

MEETINGS TO DATE 3
NO. OF REGULARS: 2

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
APRIL 26, 2010**

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

ON A MOTION BY, Trustee Keefe, and seconded by Trustee Maryniewski, the April 12, 2010 Village Board Minutes were approved.

ON A MOTION BY, Trustee Monti, and seconded by Trustee Hammer, the April 19, 2010 the Zoning Board were accepted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Dominic Corigliano – 5230 Transit Rd – reference to stockpiling & crushing on Broadway – neighbor’s place on Transit – deteriorating rapidly – concerned over the clean up of the property – gave Board pictures of the property – wants help in having this cleaned up.
2. Mayor – new ordinance that does not specifically address your neighbor – this is to protect residents and businesses in the village. The building inspector will address Dominic’s issues when he returns.
3. Tom Fischer – 32 Chateau Ct – how does this new law fix the situation already existing on Chateau Ct? Mayor commented that the stipulations address each property.
4. Paul Schmid – 40 Chateau Ct – this work is not going to happen in June-Aug. Mayor commented on how the whole board went over to neighbor’s property and heard the crushing operation going on. Trustee Hammer stated the noise was minimal during their visit in late fall early winter. Mayor stated no summer time crushing.
5. Jeff Petyk – 5600 Transit Rd – Petyk Landscaping – part of this law affects 20-22 businesses in Depew and would put 18 out of business. He applied for a permit and was denied a permit. Making a law that would force businesses to leave. Mayor commented that Mr. Petyk dumped dirt illegally at 5600 Transit Rd without a permit and it is still there. Comments between Board and Mr. Petyk on what was going on with his permit denial.

PUBLIC HEARING LOCAL LAW #1 OF 2010 – STOCKPILING & CRUSHING

Village Administrator Liz Melock read the legal notice and Mayor Alberti opened the public hearing at 7:50 pm. Attorney Nosek read the Local Law.

Public Comments:

1. Dave Burkhardt – 5 Autumn Lea – did not see anything about smell – Attorney would be covered under other nuisances but we could add odor.
2. Jeff Petyk – 5600 Transit Rd – comment on e – 500’ or 5 acres – would restrict all these companies and places would cease to exist or move. Attorney Nosek asked what he would suggest – Mr. Petyk said every situation is different and only a few people have 5 acres and how many have 500 feet. Attorney Nosek asked him to identify the 20 businesses to provide a list to the Board. Mr. Petyk said he could provide a list.
3. Dave Burkhardt – 5 Autumn Lea – would not want stockpiles.
4. Mayor Alberti – residents concerns were taken into consideration.

ON A MOTION BY, Trustee Keefe and **SECONDED** by Trustee Maryniewski, the public hearing was closed at 8:05 pm.

AUTHORIZE MAYOR TO SIGN TAX WARRANT

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

BE IT RESOLVED, pursuant to Section 1426 of the Real Property Tax Law, the Village Administrator Elizabeth C. Melock is hereby directed to collect the taxes levied in the Warrant, annexed thereto, signed by Mayor Alberti.

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The following 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

ACCEPT FIRE DEPARTMENT ELECTION RESULTS

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

WHEREAS, on Thursday, April 8, 2010, the Depew Fire Department held their Annual Fire Department Chiefs Election with the following results

Chief	Gary Cummings	Aetna Hose Company
1 st Assistant Chief	David Adamberger	West End Hose Company #6
2 nd Assistant Chief	Joe Whipkey	Depew Hose Company #1
3 rd Assistant Chief	Scott Wegst	Central Hose Company #4
4 th Assistant Chief	Tim Rogacki	Cayuga Hose Company #3
5 th Assistant Chief	vacant	

BE IT RESOLVED, that the Village Board approves this election result and congratulates the elected Chief and Assistant Chiefs.

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

AUTHORIZE MAYOR TO SIGN PENFLEX AUTHORIZATION FORM FOR 2009 SERVICE AWARD PROGRAM

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign the 2009 Service Award Program Administration Form and forward to Penflex, Inc for the purpose of administering the 2009 Service Award Program for Depew Firefighters.

