

Village of Depew, NEW YORK

"The Village of Unexcelled Opportunity"



MEETINGS TO DATE: 26

NO. OF REGULARS: 25

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW

March 27, 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 – March 13, 2023

APPROVE CANVASS THE VOTE MEETING MINUTES – March 22, 2023

ACCEPT ZONING BOARD MEETING MINUTES – March 9, 2023

1. Ryan Renshaw, of Schenne & Associates on behalf of The Muslim Community Center of WNY, for the property located 559 Penora St Depew, NY 14043, of Chapter 260, §260-32(B)(1) and Chapter 260, §260-32(B)(2) to comply with the standards for a community building/place of worship in an R-2 zone. Granted.
2. Deborah Turley on behalf of The Depew Community Action Team, for the property located 570 Gould Ave Depew, NY 14043, of Chapter 260, §260-32(B)(1) and Chapter 260, §260-32(B)(2) and Chapter 260, §260-32(B)(3) to comply with the standards for a community building/place of worship in an R-2 zone. Granted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing – Tax Cap Override
2. Public Hearing – Tentative Budget
3. Permission – Police Training
4. Permission – Historian Conference
5. Permission to Sign – J. O'Connell & Associates
6. Adopt – Tax Cap Override
7. Permission to Advertise – Budget workshop
8. Employment Applications
9. Department Head Reports – Police February 2023
10. Unfinished and Other Business
11. Public Concerns and Comments
12. Claims and Accounts
13. Executive Session
14. Adjournment

COUNTY OF ERIE

NOTICE OF PUBLIC HEARING

BE IT RESOLVED; the Deputy Village Clerk is authorized to advertise for a public hearing. The public hearing will be held on Monday March 27, 2023 at 7:00 PM in the Council Chambers, Village Hall, 85 Manitou St, Depew, NY 14043.

The purpose of this hearing is to consider Local Law 3 of 2023 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, 2023 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, 2023 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, firm 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.

COUNTY OF ERIE

NOTICE OF PUBLIC HEARING

BE IT RESOLVED, the Deputy Village Clerk of The Village of Depew is hereby authorized to advertise for a public hearing for the tentative 2023 - 2024 budget to take place on Monday March 27, 2023 in the council chambers, Village Hall, 85 Manitou St, Depew, NY 14043.

RESOLUTION

March 27, 2023

PERMISSION – POLICE DEPARTMENT

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

WHEREAS, Permission is hereby granted to Det. Smith to attend the managing Narcotics informants course, being held at 219 Lamson St, Syracuse NY, 13206 on March 28-30, 2023.

THEREFORE, BE IT RESOLVED: The above 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
March 27, 2023

Agenda Item # 3

___Approved ___Denied

RESOLUTION

March 27, 2023

PERMISSION – HISTORIAN CONFERENCE

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

WHEREAS, Permission is hereby granted to Theresa Wolfe, village historian to attend the Annual Conference and Meeting of the Erie County Historical Federation on Saturday April 29, 2023 at The Whistle Stop Inn, 1338 Exchange St, Alden, NY 14004.

THEREFORE, BE IT RESOLVED: The above 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
March 27, 2023

Agenda Item # 4

___Approved ___Denied

AUTHORIZE MAYOR TO SIGN PROFESSIONAL SERVICES AGREEMENT

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

WHEREAS, the Village of Depew would like to use J. O'Connell & Associates for a professional services agreement for the purposes of grants administration for the CFA Fireman's Park Inclusive Recreation Improvements #118682.

NOW THEREFORE BE IT RESOLVED, that Mayor Kevin Peterson is authorized to sign the J. O'Connell & Associates professional services agreement.

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
March 27, 2023

Agenda Item # 5

__Approved __Denied

ADOPT LOCAL LAW #3 OF 2023 – 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 27, 2023, 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 3 of 2023 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, 2023 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, 2023 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 Adolf -
Trustee Ziemba -
Trustee Kucewicz -
Deputy Mayor Hamernik -
Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
March 27, 2023

Agenda Item # 6

__Approved __Denied

RESOLUTION

March 27, 2023

**AUTHORIZE DEPUTY VILLAGE CLERK TO ADVERTISE BUDGET
WORKSHOP**

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

The Deputy Village Clerk is authorized to advertise a special meeting for a Village Board Budget Workshop to be held beginning at 6pm on April 11, 2023 in the Conference Room.

The foregoing resolution was seconded by Trustee_____ and **CARRIED.**

VILLAGE OF DEPEW
BOARD MEETING
March 27, 2023
Agenda Item # 7

__Approved __Denied