

Village of Depew, NEW YORK

"The Village of Unexcelled Opportunity"



MEETINGS TO DATE: 22
NO. OF REGULARS: 21

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW

March 12, 2012 7:00PM

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

PLEDGE OF ALLEGIANCE

INVOCATION

NOTIFICATION OF FIRE EXITS

APPROVE VILLAGE BOARD MINUTES FEB 27, 2012

APPROVE PLANNING BOARD MINUTES MARCH 1, 2012

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing – Demo Properties – 69 Neoga St, 21 Main St, 554 Penora St, 161 Calumet St.
2. Public Hearing – Tax Cap Override Local Law 2 of 2012
3. Adopt/Table Local Law 2 of 2012 – Tax Cap Override
4. Appoint Police Attendants PT
5. Authorize Mayor to Sign Utility Work Agreement –DOT
6. Approval of Service Award Points 2011
7. Tree Trimming/Removal: 89 Hanwell
8. Employment Applications: Recreation – Mark Lubera, Police Attendant – Marilyn Lojoie, Amanda Haas, Laura Koepfel, Chassitti Miles, Nichole Theriault, Cheryl Gavigan, Joanne Schiappa, Julie Anibaldi, Lillian Alberalla, Donna Misztal-Badach, Ann Frank, Annette Odien, Carey Phelps, Tonya Scott, Trisha Kozak, Kasey Reid, Margaret Evans, Colleen Hummel, Janice Reid, Allison Martinez, Arlene Schurkus, Virginia Zulatowski, Keay Miles, Ashtin Penelton, Melissa Himmelsbach, Patricia Bene-Eicheldinger, Megan Eustall, Jessie Webb, Laura DiSarno, Elizabeth Held, Tinan Mendez, Joelle DeCicco, Karen Regdos, Ann Zuccaro, Lisa Siembida, Lynn Miller, DPW – Thomas, Mazurowki, Michael Wojcik
9. Department Head Reports: Building Dept Feb 2012, Clerk-Treasurer's Office Feb 2012
10. Report of the Village Attorney
11. Report of Village Engineer
12. Committee Reports
13. Unfinished and Other Business
14. Public Concerns and Comments
15. Claims and Accounts
16. Adjournment

Local Law 2 of 2012 – Tax Cap Override

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, 2012 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, 2012 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.

ADOPT/TABLE LOCAL LAW #2 OF 2012 – 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 12, 2012 at 7:01 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, 2012 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, 2012 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 Hammer –
Trustee Nolder –
Trustee Pecora –
Trustee Nikonowicz –
Mayor Hoffman –

VILLAGE OF DEPEW
BOARD MEETING
MARCH 12, 2012

Agenda Item #3

_Approved ___ Denied

RESOLUTION

MARCH 12, 2012

APPOINT POLICE ATTENDANTS PT

Pursuant to Section 4-400 of Village Law, I Mayor Steven Hoffman, do hereby appoint the following to the positions of Police Attendants PT, on an on call basis only, effective immediately, at a salary of \$14.00 per hour:

Kathleen Barry, 44 Federal Ave, Cheektowaga, NY 14225
Kathleen Kuwik, 2388 William St#3, Cheektowaga, NY 14206
Joanne Schiappa, 612 Harris Hill Rd, Lancaster, NY 14086
Cheryl Gavigan, 11794 Clinton St Alden, NY 4004
Ann Frank, 49 North Union Rd, Amherst, NY 14221
Wendy Keicher, 34 Partridge Walk, Lancaster, NY 14086

The forgoing nomination was acted upon in the following manner by the Village Board of Trustees:

Trustee Hammer –
Trustee Nolder –
Trustee Pecora –
Trustee Nikonowicz –
Mayor Hoffman –

VILLAGE OF DEPEW
BOARD MEETING
MARCH 12, 2012

Agenda Item #4

Approved Denied

AUTHORIZE MAYOR TO SIGN UTILITY WORK AGREEMENT -DOT

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

BE IT RESOLVED, NYS DOT has an upcoming pavement project – Chateau Ct to Rte 78. The Village of Depew needs to enter into a Utility Work Agreement with the State of New York Department of Transportation, 100 Seneca St, Buffalo NY 14203 for their Pavement Project PIN # 5811.99 – Chateau Ct to Rte 78.

This project necessitates the adjustment of utility facilities on Broadway Ave – Sanitary Sewer Manhole Covers – located in the State Right-of-Way. The Village of Depew, owner of the facilities, herewith agrees with the State of New York acting through the Commissioner of Transportation that this agreement shall apply to the accommodation of these utility facilities. Any adjustment of said facilities will be accomplished under the terms of this agreement, in accordance with the Rules and Regulations Governing the Accommodation of Utilities within the State Highway Right-of-Way, in compliance with the attached Special Note “Coordination with the Utility Schedule, and in accordance with the contract plans, specifications, proposal, amendment(s) or change order(s). The manhole elevations are to be adjusted. There will be no extension of service life, improved capacity nor any other betterment of the facility as a result of the adjustments made pursuant to this agreement.

NOW THEREFORE BE IT RESOLVED, Mayor Steven Hoffman is authorized to sign the Utility Work Agreement Project identification Number 5811.99 which grants the State of New York the authority to perform the adjustment for the Village of Depew. The Village agrees to maintain facilities adjusted via State-let contract.

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 Nikonowicz –
- Mayor Hoffman –

<p>VILLAGE OF DEPEW BOARD MEETING MARCH 12, 2012</p> <p>Agenda Item #5</p> <p>Approved Denied</p>	
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RESOLUTION

MARCH 12, 2012

APPROVAL OF SERVICE AWARD POINTS 2011

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

BE IT RESOLVED, that the members of the Board of Trustees are authorized to sign the 2011 Service Award Program Sponsor Approval Form and return said form to the Fire Department for its 30 day posting period.

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 Nikonowicz –
Mayor Hoffman –

VILLAGE OF DEPEW
BOARD MEETING
MARCH 12, 2012

Agenda Item #6

Approved Denied