





**18-C COMMUNICATIONS**

Edie Offhaus of Feral Cat Focus stated she has been working to get the word out and over 100 caregivers in West Seneca are already practicing TNVR. The need was realized in the community and the program is reducing the population of cats. Complaints are down and it will be a healthier West Seneca. Feral Cat Focus of WNY and Operation Pets Spay/Neuter Clinic of WNY have been subsidizing this program and they write grants on a regular basis.

Councilman Hart questioned how someone that wanted to participate could do so if they didn't have the funds available. He further questioned if Feral Cat Focus could help with situations where people have numerous cats in their homes.

Ms. Offhaus responded if someone wants to participate but does not have funds available they can call the toll free number and present their case for review. Feral Cat Focus will use resources to work with the SPCA and Operation Pets on situations with numerous cats but often these cases are over their ability to help.

Mr. Reese noted the NYS Legislature voted for TNVR and funding for it, but he did not know if Governor Cuomo had signed it yet.

Cat McCulle, a student from SUNY Buffalo Law School animal law pro bono clinic, explained that the purpose of the resolution is to change laws for the better regarding animal welfare. She further noted the International City County Management Association endorsed the TNVR program and asked the board members to support the resolution.

Councilman Hart expressed concern about the spread of disease from cats and questioned if the number of cats are reduced in a neighborhood.

Ms. McCulle stated it takes time to see progress, but this is a step in the right direction. After they are spayed/neutered and vaccinated the cats are released back where they came from. The left ear is tipped so they are recognizable in the community. Ms. McCulle offered her assistance to the town in any way possible.

Dr. Kathleen Macholinski stated toxoplasmosis can be spread by cats, but people can also get it from other means. She suggested washing hands as a necessary precaution and stated there is no perfect answer for free roaming cats, but TNVR is proven to be a humane and effective way to reduce the number.

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| 1. Supervisor Meegan re Resolution supporting Trap-Neuter-Return for free roaming community cats | Motion by Supervisor Meegan, unanimous second, to adopt the attached resolution in support of a trap-neuter-vaccinate return program for free roaming community cats. |
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**18-C COMMUNICATIONS**

1. On the question, Councilman Hart suggested adding the trap-neuter-vaccinate-return program to the Town Code. Town Attorney John Fenz stated he will take the necessary steps to amend the Town Code.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

2. Highway Sup't. re Pay rate adjustment for highway laborers

Motion by Supervisor Meegan, seconded by Councilman Hart, to amend the pay rate approved at the August 24, 2015 meeting for John Cellino, Jonathan Kent and William O'Neil and set their salaries at Group 1, Step 1, \$26.12 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

3. Chief Denz re Status change for part-time Public Safety Dispatchers to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time Public Safety Dispatchers James McCullough and Richard Miller to part-time seasonal effective September 1 – 30, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

4. Chief Denz re Retirement of Kathleen Brenner

Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the retirement of Kathleen Brenner and terminate her as acting Senior Police Clerk effective September 19, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Chief Denz re Leave of absence for Colleen Schappert

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a leave of absence for Colleen Schappert from her position as Clerk Typist in the Police Department effective September 15, 2015 thru September 14, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

**18-C COMMUNICATIONS**

6. Chief Denz re Resignation of Henriette Eckl and Linda Loft as part-time crossing guards

Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the resignation of Henriette Eckl and Linda Loft and terminate them as part-time crossing guards effective August 26, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

7. Chief Denz re Appointment of Kimberly Hammersmith as part-time crossing guard

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Kimberly Hammersmith as part-time crossing guard effective September 8, 2015 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

8. Chief Denz re Budget transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to transfer \$6628.08 from Community Policing Programs Acct. #1.3120.0164 to Police Officer Acct. #1.3120.0154, noting this is due to completion of the 2015 Community Outreach Bicycle/Foot Patrol and will comply with bookkeeping measures established by the Finance Department.

Ayes: All                      Noes: None                      Motion Carried

9. Town Clerk re Appointment of Colleen Schappert as Senior Clerk Typist

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Colleen Schappert as Senior Clerk Typist effective September 15, 2015 at an annual salary of \$42,736.99 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

10. Town Clerk re Queen of Heaven School 5K Run/Walk Against Bullying

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the request of Queen of Heaven School to hold a 5K Run/Walk to support anti-bullying awareness on Saturday, October 10, 2015 beginning at 10 A.M. on designated streets in the Town of West Seneca.

