

MEETINGS TO DATE 18
NO. OF REGULARS: 17

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
NOVEMBER 23, 2009**

ROLL CALL: Trustee Hammer
Trustee Keefe
Trustee Maryniewski
Trustee Monti

Absent: Mayor Alberti

ON A MOTION BY, Trustee Keefe, and seconded by Trustee Maryniewski, the November 9, 2009 Village Board Minutes were approved.

ON A MOTION BY, Trustee Monti, and seconded by Trustee Keefe, the November 16, 2009 Zoning Board Minutes were accepted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

David Burkhardt – 5 Autumn Lea – What is #4 – Deputy Mayor Hammer – bid out property

**AMEND RESOLUTION FROM NOV 9, 2009 -AUTHORIZE ADMINISTRATOR TO
SUBMIT UNPAID TAXES TO COUNTY OF ERIE**

Trustee Keefe, 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 2009-2010 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 2, 2009, she has collected the sum of \$8,283,483.13 which is 97% of the original amount (including petitions and payments in lieu) of \$8,553,113.71 leaving a balance of \$269,630.58 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 \$554.00 to the balance, thereby leaving a balance of \$270,184.58, which has been transferred to Account A440, Due from Other Governments, for further collection, is hereby accepted.

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 - absent

**AUTHORIZE MAYOR TO SIGN MOU FOR LOCAL EMERGENCY MANAGEMENT
MUTUAL AID ASSISTANCE**

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

BE IT RESOLVED, that Mayor Barbara A. Alberti or Deputy Mayor Linda Hammer, is authorized to sign the Memorandum of Understanding in regards to the Village of Depew Emergency Manager and Deputy Emergency Manager electing to participate in the Local Emergency Management Mutual Aid Assistance Memorandum of Understanding. The Emergency Manager and Deputy Emergency Manager and the Village of Depew will comply with the provisions of this agreement.

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 - Absent

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APPROVE CHANGE ORDER #2 – 2009 SIDEWALKS COM DEV FUNDS

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

BE IT RESOLVED, that upon the recommendation of Nussbaumer & Clarke, the Change Order #2 to repair sidewalks on Little Pl in the bid amount of \$15,500.00 be awarded to:

C&C Contractors Inc.
1589 Bailey Road
Cowlesville, NY 14037

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 – Absent

AWARD BID –VACANT LAND – CLEVELAND PLACE

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

WHEREAS, the Village of Depew sought bids for the sale of surplus property at Cleveland Place.

WHEREAS, bids were opened on Thursday, November 12, 2009 at 11 am in the Council Chambers, and

WHEREAS, the only bidder was Anthony Rogacki and he met the minimum bid requirements,

BE IT RESOLVED, that the bid in the amount of \$9,550.00 for the purchase of Cleveland Place be accepted from:

Anthony Rogacki
45 Miller St
Depew NY 14043

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 – Absent

AUTHORIZE APPRAISAL & SALE OF VILLAGE PROPERTY

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

WHEREAS, the Village of Depew Administration declares several parcels located behind properties on Ridgeway St as surplus property and they are not needed for use by the Village of Depew,

BE IT RESOLVED, the Administrator is authorized to seek independent appraisals of the Village parcels, see attached parcel map, and upon completion of the appraisals the Administrator is authorized to advertise for bids on these parcels.

BE IT FURTHER RESOLVED, these parcels will only be sold with the necessary easements for the Village and any other party that requests one. Any transaction costs, including but not limited to the cost of a search, survey, bidders attorney's fees or recording costs, are the responsibility of the

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bidder(s). The responsibility of the Village is limited to the execution of a quit claim deed and the documents required to record the deed.

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 – Absent

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to:

The Depew Fire Department for the following:

To use three fire apparatus on December 16, 2009 from 8:30 am until 1:30 pm for a candy cane pass out.

And

The use of South Side Fire Hall for the Hook & Ladder Company Fundraiser on Saturday February 6, 2010 from 10 am until 7 pm and on Saturday February 20, 2009 from 8 am until 7 pm for the Cayuga Hose Company Fundraiser.

And

The use of the North Side Fire Hall for Engine 1 Christmas party with the Ladies Auxiliary on Saturday December 12 from 11am until 1 am on December 13th.

And

The use of Engine 6 to travel around the west end of the Village on December 12 to pass out candy canes to residents.

And

The use of West End Fire Hall on Sunday December 13, 2009 for a children's Christmas Party from noon till 5 pm and the use of the Fire Hall on Saturday December 19, 2009 from 7 pm until 1 am on the 20th for an adult Christmas Party.

And

The use of Engine 6 to participate in the Lancaster Village Parade on December 19 from 5 pm until 8:30 pm.

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

TREE TRIMMING/REMOVAL:

EMPLOYMENT APPLICATIONS:

DEPARTMENT HEAD REPORTS: Senior Center for October 2009, Clerk's Office October 2009, Treasurer's Office October 2009

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

BUILDING APPLICATIONS AND REPORTS

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

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REPORT OF THE VILLAGE ATTORNEY

No Report

REPORT OF THE VILLAGE ENGINEER –

Still waiting on Army Corps funding issues, Lee St – looking into flooding issues during extreme events, having downspouts and sump pumps connected into sanitary sewers are contributing to the flooding issue, DPW is flushing the main, a study needs to be done to see exactly what the issues are on the street.

COMMITTEE REPORTS

1. Tree Lighting – Dec 12th at 6 pm – Veterans Park

UNFINISHED AND OTHER BUSINESS

None

PUBLIC CONCERNS AND COMMENTS

David Burkhardt – 5 Autumn Lea – why were sidewalks done on Little Pl? Why can't homeowner's pay? Community Development Grant Money was used for the sidewalks at it is limited to the blighted area.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Keefe, seconded by Trustee Maryniewski, the following claims are to be paid: General \$135,052.72, Capital \$35,030.07, Community Development \$65,197.94. The motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Maryniewski, the meeting was adjourned at 7:52pm –everyone to have a happy and safe Thanksgiving. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator