



MEETINGS TO DATE: 25
NO. OF REGULARS: 24

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
March 25, 2024 7:00PM

PLEDGE OF ALLEGIANCE
INVOCATION -
NOTIFICATION OF FIRE EXITS

ROLL CALL: Trustee Hamernik
Trustee Ziembra
Trustee Kraft
Deputy Mayor Adolf
Mayor Peterson

APPROVE VILLAGE BOARD MEETING MINUTES – March 11, 2024
ACCEPT ZONING BOARD MEETING MINUTES – January 11, 2024

1. Bohler Engineering and Landscape Architecture on behalf of O'Reilly Auto Parts Store, for the property located at 6142 Transit Rd, Depew, NY 14043, of Chapter 260, §260-34(E)(1), requesting relief from 49 parking space requirement, to be allowed 35 parking spaces for an auto parts store and of Chapter 260, §260-37(E)(pylon)(2), to be allowed to erect a Pole/Pylon sign, requesting relief from maximum facial area permitted of 80 square feet, proposed sign would be 150 square feet - GRANTED

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing – Tentative Budget
2. Permission – Sign FireFly LOSAP program
3. Permission – Adopt Tax Cap Override
4. Permission to Advertise – Sidewalk Bids
5. Approve – Leave of Absence
6. Employment Applications – DPW – Joseph Aquino
7. Department Head Reports
8. Unfinished and Other Business
9. Public Concerns and Comments
10. Claims and Accounts
11. Adjournment

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for a public hearing for the tentative 2024 - 2025 budget to take place on Monday March 25, 2024 at 7:00 PM in the council chambers, 85 Manitou St, Depew, NY 14043.

**Village of Depew
Resolution of the Board of Trustees**

In the matter of approving the 2023 certified points

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

WHEREAS, the Village is the sponsor of a Length of Service Award Program (LOSAP) on behalf of the Depew Fire Department in accordance with Article 11-A of the New York State General Municipal Law (GML); and

WHEREAS, as required by GML § 219-a(2)(c), the Depew Fire Department has submitted the attached list, certified under oath, of active members of the Fire Department, indicating those volunteers who earned at least fifty points during 2023 to qualify for service credit; and

WHEREAS, the certification made by the Fire Department includes a statement that the points recorded on the attached list have been tabulated in accordance with the Point System adopted by the Village to be in effect during calendar year 2023, and to the best of the knowledge of the Fire Department, is a true and accurate reflection of the activities performed by the active members; and

WHEREAS, GML § 219-a(2)(d) requires the Board of Trustees (Board) to review and approve the attached list, then return it to the Fire Department to be posted for thirty days; and

WHEREAS, the Board has completed its review of the attached list; NOW,

THEREFORE BE ITRESOLVED, that the Board of Trustees approves the attached list of volunteer firefighters of the Depew Fire Department and the points earned by these firefighters during calendar year 2023; and

BE IT FURTHER RESOLVED, that a copy of this adopted resolution and the attached list shall be returned to the Fire Department for posting for a minimum of thirty days.

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

Trustee Hamernik -
Trustee Ziemba -
Trustee Kraft -
Deputy Mayor Adolf -
Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
MARCH 25, 2024

Agenda Item # 2

__Approved __Denied

ADOPT LOCAL LAW #1 OF 2024 – TAX CAP OVERRIDE

Trustee _____, 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 March 11, 2024, 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 authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c.

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

The purpose of the hearing was to consider Local Law 1 of 2024 authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c. If adopted, the proposed local law shall read as follows:

Section 1. Legislative Intent It is the intent of this local law to allow the Village of Depew to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law Section 3-c.

Section 2. Authority This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3: Tax Levy Limit Override The Board of Trustees of the Village of Depew, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4: Severability If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, form or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective date This local law shall take effect immediately upon filing with the Secretary of State.

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

Trustee Hamernik -
Trustee Ziemba -
Trustee Kraft -
Deputy Mayor Adolf -
Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
March 25, 2024

Agenda Item # 3

__Approved __Denied

RESOLUTION

March 25, 2024

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – SIDEWALKS

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for bids for the Sidewalk Improvement Projects for the Lancaster and Cheektowaga sides of the Village of Depew.

The bid opening will be held April 18, 2024 at 10:00 AM in the council chambers, 85 Manitou St, Depew, NY 14043.

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

Trustee Hamernik -
Trustee Ziemba -
Trustee Kraft -
Deputy Mayor Adolf -
Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
March 25, 2024
Agenda Item # 4

__Approved __Denied

RESOLUTION

March 25, 2024

APPROVE LEAVE OF ABSENCE REQUEST

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

WHEREAS, Alex Hangen, Village of Depew Police Officer has requested an unpaid medical leave of absence effective March 27, 2024 until the next CPS Law Enforcement Training Academy that starts in August 2024.

WHEREAS, Captain John Thomson, recommends the approval of this request.

NOW THEREFORE BE IT RESOLVED, the Village Board approves the period of leave stated above.

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

Trustee Hamernik -
Trustee Ziemba -
Trustee Kraft -
Deputy Mayor Adolf -
Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
March 25, 2024
Agenda Item # 5

__Approved __Denied