

MEETINGS TO DATE 6
NO. OF REGULARS: 6

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
JUNE 8, 2009**

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

ON A MOTION BY, Trustee Hammer, and seconded by Trustee Maryniewski, the May 26, 2009 Village Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Mayor Alberti - Welcomed students from the high school to the Board Meeting.

Paul Walter – Residential Building Inspector - asked about Local Law # 5 of 2009 – Disposal of TV's. Does the fee pertain to the homeowner?

Mayor Alberti – The fee pertains to anyone dropping off a television set.

PUBLIC HEARING LOCAL LAW #4 OF 2009 –SIZE OF SIGN

Village Administrator read the legal notice and the Mayor opened the public hearing regarding Local Law #4 of 2009 at 7:35 pm.

Attorney Nosek read the amendments to the code.

No public comments.

On a motion by Trustee Keefe and seconded by Trustee Monti the public hearing was closed at 7:37 pm.

PUBLIC HEARING LOCAL LAW #5 OF 2009 – DISPOSAL OF TELEVISIONS

Village Administrator read the legal notice and the Mayor opened the public hearing regarding Local Law #5 of 2009 at 7:38 pm.

Attorney Nosek read the amendments to the code.

Paul Walters – does the fee pertain to homeowners? Mayor stated anyone dropping off the tv.

On a motion by Trustee Maryniewski and seconded by Trustee Keefe the public hearing was closed at 7:41pm.

APPOINT RECREATION TEMPORARY SEASONAL EMPLOYEES

Pursuant to Section 4-400 of Village Law, I Mayor Barbara A. Alberti, hereby appoint the following:

(List Attached)

to the Summer recreation Program, at salaries as stipulated in the budget.

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

Trustee Hammer – yes
Trustee Keefe – yes
Trustee Maryniewski – yes
Trustee Monti – yes
Mayor Alberti – yes

**VILLAGE OF DEPEW
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2009 Summer Employees

Summer Maintenance

1. David Balus
2. Mark Lubera

Address

61 Suffield Ave.
14 Wayne Street

Playground Supervisors

1. Brenden Geisel

Address

203 Columbia Ave

Arts & Craft Supervisors

1. Michelle Spencer

Address

38 A Street

Summer Playground Attendants

1. Paul Cordaro
2. Mike Fusani
3. Joe Spencer
4. Ken Nowak
5. Jacob Maryniewski
6. Ryan Storms
7. Courtney Manhard
8. Brandon Garry
9. Julie Manhard
10. Rachael Banasik
11. Melysa Markut
12. Marcie Szatkowski

Address

2 Grant Street
343 Canton Street
38 A Street
151 Grant Street
542 Penora Street
80 Chateau Ct.
264 Marrano Drive
865 Sherwood Court
264 Marrano Drive
309 River Street
61 Center Drive
27 Erie Ave.

Pool Supervisors –Foremen

1. Holly Hubert – 1st shift
2. Allison Bracikowski – 2nd shift

Address

39 South Transit Hill Drive

Assistant Pool Supervisors

1. need to fill position from one of the lifeguards
2. Bob Nowicki – 1st shift

Address

42 Vanderbilt Ave.

Lifeguards

1. Matthew Beck
2. Jordan Myers
3. Natasha Peterson
4. Christopher Crawford
5. Nicholas Weigand
6. Taylor Myers
7. Kelsi Maciejewski
8. Brandy Amorosi
9. Deborah Balicki
10. Elizabeth Hall
11. Carlene Derkovitz
12. Kayla Doetterl
13. Crystal Frohnheiser
14. Ashley Joya
15. Kelsey Martin
16. Julie Strychalski
17. Lindsay Wiechelt
18. Jacquelyn Majka
19. Shawn McCann

Address

259 Miller Street
82 Jessica Lane
1723 North Davis Road
210 Dean Road
136 Belmont Ave.
82 Jessica Lane
1219 Carriage Drive
35 Robert Drive
45 Irving Terrace
770 Borden Road
17 Hawro Place
81 Rowley Hallow
8 Deepwood Ct.
92 Oldstone Road
58 Jessica Lane
74 Lou Drive
119 South Penora
113 Knollwood Drive
1400 Losson Road

Ticket Takers

1. Allison Hall
2. Janelle Ganje
3. Jaime Reidy

Address

770 Borden Road
123 Castlewood Drive
152 Baywood Drive

**VILLAGE OF DEPEW
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ADOPT LOCAL LAW #2 of 2009 – ABANDONED VEHICLES

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

WHEREAS, the Village Board (“Village Board”) of the Village of Depew (“Village”) desires to enact the 2009 Amendments to the Village Code relating to Abandoned Vehicles (“the Local Law”); and

WHEREAS, the Village Board, as lead agency with respect to the adoption of the Local Law (the “Action”), used a short EAF to determine the environmental significance of the Action in accordance with § § 617.6 and 617.7 of Title 6 of the NYCRR; and

WHEREAS, the Village held a public hearing on the Local Law on May 11, 2009 to hear comments from the public regarding the Local Law and to consider any negative environmental impacts of the Action in accordance with § 617.7 of Title 6 of the NYCRR; and

WHEREAS, the Village Board reviewed and considered any comments from the general public concerning the adoption of the Local Law and concerning any negative environmental impacts of the Action; and

WHEREAS, the Village Board determined that the Action will have no significant adverse environmental impacts and will issue a negative declaration in accordance with 617.7 of Title 6 of the NYCRR; and

WHEREAS, the Village Administrator provided a copy of the Local Law to the Erie County Department of Planning to comply with General Municipal Law §239-m.

THEREFORE, BE IT RESOLVED, that the Village Board hereby adopts the EAF and issues a negative declaration of environmental significance, both attached hereto as Exhibit A, with respect to the Action; and

BE IT FURTHER RESOLVED, that the Village Board does hereby adopt the Local Law, to be known as Local Law Number 2 of 2009 attached hereto as Exhibit B; and

BE IT FURTHER RESOLVED, that the Village Board authorizes the filing of the Local Law with the New York State Department of State in accordance with § 27 of the New York Municipal Home Rule Law.

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

ADOPT COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

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

WHEREAS, the Emergency Manager, Mike Moskal, and Deputy Emergency Manager, Tim Michaels, have developed a Comprehensive Emergency Management Plan for the Village of Depew;

THEREFORE, BE IT RESOLVED, that the Village Board hereby adopt the Comprehensive Emergency Management Plan.

The following 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

**VILLAGE OF DEPEW
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Trustee Maryniewski - yes
Trustee Monti - yes
Mayor Alberti – yes

AUTHORIZE MAYOR TO SIGN 2009/2010 TAX PETITIONS

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

BE IT RESOLVED, Mayor Barbara A. Alberti is hereby authorized to sign the 2009/2010 Village of Depew Tax Roll Correction Petitions.

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 RFP FOR RINK & VILLAGE HALL CONCESSIONS

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

BE IT RESOLVED, the Village Administrator is authorized to advertise a Request for a Proposal for the concessions at the Ice Rink and/or the Village Hall.

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

AWARD BID- SANITARY SEWER PROJECT

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

BE IT RESOLVED, that upon the recommendation of Nussbaumer & Clarke, the bid for the Erie County Community Development Funds Sanitary Sewer & Manhole Rehabilitation Project 2009 in the bid amount of \$168,013.00 be awarded to:

United Survey Inc
25145 Broadway Ave.
Cleveland, OH 44146

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

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TABLE DUMPING PERMIT – JEFF PETYK LANDSCAPING

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

WHEREAS, Jeff Petyk 151 Strasmer Rd Depew NY, has applied for a Dumping Permit for 5600 Transit Rd. for the resale of topsoil only,

NOW THEREFORE BE IT RESOLVED, a Dumping Permit is hereby **TABLED** 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) No concrete or construction debris – clean fill only.
- 3) Roadway must be kept clean.
- 4) Dumping must occur only Monday –Friday, excluding holidays and between the hours of 8 a.m. and 5:30 p.m. only. No dumping will be done on holidays or weekends.
- 5) No more than 2,000 cy for the season.
- 6) Permit ends December 31, 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

AUTHORIZE LAWN FETE OUR LADY OF THE BLESSED SACRAMENT

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

BE IT RESOLVED, permission is hereby granted to Our Lady of the Blessed Sacrament 10 French Road, Depew, NY for a Lawn Fete to be held on the Parish Grounds on July 24, 2009 (5:00 PM – 1:00 AM), July 25, 2009 (1:00 PM – 1:00 AM), and July 26, 2009 (1:00 PM – 12:00 AM)

MUSIC – will only be allowed until 11:00 PM. There will be no amplification other than what is required by the individual instruments. There will be no extension speakers. The volume of music shall be kept at a low setting so as not to annoy the peace and tranquility of the residential neighborhood.

