

MEETINGS: 7  
NO. OF REGULAR: 7  
NO. OF SPECIAL MEETINGS: 0

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
JUNE 25, 2007**

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

**ON A MOTION BY**, Trustee Fusani and seconded by Trustee Hammer the June 11, 2007 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Monti and seconded by Trustee Maryniewski the June 18, 2007 Zoning Board Minutes were accepted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Dan Beutler 26 Tyler St – Questioned #3 –was it a replacement? #4 pertains to what? Contracts –PBA, Questioned #5 & #6.
2. Terry Mescall – 36 Susan Dr. – Questioned #4 – why we need another attorney when we have two on the Board. Mayor explained it is a labor attorney.
3. Madeline Dirienzo – 16 Chateau Ct – needs to sign in on the sign in sheet.

Mayor Alberti explained that anyone wishing to speak at the Public Hearing concerning 321 Columbia Ave needs to sign in on the sign in sheet and you will have 7 minutes to speak. All comments are addressed to the Board only.

**OPEN PUBLIC HEARING – SPECIAL USE PERMIT FOR 321 COLUMBIA AVE**  
Village Administrator read the Legal Notice regarding the Public Hearing for South East Works plans for the former Depew Library at 321 Columbia Ave.

Below is a list of speakers at the public hearing and what their stand was for the granting of the special use permit, either for it, against it and no commitment one way or another.

1. Gabrielle Miller – 61 Olmstead – against
2. Linda Liuzzi – 105 Houston St – for
3. Donald Symer – 610 Columbia Ave – against
4. Sara Merritt – 105 Houston St – for
5. Joan Priebe – 15 Howard Lane – against
6. Tim Schlegel – 40 Stewart Dr – for
7. Kelly Robinson – 300 Ellington St – against
8. Barbara Bart – 42 Forestview – against
9. Franklin Jones – 486 French Rd – against
10. Linda Tomaszewski – 68 Olmstead – no commitment
11. Irv Reinig – 380 Columbia Ave – against
12. Dan Melock – 314 Columbia Ave – against
13. Denise Peebles – 284 Columbia Ave – for
14. Richard Brunn – 375 Columbia Ave – against
15. LaVera Kopacz- 28 Ridgeway St – against
16. Gerry Fleischman – 21 Forestview Dr – against
17. Jonathan Neumeister – 322 Columbia Ave – against
18. Homer Wilde – 756 Hall Rd Lanc – for
19. Dan Beutler – 26 Tyler St – no commitment

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20. Judy Shanley – 181 Lincoln St – for
21. Barb Grzybowski – 136 Crane St – for
22. Orville Weiss – 390 Columbia Ave – no commitment
23. Madeline Dirienzo – 16 Chateau Ct – against
24. Ziggy Kucewicz – 43 Alys Dr. E – for
25. Sharon Snyder – 30 Woodview – for
26. Matty Filipowicz – 8 Ridgeway – against
27. Brian Lewandowski – Attorney for South East – for
28. Peter Savarino – Developer for South East – for
29. Tony Dioria – Realtor for South East – for
30. Richard Sharp – 5161 Transit – against

On a motion by Trustee Fusani and seconded by Trustee Monti the public hearing was closed at 9:03 p.m.

Mayor Alberti read her statement concerning the bridges on Transit Rd, update on the contaminated soil to be removed by NL Properties, Mike Pelliterie represented Depew at the Memorial Service for the Firemen who died in Charleston SC. She was a judge in the chili cook off yesterday where Fire Chief Pete Michaels took first place. The Mayor congratulated all the recent high school graduates.

**APPOINT RECREATION TEMPORARY SEASONAL EMPLOYEES**

Pursuant to Section 4-400 of Village Law, I Mayor Barbara A. Alberti, hereby appoint the following:

Shannon Szymanski 94 Ledyard Depew – Lifeguard  
Brendan Geisel – 201 Columbia Ave Depew – Playground Attendant  
Amber Maryniewski – 542 Penora St Depew – Playground Attendant

to the Summer recreation Program, at salaries as stipulated in the budget.

The appointment was acted upon in the following manner by the Board of Trustees:

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

**APPOINT SENIOR CENTER VAN DRIVER - TEMPORARY**

Pursuant to Section 4-400 of Village Law, I Mayor Barbara A. Alberti, hereby appoint Walter Gawron 144 Cromwell Dr Depew to the position of Senior Van Driver on a temporary basis to fill in while one of the senior center van drivers is absent for medical reasons. His salary is \$10.00 per hour.

The appointment was acted upon in the following manner by the Board of Trustees:

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

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**AUTHORIZE MAYOR TO SIGN RETAINER AGREEMENT**

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

**WHEREAS**, the Village of Depew has pending grievances that need to be addressed,

**NOW, THEREFORE, BE IT RESOLVED** that Mayor Barbara A. Alberti, is hereby authorized to sign a retainer agreement with the firm Schroder, Joseph & Associates, LLP 766 Ellicott St. Buffalo, NY 14203 to represent the Village of Depew in all labor and litigation issues.

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

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – TWO  
COMMUNITY DEVELOPMENT PROJECTS**

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

**BE IT RESOLVED**, that the Village Administrator is authorized to advertise for bids for 2007 Sanitary Sewer and Manhole Remediation Project and 2007 Sidewalk Replacement Project. Both projects are funding through Community Development Block Grant Funds.

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

**AUTHORIZE MAYOR TO SIGN CHANGE ORDER**

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

**BE IT RESOLVED**, that Mayor Barbara A. Alberti, is authorized to sign Change Order No. 1 with Neth & Son, Inc. in regards to the Senior Center Roof Rehabilitation Project. The amount of the change order is \$15,483.00 and is for installing coping over existing sandstone.

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

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

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

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

WHEREAS, the following beneficiary is entitled to a death benefit payable under the Depew Fire Department's Service Award Program;

BE IT RESOLVED, the Village does hereby approve this one time lump sum payment of \$1,885.21 due to an adjustment in points earned by Daniel Podsiadlo prior to his death.

Suzanne Podsiadlo  
32 Mona Court  
Depew, NY 14043

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

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

**AUTHORIZE CLASSIC CAR EVENT**

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

**BE IT RESOLVED**, permission is hereby granted to the Polish Falcons Organization 445 Columbia Ave Depew to run their weekly Classic Car event. The Village recommends that this event be excused from the rule against more than four temporary beer and wine permits.

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

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

**AUTHORIZE LAWN FETE – ST BARNABAS**

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

**BE IT RESOLVED**, permission is hereby granted to St. Barnabas, 2049 George Urban Blvd., Depew, NY for a Lawn Fete to be held on the Parish Grounds on August 24, 2007 (5:00 PM – 1:00 AM), August 25, 2007 (12:00 PM – 1:00 AM), and August 26, 2007 (12:00 PM – 11:00 PM)

MUSIC – will only be allowed until 11:00 PM. There will be no amplification other than what is required by the individual instruments. There will be no extension speakers. The volume of music shall be kept at a low setting so as not to annoy the peace and tranquility of the residential neighborhood.

SECURITY – on site private security will be provided by the applicant who will

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supply specification sheet detailing expected crowds. Past attendance records and other factors that would determine the amount of security required. A minimum of four (4) uniformed, armed officers will be posted in the enclosed beer tent area to check identification for under age patrons and to provide law and order.

A minimum of six (6) uniformed, armed officers with a maximum to be determined by the Chief of Police will be required to provide money escorts and maintain law and order on the grounds. Applicant will provide to the Chief of Police the name of the security company, the name of the supervisor in charge of the entire detail, the individual name of each guard and a schedule of the hours each supervisor and guard on duty. Said list to be supplied seven (7) days prior to said Lawn Fete.

PERMITS - the applicant shall obtain an amusement license pursuant to Chapter 19, Article I of the Depew Municipal Code.

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

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

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to:

Depew Fire Department for use Ladder 5 & Engine 6 for the July 4<sup>th</sup> parade in the Village of Lancaster.

And

Depew Fire Department for the use of Ladder 5 for the Pulaski Day Parade on July 22, 2007 in the Town of Cheektowaga.

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

**TREE TRIMMING/REMOVAL:** 50 Helenbrook Lane, 315 Evane Dr, 69 Litchfield, 61 Muskingum, 231 Enez Dr, 249 Claudette Ct.

**EMPLOYMENT APPLICATIONS:** DPW – John Gauthier Jr, Joe Whipkey, Police – Marc Bristow

**DEPARTMENT HEAD REPORTS**

**ON A MOTION BY** Trustee Fusani, seconded by Trustee Keefe, the Police Dept May 2007 and the Senior Center for May & June 2007 were accepted as presented.

**BUILDING APPLICATIONS AND REPORTS**

**ON A MOTION BY** Trustee Dillemoth, seconded by Trustee Keefe, the Residential & Commercial Building reports were accepted as presented.

**ON A MOTION BY** Trustee Fusani, seconded by Trustee Hammer, the Board is

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authorized to enforce Chapter 81 against the owner of 34 Harlan that had been damaged by a house fire over a year ago. Matty was instructed to look into enforcing Ch. 81 against the owners of 159 Keiffer.

REPORT OF THE VILLAGE ATTORNEY

Attorney Nosek reported that he settled all assessment cases – 5 separate ones involving 15 properties. The case with Sefar Ind. is scheduled for a pre-trial conference. There are some pending litigations with Weiman – conferences are planned. He has obtained a copy of the Village Code book and read it.

REPORT OF THE VILLAGE ENGINEER

Plans & Specs for the sidewalk and sewer projects will be ready for the bid opening on July 12, 2007.

COMMITTEE REPORTS

1. Public Safety – Trustee Monti said that 5600 Transit is in the hands of the legal dept.
2. Recreation – Trustee Hammer said the pools and parks open July 2, Playgrounds are open 9-3.
3. Finance – Trustee Keefe spoke about the Village moving to a Central Purchasing to save money.

PUBLIC CONCERNS AND COMMENTS

1. Madeline Dirienzo – 16 Chateau Ct – junkyard – a berm is up but they opened another gate or weighing station on the eastern boundary. Antonicelli property looks worse than ever.
2. Dave Brauen – 199 Kieffer – Congressman Reynolds was supposed to come and look at Kieffer to see what could be done there.
3. Daniel Beutler – 26 Tyler Street – Congressman Reynolds office – a year away on doing the remaining remedial work on the contaminated soil – 59 properties involved.
4. Joann Duell – 11 Lee Thanked the Mayor for coming over and viewing the situation with Zorbas. She would like code enforcement. She was told Mike Wozniak is here on Mondays from 5-9 pm.
5. Gabrielle Miller – 61 Olmstead - #7 on correspondence Coyotes Bar – is it a new name. Mayor spoke on patio bar and fence issue and explained that they were told to go to the Planning Board.

CLAIMS AND ACCOUNTS

**ON A MOTION BY** Trustee Keefe, seconded by Trustee Hammer the following claims are to be paid: General \$311,153.22, Sewer \$22,361.97, Capital #90,923.00.  
**CARRIED.**

ADJOURNMENT

**ON A MOTION BY** Trustee Monti, seconded by Trustee Hammer, the meeting was adjourned at **9:38pm** in memory of the 9 firefighters who lost their lives last week in Charleston S.C. The motion was **CARRIED.**

Respectfully submitted,

Elizabeth C. Melock  
Administrator

