

MEETINGS TO DATE 9
NO. OF REGULARS: 8

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

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

ON A MOTION BY, Trustee Monti, and seconded by Trustee Hammer, the July 12, 2010 Village Board Minutes were approved.

ON A MOTION BY, Trustee Keefe, and seconded by Trustee Maryniewski, the July 19, 2010 Zoning Board Minutes were accepted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

None

Mayor Alberti's Items:

1. On Channel 2, WNED, Buffalo News – Mayor and Administrator met with EPA representatives – Judith Enck and Arlene Anderson on the EPA clean up site on Brewster, Rumford, etc. Mayor thanked EPA for funding the clean up now at over \$6 million.
2. Erie County is having a foreclosure sale – Aug 18. Properties in Depew are 83 Cardy, 18 Albert Ct, 100 Main St and vacant land under SBL 104.05-5-13. See erie.gov for more info.
3. Saints Hockey Club – wanted to donate a scoreboard along with two other businesses. Per information from NYCOM, commercial advertising on village owned property is illegal. They could donate the scoreboard with no advertising.
4. Mayor read letter from Chief Tom Domino dated July 15 stating that he was retiring from the Police Department effective July 31, 2010. He was with the village for 28 years.
5. Mayor met a family from Pennsylvania with the last name Depew. She showed them the pictures in the chambers and up in the court room. Art Domino stated that he was in contact with the family and was waiting for their call so he could give them the village history.

APPOINT POLICE CAPTAIN

Pursuant to Section 4-400 of Village Law, I, Mayor Barbara A. Alberti, hereby appoint Stanley D. Carwile, 206 Olmstead Ave., Depew, NY 14043 to the position of Police Captain, Civil Service Exam Number A76654, list established January 8, 2010, effective immediately at a salary 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

Mayor Alberti presented Captain Carwile with his badge and ID and stated it was a pleasure to have him as an employee of the village and that his family is very involved in the village.

APPOINT POLICE LIEUTENANT

Pursuant to Section 4-400 of Village Law, I, Mayor Barbara A. Alberti, hereby appoint Jason F. Ostrach, 27 Lackawanna Ave., Depew, NY 14043 to the position of Police Lieutenant, Civil Service Exam Number 074029, list established November 24, 2008, effective immediately at a salary 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

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Mayor Alberti presented Lieutenant Ostrach with his badge and ID and stated she was very happy for Jason to take the position of lieutenant in the Detective Bureau.

**AUTHORIZING ADMINISTRATOR TO ADVERTISE FOR A PUBLIC HEARING AND
SEQR REVIEW
WITH RESPECT TO THE 2010 AMENDMENTS TO THE VILLAGE CODE RELATING TO
CRUSHING**

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

WHEREAS, Local Law Introductory No. 1 of 2010 (“2010 Amendments to the Village Code relating to crushing”) has been proposed, which seeks to amend Village Code to establish a special use permit, fees, controls, limitation, and surety with respect to crushing; and

WHEREAS, the Local Law shall amend the Village Code by the creation of a new Code provision identified as §260-20 (D); 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, this Local Law must be sent to the County Department of Planning pursuant to General Municipal Law § 239-m; and

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”) may have an interest in this Local Law.

THEREFORE, BE IT RESOLVED, that the Village Board shall conduct a review of the proposed Action under SEQR after coordination with the NYSDEC; and

BE IT FURTHER RESOLVED, that a Public Hearing shall be held on August 9, 2010; 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 and to the New York State Department of Environmental Conservation and at the Region 9 Office.

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 SEQR prior to adopting the Local Law after coordination with NYSDEC and after the Public Hearing.

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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

MODIFY 2010/2011 BUDGET

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

WHEREAS, the Village of Depew has received \$2,192.72 from Erie Insurance Company for damages to Truck #25 and the proceeds of this check will be used to pay for repairs to this vehicle;

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2010/2011 Budget in the following manner:

A510	Estimated Revenue		
	Sub Account 010.2680	Insurance Recoveries	\$2,192.72
A960	Appropriations		
	Sub Account 1640.453–DPW	– Equipment Repairs	\$2,192.72

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 –POLICE VEHICLES

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

WHEREAS, the Village of Depew sought bids for the lease of four police vehicles to replace four current vehicles in the police fleet, and

WHEREAS, bids were opened on Thursday, July 16, 2010 at 11 am in the Council Chambers, and

WHEREAS, the low bidder was Delacy Ford, Inc.

BE IT RESOLVED, the bid for the lease of four police vehicles be awarded to:

DeLacy Ford, Inc.
3061 Transit Rd.
Elma, NY 14059

BE IT FURTHER RESOLVED, the Mayor is authorized to sign a two year lease agreement with Ford Motor Credit for the total amount of \$76,188.66 and the Village Administrator is authorized to pay DeLacy Ford Inc., two annual payments of \$38,094.33 each.

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

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AWARD BID – SIDEWALKS COMMUNITY DEVELOPMENT FUNDS

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

BE IT RESOLVED, that upon the recommendation of Nussbaumer & Clarke, the bid for the 2010 Cheektowaga Community Development Sidewalks Project in the bid amount of \$27,105.50 be awarded to:

Master's Edge Inc.
3409 Broadway St
Cheektowaga, NY 14227

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 – CHEEKTOWAGA SOCCER CLUB

Trustee Maryniewski, 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 28, 2010. The parade would start in the parking lot of Ralph's Food Mart at 12:00 pm, down Rehm Rd. to the parking lot of the park.

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

TREE TRIMMING/REMOVAL:

EMPLOYMENT APPLICATIONS: DPW or Recreation – Michael Refermat

DEPARTMENT HEAD REPORTS: Police Dept June 2010

ON A MOTION BY Trustee Monti, seconded by Trustee Hammer, the department head report was accepted.

BUILDING APPLICATIONS AND REPORTS –

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

REPORT OF THE VILLAGE ATTORNEY

No Report

REPORT OF THE VILLAGE ENGINEER

Absent

COMMITTEE REPORTS

None

UNFINISHED AND OTHER BUSINESS

None

PUBLIC CONCERNS AND COMMENTS

1. Dave Burkhardt – 5 Autumn Lea – where are the sidewalks at? River St. Wanted to know why Amherst Pepsi Center can advertise. Mayor explained laws are different in Towns, Villages and Cities. Dave wanted to know if scoreboard was in rough shape. Mayor said it is in working order. She also said they wanted to splice into the speaker system and the recreation director and Board were against that.

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2. Paula Gainey – 24 Albert Ct. – spoke about rat problem on her street and with her neighbors. She was told to call Vector control and keep garbage in covered containers and call Paul Walters with any garbage issues.
3. Paul Walters – problem with rats in a lot of area as residents are not using garbage cans. He said enforcement has to be stepped up.
4. Fire Chief Cummings – installing smoke detectors for seniors and low income (anyone eligible for HEAP will qualify). Contact him at 681-1290 and leave a message. They have 400 more units to install.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Hammer, seconded by Trustee Keefe, the following claims are to be paid: General \$363,877.33, Sewer \$329.22, the motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at 8:10pm. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator