

MEETINGS TO DATE 19
NO. OF REGULARS: 18

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
DECEMBER 14, 2009**

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

ON A MOTION BY, Trustee Hammer, and seconded by Trustee Keefe, the November 23, 2009 Village Board Minutes were approved.

ON A MOTION BY, Trustee Monti, and seconded by Trustee Maryniewski, the December 3, 2009 Planning Board Minutes were approved.

PUBLIC COMMENT – AGENDA ITEMS ONLY

None

APPOINT RECREATION TEMPORARY SEASONAL EMPLOYEES

Pursuant to Section 4-400 of Village Law, I Mayor Barbara Alberti, hereby appoint Andrew Wagner 251 Argus Dr Depew NY 14043, to the Winter Recreation Program, at salary as stipulated in the budget.

The appointments were 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

ADOPT WORKPLACE VIOLENCE PREVENTION POLICY & INCIDENT REPORTING

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

WHEREAS, on February 26, 2007 the Village adopted a Workplace Violence Prevention Policy as required by the New York State Workplace Violence Prevention Act, and

WHEREAS, the requirements of the act have been modified recently;

BE IT RESOLVED, that the Village of Depew does hereby adopt a new Workplace Violence Prevention Policy & Incident Reporting that meets the requirement of NYS Labor Law 27b and replaces the policy adopted on February 26, 2007 and will regularly update said policy to ensure the safety of our Village Employees.

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

AUTHORIZE MAYOR TO SIGN INDEMNIFICATION LETTERS FOR COMERICA & RBC

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign the Indemnification for Payment Instructions Given to Comerica by Penflex and the letter stating that Penflex will provide administrative and actuarial services for the Service Award Program instead of RBC. This change will allow payments to firefighters to be processed in a more timely fashion.

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

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

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS –BULLET PROOF VESTS

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for bids for bullet proof vests.

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

MODIFY 2009/2010 BUDGET – SCRAP MATERIALS

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

WHEREAS, the Village of Depew Department of Public Works has received \$1,165.77 from scrape materials,

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2009/2010 Budget in the following manner:

| | | |
|------|---|------------------------|
| A510 | Estimated Revenue | |
| | Sub Account 10.2655 | Misc. Sales \$1,165.77 |
| | | |
| A960 | Appropriations | |
| | Sub Account 1640.453 – DPW – Equipment Repair | \$1,165.77 |

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

AUTHORIZE ADMINISTRATOR TO TRANSFER FUNDS

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

BE IT RESOLVED, the Administrator is authorized to make the following transfer of funds to cover the cost of the recreation lobby roof replacement:

| From Account: | | Amount: | To Account: | | Amount: |
|---------------------|----------|-----------|----------------------------|----------|-----------|
| Contingency Account | 1990.400 | 32,175.00 | Rec – Ice Rink – Equipment | 7265.200 | 32,175.00 |
| Totals | | 32,175.00 | | | 32,175.00 |

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The foregoing 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

PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT

Trustee Monti, offered the following resolution and moved to table it:

BE IT RESOLVED, membership is hereby granted/denied to the following in the Depew Fire Department pending the passing of their physical:

HOSE CO. #1

David Eron 46 Ellsworth Dr Cheektowaga NY

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

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

* Initial vote was Hammer, Alberti – No, Monti, Keefe, Maryniewski – Yes – The question as to whether Trustee Maryniewski should abstain from fire dept resolutions is to be researched by the Village Attorney. The matter was tabled until his report.

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to:

The Depew Fire Department for the following:

To use the Southside Fire Hall on January 16, 2010 from 5 pm until 1:00 am on January 17, 2010 for the Hook and Ladder after holiday party.

And

The use of Engine 3 for a Christmas detail in the Village on December 23 from 7 pm until 9 pm.

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

TREE TRIMMING/REMOVAL:

EMPLOYMENT APPLICATIONS: Police Dispatcher – Cynthia Taylor, Melissa Byrd, Donna Strade, Patrick Kelly, Jennifer Ostrowski, Laura Paulus, James Sitek, Donald Mally, Marcia Dixon, Brett Whitmore, Penny Prestia, John Hembrook, Pamela Clark, Robert Hickein Jr, Lori Doyle-Joost, James Strong, Louis Marconi; Commercial Building Inspector – David Johnston, Robert Munro, Stephen Cislo, Mark Glomb, Donald Mally; Recreation – Andrew Wagner

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DEPARTMENT HEAD REPORTS: Police October 2009, Recreation Nov 2009

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

BUILDING APPLICATIONS AND REPORTS

ON A MOTION BY Trustee Monti seconded by Trustee Hammer, the building inspector report was accepted as presented.

REPORT OF THE VILLAGE ATTORNEY

No Report

REPORT OF THE VILLAGE ENGINEER –

Army Corps has secured the funding for the remainder of the study \$50,000. Money for construction is not over yet.

