TOWN BOARD PROCEEDINGS Minutes #2022-02 January 20, 2022

Supervisor Gary Dickson called the meeting to order at 6:00 P.M.

**ROLL CALL:** 

Present Gary Dickson

ckson Supervisor

Robert J. Breidenstein Joseph Cantafio Susan K. Kims

Jeff Piekarec

Councilmember Councilmember

Councilmember Councilmember

Absent

None

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

### MINUTES TO BE APPROVED

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve Minutes from the Reorganization Meeting of January 3, 2022.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Kims, to approve Minutes #2022-01 of January 3, 2022.

Ayes: All

Noes: None

**Motion Carried** 

### **LEGAL NOTICES**

 Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN THE REZONING AND SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 2007 RIDGE ROAD CHANGING ITS CLASSIFICATION FROM R-60A TO C-2(S) FOR CONSTRUCTION OF A NEW +/- 3,500-SF RESTAURANT WITH DOUBLE DRIVE-THRU AND ASSOCIATED PARKING" in the Town of West Seneca received and filed.

Motion by Supervisor Dickson, seconded by Councilmember Kims, to open the public hearing.

Ayes: All

Noes: None

**Motion Carried** 

Todd Markovich with APD Engineering presented the following:

- ✓ The two adjacent properties have been rezoned from R-60A to C-2(S).
- ✓ The property located at 2007 Ridge Road has recently been acquired and will be part of the project
- ✓ Rezoning will allow the project to have more property
- ✓ Previously, the proposed concept plan had issues that would require variances, with the addition of the new parcel there is no need for variances

Supervisor Dickson stated this is the Burger King that will be next to Wendy's and the project received unanimous approval from the Planning Board.

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Councilmember Piekarec questioned how the addition of the third property will affect the drive-thru. Mr. Markovich stated it does not impact the stacking in the drive-thru, but it allows for more parking on the west side of the property.

No public comments were received.

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to close the public hearing.

Ayes: All

Noes: None

**Motion Carried** 

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to grant the rezoning and special use permit for property located at 2007 Ridge Road changing its classification from R60A to C-2(S) for construction of a new +/- 3,500-sf restaurant with double drive-thru and associated parking.

Ayes: All

Noes: None

Motion Carried

### **PUBLIC COMMENTS ON NEW BUSINESS**

No comments were received.

### **NEW BUSINESS**

### **2-A ANNOUNCEMENTS**

Supervisor Dickson re Standards for absences – Planning and Zoning Boards

Councilmember Breidenstein stated in his opinion the following reasons would qualify for "excused" absences:

- ✓ Isolation or quarantine order by the Department of Health
- ✓ A death in the immediate family
- ✓ Hospitalization and/or recovery
- ✓ Emergency meeting with less than 24 hours' notice to members
- ✓ Declared environmental disasters including travel bans, weather emergency, or power failures

Councilmember Piekarec stated he agrees with the reasons stated.

Supervisor Dickson stated he had a conversation with the Zoning Board Chairman about the situation where a member has done their work and expressed their opinion but is unable to attend due to a last minute work obligation, he would like this to be an excused absence with pay.

Councilmember Cantafio requested clarification on the procedure to be followed and the implications on payroll. Director of Finance Straus stated the annual salary will be equally divided by payroll and at some point, during the year, the attendance logs will be reviewed, and payroll amounts will be lowered for any unexcused absences where necessary.

Councilmember Cantafio questioned if a board Chair would attend a Town Board meeting to discuss an absence or communicate with the Supervisor who will then make a recommendation to the Town Board. Councilmember Breidenstein anticipates the Chairman will make the determination and communicate this to the Town Board with written documentation; the Chair would not need to attend a meeting. Councilmember Piekarec stated the

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Town Attorney should be included on communications. Supervisor Dickson stated the Town Board would need to address this at an open meeting.

Town Attorney Trapp stated other municipalities use the voucher system for payment and deferred to Ms. Straus. Ms. Straus stated using vouchers would impact those individuals in the retirement system.

Supervisor Dickson stated a board member will not be paid for a missed meeting unless the Chair approaches the Town Board with justification that it was an excused absence.

Supervisor Dickson questioned if the removal of a person from a board for three absences would be impacted by this policy. Mr. Trapp stated it could. Councilmember Breidenstein stated travel plans should not be excused as it is a disservice to the public unless it is due to an excusable circumstance.

Supervisor Dickson suggested the Town Board members draft the procedure for a vote at the next meeting.

Supervisor Dickson re Proposed Local Law, Attorney residency requirements

Motion by Supervisor Dickson, seconded by Councilmember Kims, to schedule a public hearing for a local law regarding attorney residency requirements.

Ayes: All Noes: None Motion Carried

- Councilmember Kims re Reappointment of Amy Brotka to the Senior Advisory Committee for a four year term effective January 1, 2022.
- Councilmember Piekarec re Upgrade of Harlem Road Crosswalk NYSDOT to add a rectangular rapid flashing beacon

### 2-B COMMUNICATIONS TO BE VOTED ON

1. Supervisor Dickson re Modern Recycling contract extension

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to authorize the Supervisor to sign a three year contract extension using Option 2 with Modern Disposal Services.

On the question, Supervisor Dickson explained the two different options for the extension of the contract with Modern Disposal. The first option is a flat fee with the addition of a processing fee at \$46.42 per ton. The second option is the blended risk/reward which would allow the town to receive commodity revenue

Highway Superintendent Adams stated according to the current trends the blended risk reward would yield an annual savings of \$120,000 but this does not account for the mixed contaminated waste costs of approximately \$10,000 per month. Mr. Adams stated realistically there would be no cost savings. Supervisor Dickson stated he understands the added cost has been added to the fee for both options.

Ayes: All Noes: None Motion Carried

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2. Supervisor Dickson re RFP for Insurance Brokerage Services

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to issue an RFP for insurance brokerage services for a general liability policy to USI, M&T Insurance, and Tompkins Insurance.

On the question, Supervisor Dickson stated he included the town's current broker as well as two brokers that have maintained contact with him.

Councilman Cantafio questioned the how costs will be compared and how to know if the company selected is getting the best deal for the town. Supervisor Dickson stated the Town Board will be able to ask the companies during their presentations and check references and reviews.

Aves: All

Noes: None

**Motion Carried** 

3. Supervisor Dickson re Association of Towns delegate and alternate

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to adopt the following resolution designating a delegate and an alternate to attend the Association of Towns Annual Business Meeting:

WHEREAS, the Association of Towns of the State of New York will hold the Annual Business Session on February 23, 2022 virtually and votes will be cast pursuant to Section 6 of Article III of the Constitution and Bylaws of said Association; and

WHEREAS, the Town Board of West Seneca has determined that it is in the best interest of West Seneca and its residents to participate in the Annual Business Session and exercise voting rights; and

WHEREAS, it is necessary for the Town Board to designate a voting delegate and an alternate voting delegate for the Town of West Seneca to cast the vote of the Town of West Seneca at the Annual Business Session; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca designates Supervisor Gary Dickson to be a voting delegate and the Deputy Town Supervisor Amelia Greenan to be an alternate voting delegate.

Ayes: All

Noes: None

**Motion Carried** 

4. Supervisor Dickson re Salary increase for part-time Clerk Typist Joli Messinger

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to increase the hourly rate of parttime Clerk Typist Joli Messinger to \$16.00 per hour effective January 23, 2022, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

**Motion Carried** 

5. Councilman Piekarec re Local Law 2201-1, Term Limits

Motion by Councilmember Piekarec, seconded by Councilmember Breidenstein, to schedule a public hearing on February 14, 2022, for proposed Local Law 2021-1 Term Limits and further authorize the Town Clerk to publish the legal notice.

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Councilmember Piekarec stated the local law would apply to the Supervisor and Council limiting the terms to eight years; noting it would not cover any special election nor the offices of Highway Superintendent or Town Clerk. The vote tonight is only for the public hearing.

