

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

TOWN BOARD PROCEEDINGS
Minutes #2016-07
April 11, 2016

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 Chief Denz.

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 Dorothy Hartman, Ruby Stiglmeier and Regina Nowak.

5-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve minutes from the Comprehensive Plan public hearing held on March 22, 2016.

Ayes: All

Noes: None

Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2016-06 of March 28, 2016.

Ayes: All

Noes: None

Motion Carried

7-B LEGAL ITEMS

1. Proofs of publication and posting of legal notice: "OF THE ESTOPPEL NOTICE AND BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING FINANCING FOR THE TOWN'S LOCAL SHARE OF THE COST OF WATERWAY AND DRAINAGE IMPROVEMENTS TO CAZENOVIA CREEK IN THE TOWN; ESTIMATING THE TOTAL COST THEREOF IS \$114,125; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$114,125 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION " in the Town of West Seneca, received and filed.

7-C COMMUNICATIONS

1. Supervisor Meegan re
Appointments to
Environmental Commission

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Camie Jarrell, P. E., to the West Seneca Environmental Commission effective immediately to fill the unexpired term of Joyce Mallette ending December 31, 2016; and further, appoint Emily Baker, Richard Corbetta and Matthew Poole as associate members effective immediately.

Ayes: All Noes: None Motion Carried

Supervisor Meegan read a proclamation designating April 11, 2016 as "Joyce Mallette Day" and recognizing her many years of service and dedication to the West Seneca Environmental Commission.

2. Supervisor Meegan re
Standard Work Day and
Reporting Resolution

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached Standard Work Day and Reporting Resolution and authorize the Finance Department to submit completed forms to the Elected & Appointed Officials Reporting Program.

Ayes: All Noes: None Motion Carried
APPENDICES

3. Highway Sup't re
Termination of Buildings &
Grounds part-time laborers

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate the following part-time Buildings & Grounds laborers effective April 11, 2016:

Thomas Bebak
Alan Kerner
Ryan Schrader

Troy Eberle
Daniel Lewis
Tyler Sullivan

Jacob Hiam
Kerry Painter
Michael Zuchowski

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

Ayes: All Noes: None Motion Carried

4. Highway Sup't re Change of
status for Buildings &
Grounds part-time
employees

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time Buildings & Grounds laborers to part-time seasonal as follows: Rick Mingle and Harold Schwartz effective April 15 – September 15, 2016 at a rate of \$12 per hour and

7-C COMMUNICATIONS

4. (continued)

Matthew Amoia
Devin Chavanne
Jeremy Krawczyk
Michael Pauly

Brandon Bork
James Deppeler
Joseph Kropczynski
Christopher Szumla

James Brady
Tyler Kluck
Ryan McCoy
Chase Weber

effective April 15, 2016 – September 15, 2016 at a rate of \$9 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Town Attorney re Shared Services Agreement with NYS Department of Transportation

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to enter into the attached agreement authorizing shared services between the New York State Department of Transportation and the Town of West Seneca.

On the question, Town Attorney John Fenz stated this agreement formalizes what has taken place for years and will address those instances where one agency needs assistance from another up to \$10,000 annually.

Ayes: All

Noes: None

Motion Carried
APPENDICES

7-D REPORTS

- Jacqueline A Felser, Town Clerk’s report for March 2016 received and filed.

7-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 - \$193,026.44; Highway Fund - \$35,764.33; Special Districts - \$6,755.69; Capital Fund - \$124,576.30 (vouchers 93338 - 93793); Trust & Agency - \$42,385.17 (vouchers 93219 – 93725)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

COMPREHENSIVE PLAN

Amy Carpenter suggested posting a reminder on the electronic sign with the due date for comments on the Comprehensive Plan update. Supervisor Meegan asked Mrs. Carpenter to email her suggestion to Emily Josefiak.

ROSEWOOD DRIVE PROJECT

Amy Carpenter referred to a previous discussion on sidewalk replacement on Rosewood Drive and questioned if the town could replace sidewalks and create an overlay tax district for those residents. Councilman Hart responded residents could submit a petition for creation of a sidewalk district and there would then have to be a vote of all the residents in that particular district.

ETHICS COMMITTEE

Amy Carpenter stated the Ethics Committee is lacking a few members and they still need to put together a process. Supervisor Meegan responded the Town Board will work on this issue in the future.

COMPREHENSIVE PLAN COMMENTS

Nora Mikes stated she believes the 2016 Comprehensive Plan process was in violation of the NYS Open Meetings Law and asked the Town Board to table its adoption as she is currently awaiting an advisory opinion from the New York Department of State. Ms. Mikes commented she would like the town to seek massive and real public input.

Doug Kroll referred to current updates in the Comprehensive Plan and stated he is opposed to narrowing Union Road, on-street parking and roundabouts replacing traffic signals. Mr. Kroll commented that Union Road is a main highway and should remain as is, noting businesses have ample off-street parking and roundabouts will result in increased accidents. He further suggested the Comprehensive Plan be voted on by the public and not just a few people.

Councilman Hart responded that initially West Seneca residents were opposed to the five lane highway and it damaged and split the community. He suggested Mr. Kroll submit his comments in writing.

Town Attorney John Fenz advised that under New York State Law municipalities are not permitted to submit advisory or opinion questions for public referendum.

Karen Lucachik commented there is a small group of people that regularly attend Town Board meetings and most did not hear about the Comprehensive Plan meetings that were held.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

RECREATION PROGRAM UPDATES

Youth Service Coordinator Lauren Masset announced program registration for summer swim lessons and the new summer fun program has begun. Summer day camp registration is as follows: weeks 3, 4 and 5 are now wait list only; weeks 1, 2 and 6 have less than 7 spots each available.

PRESCRIPTION DRUG DROPOFF

Senior Recreation Therapist of Senior Services Mary Josefiak announced there will be a Prescription Drug Drop Off event on Saturday, April 30th at the senior center.

OFFICER OF THE YEAR AWARD

Chief Denz recognized Officer Matthew Leitzel who will be receiving an Officer of the Year award from American Legion Post 735, April 12th at 8:15 P.M.

COMPREHENSIVE PLAN COMMENTS

Councilman Hart reminded the public the Comprehensive Plan committee is seeking input on the updated plan and comments should be submitted in writing as soon as possible.

PUBLIC FORUM - ADDICTION IN OUR ZIP CODE

Supervisor Meegan stated there will be a public forum Wednesday, April 20th, 6:30 to 8:30 P.M. at the senior citizens center to discuss the prescription, opiate and heroin epidemic.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adjourn the meeting at 7:25 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK

**TOWN OF WEST SENECA
STANDARD WORK DAY AND REPORTING
RESOLUTION**

BE IT RESOLVED, that the Town of West Seneca hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

(see attached)

SHARED SERVICES AGREEMENT
Between
NYSDOT and TOWN OF WEST SENECA

THIS AGREEMENT, dated _____, 201_, is between the People of the State of New York, hereinafter referred to as "State" or "NYSDOT" and the Town of West Seneca, hereinafter referred to as "Municipality." Pursuant to Section 99-r of the General Municipal Law, the State and the Municipality wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources. Shared Services shall mean any service provided by one party (Provider) to another party (Recipient). The State and the Municipality agree to share services as follows:

1. Description and Cost of Services, Materials or Equipment to be shared: Provide details of the services, materials or equipment to be shared in the attached standard Schedule A. The total amount of the agreement shall not exceed ten thousand dollars (\$10,000.00). If applicable, indicate that the return exchange will be determined at a later date.
2. The Provider's employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to, salary, insurance, benefits and Workers Compensation.
3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient's use, the Recipient shall be responsible for such repairs.
4. The Municipality agrees to defend and indemnify the State for any and all claims arising out of the Municipality's acts or omissions under this Agreement.
5. The term of this Agreement shall be for one (1) year. The parties will endeavor to provide no less than thirty (30) days' notice of its intent to extend the Agreement. Either party may revoke this Agreement by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation.

6. NYSDOT – Region ___

TOWN OF WEST SENECA

By: _____ Date: _____
Resident Engineer – _____ County
Superintendent

By: _____ Date: _____
Town of West Seneca Highway

NYSDOT – Region ___

By: _____ Date: _____
Regional Director of Operations

By: _____ Date: _____
Town of West Seneca Supervisor