

MEETINGS TO DATE 17  
NO. OF REGULARS: 16

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
DEC 27, 2011**

ROLL CALL: Trustee Hammer  
Trustee Nolder  
Trustee Pecora  
Trustee Nikonowicz  
Mayor Hoffman

ON A MOTION BY, Trustee Hammer, and seconded by Trustee Nikonowicz, the December 12, 2011 Village Board Minutes were approved.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

Joan Priebe – 15 Howard Lane – who is the crew chief. She was told Ken Pyc.

**PUBLIC HEARING LOCAL LAW #10 OF 2011 – CORRECTION OF STREET NAME – OLMSTEAD TO OLMSTED**

Village Administrator read the legal notice regarding the public hearing for Local Law #10 of 2011– Correction of Street Name – Olmstead to Olmsted and Mayor Hoffman opened the hearing.

Copies of the local law were with each agenda.

Gabrielle Miller – 61 Olmstead Ave – that is where Sal’s is located and her tax lady. Residents don’t want the name changed. The additional costs to the residents is not warranted. There will be additional costs to the Village for signs, changing maps, Trustee’s salary. Wanted to know if the name change would be done in exchange for grant money. Ms. Miller submitted a petition from the residents on Olmstead stating they did not want the signs changed.

Trustee Nikonowicz – the inconvenience to residents might be huge but the signs should be changed. This is the honorable thing to do for the person that designed the Village. There is no deal on the table and no funding is tied to the name change. Street signs are already being changed in the Village. This name change came about while Trustee Nikonowicz was looking for funding for the Tree Lighting.

David Charvat- 76 Olmstead Ave – what was the Tree Lighting.

Trustee Nikonowicz – There wasn’t going to be a Tree Lighting and Trustee Nikonowicz stepped up and volunteered to run it. He was looking for donations and was told to contact the Olmsted Conservatory. When the Conservatory members came out to look at Depew they informed us that Olmstead was spelled incorrectly it should be Olmsted. Upon further research the name was misspelled in 1925 by a map company. We are not changing the name just correcting a mistake.

Village Attorney Aquino – no legal description change so the deeds are not redone.

Gabrielle Miller – 61 Olmstead Ave – Unemployed people and people who don’t have the time. This is not critical for someone that passed away.

Donna Dotzler – 30 Warner – can’t believe this is a matter of importance. All the costs of maps to the Village. Would like her tax dollars used better purposes. This will not improve the quality of life. Spoke about issues with the sewer pumps.

Mayor instructed Ms. Priebe to address the Board when speaking.

Chris Kelchlin – 76 Olmstead – never has been asked about misspelled name. This is best to be left alone. Spoke about parked cars on sidewalks, car dealers, and music being played loudly while driving down the street.

Suggested placing a sign under the sign with the name.

Joan Priebe – 15 Howard – Reiterated it does not matter because he is dead. We should give the rightful legacy. There were 5 designs in Depew and with DOT redoing Broadway that eliminated one. Veteran’s Park has restrictions and can only be used as a park. It was only spelled right for 30 years.

Trustee Nolder – The name is misspelled. We are having a public hearing to see what the public says. It is good to have the public here. We want to hear from our constituents. He liked the idea of the sign on the sign. We are out to do the right thing.

Irv Reinig – 380 Columbia Ave – have lived in the Village for over 30 years. Dumb idea. It will be years before the records are cleaned up for the people living on the street. So many things the Village should be doing. Work on taxes, spending and debt issues.

Mayor Hoffman – purpose of the public hearing is for positive information.

Trustee Pecora – we have the public hearing to bring the info to the public not be accused.

David Charvat – 76 Olmstead – opposed to name change. Has a good friend that works for the Conservatory and he has never brought up the spelling of the name.

Gabrielle Miller – 61 Olmstead – if anything like this happens again the Board needs to send out letters instead of us reading about it in the Depew Bee. Table this tonight to give people another opportunity to speak. Happy New Year.

Mayor Hoffman – nothing was preset.

ON A MOTION BY, Trustee Pecora, seconded by Trustee Nikonowicz the public hearing was closed at 7:45 pm.

**VILLAGE OF DEPEW  
DECEMBER 27, 2011**

**TABLE LOCAL LAW #10 OF 2011 – CORRECTION OF STREET NAME - OLMSTEAD**

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

**WHEREAS**, a request has been received to correct the spelling of Olmstead Ave to Olmsted Ave, located in the Village of Depew, Town of Lancaster;

**WHEREAS**, the Board of Trustees of the Village of Depew, New York held a public hearing on December 27, 2011 at 7:00 pm in the Council Chambers of the Municipal Building, 85 Manitou St, Depew, NY to consider the adoption of a local law which would amend the Village Code to correct the spelling of Olmstead Ave to the proper spelling of Olmsted Ave.

