

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

**TOWN BOARD PROCEEDINGS**  
**Minutes #2016-23**  
**December 5, 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 Thomas Nesselbush, Charles Metzler and Margaret Borchert.

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**23-A MINUTES TO BE APPROVED**

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2016-22 of November 21, 2016.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve minutes from the December 1, 2016 bid opening for the Community Center & Library Project.

Ayes: All Noes: None Motion Carried

**23-B COMMUNICATIONS**

1. Town Engineer re Deduct change order #1 for Heather Hill/Pamela Court Reconstruction  
Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to sign all necessary paperwork for deduct change order #1 in the amount of \$34,762.55 due to quantity underruns on certain bid items for the Heather Hill/Pamela Court Reconstruction Project.

Ayes: All Noes: None Motion Carried

2. Town Engineer re Bid award for Sewer District 6/Plant 6 Sewer Transmission Main Repairs  
Motion by Supervisor Meegan, seconded by Councilman Hanley, to award the bid for Sewer District 6/Plant 6 Sewer Transmission Main Repairs to the sole bidder, Milherst Construction, Clarence Center, New York, at their bid of \$185,750.

Ayes: All Noes: None Motion Carried

**23-B COMMUNICATIONS**

3. Town Engineer re Bid award for Community Center & Library Project

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the bid for the Community Center and Library project to the following contractors:

General - Resetarits Construction \$8,295,000  
Mechanical - JW Danforth Inc. \$788,000  
Electrical - Frey Electric \$747,000  
Plumbing - MKS Plumbing \$440,000  
Fire Protection - Allied Fire Protection \$130,700

On the question, Supervisor Meegan stated a total of six bids were received from general contractors, seven from mechanical contractors, five from electrical contractors, seven from plumbing contractors and two bids for fire protection. The low bid contractor for fire protection qualified their bid and under the guidance of Town Attorney John Fenz it is being rejected and the second bidder is being awarded.

Ayes: All

Noes: None

Motion Carried

4. Chief Denz re Status change for part-time Public Safety Dispatchers Andrew Oscypala and Norman Brem

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time Public Safety Dispatcher Andrew Oscypala and Norman Brem to part-time seasonal effective December 1 - 31, 2016 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 Replacement vehicle purchase

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the purchase of one new police vehicle under NYS contract pricing to replace one police vehicle as part of the annual fleet replacement rotation, noting funding is available under Police Vehicle Account #1.3120.0208.

Ayes: All

Noes: None

Motion Carried

**23-B COMMUNICATIONS**

6. Senior Recreation Therapist of Senior Services re Status change for Lee Ann Piniewski to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time food service worker Lee Ann Piniewski to part-time seasonal effective December 19, 2016 - March 31, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

7. Supervisor Meegan re Resolution in support of Senate Bill S8196

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution in support of Senate Bill S8196 which will amend the tax code to allow taxpayers to claim credits for treating and removing trees infected by the Emerald Ash Borer.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

**23-C 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 - \$2,523,845.40; Highway Fund - \$756,578.28; Special Districts - \$78,705.23; Capital Fund - \$117,326.85 (vouchers 96577 - 97366) Trust - \$321,125.76 (vouchers 97229 - 97252)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**WNY PSYCHIATRIC CENTER**

Beverly Leising questioned what the public can do to assist Assemblyman Michael Kearns in his endeavor to keep the WNY Children's Psychiatric Center open or purchase the property. Supervisor Meegan responded the value of the property is a negative \$18 million and the town is not in a position to assume this burden. New York State would need to remediate the issue first.

**MATS FOR THE HOMELESS**

Beverly Leising suggested a project called "Mats for the Homeless" for seniors at the senior center, noting the project is nationwide and provides a purposeful use for plastic shopping bags.

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

**COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

Supervisor Meegan announced the town was awarded Community Development Block Grant funds to resurface Boncroft Drive, Bellwood Avenue, Thorndale Avenue and Tindle Avenue.

**BUFFALO CREEK ACCESS**

Town Engineer Steven Tanner stated he and Supervisor Meegan met with the NYSDOT last week concerning access to Buffalo Creek and the Harlem Road Bridge Project. The goal is for the town to maintain access after the bridge project is completed.

**COMMUNITY CENTER & LIBRARY PROJECT**

Councilman Hart asked Town Engineer Steven Tanner to outline the next steps involved with the Community Center & Library Project.

Mr. Tanner responded he will begin laying out a schedule and hold a pre-construction meeting with contractors. The timeline for the building is to have the shell up by June, 2017 with total construction completed by May, 2018. Additionally, they will be re-bidding the Clerk of the Works (Project Manager) role and will put out a request for qualifications.

Councilman Hart questioned the status of the inquiry for a real estate manager for the leased portion of the building. Town Attorney John Fenz will follow up on this.

**SENIOR CENTER ACTIVITIES**

Senior Recreation Therapist of Senior Services Mary Josefiak commented on the following activities at the senior center:

- Holiday parties are being planned with the annual Christmas party to be held Monday, December 12<sup>th</sup> and the New Year's Eve luncheon on December 30<sup>th</sup>
- Requested automatic doors for the restrooms at the senior center
- Van drivers will be getting town I.D. cards from the Town Clerk's office for identification purposes

**RECREATION DEPARTMENT ACTIVITIES**

Youth Service Coordinator Lauren Masset commented on the following activities in the Recreation Department:

- Breakfast with Santa will be held Sunday, December 11<sup>th</sup> and a limited number of tickets are still available
- Skate with Santa will take place on Sunday, December 18<sup>th</sup>, 1:15 P.M. to 3 P.M.
- Family swim is held at West Seneca East Middle School on certain Monday and Wednesday evenings
- Canned food drive begins next week running through December 19<sup>th</sup> with drop off locations at Town Hall, West Seneca Public Library and the recreation office.

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

**PUBLIC SAFETY UPDATES**

Chief Denz announced the Police Department received a \$10,000 grant from Western New York Police Foundation and will be purchasing personal protection gear. He further stated officers will be heavily enforcing the parking ban and reminded the public that locking vehicles is critical to help reduce car break-ins during the holiday season.

**LEXINGTON GREEN**

Supervisor Meegan referred to conversations she had with Lexington Green families regarding any future plans for covering the berm and noted Bill Bauer had offered topsoil to the homeowners. Town Engineer Steven Tanner advised that covering the berm will not give the homeowners additional protection from future flooding and any topsoil used should be tested first.

**PEARL HARBOR DAY CEREMONY**

Supervisor Meegan announced the Pearl Harbor Day ceremony to be held Wednesday, December 7<sup>th</sup> at noon at American Legion Post 735.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 7:35 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**

**RESOLUTION IN SUPPORT OF SENATE BILL S8196**

WHEREAS, the Emerald Ash Borer was first discovered in the United States in 2002; and

WHEREAS, the Department of Environmental Conservation has stated that the Emerald Ash Borer is responsible for the destruction of over 50 million ash trees in the United States; and

WHEREAS, there are approximately 900 million ash trees in New York State alone that the Emerald Ash Borer is a threat to; and

WHEREAS, residents in New York, including many in Erie County and the Town of West Seneca have to remove trees from their private property that have been killed by the Emerald Ash Borer; and

WHEREAS, removal of dead ash trees can cost up to \$500 per tree; and

WHEREAS, New York State Senator Timothy Kennedy has introduced legislation in the New York State Legislature to allow residents to apply for a tax credit of 50% of the cost of the removal of each tree, capped at \$300 per tree and the bill also allows a tax credit of \$100 or 50% of the cost of the treatment for each ash tree on their private property; now, therefore, be it

RESOLVED, the Town Board of the Town of West Seneca calls on the New York State Legislature to pass Senate Bill S8196 to amend the tax code to allow taxpayers to claim credits for treating and removing trees infected by the Emerald Ash Borer; and be it further

RESOLVED, the Town Board of the Town of West Seneca calls on Governor Andrew Cuomo to sign Senate Bill S8196 when it reaches his desk; and be it further

RESOLVED, the Town Clerk of the Town of West Seneca is hereby directed to transmit copies of this resolution to New York State Senator Patrick Gallivan, New York State Assemblyman Michael Kearns, New York State Senator Timothy Kennedy, State Senator Catharine Young (Chairwoman of the Senate Finance Committee), Assemblyman Herman Farrell, Jr. (Chairman of the Assembly Ways & Means Committee), Governor Andrew Cuomo and to other municipalities within Erie County.