

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

**TOWN BOARD PROCEEDINGS**  
**Special Meeting**  
**July 17, 2015**

Supervisor Sheila M. Meegan called the meeting to order at 10:00 A.M. with the Pledge of Allegiance.

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

Absent - None

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 Michael Desiderio.

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### **BID AWARD FOR HEATHER HILL DRIVE/PAMELA COURT RECONSTRUCTION**

Supervisor Meegan stated an informational meeting was held at the senior citizens center on July 7<sup>th</sup> concerning the road reconstruction project for Heather Hill Drive and Pamela Court. Several questions and concerns were brought up with regard to sidewalk replacement and residents stated they thought in the 1970's their development was grandfathered in for continuation of betterments and improvements to the replacement of all sidewalks. The town responded there is no current issue with the sidewalks and no need for any water upgrades that would compromise the property owners or the town's transfer of the water district to Erie County Water Authority (ECWA). Supervisor Meegan referred to Town Code §92-4 Maintenance of Open Areas which states: "Steps, walks, driveways, parking spaces and similar paved areas shall be maintained so as to afford safe passage under normal use and weather conditions. Any holes or other hazards that may exist shall be filled and necessary repairs or replacement carried out. The owner or occupant of any premises fronting or abutting on any street or highway shall repair, keep safe and maintain any sidewalk abutting the premises and keep it free and clear from snow, ice, dirt or other obstruction. All trees, shrubs, plants and other vegetation must be cut back to a height of eight feet directly above the surface of any sidewalk. Any such owner or occupant shall be liable for any injury or damage by reason of omission or failure to repair, keep safe and maintain such sidewalk or to remove snow, ice dirt or other obstructions therefrom or negligence in performing those functions." Past meeting minutes were researched and nothing was found that grandfathered the neighborhood with regard to sidewalks. Supervisor Meegan asked Town Attorney John Fenz to forward this information to each of the property owners within the road reconstruction project, noting the town cannot spend public dollars without rightful cause of replacement. She further noted that Code Red was not used due to the importance of having this information part of the record.

Councilman Hart questioned if water replacement would only occur if ECWA indicated it was necessary. He further questioned if any sewer work was needed in this area.

Town Engineer Steven Tanner stated ECWA manages the watermains and they are consulted every time a road project is done. ECWA was contacted on this project and indicated their history of issues in this neighborhood was minimal, so they did not request that any watermains be replaced. All sewers in that area were previously videoed and lined and laterals grouted.

Councilman Hart stated the town could assist residents in creating a special district if they so choose and the cost would then be borne by all the residents of that district.

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the Heather Hill Drive/Pamela Court Reconstruction project to EdBauer Construction, at their low bid of \$1,824,698.

On the question, Councilman Hart stated although the bid is \$75,000 higher than the engineer's estimate, all the bids were within a specific range.

Mr. Tanner stated they asked the contractors that bid if the time of the bid had anything to do with the price being higher than their estimate and they all responded it did not. He believes this is a good representation of the cost of the project.

Councilman Hart referred to a question at the public information meeting concerning a 100 day window for the contractor to complete the project.

Mr. Tanner responded that depending on weather, it is feasible the contractor could complete the project before the end of construction season other than final restoration, which involves trees, topsoil, seeding, etc. and that would be done in the spring.

Councilman Hart referred to another question from the public information meeting concerning narrowing the road.

Mr. Tanner responded they had looked into the question of reducing the road by 6" on either side and it would have no impact on the condition of the road or its transverse ability of large vehicles. According to general highway guidelines for urban local streets, lanes as narrow as nine feet can be used based on conditions and they are using 11' lane width with a two foot shoulder (concrete gutter), making the actual drivable single lane width 13' which far exceeds the desired minimum of 9'. Auto Turn, a computer program, was used on the 30' radius, 26' wide section at the intersections and even a 70' long tractor trailer could navigate the turns. They also contacted Reserve Fire Company and they have no issue with navigating the subdivision. Mr. Tanner noted there should be signage installed prohibiting parking near the intersections.

Councilman Hart suggested one side of the turns within the subdivision also be posted for no parking.