COMMITTEE REPORTS

Mayor Alberti's Items:

1. Mayor & Trustee Hammer attended the ribbon cutting for AMS Services and welcomed them to Depew.
2. Mayor attended the ribbon cutting ceremony for Nice Ash Cigar this past Saturday. There is a new lounge there.
3. The 18th Annual Tree Lighting was this past Saturday. She thanked Chief Mau, Engine #3, Lancaster Carolers. After everyone went for hot chocolate and cookies and a visit with Santa.
4. Erie County Community Development Block Grants – Depew applied for three – we were approved for the St James Sewer Project. We might still be approved for the second sewer project.
5. Senior Center had their Christmas Party at Polish Falcons. Seniors made hats, scarfs and mittens that will be donated to the Salvation Army.
6. Three new recruits for the Police Dept are graduating this Friday.

UNFINISHED AND OTHER BUSINESS

None

PUBLIC CONCERNS AND COMMENTS

1. Jim from 5460 Transit Rd – Jim Mazz Auto – brought attorney
2. Donna Dotzler – 30 Warner Rd – last Wed evening water and sewage in basement – called and told DPW would not come out unless several residents came out. Wanted to know why you get an answering machine when you call DPW . Chris, DPW Supr., said the problem was two parts – EC Water had a pump that went down and there were roots in the manhole.
3. Gary Machniak – 21 Warner Rd – he was told Bowmansville pump station lost power – that the pumps were off at two occasions. This is the second time in two years that this happened. They had a foot of water last Thanksgiving.
4. Donna Dotzler – 30 Warner Rd – called Police Dept and was told more than one person has to call. She called her neighbors to see if they had water. Dispatcher was nasty with her when she called back.
5. Trustee Monti – went to Jake's house but water was going down.
6. Fred Dotzler - 30 Warner Rd – why is the pump station going off and on – is there a generator. Wanted number for the County tonight.
7. Cathy Betzig - 26 Warner Rd – Two years ago – pouring rain on Thanksgiving – called County and told it was the Village's fault. Chris will give out the County's number. Mayor commented we have very old infrastructure as we are also currently looking into the same issues on Lee St.
8. Donna Dotzler - 30 Warner Rd – why is the pump not put out there. Chris explained the new station is designed to control the flow.
9. Don Jakubowski – 54 Warner – who determines were the DPW pumps go? There is no pump on Falcon/Warner. He thanked the DPW guys for getting the pump over there. Chris explained the DPW guys check the manholes. He stated once the water goes down the DPW staff will be over to put the sewer camera in the manholes.
10. Steve Cohen – Atty for Jim Mazz Auto – client asked a year ago to be on the towing list. They have invested over \$1 million dollars into this community. He is here to answer the numerous questions and concerns that anyone has about Jim Mazz. Buffalo police officers do not like his client as he irradiated corruption in B& C district. He was responsible for the firing of two people.
11. Mayor Alberti – Explained that this was not the forum for his speech and that this does not have anything to do with the Chief of Police.
12. Attorney Nosek – has been playing phone tag with Steve Cohen. Suggested that Steve Cohen and him chat and share the research....
13. Steve Cohen – will be delighted to meet with Attorney Nosek
14. Attorney Nosek will speak with Steve Cohen and then meet with Chief Domino.
15. Steve Cohen would like the meeting to occur before the next meeting.

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16. Attorney Nosek – he should be able to meet in the next two weeks.
17. Debbie Budzynski - 149 Lee St – Spoke regarding petition residents on Lee St signed about fixing sewer and water problems. She read article in Depew Bee saying sump pumps and down spouts were causing the problem and she does not believe they are the issue. Curt spoke saying that what he said last meeting was they could contribute to the problem as the storm sewers can not handle the overflow.
18. Mayor wanted Plumbing Inspector Grzyb to check out the issue.
19. Joan Priebe – 15 Howard Lane – knows DPW comes out and puts a pump out there.
20. Ron McFarland - 32 Lee St – wants phone number for calls – doesn't like getting a machine.
21. DPW Supr. Juliano – pump at Zorba's is a State pump.
22. Chief Domino – Board issued a directive to the Police Dept – that two or more people have to call with a sewer issue before the Police Dispatchers call out the Dept. of Public Works.
23. Mayor stated if residents are not getting through to call her – she is listed in the phone book.
24. Nick Sherwood – 27 Forestview – had an excellent Police & Fire Dept, past two snowfalls the streets have been terrible and he knows it is not the guys. Discussion on when Lancaster was out. The DPW workers were pulled off the road at 4 pm. Our trucks were out about 5:20 am as Chris received the calls around 4:22 am. Questioned if it is true that when the police call – their calls are ignored. Chris said that was not true.
25. Mayor stated the problem was some of the Superintendent and some the guys. Also stated there was a directive from the Board that the dispatchers are to call the Superintendent.
26. DPW Supr. Juliano – trucks were pulled off at 4 pm and went back out at 2 am. They could not plow with the traffic.
27. Jake Jakubowski – 54 Warner – thanked the DPW for the snow fences and thanked Trustee Monti for coming out to take a look.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Maryniewski, seconded by Trustee Monti, the following claims are to be paid: General \$281,545.08, Capital \$6,798.14, Community Development \$5,946.40, Sewer \$1,050.00. The motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Keefe, seconded by Trustee Hammer, the meeting was adjourned at 8:33pm in memory of Elaine Wick. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator