



**20-C COMMUNICATIONS**

1. Supervisor Meegan re Resignation of Jolynn Keane

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to accept the resignation of Jolynn Keane and terminate her as Youth Service Program Coordinator effective September 11, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

2. Supervisor Meegan re Title change for Faith Leone to Clerk part-time

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to terminate Faith Leone as Recreation Attendant part-time and appoint Faith Leone as Clerk part-time effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

3. Highway Supt. re Title change for Kevin Farrell to Highway Laborer

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Kevin Farrell as Highway Laborer-Caretaker and appoint Kevin Farrell as Highway Laborer, Group 1, Step 3, at a rate of \$25.28/HR effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

4. Highway Supt. re Title change for Donald Raczka to Highway Laborer-Caretaker

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Donald Raczka as Highway Motor Equipment Operator and appoint Donald Raczka as Highway Laborer-Caretaker, Group 1, Step 5, at a rate of \$25.94/HR effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

**20-C COMMUNICATIONS**

5. Highway Supt. re Title change for John Pangallo to Highway Heavy Motor Equipment Operator

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate John Pangallo as Highway Motor Equipment Operator and appoint John Pangallo as Highway Heavy Motor Equipment Operator, Group 5, Step 5, at a rate of \$27.29/HR effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

6. Highway Supt. re Status change for part-time seasonal buildings and grounds laborers to part-time

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time seasonal laborers Rick Mingle & Harold Schwartz to part-time in the Buildings and Grounds Department at a rate of \$12/HR and Daniel Walsh at a rate of \$10/HR effective September 23, 2013; and further, change the status of the following part-time seasonal laborers in the Buildings and Grounds Department to part-time at a rate of \$9/HR effective September 23, 2013:

Steven Amoia Jr.	James Brady	Kerry Painter	Devin Reynolds
Andrew Balys	Kyle Dominczak	Michael Pauly	Ryan Schrader
Thomas Bebak	Jacob Hiam	John Radder	Thomas Yochum
Austin Boehm	Joseph Kropczynski		

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

On the question, Councilman Hart questioned why so many employees.

Highway Supt. Matthew English responded it is the same number of employees working the maximum of 19 hours a week.

Ayes: All                      Noes: None                      Motion Carried

7. Highway Supt. re Bid date for refuse trucks w/packer

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to set a bid date of October 2, 2013 at 10:00 A.M. for receipt of bids on the purchase of four (4) rear loading refuse trucks with packers for the Sanitation Department.

Ayes: All                      Noes: None                      Motion Carried

**20-C COMMUNICATIONS**

8. Highway Supt. re Bid date for retro-fitting refuse trucks w/packers  
Motion by Supervisor Meegan, seconded by Councilman Hart, to set a bid date of October 2, 2013 at 10:05 A.M. for receipt of bids on the retrofitting of five (5) refuse trucks with packers for the Sanitation Department.  
Ayes: All                      Noes: None                      Motion Carried
9. Senior Recreation Therapist of Sr. Services re Termination of William Falkner as Van Driver  
Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the retirement of William Falkner and terminate him as part-time van driver effective September 3, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.  
Ayes: All                      Noes: None                      Motion Carried
10. Senior Recreation Therapist of Sr. Services re Status change for Marirose Bless & Carol Kennedy to seasonal  
Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time Food Service Workers Marirose Bless & Carol Kennedy to part-time seasonal effective October 1 – November 29, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.  
Ayes: All                      Noes: None                      Motion Carried
11. Town Engineer re Bid award for East & West Road (Leydecker Phase) Sewer Rehabilitation Project  
Motion by Supervisor Meegan, seconded by Councilman Hart, to award the East & West Road (Leydecker Phase) Sewer Rehabilitation Project to E & R General Construction, Inc. 38 St. David's Drive, West Seneca, NY 14224 at their low alternate bid amount of \$970,200.

On the question, Councilman Hart asked for an explanation of the alternate bid.

Town Engineer Jason Foote responded the alternate bid is for replacement of 21 sanitary sewer laterals in an area that was going to be relined.

Ayes: All                      Noes: None                      Motion Carried

12. Councilman Hart re Resolution opposing the closing of the Children's Psychiatric Center  
Motion by Councilman Hart, seconded by Councilman Rusinski, to adopt the attached resolution opposing the closing of the Children's Psychiatric Center located in West Seneca NY.

**20-C COMMUNICATIONS**

12. (continued)

On the question, Supervisor Meegan stated a letter was sent to Governor Cuomo's office two weeks ago opposing the closing of the Children's Psychiatric Center.

Councilman Rusinski commented on the number of caregivers in attendance at the meeting and Councilman Hart requested the regular meeting rules be suspended to invite the public to comment.

Family and community members along with caregivers expressed their concern and voiced their opposition to closing the Children's Psychiatric Center (CPC), stating early intervention is imperative in providing hope for children. Many personal experiences were shared and comments made that the amount of services and facilities should be increasing instead of being eliminated.

Bob McClellan, a representative from Senator Tim Kennedy's office, spoke on behalf of the Senator stating he is in full support of keeping the Children's Psychiatric Center open. He has written to the acting commissioner of mental health and will continue to do what he can to ensure the facility remains open.

Assemblyman Michael Kearns commended the Town Board for sponsoring this resolution and stated his support for keeping the facility open in West Seneca. He commented that over the years West Seneca has done a great job working with the State of New York and the Developmental Center and the state now needs to give back and help the town. Assemblyman Kearns stated it is essential that a safe and healthy environment continue to be provided for children with disabilities.

Councilman Hart questioned if the legislature or senate has had any input or scheduled any hearings regarding this issue.

Assemblyman Kearns responded that hearings have been scheduled but not in Western New York. He has contacted the assembly chairman for mental health and requested hearings be held locally in order to provide the public an opportunity to express their feelings.

Councilman Hart referred to a waiting list he had heard about for available beds at the Buffalo Psychiatric Center and how that number may be reduced. He questioned how many children are on that list and in need of services.

Assemblyman Kearns responded that he doesn't have an exact number, but it is unacceptable that the amount of available beds is decreasing at a time when New York State should be protecting children who are most vulnerable.

**20-C COMMUNICATIONS**

12. (continued)

Councilman Rusinski stated he is appalled at the proposed change and thanked Assemblyman Kearns for his support.

Councilman Hart thanked everyone for taking time to share their stories and show their support and suggested they contact the Governor's office and the state. He further stated he understands the importance of this issue since he has a family member who has been in the care of the State of New York.

Supervisor Meegan thanked everyone for coming to the meeting and stated the board will continue to have conversations and support this issue.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

13. Councilman Hart re Part-Time Clerk Typist for Environmental Commission

Received and filed.

14. Town Attorney re Bond resolution for refuse trucks, garbage totes & retrofitting equipment

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the attached bond resolution in the amount of \$2,500,000 to finance the purchase of four refuse trucks, garbage totes and equipment for the retrofitting of current trucks.

On the question, Councilman Hart stated this will be discussed and reviewed closer and passing of this resolution does not mean that all the money will be spent.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

15. Town Engineer re Bid award for Senior Center Parking Lot Improvements Project

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the Senior Center Parking Lot Improvements Project to Northeast Diversification, Inc., 2 Cadby Industrial Park, Lancaster, NY at their low bid amount of \$27,970.

**20-C COMMUNICATIONS**

15. (continued)

On the question, Councilman Hart questioned receiving only one bid.

Town Engineer Jason Foote responded the reason only one bid was received is because they are bidding late in the season and due to the federal requirements of Minority and Women Business Enterprise (MWBE). The sole bidder is within the engineer's estimate and performed work for the town in the past. Work will commence in two or three weeks after all the required paperwork is received.

Ayes: All

Noes: None

Motion Carried

16. Town Attorney re Amended bond resolution – Sanitary Sewer Improvements

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve the attached resolution amending Section 5 of Bond Resolution No. 3-2012 adopted May 7, 2012, authorizing the issuance of bond anticipation notes to finance the construction of certain common improvements and increases to sanitary sewer facilities to serve town sewer districts 5, 13 and 20 in order to correct the maximum maturity of the bonds.

On the question, Councilman Hart questioned the change.

Town Attorney Shawn Martin responded the change involved the length of maximum maturity of the bond.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

17. Supervisor Meegan re Approval of JCAP Grant

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve the JCAP Grant in the amount of \$2,480 for readers, access modules, doors, labor etc.

Ayes: All

Noes: None

Motion Carried

**20-D REPORTS**

- Jacqueline A. Felser, Town Clerk's report for August 2013 received and filed.
- John A. Gullo, Code Enforcement Officer's report and plumbing report for August 2013 received and filed.

**20-E APPROVAL OF WARRANT**

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve the vouchers submitted for audit, chargeable to the respective funds as follows:

General Fund - \$44,713.87; Highway Fund - \$8,144.69; (voucher #'s 80208-80408); Capital Fund - \$655,635.36 (voucher #'s 80290-80321)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**FAMILY ENERGY PEDDLER PERMIT**

Clinton Brown, a Supervisor with Family Energy, commented on the solicitor/peddler permit procedure in town and stated that in the past individual complaints were received from West Seneca residents and his permit was revoked. Employees of Family Energy have since been fired and new employees hired, paid the required \$200 fee and received their permits. However, Mr. Brown's personal application has been denied based on previous complaints and he was directed to request a hearing before the Town Board.

Town Attorney Shawn Martin responded that pursuant to Town Code, Mr. Brown can request a hearing in order to determine whether or not he should be issued a solicitor's permit.

Councilman Hart questioned if this is normal procedure.

Mr. Martin responded that the provision is written in Town Code stating if a permit is revoked or denied that individual can request a hearing, go before the board and either have the decision of denial upheld or possibly reversed. He will schedule the hearing for September 30<sup>th</sup>.

**CHILDREN'S PSYCHIATRIC CENTER**

Karen Lucachik stated she has lived in West Seneca over 40 years and never realized the good work at the Children's Psychiatric Center. She thanked the board for the information that was presented at this meeting.

**STATUS OF AMERICORPS PAYMENTS**

Karen Lucachik questioned the status of AmeriCorps payments.

Finance Director Patrick Clancy responded payment was received this month.

**ISSUES OF THE PUBLIC**

**STATUS OF FEASIBILITY STUDY**

Karen Lucachik questioned the status of the feasibility study.

Supervisor Meegan responded the firm performing the study will be decided tonight in Executive Session and placed on the September 30<sup>th</sup> agenda. Results from the study should be available by mid November.

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA)**

Karen Lucachik questioned the status of West Seneca possibly acquiring a seat on the ECIDA or forming an independent IDA.

Supervisor Meegan responded that West Seneca is part of but does not have a seat on Erie County's IDA. Working with Senator Gallivan, there is an offer and opportunity for the town to join Hamburg and Lancaster. The Community Choice Act will allow existing local IDA'S to offer their economic development programs to other communities and allow municipalities without an IDA the freedom of choice which IDA they wish to partner with. All decisions will rest upon local governments and no municipality will be compelled or mandated to partner with an IDA that is not one of their choices. This legislation is currently proposed in the state.

**BURCH AVENUE**

Linda Toy referred to a recent stabbing on Burch Avenue and voiced her concern about gangs harassing seniors and overall safety on the street. Residents are afraid to speak up, fearful of retaliation and the situation is escalating. Mrs. Toy requested police patrols be increased to protect children, seniors and the quality of life on Burch Avenue.

Mary Jane Piechocki commented on the increase in violence and large amount of occupants in rental units. Gangs come from the east side and seem to know when police are called.

Chief Denz stated he has talked with Mrs. Toy, is aware of the problem and strategies have been developed to increase patrol in that area. The most recent issue involved retaliation between parties that knew each other. Chief Denz noted that a block club has existed on Burch, Savona, Duerstein and Manhasset for approximately 15 years and they meet once a month. He stated it is imperative that citizens report all problems.

Pat Hall referred to the night of the stabbing and stated two police officers were at her home pounding on the door trying to break in not realizing they had the wrong house and should have been next door. Mrs. Hall further stated that problems have once again escalated with dog fighting and drugs.

**ISSUES OF THE PUBLIC**

**BURCH AVENUE** (continued)

Chief Denz stated he will meet with residents after the meeting to discuss the block club and reoccurring problems that have escalated.

Vince Talty commented on a vacant lot and an unsecured area behind his home where kids hang out and drink beer. He suggested access to the vacant lot be closed.

Code Enforcement Officer Jeffrey Baksa responded the property owner has repeatedly reinforced the fence every time they have been contacted by his department. Kids continue to cut through the fence and are now entering the vacant building. He will stop by the property tomorrow, take pictures and contact the owner about better securing the area. Mr. Baksa noted that NYS requires entry of Code Enforcement Officers to all multiple dwellings with 3 or more units to perform fire inspections.

Supervisor Meegan stated the vacant building will eventually be demolished but is currently a stalled skilled nursing facility project in Albany.

Amy Carpenter suggested putting a town camera on the street to catch some of the activity.

**STATUS OF CLINTON STREET – LAKESIDE DRIVE LAWSUIT**

Amy Carpenter questioned the status of the Clinton Street - Lakeside Drive lawsuit.

Town Attorney Shawn Martin responded they have not received a decision from the court.

**STATUS OF SCHOOL STREET PROPERTY**

Amy Carpenter questioned if a determination was made regarding the School Street property.

Town Attorney Shawn Martin responded after reviewing the books town auditors determined \$8000 is all AmeriCorps can afford to pay. New documents are being drafted and will reflect payments being added to the end of the agreement. Payments will continue until the agreed amount is satisfied.

**UNION CONTRACTS**

Amy Carpenter questioned if union contracts are going to be available online.

Supervisor Meegan suggested Mrs. Carpenter initiate a FOIL request and she will provide her with the information.

**ISSUES OF THE PUBLIC**

**STATUS OF MASTER PLAN UPDATE**

Amy Carpenter questioned if there was any progress with the Master Plan and Supervisor Meegan responded there was no update.

**REZONING OF SENECA MALL SITE**

Amy Carpenter questioned the status of rezoning the Seneca Mall site.

Councilman Hart responded the owner withdrew his request to have the property rezoned.

**HUMAN RESOURCE POSITION**

Amy Carpenter questioned the status of establishing a human resource position.

Supervisor Meegan responded the town issued a request for quotes (RFQ) and only one response was received. They hope to have this position established and in place by January/February.

Town Attorney Shawn Martin stated RFQ's were sent to any provider of this service within a 50 mile radius of West Seneca.

**PINEWOOD DRIVE PAVING**

George Clifford complimented the Highway Department for the great paving job on Pinewood Drive and also requested a no outlet sign due to the large amount of turn around traffic.

Highway Supt. Matthew English stated he would have a no outlet sign placed on the street.

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

**REACCREDITATION OF POLICE DEPARTMENT**

Chief Denz stated the Police Department successfully received reaccreditation for five years.

**EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 8:50 P.M to discuss professional services, a contract matter and a personnel issue with Town Attorney Shawn Martin.

Ayes: All

Noes: None

Motion Carried

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

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

The board members returned from Executive Session at 9:10 P.M.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to adjourn the meeting at 9:10 P.M.

Ayes: All

Noes: None

Motion Carried

  
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JACQUELINE A FELSER, TOWN CLERK