

MEETINGS TO DATE 5  
NO. OF REGULARS: 5

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
MAY 28, 2013**

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

**ON A MOTION BY**, Trustee Nolder, and seconded by Trustee Pecora, the May 13, 2013 Village Board Minutes were approved.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

Irv Reinig – 380 Columbia Ave – when will the totes be delivered, what color and can you use your recycle tote for garbage on opposite weeks, what is the garbage contract going up? Mayor explained the totes will be delivered starting June 18<sup>th</sup>, the totes we are getting are sitting in the hallway, and you can't use the recycling tote for garbage, contract is going up CPI – 2%.

**APPOINT COURT OFFICER PT**

Pursuant to Section 4-400 of Village Law, I Mayor Steven Hoffman, hereby appoint Paul M. Fitzgibbons, 47 Winston Rd, Buffalo, NY 14216 to the position of Court Officer PT per civil service exam number 061168 established 1/28/10 at a salary of \$13.40 per hour effective May 29, 2013.

The appointment was acted upon in the following manner by the Board of Trustees:

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

**APPOINT RECREATION LABORER PT**

Pursuant to Section 4-400 of Village Law, I Mayor Steven Hoffman, hereby appoint Josh Wiechelt, 119 Penora St, Depew, NY 14043 to the positions of Laborer PT to the Summer Recreation Program effective immediately at a salary per the current budget.

The appointment was acted upon in the following manner by the Board of Trustees:

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

**APPOINT PUBLIC SAFETY DISPATCHER PT**

Pursuant to Section 4-400 of Village Law, I Mayor Steven Hoffman, hereby appoint Eugene Waiss, 40 Melody Lane, Cheektowaga, NY 14225 to the position of Public Safety Dispatcher PT effective May 30th at a salary of \$15.34 per hour.

The appointment was acted upon in the following manner by the Board of Trustees:

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

**VILLAGE OF DEPEW  
MAY 28, 2013**

**AUTHORIZE PURCHASE - TOTES**

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

**WHEREAS**, the Village of Depew Board has decided to utilize totes for the garbage collection; and

**WHEREAS**, The Town of Cheektowaga had previously bid out the garbage and recycle totes and the low bidder was Rehrig Pacific Company; and

**WHEREAS**, NYS General Municipal Law Section 103 allows the Village of Depew to piggyback on the Town of Cheektowaga's bid; and

**WHEREAS**, the cost for the 95 gallon tote is \$50.25 and the 65 gallon tote \$44.72, including delivery, RFID chip and the IML for recycling carts;

**NOW, THEREFORE, BE IT RESOLVED**, that totes for the Village of Depew be purchased from Rehrig Pacific Company, 1738 West 20<sup>th</sup> Street, Erie, PA 16502.

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

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

**AUTHORIZE MAYOR TO SIGN CONTRACT WITH MODERN CORPORATION**

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

**WHEREAS**, the Village of Depew utilizes Modern Corporation for the disposal and hauling of the municipal waste for the Village of Depew; and

**WHEREAS**, there is a two year contract extension option available to the Village of Depew; and

**WHEREAS**, the tote weekly collection of waste with tote recycling collected every other week will be \$97.30 per unit, per year and the disposal of acceptable waste is \$32.40 per ton, with a CPI adjustment annually; and

**NOW, THEREFORE, BE IT RESOLVED**, that Mayor Steven Hoffman is authorized to sign the two year extension with Modern Corporation.

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 Kucewicz – Yes  
Mayor Hoffman – Yes

**VILLAGE OF DEPEW  
MAY 28, 2013**

**AUTHORIZE MAYOR TO SIGN INTERMUNICIPAL AGREEMENT WITH TOWN OF LANCASTER – HIGHWAY SERVICES**

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

**WHEREAS**, the Village of Depew Department of Public Works assists the Town of Lancaster with various public works services for the Highway Department and the Town of Lancaster Highway Department assists the Village of Depew Department of Public Works with various public work services;

**NOW THEREFORE BE IT RESOLVED**, that Mayor Steven Hoffman is authorized to sign the Intermunicipal Agreement with the Town of Lancaster after it has been reviewed and approved by the Village Attorney.

