TOWN BOARD PROCEEDINGS Minutes #2018-20 October 11, 2018

Supervisor Sheila M. Meegan called the meeting to order at 3:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Town Clerk Jacqueline Felser.

**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 Patrick Hoak, William Zimmerman, Jason Terry and James Caruso.

## **20-A MINUTES TO BE APPROVED**

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2018-19 of September 24, 2018.

Aves: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the October 2, 2018 special meeting.

Ayes: All

Noes: None

**Motion Carried** 

# **20-B PUBLIC COMMENTS ON COMMUNICATIONS**

No comments were received from the public.

#### 20-C TABLED ITEMS

 Councilman Hart re Revision to Chapter 120 – Zoning Article IIA Industrial Park Overlay District Remained on the table.

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#### **20-D COMMUNICATIONS**

6. Chief Denz re Status change for part-time public safety dispatcher Kayla Weir to seasonal Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time public safety dispatcher Kayla Weir to part-time seasonal effective October 1-31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

7. Sr. Recreation Therapist of Sr. Services re Status change for Georgiann Busse to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time clerk typist Georgiann Busse to part-time seasonal effective October 11 – December 21, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

**Motion Carried** 

8. Sr. Recreation Therapist of Sr. 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 clerk typist Lee Ann Piniewski to part-time seasonal effective October 11 – November 9, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

 Sr. Recreation Therapist of Sr. Services re Status change for Carol Kennedy to seasonal Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time food service worker Carol Kennedy to part-time seasonal effective October 1 – October 19, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

10. Recreation Supervisor re Termination of recreation attendants Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the resignations of Paul Damian, Abby Hill and Nicole Stoklosa effective October 11, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

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#### **20-D COMMUNICATIONS**

11. Recreation Supervisor re Termination of inactive employees Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate the following inactive employees effective October 11, 2018:

Peter Borzillieri, Jr. Michelle Lindner Joshua Cooke

Bryan Fish

Andrew Jerebek

Brooke Smith Dominic Sorrento

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

Ayes: All Noes: None

**Motion Carried** 

12. Recreation Supervisor re Appointments of recreation attendants

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Alexandra Marshall and Teag Vogel as part-time recreation attendants at a rate of \$12 per hour effective October 12, 2018 – May 31, 2019 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting these positions will be paid from Salary of Laborers – part time, Account #001.7140.0149.

Ayes: All

Noes: None

Motion Carried

13. Recreation Supervisor re Fall recreation programs

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the following Recreation programs that will be held in the youth gym inside the Community Center & Library: Team Players; Youth Basketball; Let's Get Moving.

Ayes: All

Noes: None

Motion Carried

14. Code Enforcement Officer re
Public hearing for Buffalo
Truck Center

Motion By Supervisor Meegan seconded by Councilman Hart, to schedule a public hearing for October 22, 2018 at 7:00 P.M. to hear all persons interested in the proposed restricted use permit for Buffalo Truck Center located on North America Drive in the Industrial Park.

Ayes: All

Noes: None

Motion Carried

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### **20-D COMMUNICATIONS**

15. Code Enforcement Officer re Demolition of 980 East & West Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to cancel the contract with Pagano Excavating for demolition of 980 East & West Road and award the contract to Hannah Demolition as they were the lowest bidder in the amount of \$16,000.

Ayes: All

Noes: None

Motion Carried

16. Bond Counsel re Amended refunding bond resolution

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached amended refunding bond resolution.

On the question, Councilman Hanley commended Director of Finance Megan Wnek and commented the rate of 2.45 percent will provide the town with \$107,780 or approximately \$14,000 per year for the years 2018 – 2025.

Ayes: All

Noes: None

Motion Carried \*APPENDICES\*

#### **20-E REPORTS**

Jacqueline A Felser, Town Clerk's report for September 2018 received and filed.

#### **20-F 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 - \$279,803.02; Highway Fund - \$100,567.37; Special Districts - \$67,682.93; Capital Fund - \$24,343.41 (vouchers 107060 - 107462) Trust - \$253,439.31 (vouchers 107328 - 107352)

Ayes: All

Noes: None

Motion Carried

### **ISSUES OF THE PUBLIC**

A West Bihrwood Drive resident commented on the danger to pedestrians from motorist's texting and using cell phones while driving and asked if the Police Department could focus on this ongoing problem and possibly lobby with the state to increase fines. Chief Denz responded the department does focus on this problem, but it is a societal problem and very difficult to eradicate. Supervisor Meegan stated she will meet with Senator Gallivan regarding this concern.

