

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 led by Town Attorney John Fenz.

**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 Arakelian, Lawrence "Larry" Boltz and Dorothy "Dapper" Collins.

Supervisor Meegan noted the presence of Mitch Martin from Senator Gallivan's office.

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### **2-A MINUTES TO BE APPROVED**

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the January 5, 2015 Reorganization Meeting.

Ayes: All                                      Noes: None                                      Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the January 12, 2015 work session.

Ayes: All                                      Noes: None                                      Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve Minutes #2015-01 of January 12, 2015.

Ayes: All                                      Noes: None                                      Motion Carried

### **2-C COMMUNICATIONS**

8. Councilman Hart re Gaelic Athletic Association Continental Youth Championship
- Motion by Councilman Hart, seconded by Supervisor Meegan, to suspend the regular order of business to allow for a presentation by Pdraic Walsh of the Buffalo Fenians regarding the Gaelic Athletic Association Continental Youth Championship (GAACYC).

Ayes: All                                      Noes: None                                      Motion Carried

**2-C COMMUNICATIONS**

8. (continued)

Padraic Walsh played a short video describing the event that, if approved, will be held in July 2017 at the West Seneca Soccer Complex. All costs involved with the event are the sole responsibility of the GAACYC so there will be no cost to the town. Mr. Walsh commented on the positive economic impact this will have on the Buffalo area, noting the event will attract 18,000 people for up to five days.

Councilman Hart questioned why the West Seneca Soccer Complex was chosen. Mr. Walsh responded that they believe this venue fits their needs and is above and beyond what any CYC has to offer. He further stated satellite parking has not yet been decided, but they have been looking at West Senior High School and Southgate Plaza.

Councilman Hanley questioned when a formal announcement will be made and Mr. Walsh responded he was hoping for St. Patrick's Day, but it may not take place until April.

Supervisor Meegan thanked Mr. Walsh for choosing West Seneca and commented this is an exciting opportunity for the town and WNY. She further stated Town Attorney John Fenz will be in contact for additional conversations and urged passing the resolution to allow negotiations to begin.

Councilman Hart suggested adopting the resolution contingent on a satisfactory rental agreement, providing adequate insurance, filing a security plan with Chief Denz and implementation of remaining responsibilities as outlined in the proposal.

Motion by Councilman Hart, unanimous second, to adopt a resolution approving the Buffalo Fenians GAA application and proposal authorizing the use of the West Seneca Soccer Complex for the GAA Continental Youth Championship to be held from approximately July 24 – 31, 2017, noting approval of the use of the soccer complex for the championship is contingent on the successful completion of a satisfactory rental agreement between the Buffalo Fenians and the Town of West Seneca, providing of adequate insurance as determined by the town, filing of a security plan with the Chief of Police and implementation of the remaining or yet to be determined responsibilities as outlined in the proposal provided the town on January 21, 2015.

Ayes: All

Noes: None

Motion Carried



**2-B LEGAL ITEMS**

2. (continued)

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

Ayes: All

Noes: None

Motion Carried

Mark Subjeck stated his proposal to park new and used cars at 199 Lein Road, noting there will be no truckload delivery of vehicles. Cars will be driven in and out by employees of the Transitowne dealership, but they will not be selling cars on the premises. Mr. Subjeck stated this is a temporary use of the property to store vehicles, particularly during the winter to allow room for snow removal.

Code Enforcement Officer Jeffrey Schieber noted concerns from a resident of Lein Road regarding screening and public view of vehicles and stated the proposal for parking cars is less intrusive than what was previously at this location. Also, the cars are not visible from Lein Road.

Supervisor Meegan noted a concern about speeding and asked that Mr. Subjeck ensure the Transitowne employees adhere to the speed limit on Lein Road.

Tom Keenan questioned if approval of this special permit opened up the use of the property to anything else and Mr. Schieber responded if the use ceases for more than a year, the special permit is lost.

David Monopolus questioned how long this "temporary use" is for.

Mr. Subjeck responded that Delevan Industries is currently for sale and he is certain when it is sold the new owners will not want the cars parked there. He further stated he did not realize a special permit was required when he offered to park cars there for Transitowne.

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 the request for a special permit for property located at 199 Lein Road, being part of Lot No. 367, changing its classification from M-1 to M-1(S), to allow parking of new and used cars.

Ayes: All

Noes: None

Motion Carried

**2-C COMMUNICATIONS**

1. Supervisor Meegan re Retirement of Samuel E. Schlegel Jr. Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the retirement of Samuel D. Schlegel Jr, and terminate him as mechanic effective February 13, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Town Board members thanked Mr. Schlegel for 25 years of service to the town and an outstanding job as mechanic in the Highway Department.

