



**17-B LEGAL ITEMS**

1. (continued)

Councilman Hanley explained the intent of the law is to address residential, non-owner occupied properties that may become a haven for drug use or various criminal or disruptive activities with the goal of minimizing and controlling any adverse effects. A registration process will be implemented and there is no fee involved.

Town Attorney John Fenz noted there have been some concerns as to whether the proposed local law is constitutional; however, every part of the law has been enforced by courts of the State of New York and there have been no rulings that it is unconstitutional. It has also been asked why the law was drafted with no fee involved and Mr. Fenz explained the Town Board is looking for a law that landlords will comply with and having no fee avoids impediments to compliance. Mr. Fenz further stated the Town Board and police already have the power to evict tenants, but the proposed ordinance codifies who the local vice agency is for the town. Landlords will register with the Town Clerk's office and no records on the identity of renters will be maintained by the town, but landlords will have to comply with any requests from the Police Department concerning the identity of their tenants. The law will take effect 10 days after filing with the Secretary of State and landlords should comply within 30 days. If the police are called to a dwelling unit that is non owner occupied, they will report the incident to the Town Attorney who will then advise the landlord of the illegal activity. If there is another call to the same residence, the police will again advise the Town Attorney and after a third notice the town will notify the landlord to evict the tenant. If the landlord does not initiate eviction proceedings, the town will do so and assess a fee on their property taxes.

Councilman Hart questioned if an arrest must take place and Mr. Fenz advised this is a civil matter. If there is evidence of criminal activity, the town may move forward with the process. Councilman Hart further questioned if there is a complete record of rental properties in town and Senior Code Enforcement Officer John Gullo responded his department inspects buildings with three or more units. Two-family units are not inspected unless there is a complaint.

Councilman Hanley stated he received two correspondence, one in favor and one against the proposed local law.

Chief Denz stated this is another tool for law enforcement to deal with the situations involving tenants and absentee landlords and the law provides another avenue to try to correct the problems on the properties. The law does not just address drug related issues; it addresses every day issues such as noise, dog complaints, property maintenance complaints, etc. Chief Denz stated it is not uncommon for police to respond to a property numerous times with the problem not being properly addressed, only to find no assistance from a non-responsive absentee landlord.

**17-B LEGAL ITEMS**

1. (continued)

Donald Weiss commented that the law will be helpful, but he believes it needs to be tweaked. He suggested including owner occupied properties and offered to serve on a committee to assist in making some revisions. Mr. Weiss further commented on the wording in his leases that also contain the names and phone numbers of the tenant and he believes his tenants do not want their phone number given out.

Mr. Fenz stated the town cannot regulate the use of owner occupied homes. He further stated the town is concerned with irresponsible landlords that may have the wording in their lease but are not enforcing the lease.

Mr. Weiss did not believe landlords that have not had a police call at their properties should have to comply. Mr. Fenz advised the town cannot adopt a law that only applies to criminals. Mr. Weiss further commented on the expense incurred by landlords in evicting a tenant and also stated his concerns with the application requiring the tenant's names and phone numbers. Councilman Hart responded the town will not have the tenant's names on file. Landlords will be responsible to maintain the information and provide it if needed.

Pat Metz commented on activity on her street and stated this law is exactly what is needed and she is totally in favor of it.

Linda Toy supported the proposed local law but would like to see two-family homes included. Councilman Hanley advised two-family units are included, but owner occupied units are not.

Bill Melski commented on activity on his street and expressed his support for the proposed local law.

Anthony Parisi stated he owns two doubles, screens his tenants, is a responsible landlord and supports the local law. Mr. Parisi questioned the consequences to the landlord if eviction fails or takes too long. He further questioned the duration of the registration and if there is a review process in case the problem is a neighbor issue.

Mr. Fenz acknowledged that evicting a tenant is difficult, but stated as long as a landlord is demonstrating he is doing what he can to evict the tenant, they are essentially complying with the law. The registration is per unit with a two year renewal and the issue must involve criminal activity.

Motion by Councilman Hart, seconded by Councilman Hanley, to table the public hearing until the next meeting.

Ayes: All

Noes: None

Motion Carried



17-C COMMUNICATIONS

4. (continued)

Matthew Amoia  
James Brady  
Raymond Ignasiak  
Jason Lehsten

Michael Baker  
Ryan Czekaj  
Wayne Kelm  
Cooper Panek

Brandon Bork  
Quinn Finnegan  
Joseph Kropczynski  
Zachary Piechowiak

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

Ayes: All

Noes: None

Motion Carried

5. Highway Sup't. re Status change for Highway part-time seasonal laborers

Motion by Councilman Hart, seconded by Councilman Hanley, to change the status of part-time seasonal laborers Dawson Broad, Nicholas Cafarella, Daniel Dimitroff, Joseph Horan and John Schneck to part-time laborers effective September 8, 2017 at a rate of \$10 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

6. Assessor re Attendance at training seminar

Motion by Councilman Hart, seconded by Councilman Hanley, to authorize Erik Finbar to attend the NYS Assessor's Association training conference October 1 – 4, 2017 in Lake Placid, New York, at a total cost not to exceed \$1,250.

Ayes: All

Noes: None

Motion Carried

7. Recreation Supervisor re Reappointment of Lauren Glawatz as part-time Recreation Attendant

Motion by Councilman Hart, seconded by Councilman Hanley, to reappoint Lauren Glawatz as part-time Recreation Attendant at a rate of \$13 per hour effective September 15, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting this position will be paid from Acct. #1.7140.0149.

Ayes: All

Noes: None

Motion Carried

17-C COMMUNICATIONS

8. Recreation Supervisor re Learn to Skate program  
Motion by Councilman Hart, seconded by Councilman Hanley, to enter into an agreement with Joan Disbrow on behalf of Learn to Skate for the 2017-18 season.  
Ayes: All                      Noes: None                      Motion Carried
9. Recreation Supervisor re Youth basketball program  
Motion by Councilman Hart, seconded by Councilman Hanley, to approve the youth basketball program for fall 2017, noting the program dates are subject to change or cancellation depending on facility usage, WSCSD schedule, staffing levels, weather, program enrollment and various other factors.  
Ayes: All                      Noes: None                      Motion Carried
10. Recreation Supervisor re Revisions to Recreation Employee Handbook  
Motion by Councilman Hart, seconded by Councilman Hanley, to approve the proposed revisions to the Recreation Employee Handbook.  
Ayes: All                      Noes: None                      Motion Carried
11. Recreation Supervisor re Ice Rink appointments  
Motion by Councilman Hart, seconded by Councilman Hanley, to appoint the attached list of individuals to the corresponding positions and rates of pay effective October 1, 2017 – May 31, 2018, noting these positions will be paid from Acct. #1.7140.0149.  
Ayes: All                      Noes: None                      Motion Carried  
\*APPENDICES\*
12. Chief Denz re Resignation of Jenna Sullivan as clerk/typist  
Motion by Councilman Hart, seconded by Councilman Hanley, to accept the resignation of Jenna Sullivan as clerk/typist effective September 6, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.  
Ayes: All                      Noes: None                      Motion Carried

**17-C COMMUNICATIONS**

13. Chief Denz re Appointment  
of crossing guards

Motion by Councilman Hart, seconded by Councilman Hanley, to appoint Joseph Mrowczynski and Edith Bauld as part-time crossing guards effective September 11, 2017 at a rate of \$10 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

**17-D REPORTS**

- Jacqueline A Felser, Town Clerk's report for August 2017 received and filed.

**17-E APPROVAL OF WARRANT**

Motion by Councilman Hart, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$301,775.45; Highway Fund - \$90,236.48; Special Districts - \$52,850.19; Capital Fund - \$164,229.76 (vouchers 99561 - 101599) Trust - \$245,681.01 (vouchers 101605 - 101614)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**PARK IMPROVEMENTS**

Linda Toy questioned the proposed improvements to Tim Russert Park and Switzer Park. Councilman Hanley stated they are two different projects and Tim Russert Park is being made ADA compliant. Deputy Supervisor Matthew English explained the improvements originally proposed for Veterans Memorial Park have been moved to Switzer Park.

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

**FLU SHOTS**

Senior Recreation Therapist of Senior Services Mary Josefiak announced that flu shots are being offered at the senior center. Contact the senior center for more information.

**FREE RABIES CLINIC**

Deputy Supervisor Matthew English announced a free rabies clinic will be held at the Highway Department on Wednesday, September 27, 2017, 4 P.M. – 7 P.M.

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

TOWN BOARD PROCEEDINGS  
Minutes #2017-17  
September 7, 2017  
Page eight . . .

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

**ADJOURNMENT**

Motion by Councilman Hart, seconded by Councilman Hanley, to adjourn the meeting at 4:05 P.M.

Ayes: All

Noes: None

Motion Carried

---

**JACQUELINE A FELSER, TOWN CLERK**



| LAST NAME   | FIRST NAME | TITLE                     | COLUMN1       | HOURLY RATE OF PAY |
|-------------|------------|---------------------------|---------------|--------------------|
| Borzillieri | Peter      | Recreation Attendant (PT) | Reappointment | \$ 11.50           |
| Cooke       | Joshua     | Recreation Attendant (PT) | New Hire      | \$ 11.00           |
| Drajem      | Joseph     | Recreation Attendant (PT) | Reappointment | \$ 12.00           |
| Feneziani   | Samuel     | Recreation Attendant (PT) | New Hire      | \$ 11.00           |
| Fish        | Bryan      | Recreation Attendant (PT) | Reappointment | \$ 11.50           |
| Gelinas     | Gabrielle  | Recreation Attendant (PT) | Reappointment | \$ 12.00           |
| Harris      | Nicole     | Recreation Attendant (PT) | Reappointment | \$ 11.50           |
| Hicks       | Hayley     | Recreation Attendant (PT) | New Hire      | \$ 11.00           |
| Kaufman     | Kelsey     | Recreation Attendant (PT) | Reappointment | \$ 12.00           |
| Marino      | Jacob      | Recreation Attendant (PT) | Reappointment | \$ 11.50           |
| Nigro       | Alexa      | Recreation Attendant (PT) | Reappointment | \$ 11.50           |
| Nikander    | Zachary    | Recreation Attendant (PT) | New Hire      | \$ 11.00           |
| Strawder    | Nicole     | Recreation Attendant (PT) | Reappointment | \$ 12.00           |
| Corey       | Elaine     | Recreation Attendant (PT) | Reappointment | \$ 11.50           |
| Sharkey     | Joseph     | Recreation Attendant (PT) | Reappointment | \$ 12.00           |

NEW HIRE(S): \$11.00/HOUR

REAPPOINTMENT(S): \$11.50/HOUR

FIRST AID & CPR, VALID, OBTAINED OR PROOF OF ENROLLMENT TURNED IN BY 9/7/17: + \$00.50