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

#### **SUPERVISOR MEEGAN**

- West Seneca Senior Center 40<sup>th</sup> anniversary celebration will be held today
- Children's Psychiatric Center acknowledged the West Seneca Town Board on their efforts in keeping the facility open

### **CODE ENFORCEMENT OFFICER JEFFREY SCHIEBER**

Sidewalk replacement program has begun for the majority of the southeast section of town

### **RECREATION SUPERVISOR LAUREN MASSET**

- Enchanted Path event will be held Friday, October 26<sup>th</sup> from 6:00 P.M. 8:00 P.M.; admission is \$1 per person
- Recreational ice skating season has begun; Saturday October 13<sup>th</sup> residents with a valid resident ID card will skate free

### **COUNCILMAN HANLEY**

Friday, October 12<sup>th</sup> is last day to register to vote

#### **EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 3:30 P.M. to discuss pending litigation related to NYS Supreme Court, County of Erie matter Index No. 814698/2018; litigation involving the Town of West Seneca v. Kideney Architects, Nussbaumer and Clarke and Louis Design Group; litigation entitled Janiga v. Town of West Seneca appeal to the Fourth Department; Blue Collar Unit collective bargaining matter.

Ayes: All Noes: None Motion Carried

The board members returned from executive session at 5:30 P.M.

#### **ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 5:30 P.M.

Ayes: All Noes: None Motion Carried

At a regular meeting of the Town Board of the Town of West Seneca, in the County of Erie, New York, held at Town Hall, 1250 Union Road, West Seneca New York 14224 on October 11, 2018

PRESENT:

Sheila M. Meegan, Supervisor William P Hanley Jr., Councilman Eugene P. Hart, Councilman

ABSENT:

The following resolution wa	as offered by	,	who
moved its adoption, seconded by		, to-wit:	

AMENDING BOND RESOLUTION DATED OCTOBER 11, 2018

BOND RESOLUTION OF THE TOWN OF WEST SENECA, IN THE COUNTY OF ERIE, NEW YORK, AMENDING THE REFUNDING BOND RESOLUTION ADOPTED SEPTEMBER 10, 2018 IN RELATION TO REFINANCING CERTAIN OUTSTANDING BONDS OF SAID TOWN.

#### Recitals

Whereas, the Town Board of the Town of West Seneca, New York (herein called "Town"), has heretofore by refunding bond resolution adopted on September 10, 2018 authorized the issuance of refunding bonds of the Town in order to refinance certain outstanding bonds of the Town issued in 2006 (the "2006 Bonds") and 2010 (the "2010 Bonds and collectively with the 2006 Bonds, the "Bonds To Be Refunded"); and

Whereas, pursuant to such refunding bond resolution the Town Board approved a refunding financial plan to implement such refunding, and determined pursuant to such plan that the Redemption Date for the Bonds To Be Refunded shall be December 15, 2018; and

Whereas, based on the advice of the Town's financial advisor it has been determined that the savings to be realized by the Town from such refunding can be increased by determining that the Redemption Date for the 2006 Bonds To Be Refunded shall be November 29, 2018;

Now, therefore,

THE TOWN BOARD OF THE TOWN OF WEST SENECA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not

less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section (A). Section 1 e. of the refunding bond resolution adopted by the Town

Board on September 10, 2018 is hereby amended to read as follows:

"e. "Redemption Date" means November 29, 2018 for the 2006 Bonds and

December 15, 2018 for the 2010 Bonds."

Section (B). The amendment of the refunding bond resolution set forth in Section

A of this resolution shall in no way affect the validity of the liabilities incurred, obligations

issued, or action taken pursuant to said refundintg bond resolution, and all such liabilities

incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or

taken pursuant to said bond resolution, as so amended.

Section C. This amending bond resolution shall take effect immediately.

\* \* \*

The adoption of the foregoing resolution was seconded by

and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

### **CERTIFICATE**

I, JACQUELINE A. FELSER, Town Clerk of the Town of West Seneca, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of West Seneca duly called and held on October 11, 2018, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF,	I have hereunto set my hand and affixed the
	corporate seal of said Town of West Seneca this
	day of October, 2018.
(SEAL)	
	Town Clerk