

WEST SENECA TOWN OFFICES
1250 Union Road
West Seneca, NY 14224

TOWN BOARD PROCEEDINGS
Minutes #2014-18
September 22, 2014

Supervisor Sheila M. Meegan called the meeting to order at 7:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance to the Flag led by Councilman Hart.

ROLL CALL: Present - Sheila M. Meegan Supervisor
Eugene P. Hart Councilman
William P. Hanley Jr. Councilman

Supervisor Meegan read the Fire Prevention Code instructing the public where to exit in case of a fire or an emergency.

The meeting was dedicated to the memory of James Tucker Gehen, Robert Rutkowski and Ralph Fudoli.

18-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the September 8, 2014 work session.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve Minutes #2014-17 of September 8, 2014.

Ayes: All Noes: None Motion Carried

18-B HELD OVER PUBLIC HEARING

1. Re: "A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 1881 RIDGE ROAD, BEING PART OF LOT NOS. 294 & 336, CHANGING ITS CLASSIFICATION FROM C-1 TO C-1(S), TO ALLOW FOR A TRUCK RENTAL OPERATION" in the Town of West Seneca.

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

Ayes: All Noes: None Motion Carried

Robert Blood of Lauer Manguso represented Home Depot and presented their request to reserve 20 parking spaces at 1881 Ridge Road for a Penske Truck Rental operation. If approved, vehicles will be picked up and dropped off at this location and all vehicle service/maintenance will be performed off site. Mr. Blood referred to the revised site plan indicating the location of the parking spaces and stated there are 100 surplus spaces in the parking lot. He outlined the special use area and stated that even with the other areas used seasonally for garden supplies, sheds, equipment, etc. there is still 30 surplus parking

18-B HELD OVER PUBLIC HEARING

1. (continued)

spaces. Mr. Blood stated the application was postponed due to a disconnect between Home Depot and the property owner. The issue has since been worked out and at the request of the property owner and comments at a previous Town Board meeting, the parking spaces were moved from the original location in the center of the lot to the current location on the revised site plan.

Councilman Hart questioned if there will be fencing around the area.

Mr. Blood stated there will be no fencing or barriers, but there will be painted markings indicating truck rental spaces.

No comments were received from the public.

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 Hanley, to approve a special permit for property located at 1881 Ridge Road, being part of Lot Nos. 294 & 336, changing its classification from C-1 to C-1(S), to allow for a truck rental operation, conditioned upon no maintenance on site and with the change in location of the spaces in accordance with the revised site plan.

Ayes: All

Noes: None

Motion Carried
APPENDICES

18-C LEGAL ITEMS

1. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A REZONING FOR PROPERTY LOCATED AT 117 FRENCH ROAD, BEING PART OF LOT NOS. 13 AND 33, CHANGING ITS CLASSIFICATION FROM R-100A TO C-1, FOR A COMMERCIAL DEVELOPMENT" in the Town of West Seneca.

Supervisor Meegan announced that this item was being held over at the request of the petitioner.

18-C LEGAL ITEMS

2. Motion by Supervisor Meegan, seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN THE USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS" 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

Supervisor Meegan invited the public to share their ideas on the use of federal community development block grant funds that typically benefit low to moderate income areas and individuals including the elderly and disabled. The town along with Erie County is looking to bring back housing opportunities and the first time homebuyer program. Three suggestions are usually proposed and prioritized and then submitted to Erie County for consideration.

Amy Carpenter suggested funds be made available for seniors who need to do home improvements.

Supervisor Meegan responded this qualifies under housing rehabilitation and repairs for seniors.

Beverly Leising questioned if funds can be used to hire an employee to bring totes out to the road for seniors and the disabled.

Supervisor Meegan responded funds cannot be used for that purpose. The porter system is a system that is already in place in other communities and uses current employees. Supervisor Meegan further stated Mary Lou Dietrich has expressed a desire for a splash pad at Tim Russert Park and this request would fall under recreation and community development. A new pavilion on Town Hall property is also needed and would qualify.

Councilman Hart stated he is working with the O'Shei foundation and the safety net program. They are discussing the possibility of a small community center in the lower income neighborhoods on the west side of town.

Councilman Hanley stated he has had a conversation with Senator Gallivan's office who is suggesting the request for the splash pad be put in writing.