SECURITY – on site private security will be provided by the applicant who will supply specification sheet detailing expected crowds. Past attendance records and other factors that would determine the amount of security required. A minimum of four (4) uniformed, armed officers will be posted in the enclosed beer tent area to check identification for under age patrons and to provide law and order.

A minimum of six (6) uniformed, armed officers with a maximum to be determined by the Chief of Police will be required to provide money escorts and maintain law and order on the grounds. Applicant will provide to the Chief of Police the name of the security company, the name of the supervisor in charge of the entire detail, the individual name of each guard and a schedule of the hours each supervisor and guard on duty. Said list to be supplied seven (7) days prior to said Lawn Fete.

PERMITS - the applicant shall obtain an amusement license pursuant to Chapter 64, Article I of the Depew Municipal Code.

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

Trustee Hammer –Yes
Trustee Keefe –Yes

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to:

The Depew Fire Dept to:

Use the Northside Training Room for the Lancaster Chief's Meeting on May 18, 2009 from 6:00 pm until 11:00 pm and on July 14, 2009 for the Cheektowaga Chief's meeting from 6:00 pm until 11:00 pm. Refreshments will be served after the meetings.

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

TREE TRIMMING/REMOVAL: 130 Elmwood, 144 Forestview, 30 Norman

EMPLOYMENT APPLICATIONS: Recreation – Erick Miller, Shawn McCann, Holly Hubert

DEPARTMENT HEAD REPORTS

Clerk's Office May 2009, Senior Center May 2009

ON A MOTION BY Trustee Hammer, seconded by Trustee Monti, the Department Head Reports were accepted as presented.

BUILDING APPLICATIONS AND REPORTS

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

REPORT OF THE VILLAGE ATTORNEY

No Report.

REPORT OF THE VILLAGE ENGINEER

No Report.

COMMITTEE REPORTS

Trustee Hammer– She spoke with Bob Rohauer from CSX regarding the two bridges closest to Walden Avenue. Bob told her per CSX the two bridges are back on the repair list for this year.

Trustee Keefe – Asked everyone to notice the improvements to the front entrance as they leave. He thanked the DPW & the Electrical Department for all their work. The ceilings have been repaired and repainted, the light fixtures have been repainted, the railing & lettering on Village hall was also repainted.

Trustee Monti – The ice rink bleachers have been removed. Bids for new bleachers are \$17,000 for 96 seats and \$19,000 for 151 seats.

**VILLAGE OF DEPEW
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UNFINISHED AND OTHER BUSINESS

None

PUBLIC CONCERNS AND COMMENTS

1. Ken Mazurkewicz - 872 Sherwood – Spoke of situation at his home. Said Mr. Walter came to his house regarding a roof situation, but he did not know he needed a permit. His insurance would not pay for fence repairs, so he put up two gates on his pool. Then his neighbor calls. There are two options:
 - a. Surround pool with fence – fence will be in on Tuesday
 - b. Neighbor wants fence up or three feet of deck removed.

2. Ann Dunning – 84 Kennedy Court – Is having a problem with foxes. She sees a lot of foxes running in the yard. Questioned about animal control for town of Lancaster, should she call them? Tony Nosek said to call the Town of Lancaster and the Police will respond.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Maryniewski, seconded by Trustee Hammer, the following claims are to be paid: General \$536,503.71, Sewer \$38,535.05, Capital \$9,322.00, Community Development \$5340.75. The motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at **8:06 pm** in the memory of Brian Bart who passed away after being involved in a motorcycle accident. Brian is the son of Barbara Bart, a clerk in the Justice Court. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator