



**23-B LEGAL ITEMS**

1. (continued)

Mr. Hanley responded he will abide by the recommendations of the architect or engineer.

Code Enforcement Officer John Gullo stated the property is low to surrounding areas. A drainage plan will be submitted to his office and reviewed by the Engineering Department prior to approval. A full USGS datum and site plan review will also have to take place.

Supervisor Meegan stated a neighbor on Robin Court had some water concerns and there is a definite water issue on the property.

Dr. Gary Schoene stated other apartment buildings on Center Road do not have garages and questioned how this project will fit on the lot.

Mr. Hanley indicated on the plan where the buildings will be located, noting the proposed plan has over 51 percent green space and setbacks are all within town requirements.

Mr. Gullo stated 25,000 sf of lot area meets the requirements for a four family unit.

Supervisor Meegan questioned if a dumpster or town totes will be used for garbage/refuse.

Mr. Hanley responded he will use totes if they are issued by the Highway Department.

Highway Superintendent Matthew English stated totes can be used, but they must be brought out to the road.

Motion by Supervisor Meegan, seconded by Councilman Hart, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the following resolution:

**WHEREAS**, the Town Board of the Town of West Seneca, as the lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed Part I of the Short Environmental Assessment Form ("EAF") prepared by the applicant in connection with the proposed special permit authorizing multiple family housing, consisting of one two (2) story, four (4) unit townhouse, with a detached five (5) car accessory garage building (the "Project"), on property located at 1290 Center Road in the Town of West Seneca ("Subject Property"), has reviewed the draft completed Part II of the EAF analyzing the potential for the Project to result in any significant adverse environmental impacts, and has otherwise taken a hard look at the potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

**23-B LEGAL ITEMS**

1. (continued)

**WHEREAS**, upon such review, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the Subject Property, has determined that no Environmental Impact Statement is necessary and that a Negative Declaration is therefore appropriate; and

**WHEREAS**, the Planning Board reviewed the Project on November 13, 2014 and adopted a resolution recommending the granting of the special permit and the approval of the Project as proposed; and

**WHEREAS**, pursuant to Section 120-23(A) of the Town Code, the Town Board further finds that granting a special permit authorizing the use of the Subject Property to allow for the Project is appropriate for the location and will not adversely affect surrounding properties;

**THEREFORE, BE IT RESOLVED THAT** pursuant to 6 NYCRR 617.7(a), the Town Board does hereby adopt a Negative Declaration, as set forth in Part III of the EAF, expressly incorporated herein, with respect to the Project; and

**BE IT FURTHER RESOLVED THAT** the Town Board hereby grants a Special Permit for the Project pursuant to Section 120-23 of the Town Code.

Ayes: (2) Supervisor Meegan, Councilman Hart

Noes: None

Abstentions: (1) Councilman Hanley

Motion Carried

2. Motion by Supervisor Meegan, seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 3225 SENECA STREET, BEING PART OF LOT NO. 124, CHANGING ITS CLASSIFICATION FROM C-2 TO C-2(S), FOR MOTOR VEHICLE REPAIRS" in the Town of West Seneca, be received and filed.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

The petitioner was not present at the meeting.

Motion by Councilman Hart, seconded by Supervisor Meegan, to table the public hearing.

Ayes: All

Noes: None

Motion Carried

**23-C TABLED ITEMS**

- |  |   |
|--|---|
| 1. Town Engineer re Stephenson Street Road Reconstruction Project, change order #1 | Motion by Supervisor Meegan, seconded by Councilman Hanley, to remove this item from the table. |
|  | Ayes: All                      Noes: None                      Motion Carried                   |

On the question, Councilman Hanley stated he requested this item be tabled so he could discuss the change order in detail with Town Engineer Steven Tanner. His concern was how the cost of the change order affected the overall bid and how that figure compared to the engineer's estimate. After a full review of the contract/bid, he was comfortable with the change order. Going forward, items will be "red flagged" that fall below a certain percentage of the engineer's estimate on the bid tabulation spreadsheet.

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve change order #1 in the amount of \$26,490 for Nova Site Company, LLC, 6 Lena Court, West Seneca, for additional work on the Stephenson Street Road Reconstruction Project, Job #1401-1, which included 25 tree removals, one partial removal and 27 yard drains.

On the question, Councilman Hart questioned if this is a good price for tree removal.

Mr. Tanner responded it is a very good price for tree removal, noting the change order also included the installation of yard drains.

Ayes: All                      Noes: None                      Motion Carried

**23-D COMMUNICATIONS**

- |   |   |
|---|---|
| 1. Supervisor Meegan re Status change for Douglas Busse to part-time seasonal | Motion by Supervisor Meegan, seconded by Councilman Hart, to extend the part-time seasonal status on an emergency basis for Laborer Douglas Busse effective December 1 – 31, 2014 at a rate of \$18 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel. |
|---|---|

On the question, Councilman Hart questioned what work Mr. Busse is doing and if there is any preliminary storm damage totals.