On the question, Councilmember Kims questioned why all elected officials are not covered by this local law. Councilmember Piekarec stated he was in favor of including the Highway Superintendent and Town Clerk, but he did not have enough votes for it to pass; the Town Justices cannot be included per NYS law.

Supervisor Dickson stated the Town Board is the policy making body and the other positions of Highway Superintendent and Town Clerk do not have that power. Further, the job of the Town Clerk is very specific and requires a very capable person. Future Town Boards can decide to expand the law or even cancel it should they choose to.

Ayes: All

Noes: None

Motion Carried

6. Town Attorney re WNY Law Center extension agreement

Motion by Supervisor Dickson, seconded by Councilmember Kims, to enter into an extension agreement with WNY Law Center with respect to vacant properties and foreclosure matters and to authorize the Supervisor to execute same.

Ayes: All

Noes: None

**Motion Carried** 

7. Town Attorney re Endeavor Behavioral Health Services agreement extension

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to enter into an extension agreement with Endeavor Health Services with respect to providing behavioral health services to the Town of West Seneca Police Department.

Ayes: All

Noes: None

Motion Carried

8. Town Engineer re Emergency bid – Select demolition of Highway garage

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to award the select demolition contract for partial demolition of the Town of West Seneca Highway Garage to Hannah Demolition in the amount of \$17,000.

Highway Superintendent Adams stated five bids were received ranging from \$88,000 to \$17,000 and Hannah Demolition is known to the town.

Ayes: All

Noes: None

Motion Carried

9. Principal Engineering Assistant re Appointment of Jean Pantano as full time Clerk Typist

Motion by Supervisor Dickson, seconded by Councilmember Kims, to appoint Jean Pantano as a full time Clerk Typist Group 2, Step 1 at a salary of \$33,219.09 as per the CSEA White Collar Union Contract in the Engineering Department effective January 31, 2022, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

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On the question, Councilmember Kims questioned if the top three candidates were interviewed. Supervisor Dickson stated the Civil Service rules were followed.

Ayes: All

Noes: None

Motion Carried

10. Chief Baker re Bid award for Police vehicles, Dodge Chargers

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to accept the bid for two (2) new 2021 Dodge Charger police vehicles from Falls Dodge, Inc., dba Joe Cecconi's Chrysler Complex in the amount of \$64,590.12 noting the vehicles from the low bidder, Main Motorcar, did not meet the required specifications and funds are available in the 2022 Police Vehicle line 1.3120.0208.

Ayes: All

Noes: None

Motion Carried

11. Chief Baker re Bid award for Police vehicles, Dodge Durangos

Motion by Supervisor Dickson, seconded by Councilmember Kims, to accept the bid for two (2) new 2022 Dodge Durango police vehicles from Falls Dodge, Inc., dba Joe Cecconi's Chrysler Complex in the amount of \$70,154.42 with funds from the 2022 Police Vehicle line 1.3120.0208.

Ayes: All

Noes: None

Motion Carried

12. Chief Baker re Purchase of Ammunition

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to approve the purchase of ammunition from Amchar Wholesale Inc. in the amount of \$10,939.72 with funds from line 1.3120.0409.

Ayes: All

Noes: None

Motion Carried

13. Chief Baker re Attendance at FBI National Academy

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize Captain James Unger to attend the FBI National Academy from April 4 – June 9, 2022, in Quantico, Virginia, noting travel expenses are the only expenses to be paid for by the Police Department with funds available in the Police Training line 1.3120.0459.

Ayes: All

Noes: None

Motion Carried

14. Chief Baker re Resignation of Jake Weber as full time Public Safety Dispatcher

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to accept the resignation of Jake Weber as a full time Public Safety Dispatcher and reinstate him to the position of part-time Public Safety Dispatcher effective January 14, 2022.

Ayes: All

Noes: None

Motion Carried

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15. Town Clerk re Stipend for Molly Martin as Secretary to the WS Deer Task Force

Motion by Supervisor Dickson, seconded by Councilmember Kims, to approve the continuation of the annual stipend of \$1,000 from budget line 1.1670.0138, PT- Clerical Pool, for Margaret Martin as Secretary to the West Seneca Deer Task Force effective January 1, 2022, for the remainder of its existence.