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 ADMINISTRATOR TO ADVERTISE FOR BIDS – POOL FILTERS

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

BE IT RESOLVED, the Village Administrator is authorized to advertise for pool filters and new plumbing lines for the pools at the recreation complex.

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – SMOKE DETECTORS

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

WHEREAS, the Depew Fire Department has received \$15,600 in grant funds, included in that amount is \$780.00 in village matching funds, for smoke detectors;

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BE IT RESOLVED, the Village Administrator is authorized to advertise for smoke detectors for the Depew Fire Department to pass out.

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

AUTHORIZE YEAR END BUDGET TRANSFERS

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

BE IT RESOLVED, that the Administrator is hereby authorized to adjust and amend the 2009/2010 General, Sewer, Capital and Community Development Fund Budgets; and to reconcile and amend all appropriations and revenue accounts to actual as of May 31, 2010 and make adjustments to encumbrances and accounts payable.

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

PERMISSION – ANNUAL POPPY FUND DRIVE

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

Permission is hereby granted to the American Legion Depew Post No. 1528 for the Annual Poppy Fund Raising Drive during the following dates & times: Friday May 14 from 9 am to 6 pm and Saturday May 15 from 9 am to 1 pm.

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to the Depew Fire Department for:

The use of Engine 2 to be taken to Our Lady of Pompeii Church for the new incoming Chief's Mass on May 1st from 8 am until 9 am.

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

TREE TRIMMING/REMOVAL:

EMPLOYMENT APPLICATIONS: Recreation – Crystal Frohnheiser, Rachael Banasik, Andrea Korczynski, Matthew Beck, Robert Nowicki, Carlene Derkovitz, Shelby Derkovitz, Julie Strychalski, Jordan Myers, Taylor Myers, Alison Hall, Kelsey Sharp, Ashley Joya, Jacob Maryniewski, Mackenzie Hayes; Dispatcher – Joanne Schiappa, Timothy Buckley Ryan Paoella

DEPARTMENT HEAD REPORTS: Police Dept – March 2010, Treasurer's Office March 2010

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

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BUILDING APPLICATIONS AND REPORTS –

ON A MOTION BY Trustee Hammer, seconded by Trustee Keefe, the plumbing inspectors report was accepted as presented.

REPORT OF THE VILLAGE ATTORNEY

No Report

REPORT OF THE VILLAGE ENGINEER

Zurbrick Meeting this Wednesday

COMMITTEE REPORTS

Trustee Keefe – Recycling flyer – May 8th 9-2, Household waste drop off at ECC North

Mayor Alberti's comments:

1. EPA update – clean up of lead soils contact person is Arlene Anderson. She would like homeowners to remove anything of value as remediation work will begin in late April –mid May. 66 Properties are affected.
2. Installation of the Fire Chief will occur this coming Saturday. Mayor thanked outgoing Chief Ken Mau for his past two years of service. Chief Mau thanked the Board.
3. Clean Up Day – Sat May 8th at 9 am – thanked Tammy Roll for chairing event.

UNFINISHED AND OTHER BUSINESS

None

PUBLIC CONCERNS AND COMMENTS

1. Dave Burkhardt – 5 Autumn Lea – dissolution of village – what is the debt? Administrator Melock answered just over \$5 million.
2. Mayor Alberti – received bulletin from NYCOM as they are still working to amend the law.
3. Leigh Ann Waicht – 114 Irving – concerned citizen on dissolving gov't – feel need to be educated on dissolution – forming a citizens group that will meet on the 1st and 3rd Monday of the month at 7 pm at the VFW – calling on citizens to get involved.
4. Mayor Alberti – glad to see involvement – as soon as Board gets any answers they are passed on. Will provide names and numbers of individuals who want to get involved.
5. Chief Domino – three new officers Reid, Skok and Braun have completed official training.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Hammer, seconded by Trustee Maryniewski, the following claims are to be paid: General \$135,825.51, Sewer \$298.86. The motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Maryniewski, seconded by Trustee Monti, the meeting was adjourned at 8:26pm in memory of Mike Okal and Henry Banasik, lifelong residents of the village. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator