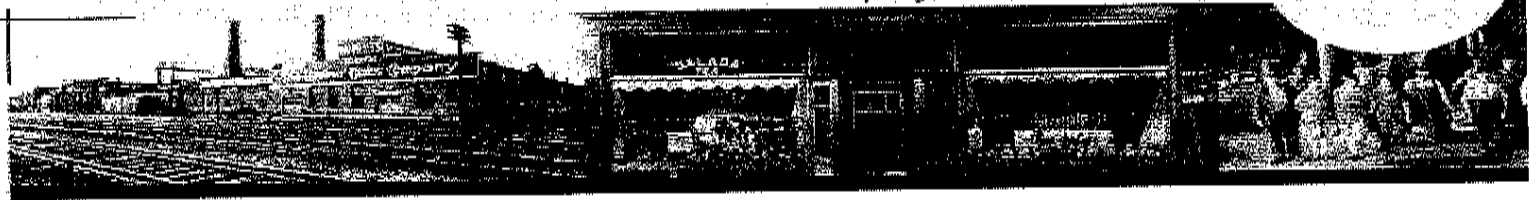


Village of Depew, NEW YORK

"The Village of Unexcelled Opportunity"



MEETINGS TO DATE: 9
NO. OF REGULARS: 9

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
AUGUST 25, 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 JULY 28, 2014

APPROVE PLANNING BOARD MINUTES AUGUST 7, 2014

ACCEPT ZONING BOARD MINUTES AUGUST 14, 2014

PROCLAMATIONS – FAMILY DAY & CHILDHOOD CANCER AWARENESS MONTH

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Public Hearing – Chapter 81 Properties
2. Appoint Police Attendant
3. Authorize Administrator to Advertise for Bids – Sidewalks
4. Authorize Administrator to Advertise for Bids – Police Cars
5. Bond Resolution – Wheel Loader
6. Permission Outdoor Music – 94 Main St
7. Permission Outdoor Music – 4995 Broadway
8. Permission Seminars – Bldg Dept
9. Permission Seminar – Police Dept
10. Tree Trimming/Removal:
11. Employment Applications: Police Matron – Christina Moore, Recreation – Katelynn Frawley
12. Department Head Reports: Building Dept June & July 2014, Lawn Mowing of Vacant Properties
13. Committee Reports:
14. Unfinished and Other Business
15. Public Concerns and Comments
16. Claims and Accounts
17. Adjournment

RESOLUTION

AUGUST 25, 2014

APPOINT POLICE ATTENDANT PT

Pursuant to Section 4-400 of Village Law, I Mayor Steve Hoffman, hereby appoint Christina Moore, 218 Seabert Ave Depew, NY 14043, as Police Attendant PT for the Depew Police Department, at a salary stipulated in the ensuing budget.

The appointment was acted upon in the following manner by the Board of Trustees:

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #2

Approved Denied

RESOLUTION

AUGUST 25, 2014

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR BIDS – 2014-2015
CDBG PROJECT SIDEWALKS**

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

WHEREAS, the Village of Depew was awarded \$100,000 in Community Development Funds from Erie County for the 2014-2015 Sidewalk Project – Suffield, Marengo and Kokomo Streets.

BE IT RESOLVED, the Village Administrator is authorized to advertise for this project. The bid date will be Sept 4th at 11 am. Specs are available from the Village Engineer, CRA Infrastructure & Engineering, Inc, 285 Delaware Ave Suite 500, Buffalo, NY 14202.

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #3

___Approved ___Denied

RESOLUTION

AUGUST 25, 2014

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR POLICE VEHICLES

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for Police Vehicles as per the village budget.

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #4

___ Approved ___ Denied

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

A BOND RESOLUTION, DATED AUGUST 25, 2014, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW, ERIE COUNTY, NEW YORK (THE "VILLAGE") AUTHORIZING THE ACQUISITION OF A WHEEL LOADER AND APPARATUS FOR USE BY THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$130,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$130,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

BE IT RESOLVED, by the Village Board of Trustees of the Village of Depew, in the County of Erie, New York (the "Village") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

The Village is hereby authorized to acquire a wheel loader and apparatus for use by the Village including any preliminary costs and costs incidental thereto and in connection with the financing thereof (the "Purpose"). The estimated maximum cost of said purpose is \$130,000.

The Village Board of Trustees plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate amount not to exceed \$130,000 of the Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of the Purpose is to be paid by the levy and collection of taxes on all real property in the Village to pay principal of said bonds and the interest thereon as the same shall become due and payable.

It is hereby determined that said purpose is an object or purpose described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five years from the date of original issuance of said bonds or notes.

Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

It is hereby determined the proposed maturity of the obligations authorized by this resolution will not exceed five years.

The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in

anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

The Village has determined that the purpose will not have a significant adverse effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) if the provisions of the law which should be complied with at the date of publication of this notice were not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice; or

such obligations are authorized in violation of the provisions of the Constitution of New York.

The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

This Resolution is effective immediately pursuant to Section 36.00(a)(1) of the Local Finance Law.

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

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #5

Approved Denied

RESOLUTION

AUGUST 25, 2014

PERMISSION OUTDOOR MUSIC

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

WHEREAS, Dennis Rogowski from the Chosen Few Motorcycle Club has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on August 6, 2014 for an anniversary party/pig roast on Saturday September 13, 2014 from 3 pm until 9:00 pm at 94 Main St Depew; and

WHEREAS, there will be live music; and

BE IT RESOLVED, the Village Board does agree to allow the live music during the hours posted above and if allowed the noise must not surpass the decibel levels in Chapter 148.

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

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #6

Approved Denied

RESOLUTION

AUGUST 25, 2014

PERMISSION OUTDOOR MUSIC

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

WHEREAS, Shannon Buono from Magruders, 4995 Broadway, Depew, NY has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on August 4, 2014 for one man bands and acoustic music on the patio through the month of August on Fridays from 8 pm until 11pm; and

WHEREAS, there will be live music; and

BE IT RESOLVED, the Village Board does agree to allow the live music during the hours posted above and if allowed the noise must not surpass the decibel levels in Chapter 148.

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

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #7

__Approved __Denied

RESOLUTION

AUGUST 25, 2014

PERMISSION -- SEMINARS

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

Permission is hereby granted to Tony Fischione & Matt Fischione to attend the Inspecting Solar training on Sept 18, 2014 from 8:30 am until 4:30 pm at the Wyndham Garden Hotel, 5195 Main St, Buffalo, NY. The cost of the seminar is \$50 per person.

AND

Permission is hereby granted to Tony Fischione & Matt Fischione to attend the NYS Building Officials Conference on Sept 11, 2014 at the Chautauqua Suites Hotel and Expo Center, 215 West Lake Rd, Mayville, NY. The cost of the seminar is \$85 per person.

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #8

Approved Denied

RESOLUTION

AUGUST 25, 2014

PERMISSION – SEMINAR POLICE DEPT

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

Permission is hereby granted to Chief Stanley Carwile to attend a US Dept of Justice Seminar from September 21-16, 2014 at the Niagara Falls Air Reserve Station, Niagara Falls, NY. The cost of the seminar and lodging is \$655.

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

VILLAGE OF DEPEW
BOARD MEETING
AUGUST 25, 2014

Agenda Item #9

___Approved ___Denied