



MEETINGS TO DATE: 21

NO. OF REGULARS: 21

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW

February 13, 2023 7:00PM

PLEDGE OF ALLEGIANCE

INVOCATION -

NOTIFICATION OF FIRE EXITS

ROLL CALL: Trustee Adolf
 Trustee Ziemba
 Trustee Kucewicz
 Deputy Mayor Hamernik
 Mayor Peterson

APPROVE VILLAGE BOARD MEETING MINUTES – January 23, 2023

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Adopt Local Law #1 of 2023 – LOSAP Program
2. Appoint – Electrical Department
3. Permission – Short term additional responsibilities for the Mayor
4. Approve – Budget Modifications
5. Approve – Election inspectors compensation adjustments
6. Authorize – Advertise for Local Law #2 of 2023 public hearing
7. Permission – Advertise Public Hearing – 73 Main St. demo
8. Permission to sign – Burke Group
9. Permission to waive fee – St. Martha's Parish
10. Permission – Street Lights
11. Employment Applications
12. Department Head Reports – Building January 2023, Police January 2023
13. Unfinished and Other Business
14. Public Concerns and Comments
15. Claims and Accounts
16. Adjournment –
 A moment of silence for Terry Wachowiak, Village Administrator and Thelma Dabb, Mother In Law of Melissa Dabb.

SERVICE AWARD PROGRAM

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

WHEREAS the eligible voting residents of the Village of Depew approved a referendum to establish a defined benefit Length of Service Award Program (a “LOSAP”) for active volunteer firefighters of the Depew Fire Department in accordance with Article 11-A of the New York State General Municipal Law (GML);

WHEREAS the Village is the LOSAP Sponsor and Program Administrator;

WHEREAS GML § 216 authorizes the Village, as LOSAP Sponsor, to amend the LOSAP;

WHEREAS an active volunteer firefighter member currently earns a \$20 monthly Service Award for each year of Service Credit, payable at the Entitlement Age of sixty-two (62);

WHEREAS a participating active volunteer firefighter obtains a nonforfeitable right to a Service Award upon earning five (5) years of Service Credit, attaining the Entitlement Age of 62, or upon death or total and permanent disability;

WHEREAS under the current LOSAP provisions, the maximum number of years of Service Credit an active volunteer firefighter may earn is 30 years, which represents a maximum monthly Service Award of \$600;

WHEREAS a year of Service Credit is earned for each calendar year during which an active volunteer firefighter earns 50 or more points. Points are awarded for activities such as attending training sessions, participating in drills, responding to calls, being an officer, and more;

WHEREAS Chapter 400 of the Laws of 2021 amended GML § 219 to allow a LOSAP Sponsor to extend the maximum number of years of Service Credit for which a participating active volunteer firefighter may earn a Service Award to a maximum of 50 years;

WHEREAS the Board of Trustees desires to amend the LOSAP to extend the maximum years of Service Credit for which a participating active volunteer can earn a Service Award from 30 to 50 years; and

WHEREAS, this amendment is consistent with the intent of the LOSAP to recruit, retain and reward volunteer firefighters;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Depew, Towns of Cheektowaga and Lancaster, County of Erie, State of New York, as authorized by Article 11-A of the GML, approves an amendment to the LOSAP pursuant to Chapter 400 of the Laws of 2021 to extend the maximum years of Service Credit that may be earned under its LOSAP from 30 to 50 years and, therefore, the maximum projected monthly Service Award from \$600 to \$1,000, effective January 1, 2024. The normal funding contribution for the LOSAP is currently estimated to be about \$280,000. Of this total contribution, the component attributable to each participating volunteer firefighter that earns Service Credit averages about \$1,700. As a result of this amendment, the annual contribution requirement will increase by approximately \$25,000 to an estimated amount of \$305,000. The contribution per year of Service Credit earned will increase to an average of \$1,750. The Village pays an additional \$10,500 annually in actuarial, administrative and payment processing expenses which will not change as a result of this amendment.

BE IT FURTHER RESOLVED that this resolution is subject to a mandatory referendum of qualified voters of the Village of Depew and said referendum shall be held on March 21, 2023, between the hours of 12 PM and 9 PM (prevailing time) at 85 Manitou Street Depew, NY 14043.

