

25-C COMMUNICATIONS

1. Supervisor Meegan re Aviation Consultants of WNY, Inc.

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt and authorize the Supervisor to sign the attached resolution and State Environmental Quality Review (SEQR) forms allowing Aviation Consultants to apply for a grant from the Federal Aviation Administration to pay 90% of the allowable costs to design and construct airport access road realignment and reconstruction, noting adoption of this resolution in no way binds the Town of West Seneca to any approvals, permits and/or licenses that may be required by the applicant for future projects or work related to Buffalo Airfield.

On the question, Councilman Rusinski questioned if the 10 percent match was from the proprietor.

Supervisor Meegan responded the 10 percent match is from the proprietor and not the town. The property is in the process of being sold and discussions are taking place with another party.

Ayes: All

Noes: None

Motion Carried
APPENDICES

2. Town Engineer re Bid date for 2014 Sewer Repair Contract

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to set a tentative bid date for early January 2014 for the annual sewer repair contract.

On the question, Councilman Hart requested clarification on what this contract involves.

Town Engineer Jason Foote responded the sewer repair contract is bid annually and oversees general and emergency sewer repairs, restoration and watermain work.

Councilman Hart questioned how payment is determined.

Mr. Foote responded funding is supplied through the program maintenance fund and work is billed by unit pricing such as lineal foot (lf), square foot (sf) etc.

Ayes: All

Noes: None

Motion Carried

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3. Highway Supt. re Re-Bid date for fuel pump and system Motion by Supervisor Meegan, seconded by Councilman Hart, to reject the sole bid from the November 6, 2013 bid opening and set a new bid date of December 4, 2013 at 10:00 A.M. for receipt of bids on replacement of the fuel pump and fuel system at the Highway Department.

On the question, Councilman Hart questioned the age of the underground tanks and if there are any plans for replacement.

Highway Supt. Matthew English responded the tanks are approximately 15 years old and there are no plans for replacement.

Councilman Rusinski questioned if a different bidding approach is being taken in order to generate additional bids.

Mr. English responded there are not a lot of companies that do this work, but he is forwarding bid specifications to those that provide this type of service.

Councilman Hart commented on the possibility of companies providing their equipment in exchange for the town using their diesel fuel. The company would then install the equipment and maintain ownership rather than the town owning it.

Ayes: All

Noes: None

Motion Carried

4. Highway Supt. re Termination of Mitchell Smith in Buildings & Grounds Department Motion by Supervisor Meegan, seconded by Councilman Rusinski, to terminate Mitchell Smith as part-time laborer in the Buildings & Grounds Department effective November 8, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Highway Supt. re Title amendment and appointments Motion by Supervisor Meegan, seconded by Councilman Hart, to amend the title of Jeffrey Schwing to Highway Laborer/Asst. Dog Control Officer, Group 1, Step 5 at a rate of \$25.94/HR; and further, appoint Todd Cummins, Robert Garry & Ronald Stacey as Highway Motor Equipment Operators/Asst. Dog Control Officers, Group 2, Step 5 at a rate of \$26.34/HR effective November 6, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

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5. (continued)

On the question, Councilman Hart questioned if Jeff Schwing is the primary Dog Control Officer.

Highway Supt. Matthew English responded that Mr. Schwing is the primary Dog Control Officer and is one of four employees who signed up for this position. It was determined that employees working in this capacity had to be officially appointed in order to issue tickets/summons.

Councilman Hart questioned the number of hours spent on this job.

Mr. English responded that Mr. Schwing is a full-time employee and one of the other three appointees fills this position in his absence.

Ayes: All

Noes: None

Motion Carried

6. Chief Denz re Bid award for purchase of two unmarked police vehicles

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the purchase of two unmarked police vehicles to Delacy Ford Inc., 3061 Transit Rd., Elma, New York 14059 at their low bid amount of \$32,228, noting there are sufficient funds in the 2013 police vehicle line item #1.3120.0208.

Ayes: All

Noes: None

Motion Carried

7. Town Clerk re Appointment of Marleah Martinez as part-time seasonal Records Clerk

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Marleah Martinez as part-time seasonal Records Clerk at a rate of \$18/HR effective November 13, 2013 – June 30, 2014, noting funds were allocated in the Records Management Improvement Fund grant (01.1410.0139.3333) and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned if this was fully funded by the Records Management Grant and how the \$18/HR rate of pay was determined.

Town Clerk Jacqueline Felser responded the grant provides total funding and the hourly rate of \$18/HR is specified in the grant.

Ayes: All

Noes: None

Motion Carried

25-C COMMUNICATIONS

8. Finance Director re Budgetary transfer request
- Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve a budgetary transfer request of \$450 from Hospital & Medical Insurance Acct. #1.9060.0807 to Employee Asst. Program Acct. #1.9082.0806 to cover budget shortage for 4th quarter billing 2013.
- Ayes: All Noes: None Motion Carried
9. Director of Recreation re Appointments to Youth Board
- Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Pastor Jason Drapeau, Clayton Shanahan and Patrick M. Hoestermann as members of the Town of West Seneca Youth Board and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All Noes: None Motion Carried
10. Director of Recreation re Pay rate change for Lynn Green and Grace Reedy
- Motion by Supervisor Meegan, seconded by Councilman Hart, to change the rate of pay for part-time Recreation Attendants Lynn Green and Grace Reedy to \$8.50/HR effective November 24, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned if this is a predetermined step increase.

Recreation Director Craig Kroll responded there is no step increase for this position; however, the employees have been at their current rate for approximately five years and the increase is appropriate.

Ayes: All Noes: None Motion Carried

25-D REPORTS

- Jacqueline A. Felser, Town Clerk's report for October 2013 received and filed.
- John A. Gullo, Code Enforcement Officer's report and plumbing report for October 2013 received and filed.

25-E APPROVAL OF WARRANT

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

General Fund - \$222,730.31; Highway Fund - \$55,355.50; Special Districts - \$28,275.47; Capital Fund - \$870,237.74 (voucher #'s 81043-81343); Trust & Agency Fund - \$37,595.53 (voucher #'s 81311-81328)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

BUSINESS SUMMIT HOSTED BY SENATOR GALLIVAN

Mitch Martin of Senator Gallivan's office reported that Senator Gallivan just completed regulatory reform hearings throughout the State of New York with the objective of eliminating at least 1,000 state regulations in 2014. In addition, the Senator is hosting a free business summit at Try-It Distributing in Lancaster on December 5th, 8:00 A.M. – 9:30 A.M. and will speak on what Albany can do for local businesses.

K-9 UNIT

Amy Carpenter questioned if there are any plans to reinstate the K-9 unit.

Supervisor Meegan responded there are no plans for another K-9 unit.

Chief Denz stated he reviewed the program with command staff and it was unanimously agreed that use of a K-9 dog was not fiscally responsible at this time. The absence of a K-9 dog for the past year did not significantly impact the department. Cost and contractual issues along with restructuring were determining factors that a K-9 dog was not in the department's best interest at this time.

POLICE EXPANSION RECOGNITION

Amy Carpenter questioned if a determination was made as to how citizens who donated to the police expansion project will be recognized.

Supervisor Meegan responded no final decision has been made; however, a plaque is being considered.

ISSUES OF THE PUBLIC

BOARD MEMBER TRAINING

Amy Carpenter questioned if money was budgeted for training new board members and Supervisor Meegan confirmed that it was.

TREE ORDINANCE

Arlene Vogt suggested something be done about the tree ordinance and voiced her concern that the current law only pertains to residents not developers.

Supervisor Meegan responded that developers are required to follow SEQR and submit a tree survey with their site plan to the Planning Board and they are required to plant two trees per lot.

Councilman Hart stated they cannot backtrack what has already taken place, but the town is looking at changes to the tree ordinance and they are continuing to review ordinances from other towns. He further noted that amending an existing ordinance takes time.

Supervisor Meegan stated there are numerous town ordinances that require updating, a process that is very costly and a huge undertaking.

Councilman Rusinski stated that going forward when someone applies for subdivision approval the surrounding residents will be notified by the town. The public will be aware of the application for development much sooner and will have input at the Planning Board stage.

Town Attorney Shawn Martin stated the Planning Board can and has required conservation easements from developers, but they have to be careful on their stipulations and not place unreasonable restrictions on privately owned property.

GARBAGE TOTES

Mark Kalinowski questioned the status of the garbage totes and referred to an earlier meeting where it was stated totes were to be implemented by the end of summer.

Supervisor Meegan responded she had hoped to have the totes distributed by the end of summer; however, the process has been lengthy and has taken more time.

Councilman Rusinski stated the program is in place and has been well thought out. He further emphasized the importance of educating the public.