Ayes: All                      Noes: None                      Motion Carried

**18-C COMMUNICATIONS**

11. Finance Department re Budget amendment request
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a budget amendment increasing revenue Acct. #2.3501 State Aid CHIPS Program \$109,919.80 and increasing expense Acct. 002.5112.0201 CHIPS Program Expenditures \$75,518.02 and Acct. 002.5112.0202 NYS Extreme Winter Recovery \$34,401.78.
- Ayes: All                      Noes: None                      Motion Carried
12. Youth Service Coordinator re Termination of Jessica Vicoria as part-time recreation attendant
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Jessica Vicoria as part-time recreation attendant effective September 21, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All                      Noes: None                      Motion Carried
13. Youth Service Coordinator re Appointment of part-time recreation attendants for Youth Theatre
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Phoebe Herreid and Molly Sergi as part-time recreation attendants effective September 15, 2015 at a rate of \$8.75 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting these positions will be paid from Acct. #1.7140.0149 Salary of Other Employees – Part-Time.
- Ayes: All                      Noes: None                      Motion Carried
14. Youth Service Coordinator re Family Swim rules and waiver
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached waiver and rules for Family Swim.
- Ayes: All                      Noes: None                      Motion Carried  
\*APPENDICES\*
15. Senior Recreation Therapist of Sr. Services re Status change for Carol Kennedy to part-time seasonal
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time food service worker Carol Kennedy to part-time seasonal effective September 1 – October 30, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All                      Noes: None                      Motion Carried

**18-C COMMUNICATIONS**

16. Senior Recreation Therapist of Sr. Services re Termination of part-time employees
- Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate part-time employees John Fechter, Theresa Kuebler and Judith Seitz effective September 14, 2015 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

17. Youth Service Coordinator re Reappointments at ice rink
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to reappoint the following part-time recreation attendants effective September 15, 2015 thru April 30, 2016, noting these positions will be paid from Acct. #1.7141.0149 Salary of Laborers – Part-Time:

<u>NAME</u>	<u>HOURLY RATE</u>	<u>NAME</u>	<u>HOURLY RATE</u>
Sarah Amoia	\$8.85	Travis Hicks	\$9.00
Taylor Dolan	\$8.85	Caroline Kane	\$8.75
Casey Dynarski	\$8.75	Jacob Kobler	\$8.75
Quinn Finnegan	\$8.85	Brooke Smith	\$8.75
Erin Gehen	\$9.15	Christopher Ziolkowski	\$8.75

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

Ayes: All                      Noes: None                      Motion Carried

18. Youth Service Coordinator re Appointment of recreation attendants at ice rink
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Sarah Boneberg, Nathan Roberts and Spencer Roberts as part-time Recreation Attendants at a rate of \$8.75 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting these positions will be paid from Account #1.7141.0149 Salary of Laborers – Part-Time.

Ayes: All                      Noes: None                      Motion Carried

**18-D REPORTS**

- Jacqueline A Felser, Town Clerk’s report for August 2015 received and filed.
- John A Gullo, Code Enforcement Officer’s report and plumbing inspector’s report for August 2015 received and filed.

**18-E APPROVAL OF WARRANT**

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

General Fund - \$249,165.69; Highway Fund - \$108,882.29; Special Districts - \$65,511.06; Capital Fund - \$1,099,699.24 (voucher #'s 89224-90830); Trust & Agency Fund - \$48,132.27 (voucher #'s 90695-90714)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**UNION EMPLOYEE OVERTIME**

Amy Carpenter commented on upcoming contract negotiations and suggested adding flexible scheduling or shift work for white collar and blue collar employees to avoid overtime.

Supervisor Meegan stated overtime is not an issue for white collar clerks. Several offices are understaffed in comparison to other municipalities, but the only overtime for white collar employees is in the courts and the Judges have tried other schedules but it doesn't work. The Highway Department blue collar employees work a three until midnight shift in the winter and overtime for Buildings and Grounds Department employees is mostly for tournaments.

**MASTER PLAN MEETING**

Amy Carpenter questioned the next Master Plan town meeting and suggested better advertisement. Councilman Hart responded there will be a meeting but he was not sure of the date at this time.

**TOWN APPEARANCE**

Amy Carpenter expressed concern about the general appearance of West Seneca with the Gaelic games and softball tournament coming to town and referred to weeds, garbage, litter and damaged signs. She suggested Highway Department and Buildings & Grounds workers help along with volunteers.

Supervisor Meegan stated Highway Department employees cannot work on state roads, but noted improvements and clean up that have been done throughout the town.

Karen Lucachik agreed with Mrs. Carpenter's comments and suggested contacting NYS for permission to clean up Slade Avenue.



**ISSUES OF THE PUBLIC**

**YOUTH SERVICE COORDINATOR**

Karen Lucachik complimented Youth Service Coordinator Lauren Masset on her work and also suggested increasing the price for summer camp next year.

**POLITICAL CONCERNS**

Karen Lucachik expressed concern about what will happen to the person that ran against Highway Superintendent Matthew English.

Supervisor Meegan responded that a lot of bad things were said about Mr. English during the campaign, but his staff was instructed to conduct themselves as gentlemen representing the town.

**BEECHWOOD ROAD RESURFACING**

Beverly Leising questioned the status of the Beechwood Road project. Town Engineer Steven Tanner responded the project was started late and the contractor is aware of the repercussions.

**DEBATE**

Beverly Leising was appalled by the literature that came out before Primary Day and suggested a debate be held to bring out the truth before Election Day.

Councilman Hart stated he asked the Chamber of Commerce to hold a debate and they will get back to him in a couple of days.

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

**NATIONAL PREPAREDNESS MONTH**

Senior Code Enforcement Officer John Gullo stated September is National Preparedness Month and reminded everyone to check and clean furnaces, test generators and sump pumps and stock up on food and water.

**RECREATION PROGRAM UPDATES**

Youth Service Coordinator Lauren Masset stated registration is open for youth basketball, over 30 hockey and men's basketball. She is currently looking for lifeguards for family swim. Open public skate begins October 2<sup>nd</sup>.

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

**FAIRFAX DRIVE RESTORATION**

Town Engineer Steven Tanner referred to the Fairfax Drive restoration problems and stated an independent contracting firm was consulted and reported that crabgrass can't be killed in the fall. They recommended two treatments in the spring and the contractor agreed to pay for this. The residents will be notified, but there may be additional complaints as some people were requesting sod.

**SEWER PROJECTS**

Town Engineer Steven Tanner stated he recently met with the NYS Department of Environmental Conservation (DEC) concerning the consent order and ongoing sewer projects, noting the number of sewer calls for sewage backing up in residents' basements has decreased significantly due to the work being done. He further commented on a letter received from the DEC regarding the overflow retention facility at Plant 6 and more stringent requirements for permits which would require the town to spend a lot more money. Mr. Tanner stated they have already drastically decreased sewage into the creek and he felt the letter is unfair and the town should not be penalized for doing the right thing, noting overflows were reduced from 365 million gallons to 166 million gallons.

**COURT ROOM RENOVATIONS/HANDICAPPED ACCESSIBILITY**

Town Engineer Steven Tanner explained the handicapped accessible court room renovation project which includes asbestos removal. The project should begin the day after Thanksgiving and be completed approximately December 11<sup>th</sup> or 12<sup>th</sup>. The estimated cost of the project will be \$100,000 to \$150,000. Supervisor Meegan noted Justice Court Assistance Program and Community Development Block Grant applications were submitted for funding the renovations.

**HEATHER HILL DRIVE PROJECT**

Town Engineer Steven Tanner stated the Heather Hill Drive project has begun and work should be completed by November.

**UPCOMING EVENTS**

Senior Recreation Therapist of Senior Services Mary Josefiak reminded the public of upcoming events at the senior citizens center:

- Annual Flu Shot Clinic - September 22<sup>nd</sup>, 9 A.M. until noon
- Prescription Drug Drop Off – September 26<sup>th</sup>, 10:00 A.M. until 2 P.M.
- Informational session with Senator Gallivan on the startup of small businesses – September 16<sup>th</sup>, 4:30 P.M. until 7 P.M.

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

**UPCOMING CITIZEN FORUMS**

Supervisor Meegan stated she has received information from County Executive Mark Poloncarz on three citizen forums scheduled for public input on needs for Erie County low to moderate income as well as elderly and handicapped residents. Meetings will be held at the Depew Village Hall on September 15<sup>th</sup>, Springville Municipal Building on September 16<sup>th</sup>, and Lackawanna Public Library on September 17<sup>th</sup>. Check the town website for further information.

**TOWN HALL RESTROOM RENOVATION**

Supervisor Meegan stated the Town Hall upper level restrooms will be out of service beginning September 19, 2015 for approximately four to five weeks for ADA compliant renovations.

**EXECUTIVE SESSION**

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

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 9:10 P.M.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 9:10 P.M.

Ayes: All

Noes: None

Motion Carried

  
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JACQUELINE A FELSER, TOWN CLERK

RESOLUTION IN SUPPORT OF TRAP-NEUTER-VACCINATE-RETURN (TNVR)  
FOR FREE ROAMING CATS

WHEREAS, the New York State Legislature has determined that TNVR is now generally accepted as a viable and effective population control tool which is being successfully practiced in thousands of communities and in every landscape and setting; and

WHEREAS, TNVR programs humanely trap feral cats that cannot be socialized to live with humans safely and take them to a veterinarian to be neutered, vaccinated and ear tipped; and

WHEREAS, after recovery from surgery the cats are returned to their colony, and in some cases kittens of feral cats that can be socialized, to people so they may be adopted into homes; and

WHEREAS, TNVR is grounded in science, stops the breeding cycle of feral cats and therefore improves their lives; and

WHEREAS, the historically practiced "catch and kill" approach formerly used to control feral cat populations has been demonstrated to be ineffective, costly and futile in attempts to permanently clear an area of cats because of the scientifically documented phenomenon known as the "vacuum effect;" and

WHEREAS, whenever cats are removed and killed new cats move in to take advantage of the now available resources (i.e. food and shelter), or the surviving cats left behind breed to capacity; and

WHEREAS, under TNVR the returned cats act as placeholders preventing intact cats from moving into the area, have significantly reduced nuisance behaviors (spraying, noise from mating and fighting) and are better community neighbors than the intact cats who would otherwise fill that space if there were a vacuum; and

WHEREAS, as a result of the above there is robust support for TNVR both at the grassroots level and within traditional political structures, now therefore, be it

RESOLVED, that this Town Board adopts the following policy in the Town of West Seneca with respect to feral and community cats and encourages residents of the town to follow this policy:

A. TNVR of community cats shall be legal in the Town of West Seneca and interested citizens are encouraged to participate in and support TNVR activities on a voluntary basis.

B. West Seneca residents who practice TNVR should be familiar with the guidelines supported by regional and national feral and community cat organizations regarding appropriate methods of TNVR.

C. Socialized cats and all kittens subject to TNVR shall be eligible to be, but not mandated to be, re-socialized and put up for adoption.

D. An ear tipped cat received by local shelters shall be returned to the location where trapped unless veterinary care is required. A trapped ear tipped cat shall be released on site unless veterinary care is required.

E. Dog control officers and town employees shall use appropriate opportunities to inform stakeholders about TNVR.

F. Proof of ownership shall not be required to claim a community cat from a local shelter.

G. It shall not be a violation of this section to determine that the best course of action for a particular cat or cat colony is to be left alone.

# Family Swim Rules

The Town of West Seneca Youth & Recreation Department has developed the following rules. They are for the safety and the general well being of our patrons. Please help us maintain a fun and safe environment by following these rules. Failure to follow these rules can result in suspension of swimming privileges.

## General Pool Rules

1. Patrons and guests must obey all rules and directions issued by the West Seneca Youth & Recreation Staff.
2. Patrons must sign in and sign the waiver each time they visit the pool. Guests under the age of 18 years old must have a parent or guardian sign the waiver each time they visit the pool.
3. Patrons must have a valid Resident ID Card to enter the pool. Resident ID Cards can be obtained from the Town Clerks office located in Town Hall (1250 Union Road).
4. We reserve the right to ask individuals to leave the water if their conduct is dangerous to themselves or others, or is otherwise inappropriate. Repeated or serious infractions may lead to suspension of swimming privileges or permanent exclusion from the program.
5. If the pool reaches capacity, or the capacity for the personnel present, the pool will be temporarily closed for entry. We will allow additional patrons into the pool when others exit.
6. No swimming without a lifeguard(s) on duty. There must two lifeguards on duty at all times. Lifeguards will position themselves around the pool. Lifeguards should report at 6:45 PM and leave at 9:15 PM once all patrons have left.
7. Please, no unnecessary conversation with the lifeguards on duty. Patrons may enter the pool at 7:00 PM and must exit the pool by 8:45 PM.
8. Swim diapers and plastic pants are required for all non-toilet trained children.
9. Diapers must be changed in designated changing areas and not on the pool deck.
10. All persons are required to take a rinse shower before entering the pool.
11. All swimmers must be attired in appropriate swim wear. Cut-off shorts are not allowed. Thong-type swimsuits, and suits that become transparent when wet, are prohibited.
12. Street shoes are not allowed on the pool deck.
13. No spectators are allowed on the pool deck.
14. Radios, MP3 players and other types of devices are not allowed on the pool deck. Music, movies or TV should never be playing.
15. Glass items are strictly prohibited in the pool area. Please use plastic containers.
16. No foods of any kind, drinks (other than water in plastic containers), baby oil, or powder is allowed in or around the pool area or locker rooms.
17. Profanity, unnecessary loudness, and anti-social behavior will not be tolerated.
18. Diving is not allowed at West Seneca East Middle School Pool.
19. Swimmers are not allowed on lane lines, dividing walls, safety lines, or gutters designated off-limits.
20. Lifeguard chairs and emergency equipment are for the use of the Aquatic Staff only. Do not block with personal belongings.
21. Please lock belongings in a locker. Do not leave items unattended. Please do not bring valuables to the pool. We are not responsible for lost or stolen items.
22. No alcohol, smoking or using tobacco products.
23. If a patrons appears to be under the influence of alcohol or illegal drugs they will be asked to leave we may call the police.
24. Use of camera phones is prohibited in the locker rooms.
25. Persons wishing to take pictures inside the pool area must obtain permission from the Recreation Director
26. Persons with skin lesions, open sores, contagious infections, or diarrhea are not permitted in the pool.
27. It is recommended that persons with heart, circulatory, or seizure problems swim with a partner.

28. No back-flips or back-dives.
29. No dunking or excessive splashing.
30. No running, pushing, rides on shoulders, or other rough play in the pool area or lockerrooms.
31. Non-swimmers and children under 16 must not be left unattended in the pool or on the deck, and must be accompanied in the water by an adult 18 or older (or parent or guardian) who shall remain within arm's reach and responsible for their safety at all times.
32. Coast Guard approved lifejackets and floatation devices only. Check for the label on these items. Children wearing lifejackets must be accompanied in the pool by an adult.
33. Swimmers must be able to comfortably swim the width of the pool to be allowed in the deep area of West Seneca East Middle Pool.
34. No swimming under the rope that divides the diving well from the rest of the pool. No hanging on either rope.
35. In addition to these rules all patrons must abide by the West Seneca Central School Districts pool rules at all times.
36. Remember, you are the lifeguard; it is your responsibility to enforce the rules, fairly and equally. This means that you must enforce all rules, at all times, to all patrons.

### **Lap Swim (2 Lap Lanes Will Be Open)**

1. Lap lanes are for continuous swimming or water exercise only. Playing and/or loitering in the lanes is prohibited.
2. Aqua-joggers must cooperate with lap swimmers by jogging single file in the slow lane and allow lap swimmer to pass.
3. Gauge the speed of other swimmers and pick a lane that is the appropriate speed for you.
4. Notify other swimmers in the lane that you are planning to join them.
5. If there are 3 or more swimmers in a lane, everyone must circle swim.
6. Rest in the corners of the lane to allow access to the wall for flip turns.
7. Do not obstruct the path of other swimmers. If you find you are being passed frequently, you are probably in the wrong lane.
8. Lap lanes are not generally open to children unless they are exceptional swimmers who demonstrate the ability to lap swim continuously and in cooperation with other lap swimmers.
9. Empty lanes may be used by children who are accompanied by an adult for the purpose of lap swimming or practicing skills. Lap lanes are not to be used as a substitute for open/public swim. Adults have priority in the lap lanes.