BE IT FURTHER RESOLVED that the proposition placed before the qualified voters read as follows:

THE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW, TOWNS OF CHEEKTOWAGA AND LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, IN A RESOLUTION ADOPTED FEBRUARY 13, 2023, APPROVED AN AMENDMENT OF THE DEFINED BENEFIT LENGTH OF SERVICE AWARD PROGRAM, ADMINISTERED BY THE VILLAGE AND ESTABLISHED FOR ACTIVE VOLUNTEER FIREFIGHTERS OF THE DEPEW FIRE DEPARTMENT, TO EXTEND THE MAXIMUM YEARS OF SERVICE CREDIT FOR WHICH A PARTICIPATING ACTIVE VOLUNTEER FIREFIGHTER MAY EARN A SERVICE AWARD FROM 30 TO 50 YEARS AND, THEREFORE, THE MAXIMUM PROJECTED MONTHLY SERVICE AWARD FROM \$600 TO \$1,000, EFFECTIVE JANUARY 1, 2024.

THE NORMAL FUNDING CONTRIBUTION FOR THE PROGRAM IS CURRENTLY ABOUT \$280,000, WHICH INCLUDES AN AVERAGE CONTRIBUTION FOR EACH FIREFIGHTER THAT EARNS SERVICE CREDIT OF APPROXIMATELY \$1,700. AS A RESULT OF THIS AMENDMENT, THE ANNUAL REQUIRED CONTRIBUTION IS EXPECTED TO INCREASE BY \$25,000 TO APPROXIMATELY \$305,000, AND THE AVERAGE CONTRIBUTION FOR EACH PARTICIPATING VOLUNTEER FIREFIGHTER THAT EARNS SERVICE CREDIT WILL ALSO INCREASE TO ABOUT \$1,750. THE VILLAGE PAYS ADDITIONAL ANNUAL ACTUARIAL, ADMINISTRATIVE AND PAYMENT PROCESSING COSTS OF ABOUT \$10,500 WHICH WILL NOT CHANGE AS A RESULT OF THIS AMENDMENT.

SHALL THE STATED RESOLUTION OF THE BOARD OF TRUSTEES BE APPROVED?

BE IT FURTHER RESOLVED that the LOSAP shall continue to be administered by the Village and that all other provisions of the LOSAP shall remain the same.

Trustee _____ seconded the motion, and upon roll call the vote of the Board was as follows:

Trustee _____	Aye / Nay / Absent
Trustee _____	Aye / Nay / Absent
Trustee _____	Aye / Nay / Absent
Trustee _____	Aye / Nay / Absent
Trustee _____	Aye / Nay / Absent

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

Agenda Item # 1

__Approved __Denied

RESOLUTION

February 13, 2023

APPOINT PART TIME – ELECTRICAL DEPARTMENT

Pursuant to Section 4-400 of Village Law, I, Mayor Kevin Peterson hereby appoint:

John Alba

to the position of Part time employee in the Electrical Department at the hourly rate of \$20.00.

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

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

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

AGENDA ITEM # 2

☐ Approved ☐ Denied

RESOLUTION

February 13, 2023

PERMISSION – SHORT TERM ADDITIONAL RESPONSIBILITIES FOR THE MAYOR

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

BE IT RESOLVED, Mayor Kevin Peterson is authorized take on the duties of the Village Administrator in case of an absence of the village administrator, this would include the of signing checks or any other activities that the administrator would normally deal with.

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

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

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

Agenda Item # 3

__Approved __Denied

RESOLUTION

February 13, 2023

MODIFY 2022/2023 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2022/2023 Budget in the following manner:

1. 10.4.2770 - \$19,800
10.5.1130.210 - \$19,800
2. 10.4.2770 - \$14,600
10.5.5110.481 - \$14,600

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

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

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

Agenda Item # 4

__Approved __Denied

RESOLUTION

February 13, 2023

APPROVE – ELECTION INSPECTORS COMPENSATION ADJUSTMENTS

Trustee_____, offered the following resolution and moved for its adoption:

WHEREAS, the Village of Depew Mayor and The Board of Trustees desire to adjust the compensation for the election inspectors for the Village of Depew elections.