Mr. Kalinowski commented that research conducted by the Erie County Health Department has shown that once totes are in place there is a 60 percent reduction in the rat population.

ISSUES OF THE PUBLIC

GARBAGE TOTES (continued)

Councilman Hart stated Supervisor Meegan has worked diligently on the tote program and delivery of totes will begin in January after retrofitting of garbage trucks is complete.

Johanna Guenther questioned if the town has any plan (similar to a program in Rochester) to assist senior citizens and the disabled with placement of their garbage totes.

Highway Supt. Matthew English responded there currently is no plan in place; however, he will discuss options with the board members once the totes are distributed.

DOG CONTROL APPOINTMENTS

Susan Kims questioned the dog control officer appointments.

Highway Supt. Matthew English responded that all appointees are current employees and the additional title has no effect on the budget. The appointments were necessary in order to authorize the employees to issue tickets.

YOUTH BOARD

Susan Kims questioned what the Youth Board entails.

Recreation Director Craig Kroll responded it is a volunteer advisory board to the YES Program and Recreation Department. In order to secure funding from the Office of Child and Family Services, a certain number of people are required to be Youth Board members.

Mrs. Kims further questioned if there is a cost to the town for the YES program.

Supervisor Meegan stated the town employs a part-time person for the YES program and he will be speaking at the December work session regarding future plans for that program. Those duties will then be turned over to the Recreation Director and the YES position will no longer be part of the town's budget.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

WINTER PARKING BAN

Chief Denz reminded everyone the winter parking ban of 1 AM to 7 AM went into effect November 15th for all streets in West Seneca except the following streets where alternate parking is allowed: Wildwood, Edson, Duerstein, Burch Avenue between Manhassett and Seneca Street, Dorr, Oschawa, Grace, Stephenson and Winegar.

RESOLUTION

MUNICIPAL ENDORSEMENT

WHEREAS: Aviation Consultants of W.N.Y., Inc. received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Buffalo Airfield:

Design and Construct Airport Access Road Realignment and Reconstruction
(Approximately 8,400 SF of Pavement).

WHEREAS: the New York State Department of Transportation is offering a matching grant to the Federal grant for 50% of the non-federal share of eligible costs; and

WHEREAS: the New York State Department of Transportation, under Section 14h of the State Transportation Law, requires privately owned reliever facilities to obtain local municipal support to receive New York State funding.

NOW, THEREFORE, BE IT

RESOLVED: that the Town Board of the Town of West Seneca endorses the above described project for the purpose of making the project eligible for State funding;

RESOLVED: that the adoption of this Resolution shall be solely for the purposes stated herein and in no way binds the Town Board, the Planning Board and/or the Zoning Board of Appeals of the Town of West Seneca to any approvals, permits and/or licenses which may be required by the applicant for future projects or work related to Buffalo Airfield;

RESOLVED: it has heretofore been determined by the Town Board, under Part 617 of the State Environmental Quality Review Act (SEQRA), of the State of New York, that the above described project, including basic data collection, research and engineering studies, constitutes a Type II Action which will not have a significant impact upon the environment. The Supervisor of the Town of West Seneca is hereby authorized to sign and date the State Environmental Quality Review forms, as attached herewith; and, be it

FURTHER RESOLVED: that this Resolution shall take effect immediately.

Date

*TOWN
SEAL*

Supervisor

State Environmental Quality Review

In accordance with the rules, regulations, and procedures adopted by

Town of West Seneca

(or 6NYCRR Part 617 where the Municipal Corporation has not adopted such rules, regulations, and procedures) pursuant to the intent of the State Environmental Quality Review Act, the project described below is classified as a:

CHECK ONE

- Type I Action - with possible significant effect (NEPA or SEQR DEIS, FEIS, and SEQR-Record of Decision have been prepared).
- Type I Action - with no significant effect (Environmental Assessment Form or Environmental Assessment and Negative Declaration have been prepared and filed).
- Unlisted Action - with possible significant effect (NEPA or SEQR DEIS, FEIS, and SEQR Record of Decision have been prepared).
- Unlisted Action - with no significant effect (Environmental Assessment Form or Environmental Assessment and Negative Declaration have been prepared and filed).
- Type II Action
- Ministerial Act
- Exempt Act

PROJECT DESCRIPTION

Design and Construct Airport Access Road Realignment and Reconstruction (Approximately 8,400 SF of Pavement)

Authorized Signature

Title

Date