Dept -Chemicals	3410.415	1350.00
Total to be transferred					\$1350.00

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

Trustee Dillemoth - Yes	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Absent	Trustee Monti - Yes	

**VILLAGE OF DEPEW
APRIL 14, 2008**

PERMISSION TO HOLD MEMORIAL DAY PARADE

Trustee Maryniewski, 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 26, 2008, 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**.

PERMISSION TO HOLD 10K RACE

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

BE IT RESOLVED, permission is hereby granted to the Depew-Lancaster Boys & Girls Club to hold their 30th Annual 10K Race on Friday July 4, 2008 starting at 9:00 AM.

The forgoing resolution was seconded by Trustee Maryniewski, 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 to the following in the Depew Fire Department pending the passing of their physical:

CENTRAL HOSE CO. #4

Brian Englund 1717 Como Park Blvd Depew NY 14043

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

TREE TRIMMING/REMOVAL:

247 Terrace Blvd, 123 Preston, 240 French, 9 Madaline Ln, 75 Ashford, 41 Bloomfield

EMPLOYMENT APPLICATIONS

Account Clerk PT – Regina Russ, Nicole M. Zelasko, Michael L. Aloian, Terra Owen, Sandra Sharp, Jacqueline Betts, Felicia Millard, Recreation – Kelsey Sharp, Christopher Mazella, Victoria Banas, , Nicole Utz, Matthew Mescall, Mitchell Schaefer, Robert Nowicki, Katrina Merrill, Court Officer PT – Brett Curtin, Kevin Rydzynski, William Mayback, Peter Arena, Angelo Dispenza, Daphne Collier, Yvonne Lindstrom, Kayleigh Greis, Shaun Vaccaro, John Pap

DEPARTMENT HEAD REPORTS

Electric Dept. Jan – March 2008, Police Dept. March 2008

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 Fusani, seconded by Trustee Maryniewski, the building inspectors' reports were accepted as presented.

**VILLAGE OF DEPEW
APRIL 14, 2008**

REPORT OF THE VILLAGE ATTORNEY

Mayor had thanked everyone on the Board at reorganization and Mr. Nosek thanked the Mayor for all her hours.

Stated the mayor has worked diligently to create a responsible budget. Mr. Nosek also stated Mr. Reinig is entitled to his opinion. There is little control of labor contracts, utilities, health care and retirement.

REPORT OF THE VILLAGE ENGINEER

Absent

John Wojcik – Draft's in Clerks office, yearly review on stormwater plan. April 26th Computer Drop off – Erie County, April 27th noon – 4pm Garden day MLK Park – buy composters

COMMITTEE REPORTS

Trustee Keefe – NEST April 26th Computer Drop off – Erie County, April 27th noon – 4pm Garden day MLK Park – buy composters

Trustee Maryniewski – Thanked the Lisa Johnson from the Bee for article on seniors.

Trustee Monti – The new furniture is in the Senior Center, floors will be refinished the last two weeks in May.

Mayor took over the Senior Center so it wouldn't close.

UNFINISHED AND OTHER BUSINESS

1. Mayor Alberti announced Boy Scout Troop 665 will hold a Flag Retirement Ceremony on June 9th. Worn or tattered flags may be dropped off at the Clerk's Office.
2. Clean Up Depew Day – April 26th – meet at the Village hall at 9:00 am and come back at noon. The Mayor thanked Chairman's Rae and Tammy.

PUBLIC CONCERNS AND COMMENTS

1. Dan Beutler – 26 Tyler St. – Questioned item #5 in the Correspondence regarding Time Warner Cable. Furniture on Walden finally moved. Dean Sutton putting bags back out. Questions regarding abandoned cars.
2. Mayor Alberti – Stated that John Wojcik, Liz Melock and the mayor met with NEI concerning trash. NEI will take care of notification.
3. Dave Burkhardt – 5 Autumn Lea – One stop Honda – will allow the trailer to stop will work on POD legislation. Lawn debris everything in covered container.
4. Dave Brauen - 199 Keiffer Ave – Drywall, paneling – move into garbage cans, lumber – 4' length will take it now, covered waterproof container.
5. Dan Beutler – 26 Tyler St. – Complaints regarding Ace Flag. Recommend to Board – Iron Mike's Junkyard – informal meeting not putting junkyard across the street. Planning Board – Fire Lane recommended to put there – two vehicles parked in driveway. Matty make sure driveway completed so fire trucks can get in. Meet with Mr. Marchisin this weekend.
6. Mayor Alberti – New contract for Casey's waiting for Trustee Hammer and then meeting with Mr. Castilino.
7. Irv Reinig – 380 Columbia Ave. – Comment regarding the proposed budget. Takes exception to Attorney report. Wants Board to work on correcting the tax problem.
8. Dave Brauen – 199 Keiffer Ave. – Comments regarding parking on Keiffer Ave, illegally parked cars, and cars parked on wrong side of street.
9. Joe Rae – 328 Gould Ave. – Questioned what would happen if someone put garbage in front of your home.
10. Teresa Caracciolo – 3033 George Urban Blvd. – Questioned if all trees are damaged, what are all the employment applications for?
11. John Wojcik – 30 trees – May 3rd need volunteers.

CLAIMS AND ACCOUNTS – 2008-21

ON A MOTION BY Trustee Dillemath, seconded by Trustee Fusani, the following claims are to be paid: General \$217,231.42, Sewer \$2,177.80, Capital \$2,750.00. **CARRIED.**

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ADJOURNMENT

ON A MOTION BY Trustee Dillemath, seconded by Trustee Monti, the meeting was adjourned at **8:35pm**. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator