

8-C COMMUNICATIONS

1. (continued)

Supervisor Meegan noted that \$6.2 million will go towards the sewer project and 200 people will be put to work.

Ayes: All

Noes: None

Motion Carried
APPENDICES

2. Supervisor Meegan re Library Board appointments

Motion by Supervisor Meegan, seconded by Councilman Hart, to reappoint Paul Notaro as President of the West Seneca Library Board effective January 1, 2009 – December 31, 2013; and further, appoint Jennifer Dobe, Bill Josefiak, Michael Tenhagen and Kelly A Clifford as members of the West Seneca Library Board with five year terms to be determined at the next Library Board meeting.

Ayes: All

Noes: None

Motion Carried

3. Supervisor Meegan re Terms for members of Planning & Zoning Board

Motion by Supervisor Meegan, seconded by Councilman Hart, pursuant to NYS Town Law, Section 271, items #4 & #5 (Planning Board) and NYS Town Law, Section 267, items #4 & #5 (Zoning Board of Appeals), to correct the expiration date for all member's terms of office as follows:

Planning Board	-	Robert Niederpruem	12/31/2016
		Donald Mendola	12/31/2012
		Gerald Greenan	12/31/2013
		James F Rathmann	12/31/2014
		Anthony Nigro	12/31/2015
		Joseph Sherman	12/31/2017
		Joseph R Ciancio	12/31/2018

Zoning Board	-	David Monopololus	12/31/2013
		Michael Harmon	12/31/2012
		Sandra Rosenswie	12/31/2014
		Evelyn Hicks	12/31/2015
		Michael Hughes	12/31/2016

Ayes: All

Noes: None

Motion Carried

8-C COMMUNICATIONS

4. Supervisor Meegan re
Creation of Court Clerk
position

Motion by Supervisor Meegan, seconded by Councilman Hart, to create the position of Court Clerk and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Rusinski noted they were not creating a new position. There was a retirement and the job title was being changed.

Ayes: All

Noes: None

Motion Carried

- 4a. Town Justices re
Appointment of Maureen
Murphy as full-time Court
Clerk

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Maureen Murphy as Clerk to the Town Justice and appoint Maureen Murphy as Court Clerk effective May 8, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting that Ms. Murphy is ranked #1 on the Civil Service list.

Ayes: All

Noes: None

Motion Carried

- 4b. Town Justices re
Appointment of Mary Jean
Fitzgerald as Clerk to the
Town Justice

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to terminate Mary Jean Fitzgerald as part-time paralegal in the Town Attorney's office and appoint Mary Jean Fitzgerald as Clerk to the Town Justice effective May 8, 2012 at an annual salary of \$37,673.86 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Town Attorney re Fourteen
Holy Helpers Summer Fest

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to authorize 14 Holy Helpers Parish to utilize the Highway Department parking lot and Burchfield parking lot for their summer festival as follows: Friday, August 17th from 6:00 P.M. – 11:00 P.M.; Saturday, August 18th from 6:00 P.M. – 11:00 P.M.; and Sunday, August 19th from 1:00 P.M. – 5:00 P.M. conditioned on the following: the parish shall provide the church with a certificate of insurance naming the town as an additional insured as well as hiring an off duty police officer to be present one-half hour before until one-half hour after the event to provide security for town property and equipment on site.

8-C COMMUNICATIONS

8. Town Engineer re Highway Garage improvements SEQRA review & determination
- Motion by Supervisor Meegan, seconded by Councilman Rusinski, to adopt the attached SEQRA resolution and determination of Type 2 action relative to the construction of improvements to the town highway garage.

On the question, Councilman Hart questioned why glass blocks were being installed on the highway garage instead of regular windows.

Town Engineer Steven Tanner stated that as a bid alternate glass block windows will be installed on the second floor roof on the east elevation of the garage. Right now half of the windows on that side are glass block and half are regular windows. The windows are not operable and only serve to let light into the garage. Along with security, there is energy efficiency gained with the use of glass block windows. Currently there are flashing issues that exist and water is staying behind the brick which will further degrade it, so this is a perfect opportunity to change the windows.

Ayes: All

Noes: None

Motion Carried
APPENDICES

9. Town Engineer re Highway Garage Improvements bond resolution
- Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution authorizing the issuance of general obligation bonds of the Town of West Seneca, Erie County, New York, and also authorizing the issuance of bond anticipation notes to finance the rehabilitation of a garage to house vehicles, equipment and working areas for the town Highway Department.

On the question, Councilman Rusinski questioned if this will be put out for bid.

Town Engineer Steven Tanner responded that it will be put out for bid and there will be two separate contracts for this project – one for the masonry restoration work and panel work and one for the roofing work.

Councilman Hart thought that the bond anticipation notes could only be issued for five years on this project rather than 15 years.

Town Engineer Richard Henry responded that because this was a class "B" building they could go longer term.

Ayes: All

Noes: None

Motion Carried
APPENDICES

8-C COMMUNICATIONS

10. Town Engineer re Request for ownership of properties on Lein Avenue

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution authorizing the purchase of land on Lein Avenue currently owned by Erie County in order to maintain existing storm water drainage through the properties.

Ayes: All Noes: None Motion Carried
APPENDICES

11. Highway Sup't. re Title change for Mark Kerner to Highway Heavy Motor Equipment Operator

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Mark Kerner as Highway MEO and appoint Mark Kerner as Highway Heavy Motor Equipment Operator, Group 5, Step 5, at a rate of \$26.49 per hour effective May 1, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12. Highway Sup't. re Appointment of Colin Brown as part-time seasonal laborer in Sanitation Department

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to change Colin Brown from part-time seasonal laborer in the Buildings & Grounds Department to part-time seasonal laborer in the Sanitation Department effective May 7 – September 16, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

13. Highway Sup't. re Appointment of part-time seasonal laborers in Sanitation Department

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Andrew Maj and Andrew Herbek as part-time seasonal laborers in the Sanitation Department effective May 7 – September 16, 2012 at a rate of \$7.25 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

8-C COMMUNICATIONS

14. Chief Gehen re Resignation of part-time Public Safety Dispatcher James Kavanaugh

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to accept the resignation of James Kavanaugh and terminate him as part-time Public Safety Dispatcher effective April 27, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting that Mr. Kavanaugh has served the Town of West Seneca for the last 16 years.

On the question, Councilman Rusinski stated that Mr. Kavanaugh did a terrific job as a dispatcher and he wished him well in his retirement.

Ayes: All Noes: None Motion Carried

15. Chief Gehen re Resignation of part-time Public Safety Dispatcher Greg Lake

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to accept the resignation of Greg Lake and terminate him as part-time Public Safety Dispatcher effective April 28, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting that Mr. Lake has found full-time employment as a police officer in the City of Atlanta, Georgia.

Ayes: All Noes: None Motion Carried

16. Chief Gehen re Status change for part-time Public Safety Dispatcher Diane Nowicki to seasonal

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

Ayes: All Noes: None Motion Carried

17. Town Clerk re Reappointment of Kathleen Gullo as Marriage Officer

Motion by Supervisor Meegan, seconded by Councilman Hart, to reappoint Kathleen M Gullo as a Marriage Officer for the Town of West Seneca for a four year term expiring April 30, 2016.

On the question, Councilman Hart questioned if this is a paid position and if there can be more than one marriage officer for the town.

8-C COMMUNICATIONS

17. (continued)

Town Clerk Jacqueline Felser responded that there can be more than one marriage officer. The town does not pay Mrs. Gullo, but she is allowed to charge up to \$75 per ceremony.

Ayes: All

Noes: None

Motion Carried

18. Town Clerk re Purchase of scanners

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to authorize the purchase of a Kyocera TASKalfa 2420w wide scale imaging system for the Code Enforcement Office at a cost of \$9850 and a Kyocera FS-1128 imaging system for the Town Clerk's Office at a cost of \$735 from WNY Imaging Systems, 350 Cayuga Road, Suite 140, Buffalo, NY 14225, noting that both purchases are fully funded under the Local Government Records Management Improvement Fund grant awarded to the town and are available in line item 001.1410.0442.3333.

On the question, Councilman Hart questioned what the wide scale machine will be used for.

Code Enforcement Officer John Gullo responded that his office will share the machine with the Engineering Department and it will be used to print and scan oversized plans.

Ayes: All

Noes: None

Motion Carried

19. Town Clerk re Budgetary transfer request

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve a budget transfer of \$7065 from Acct. 001.1410.0442.3333 Records Management Expense to Acct. 001.1410.0139.3333 Salary PT Clerical.

Ayes: All

Noes: None

Motion Carried

20. Code Enforcement Officer re Electronic message board at 1744 Union Road

Motion by Supervisor Meegan, seconded by Councilman Hart, pursuant to Section 120-44.4.G of the Town Code, to approve an electronic message board at the Gardenvue Restaurant located at 1744 Union Road.

On the question, Supervisor Meegan stated that the Gardenvue Restaurant currently has an electronic sign and this will be an enhancement to it.

Ayes: All

Noes: None

Motion Carried

8-C COMMUNICATIONS

21. Finance Office re Funding of Capital Reserves

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to adopt the attached resolutions to fund the following established capital reserves in the General and Highway Funds, noting the funding levels are based on the Highway Sup't's. five year capital equipment plan for the Highway Fund and equipment replacement plans for the General Fund:

Highway Fund - \$2,500,000 – source of funding is the unreserved fund balance

General Fund - \$700,000 – source of funding is a transfer from the reserve established for payment of judgments and claims

On the question, Councilman Hart stated that the board members spent a lot of time working on a plan and this is a tax neutral approach in an attempt to keep taxes down. There are excess monies available and this is a good way to fund these purchases going forward.

Ayes: All

Noes: None

Motion Carried
APPENDICES

22. Finance Office re Budgetary transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve budget transfers as follows: \$12,400 from Acct. 001.1670.0480 Central Printing-Computer Software to Acct. 001.1315.0216 Comptroller-Computer Software and \$1,200 from Acct. 001.1670.0200 Central Printing-Equipment to Acct. 001.1315.0200 Comptroller-Equipment.

On the question, Laura Landers stated that KVS representatives will be giving department heads a demonstration on the paperless voucher system at the May 21, 2012 work session at 5:15 P.M.

Councilman Hart suggested an afternoon session to train additional employees on the system and avoid overtime costs.

Ayes: All

Noes: None

Motion Carried

8-C COMMUNICATIONS

23. Director of Recreation, Youth & Senior Services re Approval of parade for boys baseball

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a parade to take place on East & West Road on Saturday, May 26, 2012 from Reserve Fire Hall to Firemen's Park, Home of Boys Baseball, noting that this will be the official opening of the Boys Baseball season as well as the start of their fundraising efforts to develop the new ball diamonds planned for the park.

On the question, Highway Supt. Matthew English stated they are not able to get the required permits in time to hold this parade on May 26th.

The motion was rescinded.

24. Director of Recreation, Youth & Senior Services re Termination of Julia Krezmien as part-time ID clerk

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to terminate Julia Krezmien as part-time recreation ID clerk effective April 30, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

25. Director of Recreation, Youth & Senior Services re Appointment of Lee Ann Pinieski as part-time food service worker

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Lee Ann Pinieski as part-time food service worker effective May 1, 2012 at a rate of \$7.25 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

26. Director of Recreation, Youth & Senior Services re Title change for Sarah Flattery from part-time Clerk Typist to full-time Recreation Leader

Motion by Supervisor Meegan to terminate Sarah Flattery as part-time Clerk Typist effective May 7, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Motion failed due to lack of a second.

27. Director of Recreation, Youth & Senior Services re Pay rate change for Terrie Boltz

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the rate of pay for part-time Clerk Typist Terrie Boltz from \$9 to \$10 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

ISSUES OF THE PUBLIC

GRANT AMENDMENTS

Beverly Leising referred to Item #29 and a discussion at the January 23, 2012 work session about changing the ice rink grant to use for the police department expansion. She questioned why the Town Board did not act quicker on this issue.

Councilman Hart stated there was a communication problem and it is now being corrected.

Mrs. Leising referred to the grant for the gps units and questioned if a letter was sent to change that grant for the purchase of security cameras.

Supervisor Meegan responded that a letter requesting a change in intent was sent to the Dormitory Association of the State of New York in September 2011.

QUESTIONS ON JW DANFORTH'S PRESENTATION

Beverly Leising referred to the statement that 200 jobs will be created with the sewer improvements that will be made and questioned if preference will be given to West Seneca residents.

Town Engineer Steven Tanner stated that part of the reason JW Danforth was awarded the project was because they gave preference to companies that had employees who lived within a 25 mile radius of West Seneca. JW Danforth has 22 employees that live in West Seneca and they will also try to hire West Seneca students as interns.

HIGHWAY GARAGE IMPROVEMENTS

Beverly Leising questioned the start date for the highway garage improvements.

Town Engineer Steven Tanner outlined the timeline for the highway garage improvements and stated the project was expected to be completed by October 2012.

DEPARTMENT HEAD SALARY

Beverly Leising questioned if Director of Recreation, Youth & Senior Services Mary Josefiak received overtime for the extra hours she puts in.

Supervisor Meegan responded that Mrs. Josefiak is a department head and department heads do not receive overtime.

ISSUES OF THE PUBLIC

SEWER IMPROVEMENTS

Tom Brooks questioned the work in Sewer Districts 3 & 13 and whether the proposed \$9 million project discussed at the work session before this meeting will be assessed on the residents.

Supervisor Meegan responded that the \$9 million was for an energy performance project, part of which includes \$6.2 million that will go towards sewer work at no cost to the residents. Bonding for the \$30 million sewer project was approved earlier at this meeting.

Mr. Brooks questioned why everyone that dumps sewage into Sewer District 13 doesn't contribute to the cost of improvements. He also questioned the various sewer taxes on his property tax bill.

Town Engineer Richard Henry stated that everyone that dumps into Sewer District #13 contributes to its cost. He further offered to talk with Mr. Brooks after the meeting to explain the sewer charges on his tax bill.

STATUS OF AMERICORPS PAYMENTS

Karen Lucachik questioned the status of AmeriCorps monthly payments and the sale of the house on School Street.

Laura Landers of the Finance Department stated she did not receive the \$8000 payment for May yet and nothing from the sale of the house.

Supervisor Meegan stated that she and Town Attorney Shawn Martin will be meeting with AmeriCorps representatives this Thursday at 9 A.M. concerning the sale of the house.

MEETING WITH SCHOOL DISTRICT

Karen Lucachik questioned if the meeting between Supervisor Meegan and the school district to discuss the Peer Counseling program and duplication of services had taken place yet.

Supervisor Meegan responded that they are meeting tomorrow.

POSTING OF SENIOR APARTMENTS ON TOWN WEBSITE

Karen Lucachik suggested that all senior apartments in town be listed on the town website and include whether or not they are subsidized.

ISSUES OF THE PUBLIC

INDUSTRIAL DEVELOPMENT AGENCY

Karen Lucachik referred to County Executive Mark Poloncarz' critical comments about Industrial Development Agencies (IDA) and stated she agreed with him and did not believe Erie County should be making decisions for West Seneca. Mrs. Lucachik referred to one instance in town where someone received a generous tax break and understood this individual wanted to meet with town supervisors other than those that had their own IDA'S. She questioned if Supervisor Meegan had met with him yet.

Supervisor Meegan stated she had met with the individual a few weeks ago. She further stated there is a bill being proposed in the NYS Assembly to address this issue and she is fully supportive of it.

LIBRARY BOARD APPOINTMENTS

Amy Carpenter referred to the Library Board appointments and questioned the length of the terms, if the town received resumes for the individuals and if minutes from their meetings are on the town website.

Supervisor Meegan responded that the Library Board members' terms are staggered over five years and they will decide for themselves whose term expires each year. Eleven resumes were received and the individuals were randomly chosen.

Councilman Hart stated he is the liaison for the library and will make sure their minutes are posted on the town website.

HIGHWAY DEPARTMENT SAVINGS

Amy Carpenter questioned if Highway Sup't. Matthew English had a figure on the amount saved on overtime for the winter months and if a monthly report of his department is submitted to the Town Board.

Mr. English responded that \$199,000 was saved on salt, \$40,000 on fuel, and \$275,000 on overtime. The only money his department takes in is for recycling bins so there is no monthly report prepared other than a payroll report.

ADDITIONAL BALL DIAMONDS PROPOSED FOR FIREMEN'S PARK

Amy Carpenter referred to the additional baseball diamonds proposed for Firemen's Park and expressed concerns about their plans to raise money. She referred to the soccer park situation and questioned if there were any contracts with the baseball association.

ISSUES OF THE PUBLIC

ADDITIONAL BALL DIAMONDS PROPOSED FOR FIREMEN'S PARK (continued)

Town Attorney Shawn Martin stated the town is supporting the project but has committed no funds to it. The baseball association needs to raise the money.

Mrs. Carpenter commented on the improvements taking place at the ball diamonds behind Veterans Memorial Park and the lack of parking.

Supervisor Meegan stated there were plans to increase parking at Veterans Memorial Park.

HOUGHTON COLLEGE PROPERTY

Arlene Vogt questioned if Bryan Young will be parking his construction vehicles on the Houghton College property.

Code Enforcement Officer John Gullo stated that Mr. Young will not be parking his equipment at the Houghton College property.

SLIPLINING AND REPAIRS TO SEWERS

Arlene Voit questioned if sliplining and repairs will both be done on the sewers and how long sliplining lasts.

Town Engineer Richard Henry responded that both sliplining and repairs will be made. Sliplining was done on Orchard Park Road in 1999 – 2000 and when it was videoed recently it was found that it is still in good shape.

COMPREHENSIVE PLAN

Gary Mackiewicz referred to the Comprehensive Plan and questioned how important it was for the town to follow it.

Supervisor Meegan stated the Comprehensive Plan is an advisory reference, not law, and it is very important to refer to it as many times as possible.

Mr. Mackiewicz questioned who is responsible for enforcing zoning.

Supervisor Meegan responded that the Code Enforcement Officers are responsible for enforcement of zoning.

Mr. Mackiewicz questioned why the Comprehensive Plan is being revisited and what was used prior to 2003.

ISSUES OF THE PUBLIC

COMPREHENSIVE PLAN (continued)

Supervisor Meegan stated that the Comprehensive Plan should be reexamined every five years and changes implemented as necessary.

Town Attorney Shawn Martin advised there was no Comprehensive Plan prior to 2003, just zoning and building codes.

ADDITIONAL HELP FOR DIRECTOR OF RECREATION, YOUTH & SENIOR SERVICES

Director of Recreation, Youth & Senior Services Mary Josefiak referred to Item #26 that was not voted on and questioned her next course of action.

Supervisor Meegan referred to the number of hours Mrs. Josefiak puts in and stated that she needs help. When the Youth Bureau and Recreation Departments were first consolidated with the Senior Citizens, the Youth Director's salary of \$148,000 was removed along with the Recreation Director's salary of \$120,000 and Mrs. Josefiak absorbed their responsibilities. Supervisor Meegan commented on the recreation, youth and senior programs Mrs. Josefiak has put together and encouraged both board members to become educated on this issue.

Councilman Hart stated he voted to create the full-time position but did not expect it to be filled this quickly and he wanted to better familiarize himself to make a more informed decision.

Councilman Rusinski agreed that Mrs. Josefiak worked hard and put in a lot of hours and he thought there were things they could do to get her the help she needs, but he was not sure that creating another full-time job was the answer.

REPLACEMENT OF KITCHEN EQUIPMENT AT SENIOR CITIZENS CENTER

Beverly Leising noted that Director of Recreation, Youth & Senior Services Mary Josefiak mentioned at a work session in January 2012 that she might need \$30,000 to refurbish the kitchen equipment at the senior citizens center. Mrs. Leising suggested putting out a jar and asking for donations to fund this equipment.

Councilman Hart stated that it is against the law to ask for donations.

Supervisor Meegan stated that they have plans to replace the kitchen equipment and it should be on a Town Board agenda soon.

ISSUES OF THE PUBLIC

PARKING AT MAIN STREET CEMETERY

Christopher Hart questioned if the town is in charge of the Main Street cemetery, noting that a vehicle is parked on the entrance walkway everyday and he thought it was a disservice to those interred in that cemetery.

Supervisor Meegan advised that the town maintains the Main Street cemetery.

Chief Gehen stated that vehicles are not permitted to park on or block a sidewalk and he will have an officer check on this situation.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to recess to Executive Session at 8:30 P.M. to discuss two litigation items, two personnel issues, two grievances, and memorandums of agreement.

Ayes: All

Noes: None

Motion Carried

The Town Board returned from Executive Session at 9:00 P.M.

TRAFFIC COMPLAINTS ADDRESSED

Chief Gehen referred to the traffic complaints brought up at the last Town Board meeting (Seneca & Union; Seneca & Lein; French Road area) and stated that they have been addressed.

PRESCRIPTION DRUG DROPOFF

Chief Gehen referred to the Prescription Drug Dropoff Day held at the end of April at the Senior Citizens Center and noted that 791 pounds of prescription drugs were dropped off.

WELCOME PACKAGES FOR NEW HOMEOWNERS

Councilman Rusinski stated he would like to start with the welcome packages for new homeowners by June 1st and asked that the department heads get their brochures to him soon.

BACKGROUND CHECKS FOR NEW HIRES

Motion by Councilman Rusinski, seconded by Supervisor Meegan, to schedule a public hearing for May 21, 2012 at 7:00 P.M. to consider adoption of Local Law #2012-03, Modification to Chapter 25, Personnel Policies, concerning background checks for new hires.

Resolution Authorizing the Town of West Seneca, NY to enter into an Energy Performance Contract with the John W. Danforth Company.

WHEREAS the Town of West Seneca solicited proposals from interested Energy Services Companies (ESCO's) capable of providing comprehensive energy performance contract services through a request for proposals and

WHEREAS the John W. Danforth Company was selected as the ESCO that best met the needs of the Town of West Seneca and

WHEREAS the John W. Danforth Company has developed a scope of services and improvements valued at approximately \$9,346,213.00,

NOW, THEREFORE, BE IT,

RESOLVED, that the Town of West Seneca Board authorizes the Town of West Seneca Supervisor, Sheila Meegan, to enter into an energy performance contract with the John W. Danforth Company and execute any documents in connection therewith, and be it further,

RESOLVED, that the Town of West Seneca Board authorizes the Town of West Seneca Supervisor, Sheila Meegan, to obtain third party financing necessary to execute the contract.

TOWN OF WEST SENECA TOWN BOARD SEQRA DETERMINATION FOR 2012 SANITARY SEWER IMPROVEMENTS

WHEREAS, the Town of West Seneca Town Board (the "Board") has considered the impact to the environment of following Scope of Work to be completed:

1. Town Sewer System Improvements

- Work to be completed on the Town Sewer System in the Town of West Seneca;
- Work includes, but not limited to rehabilitation of existing sewer main and appurtenances, rehabilitation of existing sanitary sewer pump stations, rehabilitation of sewer maintenance facilities;

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Engineer and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action,

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR. Part 617 of the Environmental Conservation Law, Article 8 ("SEQRA") and concluded that the project involves:

- Maintenance or reconstruction involving no substantial changes in an existing facility, structure or infrastructure (6 NYCRR §617.5(c)(1));
- Replacement, rehabilitation or reconstruction of infrastructure or facility, in kind, on the same site, including upgrading buildings and sewer infrastructure,

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities or infrastructure and involves routine activities required for proper operation and maintenance of the Town Sewer System, and, therefore, does not exceed the thresholds for a Type II Action established under 6 N.Y.C.R.R. Part 617.
2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

TOWN OF WEST SENECA

BOND RESOLUTION No. 2-2012

May 7, 2012

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL REVENUE BONDS OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AND ALSO AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES TO FINANCE THE CONSTRUCTION CERTAIN COMMON IMPROVEMENTS AND INCREASES TO SANITARY SEWER FACILITIES TO SERVE TOWN SEWER DISTRICTS 5, 13 AND 20