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

Ayes: All

Noes: None

Motion Carried

18-D COMMUNICATIONS

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| 1. Supervisor Meegan re Library Construction Grant resolution | Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached Library Construction Grant resolution and authorize the Supervisor to complete and sign any necessary paperwork. |
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Ayes: All	Noes: None	Motion Carried *APPENDICES*
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| 2. Attorney for the Town re Public hearing on Local Law to override tax levy limit | Motion by Supervisor Meegan, seconded by Councilman Hart, to schedule a public hearing for October 6, 2014 at 7:00 P.M. to consider adoption of the attached Local Law #12 to override the tax levy limit. |
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On the question, Councilman Hart commented on the expenditures associated with the winter storms and floods and stated the tax cap is only 1.54 percent this year.

Supervisor Meegan further commented on the costs associated with the sewer project and the mandated consent order.

Attorney for the Town Charles Grieco commented that West Seneca is not the only town that will be possibly exceeding the tax cap this year.

Councilman Hart questioned the date of the first budget hearing.

Supervisor Meegan referred individuals to the website for budget hearing dates.

Ayes: All	Noes: None	Motion Carried
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| 3. Highway Supt. re Budgetary amendment request | Motion by Supervisor Meegan, seconded by Councilman Hanley, to increase revenue account #2.3502 and expense account #02.5112.0202 by \$27,521.42 as part of the NYS special \$40 million extreme winter recovery appropriation reimbursement. |
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On the question, Highway Supt. Matthew English explained the town had to establish a line item in the budget for money received from NYS as part of their extreme winter recovery reimbursement and noted some of the revenue received is being used on small dead end streets.

Ayes: All	Noes: None	Motion Carried
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18-D COMMUNICATIONS

4. Finance Department re
Budgetary amendment
request

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution approving a budgetary amendment for the General Fund for addition of a new line for Disaster Preparedness (Acct. #1.8760.0440) in the amount of \$10,718.85 to support the CodeRed expenditures.

On the question, Councilman Hart stated forms are available in the Code Enforcement Office and online for sign up of cell phones and other communication devices.

Ayes: All

Noes: None

Motion Carried

APPENDICES

5. Recreation Director re
Termination of inactive
employees

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate the following list of inactive employees effective September 22, 2014:

Recreation Attendants

Monica Bebak	Dawn M Kim-Both
Lauren Kirchmyer	Paige Vogel
Matthew Wach	Ian Ward

Lifeguards

Brian Blandin	Caitlin Caruana
Christopher David	Alyse Stevenson

and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

6. Recreation Director re
Appointment of part-time
fall/winter employees

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint the following as part-time Recreation Attendants at a rate of \$8 per hour effective September 22, 2014:

Tyler Kluck	Taylor Dolan
Courtney Maj	Holly Lauden
Matthew Barth	

18-D COMMUNICATIONS

6. (continued)

and further, appoint Angela McNeight as part-time Lifeguard at a rate of \$9 per hour effective September 22, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hanley questioned where the names came from and if there was an application process.

Recreation Director Craig Kroll responded the names came from applications on file at the Recreation Department. Two of the new employees will be replacing individuals in Youth Theatre, others will be ice rink guards and one individual will lifeguard at the family swim program at East Middle School.

Ayes: All

Noes: None

Motion Carried

7. Recreation Director re Youth Board meetings & board appointees

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve an amendment to Youth Board meetings to meet on a quarterly basis and appoint Lauren Masset of the Youth & Recreation Department and Diane Beres of the West Seneca Women's Club as Youth Board members.

Ayes: All

Noes: None

Motion Carried

8. Town Justice re Appointment of Mary Caulfield as part-time Court Security Officer

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Mary Caulfield as part-time Court Security Officer for the West Seneca Town Court at a rate of \$16 per hour effective September 22, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned if this appointment is filling a vacancy due to a resignation.

Supervisor Meegan responded this is not a new hire. Mrs. Caulfield is replacing Rick Smith who recently retired from this position.

Ayes: All

Noes: None

Motion Carried

18-D COMMUNICATIONS

9. Sr. Recreation Therapist of Sr. Services re Status change for J. Kropczynski to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time clerk typist Janet Kropczynski to part-time seasonal effective October 1 – December 31, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

18-E REPORTS

- John A Gullo, Code Enforcement Officer's report and plumbing report for August 2014 received and filed.

18-F 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 - \$280,610.36; Highway Fund - \$106,745.68; Special Districts - \$171,978.52; Capital Fund - \$622,206.26 (voucher #'s 85683 - 85972); Trust & Agency Fund - \$31,564.44 (voucher #'s 85992 - 86021)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

TABLED PUBLIC HEARING FOR 117 FRENCH ROAD

Sandra Krawczyk questioned why and when it was decided the public hearing regarding 117 French Road would be postponed and if residents will be notified of the rescheduled meeting.

Supervisor Meegan responded the petitioner requested to postpone the public hearing on Thursday afternoon. Notification of the rescheduled public hearing will be sent to residents.

Mrs. Krawczyk commented this request was denied by the Planning Board based on environmental studies, economic studies, archeological studies, the sensitive nature of the area and spot zoning. She was hopeful the Town Board would take their recommendation into consideration.

ISSUES OF THE PUBLIC

CURRENT BUDGET

Amy Carpenter commented on the proposed local law to override the tax levy limit and questioned the state of the current budget.

Supervisor Meegan responded they are working within the budget and the town is in good shape budgetarily; however, the current budget is being hit hard with required expenditures for bonding, mandates and uncontrollable issues. She further stated department heads are conscientious of spending and are staying within their budgets.

Councilman Hart stated the 2014 budget is tight and may be a little overspent in some cases; however, it should be able to be worked out over the next couple of months. Councilman Hart met with the town's accountant and auditor to discuss ways to resolve any issues with the current budget going forward and reduce any potential tax increase for next year. He stated the current tax cap is very low at 1.54 percent and a local law is required in order to exceed that percentage. Revenue and expenditure reports comparing the budget to actual are available in the Finance Department.

Supervisor Meegan stated bond anticipation notes (BAN's) coming due for payment will soon go to permanent financing, which will help control the budget and alleviate spikes.

LIBRARY GRANT

Amy Carpenter referred to the library grant and questioned what will be involved in Phase I.

Councilman Hart responded the initial approach will involve two phases with the option of a third phase. Phase I will bring the library up to modern standards by building out the front. Phase II will involve remediation of the old library and Phase III will involve a private company putting in a coffee shop. A resolution was passed earlier at this meeting authorizing the town's grantwriter to complete and submit the library grant application. If grants are not secured for the library, the town may not go forward with construction.

SENECA MALL SITE FEASIBILITY STUDY/SENECA PLACE

Amy Carpenter thanked the Town Board for posting the Seneca Mall site feasibility study and commented on individuals canvassing neighborhoods asking for support of Seneca Place. She questioned how the public can support something they know nothing about.

Councilman Hart responded he believes the developer is uncertain as to what the project entails. Concept plans are all that have been presented to the town and a number of individual studies such as a SEQR, archeological, drainage etc. will have to be performed.

ISSUES OF THE PUBLIC

SENECA MALL SITE FEASIBILITY STUDY/SENECA PLACE (continued)

Mrs. Carpenter questioned why an archeological study is needed when the property has already been built on.

Councilman Hart understood this is a 10,000 year old archeological site and the Seneca Mall plan only involved a depth of three to four feet, whereas the concept plan for Seneca Place involves a depth of 25 – 30 feet into the substructure.

Mrs. Carpenter questioned what the town is being asked for monetarily.

Councilman Hanley responded there has been some numbers passed around, but the developer has not asked for any specific amount of money.

Councilman Hart stated they are definitely looking for money and the board members have put together a team to represent them consisting of attorneys, engineers, accountants and bond counsel. The team will meet the developer's team over the next few months and provide a better idea of what the project is and what is expected from the town.

Supervisor Meegan noted there has been no commitment from the Town Board.

Mrs. Carpenter requested information be communicated to citizens that there is no solid proposal and Councilman Hart stated he will request the developer be more forthright with providing information to the public.

WEST SENECA YOUTH BUREAU BOARD OF DIRECTORS

Cindy Solly, Chairman of the West Seneca Youth Bureau Board of Directors, stated they would like to become the West Seneca Youth & Recreation Board of Directors. They feel the town needs a full-time Youth & Recreation Director and a part-time Youth Engaged in Service (YES) Director. From a risk management view, she commented that adult supervision is necessary at all times and unsupervised teens can pose safety issues. Adult presence can provide guidance when accompanying teenagers to scheduled events. Mrs. Solly urged the board to change Craig Kroll's position to full-time Youth & Recreation Director. She outlined his duties including the success of the summer day camp and numerous other responsibilities and compared West Seneca's program with Hamburg which has more staff and offers more programs. Mrs. Solly stated the next Board of Directors meeting is January 8th at 5 PM at the Kiwanis Center. Meetings are scheduled quarterly and attendance has been low, but establishing a Youth & Recreation Board is an opportunity to include more people and increase membership. Mrs. Solly questioned who the Town Board liaison is for Youth and Recreation.

ISSUES OF THE PUBLIC

WEST SENECA YOUTH BUREAU BOARD OF DIRECTORS (continued)

Councilman Hanley responded he is the liaison for Youth and Recreation.

Councilman Hart questioned if the Recreation Commission still exists.

Recreation Director Craig Kroll responded the Recreation Commission does not exist, which is why forming a Youth & Recreation Board will be more conducive going forward.

Supervisor Meegan commented the YES program should be self-sustaining and those who request volunteers should coordinate the volunteers' activities.

Councilman Hart suggested that Mr. Kroll or the Board of Directors check with the facilities the YES program is serving and get their opinion on how the program is working without adult supervision.

Carol Jarczyk stated she is a proud liaison for the school district on the Youth Bureau Board of Directors. She acknowledged the many changes that have occurred over the past eleven years and commented on the need to move forward. Mrs. Jarczyk commended Mr. Kroll on his work and feels he is not paid enough for what he does. She further commented on past Youth Bureau board members who became disgusted and quit because there is no money.

Supervisor Meegan stated from a budgetary standpoint, the proper approach would be requesting and establishing a funded line to support a calendar of events. She noted no such request was made and suggested they meet with Councilman Hanley, the liaison for Youth and Recreation.

Sr. Recreation Therapist of Sr. Services Mary Josefiak stated certain events didn't take place last year because they were not planned, but there are numerous items and supplies stored in the basement of the senior center.

Mrs. Jarczyk suggested meeting prior to January with Councilman Hanley so they are able to share their point of view.

Councilman Hart questioned if part of the problem with the Youth Board involves a lack of facilities, noting the town struggles at times to get facilities for winter recreation programs.

Mr. Kroll agreed that lack of facilities is part of the problem.

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ISSUES OF THE PUBLIC

PORTER SERVICE FOR GARBAGE TOTES

Johanna Guenther referred to previous meetings and discussions concerning the porter service for garbage totes and questioned if the town will offer a porter service program similar to the program run in Rochester.

Attorney for the Town Charles Grieco responded he is in receipt of the application form from Highway Supt. Matthew English and continues to have discussions with people in Rochester. Mr. Grieco stated he wants to learn more about Rochester's overall experience with the program prior to giving advice to the Town Board and commented on numerous restrictions associated with Rochester's program.

STATUS OF HUMAN RESOURCE CONSULTANT

Susan Kims questioned the status of hiring a human resource consultant.

Supervisor Meegan responded four different firms were interviewed and Attorney for the Town Charles Grieco stated they have requested concrete proposals from two of the firms.

RETROFITTING GARBAGE TRUCKS

Susan Kims questioned the total dollar amount the town invested in retrofitting garbage trucks. She further questioned if the weight in trash has gone down since tote use and if garbage pickup is quicker.

Highway Supt. Matthew English responded \$702,000 was spent for four units and two tippers. Trash weight has gone down and garbage pickup is somewhat quicker since there is no back and forth with garbage cans.

YES PROGRAM

Mrs. Kims questioned if the YES program was eliminated.

Supervisor Meegan responded the YES Program is currently a town program that was restructured. Peer counseling was removed which saved the town over \$100,000.

Mrs. Kims commented on town funds being tight and questioned if the board members were hiring individuals for the Youth Board. She suggested a freeze be placed on hiring.

Recreation Director Craig Kroll responded Youth Board positions are not paid; people volunteer their time to participate.

ISSUES OF THE PUBLIC

SENECA PLACE

Susan Kims stated she received misinformation regarding Seneca Place from a telephone solicitor and two individuals who came to her house and residents are being asked to write letters seeking the support of both councilmen. Mrs. Kims was told the Town Board was going to vote on the project by the end of the month and that an underground parking garage will be constructed, maintained and insured at the town's expense.

Councilman Hart responded they may be asking for things, but it does not mean they will happen. If the project goes forward it is his hope the town does not contribute anything.

Councilman Hanley stated he made a phone call and requested that information provided on the postcard be corrected to include the entire Town Board.

Supervisor Meegan stated there is a lot of work and issues (i.e. sewers, SEQR, zoning, etc.) that have to be addressed prior to going forward with this project.

Mrs. Kims thought the town should be concerned about the information being provided to the public.

Supervisor Meegan understood the board members will be receiving a packet from the developer at which time they will have a discussion with Attorney for the Town Charles Grieco.

Mrs. Lucachik questioned if a second study is being done on Seneca Place. She further encouraged everyone to look at the first presentation, the developer and his record.

Councilman Hart responded no other study has been authorized. The developer has changed the plan and no additional money has been invested.

QUASAR BUFFALO BIO-ENERGY PROJECT

David Kims referred to the upcoming meeting with Quasar and questioned why questions have to be submitted ahead of time.

Supervisor Meegan responded submitting questions ahead of time will allow Quasar representatives to properly prepare and provide accurate information to the residents. She further announced the informational meeting is scheduled for October 7th at 6 PM at the senior citizens center.

Councilman Hart thought that public input and follow-up questioning will naturally occur as it has at previous informational meetings.

ISSUES OF THE PUBLIC

RECREATION DIRECTOR POSITION

Frank Russo referred to a previous meeting when he spoke about the Recreation Director position remaining part-time and apologized to Recreation Director Craig Kroll who took his comments personal. Mr. Russo stated he feels the position should remain part-time and questioned what has changed since a study conducted by Public Sector HR Consultants indicated this position should be part-time.

Councilman Hart responded a lot has changed and there is a lot more work. Mr. Kroll has created more robust programs, initiated the summer day camp and is trying to improve winter programs.

Mr. Russo questioned why the town would compete with community education programs and the numerous sports, clubs and activities offered by the school system from September 1st to June 1st.

Councilman Hart responded the town is not trying to compete with community education, but they want to design a program that may not be offered.

Mr. Russo commented on finances being tight and did not believe the Recreation Director should be a full-time position at a cost of \$100,000. He feels the town is adding programs from September 1st to June 1st to justify the creation of a full-time Recreation Director.

Supervisor Meegan responded the full-time position will not pay \$100,000. She further commented that every other town in Erie County has a full-time Recreation Director.

SUMMER DAY CAMP

Karen Lucachik questioned if there is a final financial report on the summer day camp program.

Recreation Director Craig Kroll responded there were 339 participants in the six week program ranging in age from 8 to 14. The program was self-sufficient and basically broke even, generating \$32,000 in revenue with expenditures of \$26,500 for staff and \$5,600 for field trips.

Mrs. Lucachik asked that the final report be put on the town's website and Mr. Kroll provided her with a copy.

ISSUES OF THE PUBLIC

HARWOOD ROAD STREETLIGHTING

Karen Lucachik questioned the status of the streetlight repair on Harwood Road.

Highway Supt. Matthew English responded he was unable to make contact with property owners; however, Underground Facilities Protection Organization (UFPO) has been contacted and the electricians are going to attempt an alternate dig.

Mrs. Lucachik questioned if there is an easement and if a registered letter was sent to property owners.

Mr. English responded there is no easement and a registered letter was not sent, but letters left in the mailbox and door had been taken in.

FORMER TOWN ATTORNEY SERVICES

Karen Lucachik questioned if the services of former Town Attorney Shawn Martin have concluded and Supervisor Meegan responded that Mr. Martin may continue to be called for assistance on various issues.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

RABIES SHOTS

Highway Supt. Matthew English announced a free rabies clinic will take place on Wednesday, September 24th at the highway garage from 4 PM – 7 PM.

PRESCRIPTION DRUG DROP OFF

Chief Denz announced a prescription drug drop off event will take place on Saturday, September 27th at the senior center from 10 AM – 2 PM.

PUBLIC SKATE

Recreation Director Craig Kroll announced the ice rink will open for public skate on Friday, October 3rd.

FLU SHOTS

Sr. Recreation Therapist of Sr. Services Mary Josefiak announced flu shots will be offered tomorrow, September 23rd, at the senior center from 9:30 AM – 12:00 Noon.

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ISSUES OF THE PUBLIC

PUBLIC OUTREACH

Sr. Recreation Therapist of Sr. Services Mary Josefiak announced Legislator Joseph Lorigo will be at the senior center tomorrow conducting a public outreach.

QUASAR ENERGY GROUP MEETING

Supervisor Meegan reminded residents of the upcoming Quasar Energy Group meeting at 6 PM on Tuesday, October 7th at the senior center. Questions should be submitted by October 6th to questions@twsny.org.

DEPAUL PROJECT UPDATE

Supervisor Meegan announced the DePaul project on Seneca Street will begin mobilization the first few days of October. Concentration will be placed on remediation of rats and asbestos removal. Demolition will occur in November and the property should be cleaned up by the end of the year.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 8:20 P.M. to discuss three legal items, one police matter and two employee issues.

Ayes: All

Noes: None

Motion Carried

The board members returned from Executive Session at 9:15 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 9:15 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK

Please take notice that the following change was made in the Zoning Ordinance of the Town of West Seneca, County of Erie and State of New York, and notice thereof is hereby given, pursuant to §264 and 265 of the Town Law.

Whereas, the Town Board of the Town of West Seneca received a request for a special permit for the following described property located at 1881 Ridge Road from its classification of C-1 to C-1(S) to allow for a truck rental operation:

All that tract or parcel of land, situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot Nos. 294 & 336, Buffalo Creek Reservation, being part of Township 10, Range 7 of the Holland Land Company Survey, bounded and described as follows:

Beginning at a point on the southerly line of Ridge Road distant 212.81 feet westerly from the intersection of the south line of Ridge Road and the east line of Lot No. 294; said point being further described as being the northwest corner of lands conveyed to Niagara Mohawk Power Corporation by deed recorded in the Erie County Clerk's office in Liber 6308 of Deeds at Page 189;

Running thence: S-07°-44'-08"-W, parallel with the east line of Lot 294 and along the west line of said Niagara Mohawk lands and said line extended southerly into Lot No. 336, a distance of 1091.06 feet to the southeast corner of Parcel "A" of lands conveyed to Benderson Development Company, Inc. by deed recorded in Erie County Clerk's office in Liber 9436 of Deeds at Page 170;

Running thence: N-82°-22'-54"-W, parallel with the division line between Lot No. 294 on the north and Lot No. 336 on the south, being also the south line of said Parcel "A", a distance of 198.0 feet to the southwest corner of Parcel "A"

Running thence: N-07°-44'-08"-E, along the west line of said Parcel "A", a distance of 55.11 feet to a point on the division line between Lot No. 294 and Lot No. 336;

Running thence: N-82°-22'-54"-W, along the division line between Lot No. 294 and Lot No. 336, a distance of 361.15 feet to the present east line of Langner Road as conveyed to the County of Erie by deed recorded in the Erie County Clerk's office in Liber 6527 of Deeds at Page 89 and further shown on Map No. SK-167-75 as Parcel No. 18;

Running thence: N-09°-05'-24"-E, along the present line of Langner Road and said lands conveyed to the County of Erie in Liber 6527 of Deeds at Page 89 and the east line of lands conveyed to the County of Erie by deed recorded in the Erie County Clerk's office in Liber 6538 of Deeds at Page 91 and further shown on Map No. SK-167-76R as Parcel No. 19, a distance of 425.92 feet to a point of tangency;

Running thence: Along the present east line of Langner Road and said lands conveyed to the County of Erie in Liber 6538 of Deeds at Page 91, and on a curve to the right having a radius of 603.67 feet, a distance of 298.95 feet to a point;

Running thence: N-45°-17'-40"-E, along the present east line of Langner Road and said lands conveyed to the County of Erie in Liber 6538 of Deeds at Page 91, a distance of 104.96 feet to a point;

Running thence: N-18°-12'-09"-E, along the present east line of Langner Road said lands conveyed to the County of Erie in Liber 6538 of Deeds at Page 91 and the east line of lands acquired by the State of New York for grade crossing elimination purposes in P.S.C. Nos. 4234 and 8253 and further shown on Map No. 14 as Parcel No. 18 a distance of 24.0 feet to the southwest corner of Parcel No. 21 as shown on Map No. 18 of lands acquired by the People of the State of New York for Ridge Road, C.R. No. 137;

Running thence: N-83°-30'-16"-E, along the south line of said Parcel No. 21, a distance of 23.20 feet to the southeast corner thereof;

Running thence: N-07°-58'-49"-E, along the east line of said Parcel No. 21, a distance of 106.79 feet to an angle point therein;

Running thence: N-32°-21'-55"-E, along the east line of said Parcel No. 21, a distance of 39.86 feet to a point on the south line of Ridge Road;

Running thence: N-86°-40'-34"-E, along the south line of Ridge Road, distance of 368.64 feet to the point or place of beginning, containing 11.713 acres, more or less.

