

MEETINGS TO DATE 8  
NO. OF REGULARS: 8

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
JULY 13, 2009**

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

**ON A MOTION BY**, Trustee Monti, and seconded by Trustee Maryniewski, the June 22, 2009 Village Board Minutes were approved.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

None

**ADOPT/TABLE LOCAL LAW #3 of 2009 – CHANGEABLE TEXT SIGNS**

Trustee Keefe, 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 Changeable Text Signs (“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 3 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 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

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**AUTHORIZE BENEFITS UNDER FIREFIGHTER'S SERVICE AWARD PROGRAM**

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

WHEREAS, the following firemen have met all necessary requirements under the Depew Fire Department's Service Award Program;

BE IT RESOLVED, the Village does hereby approve the Service Award benefit entitlement to the following participant as stipulated under said program.

<b>Name</b>	<b>Monthly Amount</b>	<b>Name</b>	<b>Monthly Amount</b>
Donald H. Ast	\$400.00	James Nusall	\$120.00
Richard N. Ball	\$420.00	Walter J. Paluszak	\$320.00
David J. Borowiak	\$80.00	Gerald J. Rogacki	\$240.00
Richard L. Brossard	\$420.00	Robert J. Romanowski	\$400.00
Robert J. Brotz	\$380.00	Norbert R. Schweigert	\$300.00
Stephen F. Cannarozzo	\$300.00	Donald G. Smith	\$400.00
Sebastian C. Costello	\$260.00	William Strum Jr.	\$340.00
Robert C. Guggemos	\$420.00	Tracy W. Sundberg Sr.	\$260.00
Harry J. Hamernik	\$340.00	James J. Takacs	\$380.00
Richard J. Kropp	\$340.00	Paul F. Walter, Sr.	\$320.00
Jerome R. Mingle	\$400.00		

Payment schedule as follows:

- 1) *Single lump-sum payment of \$100.00 to Robert Romanowski and \$140 to every other participant.*
- 2) *Monthly payments increase to the amount shown for each participant effective August 1, 2009.*

These payments represent a \$20 monthly Service Award payment adjustment retroactive to March 1, 2009 for Robert Romanowski and January 1, 2009 for every other participant.

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

**AUTHORIZE MAYOR TO SIGN POSTAGE MACHINE LEASE**

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

NOW BE IT RESOLVED, that Mayor Barbara Alberti is authorized to sign a lease agreement with Hasler Financial Services for the lease of a postage machine from Advanced Business Machines 150 Lawrence Bell Dr Suite 100 Williamsville NY 14221 for the Village Hall. The lease is for a term of 63 months at a cost of \$167 per month.

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR SPECIAL MEETING**

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

**BE IT RESOLVED**, the Village Administrator is hereby authorized to advertise for a special meeting to be held on Monday July 20, 2009 at 7:30 pm for the appointment of a police officer(s).

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

**AUTHORIZE PUBLIC HEARING LOCAL LAW #5 OF 2009 – DISPOSAL OF REFRIGERATORS, FREEZERS AND AC UNITS**

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

**WHEREAS**, Local Law Introductory No. 5 of 2009 (“2009 Amendments to the Village Code relating to disposal of Televisions, Refrigerators, Freezers and AC Units”) has been proposed, which seeks to amend Village Code to establish a fee for the disposal of televisions, refrigerators, freezers and AC units; and

**WHEREAS**, the Local Law shall amend §198-12 of the Village Code of the Village of Depew (“Code”) by creating a new subparagraph F & G; 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 for the enactment of a Local Law; now

**WHEREAS**, all Local Laws must be sent to the County Department of Planning pursuant to General Municipal Law § 239-m.

**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 the Village Board hereby authorizes an uncoordinated review of the Action wherein the Village Board shall act as lead agency; and

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

**BE IT FURTHER RESOLVED**, that a Public Hearing shall be held on July 27, 2009; and

**BE IT FURTHER RESOLVED**, that the Village Administrator shall forward a copy of the proposed law to comply with General Municipal Law § 239-m.

**BE IT FURTHER RESOLVED**, that the Village Administrator is hereby authorized to advertise that the Public Hearing will be held; 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 the Public Hearing.

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

**AWARD BID- DPW ROOF**

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 DPW Roof in the bid amount of \$106,430.00 be awarded to:

Sahlem's Roofing & Siding  
2260 Southwestern Blvd  
West Seneca NY 14224

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

**AWARD BID- EXCAVATOR**

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

**BE IT RESOLVED**, that upon the recommendation of the Superintendent of Public Works, Chris Juliano, the bid for the used excavator in the bid amount of \$63,465.00 be awarded to:

Admar Supply Co  
1394 Military Rd  
Buffalo NY 14217

The following 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

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to:

Depew Fire Department to use the Northside Firehall for a Blood drive on July 16<sup>th</sup> from 11:30 am until 9:00 pm.

And

Depew Fire Department to use the 1941 GMC Fire Engine on the following dates for Cruise Night at the Polish Falcons: July 16, 23, 30 and August 6, 13, 20, 27 from 5:30 pm until 8:30 pm.

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And

Depew Fire Department to use the 1941 GMC Fire Engine on July 24th from 3:30 pm until 8:30 pm for the Fireman Convention parade in Alden.

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

**PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT**

Trustee Hammer, 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:

DEPEW HOSE CO #4

Douglas E Bush Jr. 49 Burlington Ave Depew NY 14043  
William Maryniewski 93 Tyler St Depew NY 14043

The following resolution was seconded by Trustee Monti and **CARRIED.**

**PERMISSION – CHEEKTOWAGA SOCCER CLUB**

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

Permission is hereby granted to the Cheektowaga Soccer Club for an opening day parade on Saturday August 29, 2009. The parade would start at Frederick Street, down Lee St to Rehm Rd. Parade to begin at 11:45 a.m.

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

**TREE TRIMMING/REMOVAL:** 153 Cornell Dr, 80 Ashford, 105 Houston

**EMPLOYMENT APPLICATIONS:** Commercial Building Inspector – Richard D’Arcy Jr.,  
Customer Service – Theresa Gretch

**DEPARTMENT HEAD REPORTS**

Clerk’s Office June 2009

**ON A MOTION BY** Trustee Monti, seconded by Trustee Hammer, the Department Head Report was accepted as presented.

**BUILDING APPLICATIONS AND REPORTS**

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

**REPORT OF THE VILLAGE ATTORNEY**

Absent

**REPORT OF THE VILLAGE ENGINEER**

Absent

**COMMITTEE REPORTS**

Chris Juliano – Spoke about Zurbrick Rd – DEC is ready, waiting on Army Corps. Mayor thanked Congressman Higgins Office for their help.

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**UNFINISHED AND OTHER BUSINESS**

None

**PUBLIC CONCERNS AND COMMENTS**

1. Joe Ray – 328 Gould – garbage was not picked up last week.
2. Dan Beutler – 26 Tyler St – Read article about Town of Lancaster using old library for dog pound. Spoke about the sale of Depew library to Brian Parisi. Proposed using facility as a training place with computers for the residents – have all four government involved – Town of Lancaster, Village of Depew, Depew Schools and Lancaster Schools
3. Mayor Alberti – spoke on chain of events regarding sale of old library. Village Board gave the Parisi's all the paperwork they needed for Planning and Zoning Board and nothing was ever turned in.
4. Trustee Keefe – spoke to Parisi's attorney and the attorney had no issue with Village's conditions. No application was ever made.
5. Mayor Alberti – Board would not act on property without a public hearing. Many suggestions have been made to the Town for a use of the facility.
6. Lee Chowanec – Joseph's Manor was interested in the property.

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Hammer, seconded by Trustee Maryneiwski, the following claims are to be paid: General \$228,828.77, Sewer \$2,131.68. The motion was **CARRIED**.

**ADJOURNMENT**

**ON A MOTION BY** Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at **8:10 pm** in the memory of Jean Grzyb, wife of the Village Plumbing Inspector. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock  
Village Administrator