

Village of Depew, NEW YORK

"The Village of Unexcelled Opportunity"



MEETINGS TO DATE: 24

NO. OF REGULARS: 24

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW

March 8, 2021 7:00PM

PLEDGE OF ALLEGIANCE

INVOCATION – PASTOR REBECCA MENTZER FROM PRINCE OF PEACE LUTHERAN CHURCH

ROLL CALL:

Trustee Hamernik

Trustee Voll

Trustee Stempniak

Deputy Mayor Jakubowski

Mayor Peterson

APPROVE VILLAGE BOARD MINUTES – February 22, 2021

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing - Police Reform and Reinvention Collaborative
2. Public Hearing - Amending Local Law #3 of 2019 – Solid Waste
3. Perm to Advertise – Tax Cap Override
4. Permission to Advertise – Special Meeting – Canvass the Vote
5. Approve – James Taton
6. Department Head Reports – Building February 2021
7. Employment Applications – DPW – Marc Adamberger, Rec – Luisa Pyc
8. Unfinished and Other Business –
9. Public Concerns and Comments
10. Claims and Accounts
11. Adjournment

Village of Depew
Notice of Public Hearing

A public hearing will be held on Monday March 8, 2021 at 7:00 PM in the Depew Village Hall Council Chambers The purpose of the hearing is to discuss The Police Reform and Reinvention Collaborative to review and allow discussion about the report that will be sent to Governor Cuomo's office by April 1st. The meeting room is wheelchair accessible.

By order of the
Board of Trustees
Teresa Wachowiak
Village Administrator

Village of Depew
Notice of Public Hearing

A public hearing will be held on Monday March 8, 2021 at 7:00PM in the Depew Village Hall Council Chambers The purposes of the hearing is to discuss the possibility of the amendment of Local Law #3 of 2019 – Solid Waste. The meeting room is wheelchair accessible.

By order of the
Board of Trustees
Teresa Wachowiak
Village Administrator

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING TAX CAP
OVERRIDE – LOCAL LAW #2 OF 2021**

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

Be It Resolved; the Village Administrator is authorized to advertise for a public hearing. The public hearing will be held on Monday March 22, 2021 at 7:00 pm in the Council Chambers. The purpose of this hearing is to consider Local Law 2 of 2021 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, 2021 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, 2021 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 foregoing resolution was seconded by Trustee _____ and duly put to a roll call vote which resulted in the following:

Trustee Hamernik -
Trustee Voll -
Trustee Stempniak
Deputy Mayor Jakubowski -
Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
March 8, 2021

Agenda Item# 3

__Approved __Denied

RESOLUTION

March 8, 2021

AUTHORIZE ADMINISTRATOR TO ADVERTISE CANVASS THE VOTE

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

The Administrator is authorized to advertise a special meeting to Canvass the Vote of the March 16, 2021 Village Election, the meeting will take place on March 17, 2021 at 7 PM.

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

VILLAGE OF DEPEW
BOARD MEETING
March 8, 2021
Agenda Item # 4

__Approved __Denied

RESOLUTION

March 8, 2021

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

WHEREAS, Retiree James Taton filed a Notice of Claim, against the Village of Depew, on or about November 9, 2020, alleging that Village breached its contractual obligations to him as a retiree by failing to reimburse him for certain health insurance premium expenses in accordance with the collective bargaining agreement in place at the time of Mr. Taton's retirement on January 22, 2012 (the "CBA");

and

WHEREAS, The Village of Depew responded to the Notice of Claim, denying Mr. Taton's allegations and alleging, amongst other things, that Mr. Taton failed to provide documentation to substantiate the health insurance premium expenses incurred;

And

WHEREAS, Mr. Taton has now provided documentation substantiating the health insurance premium expenses incurred, in satisfaction of the Village's demand;

And

WHEREAS, Mr. Taton and the Village of Depew are desirous of settling this matter without the necessity of further litigation, and other proceedings, and expending the costs, expenses, resources, and time thereon.

NOW THEREFORE BE IT RESOLVED THAT, The Village Board of Trustees hereby authorizes the Village Mayor to execute a Stipulation of Settlement between James Taton and the Village of Depew wherein Mr. Taton agrees to withdraw the Notice of Claim and continue submitting documentation to substantiate any future reimbursable health insurance premium expenses; and wherein the Village agrees to pay Mr. Taton \$1,970.45, which represents unreimbursed health insurance premium expenses paid by Mr. Taton, for which he has now submitted documentation, satisfactory to the Village, to substantiate these expenses; thereby making them reimbursable to him under the CBA.

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

Trustee Hamernik -
Trustee Voll -
Trustee Stempniak
Deputy Mayor Jakubowski -
Mayor Peterson -

VILLAGE OF DEPEW
BOARD MEETING
March 8, 2021
Agenda Item # 5

__Approved __Denied