

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

TOWN BOARD PROCEEDINGS
Minutes #2014-22
November 17, 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 Senior Recreation Therapist of Senior Services Mary Josefiak.

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 Delores Gross, Joan Hamilton and Steven Balla.

22-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the November 3, 2014 work session.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2014-21 of November 3, 2014.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve minutes from the 2015 Benefit Basis & Ad Valorem Budgets of November 10, 2014.

Ayes: All Noes: None Motion Carried

22-B LEGAL ITEMS

1. Motion by Supervisor Meegan, seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF THE RECEIPT OF THE INDEPENDENT PUBLIC ACCOUNTANT REPORT OF THE FISCAL AFFAIRS OF THE TOWN OF WEST SENECA FOR THE PERIOD BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013" in the Town of West Seneca, be received and filed.

Ayes: All Noes: None Motion Carried

22-C COMMUNICATIONS

1. Supervisor Meegan re Land Bank Act Resolution Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution in regards to the New York State Land Bank Act.

On the question, Supervisor Meegan stated a \$2.5 million grant was awarded from NYS Attorney General Eric Schneiderman's office which includes a pool of funds devoted to county wide demolitions. The town has been working with the banks and had some successes, but it was not enough. This is the start of a new process and three properties have been identified.

Code Enforcement Officer John Gullo commented this is a great opportunity and he hoped they would be successful. Doug Busse of his office put a lot of work into this and they will be meeting with a representative this Wednesday for an informational session.

Councilman Hart questioned the cost of the foreclosures the town will be reimbursing Erie County and Mr. Gullo responded he will be asking that question on Wednesday. Councilman Hart further questioned if once the property is taken the town will start maintaining it. Mr. Gullo stated there are questions concerning transfer of the properties and maintenance that will have to be answered.

Supervisor Meegan stated the land bank monies will help to reimburse the town and the resolution had to be adopted by December 5th. If they feel in the future this is not right for the town, they will rescind the application. Supervisor Meegan noted in 2010 there were almost four pages of properties and they are now down to two pages.

Councilman Hanley questioned how long it takes for a takeover. Mr. Gullo did not think it would be too long and stated he will be asking this question at the informational session.

Councilman Hart questioned the foreclosure costs and Supervisor Meegan responded the average cost is \$2500.

Ayes: All Noes: None Motion Carried
APPENDICES

2. Town Engineer re Stephenson St. Reconstruction Project, change order #1 Motion by Supervisor Meegan, seconded by Councilman Hart, to approve change order #1 in the amount of \$26,490 for Nova Site Co., Inc., 6 Lena Court, West Seneca, for 25 tree removals, one partial removal and 27 yard drains.

On the question,

22-C COMMUNICATIONS

2. (continued)

Motion by Councilman Hanley, seconded by Councilman Hart, to table this item until questions are answered by Town Engineer Steven Tanner.

Ayes: All

Noes: None

Motion Carried

3. Finance Director re
Budgetary transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a budgetary transfer request of \$450 from Acct. #001.9060.0807 (Hospital & Medical) to Acct. #001.9082.0806 (EAP) to cover a budget shortfall.

Ayes: All

Noes: None

Motion Carried

4. Grant Writer re Grant
application for
reimbursement for past
purchase of recycle bins

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution authorizing the Supervisor to sign an application for a New York State DEC grant seeking up to 50 percent reimbursement for the past purchase of recycle bins.

On the question, Highway Supt. Matthew English stated this involved a reimbursement of \$2800 for the old yellow recycling bins purchased in 2011.

Ayes: All

Noes: None

Motion Carried
APPENDICES

5. Grant Writer re Grant
application for
reimbursement for past
purchase of grapple truck

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution authorizing the Supervisor to sign an application for a New York State DEC grant seeking up to 50 percent reimbursement for the past purchase of a grapple truck.

On the question, Highway Supt. Matthew English stated this involved reimbursement of \$64,000 for a grapple truck purchased in 2011 and Grantwriter Connie Miner was fairly confident the town will receive this money.

Councilman Hart noted the Village of Williamsville recently received grant money for their new recycling totes and questioned if West Seneca is pursuing this. Supervisor Meegan responded an application has been submitted.

Ayes: All

Noes: None

Motion Carried
APPENDICES

22-D REPORTS

- Jacqueline A. Felser, Town Clerk's report for October 2014 received and filed.
- John A. Gullo, Code Enforcement Officer's report and plumbing report for October 2014 received and filed.
- Burchfield Nature & Art Center annual report, received and filed.

22-E APPROVAL OF WARRANT

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

General Fund - \$260,824.13; Highway Fund - \$93,474.17; Special Districts - \$185,394.13; Capital Fund - \$228,404.71 (voucher #'s 86299 - 86712); Trust & Agency Fund - \$36,690.37 (voucher #'s 86658 - 86672)

Ayes: All

Noes: None

Motion Carried

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

EXECUTIVE SESSION

Supervisor Meegan stated due to the inclement weather, the board members will be recessing at this time to executive session to discuss various legal issues and a personnel matter. Comment cards were available for members of the public that had questions or comments for the board members or department heads.

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 7:25 P.M. to discuss legal issues with Attorney for the Town Charles Grieco and a personnel matter with Chief Denz.

Ayes: All

Noes: None

Motion Carried

The board members returned from Executive Session at 9:00 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 9:00 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK

**A RESOLUTION SUBMITTED
BY
Supervisor Sheila M. Meegan
OF THE
*TOWN OF WEST SENECA***

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the *Town of West Seneca*, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that *the Town of West Seneca* hereby officially requests that BENLIC acquire the following propert(y)ies:

<i>50 Aurora Avenue</i>	<i>SBL# 124.77-2-27.1</i>
<i>316 Doris Drive</i>	<i>SBL# 124.14-4-54</i>
<i>2806 Seneca Street</i>	<i>SBL# 134.53-1-1.1</i>

; and be it further

RESOLVED, that the *Town of West Seneca* has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the *Town of West Seneca* agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the *Town of West Seneca* agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that the Town of West Seneca hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, adopted September 19, 2014 and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

50 Aurora Avenue SBL# 124.77-2-27.1
316 Doris Drive SBL# 124.14-4-54
2806 Seneca Street SBL# 134.53-1-1.1

; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

RESOLUTION for NYS DEC Grant Seeking Up To 50% Reimbursement for the Past Purchase of Recycle Bins

Resolution Authorizing the Filing of an Application for a State Assistance Grant for a Municipal Waste Reduction and/or Recycling Project and Signing of the Master Grant Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, the Town of West Seneca, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Master Grant Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Assistance Grant;

NOW, THEREFORE, BE IT RESOLVED BY the Town of West Seneca Town Board:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That Town Supervisor Sheila M. Meegan is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and Recycling Project.
4. That this resolution shall take effect immediately.

RESOLUTION for NYS DEC Grant Seeking Up To 50% Reimbursement for the Past Purchase of A Grapple Truck

Resolution Authorizing the Filing of an Application for a State Assistance Grant for a Municipal Waste Reduction and/or Recycling Project and Signing of the Master Grant Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

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