Subject to easements, rights of way and restrictions of record.

Being and intended to be a portion of lands conveyed to BG West Seneca HD, LLC by deed recorded in the Erie County Clerk's office in Liber 11074 of Deeds at Page 3415.

Whereas, this Town Board held a public hearing on the 22nd day of September 2014 at 7:00 P.M., EDT in the Town Hall, 1250 Union Road, in said town, to consider granting a special permit for the above-described property; and

Whereas, at such time and place this Town Board did meet to hear any and all persons interested in the subject thereof concerning the same.

Now, therefore, be it resolved, that a special permit be granted and the same is hereby rezoned from C-1 to C-1(S);

Be it further resolved that the Town Clerk is hereby ordered and directed to make such change on the zoning map and to enter a copy of this resolution with the zoning regulations in a book appropriate for its use.

Library Construction Grant Application for the West Seneca Public Library

Whereas the New York State Department of Education, Division of Library Development, under the Public Library Construction Grant Program ("State Grant") is offering funds up to 50% of approved costs for renovation or rehabilitation of public libraries in New York State, and

Whereas the Town of West Seneca is the owner of the building that houses the West Seneca Public Library, located at 1300 Union Road, in the Town of West Seneca, and maintains the building under an agreement with the Buffalo and Erie County Public Library System, and

Whereas the West Seneca Public Library is in charge with of its library operations in cooperation with the Buffalo and Erie County Public Library System, and per the guidelines for the State Grant and County Grant, must be the applicant for such grants, and

Whereas the West Seneca Public Library is in dire need of rehabilitation and expansion of its library facility and requires additional space for community use; and,

Whereas the West Seneca Library Board seeks to construct a 10,236 square foot addition to the existing library building.

Now Therefore Be It Resolved that the Town of West Seneca, as owner of the West Seneca Public Library building and grounds, recognizes its responsibility to maintain the building and, in accordance with its responsibility, hereby commits to pay an amount constituting at least 50% of the cost of the project in Phases I and II, to be used as local matching funds towards the State Grant, with said funds to be appropriated from a bond note;

And Be It Further Resolved that the Town of West Seneca will be providing matching funds through the sale of bonds, less any NYS Public Library Construction Grant proceeds, to complete Phase I and II of the West Seneca Library Addition Project, based on the attached project budget of Phase 1 for the construction of the addition at a total cost of \$1,558,800 and Phase 2, which includes the build out of the addition, inclusive of interior modifications and finishings, estimated to cost \$1,200,000, all contingent on the award of a Library Construction Grant;

And Be It Further Resolved that this Town Board hereby authorizes and directs Town Grants Consultant Connie D. Miner to submit the Public Library Construction Grant for the West Seneca Public Library and directs the West Seneca Town Supervisor, Sheila M. Meegan and West Seneca Library Board of Directors to provide all necessary signatures and documents needed for the Grants Consultant related to the aforementioned project and application for grant funding.

And Be It Further Resolved that the West Seneca Town Board agrees and covenants that the Library building at 1300 Union Road in the Town of West Seneca shall be legally available for use as a public library building for at least 10 (ten) years from the anticipated date of the completion of the aforementioned renovation/rehabilitation project.

Resolution to Approve Budgetary Amendment for the General Fund

WHEREAS, at the June 30, 2014 Board Meeting the Town Board approved the ECN proposal and payment plan relating to CodeRed effective July 15, 2014 and continuing for a period of five (5) years and one hundred seventy (170) days and authorized the Supervisor to complete and sign the necessary paperwork, and

WHEREAS, on July 15, 2014 a contract was entered into with Emergency Communications Network, LLC for the remainder of the 2014 fiscal year and the total amount due for services to be provided during the year ended December 31, 2014 are \$10,718.85 ("CodeRed expenditures"), and

WHEREAS, the Town's General Fund has available unassigned fund balance,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby amends the Town's 2014 adopted budget to increase General Fund appropriations and authorize use of its unassigned fund balance and increase expenditures with the addition of the new line for Disaster Preparedness 1.8760.0440 in the amount of \$10,718.85 to support the CodeRed expenditures.