Code Enforcement Officer John Gullo responded Mr. Busse is working as a housing inspector and assisting with assessing storm damage on more than 215 homes. Early storm damage totals are estimated at \$1.8 million dollars and he encouraged other homeowners and businesses that sustained damage to contact his office.

Ayes: All                      Noes: None                      Motion Carried



**23-E APPROVAL OF WARRANT**

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows:

General Fund - \$154,486.39; Highway Fund - \$47,941.56; Special Districts - \$9,321.15; Capital Fund - \$36,159.13 (voucher #'s 86402 - 86828); Trust & Agency Fund – 36,825.23 (voucher #'s 86806 - 86824)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**FLOODING ISSUE ON FOREST DRIVE**

Hal Case, a Forest Drive resident, questioned if Councilman Hart had spoken to the Engineering Department concerning a flooding issue in his back yard.

Councilman Hart responded he had not had an opportunity to address Mr. Case's flooding concerns.

Supervisor Meegan suggested Mr. Case provide Town Engineer Steven Tanner with his information and concerns and he will investigate the situation.

Mr. Tanner stated he had received an email regarding flooding on Forest Drive and Flohr Avenue.

**EMERGENCY INFORMATION ON WEBSITE**

Amy Carpenter commented on the lack of information on the town website concerning the driving ban, garbage pickup, street closures, etc. during the recent storm and suggested the town provide this information on the home page in the future.

**ICE RINK SKATE RENTAL**

Linda Toy expressed her concern that skate rental is not open and available during lessons at the ice rink.

Supervisor Meegan responded she will contact the gentleman that runs the concession and get back to Mrs. Toy.

**PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**SNOWSTORM/EMERGENCY OPERATION CENTER**

Code Enforcement Officer John Gullo thanked the Town Board, department heads and volunteers for their assistance during the recent snow storm. He referred residents to the Code Enforcement & Disaster Office website for information/forms and updates, noting the webpage is updated frequently with the assistance of a high school student. Mr. Gullo reminded everyone of the benefit of signing up for CodeRed and encouraged all residents to do so.

Councilman Hart thanked everyone who helped out at the Emergency Operation Center (EOC), noting West Seneca became the EOC for all of Erie County for shoveling. Hundreds of volunteers and numerous departments answered phones, cleared paths, delivered medications and assisted residents in need. Councilman Hart stated he would like to schedule a meeting in the near future to review recent events and come up with an improved plan going forward.

Supervisor Meegan commended Mr. Gullo, Highway Supt. Matthew English and Chief Denz for their tireless work.

Chief Denz thanked all who assisted and especially thanked W.S. School Superintendent Dr. Crawford for use of the building on Mill Road and new location of the EOC. Chief Denz stated he worked alongside police officers for 36 hours straight, noting some officers snowshoed, skied or walked to work since it was impossible to drive or be picked up.

Sr. Recreation Therapist of Sr. Services Mary Josefiak commented that seniors who received CodeRed alerts were reassured and provided with a presence of mind that they weren't alone during the snowstorm.

**2015 HISTORICAL & COMMUNITY CALENDAR**

Town Clerk Jacqueline Felser announced the 2015 Historical & Community Calendar is available in The Town Clerk's office at a cost of \$5.

**BREAKFAST WITH SANTA**

Recreation Supervisor Lauren Masset announced that Breakfast with Santa will take place December 14<sup>th</sup> from 9:00 – 11:00 A.M. at the Senior Citizens Center. The cost is \$10 per person and space is limited. Information is available on the town's website.

**YOUTH DANCE**

Recreation Supervisor Lauren Masset announced a youth dance will take place on Friday, December 12<sup>th</sup>, 7:00 – 10:00 P.M. at the Kiwanis Youth Center.

**PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**SELF-DEFENSE CLASS**

Recreation Supervisor Lauren Masset announced a free basic self-defense class is being held for town residents on Saturday, December 6<sup>th</sup>, 3:00 – 4:00 P.M. at Red Dragon School of Martial Arts. A valid town ID card is required.

**VERONICA ESTATES DETENTION BASIN**

Town Engineer Steven Tanner provided an update on the Veronica Estates subdivision and stated the detention pond will be moved. The developer has agreed to a new subdivision map that is in the process of being completed by the surveyor.

**SEWER WORK ON ORCHARD PARK ROAD**

Town Engineer Steven Tanner stated the town faired well with the snowstorm and the sewer work being performed on Orchard Park Road. Crews put a trench box in an open two foot ditch area sending water directly to the sewer. Mr. Tanner stated issues still exist and sewers overflowed in several locations, noting the equivalent of six inches of rain entered the system.

**LOCAL LAW 2014-14**

Motion by Supervisor Meegan, seconded by Councilman Hart, to schedule a public hearing for December 15, 2015 at 7:00 P.M. to consider local law #14 concerning public records access.

Ayes: All

Noes: None

Motion Carried

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 7:45 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**