

Village of Depew, NEW YORK

"The Village of Unexcelled Opportunity"



MEETINGS TO DATE: 16

NO. OF REGULARS: 16

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW

November 14, 2022 7:00PM

PLEDGE OF ALLEGIANCE

INVOCATION - DEACON ALAN STRAUSS FROM CHRIST THE HOLY SERVANT

NOTIFICATION OF FIRE EXITS

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

APPROVE VILLAGE BOARD MEETING MINUTES – October 24, 2022

ACCEPT ZONING BOARD MINUTES - October 27, 2022

1. Shamsur R. Shaheen for the property located at 29 Ridgeview St, of Chapter 260, §260-14(B)(1)(h), to allow him to construct a driveway within the required minimum setback of three feet to any interior, rear or exterior property line and such driveway does not project greater than five feet directly in front of the principal dwelling. Granted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing – Tax Exemption
2. Permission – Advertise Public Hearing – Short Term Rentals
3. Approve – Position Creation – Police Dept
4. Approve – Modify Budget
5. Approve – Permission to Sign – Firefly
6. Permission – Christmasville Parade
7. Approve – Permit Fee Waive
8. Approve – Return Unpaid Taxes
9. Department Head Reports – Police October 2022
10. Employment Applications – Rec Genevieve Anna, Joshua Fleck
11. Unfinished and Other Business
12. Public Concerns and Comments
13. Claims and Accounts
14. EXECUTIVE SESSION
15. Adjournment

Village of Depew
Notice of Public Hearing

The Village of Depew will hold a public hearing to discuss the enacting of Local Law #3 – senior and disability tax exemption for the Village of Depew, Town of Lancaster and Village of Depew, Town of Cheektowaga. The public hearing will take place at 85 Manitou St, Depew, NY 14043 in the Council Chambers on November 14, 2022. The meeting room is wheelchair accessible.

By order of the
Board of Trustees
Teresa Wachowiak
Village Administrator

RESOLUTION

November 14, 2022

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR A PUBLIC HEARING FOR LOCAL
LAW #4 - SHORT-TERM RENTALS**

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for a Public Hearing to discuss the enacting of Local Law #4 for short term rentals. The public hearing will take place at 85 Manitou St, Depew, NY 14043 in the Council Chambers on December 12, 2022.

The forgoing resolution was seconded by Trustee _____ and CARRIED.

VILLAGE OF DEPEW
BOARD MEETING
November 14, 2022
Agenda Item # 2

___Approved ___Denied

Resolution

November 14, 2022

APPROVE CREATION OF POSITION – FULL TIME POLICE CLERK

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

BE IT RESOLVED, that the position of Full Time Police Clerk, 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 _____, 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
November 14, 2022

Agenda Item # 3

____Approved ____Denied

RESOLUTION

November 14, 2022

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 manners:

Revenue – 10.4.2770- Plow - \$2,811.44
Expenditures– 10.5.1640.453 - \$2,811.44

Revenue – 10.4.2770 – Motor - \$3,150.00
Expenditures – 10.5.1640.419 - \$3,150.00

Revenue – 10.4.2770 – Auction items - \$30,000
Expenditures – 10.5.3120.435 -Auction Items - \$30,000

Revenue – 10.4.2770 – Loyalty Reward - \$8,541.00
Expenditures – 10.5.9040.800 - \$8,541.00

Revenue – 10.4.2770 – Dump Truck - \$70,000
Expenditures – 10.5.5110.481 - \$70,000

Revenue – 10.4.2700- Fair Award - \$180.00
Expenditures – 10.5.7510.200 - \$180

Revenue – 10.4.2770 – Accadia Auction - \$9,924.26
Expenditures – 10.5.3210.00 - \$9,924.26

Revenue – Scrap - \$493.66
Expenditures – 10.5.1640.419 - \$493.66

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
November 14, 2022

Agenda Item # 4

__Approved __Denied

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

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

In the matter of changing the Village's LOSAP vendors

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

WHEREAS, the GML requires the Village to engage the services of an actuary for the purpose of determining the annual amount required to be contributed to the LOSAP trust fund; and

WHEREAS, the Village also engages a professional investment portfolio manager/advisor to provide advice for the investment of the LOSAP assets as well as a firm to be the custodian of the LOSAP assets; and

WHEREAS, the Village's LOSAP Committee has interviewed new firms and solicited competitive fee quotes from these firms; and

WHEREAS, the Village LOSAP Committee has recommended to the Village Board that new firms would improve the services being provided to the Village; NOW, THEREFORE BE IT

RESOLVED, that the Village retains Firefly Admin Inc. to be the actuary and to provide third-party administrative and payment services for the LOSAPs for the period November 1, 2022 to December 31, 2025, pursuant to their Engagement Letter and Payment Services Agreement.

BE IT FURTHER RESOLVED, that the Village retains CAPTRUST to be Portfolio Manager/Advisor for the LOSAP assets and Charles Schwab to be the new custodian of the LOSAP assets. The agreements with CAPTRUST and Charles Schwab are perpetual and will terminate at the discretion of the Board.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute the necessary documents and agreements to facilitate the transition.

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
November 14, 2022

Agenda Item # 5

____Approved ____Denied

RESOLUTION

November 14, 2022

PERMISSION – POLICE DEPARTMENT

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

Permission is hereby granted to The Depew Police Department to participate in the Annual Christmasville Parade in Lancaster, NY 14086 from 5pm to 9pm on Saturday November 26, 2022.

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

VILLAGE OF DEPEW
BOARD MEETING
November 14, 2022
Agenda Item # 6
___Approved ___Denied

RESOLUTION

November 14, 2022

PERMISSION –WAIVE PERMIT FEE

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

WHEREAS, The Depew High School music department is asking for the sign permit fees to be waived for their November 12, 2022 and April 1, 2023 craft shows. A sign will be placed in front of the high school by Transit Rd to advertise the craft shows.

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to The Depew High School music department to waive the permit fees for the sign advertising the craft shows.

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
November 14, 2022

Agenda Item # 7

__Approved __Denied

RESOLUTION

NOVEMBER 14, 2022

RETURN UNPAID TAXES TO COUNTY OF ERIE

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

BE IT RESOLVED, the report of the Village Administrator, showing that in accordance with Article 14, Section 1436, Paragraph 2 of the Real Property Tax Law, is returning to the County of Erie, Department of Finance the 2022-2023 unpaid Village Tax accounts together with the unpaid sewer account pursuant to verification and certification of the Board of Trustees, and also that as of November 1, 2022, has collected the sum of \$11,042,038.51 leaving a balance of \$218,747.93. In accordance with section 987 of Real Property Tax Law, the Village has imposed a fee of \$2.00 per parcel for the "Notice of Unpaid Taxes"; the Administrator has added \$462.00 to the balance, we are also adding the unpaid lawn mowing charges of \$12,102.87, thereby leaving a balance of \$231,312.80, which has been transferred to Account A440, Due from Other Governments, for further collection on the Town/County bill, is hereby accepted.

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
NOVEMBER 14, 2022
Agenda Item # 8

___Approved ___Denied