Ayes: All

Noes: None

Motion Carried

16. Town Clerk re Resignation of Mary Jo Sedor-Bunn as part-time permanent Cashier

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to accept the resignation of Mary Jo Sedor-Bunn as a part-time permanent Cashier effective January 4, 2022.

Ayes: All

Noes: None

Motion Carried

17. Town Clerk re Appointment of Courtney Girard as part-time temporary seasonal Cashier

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to appoint Courtney Girard as a part-time temporary seasonal Cashier at a rate of \$17 per hour effective January 10 – February 16, 2022.

Ayes: All

Noes: None

Motion Carried

18. Code Enforcement Office re Land Bank Resolution

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to adopt the following resolution requesting that BENLIC acquire the vacant home at 107 Flohr Avenue in West Seneca:

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Town of West Seneca, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to

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address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that Town of West Seneca hereby officially requests that BENLIC acquire the following property:

107 Flohr Ave. West Seneca, NY 14224

SBL #:

134.45-10-6;

and be it further

RESOLVED, that the Town of West Seneca has completed the required Acquisition Applications for each property listed above and has attached the Acquisition Applications to this resolution; and be it further

RESOLVED, that the Town of West Seneca agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the Town of West Seneca agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property including removal of motor vehicles upon BENLIC property by use of municipal emergency services (i.e. police and fire department); and be it further

RESOLVED, in the event that after a period of one year from the date of BENLIC acquisition, BENLIC is unable to dispose of vacant lots which do not contain structures and which are identified herein, BENLIC retains option to transfer to the Town of West Seneca,

the Town of West Seneca agrees to accept a transfer of title of all non-disposed vacant lots which do not contain structures by quit claim deed; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

Ayes: All Noes: None Motion Carried

19. Director of Finance re Petty cash correction - Recreation Department

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to adopt the following resolution to correct the amount set for petty cash funds for the Recreation Department:

WHEREAS, on January 3, 2022, the Board adopted a resolution during the 2022 Reorganizational Meeting authorizing the petty cash funds for the Town's Recreation Department to be set at \$250.00; WHEREAS, during the prior year reorganizational meeting, the Town's Recreation Department had their petty cash funds authorized to be \$300.00;

NOW, THEREFORE, be it

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RESOVLED, that the Town Board amend their original authorization of petty cash for the Town's Recreation Department to \$300.00 for fiscal year 2022.

Ayes: All

Noes: None

Motion Carried

20. Director of Finance re Budget transfer – Salaries

Motion by Supervisor Dickson, seconded by Councilmember Kims, to approve the following budget transfers related to the salaries approved at the Reorganizational Meeting of January 3, 2022:

#### Increase

\$65,000.00 01.1420.50453 - Town Attorney - Contracted Legal Services - Attorney

\$17,305.00 01.1990.50480 - Special Items - Contingent Account

\$82,305.00 Total Increases

### Decrease

\$ 2,600.00	01.1220.50100 – Supervisor – Salary of Supervisor
\$ 2,320.00	01.1410.50100 - Town Clerk - Salary of Town Clerk
\$73,185.00	01.1420.50100 - Town Attorney - Salary of Town Attorney
\$ 3,200.00	01.5010.50100 - Superintendent of Highways - Salary of Superintendent
\$ 500.00	01.8010.50138 - Zoning Board - Secretary - Part Time

01.8020.50138 - Planning Board - Secretary - Part Time

\$82,305.00 Total Decreases

Ayes: All

Noes: None

**Motion Carried** 

21. Director of Finance re Budget transfer – Senior Center Department

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve the following budget transfers related to van repairs for the Senior Center Department:

### *Increase*

<u>\$500.00</u>	01.7620.50445 – Senior Center – Repairs & Maintenance

\$500.00 **Total Increases** 

#### Decrease

<u>\$500.00</u>	01.7620.50478 - Senior Center - Craft Material & Supplies

**Total Decreases** \$500.00

Ayes: All **Motion Carried** Noes: None

22. Director of Finance re Budget transfer – Police Department

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the following budget transfers related to Police Department telephone charges:

### Increase

\$5.216.00 01.3120.50420 - Police - Telephone

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\$5,216.00

**Total Increases** 

Decrease

\$5,216.00

01.3120.50416 - Police - Gasoline

\$5,216.00

**Total Decreases** 

Ayes: All

Noes: None

**Motion Carried** 

23. Town Assessor re Executive Order 11.1 – Exemption renewals

Motion by Supervisor Dickson, seconded by Councilmember Kims, to adopt the following resolution adopting Executive Order 11.1 that would allow the Assessor to automatically renew the exemptions for Low Income Seniors and Low Income Disability, noting this is for the 2022 Exemption and Assessment Roll and these exemptions support tax bills for September 2022 School, and January 2023 Town and County:

WHEREAS, the Covid 19 Global Pandemic, and the recent significant increases in Transmission and Hospitalizations has resulted in limited hours in municipal offices and rendered seniors and individuals with disabilities homebound; and

WHEREAS, many seniors and individuals with disabilities do not have the ability to file their real property tax exemption applications in person due to safety precautions and lack the ability to file such applications online; and

WHEREAS, Governor Hochul has issued Executive Order 11.1, which grants local governments the ability to adopt a resolution that eliminates the renewal requirements covered under Real Property Tax Law 467 & 459-c

NOW THEREFORE BE IT RESOLVED that the Town Board of The Town of West Seneca adopt a resolution in agreement with the executive Order 11.1 and direct the Assessor to not require renewals for those individuals receiving the Low Income Senior exemption and the Persons with Disabilities and Limited Income exemption for the 2022 Exemption & Assessment Roll without a renewal application except in the circumstances indicated below; and

BE IT RESOLVED that the Assessor may require a renewal application if he or she believes that an owner that qualified for the 2021 exemption has since changed their primary residence, added another owner to the deed, transferred the property to a new owner, or passed away.

Aves: All

Noes: None

Motion Carried

24. Director of Senior Services re Status change for Janet Kropczynski to seasonal

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to change the status of part-time permanent Clerk Janet Kropczynski to seasonal effective January 21 – February 11, 2022.

Ayes: All

Noes: None

Motion Carried

25. Recreation Supervisor re Buffalo Bombers facility use 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to execute

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the necessary documents to enter into an agreement with the insured D/B/A/ Sportsplex Operators and Developers Association Buffalo Bombers.

Ayes: All

Noes: None

**Motion Carried** 

26. Recreation Supervisor re Royals soccer field use 2022

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to authorize the Supervisor to execute the necessary documents to enter into an agreement with the Royals and the insured Western New York Amateur Soccer Association, US Adult Soccer Association, Inc., Its Members National Affiliates, Leagues and Teams, for use of the West Seneca Soccer Complex.

Ayes: All

Noes: None

Motion Carried

27. Recreation Supervisor re Termination of Alissa Osinski as part-time Clerk Typist

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to terminate Alissa Osinski as a parttime Clerk Typist effective January 10, 2022.

Ayes: All

Noes: None

Motion Carried

28. Supervisor Dickson re Excess Workers Compensation insurance

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to accept the 2022 Excess Workers Compensation option from Safety National Insurance with the Employers Liability Coverage B of \$1,000,000; Specific Retention amounts for Police \$650,000; Presumptive Loss \$750,000; and All Other \$600,000 with a total premium cost of \$187,533.

On the question, Supervisor Dickson stated quotes from two companies were received for Excess Workers Compensation insurance which becomes effective February 1, 2022, and noted the current cost is \$188,000:

- 1. Safety National Insurance, town's current carrier, with the same provisions: savings of approximately \$1,000
- 2. Midwest Employers Casualty presented two bids: one bid is approximately \$14,000 less but includes an increase in policy limits of \$500,000 or \$1,250,000

Supervisor Dickson stated the town has never used the excess workers compensation.

Ayes: All

Noes: None

Motion Carried

### **2-C APPROVAL OF WARRANT**

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$311,255.70 and \$5,247.98; Highway Fund - \$63,940.95; Sewer District - \$11,595.90 and \$68,133.00; Gas Conversion Lighting Districts - \$19.55; Electric Lighting Districts - \$370.57; Capital \$42,564.90 (vouchers 22210 – 22702 and 22434 - 22555)

Ayes: All

Noes: None

**Motion Carried** 

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### 2-D REPORTS FOR FILING

- Amy M. Kobler, Town Clerk's report for December 2021 and year end received and filed.
- Jeffrey Schieber, Code Enforcement Officer, building & plumbing reports for December 2021 received and filed.

### **ISSUES OF THE PUBLIC**

The following comments and questions were received:

- West Seneca Cares was able to provide gifts to an additional home this past Christmas and they were very much appreciated.
- Requested clarification about additional charges for recycled materials Mr. Adams stated items such as unclean containers are sent to the landfill and the town is charged; it is less expensive for the items to go right into the trash stated a mailer.
- A resident suggested Modern may have a video that can be uploaded to the town's website
- Referred to Supervisor Dickson's previous comments from November 27, 2021, about mask mandates being an abuse of the rights of every person in Erie County asked the following:
  - ✓ Has the county responded to municipalities to draft a Covid response plan Supervisor Dickson stated he
    is not aware of anything.
  - ✓ Should the public fear having the police called when not wearing a mask —Chief Baker stated he had a
    conversation with the resident regarding the situation and multiple officers responded due to the unknowns
    of any situation.
  - ✓ Does he have a duty to oppose the mask mandate as it is not a law Supervisor Dickson stated the Erie County Legislator Joe Lorigo stated what the Erie County Executive did is legal under Public Officer's law, and he does not agree; Supervisor Dickson shares this opinion. Councilmember Piekarec stated at this point restrictions should be going through the Legislature and encouraged residents to send correspondence to state legislators.
- Referred to the Deer Task Force and asked why they did not answer questions at their meeting and stated the meeting minutes were inconsistent and incomplete Councilmember Cantafio stated the meeting on January 18<sup>th</sup> was for public comment only and not to answer questions. The task force is gathering all this information and will make recommendations to the Town Board. Councilmember Cantafio commended the Deer Task Force members and stated there is not a simple answer to this issue and it will be the Town Board that ultimately decides on any action to be taken.

### **COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

### **Director of Finance**

Audit is April 19, 2022

### **Highway Superintendent Adams**

 Recognized the Highway Department employees for their hard work during the challenges they are facing and surrounding municipalities for loaning equipment to the town

### **Councilmember Piekarec**

- The Chamber of Commerce is displaying a map of Erie County from the 1800's
- The Internal Audit Committee reviewed items from the Recreation and Senior Center

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### **Supervisor Dickson**

 Recognized those involved in distributing the free test kits supplied by Erie County including Highway Superintendent Adams, Town Clerk Kobler, Chief Baker, the Councilmembers, and Ms. Greenan; this was followed by a distribution of KN95 masks

#### **Town Clerk Kobler**

- Town and County tax bills have been mailed, contact the office if you have not received one
- Will be at the Senior Center on February 8 from 10 A.M. 2 P.M. to collect taxes and the Assessor's office will collect exemption paperwork
- Granicus Peak Agenda training scheduled, this is the new meeting agenda and minutes software
- Residents can order free Covid tests through the US Postal website and the office staff will assist those without internet access.

#### **Town Assessor**

- NYS has extended dates for Veterans' exemptions, those with a Cold War exemption have been notified
- Sales report for 2021: number of house sales increased from 541 in 2020 to 603 and the average price of houses increased from \$189,000 to \$216,000; an increase of \$27,000

### **ADJOURNMENT**

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to adjourn the meeting at 7:44 P.M.

Ayes: All

Noes: None

Motion Carried