

MEETINGS: 18  
NO. OF REGULAR: 18  
NO. OF SPECIAL MEETINGS: 0

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW  
DECEMBER 8, 2008**

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

**ON A MOTION BY**, Trustee Monti, and seconded by Trustee Keefe, the November 24, 2008 Village Board Minutes were approved.

**ON A MOTION BY**, Trustee Hammer, and seconded by Trustee Maryniewski, the December 1, 2008 Zoning Board Minutes were accepted.

**PUBLIC COMMENT – AGENDA ITEMS ONLY**

None

**Mayor Alberti's Comments**

Gave a status report on where the energy project is at this point. The work should be completed by mid January at the latest with the bulk of the projects completed before December 31. Municipal building will be closed on December 24, 25, 31 and January 1. Senior citizens knitted hats, scarves and blankets for the needy in our community, St, Lukes and City Mission.

**AUTHORIZE ECDEP TO SUBMIT A GRANT APPLICATION**

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

**2008-2009 Local Government Efficiency Grant Proposal**

*Project Title:* Western New York Stormwater Coalition: Outfall Inspection and Illicit Discharge Track Down Project Proposal

*Project Description:* The proposed project will consolidate 44 municipal illicit discharge detection and elimination programs into a single initiative that will fulfill NYS's Phase II Stormwater requirements pertaining to outfall inspections, sampling, trackdown and source identification.

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) coordinates the activities of the Western New York Stormwater Coalition (WNYSC); and

WHEREAS, the ECDEP has assumed the role of lead agency and has pursued grant funding to support the work of the WNYSC since its inception; and

WHEREAS, the Village of Depew is a member of the WNYSC; and

WHEREAS, the New York State Department of State solicited applications for projects that target shared services through its 2008-2009 Local Government Efficiency Grant Program; and

WHEREAS, the ECDEP, in cooperation with the WNYSC, has prepared a grant application for an Outfall Inspection and Illicit Discharge Track Down Project Proposal; and

WHEREAS, the required local match of 10% will be provided by the WNYSC members' annual membership fees; and

WHEREAS, the Co-Applicants to this application are the members of the WNYSC: Village of Alden, Town of Alden, Town of Amherst, Village of Angola, Town of Aurora, Village of Blasdell, Town of Boston, Buffalo Sewer Authority, Town of Cheektowaga, Town of Clarence,

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Village of Depew, Village of East Aurora, Town of Eden, Town of Elma, Town of Evans, Town of Grand Island, Town of Hamburg, Village of Hamburg, Village of Kenmore, City of Lackawanna, Village of Lancaster, Town of Lancaster, Village of Orchard Park, Town of Orchard Park, Village of Sloan, City of Tonawanda, Town of Tonawanda, Town of West Seneca, Village of Williamsville, Town of Cambria, Village of Lewiston, Town of Lewiston, Town of Niagara, Niagara Falls Water Board, City of North Tonawanda, Town of Pendleton, Town of Porter, Town of Wheatfield, Village of Youngstown, County of Erie, County of Erie - Sewer District #6, County of Niagara, Buffalo and Fort Erie Peace Bridge Authority, State University of New York at Buffalo; and

NOW, THEREFORE BE IT

RESOLVED, the Village of Depew authorizes the ECDEP to submit an application to the Local Government Efficiency Grant Program for the 2008-2009 funding year; and be it further

RESOLVED, that Chris Collins, Erie County Executive is the Lead Applicant Contact Person and is authorized to execute all financial and/or administrative processes relating to the grant program; and be it further

RESOLVED, that the required local match of 10% to be provided by the Village of Depew will come from its membership in the WNYSC and the annual membership fee it pays; and

RESOLVED, that upon approval of said grant request, the Village of Depew will enter into an Intermunicipal Agreement, where the shared services of the proposed project are listed in detail, with the co-applicants.

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

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR SPECIAL MEETING**

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

**BE IT RESOLVED**, the Village Administrator is hereby authorized to advertise for a special meeting to be held on Thursday December 18, 2008 at 7:30 pm for the appointment of a police officer.

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

**PERMISSION – ATTEND NYCOM VILLAGE ELECTION WORKSHOP**

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

Permission is hereby granted to Liz Melock & Carmi Poss to attend the NYCOM Village Election Workshop on Tuesday, January 6 at the Justin's Grill & Banquet House, East Syracuse, NY at a cost of \$90.00.

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

**PERMISSION – NYSGFOA ANNUAL CONFERENCE**

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

Permission is hereby granted to Liz Melock to attend the NYSGFOA Annual Conference at the Marriott in Albany NY on April 2 & 3, 2009. The cost of the conference is \$286.00. Use of a village vehicle is also authorized.

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The foregoing resolution was seconded by Trustee Maryniewski and **CARRIED.**

**PERMISSION – MEMBERSHIP – DEPEW FIRE DEPARTMENT**

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

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

**CENTRAL HOSE COMPANY #4**

Michael David  
61 Joel Dr.  
Cheektowaga, NY 14227

Lucas Weishaupt  
41 Lucy Lane  
Cheektowaga, NY 14227

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

**PERMISSION – DEPEW FIRE DEPT**

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

Permission is hereby granted to:

The Depew Fire Department for the following:

The use of the Southside Fire Hall on Sunday December 14, 2008 at 10:00 am until 8:00 pm for the Aetna Hose Company Children's Christmas Party.

And

The use of the Southside Fire Hall on January 17, 2009 from 4:00 pm until midnight for the Hook & Ladder Company #1 Holiday party.

And

The use of Engine #2 & Engine #3 to participate in the Lighting of Fire Trucks on December 20, 2008. Line up will start at 5:00 pm and the trucks will return by 9:00 pm.

And

The use of the Northside Fire Hall for Engine 1 Christmas Party on Saturday December 13, 2008 from noon till midnight.

And

The use of the Westend Fire Hall on December 20, 2008 starting at 7:00 pm until 1:00 am December 21, 2008 for the Westend Hose Company Annual Christmas Party.

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

**TREE TRIMMING/REMOVAL:**

**EMPLOYMENT APPLICATIONS:**

**DEPARTMENT HEAD REPORTS:** Clerk's Dept Nov 2008, Police Dept Nov 2008

**ON A MOTION BY** Trustee Monti, seconded by Trustee Keefe, the department head reports were accepted as presented.

**BUILDING APPLICATIONS AND REPORTS**

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**ON A MOTION BY** Trustee Maryniewski, seconded by Trustee Fusani, the building inspectors' reports were accepted as presented.

**REPORT OF THE VILLAGE ATTORNEY**

Gave Board a report on the Planning Board in the premeeting.

**REPORT OF THE VILLAGE ENGINEER**

State of the current projects: Sewer replacement – completed work except hydroplanting and trees which will be completed in the spring, sidewalk project is complete, sewer manhole work –waiting for repair of a gas leak.

**COMMITTEE REPORTS**

Trustee Monti – Tree Lighting is December 13<sup>th</sup> at 6 pm.

**UNFINISHED AND OTHER BUSINESS**

None

**APPROVE/TABLE/DENY USED CAR LICENSE – 5460 TRANSIT RD**

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

**WHEREAS**, James R. Mazzariello has applied for a Used Car License under the name of Jim Mazz Auto Collision & Sales inc. at 5460 Transit Rd. Depew NY,

**BE IT RESOLVED**, the Village Board APPROVES, the used car license. If approved the following stipulations will apply:

1. All parking spots are to be 10 feet wide and 18 feet long.
2. All vehicles must be parked five (5) feet from any public sidewalk.
3. The total number of used cars to be stored or put on display on the exterior of the property shall not exceed 17 in total amount.
4. The vehicles shall be arranged as per the parking plan submitted with the application.
5. No damaged cars being stored on the premises will be exposed to the public. A fence will be erected so as to keep this from happening.
6. No repair work is to be performed out of doors.
7. Each driveway shall have unobstructed width of 35 feet.
8. No vehicles in the building are to have more than ¼ tank of gasoline per NYS Fire Code Section 314.4.
9. If any exterior lighting is to be installed it shall be shielded from residential neighbors.
10. Sale of vehicles is limited to used cars, no trailers or campers, and any vehicle over six (6) feet in height will only be displayed on the Terrace Blvd side of building.
11. Used car license will only be issued when final parking plan drawings are submitted to the Village and approved by the appropriate individuals.

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

Trustee Fusani -Yes

Trustee Maryniewski -Yes

Trustee Hammer -Yes

Trustee Monti -Yes

Trustee Keefe -Yes

Mayor Alberti -Yes

Public comment from Trustee Fusani regarding the number of cars allowed, fence and the green area. Attorney Nosek wanted clarification of the five foot buffer. Trustee Hammer had questions regarding parking a car at the corner. Dan Beutler questioned snow removal.

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**PUBLIC CONCERNS AND COMMENTS**

Dan Beutler – 26 Tyler – EPA called and wanted to know if anyone had knowledge of dumping soil on the site as the EPA is trying to pursue any leads.  
Mayor Alberti wanted to welcome all the Boy Scouts from OLBS that were in attendance for the meeting.

**CLAIMS AND ACCOUNTS – 2009-13**

**ON A MOTION BY** Trustee Hammer, seconded by Trustee Fusani, the following claims are to be paid: General \$161,177.97, Community Development \$91,160.10, Sewer \$3,291.98. **CARRIED.**

**ADJOURNMENT**

**ON A MOTION BY** Trustee Monti, seconded by Trustee Keefe, the meeting was adjourned at **8:17 pm** , the motion was **CARRIED.**

Respectfully submitted,

Elizabeth C. Melock  
Village Administrator