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

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

**AUTHORIZE DEBRIS REMOVAL**

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

**WHEREAS**, the Code Enforcement Officer has sent multiple Notice's to Remedy to the owner of 4596 Broadway in regards to a demolished garage on her property with no response; and

**WHEREAS**, the pile of debris violates NYS Property Maintenance Code Section 302.1; and

**WHEREAS**, S&A Debris Removal LLC, 171 Schwartz Rd, Lancaster, NY has submitted a quote for \$750.00 to remove the garage debris from 4596 Broadway;

**NOW, THEREFORE, BE IT RESOLVED**, that S&A Debris Removal LLC is authorized to remove the garage debris and the Village Administrator is authorized to access the \$750.00 fee to the property taxes – SBL #103.76-3-17.

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

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

**PERMISSION TO AUCTION SURPLUS EQUIPMENT**

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

**WHEREAS**, the Department of Public Works and the Police Department has old equipment and vehicles that are no longer in use and;

**WHEREAS**, the Village of Depew wishes to dispose of this equipment by proper procedure;

**NOW, THEREFORE BE IT RESOLVED**, that the equipment is declared surplus and Auctions International Inc. 808 Borden Rd, Buffalo, NY 14227 is authorized to perform an online and site auction within the next 60 days.

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

**VILLAGE OF DEPEW  
MAY 28, 2013**

Trustee Hammer – Yes  
Trustee Nolder – Yes  
Trustee Pecora – Yes  
Trustee Kucewicz - Yes  
Mayor Hoffman – Yes

**SPECIAL USE PERMIT TO KEEP CHICKENS**

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

**WHEREAS**, Colleen Kilanowski, 24 Mona Ct, Depew has applied for a permit to keep a chicken in her backyard. If approved there would be stipulations of no roosters, coup must be maintained as to not create an odor for the neighbors and village code must be followed regarding noise and property maintenance.

**BE IT RESOLVED**, a special use permit is hereby APPROVED to Colleen Kilanowski, 24 Mona Ct, to keep a chicken on the premises for the period of one (1)year with a fee of \$150.00.

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

Trustee Hammer – No  
Trustee Nolder – No  
Trustee Pecora – No  
Trustee Kucewicz-- No  
Mayor Hoffman – No

**TREE/TRIMMING REMOVAL:** 51 Asbury

**EMPLOYMENT APPLICATIONS:** : DPW – Brian Esford, Kurt Baumeister; Recreation – Kelsey Grosch, Nathan Godson, Matthew Cox

**DEPARTMENT HEAD REPORTS:** Police Dept April 2013

**ON A MOTION BY**, Trustee Hammer, seconded by Trustee Kucewicz, the department head report and mowing was accepted as presented.

**COMMITTEE REPORTS:**

Mayor read properties that DPW will mow and be put on the tax roll – 15 Lincoln, 47 Argus, 48 Airview and 922 Sherwood

**UNFINISHED AND OTHER BUSINESS –**

None

**PUBLIC CONCERNS AND COMMENTS –**

Deanna & Bill Webber – 41 George – Deanna read a statement (see attached) and submitted 64 photos that she wanted the Board to review of the curbs on George St. They are looking for curbs to be installed on George St as part of the Lee St project. Mayor explained as a capital project it is something that the Board can look at in the future but it will not be part of the Lee St project.

Keith Nowicki – 61 George – sink hole in front yard was fixed when the sewer was lined but thinks there is more going on.

Mitch Martin from Senator Gallivan's office is having an electronic recycling event at West Seneca School on June 8<sup>th</sup>.

Terry (?) 130 Dorset (no such address) – complained about bags of grass clippings that the garbage men will not take. Inquired about a Village composting facility. Inquired as to how many totes they may have.

Mayor explained garbage totes will be picked up weekly and recycle every other week, Village does not have a composting facility now but is looking at the issue with the Towns, she can purchase another tote if needed.

