

MEETINGS: 9  
NO. OF REGULAR: 9  
NO. OF SPECIAL MEETINGS: 0

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
JULY 23, 2007**

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

**ON A MOTION BY**, Trustee Fusani and seconded by Trustee Keefe the July 9, 2007 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Monti and seconded by Trustee Maryniewski the July 16, 2007 Zoning Board Minutes were accepted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Dan Beutler – 26 Tyler - #9 – who is that for? Mayor – Kurt Best. How long is the remaining term? Mayor – 2 years.
2. Irv Reinig – 380 Columbia Ave – what is #4 about? –

Mayor Alberti read statement – key points addressed were:

- Spoke about Dan Federowicz & Pat Coyne returning home from Iraq and thanked the Fire Dept. for the great reception they received at the airport.
- Money Magazine ranked the Village of Depew #11 for the most affordable place to live.
- Currently accepting applications for the Crossing Guard and Zoning Board of Appeals positions. Please apply in the Clerk's Office.
- Night Out will be Tuesday Aug 7 from 5-9 pm.

Administrator Melock read the legal notice opening the public hearing for the Open Burning Changes to the Village Code and the public hearing was opened:

Trustee Fusani read the proposed opening burning code changes.

Mayor Alberti spoke about the many phone calls and complaints regarding open fires in Depew. Chief Pete Michaels spoke regarding support for the passage of the code changes as we are a densely populated area. Two houses have caught fire by fire pits. The Police and Fire Department are inundated with calls regarding smoke coming into the home. Both Towns that Depew lies in have open burning laws and the State Law does not allow open burning. There was a study done on backyard burning and its links to cancer. In Broome County open burning of any kind was banned. The Fire Department is getting calls coming in as a house fire so the Fire Dept. will respond. The Fire Dept. is limiting its practice fires. Chief Michaels urges the Board to adopt the changes.

Tom Johnson – 171 Meadowlawn – supports the new law – he also sponsored the Town of Cheektowaga's law. This is very similar to the Town's law.

Joan Priebe – 15 Howard – endorses adoption of law – only fires are charcoal, LP and Natural Gas.

Irv Reinig – 380 Columbia Ave – explain restrictions to outdoor cooking – can't cook on covered porches or patios. Are there any restrictions on how far from a structure?

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Gary Pascucci -410 Columbia Ave – against this – likes the look of fire – read info from the DEC web site. Has a fireplace in back yard with a chimney. Goes too far to say you can't use wood to cook.

Tom Johnson – 171 Meadowlawn – spoke regarding state codes and stack heights

Mike Wozniak – Comm. Bldg Insp – questions for Mr. Pascucci – when was the site updated that he read info from. No distant in Section 307.

Matty Filipowicz – Red. Bldg Insp. – violations enforced by Fire Marshall.

Mike Wozniak – recreational fires not permitted in Depew.

Frank Kocialski – 60 Cornell – regarding brick fireplace – why wood can't be burned in it – just limit size – law goes too far – likes the smell of smoke.

Joe Mussari -440 Columbia Ave – what do surrounding communities do – use common sense – has a pit – going backwards with this law.

Donna Janicki – 47 Dean Rd – neighbors not considerate – burning late at night – drunk and noisy – smoke comes in house.

Michelle Bertsch – 125 Meadowlawn – small fire pit – this means I can't put wood in it?

Gabrielle Miller – 61 Olmstead Ave – Grilling – is a cover required – smoker – Mayor read letter – Ban on open burning. Chicken BBQ's – Fire Dept said they use charcoal.

Mike Wozniak – prominent restaurant in Depew with a smoker – that one is fully enclosed.

Anthony Nosek – Village Attorney – read definition of open fire. He also wanted the term "off fall" looked at. Chief Michaels said it was a construction term.

On a Motion by Trustee Hammer, seconded by Trustee Monti and carried the public hearing was closed at 8:15 p.m.

### **ACCEPT OPEN BURNING LAW CHANGES**

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

**BE IT RESOLVED, the Village Board accepts the following open burning law,**

#### **Open Burning Law July 23, 2007**

Replaces Village Code Section 55-9

#### 55-9 Open Fires

It is the intent of this section to protect the general health, welfare and safety of the people of the Village of Depew by prohibiting open fires, which are dangerous to life and property.

A. Definitions. As used in this section, the following terms shall have the meaning indicated.

**GARBAGE**-The animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.

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**OPEN FIRE**-Any outdoor fire or outdoor smoke-producing process from which air contaminants are emitted directly into the outdoor atmosphere.

**REFUSE**-All waste material, including, but not limited to, garbage, rubbish, incinerator residue, street sweepings, dead animals and off fall.

**RUBBISH**-Solid or liquid waste material, including but not limited to paper and paper products; rags; trees or leaves, needles and branches there from; vines; lawn and garden debris; furniture; cans; crockery; plastic cartons; chemicals paint; grease; sludge; oils and other petroleum products; lumber; sawdust; demolition materials; tires; and automobiles and other vehicles and parts for junk, salvage or disposal.

B. Prohibited burning. The following fires are prohibited in the Village of Depew.

- (1) The burning of garbage, refuse and rubbish in any manner is prohibited.
- (2) All open fires are prohibited in the Village of Depew, with the exception of those in conformity with the provisions of 55-9c of this article.
- (3) Open burning for outdoor cooking is prohibited in or on multiple dwelling structures.

C. Permitted burning. Burning in an open fire, provided that it is not contrary to any other federal, state, county or local law, ordinance, rule or regulation, will be permitted as follows:

- (1) Bonfires. Bonfires shall be permitted only for a publicly sponsored celebration or event, or for an organization-sponsored event, or for a public or private school sponsored event, and shall be subject to meeting all requirements of the bonfire permit application obtained from and filed with the Clerks office, prior to any bonfire being lit and taking place. No fire shall be ignited prior to an on-site inspection of the location where the bonfire is to take place and shall be subject to any and all conditions or restrictions the Fire Marshall's office may impose for the safety of life and property, nor shall any fire be ignited prior to the issuance of a bonfire permit issued by the Fire Marshal's office. The Fire Department shall be notified prior to igniting any said bonfire permitted by the Fire Marshal's office.
- (2) Outdoor cooking. Open burning will be permitted for outdoor cooking when the fire is limited to the minimal size necessary and contained in a device or cooking utensil commonly referred to as a grill or hibachi and designed for outdoor cooking purposes. Fuels for outdoor cooking will be limited to charcoal and charcoal briquettes, natural gas and LP gas. All applicable and/or reasonable safety precautions shall be taken when using said devices or utensils. Outdoor cooking will not be permitted on balconies and covered porches and patios.
- (3) Recreational fires or campfires. Only natural gas or LP gas outdoor fireplaces or fire pits with ceramic logs will be permitted, provided that such appliance conforms to all other applicable Village codes. All other forms of recreational fires or campfires are prohibited.

D. Control of fires within the Village. If in the opinion of the Fire Marshal or Fire Chief, weather conditions are such that the starting or the continuation of burning is a risk to life, health or property within the Village, they shall have the right to declare that any and all burning shall cease immediately until further notice.

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- E. Enforcement. The Fire Marshal and such firefighting personnel as he or she designates along with officers of the Depew Police are hereby vested with authority to enforce the provisions of this section. The Fire Department is hereby authorized to extinguish any open burning fire being conducted in violation of any of the provisions of this section.
- F. Penalties for offenses.
- (1) Any violation by a person, firm or corporation of any provision of this section shall be deemed a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$250 or by imprisonment for a term not exceeding 15 days or both.
  - (2) Any person who takes part in or assists in any violation of this section shall be subject to the penalties provided herein.
  - (3) Each day (twenty-four-hour-period) that a violation of this section is committed or permitted to exist shall be deemed to constitute a distinct and separate violation.

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

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

Administrator Melock read the legal notice and the public hearing for the special use permit for the outdoor patio for Coyotes was opened:

Joe Cipolla presented the plan for the patio. He explained that TDK Corp rents the space from Bella Vista, they sub rent to Pasta Grille Inc – It is the Evolution Complex. At the present there is a wooden fenced in area and they would like to increase this area to handle sale and consumption of alcohol on the patio area. There will be no live music and they have not received any direct complaints. There will be tables with umbrellas and a bar to get a drink at. There will be security so no one can access the patio. He showed the modified pictures showing the ten foot fence. Distance of current property to neighbors is 600 feet. The original structure would remain. The patio will be used summer and early fall. There is a six foot fence along the Meadowlawn homes now. After investigating other patios – there's has more distant in the back yard and it is fenced. A nightclub needs to have an area for smokers.

Joan Priebe – 15 Howard – was a permit obtained for the patio – Mr. Cipolla said the fenced in area was on the original plans. SLA required it fenced. Mike Wozniak stated no permit was issued. It was a smoking area for the teen club. The roof was an addition to the original build out.

Dave Burkhardt – 5 Autumn Lea – how many allowed in original patio – 100 people original per Mr. Cipolla – this will be three times the size – expanded are with round tables. Existing fence will be removed but the roof will remain.

Tom Johnson – 171 Meadowlawn – Teen Center had a different set of concerns – codes are meant to protect surrounding landowners. Noise, lighting all carries to homes – six foot or ten foot fence is not a barrier to sound.

Madaline Dirienzo – 16 Chateau Ct – what are the hours – Mr. Cipolla – open till 4 am.

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Bob Olszewski – 2224 George Urban – number of issues with these bars – Mr. Cipolla said he has not received any complaints directly – that he has an obligation to his neighbors

Pete Michaels – Fire Chief – patio area – concern for egress. SLA concern getting people out. Must be two areas for ingress/egress with security at both at all times – push bar. Fire Dept. needs a 90 foot min fire aisle. No customers parking in back.

Mayor Alberti – was the variance obtained for the bathrooms? Mr. Cipolla – was applied for and granted – will get the Village the backup. Mike Wozniak – we have not received anything on the bathrooms.

Michelle Bertsch – 125 Meadowlawn – no speakers outside – Mr. Cipolla – no outside music except carnivals. Concerns over graffiti.

Mike Wozniak – all exits must stay closed.

Jeff Sunquist – 10 Barnabas – beer bottles thrown all over – semi's out back and people camped out. Diesels are to be shut down after 5 minutes. Mr. Cipolla – third party security company – certified and registered with the State.

Dave Burkhardt – 5 Autumn Lea – when did teen club stop – live band – all age shows. Mr. Cipolla – Live bands on Friday & Saturday nights – under 21 not allowed in. Under 21 on one side – coordinated. Under 21 events have earlier hours.

Jane Wiercioch – Depew Cheek Tax Assoc – Inside dimensions of club 13,340 sq feet. Patio 2500 sq ft. How do you screen all these people? Coyotes response – person of age colored wrist band and stamp. Deck is ten foot fence and asphalt. How is quiet time going to be controlled? Security personnel will be out there. Buffer area when plaza was built. Was State Liquor license applied for – at this point no liquor is being sold out there.

Tom Johnson – 171 Meadowlawn – there are a number of neighbors here and the quiet hours are 11 pm to 7 am. Wants a written commitment to vacate patio at 11 p.m. Concerned with people buying liquor and keeping it their car. Patio encroaches on buffer area. Move the patio out front.

Robert Stalker – Dick Urban Comm Assoc. – caters to customer with full patio and full bar – what the capacity. Mr. Cipolla – not encroaching onto anything – place restrictions on noise and light.

Linda Hammer – Trustee – maximum capacity of bar – 1600 people – capacity of patio – 300 people standing.

Chief Pete Michaels – capacity is 980 people inside main structure. Mr. Cipolla historically 300 people a night.

*Stan Carwile – Depew Police Dept – policy on underage customers how is it handled. Coyote's response – under 18 allowed with parent.*

*Joann Deuel – 11 Lee St – Zorba's permit – permit good for Coyotes.*

On a Motion by Trustee Maryniewski, seconded by Trustee Hammer and carried the public hearing was closed at 9:02 p.m.

**VILLAGE OF DEPEW  
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**APPOINT POLICE OFFICER**

Pursuant to Section 4-400 of Village Law, I Mayor Barbara A. Alberti, do hereby appoint James H Wolfe, 35 Wenona Depew NY 14043 to the position of Police Officer, effective immediately, at a salary as stipulated in the current budget. This appointment is from Exam No.068821, Civil Service List established April 21, 2005.

The forgoing nomination was acted upon in the following manner by the Village Board of Trustees:

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

**ACCEPT RESIGNATION – JANITOR FIRE HALL**

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

**BE IT RESOLVED**, the Village Board accepts the resignation of Ronald A. Wechter from the position of North side Fire Station janitor effective July 10<sup>th</sup>.

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

**APPOINT JANITOR NORTHSIDE FIREHALL**

Pursuant to Section 4-400 of Village Law, I Mayor Barbara Alberti, do hereby appoint Jesse Nikonowicz Sr. 138 Grant St. Depew, New York, for the position of Janitor North side Fire Hall effective immediately at a salary as stipulated in the current budget.

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

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

**CREATE POSITION**

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

**BE IT RESOLVED**, that the position of Lifeguard PT, with the duties and responsibilities as set forth in the job specifications of the Erie County Civil Service, is hereby created.

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

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

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**APPOINT LIFEGUARDS**

Pursuant to Section 4-400 of Village Law, I Mayor Barbara Alberti, do hereby appoint - see attached list – to the positions of Lifeguard PT effective immediately at a salary as stipulated in the current budget.

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

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

**ACCEPT REMOVAL – MEMBER ZONING BOARD**

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

**BE IT RESOLVED**, the Village Board accepts the voluntary removal due to job abandonment of Kurt Best from the position of Member Zoning Board of Appeals effective immediately. Mr. Best has failed to respond to oral and written communication.

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

**PROCLAMATION FOR CONSTITUTION WEEK**

**WHEREAS:** September 17, 2007 marks the 220<sup>th</sup> anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention: and

**WHEREAS:** It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebration which will commemorate the occasion; and

**WHEREAS:** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United State of America designating September 17, through the 23<sup>rd</sup> as Constitution Week,

**NOW, THEREFORE**, I, Barbara A. Alberti, by virtue of authority vested in me as the Mayor of the Village of Depew, do hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK**

**AND** ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

**MODIFY PARKING TAG FEES**

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

WHEREAS, the Village of Depew has surveyed the surrounding municipalities with regards to parking tag fees and found the Village’s current fee to be very low,

**BE IT RESOLVED**, the new fees, effective immediately, for parking tag violations are as follows:

The initial charge for a parking violation will be \$25.00.

After the 10 day payment period has passed the fine will double to \$50.00.

After the criminal summons has been sent and the 10 day period available to pay the \$50 fine has passed the fine will double to \$100.00.

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Handicapped parking tags will remain at \$50.00 and double to \$100.00.

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

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

**AWARD BID- SANITARY SEWER PROJECT**

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

**BE IT RESOLVED**, that upon the recommendation of John S Wojcik, Supr. of DPW and Nussbaumer & Clarke, the bid for the Erie County Community Development Funds Sanitary Sewer & Manhole Rehabilitation Project in the bid amount of \$141,350.50 be awarded to:

United Survey Inc  
25145 Broadway Ave.  
Cleveland, OH 44146

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

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

**AWARD BID- SIDEWALK PROJECT**

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

**BE IT RESOLVED**, that upon the recommendation of John S Wojcik, Supr. of DPW and Nussbaumer & Clarke, the bid for the Erie County Community Development Funds Sidewalk Replacement Project in the bid amount of \$40,135 be awarded to:

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

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

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

**MODIFY 2007/2008 BUDGET – NIGHT OUT FUNDS**

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

WHEREAS, the Village of Depew has received \$300.00 from JP Morgan Chase and Shuman Plastics for sponsoring Night Out,

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2007/2008 Budget in the following manner:

A510 Estimated Revenue

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Sub Account 10.2770 – Misc. Revenue \$300.00

A960 Appropriations  
     Sub Account 1620.478 – Night Out \$300.00

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

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

**MODIFY 2007/2008 BUDGET – FIRE DEPARTMENT GRANT**

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

WHEREAS, the Village of Depew has received \$234,789.00 from the Federal Government for Air Packs for the Fire Department

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2007/2008 Budget in the following manner:

A510 Estimated Revenue  
     Sub Account 10. 4960 –Federal Aid- Emergency Services \$234789.00

A960 Appropriations  
     Sub Account 3410.402 – Fire Dept – Uniforms \$234789.00

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

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

**AUTHORIZE ADMINISTRATOR TO TRANSFER FUNDS**

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

**BE IT RESOLVED**, the Administrator is authorized to make the following transfer of funds:

| <b>From Account:</b>    |           | <b>Amount:</b> | <b>To Account:</b>                           |          | <u><b>Amount:</b></u> |
|-------------------------|-----------|----------------|--|----------|-----------------------|
| Contingency Account     | 1990.0400 | 12,958.50      | Fire Dept – Uniforms – match For Grant Rec'd | 3410.402 | 12,958.50             |
| Total to be transferred |           |                |  |          | \$12,958.50           |

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

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

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**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – TREES**

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

**BE IT RESOLVED**, that the Village Administrator is authorized to advertise for bids for replacement trees for the Village.

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – SALE OF USED AIRPACKS**

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

**BE IT RESOLVED**, that the Village Administrator is authorized to advertise for bids for the sale of the Fire Department used air packs.

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

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to:

Depew Fire Department to use Ladder 5 for the Erie County Fair Fireman's Day Parade on August 10, 2007 at the Hamburg Fairgrounds.

And

To attend the Southwestern Association of Volunteer Fireman's Convention from August 1-4, 2007 in Angola, NY.

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

Tree Trimming/Removal: 72 Beverly Dr., 93 Tyler St., 41 King Ave., 1 Marrano Dr

Employment Applications: Sewer & Waste Water Inspector – David Czarniak

**DEPARTMENT HEAD REPORTS**

**ON A MOTION BY** Trustee Fusani, seconded by Trustee Monti, the Treasurer's Office for May & June 2007 were accepted as presented.

**BUILDING APPLICATIONS AND REPORTS**

**ON A MOTION BY** Trustee Fusani, seconded by Trustee Keefe, the Residential & Commercial Building reports were accepted as presented. The Board approved cutting the lawn at 15 Candace Lane.

**REPORT OF THE VILLAGE ATTORNEY**

There are pending litigation other than that no report.

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**REPORT OF THE VILLAGE ENGINEER**

No report.

**COMMITTEE REPORTS**

1. Trustee Monti spoke visiting the playgrounds and pools. There have been a few complaints on the pool fees but those were mainly from non-residents and daycare centers.

**PUBLIC CONCERNS AND COMMENTS**

1. Madeline Dirienzo – 16 Chateau Ct – Thanked John Wojcik – 2 lights on Broadway at Chateau have been out for a while, now they have been fixed.
2. Dan Beutler – 26 Tyler – Antonicelli property looks better. Casey's NE side of Casey's there is not supposed to be anything there. Mike Wozniak said it was staging area. Mike to look into it. Dresser plant – dirt piles. John Wojcik explained that the applicant is still waiting to hear from the Board about the dump permit he applied for.
3. Gabrielle Miller -61 Olmstead – Village Transmission – more and more unlicensed vehicles – two trailers there now – cars parked all over.
4. Ted Jakubowski – 259 Rehm Rd – wants to know who is over the residential building inspector. Discussion between Mayor & Mr. Jakubowski regarding the issues he has with his neighbor's garage, driveway and eaves. Matty Filipowicz explained the neighbor received the variance needed. Mike Wozniak explained setbacks are measured from the foundation not the eaves and that the Village does not determine property lines. This is a civil matter.
5. Jeff Sunquist – 15 Barnabas – wants a fence between him and KFC. Hedges are on his property. Mike Wozniak looking for old code book to address this issue.

**CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Hammer, seconded by Trustee Maryniewski the following claims are to be paid: General \$260,689.69 and Sewer \$1,913.10 and Capital \$59,229.53 **CARRIED.**

**ADJOURNMENT**

**ON A MOTION BY** Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at **9:45pm** in honor of Dan Federowicz, Pat Coyne and all veterans. The motion was **CARRIED.**

Respectfully submitted,

Elizabeth C. Melock  
Administrator

