

MEETINGS TO DATE 7
NO. OF REGULARS: 6

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
JUNE 25, 2012**

ROLL CALL: Trustee Nolder
Trustee Nolder
Trustee Pecora
Trustee Nikonowicz
Mayor Hoffman

Mayor introduced Mitchell Martin from Senator Gallivan's office who was in the audience.

ON A MOTION BY, Trustee Pecora, and seconded by Trustee Nolder, the June 11, 2012 Village Board Minutes were approved.

PUBLIC COMMENT AGENDA ITEMS ONLY:

Joan Priebe -15 Howard Ln – what is #3 about? Administrator Melock stated that Sewer District #4 needs the easement for the ORF for the hot box and hydrant line.

APPOINT SEASONAL PART TIME LABORERS

Pursuant to Section 4-400 of Village Law, I Mayor Steven P Hoffman, hereby appoint the following to the summer recreation program as Seasonal Part Time Laborers at \$8.25 per hour for an eight week period beginning June 26th, Joshua Wiechelt 119 Penora St Depew NY 14043 and Chris Burns 706 Terrace Blvd, Apt 3 Depew NY 14043. Casey Kinson 72 King Ave, Depew NY 14043 is hereby appointed as a Recreation Attendant Part Time to the summer recreation program at a salary of \$7.25 per hour.

The appointments were acted upon in the following manner by the Board of Trustees:

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

AUTHORIZE MAYOR TO SIGN AGREEMENT –U & S SERVICES

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

BE IT RESOLVED, that Mayor Steven Hoffman, is authorized to sign an agreement with U & S Services Inc, 233 Fillmore Ave. Suite 11, Tonawanda, NY 14150 beginning May 1, 2012 for a service agreement to cover the equipment and service calls for the CPU units, peripheral equipment, field panels and software associated with the Village heating and air conditioning systems at a cost of \$5,430.00 per year.

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

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

AUTHORIZE MAYOR TO SIGN EASEMENT & TRANSFER DOCUMENTS

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

WHEREAS, Erie County Sewer District #4 95 Franklin St, Buffalo, NY 14202 needs an easement from the Village of Depew on Rutherford Place (103.84-2-10.111 – two irregular shaped parcels on attached map) for the construction and maintenance of the sanitary sewer located at 315 Borden Rd for the placement of a new waterline near the hot box and a yard hydrant;

NOW THEREFORE BE IT RESOLVED, that Mayor Steven Hoffman is authorized to sign the Easement document and any other transfer documents and tax forms.

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

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

AWARD BID- DEMOLITION 84 MAIN ST

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

BE IT RESOLVED, the bid from the bid opening on May 9, 2012 for the controlled demolition of 84 Main St Depew NY in the bid amount of \$47,000 be awarded to the low bidder:

Regional Environmental Demolition Inc.
3695 Pine Ave
Niagara Falls, NY 14301

The following 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 Nikonowicz – Yes
Mayor Hoffman – Yes

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR POLICE VEHICLES

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for Police Vehicles as per the village budget.

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

DECLARE SURPLUS PROPERTY & AUTHORIZE APPRAISAL

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

WHEREAS, the Village of Depew is the owner of the paper street, B St off Broadway near A St. (on tax map 103.76) and pursuant to Village Law §1 -102, the Village Board declares this property surplus property;

WHEREAS, the Village Board seeks fair and adequate consideration for this property, the Board approves the hiring of an appraiser for this property;

BE IT RESOLVED, the Village Administrator is authorized to receive an appraisal for this property and when the appraisal is complete the Administrator is authorized to advertise for a sealed bid on this property.

The following 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 Nikonowicz – Yes
Mayor Hoffman – Yes

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PERMISSION TO AUCTION SURPLUS EQUIPMENT

Trustee Nikonowicz, 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 Pecora, and duly put to a roll call vote which resulted in the following:

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

PERMISSION – ROCK THE PARK CONCERT

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

BE IT RESOLVED, permission is hereby granted for Lancaster-Depew Substance Abuse Prevention Coalition 200 Oxford Ave, Lancaster, NY 14086 to hold a Rock the Park Concert in the Fireman's Park shelter on Tuesday August 14th from 7-9 pm, with a rain date approved on Tuesday August 21st if needed.

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

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

PERMISSION OUTDOOR MUSIC

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

WHEREAS, Bruce Vona, owner of The AUD, 6036 Transit Rd, Depew NY 14043 has filed a registration statement as required by Village Code §148-11 Article III – Amplified Sound with the Village Administrator on June 11, 2012 for easy listening solo performers on Thursdays and Saturdays from 5 pm until 8pm until the end of September 2012, weather permitting; and

WHEREAS, there will be no sound truck involved and only a small amplifier will be used on the outdoor patio for the amplification of the music; and

BE IT RESOLVED, the Village Board agrees to waive the \$25 per day fee as required by the Village Code §148-13 and approves the registration statement.

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 Nikonowicz – Yes
Mayor Hoffman – Yes

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TREE/TRIMMING REMOVAL:

EMPLOYMENT APPLICATIONS: Summer Help – Sali Lauricella, Laborer – Andrew Gee, Recreation – Casey Kinson, Chad Griffin, David Konkle, DPW – Jeffrey Morgan

DEPARTMENT HEAD REPORTS: None

REPORT OF THE VILLAGE ATTORNEY

No Report

REPORT OF THE VILLAGE ENGINEER

Absent

COMMITTEE REPORTS:

None

UNFINISHED AND OTHER BUSINESS –

PUBLIC CONCERNS AND COMMENTS –

Bernard Shiner 34 Meridian – has an ongoing problem with neighbor at Preston regarding light in their back yard. He has contacted the CEO about two months ago looking for code enforcement. Light goes on at 9 pm and off at 1 am. Children are in the back yard knocking on the fence agitating his dogs. He showed photos of the lights. CEO Fischione light bulb is 75 watts and they have put the shield on it as requested by the building dept.

Mr. Shiner wants the light on a motion sensor. CEO Fischione stated it can't be on a motion sensor since it is a sodium vapor light and needs time to warm up.

Mayor stated that this matter has been discussed at length. This is a civil issue and the Board can't take sides. They have the right to illuminate their yard. They have added a shade to the light.

Mr. Shiner stated this started two years ago over the dog. He wants the light on a timer.

Village Attorney Aquino stated he will stop to talk to her but is not promising anything.

Joe Mancinni – 76 Rossiter – why was false hope given at the beginning of this? New code was supposed to address this. Light is a fire hazard.

Mayor –this is a neighbor dispute two years in the making which is not focused on the light.

CEO Fischione - there was no conversation regarding a fire hazard. The light is not permanently wired until the problem was resolved.

Trustee Pecora wanted to know what Mr. Shiner was looking for.

Mr. Shiner wants the light on a timer.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Nolder, seconded by Trustee Pecora, the following claims are to be paid: General \$237383.65 Sewer \$38,295.67, the motion was **CARRIED**.

ADJOURNMENT-

ON A MOTION BY Trustee Nikonowicz, seconded by Trustee Hammer, the meeting was adjourned at 7:27 pm with the Mayor wishing everyone a safe July 4th and also reminding everyone our next meeting is July 23. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator