

18-C COMMUNICATIONS

1. Supervisor Meegan re Termination of Brittany L. Lewis

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Brittany L. Lewis as part-time clerk effective November 30, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Town Attorney Shawn Martin stated that Brittany Lewis has obtained full-time employment elsewhere and he thanked her for the fine job she did in the Town Attorney's office.

Ayes: All

Noes: None

Motion Carried

2. Supervisor Meegan re Purchase of two (2) 2013 ford E350 passenger vans

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the purchase of two (2) 2013 ford E350 passenger vans from VanBortel Ford, 71 Marsh Road, East Rochester, New York at the New York State contract price of \$23,817.54 each, noting that funding for these vans was made available by the West Seneca Economic Development Loan Reallocation Grant Amendment (CDBG).

On the question, Councilman Hart questioned what they will be doing with the old vehicles.

Director of Recreation, Youth & Sr. Services Mary Josefiak stated that one of the vans is only three years old and is from the county. They will be keeping one of the other vans as a back up when one is in the shop for service.

Ayes: All

Noes: None

Motion Carried

3. Supervisor Meegan re Bid date for the purchase of a senior citizens wheelchair accessible van

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to set a bid date of December 11, 2012 at 10:00 A.M. for receipt of bids for the purchase of a Senior Citizens Wheelchair Accessible Van, noting that funding for this van was made available by the West Seneca Economic Development Loan Reallocation Grant Amendment (CDBG).

Ayes: All

Noes: None

Motion Carried

18-C COMMUNICATIONS

4. Supervisor Meegan re Burchfield Nature and Arts Center proposed improvements

Motion by Supervisor Meegan, seconded by Councilman Hart, to hire Clark Patterson Lee Engineering to design and provide bid specs for a proposed garage, loft and restrooms at the Burchfield Nature and Arts Center, noting the project will be paid for with funds remaining from a group of past recreation projects that were bonded all together and recorded in several different capital projects.

On the question, Councilman Rusinski suggested they request proposals for the design and supply of bid specs to ensure they are getting a good price for that service.

Supervisor Meegan responded that there are eight year old blueprints for a garage at the Burchfield Center, but they should be revised for a building large enough to hold the equipment at the facility and include restrooms. She had no problem requesting proposals for the architectural design work.

Motion by Supervisor Meegan, seconded by Councilman Hart, to amend the motion and request proposals for the design and supply of bid specs for a proposed garage, loft and restrooms at the Burchfield Nature and Arts Center.

Ayes: All

Noes: None

Motion Carried

5. Councilman Hart re Acceptance of "The Burchfield Nature and Art Center" painting

This item was addressed at the beginning of the meeting.

6. Town Attorney re Transportation & Escort Services Contract with Erie County

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the Transportation and Escort Services Contract with Erie County effective January 1, 2013 – December 31, 2013.

On the question, Councilman Hart questioned if there was any cost to the town for this service.

Town Attorney Shawn Martin responded that the town is reimbursed for this service.

Ayes: All

Noes: None

Motion Carried

18-C COMMUNICATIONS

10. Chief Gehen re Status change for part-time Public Safety Dispatcher James McCullough to seasonal

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to change the status of part-time Public Safety Dispatcher James McCullough to part-time seasonal effective December 1 – 31, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

11. Town Clerk re Agricultural District Annual Enrollment Period

Motion by Supervisor Meegan, seconded by Councilman Hart, to designate November 1 – November 30, 2012 as the annual thirty-day period during which a landowner may request the inclusion of predominantly viable agricultural land into a certified agricultural district per the County of Erie Department of Environment & Planning.

On the question, Councilman Hart questioned if there was any agricultural land left in West Seneca.

Code Enforcement Officer John Gullo responded that agricultural operations are allowed under the R-100A zoning and there are some R-100A districts in town.

Ayes: All Noes: None Motion Carried

12. Code Enforcement Officer re Architectural Review Standards Committee

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt a resolution forming an Architectural Review Standards Committee consisting of the Supervisor or her designee, two residents, two business owners, the Town Attorney and Code Enforcement Officer whose purpose is to formulate architectural standards in the Town of West Seneca.

On the question, Code Enforcement Officer John Gullo stated that some towns have standards that a developer or business owner can look at for new construction or remodeling and they have different overlay districts (i.e. – center of town, Gardenville, etc.). In towns that have a committee, projects are sometimes held up for a year and that is not what he was proposing. Mr. Gullo stated he would just like an advisory committee to give input to the Town Board on what they would like the town to look like.

Town Attorney Shawn Martin responded that he gives advice to the Planning Board and Town Board; and therefore, should not be on the proposed committee.

18-C COMMUNICATIONS

12. (continued)

Councilman Hart stated that he will work with Mr. Martin on devising an appropriate resolution for adoption at the next Town Board meeting.

Motion by Councilman Hart, seconded by Supervisor Meegan, to table this item.