BE IT RESOLVED that the new compensation for the election inspectors for the Village of Depew elections that covers a full 11-hour shift are hereby approved.

Co-Chairman - \$185

Poll Worker - \$165

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

Trustee Adolf -

Trustee Ziemba -

Trustee Kucewicz -

Deputy Mayor Hamernik -

Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

Agenda Item # 5

___Approved ___Denied

RESOLUTION

February 13, 2023

**AUTHORIZE DEPUTY VILLAGE CLERK TO ADVERTISE FOR A PUBLIC
HEARING FOR LOCAL LAW #2 of 2023**

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

BE IT RESOLVED, the Deputy Village Clerk is hereby authorized to advertise for a Public Hearing to discuss the enacting of Local Law #2 of 2023 for the Volunteer Firefighters and Ambulance Workers Tax Exemption. The public hearing will take place at 85 Manitou St, Depew, NY 14043 in the Council Chambers on February 27, 2023.

The forgoing resolution was seconded by Trustee _____ and CARRIED.

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023
Agenda Item # 6

___Approved ___Denied

AUTHORIZE DEPUTY VILLAGE CLERK TO ADVERTISE FOR A PUBLIC HEARING

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

BE IT RESOLVED, the Deputy Village Clerk is hereby authorized to advertise for a Public Hearing to discuss the unsafe condition and the property owner's refusal to comply, now requires the demolition of 73 Main Street, Depew, New York. The public hearing will take place at 85 Manitou St, Depew, NY 14043 in the Council Chambers on February 27, 2023.

The forgoing resolution was seconded by Trustee _____ and CARRIED.

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023
Agenda Item # 7

___Approved ___Denied

RESOLUTION

February 13, 2023

PERMISSION TO SIGN – SERVICE AGREEMENT

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

BE IT RESOLVED, Mayor Kevin Peterson is authorized to sign the service agreement with Burke Group for services regarding the GASB 75 valuation services for their post retirement health care plans.

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

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

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

Agenda Item # 8

__Approved __Denied

RESOLUTION

February 13, 2023

PERMISSION –WAIVE PERMIT FEE

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

WHEREAS, St. Martha's Parish, 10 French Rd, Depew, NY 14043 has requested permission to waive the sign permit fee for the portable temporary sign at OLBS School/St. Martha's Parish.

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to St. Martha's Parish, 10 French Rd, Depew, NY 14043 to waive the sign permit fee for the portable temporary sign at OLBS School/St. Martha's Parish.

The forgoing resolution was seconded by Trustee _____ and **CARRIED**.

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

Agenda Item # 9

__Approved __Denied

RESOLUTION

February 13, 2023

PERMISSION –STREET LIGHTS

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

WHEREAS, it has been brought to the attention of Mayor Kevin Peterson and the Village of Depew Board of Trustees that there is only one streetlight on Middlesex Dr, in Depew, NY and it has been confirmed to be true.

THEREFORE, BE IT RESOLVED, the Village of Depew will add another streetlight to an existing pole on the Middlesex Dr, Depew, NY and the village will incur the costs of the lights and any other associated costs that may occur.

And

WHEREAS, it has been brought to the attention of Mayor Kevin Peterson and the Village of Depew Board of Trustees that there needs to be another streetlight on Arlington Pl, in Depew, NY.

THEREFORE, BE IT RESOLVED, the Village of Depew will add another streetlight, which will need to be wired on Arlington Ave, Depew, NY the village will incur the costs of the lights and any other associated costs that may occur.

The forgoing resolutions were seconded by Trustee _____ and put to a roll call vote:

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

VILLAGE OF DEPEW
BOARD MEETING
February 13, 2023

Agenda Item # 10

☐ Approved ☐ Denied

Streetlight Request Form

Service Class 3

NYSEG

Customer Information

Municipality Name Village of Depew	NYSEG Account # 10013627202
Authorized Representative Mayor- Kevin Peterson	Telephone 716-683-7451