**WHEREAS**, all persons were given an opportunity to speak for or against this local law;

**WHEREAS**, the United States Postal Service Address Management will be notified of the spelling correction so they can make the change on their records;

**BE IT FURTHER RESOLVED**, that the Village Administrator shall provide a copy of the Local Law to the Assessor of the Town of Lancaster.

**BE IT FURTHER RESOLVED**, that the Village Board authorizes the filing of the Local Law with the New York State Department of State in accordance with § 27 of the New York Municipal Home Rule Law; and

**NOW THEREFORE, BE IT RESOLVED**, this local law is hereby tabled.

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

Trustee Hammer – Yes  
Trustee Nolder – Yes  
Trustee Pecora – Yes  
Trustee Nikonowicz – Yes  
Mayor Hoffman – Yes

**PUBLIC HEARING LOCAL LAW #11 OF 2011 – REPEALING CHAPTER 125 HOUSING STANDARDS**

Village Administrator read the legal notice regarding the public hearing for Local Law #11 of 2011– Repealing Chapter 125 Housing Standards and Mayor Hoffman opened the hearing.  
Copies of the local law were with each agenda.  
Village Attorney said Chapter 76 replaced Chapter 125.

**ON A MOTION BY**, Trustee Nikonowicz, seconded by Trustee Nolder the public hearing was closed at 7:47 pm.

**TABLE LOCAL LAW #11 OF 2011 – REPEALING CHAPTER 125 HOUSING STANDARDS**

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

**WHEREAS**, the Board of Trustees of the Village of Depew, New York held a public hearing on December 27, 2011 at 7:01 pm in the Council Chambers of the Municipal Building, 85 Manitou St, Depew, NY to consider the adoption of a local law which would repeal Chapter 125 Housing Standards which was replaced by Chapter 76 Building Construction.

**WHEREAS**, all persons were given an opportunity to speak for or against this local law;

**NOW THEREFORE, BE IT RESOLVED**, this local law is hereby tabled.

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 Nolder – Yes  
Trustee Pecora – Yes  
Trustee Nikonowicz – Yes  
Mayor Hoffman – Yes

**VILLAGE OF DEPEW  
DECEMBER 27, 2011**

**ACCEPT RESIGNATION WORKING CREW CHIEF**

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

The resignation of Kenneth Pyc, as a working crew chief in the Department of Public Works, effective January 9, 2012 is hereby accepted.

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

**MODIFY 2010/2011 BUDGET -DPW**

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

WHEREAS, the Village of Depew has received \$333.14 from the Twin Village Recycling for DPW scrap and the proceeds of this check will be used for Department of Public Works purpose;

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 Minor Sales -	\$333.14
A960	Appropriations	
	Sub Account 8560.414- Shade Trees - Materials	\$333.14

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

Trustee Hammer – Yes  
Trustee Nolder – Yes  
Trustee Pecora – Yes  
Trustee Nikonowicz – Yes  
Mayor Hoffman – Yes

**MODIFY 2010/2011 BUDGET -FIRE DEPT**

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

WHEREAS, the Village of Depew has received \$8442.82 from the Selective Insurance Company of America for damage to a fire truck and the proceeds of this check will be used to reimburse the account for the repairs;

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 -	\$8,442.82
A960	Appropriations	
	Sub Account 3410.452- Fire Dept – Truck Repairs	\$8,442.82

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

Trustee Hammer – Yes  
Trustee Nolder – Yes  
Trustee Pecora – Yes  
Trustee Nikonowicz – Yes  
Mayor Hoffman – Yes

**TREE/TRIMMING REMOVAL:** 11 Jackie Lane, 58 French Rd

**EMPLOYMENT APPLICATIONS:**

**VILLAGE OF DEPEW  
DECEMBER 27, 2011**

**DEPARTMENT HEAD REPORTS**, Police Dept November 2011, Building Dept Nov 2011  
**ON A MOTION BY** Trustee Hammer, seconded by Trustee Pecora, the department head 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 –**

Gabrielle Miller – 61 Olmstead Ave – how was the fire truck damaged? Chief Cummings stated it was hit by someone.

Paul Sprada – 58 Argus – what is happening with Arcata Graphics and what percentage point can you expect as a reduction? They will have to challenge their assessment probably through an Article 7. Mayor stated that Quebecor is trying to sell it.

Donna Dotzler – 30 Warner – flooding in basement what is happening.

Donald Jakubowski – 54 Warner Rd – smaller pump station, pump on corner. Appreciate action on pump there.