Ayes: All

Noes: None

Motion Carried

13. Director of Recreation, Youth & Sr. Services re Status change for D. Bebak to part-time seasonal

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to change the status of part-time Van Driver Donald Bebak to part-time seasonal effective December 3, 2012 – April 30, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

14. Director of Recreation, Youth & Sr. Services re Rate increase for Carol Kennedy

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a rate increase for Carol Kennedy to \$9 per hour as per the resolution approved by the Town Board on February 8, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

15. Town Attorney re Appointment of Marleah Martinez as part-time clerk/legal assistant in Town Attorney's office

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Marleah Martinez as part-time clerk/legal assistant in the Town Attorney's office at a rate of \$12 per hour effective November 26, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned where the \$12 per hour rate came from and how many hours Ms. Martinez will be working.

Town Attorney Shawn Martin responded that all previous part-time clerical employees in his office earned \$12 per hour. Ms. Martinez will be working 19.5 hours per week, partially in his office and partially on the community service program for the Justice Court.

Ayes: All

Noes: None

Motion Carried

18-D 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 - \$303,492.36; Highway Fund - \$139,757.69; Special Districts - \$22,339.14 (voucher #'s 75574 - 75829); Trust & Agency Fund - \$83,672.53 (voucher #'s 75331 - 75842); Capital Fund - \$612,902.80 (voucher #'s 75820 - 75835)

Ayes: All

Noes: None

Motion Carried

18-E REPORTS

- Jacqueline A Felser, Town Clerk's report for October 2012 received and filed.
- John Gullo, Code Enforcement Officer's report & plumbing report for October 2012 received and filed.

ISSUES OF THE PUBLIC

UPDATES REQUESTED ON VARIOUS ISSUES

Beverly Leising offered comments and requested updates on the following issues:

- Status of Cat Ordinance
- Job description for proposed human resource position – Suggested putting the criteria on the town's website to attract potential candidates. Questioned if the human resource position will be put on hold if the employee in the Finance Department does not retire next year
- What happened with review of sliplining to see if progress is being made in the water and sewer districts
- Were cameras installed at the Burchfield Center and are there any leads to the destruction and vandalism that occurred there; do the cameras need more light to work at night

Chief Gehen responded they are doing everything possible with regard to the vandalism at the Burchfield Center but he is unable to comment further because it is still an ongoing investigation. He noted that surveillance has been stepped up and citations have been issued to people for being in the park after dusk.

ISSUES OF THE PUBLIC

ARCHITECTURAL REVIEW STANDARDS COMMITTEE

Karen Lucachik commended Code Enforcement Officer John Gullo on his proposal for an architectural review committee. Mrs. Lucachik stated she would like to see some standards established for the town and an architect is not always needed, but they do need someone with taste, common sense and a vision.

Amy Carpenter thought having standards for the architectural look and feel of the town was very important and noted there are people that work for the town that have architectural background. Having worked for other towns they know what goes into this and it would be beneficial for them to be on the committee.

REQUEST FOR NEW TOILETS AT SENIOR CITIZENS CENTER

Amy Carpenter suggested new toilets be installed at the Senior Citizens Center, noting that the current toilets are extremely low and not practical for senior citizens. Mrs. Carpenter further suggested that some of the money made available for repairs at the senior center be used to purchase the new toilets.

Supervisor Meegan responded that the money wasn't designated for that purpose. The toilet seats are low to allow for wheelchair access, but she will forward Mrs. Carpenter's suggestion to Grantwriter Connie Miner.

SUGGESTION TO RELOCATE VERIZON BOXES

Amy Carpenter commented on the hideous appearance of the Verizon containers located on utility poles in residents' front yards and suggested they be relocated to the rear yards.

OVERTIME FOR LEAF PICKUP CREWS

Amy Carpenter noted that the Highway Department had leaf pickup crews working on Saturday and she questioned the need for paying overtime for this purpose.

Highway Supt. Matthew English responded that they have to pick up leaves before the snow comes and they only have a period of eight weeks to do it. Mr. English stated that the phone rings constantly from people wanting their leaves picked up. There is a schedule for pickup by zones and they usually cover the town four times, but the crews are not yet through it twice.

Mrs. Carpenter suggested putting the schedule online and making the public aware of this by advertising on the public sign to eliminate some of the phone calls.

ISSUES OF THE PUBLIC

FLOODING ISSUE ON UNION ROAD

Pete Travers commented on a flooding problem in his front yard on Union Road and stated he has already invested money in his back yard to control the water there. His driveway is washing out and he is unable to fix it with the current situation. Mr. Travers stated that the town allowed the people next door and behind him to raise their property and he has received no response from the Engineering Department.

Supervisor Meegan stated she will contact Mr. Travers tomorrow concerning his flooding problem.