Irv Reinig – 380 Columbia – new garbage law states no grass clippings also asked about disposing of wood. Mayor explained if it fits in the totes they will take it. CEO Fischione explained if there is abuse then the issues will be addressed.

Colleen Kilanowski – 24 Mona Ct - wanted a reason the chicken was not permitted. Mayor explained the Board is not permitting farm animals. Inquired if there was a way to overturn it.

Jeffrey Beenau – 78 Irving – applied for chicken permit that was denied and wanted to know if there was any research.

Mayor stated from what they found out from other municipalities is that after a while the animal becomes a nuisance and they were recommended to stay away from allowing farm animals.

Deanna Webber – 41 George – wanted a liaison to speak to. She was told to contact the Village Administrator.

**VILLAGE OF DEPEW  
MAY 28, 2013**

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Kucewicz, seconded by Trustee Pecora, the following claims are to be paid: General \$99,787.81, Sewer \$216.00, Capital \$83,313.67, the motion was **CARRIED**.

**ADJOURNMENT-**

**ON A MOTION BY** Trustee Hammer, seconded by Trustee Nolder, the meeting was adjourned at 7:37 pm in honor of Memorial Day thanking all the military personnel and honoring them for their service and sacrifice. The motion was **CARRIED**.

Respectfully submitted,



Elizabeth C. Melock  
Village Administrator

Deanna and William Webber  
41 George Street  
Depew, N.Y. 14043

May 28, 2013

Village of Depew  
85 Manitou Street  
Depew, N.Y. 14043

To Mayor Hoffman and Depew Village Board of Trustees,

We have been homeowners on George Street for 18 years. For many years we have had numerous occasions where water has flooded our basement. This has been very stressful and involved time consuming clean up. In addition, it has resulted in an insurance claim and the deconstruction of our studded and paneled/dry walled basement. We have had to call many times for "the Pump" to be placed on Lee Street to try and remedy this.

We were very glad to see work begin last summer, believing our area would be free of any concerns involving troubled sewers and storm drains in our area. We understand the sewer repairs are complete and we are now in the concrete gutter, driveway/sidewalk restoration, roadway milling, paving, and lawn restoration stage. It is our understanding, that the George Street repairs are complete other than milling and paving which is scheduled approximately in one months time. Although these repairs are very welcomed we still have some concerns.

Due to the holes, leaks and cracks in the sewer lines much erosion has occurred on George Street causing many sink holes and damage over the years. Those on the grass have been filled in, such as the two knee deep holes in my neighbors yard located very close to the manhole. Many on the street have been blacktopped. Presently the curb between us and our neighbors home has sunk in. I believe there may be a problem under curb and we are very concerned.

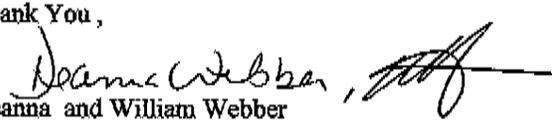
The water is not making it to the sewer in many spots. In front of our home and in many spots on our street, the concrete gutter is cracked, raised, concaved, blacktopped / patched or missing pieces. This causes water to puddle everywhere when we have rain or melting snow. This sitting water is unsanitary and unsightly in summer and unsafe in winter when it freezes and turns to ice.

We are asking for your help. Please revisit George Street for any professionally recommended or needed concrete gutter, manhole, sinkhole repairs as part of the Lee Street Area Storm & Sewer Reconstruction Project 2012 or the Lee Street Area Sanitary Sewer and Manhole Rehabilitation Project 2012 or in partnership with the Depew Department of Public Works.

We hope this request will be addressed quickly as not to delay the scheduled milling and paving as we do not wish to disrupt our neighborhood any longer.

We welcome the current repairs and are hopeful for complete restoration of our neighborhood.

Thank You ,

  
Deanna and William Webber  
716-681-5067

We have provided many photos today picturing what we believe are problem areas.

64  
CC: Depew Department of Public Works  
200 Rutherford Place  
Depew, N.Y. 14043