

Village of Depew, NEW YORK

"The Village of Unexcelled Opportunity"



MEETINGS TO DATE: 20
NO. OF REGULARS: 20

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
FEBRUARY 24, 2014 7:00PM

ROLL CALL: Trustee Hammer
Trustee Nolder
Trustee Pecora
Trustee Kucewicz
Mayor Hoffman

PLEDGE OF ALLEGIANCE

INVOCATION

NOTIFICATION OF FIRE EXITS

APPROVE VILLAGE BOARD MINUTES FEB 10, 2014

ACCEPT ZONING BOARD MINUTES FEB 13, 2014

CIVIL AIR PATROL PRESENTATION

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing Local Law 1 of 2014 – Tax Cap Override
2. Adopt/Table Local Law 1 of 2014 – Tax Cap Override
3. Authorize Administrator to Advertise for Public Hearing – Budget 2014-2015
4. Approve Inter-Municipal Agreement – Village of Alden
5. Authorize Mayor to Sign Credit Card Agreement
6. Modify Budget Copiers
7. Service Award Resolution
8. NYS Retirement Resolution
9. Permission Fire Dept
10. Permission Lancaster Town Band
11. Permission Seminar
12. Tree Trimming/Removal:
13. Employment Applications: DPW Summer – Brandon Atlas, Jordan Partyka; DPW – Keith Wesolek
14. Department Head Reports: Building Dept Jan 2014
15. Committee Reports:
16. Unfinished and Other Business
17. Public Concerns and Comments
18. Claims and Accounts
19. Adjournment

ADOPT/TABLE LOCAL LAW #1 OF 2014 – 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 February 24, 2014 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;

NOW THEREFORE, BE IT RESOLVED, this local law is hereby adopted/tabled.

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, 2014 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, 2014 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.

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

- Trustee Hammer –
- Trustee Nolder –
- Trustee Pecora –
- Trustee Kucewicz–
- Mayor Hoffman –

VILLAGE OF DEPEW BOARD MEETING FEBRUARY 24, 2014
<u>Agenda Item # 2</u>
_Approved __ Denied

EXHIBIT A

EAF and Negative Declaration

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Village of Depew	2. PROJECT NAME Local Law 1 of 2014 - Tax Cap Override
3. PROJECT LOCATION: Municipality Village of Depew County Eric	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Entire Village	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Adopt Local Law 1 of 2014 - 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 of said governing body.	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Steven Hoffman</u> Date: <u>2/24/14</u> Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
n/a

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
n/a

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
n/a

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
n/a

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
n/a

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
n/a

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
n/a

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Village of Depew

2/24/14

Name of Lead Agency

Date

Steven Hoffman

Mayor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)



State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

Project Number LL 1 of 2014

Date: 2/24/14

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Depew as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Adopt Local Law 1 of 2014 - Tax Cap Override

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Local Law 1 of 2014 - Tax Cap Override - expressly authorizes a local government's governing body to override the property tax cap for the coming a fiscal year by adoption of the local law approved by a vote of sixty percent of said governing body.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Entire Village

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

To allow the Village of Depew to adopt their budget.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Steven Hoffman

Address: 85 Manitou St Depew NY 14043

Telephone Number: 716-681-4396

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

EXHIBIT B

Local Law

Section 1. Legislative Intent

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Section 5: Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION

FEBRUARY 24, 2014

AUTHORIZE ADMINISTRATOR TO ADVERTISE PUBLIC HEARING FOR THE TENTATIVE BUDGET FOR THE YEAR 2014/2015

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

BE IT RESOLVED, that the Village Administrator is authorized to advertise for a public hearing on the Tentative Budget for the Year 2014/2015, to be held on March 10, 2014 at 7:00 PM in the Village of Depew Council Chambers.

The following resolution was seconded by Trustee _____, and **CARRIED**.

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item # 3

___Approved ___Denied

AUTHORIZE MAYOR TO SIGN INTERMUNICIPAL AGREEMENT

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

NOW, THEREFORE, BE IT RESOLVED, that Mayor Steven Hoffman is authorized to execute an inter-municipal agreement with the Village of Alden to have the Depew Police Department perform background checks for the Village of Alden for a fee of \$75 per background check.

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

Trustee Hammer –
Trustee Nolder –
Trustee Pecora –
Trustee Kucewicz –
Mayor Hoffman –

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item #4

 Approved Denied

AUTHORIZE MAYOR TO SIGN CREDIT CARD AGREEMENT

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

BE IT RESOLVED, that Mayor Steven Hoffman, is authorized to sign agreement with LINK2GOV Corporation, an FIS Company, 113 Seaboard Lane, Suite 200A, Franklin, TN 37067 for a three year term beginning February 28, 2014 for PayDirect Services (online credit and e-check services and counter credit services) for the Clerk/Treasurer's Office. The fee charged to the user is 2.6% for credit and debit cards and \$1.49 for eChecks.

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

Trustee Hammer –
Trustee Nolder –
Trustee Pecora –
Trustee Kucewicz –
Mayor Hoffman –

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item # 5

___Approved ___Denied

MODIFY 2013/2014 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2013/2014 Budget in the following manner:

- Increase Budgeted Revenues – Minor Sales- 4-2655- \$7931.85 – copier returns
- Increase Budgeted Expenses – Clerk/Treasurer’s Office – Contractual Services – 5-1410-435 - \$3984.15
- Increase Budgeted Expenses – Police Dept – Contractual Services – 5-3120-435 - \$2274.70
- Increase Budgeted Expenses – Justice Court Office – Contractual Services – 5-1130-435 - \$1673.00

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

- Trustee Hammer –
- Trustee Nolder –
- Trustee Pecora –
- Trustee Kucewicz –
- Mayor Hoffman –

<p>VILLAGE OF DEPEW BOARD MEETING FEBRUARY 24, 2014</p> <p>Agenda Item #6</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p>

RESOLUTION

FEBRUARY 24, 2014

AUTHORIZE MAYOR TO SIGN PENFLEX AUTHORIZATION FORM FOR 2013 SERVICE AWARD PROGRAM

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

BE IT RESOLVED, that Mayor Steven Hoffman, is authorized to sign the 2013 Service Award Program Administration Form and forward to Penflex, Inc for the purpose of administering the 2013 Service Award Program for Depew Firefighters.

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

Trustee Hammer –
Trustee Nolder –
Trustee Pecora –
Trustee Kucewicz –
Mayor Hoffman –

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item # 7

___Approved ___Denied

NYS RETIREMENT RESOLUTION FOR STANDARD WORKDAY

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

NOW, THEREFORE, BE IT RESOLVED, that the Village of Depew establishes the following standard work days for the following appointed officials and will report the days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk/Treasurer's Office:

Appointed Officials

Zoning Board Member, George Bauer – Standard work day – 7 hours – term begins/ends 4/13-4/18 – does not participate in employer's time keeping system - .67 days/month

Village Prosecutor, John Dudziak – Standard work day – 7 hours – term begins 4/13-4/14 – does not participate in employer's time keeping system – 1 day/month.

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

Trustee Hammer –
Trustee Nolder –
Trustee Pecora –
Trustee Kucewicz –
Mayor Hoffman –

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item #8

___Approved ___Denied

RESOLUTION

FEBRUARY 24, 2014

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to the Depew Hook and Ladder Co to use the Southside Fire Hall on April 12, 2014 for their Company Installation from 5 pm until 1 am.

AND

Permission is hereby granted to Central Hose Co #4 for the use of the Northside Fire Hall on April 26, 2014 for their Company Installation from 5pm until 1 am.

AND

Permission is granted to Engine 1, Engine 3 and Ladder 5 to attend the Village of Lancaster's St. Patrick Day parade on March 15, 2014.

The foregoing resolution was seconded by Trustee _____, and
CARRIED.

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item #9
_Approved _ Denied

RESOLUTION

FEBRUARY 24, 2014

PERMISSION – LANCASTER TOWN BAND

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

Permission is hereby granted to the Lancaster Town Band to use Veterans Park Gazebo on the following date for their 69th concert series on Thursday, July 17th.

Permission is also granted for use of electric power and use of restrooms at the Southside firehall.

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

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item # 10

__ Approved __ Denied

RESOLUTION

FEBRUARY 24, 2014

PERMISSION – SEMINAR

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

Permission is hereby granted to Tony Fischione to attend the Western New York Stormwater Coalition on March 19, 2014 from 8am until 4:30 pm at the Buffalo Convention Center, Buffalo, NY. The cost of the conference is \$90.00.

The following resolution was seconded by Trustee _____, and
CARRIED.

VILLAGE OF DEPEW
BOARD MEETING
FEBRUARY 24, 2014

Agenda Item #11

___Approved ___Denied