Paul Sprada – 58 Argus – when will the Olmstead name change be on agenda? Mayor said not on the agenda next meeting. Chapter 125 will be on next agenda.

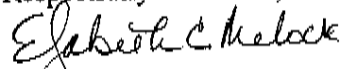
**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Nolder, seconded by Trustee Pecora, the following claims are to be paid: General \$158,250.73, Sewer \$80,030.00, the motion was **CARRIED**.

**ADJOURNMENT-**

**ON A MOTION BY** Trustee Pecora, seconded by Trustee Hammer, the meeting was adjourned at 7:58 pm. The motion was **CARRIED**.

Respectfully submitted,



Elizabeth C. Melock  
Village Administrator

EXHIBIT A

EAF and Negative Declaration

**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
**For UNLISTED ACTIONS Only**

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Village of Depew	2. PROJECT NAME Local Law 10 of 2011
3. PROJECT LOCATION: Municipality Village of Depew County Erie	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Entire Village of Depew	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Correct the spelling of Olmstead Ave from it's current spelling (Olmstead) to the proper spelling (Olmsted)	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: Residential homes with a few small businesses.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Steven Hoffman</u> Date: <u>12/27/11</u> Signature: _____	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.

Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

N/A

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

Historic - the street was named properly until 1925 when there was a map error, it was corrected and again misspelled in 1948. Olmsted Conservatory has requested the name be corrected.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

N/A

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

N/A

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

N/A

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

Short term - USPS will change the name and keep the old name for a while allowing residents to complete the transition of changing the name on their documents.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

N/A

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Village of Depew

12/27/11

Name of Lead Agency

Date

Steven Hoffman

Mayor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Reset

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number LL 10 of 2011

Date: 12/27/11

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Depew as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:**

Local Law 10 of 2011 - Correction of Street Name - Olmstead Ave. to Olmsted Ave.

**SEQR Status:**     Type 1       
                         Unlisted    

**Conditioned Negative Declaration:**      Yes  
    No

**Description of Action:**

Make changes to the Village Code to correct the misspelling of Olmstead Ave to the proper spelling of Olmsted Ave.

**Location:**     (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Olmstead Ave Depew NY



**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

Request was made by the Olmsted Conservatory to correct the spelling on Olmstead Ave to the proper spelling of Olmsted Ave. Research has shown that the street name was misspelled by a mapper in 1925.

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person: Steven Hoffman

Address: Village of Depew 85 Manitou St Depew NY 14043

Telephone Number: 716-681-4396

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

EXHIBIT B

Local Law

Local Law #10 of 2011 – Correction of Street Name – Oimstead Ave to Olmsted Ave

In the Village Code Oimstead Ave will be replaced with the proper spelling of Olmsted Ave thru out the entire code.

EXHIBIT A

EAF and Negative Declaration

**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
**For UNLISTED ACTIONS Only**

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Village of Depew	2. PROJECT NAME Local Law 11 of 2011
3. PROJECT LOCATION: Municipality Village of Depew County Eric	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Entire Village of Depew	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Repealing Chapter 125 from the Village Code as it is obsolete.	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Steven Hoffman</u> Date: <u>12/27/11</u> Signature: _____	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  
N/A

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  
N/A

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
N/A

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
N/A

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
N/A

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  
N/A

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  
N/A

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  
 Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Village of Depew  
\_\_\_\_\_  
Name of Lead Agency

12/27/11  
\_\_\_\_\_  
Date

Steven Hoffman  
\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

Mayor  
\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (If different from responsible officer)



State Environmental Quality Review  
**NEGATIVE DECLARATION**  
 Notice of Determination of Non-Significance

Project Number LL 11 of 2011

Date: 12/27/11

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Depew as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:**

Local Law 11 of 2011 - Repealing Chapter 125 from the Village Code as it is obsolete.

**SEQR Status:**      Type 1        
                                  Unlisted     

**Conditioned Negative Declaration:**       Yes  
     No

**Description of Action:**

Chapter 125 was replaced with Chapter 76 which was recently adopted. Chapter 125 needs to be repealed in it's entirety.

**Location:**      (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Entire Village of Depew

**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

Chapter 76 was recently adopted which makes Chapter 125 obsolete.

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person: Steven Hoffman

Address: Village of Depew 85 Manitou St Depew NY 14043

Telephone Number: 716-681-4396

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer , Town / City / Village of

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)



**EXHIBIT B**

**Local Law**

**Local Law #11 of 2011 – Repealing Chapter 125 Housing Standards**

The following Chapter is repealed in its entirety:

**“Repealing Chapter 125 – Housing Standards”**