

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

TOWN BOARD PROCEEDINGS
Work Session
June 2, 2014

Supervisor Meegan called the work session to order at 2:00 P.M. with the Pledge of Allegiance to the Flag led by Councilman Eugene Hart.

ROLL CALL: Present - Sheila M. Meegan Supervisor
Eugene P. Hart Councilman
William P. Hanley Jr. Councilman
Charles D. Grieco Town Attorney
Jacqueline A. Felser Town Clerk
John Gullo Code Enforcement Officer
Daniel Denz Police Chief
David Johnson Town Engineer
Mary Josefiak Sr. Rec. Therapist of Sr. Services
Craig Kroll Recreation Director

Supervisor Meegan read the Fire Prevention Code instructing the public where to exit in case of a fire or an emergency.

FINANCE OFFICE

- Supervisor Meegan introduced Kevin Wystup of Johnson, Mackowiak & Associates LLP, Certified Public Accountants, who was recommended by town auditor Roger Lis to offer guidance and assistance moving forward in the Finance Office. Mr. Wystup outlined his firm's experience in municipal accounting and stated he and another employee of the firm are currently filling in for the Director of Finance in the Town of Evans.

Councilman Hart questioned if a price was negotiated for services.

Mr. Wystup responded the responsibilities and scope of work will have to be identified prior to establishing a cost for services. The initial cost will include additional front load hours due to the upcoming budget process. Mr. Wystup thought a couple days a week would be adequate depending on the capabilities of the current staff.

Councilman Hanley questioned if there will be any conflict of interest with knowing the town's independent auditor, R.A. Mercer Co.

Mr. Wystup stated most accountants know each other and he currently is not working on anything conjunctively with R.A. Mercer. The only other community he is currently working with is the Town of Concord. The firm is single audit qualified and worked in the past with the Village of Westfield, Town of Westfield, Town of Pomfret, Village of Brockton and Chautauqua County. Mr. Wystup stated he has been with the City of Dunkirk for 30 years and Cleveland Hill School District for the last four years.

Councilman Hart questioned if Mr. Wystup has worked with the NYS Comptroller's office recently.

Mr. Wystup stated the NYS Comptroller's office has recently been in Chautauqua County, City of Dunkirk and Cleveland Hill School District.

Councilman Hart stated the town's budget is \$40 million and he wants the board to explore the possibility of going to a full-time Comptroller with accountants on staff.

Supervisor Meegan recited a list of items she had given Mr. Wystup that the board members would like to see taken care of in the Finance Office. Mr. Wystup will meet with Supervisor Meegan for further discussion and will also meet with Councilman Hart.

PARKING LOT EXPANSION

- Attorney Paul Rudnicki and members of American Legion Post 735 were present for a discussion on the parking lot expansion and sharing the cost. Town Attorney Charles Grieco stated a determination was made a number of years ago that the property at issue is part of the park so it cannot be sold, leased or encumbered. Lands dedicated to public use for parks/recreation are held in public trust and can't be sold or built on without NYS legislative approval, but a parking lot can be built without approval. The entire parcel will remain property of the town and be paved for use as public parking for the town and the Post. Discussion followed as to whether a fence will be required for safety purposes. The map prepared by the Engineering Department indicated the parcel is 258' x 50'. Supervisor Meegan stated money is available through Senator Gallivan's office for this project and another meeting will be set up to work out the details.

CODE ENFORCEMENT OFFICER JOHN GULLO

- 117 French Road rezoning proposal - Petitioner is a heating contractor and is applying for a C-2 zoning to construct a building and parking lot. Town Attorney Charles Grieco stated the town must refer the application to the Planning Board as long as their paperwork is complete. The Planning Board will make a recommendation and then the application will return to the Town Board for a final decision. If approved, the project will go back to the Planning Board for site plan approval.
- Planning Board minutes are still not up-to-date. Code Enforcement Officer John Gullo stated his office is spending way too much time on Planning Board work. Supervisor Meegan stated the board members need to act on this and it will be discussed in Executive Session.
- Electrical inspections – Spoke to Town Attorney Charles Grieco and gave him his thoughts. Mr. Grieco will research information provided by Councilman Hanley and report back.
- Code amendments relative to property maintenance and setbacks should be presented by the next meeting.
- Lawn cutting – Letters were sent out and property owners were given 10 days.
- Ribbon cutting ceremony for Emergency Operations Center will be June 17th at 5:30 P.M. The public is invited.

TOWN CLERK JACQUELINE FELSER

- Ethics Committee will be meeting at 5:30 P.M. this date; all members will be attending

TOWN ENGINEER DAVID JOHNSON

- Vacancy in Engineering Department due to retirement of David Solly will be filled with engineer assistant position, but not until Erie County approves the title. A memorandum of agreement is also needed to put the title in the white collar union contract. The individual to be hired has been working for the town as summer help in the past and is familiar with the work. He is a college graduate and US Army veteran. This is a civil service position and appointment will be provisional until the test is given.
- Requested approval for hiring college engineering student Joseph Clifford as a summer intern. Supervisor Meegan questioned if this job was posted on the website and Mr. Johnson stated it was not posted.
- Contract for Cazenovia Creek Ice Control Structure – Councilman Hart questioned if the Engineering Department was recommending that they move forward on this, what work will be done and how close they will be on the cost of \$114,125. Town Engineer David Johnson stated they haven't questioned the Army Corps of Engineers' (ACOE) estimating. The ACOE put out a design deficiency report when they met last month. The ACOE never thought there would be debris behind the fingers and they need to do more study. They want to armor the side, raise it and cement. Councilman Hart questioned why the town is not cleaning it out and if it is due to permits. Mr. Johnson stated there are many different agencies involved and when they are doing work within the creek they wait until the water is barely flowing for safety reasons. Councilman Hart questioned if the effectiveness of the structure is reduced when it becomes clogged, the time table for the project and if Mr. Johnson and Town Attorney Charles Grieco are recommending the town give their approval. Mr. Johnson stated the structure gets jammed every year and ACOE is aware and needs to study it. Mr. Grieco responded it is listed as a 10 month project, but it is dependent on funding. From a legal prospective this is as good as the contract will get and it protects the town from cost overruns. The ACOE and state will not go forward without the contract. Mr. Johnson further stated the Engineering Department asked ACOE if they could be involved in the design and they agreed to take that into account. Councilman Hart suggested asking for a platform next to the structure to allow a crane to reach out to remove debris.
- Reached out to ACOE on Section 205 for Lexington Green residents, but there is no update; Town Engineer Richard Henry also contacted Senator Schumer's office.
- Mineral Springs Road update – numerous problems continue; should be done in a week

RECREATION DIRECTOR CRAIG KROLL

- Camp registration going well
- Opening day for baseball this weekend
- Requested executive session for personnel and financial matter

TOWN ATTORNEY CHARLES GRIECO

- Moratorium concerning sewage sludge - need to start thinking about issue and how they will address (i.e. ban spreading on farms; oppose 5 million gallon tank); Erie County Environmental Management Commission is looking at issue and should be willing to advise the town; big issue is material that is in sewer sludge because pharmaceuticals are not treated and can get into water table

CHIEF DENZ

- Requested the agenda item for appointment of police officers be moved to the top of the agenda at tonight's meeting
- Submitted additional item for seasonal status for Public Safety Dispatchers
- Requested executive session to discuss personnel issues

SUPERVISOR MEEGAN

- Comfort station project at Burchfield Center should begin by end of June and be operational by end of July
- Air quality testing was done at Metz House; Danforth installed HVAC; carpeting will be removed; asked Code Enforcement Officer John Gullo to do one more air test
- Baseball cages – Recreation Director Craig Kroll stated they should be down by Community Days
- Local 17 is working at Firemen's Park to finish up the 90' diamond.

COUNCILMAN EUGENE HART

- Asked for executive session discussion regarding contract with ADP and process of putting in new software program
- Gardenville power station will be rebuilt and town will receive money (starting at \$70,000) for environmental impact it will have on some wetlands
- Commented on growing problem with hogweed in Gardenville area to Lexington Green. Town Engineer David Johnson stated the DEC is aware and will take care of it.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 3:00 P.M. to discuss legal matters and personnel matters with Chief Denz, Recreation Director Craig Kroll and Town Attorney Charles Grieco.

Ayes: All

Noes: None

Motion Carried

The board members returned from Executive Session at 4:15 P.M.

The work session concluded at 4:15 P.M.

JACQUELINE A FELSER, TOWN CLERK