

MEETINGS: 16
NO. OF REGULAR: 16
NO. OF SPECIAL MEETINGS: 0

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
NOVEMBER 12, 2007**

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

Absent: Trustee Dillemoth

ON A MOTION BY, Trustee Keefe and seconded by Trustee Maryniewski, the October 22, 2007 Village Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Joan Priebe – 15 Howard – limit on berm – how high – Trustee Hammer responded 5 feet.

Mayor Alberti's summary speech:

1. Veteran's Day services were attended by the Mayor and Board of Trustees – very nice ceremony.
2. Trustee Keefe is working on new trash laws and hopefully we will have a public hearing in December.
3. The Village Board is working on additional legislation regarding PODS and A frame signs.
4. Reminder that there is a parking ban in the Village from November 15-March 15 from 2 am till 7 am. Also this year the fines for noncompliance have significantly increased.
5. Reminder that on building permits there is a local law in effect that double fees may be charged if work is started before obtaining the required permit. Wood stoves need a permit, and only two (2) cords of wood are permitted in each yard and are to be stored in the rear corner of the yard. Snow and Ice must be removed from the sidewalk by the homeowner.
6. Thanked DPW and the Electrical Dept for all their hard work in getting the generator at Village Hall up and running.
7. Neighborhood Watch Club had there second meeting – with the Harvard and Princeton area joining in.
8. Spoke about outside organizations using the rooms – only Village entities can use the facilities.

APPOINTMENT TO THE ZONING BOARD OF APPEALS

I, Mayor Barbara Alberti, pursuant to Village Law 7-712 (8) hereby appoint George Bauer, 219 Enez Dr. Depew, NY 14043, to the position of Member of the Zoning Board Appeals, to fill an unexpired term. Said term to expire at noon on the first Monday in April 2008, at a salary as stipulated in the current budget.

The foregoing nomination was acted upon in the following manner by the Village Board of Trustees:

Trustee Dillemoth - Absent	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Yes	Trustee Monti - Yes	

VILLAGE OF DEPEW
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**AUTHORIZE ADMINISTRATOR TO SUBMIT UNPAID TAXES TO COUNTY
OF ERIE**

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

BE IT RESOLVED, the report of the Village Administrator, showing that in accordance with Article 14, Section 1436, Paragraph 2 of the Real Property Tax Law, she is returning to the County of Erie, Department of Finance the 2007-08 unpaid Village Tax accounts together with the unpaid sewer account pursuant to verification and certification of the Board of Trustees, and also that as of November 1, 2007, she has collected the sum of \$7,934,231.51 which is 97 % of the original amount (including petitions and payments in lieu) of \$8,143,773.68 leaving a balance of \$209,542.17 and, in accordance with section 987 of Real Property Tax Law, the Village has imposed a fee of \$2.00 per parcel for the "Notice of Unpaid Taxes"; the Administrator has added \$474 .00 to the balance, thereby leaving a balance of \$210,016.17 , which has been transferred to Account A440, Due from Other Governments, for further collection, is hereby accepted.

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

Trustee Dillemath -Absent	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani -Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Yes	Trustee Monti -Yes	

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

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

WHEREAS, the following fireman has 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.

Effective December 1, 2007 monthly payments of \$80.00

James Nusall
125 Meridian St
Depew, NY 14043

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

Trustee Dillemath -Absent	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani -Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Yes	Trustee Monti -Yes	

AUTHORIZE MAYOR TO SIGN EC SNOW REMOVAL AGREEMENT

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign the 2007-2010 Snow Removal and Ice Control Agreement with Erie County Department of Public Works for the 3.56 lane miles in Depew of County owned roads. Rates are as follows:
For the 2007-2008 snow season - \$2,658.60 per lane mile.
For the 2008-2009 snow season - \$2,791.53 per lane mile.
For the 2009-2010 snow season - \$2,931.11 per lane mile.

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

Trustee Dillemoth - Absent	Trustee Keefe -Yes	Mayor Alberti -Yes
Trustee Fusani -Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Yes	Trustee Monti - Yes	

AUTHORIZE MAYOR TO SIGN PENFLEX SERVICE FEE AGREEMENT.

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign a service fee agreement with Penflex, Inc. 50 Century Hill Drive, Latham, NY, for the purpose of administering the Service Award Program for Depew Firefighters for the period of November 1, 2007 to October 31, 2008.

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

Trustee Dillemoth -Absent	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani -Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Yes	Trustee Monti - Yes	

AUTHORIZE MAYOR TO SIGN FORD LEASE AGREEMENT –POLICE CARS

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign the Master Equipment Lease – Purchase Agreement dated November 9, 2007 with Ford Motor Credit for Three (3) 2008 Ford Crown Victoria's with two (2) annual lease payments of \$31,525.36 each.

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

Trustee Dillemoth - Absent	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani -Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Yes	Trustee Monti - Yes	

APPROVE/TABLE/DENY DUMPING PERMIT – 3241 WALDEN AVE

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

WHEREAS, AAA Environmental Inc, has applied for a Dumping Permit for 3241 Walden Ave – Brownfield Remediation Project – Metro Paper Plant – 8 acre lot,

NOW THEREFORE BE IT RESOLVED, a Dumping Permit is hereby **GRANTED**. If approved the permit comes with the following conditions:

- 1) Documentation must be provided where the fill is being placed.
- 2) Documentation must be provided as to the type of fill and that it is free from contaminants.
- 3) Dumping & grading must occur only Monday –Friday, excluding holidays and between the hours of 8 a.m. and 5:30 p.m. only. No dumping or grading will be done on holidays.
- 4) Permit expires February 28, 2008.

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

Trustee Dillemoth - Absent	Trustee Keefe - Yes	Mayor Alberti -Yes
Trustee Fusani - Yes	Trustee Maryniewski -Yes	
Trustee Hammer - Yes	Trustee Monti - Yes	

APPROVE/TABLE/DENY DUMPING PERMIT – 2094 GEORGE URBAN BLVD

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

WHEREAS, Urbandale Development Co, has applied for a Dumping Permit to erect a landscaping berm up to five (5) feet high to be located on the green area adjacent to existing berms in the rear of the Urbandale Plaza on George Urban Blvd.

NOW THEREFORE BE IT RESOLVED, a Dumping Permit is hereby **GRANTED**. If approved the permit comes with the following conditions:

- 5) Documentation must be provided where the fill is coming from and that the fill material has been tested and does not contain any contaminants.
- 6) No concrete or construction debris – clean fill only.
- 7) Driveways must be kept clean.
- 8) Dumping & grading must occur only Monday –Friday, excluding holidays and between the hours of 8 a.m. and 5:30 p.m. only. No dumping or grading will be done on holidays.
- 9) Berm must be maintained.
- 10) Permit expires August 15, 2008.

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

Trustee Dillemoth - Absent	Trustee Keefe - Yes	Mayor Alberti -Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer - Yes	Trustee Monti - Yes	

MODIFY 2007/2008 BUDGET – FIRE DEPARTMENT USED AIRPACK SALES

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

WHEREAS, the Village of Depew Fire Department has sold some of their old air packs,

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2007/2008 Budget in the following manner:

A510 Estimated Revenue	
Sub Account 10. 2655 –Minor Sales	\$8,000.00

A960 Appropriations	
Sub Account 3410.419 – Fire Dept – Building Maintenance	\$8,000.00

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

Trustee Dillemoth -Absent	Trustee Keefe - Yes	Mayor Alberti - Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer -Yes	Trustee Monti - Yes	

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MODIFY 2007/2008 BUDGET – FIRE ALARM CALLS

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

WHEREAS, the Village of Depew Fire Dept has received \$300.00 from avoidable alarm fines

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2007/2008 Budget in the following manner:

A510	Estimated Revenue	
	Sub Account 10.2770 – Misc. Revenue	\$300.00
A960	Appropriations	
	Sub Account 3410.453 – Fire Dept – Equipment	\$300.00

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

Trustee Dillemoth -Absent	Trustee Keefe -Yes	Mayor Alberti - Yes
Trustee Fusani – Yes	Trustee Maryniewski -Yes	
Trustee Hammer - Yes	Trustee Monti - Yes	

MODIFY 2007/2008 BUDGET – FIRE DEPARTMENT GRANT

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

WHEREAS, the Village of Depew Fire Department has received \$6,000 of grant money towards a recruitment and retention program,

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2007/2008 Budget in the following manner:

A510	Estimated Revenue	
	Sub Account 10. 4960 –Federal Aid- Emergency Services	\$6000.00
A960	Appropriations	
	Sub Account 3410.435 – Fire Dept – Contractual Services	\$6000.00

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

Trustee Dillemoth -Absent	Trustee Keefe - Yes	Mayor Alberti -Yes
Trustee Fusani - Yes	Trustee Maryniewski - Yes	
Trustee Hammer -Yes	Trustee Monti - Yes	

CANCEL OF VILLAGE BOARD MEETING DATE

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

BE IT RESOLVED, the Village Board Meeting scheduled for Monday, December 24, 2007 is hereby cancelled due to the Christmas Holiday.

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

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PERMISSION TO CHANGE PAYROLL DATE

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

WHEREAS, the Village Hall will be closed for the Christmas Holidays on December 24th & 25th, the payroll dated December 27th will be moved to Friday December 28th.

The forgoing resolution was seconded by Trustee Hammer, **CARRIED**.

PERMISSION – DPW CHRISTMAS PARTY

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

Permission is hereby granted to the Department of Public Works to hold their Employees Christmas Party on December 7, 2007 from 12:00 noon to 3:30 PM at the DPW Garage.

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

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to:

Cayuga Hose Company to use the Southside Fire Hall on Saturday December 8th from 10 am till 1 am on Sunday December 9th for their annual Christmas party.

And to

Cayuga Hose Company to use the Southside Fire Hall on Saturday February 16, 2008 from 8 am till 9 pm for their annual gun raffle fundraiser.

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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Monti, 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:

WEST END HOSE CO # 6

Tiffany Kuzon, 75 Claudette Ct Depew NY 14043
Matthew Brzyski, 34 Mary Lou Ln Depew NY 14043

CENTRAL HOSE CO #4

Patrick Hughes, 70 Dartmouth Dr. Depew NY 14043

The following resolution was seconded by Trustee Hammer, and **CARRIED**

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Tree Trimming/Removal:

4 Anthony, 50 Crane St, 23 Kibler, 104 Barnabas, 105 Cornell Dr

Employment Applications:

Recreation – Jessica Schiefer

DEPARTMENT HEAD REPORTS

Assessor's Office Oct 2007

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 Maryniewski, seconded by Trustee Keefe, the Residential report and the plumbing reports were accepted as presented.

REPORT OF THE VILLAGE ATTORNEY

Absent

REPORT OF THE VILLAGE ENGINEER

Bruce Shearer – gave an update on DEC sewer consent order

COMMITTEE REPORTS

Trustee Monti – Recreation – taking applications for summer programs. Trustee Hammer – gave update on NL properties soil remediation.

UNFINISHED AND OTHER BUSINESS

None

PUBLIC CONCERNS AND COMMENTS

None

CLAIMS AND ACCOUNTS - 2008 - 11

ON A MOTION BY Trustee Keefe, seconded by Trustee Hammer, the following claims are to be paid: General \$320,229.59, Sewer \$13,551.56, **CARRIED.**

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at **8:03pm** in the honor of all veterans living and deceased. The motion was **CARRIED.**

Respectfully submitted,

Elizabeth C. Melock
Administrator