FENCE ISSUE ON MILLER AVENUE

Debra Kozlowski commented on the need for an Architectural Review Standards Committee and presented a picture of a 6' fence on top of the pool deck next door to her home on Miller Avenue. Code Enforcement Officer John Gullo told her the fence is legal; however, the appearance is unacceptable to her and it blocks two windows on her house.

Supervisor Meegan agreed that a 6' fence should not be on top of a pool deck, but stated that the Town Code allows it and Mr. Gullo is just doing his job.

Johanna Guenther stated she has a chain link fence in her back yard and a few years ago her neighbor put up a 6' wooden fence but left a one foot gap so garbage collects in between. The former Code Enforcement Officer told her there are no laws that address this and they can put the fence wherever they want. Mrs. Guenther commented that this is also a problem that should be addressed in the Town Code.

Councilman Hart stated there are weaknesses and problems with the Town Code that handicap Mr. Gullo. They need to look at it carefully and make revisions and also start addressing the Master Plan more.

Supervisor Meegan agreed with Councilman Hart's comments about the Town Code and Master Plan, noting that review of the Master Plan will be addressed in 2013 and they will be looking at zoning throughout the town including the former Seneca Mall site.

REDUCTION IN POPULATION VS. REDUCTION IN TOWN WORKERS

Johanna Guenther referred to her question at the budget meeting whether there was a 20 percent reduction in the town's workforce to coincide with the 20 percent reduction in population and questioned if Supervisor Meegan had that information available.

Supervisor Meegan responded that she did not have those figures yet but would get them.

ISSUES OF THE PUBLIC

AMERICORPS DEBT

Karen Lucachik requested that the Finance Department provide a year end status report on AmeriCorps at the next meeting.

Patrick Clancy of the Finance Department stated that they received \$8000 from AmeriCorps on October 25th for the November payment and he will provide a year end summary at the next meeting.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS & DEPARTMENT HEADS

2013 HISTORICAL CALENDAR

Town Clerk Jacqueline Felser announced that the 2013 town historical calendar was almost complete and should be printed next week.

PARKING BAN

Chief Gehen announced that the winter parking ban is in effect November 15th – March 15th and parking on streets is prohibited from 1 a.m. to 7 a.m.

SPECIAL TOWN BOARD MEETING

Supervisor Meegan announced that a special Town Board meeting will be held December 3rd at 2:00 P.M. to approve the warrant and address one item concerning a request for proposals for banking services.

WORK SESSION

Supervisor Meegan announced that a work session will be held December 17, 2012 at 6:30 P.M. for a discussion with Wesley C. Dust of Erie County Water Authority concerning the process of converting from lease management to direct service. Administratively the town will create an overlay district to fund the capital improvement required. If approved, the design could be completed in 2013 with construction beginning in late 2013 – 2014, and once complete the town will be out of the water business.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to recess to Executive Session at 7:55 P.M. to discuss three litigation matters and two negotiations matters.

Ayes: All

Noes: None

Motion Carried

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

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PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS & DEPARTMENT HEADS

The board members returned from Executive Session at 8:30 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:30 P.M.

Ayes: All

Noes: None

Motion Carried

JACQUELINE A FELSER, TOWN CLERK

**DESIGNATING NOVEMBER 19, 2012 AS
REVEREND THOMAS DALBO DAY**

Reverend Thomas Dalbo of the great Town of West Seneca continues his service to God as well as our community in countless ways in his retirement. He has generously donated a piece of his own artwork entitled "The Burchfield Nature and Art Center" to the citizens of West Seneca, and;

While serving 47 years as the Senior Pastor of Winchester Community Church, Reverend Dalbo expanded and initiated many programs for youth and seniors in the West Seneca area. He also expanded the church, moving from a neighborhood location to a larger and easily accessed Harlem Road location. Furthermore, Reverend Dalbo served as Chaplain for the Winchester Fire Company. Reverend Dalbo now spends his retirement working as an Artist in Residence while continuing to be an outstanding Citizen, and;

Throughout his time as Senior Pastor, he used art as an avocation and continues to do so, working in various mediums and sharing his talents through teaching, demonstrating, illustrating, and judging. Reverend Dalbo is currently a member of the Niagara Frontier Watercolor Society and was involved in the reorganization of the West Seneca Art Society. His works have been published in a variety of places and shown in a range of exhibits, including 3 solo exhibits. As Reverend Dalbo continues to enjoy retirement, we want to show our appreciation for his dedication to West Seneca and his work as an Artist in Residence, and;

Sheila M. Meegan, Supervisor, along with fellow Town Councilmen Eugene Hart and John Rusinski of the great Town of West Seneca, in the County of Erie, in the State of New York, the Empire State, do rightfully declare this 19th day of November in the year two thousand and twelve as **REVEREND THOMAS DALBO DAY** in the Town of West Seneca;

And I encourage all of Reverend Dalbo's family and friends to gratefully acknowledge his hard work and dedication to the West Seneca community.