

MEETINGS TO DATE 19
NO. OF REGULARS: 18

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
DECEMBER 27, 2010**

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

ON A MOTION BY, Trustee Monti, and seconded by Trustee Maryniewski, the December 13, 2010 Village Board Minutes were approved.

ON A MOTION BY, Trustee Keefe that the December 20, 2010 Planning Board minutes be accepted, and, to the extent required by law, their determinations be, and hereby are, ratified and approved by this Village Board, and seconded by Trustee Hammer, and carried.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Leigh Ann Wacht – 114 Irving Terr – will Cheektowaga and Lancaster contribute to the cost of the grant? Mayor – no.
2. Scott Wegst – 925 Sherwood – Does the Board feel they should spend taxpayer dollars on this? Doesn't the law require a study? Mayor – we applied many months ago and the law does not require a study.
3. Attorney Nosek – grant would provide you with information and make you a little less blind when voting.
4. Ken Pyc – 114 Irving Terr – dissolutions were shot down in this area, consensus of area, why spend the money.
5. Lou Heltman – 235 Olmstead – who is doing the study? Mayor – Village has to hire a consultant. Mr. Heltman complained about three DPW plows broke down during last storm that were bid out.
6. Sharon Hottum – 70 Dean – what will the consultant be looking at and who selects the representatives on the committee? Mayor – they would look at all departments and there would be reps from both towns and all departments. Mrs. Hottum thought the individuals selected should be chosen by the departments. Questioned how the findings are determined.
7. Lou Heltman - 235 Olmstead – wanted to know if the timing for the dissolution grant study was a coincidence as all the contracts expire and it is an election year. Mayor – absolutely not, this is not political.
8. Joan Priebe – 15 Howard – grant contract is being pro-active. Mayor – contract is to find out what the costs would be.
9. Mayor Alberti – If this Board was in favor of dissolution they could have done it and they have not done it or will do it.
10. Attorney Nosek – the law for dissolution is horrendous and backwards. This statute is the enemy of information as it puts the cart before the horse.
11. Mayor Alberti – the grant for the study would address consolidation and dissolution of all departments. Facts will be presented.
12. Lou Heltman – what departments are being looked at for consolidation and merging. Mayor – all departments will be looked at.
13. Sharon Hottum – there still is not a promise from the Towns of Cheektowaga & Lancaster.
14. Mayor Alberti – Board was instructed to get anything from the Towns in writing.
15. Sharon Hottum – feasibility study will be looked at as black and white. Would an article be done at the STUDY?
16. Mayor Alberti – article will be done.
17. Lou Heltman – Kevin already defeated. He needs to go back and redo his facts.
18. Mayor Alberti – Kevin did his job to the best of his ability and did not give people credit.
19. Gary Cummings – any spending cap on grant?
20. Mayor Alberti – some studies are over \$100,000.
21. Lou Heltman – had resolution that on March 8, 2010 Board applied for \$100,000 with tax payers paying \$10,000.

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SET VILLAGE ELECTION POLLING PLACES

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

BE IT RESOLVED, that pursuant to Section 15-104, Sub. 3 (b) of the Election Law of the State of New York, that a General Village Election in and for the Village of Depew, New York will be held on Tuesday March 15, 2011 between the hours of 12:00 noon and 9:00 PM within the nineteen (19) established and prescribed Election Districts as follows: **District numbers in bold are location changes from the last village election in March 2009.**

TOWN OF CHEEKTOWAGA

Election District No. 3	Southside Fire Hall, 45 Meridian
Election District No. 6	Our Lady of the Blessed Sacrament School, French Road
Election District No. 7	Our Lady of the Blessed Sacrament School, French Road
Election District No. 59	Southside Fire Hall, 45 Meridian
Election District No. 60	Southside Fire Hall, 45 Meridian
Election District No. 65	Our Lady of the Blessed Sacrament School, French Road Election
District No. 68	Our Lady of the Blessed Sacrament School, French Road Election
District No. 76	Our Lady of the Blessed Sacrament School, French Road
Election District No. 86	Southside Fire Hall, 45 Meridian
Election District No. 87	Our Lady of the Blessed Sacrament School, French Road Election
District No. 88	Our Lady of the Blessed Sacrament School, French Road Election
District No. 103	Our Lady of the Blessed Sacrament School, French Road

TOWN OF LANCASTER

Election District No. 11	Southside Fire Hall, 45 Meridian Street
Election District No. 12	Southside Fire Hall, 45 Meridian Street
Election District No. 13	Municipal Bldg. 85 Manitou Street
Election District No. 14	Municipal Bldg. 85 Manitou Street
Election District No. 15	Municipal Bldg. 85 Manitou Street
Election District No. 21	Municipal Bldg. 85 Manitou Street
Election District No. 26	Municipal Bldg. 85 Manitou Street