Ayes: All

Noes: None

Motion Carried

2. Town Attorney re Renewal of Modern Recycling Agreement Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to exercise the town's option to renew its agreement with Modern Recycling, Inc. pursuant to paragraph 3 therein, for a period of one (1) year beginning February 1, 2015 at a rate of \$42.57 per unit, per year, noting the increase in price is provided for the base agreement based upon the most readily available consumer price index for November 2014 of .9 percent; and further, the number of units to be served previously set at 16,500 needs to be confirmed by the town and verified by the assessment rolls.

Ayes: All

Noes: None

Motion Carried

3. Town Engineer re Bid date for 2015 Sanitary Sewer Repair Contract Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a bid date of February 18, 2015 at 2 p.m. for receipt of bids on the 2015 Sanitary Sewer Repair Contract.

Ayes: All

Noes: None

Motion Carried

4. Chief Denz re Replacement vehicle purchase Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the purchase of five (5) new police vehicles at NYS contract pricing to replace five (5) police vehicles, noting that funding is available through the 2015 police vehicle line item (1.3120.0208).

On the question, Councilman Hart questioned if newer vehicles are being rotated.

**2-C COMMUNICATIONS**

4. (continued)

Chief Denz responded the vehicles being replaced are the same age as those previously replaced. The new vehicles are being purchased below NYS contract pricing and the cost is going up on February 15, 2015.

Ayes: All

Noes: None

Motion Carried

5. Code Enforcement Officer re Electronic Message Board at 4000 Seneca Street

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve an electronic message board for Jim's Steakout located at 4000 Seneca Street.

On the question, Councilman Hart questioned the rules for electronic signs and how they are regulated.

Code Enforcement Officer Jeffrey Schieber responded electronic signs must be 500' or more from residential property. They can be lit from 6 am thru 10 pm with no rapid flashing and the message must hold for 30 seconds. Mr. Schieber further noted some electronic signs pre-date the current ordinance.

Ayes: All

Noes: None

Motion Carried

6. Code Enforcement Officer re Model Home Construction on Seneca Creek Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve construction of two (2) model homes at Veronica Estates Subdivision on Seneca Creek Road.

On the question, Councilman Hart questioned why the need to approve model homes. Code Enforcement Officer Jeffrey Schieber responded the subdivision ordinance requires a subdivision to be completed prior to construction of any homes. The two lots the developer is requesting are located on Seneca Creek Road so no subdivision road needs to be completed.

Ayes: All

Noes: None

Motion Carried

7. Senior Recreation Therapist for Sr. Services re Status change for Marirose Bless to part time seasonal

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time food service worker Marirose Bless to part-time seasonal effective February 2-27, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

**2-C COMMUNICATIONS**

9. Councilman Hart re  
Resignation of Paul Notaro  
as Chairman and Member of  
Town Library Board

Motion by Supervisor Meegan, seconded by Councilman  
Hart, to accept the resignation of Paul Notaro as President  
and member of the West Seneca Library Board.

On the question, board members thanked Mr. Notaro for  
his service on the Library Board.

Ayes: All                      Noes: None                      Motion Carried

10. Councilman Hart re  
Resignation of Michael  
Tenhagen from Town Library  
Board

Motion by Councilman Hart, seconded by Councilman  
Hanley, to accept the resignation of Michael Tenhagen as  
a member of the West Seneca Library Board.

On the question, board members thanked Mr. Tenhagen  
for his service on the Library Board.

Ayes: All                      Noes: None                      Motion Carried

11. Councilman Hart re  
Appointment of William  
Josefiak as Chairman of  
Town Library Board

Motion by Councilman Hart, seconded by Supervisor  
Meegan, to appoint William Josefiak as Chairman of the  
West Seneca Library Board for a period ending December  
31, 2016.

On the question, Councilman Hart noted the Library Board  
voted to have Mr. Josefiak serve as Chairman.

Ayes: All                      Noes: None                      Motion Carried

12. Councilman Hart re  
Appointment of Cynthia  
Johnson to Town Library  
Board

Motion by Councilman Hart, seconded by Supervisor  
Meegan, to appoint Cynthia Johnson to a five year term  
on the West Seneca Library Board effective January 1,  
2015 - December 31, 2019.

On the question, Councilman Hart noted new members  
were selected by the Library Board.

Ayes: All                      Noes: None                      Motion Carried

**2-C COMMUNICATIONS**

13. Councilman Hart re Appointment of Julie Korczynski to Town Library Board

Motion by Councilman Hart, seconded by Supervisor Meegan, to appoint Julie Korczynski to the West Seneca Library Board to fill the remaining term of retired board member Paul Notaro effective January 26, 2015 - December 31, 2018.

Ayes: All                      Noes: None                      Motion Carried

14. Councilman Hart re Appointment of R. Dolph and D. Eiss to Town Library Board

Motion by Councilman Hart, seconded by Supervisor Meegan, to appoint Rosemarie L Dolph and Debbie Eiss, as alternate members on the West Seneca Library Board for a five year term effective January 1, 2015 - December 31, 2019.

Ayes: All                      Noes: None                      Motion Carried

15. Supervisor Meegan re Resignation of James Pace as Town Historian

Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the resignation of James Pace and terminate him as Town Historian effective January 21, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, board members thanked Mr. Pace for many years of service and an outstanding job as Town Historian.

Ayes: All                      Noes: None                      Motion Carried

16. Chief Denz re Appointment of Maria L. Ferrucci as Public Safety Dispatcher, Part-time

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Maria L. Ferrucci as part-time Public Safety Dispatcher effective January 27, 2015 at a rate of \$10.95 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned if this position was advertised on the website.

Chief Denz responded the position was not advertised on the website. Ms. Ferrucci was selected from the police list and is well qualified. Appointment as public safety dispatcher will offer her experience and opportunity within the Police Department.

Ayes: All                      Noes: None                      Motion Carried



**2-D REPORTS**

- Jacqueline A Felser, Town Clerk's report for year end 2014 & Receiver of Taxes' report for year end 2014 received and filed.
- John Gullo, Code Enforcement Officer's report for year end 2014 received and filed.

**2-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 - \$240,030.25; Highway Fund - \$194,876.94; Special Districts - \$32,077.64; Capital Fund - \$704,785.48 (voucher #'s 86713 – 87430); Trust Account - \$33,611.68 (voucher #'s 87551 – 87577)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**SPRING FLOODING CONCERNS**

David Monopolus questioned the status of the amphibious duck that was promised for Buffalo Creek.

Supervisor Meegan responded Code Enforcement Officer John Gullo has been in contact with New York State Canals for a piece of equipment that will reach out into the water and break up the ice in Cazenovia Creek and Buffalo Creek. Councilman Hart added there may be two pieces of this type of equipment available to the town.

Mr. Monopolus questioned if a creek study was going on as mentioned in the news.

Supervisor Meegan responded that Congressman Higgins' office had initiated a request for the study. She did not know the status of the request, but noted this is not a function of the town.

**PUBLIC "GAG ORDER"**

David Monopolus referred to a statement by Councilman Hart at the last meeting that the public "gag order" was Supervisor Meegan's idea and stated as a taxpayer he has the right to talk and ask questions.

**ISSUES OF THE PUBLIC**

**PUBLIC "GAG ORDER"** (continued)

Town Attorney John Fenz agreed that members of the public have the right to free speech. He added that the Town Board is an executive body that represents the town and Supervisor Meegan is the chairperson of Town Board meetings. The Town Board is not required to have people speak at Town Board meetings; they are required to allow people to speak at public hearings. The board members can allow public comments and questions at Town Board meetings, but it should be in an orderly and constructive manner. The Chairperson also has the authority to make the rules.

Dale Clarke commented on the "gag order" put on the public.

Councilman Hart stated that the board has listened to Mr. Clarke on the same issue for months and asked Mr. Clarke to move on to something else. He further stated Mr. Clarke was given the opportunity at the last meeting to ask questions and he was more than willing to answer them.

**STREET LIGHTS**

David Monopolus commented the total number of street lights out is over 200. He supported Councilman Hanley's idea of putting money in escrow until street lights are repaired.

Councilman Hart stated he was told by the electric company that a crew is not sent out to make repairs until a number of lights are out so it is more cost effective.

Karen Lucachik stated she wrote to the Public Service Commission informing them the town is not getting proper service from NYSEG.

Linda Toy suggested the utility bill be prorated if lights are out.

Supervisor Meegan stated town officials have contacted NYSEG and suggested the public contact state officials for help with this issue.

Amy Carpenter commented the Town of Clarence website has a NYSEG form to report street light outages and potholes.

Supervisor Meegan responded that according to an Investigative Post report, the Town of West Seneca website is ranked highest among 13 local municipalities.

**ISSUES OF THE PUBLIC**

**OPEN MEETINGS LAW**

Karen Lucachik commented on items being added to the Town Board agenda and did not believe this was in accordance with the Open Meetings Law. She stated a resolution was presented by former Councilwoman Bove to have no additional add on items on the agenda after it is finalized and the current Town Board should abide by that resolution.

**ZONING BOARD PROCESS**

Karen Lucachik questioned why Schwabl's electronic specialty sign was on the January 12<sup>th</sup> Town Board agenda prior to being on the January 28<sup>th</sup> Zoning Board of Appeals agenda.

Code Enforcement Officer Jeffrey Schieber indicated there was a discrepancy due to an apartment building next to the site which is considered commercial use, but the people living in the apartments could be affected by the sign. The applicant was advised to seek a variance in this case to allow adjoining neighbors the chance to speak for or against the sign.

Councilman Hart noted the Town Board ultimately approves these types of signs.

**WATER ISSUES ON BONCROFT DRIVE**

Doug Pearce commented on an ongoing problem with water breaks on Boncroft Drive. The supervisor on the job stated he has serviced forty-eight (48) breaks on the street. He also informed Mr. Pearce that part of the street is owned by Erie County Water Authority (ECWA) and part by the Town of West Seneca.

Supervisor Meegan agreed that a portion of this street is owned by ECWA and a small portion is owned by the Town of West Seneca. They are doing everything possible to make repairs so the lines can be turned over to ECWA and they hope to move forward with this before the year end. She added the town is not responsible for the repairs, but offered to contact ECWA on behalf of Mr. Pearce to relay his concerns.

**BI-WEEKLY RECYCLABLE PICKUP**

Amy Carpenter questioned if an investigation has been done regarding bi-weekly pickup of recyclables and Supervisor Meegan responded no.

**ISSUES OF THE PUBLIC**

**ST. BONAVENTURE UPDATE**

Linda Toy requested an update on the purchase of St. Bonaventure Church.

Town Attorney John Fenz responded that an agreement is about to be signed by the Bishop which will allow access to the inside of the building to start the inspection period.

Susan Kims questioned if a cost analysis is being done that will look at the purchase price, cost of renovation, etc.

Supervisor Meegan responded that a business plan is being put together with engineers going in to give the cost of renovations to compliment the business plan.

**ZONING BOARD CHAIRMAN**

Dale Clarke requested an answer to the Ethics Committee question asked at a previous meeting.

Supervisor Meegan read Councilman Hanley's response indicating the Ethics Committee investigated the accusation and determined that no violation occurred and the matter will not be pursued further.

Mr. Clarke questioned how an elected official could see nothing wrong with violating the Ethics Code by accepting a gift over \$75. Mr. Clarke felt it important to note that Councilman Hanley replaced a qualified individual on the Zoning Board with Mr. Elling.

David Monopolus questioned how long an elected or appointed official has to sign the book.

Town Clerk Jacqueline Felser responded the oath of office is 30 days. Mr. Elling signed the oath book within 30 days, but did not sign the Code of Ethics until May. Councilman Hanley also noted the Code of Ethics was not presented to Mr. Elling when he was appointed.

Susan Kims commented that when the Ethics Committee gives an advisory opinion to the Town Board, the entire board acts on it not just one councilman. Mrs. Kims further stated she submitted a FOIL request for Mr. Clarke's questions at a previous meeting and it was not dated or signed as per the original instructions.

Supervisor Meegan stated that as a board, they have not made any decision and are waiting for a recommendation from the Ethics Committee. At that point, they will go forward. Supervisor Meegan further noted that Mr. Clarke handed the question card to her and asked that she give it to Councilman Hanley.

**ISSUES OF THE PUBLIC**

**HIGHWAY FUND TRANSFER**

Susan Kims questioned the status of the one-time transfer to the Highway Fund budget.

Councilman Hart responded it has not happened yet and the amount is still to be determined.

Supervisor Meegan added the books must first be reconciled and this usually occurs in the beginning of February.

**TOWN HISTORIAN RESIGNATION**

Susan Kims noted the resignation of James Pace as Town Historian and questioned if the recent appointment of Elaine Corey at the historical museum will remain. Supervisor Meegan responded that Mrs. Corey will not be staying on.

**UPCOMING MEETINGS**

Susan Kims questioned the date of the next Master Plan meeting.

Councilman Hart responded the next meeting is Tuesday, January 27<sup>th</sup>, at 7 P.M. at the Burchfield Center. Also scheduled that evening at 7 P.M. is an Environmental Commission meeting as well as a sub-committee meeting at 6 P.M. concerning the proposal for a new tree ordinance.

**PART-TIME SEASONAL EMPLOYEES**

Susan Kims questioned if the town is obligated to offer health care benefits under the Affordable Care Act for part-time seasonal employees and Supervisor Meegan responded they are not.

**VOLUNTARY DRIVERS**

Susan Kims commented that the Town of Eden has volunteer van drivers for their senior center.

Supervisor Meegan advised that no one can voluntarily operate a vehicle according to the town's insurance policy. This would create a huge liability exposure which the town cannot afford.

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

**RESIGNATIONS/RETIREMENTS**

Highway Sup't. Matthew English thanked Jim Pace for his work as Town Historian and Sam Schlegel for his service in the Highway Department. Senior Recreation Therapist Mary Josefiak also thanked Mr. Pace for his presentations and book signing at the senior center.

**RECREATION PROGRAM REGISTRATION**

Lauren Masset announced that registration for summer day camp begins February 2<sup>nd</sup> for residents and March 2<sup>nd</sup> for non-residents. Registration is currently taking place for winter camp (February and April sessions) as well as for summer soccer, basketball, lacrosse and tennis camp. Youth Theater will hold regular summer camp for ages 12 and up. Also, new this year is Youth Theater junior camp for ages 8-11 on Fridays. Registration takes place in the recreation office Monday-Friday.

**COUNTY FUNDING FOR ROAD REPAIR PROJECT**

Supervisor Meegan stated County Executive Mark Poloncarz advised that the Town of West Seneca received \$100,000 for a road milling and paving project on Westcliff, Woodlane and Chamberlin Drive.

**LETTER FROM GOVERNOR CUOMO REGARDING NOVEMBER STORM**

Supervisor Meegan read an official letter received from Governor Cuomo applauding the town for its hard work during the November storm. He thanked the town for its support and commitment to ensuring the safety and well being of the residents as well as for ongoing leadership and service to the region.

**EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 8:30 P.M. to discuss pending litigation matters.

Ayes: All                                      Noes: None                                      Motion Carried

The board members returned from executive session at 8:50 P.M.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:50 P.M.

Ayes: All                                      Noes: None                                      Motion Carried

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**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 rezoning for the following described property located at 3962 Seneca Street from its classification of R-65A to C-1 for a photography business:

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 No. 29, of the Village of Lower Ebenezer described as follows:

Beginning at a point in the northerly line of Seneca Street, which point of beginning is 167 feet east of the intersection of the northerly line of Seneca Street and the westerly line of Lot No. 29, as measured along the northerly line of Seneca Street; thence northerly and parallel with the westerly line of Lot No. 29 for a distance of 200 feet; thence easterly and parallel with the northerly line of Seneca Street to the easterly line of Lot No. 29; thence southerly and along the easterly line of Lot No. 29 for a distance of 200 feet to a point on the northerly line of Seneca street; thence westerly along the northerly line of Seneca Street to the place of beginning.

Whereas, this Town Board held a public hearing on the 26<sup>th</sup> day of January 2015 at 7:00 P.M., EDT in the Town Hall, 1250 Union Road, in said town, to consider granting a rezoning 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 rezoning be granted and the same is hereby rezoned from R-65A to C-1;

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.

Jacqueline A Felser  
West Seneca Town Clerk  
February 5, 2015

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of West Seneca

Local Law No. 2 of the year 2015

A local law to amend Chapter 120 (Zoning) of the Town Code and the Table of Zoning Map  
(Insert Title)  
Amendments to change the zoning classification of the property located at 3962 Seneca  
Street (SBL No. 143.08-1-36) from R-65A to C-1.

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of West Seneca as follows:

Chapter 120 (Zoning) of the Town Code of the Town of West Seneca is amended to provide that zoning classification of the property located at 3962 Seneca Street (SBL No. 143.08-1-36) in the Town of West Seneca shall be changed from R-65A to C-1, which change shall be reflected in the official minutes of the Town Board meeting at which this local law is enacted, in the Table of Zoning Map Amendments and the Zoning Map.

This local law shall take effect ten days after notice hereof is published in the official town newspaper pursuant to New York Town Law Section 264(1).

(If additional space is needed, attach pages the same size as this sheet, and number each.)



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2015 of the ~~(County)(City)(Town)(Village)~~ of West Seneca was duly passed by the Town Board on January 26 2015, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20  , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

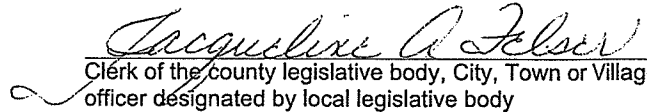
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

Date: 01/27/2015

(Seal)