Fixtures

<input checked="" type="checkbox"/> Install <input type="checkbox"/> Remove	Line 2095	Pole 5-1	Watts 4500 Lumen	Lamp Type LED	Fixture Style cobra head	Mast Arm Length 14ft
<input checked="" type="checkbox"/> Install <input type="checkbox"/> Remove	Line 2174	Pole 1-1	Watts 4500 Lumen	Lamp Type LED	Fixture Style cobra head	Mast Arm Length 14ft
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Watts	Lamp Type	Fixture Style	Mast Arm Length
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Watts	Lamp Type	Fixture Style	Mast Arm Length
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Watts	Lamp Type	Fixture Style	Mast Arm Length
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Watts	Lamp Type	Fixture Style	Mast Arm Length

Poles

<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Material	Length	Base
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Material	Length	Base
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Material	Length	Base
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Material	Length	Base
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Material	Length	Base
<input type="checkbox"/> Install <input type="checkbox"/> Remove	Line	Pole	Material	Length	Base

Project Notes

Customer would like the street lights installed on L2095, P5-1 & L2174, P1-1.

The streetlight on Middlesex Rd-L2095, P5-1 will need a span of wire to feed it from L2174, P1. This will be billed to the customer upfront.

X

Authorized Representative	Signature	Title	Date
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Additional information and available fixture and pole options are shown on the back of this form.

For NYSEG use only			
Installation:	Received:	SN:	CCS Updated:

Service Class 3

NYSEG Owned, Installed and Maintained Equipment

Available Options - Standard Fixtures

Fixt. Style	Wattage	Lamp Type	Fixt. Style	Wattage	Lamp Type	Fixt. Style	Wattage	Lamp Type
Cobrahead	70	HPS	Cobrahead	4500 Lumen	LED 3000 or 4000 Kelvin	Post Top	175	MH
Cobrahead	100	HPS	Cobrahead	6700 Lumen	LED 3000 or 4000 Kelvin	Shoebox	250	HPS
Cobrahead	150	HPS	Cobrahead	10,000 Lumen	LED 3000 or 4000 Kelvin	Shoebox	400	HPS
Cobrahead	250	HPS	Cobrahead	15,000 Lumen	LED 3000 or 4000 Kelvin	Shoebox	175	MH
Cobrahead	400	HPS	Post Top	50	HPS	Shoebox	250	MH
Cobrahead	1000	HPS	Post Top	70	HPS	Shoebox	400	MH
Cobrahead	250	MH	Post Top	100	HPS			
Cobrahead	400	MH	Post Top	150	HPS			
Cobrahead	2000 Lumen	LED 3000 or 4000 Kelvin	Post Top	70	MH			
Cobrahead	3000 Lumen	LED 3000 or 4000 Kelvin	Post Top	100	MH			

Available Options - Special Fixtures

Fixt. Style	Wattage	Lamp Type	Fixt. Style	Wattage	Lamp Type
Hiway	250	HPS	Flood	150	HPS
Hiway	400	HPS	Flood	250	HPS
Turnpike	150	HPS	Flood	400	HPS
Turnpike	250	HPS	Flood	250	MH
Turnpike	400	HPS	Flood	400	MH

Available Options - Poles

Material	Length	Desc.	Material	Length	Desc.	Material	Length	Desc.
Wood	< 45'	Standard	Aluminum	<= 16'	Direct Embed	Fiberglass	<= 18'	Direct Embed
Wood	>= 45'	High Mnt.	Aluminum	> 16'	Direct Embed	Fiberglass	> 18'	Direct Embed
			Aluminum	> 16'	Pedestal Mount			

Available Options - Bases for Pedestal Mount Poles

Concrete Base	Screw-in Base (light duty)	Screw-in Base (heavy duty)
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Available Options - Mastarms

Length	Length	Length	Length	Length	Length	Length	Length	Length
6'	8'	10'	12'	14'	16'	18'	20'	22'

Other Information:

- 1) This form must be submitted to your NYSEG representative along with written authorization from the municipality to install or remove the equipment indicated.
- 2) Please include a sketch/layout if new poles are being installed.
- 3) It is the customer's responsibility to select the Fixture Style, Lamp Type and Wattage. NYSEG does not provide lighting design services.
- 4) Additional information regarding NYSEG Streetlight service can be found in NYSEG's Streetlight Tariff.
- 5) Please contact your NYSEG representative for more information on available pole options.
- 6) Please contact your NYSEG representative for more information regarding additional requirements and applicable charges.