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 – Yes

AUTHORIZE MAYOR TO SIGN INTERMUNICIPAL AGREEMENT – FORCE MAIN TRANSFER

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

WHEREAS, the County of Erie owns, operates and maintains the Vanderbilt Pumping Station for the intended purpose of conveying excess flows from the Village of Depew during wet weather periods to a County owned Overflow Retention Facility; and

WHEREAS, the Village of Depew owns, operates and maintains the force main connecting the Vanderbilt Pumping Station to the Overflow Retention Facility; and

WHEREAS, the Vanderbilt Pumping Station and force main (hereinafter referred to as the “pumping system”) currently does not convey the design flow rate; and

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WHEREAS, a term in the Village's New York State Department of Environmental Conservation (No. 03-55) Order on Consent is to complete and approvable report and implement the associated recommendations for the Vanderbilt Pumping Station force main, so that the performance of the pumping system may be improved; and

WHEREAS, the County separately completed a study to, in part, identify improvements for the County's Vanderbilt Pumping Station and the Village's Vanderbilt Pumping Station force main to restore capacity of the pumping system; and

WHEREAS, the County and Village are desirous of completing the recommended improvements from the County's study; and

WHEREAS, the County does not have the authority to complete modifications on the Village's Vanderbilt Pumping Station force main necessary to restore the pumping system capacity; and

WHEREAS, the Village of Depew is desirous of transferring ownership and operation/maintenance responsibility of the Vanderbilt Pumping Station force main to the County, so that the County may complete improvements to restore the capacity of this pumping station.

NOW, THEREFORE, BE IT RESOLVED, that Mayor Barbara A. Alberti be authorized and directed to petition the County of Erie and the Board of Managers of Erie County Sewer District No. 4 to acquire the sanitary sewer assets of the Vanderbilt Pumping Station force main; and be it further

RESOLVED, that Mayor Barbara A. Alberti is authorized to execute an intermunicipal agreement to transfer the Village's Vanderbilt Pumping Station force main to Erie County/Erie County Sewer District No. 4, subject to approval as to form by the Village attorney; and be it further

RESOLVED, that the Village Administrator be directed to send certified copies of this resolution to the Erie County Sewer District No. 4 Board of Managers and Michael Quinn, P.E., Deputy Commissioner of the Erie County Division of Sewerage Management.

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

MODIFY 2010/2011 BUDGET- POLICE GRANT \$

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

WHEREAS, the Village of Depew has received \$1,426.67 from the Erie County Council for the Prevention of Alcohol and Substance Abuse for a police detail and the proceeds of this check were used to pay for the labor costs associated with this police detail;

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

A510	Estimated Revenue	
	Sub Account 010.4960 Federal Funds	\$1,426.67
A960	Appropriations	
	Sub Account 3120.112–Police – Traffic Safety	\$1,426.67

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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

AUTHORIZE MAYOR TO SIGN AGREEMENT – NUSSBAUMER & CLARKE

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

BE IT RESOLVED, that Mayor Barbara A. Alberti, is authorized to sign a two year agreement with Nussbaumer & Clarke, 3556 Lake Shore Rd, Suite 500, Buffalo, NY 14219, for professional services for engineering for the Village of Depew in the base amount of \$9,800.00 for the first year, January 1, 2011 through December 31, 2011. The contract will be subject to renewal after the initial two year period ends on December 31, 2012.

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

TREE TRIMMING/REMOVAL: None

EMPLOYMENT APPLICATIONS: DPW – John Norek, Police Dept – Albert Liberatore

DEPARTMENT HEAD REPORTS: Clerk's Office – November 2010

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

BUILDING APPLICATIONS AND REPORTS –

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

REPORT OF THE VILLAGE ATTORNEY

No Report.

REPORT OF THE VILLAGE ENGINEER

Thanked Board for vote of confidence.

COMMITTEE REPORTS: None

UNFINISHED AND OTHER BUSINESS –

None

PUBLIC CONCERNS AND COMMENTS –

None

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Hammer, seconded by Trustee Maryniewski, the following claims are to be paid: General \$246,797.01, Capital \$83.89, Community Development \$117,346.95 the motion was **CARRIED**.

ADJOURNMENT

ON A MOTION BY Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at 8:10 pm with wishes for a very Happy & Safe New Year. The motion was **CARRIED**.

Respectfully submitted,

Elizabeth C. Melock
Village Administrator