WHEREAS, the Town Council of the Town of West Seneca, in the County of Erie, New York (the "Town"), determined that it is NECESSARY to construct certain increases and improvements of certain common sanitary sewer facilities to serve Sewer Districts 5, 13 and 20 (the "Districts") and to otherwise provide for other improvements critically needed for the continued operation of the sanitary sewer system serving the Districts. Such increases and improvements consist of the rehabilitation and construction of sanitary facilities to eliminate active sanitary sewer overflows; the upgrade and rehabilitation of several pumping stations; the installation of slip lining to sewer mains; the construction of enhancements to increase system capacity to accommodate current service needs; repairs to an overflow retention facility; and any and all equipment, machinery and apparatus incidental thereto; and (the "Project").

WHEREAS, the estimated maximum costs for the Project is \$30,000,000 plus the cost of issuance of the bonds or notes; and

WHEREAS, a public hearing pursuant to Town Law Section 202-b was duly held by the Town Council on March 26, 2012.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Council of the Town of West Seneca, Erie County, New York, as follows:

Section 1. The Project constitutes a specific object or purpose defined by Section 11.00. (a) 4 of the New York State Local Finance Law (the "Local Finance Law").

Section 2. The Project is hereby authorized subject to the terms and conditions of this Resolution.

Section 3. The financing of the Project, is hereby authorized at a maximum estimated cost of \$30,000,000.

Section 4. The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds of the Town in an aggregate principal amount not exceeding \$30,000,000 which are hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subparagraph 4 of Section 11.00.(a) of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not be in excess of fifteen (15) years.

Section 6. The faith and credit of the Town of West Seneca, Erie County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in every year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 7. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby authorized as if by separate resolution and is delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Town Supervisor, consistent with the provisions of the Local Finance Law. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

Section 8. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor, as the chief fiscal officer of the Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Town Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if: 1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or 3) Such obligations are authorized in violation of the provisions of the Constitution of the State of New York. The Town Clerk is hereby directed to publish notice of the adoption of this Resolution in the West Seneca Bee along

with notice of the foregoing grounds for the contesting thereof pursuant to Local Finance Law Section 81.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. The Project is defined by 6NYCRR Part 617.5 to be a TYPE II Action under the State Environmental Quality Review Act which by Regulation has been determined not to have a significant impact on the environment.

Section 12. Upon the effective date as defined by Section 1.1 hereof, an abstract of this resolution shall be published in the West Seneca Bee, as the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form prescribed in Section 81.00 of the Local Finance Law.

* * * * *

The foregoing resolution was moved by SUPERVISOR MEEGAN and seconded by Councilperson HART, and the vote thereon was as follows:

Supervisor Meegan voted	<u>Aye</u>
Councilman Rusinski voted	<u>Aye</u>
Councilman Hart voted	<u>Aye</u>

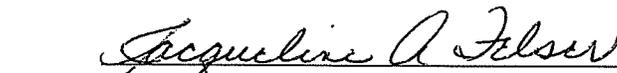
CERTIFICATE OF THE TOWN CLERK

STATE OF NEW YORK) ss.:
COUNTY OF ERIE)

I, Jacqueline A. Felser, the Town Clerk of the Town of West Seneca, Erie County, New York (the "Town"), DOES HEREBY CERTIFY:

1. That a meeting of the Town of West Seneca Town Council was duly called, held and conducted on the 7th day of May, 2012.
2. That such meeting was a regular meeting.
3. That attached hereto is a copy of Bond Resolution No. 2-2012 of the Town which was duly adopted at such meeting by the Town Council.
4. That such attachment constitutes a true and correct copy of the entirety of such Resolution as adopted by the Town Council.
5. That all members of the Town Council had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law."
7. That the attached Resolution was adopted subject to Permissive Referendum.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town as of the 7th day of May, 2012.


Jacqueline A Felser, Town Clerk

TOWN OF WEST SENECA TOWN BOARD SEQRA DETERMINATION FOR 2012 HIGHWAY GARAGE IMPROVEMENTS

WHEREAS, the Town of West Seneca Town Board (the "Board") has considered the impact to the environment of following Scope of Work to be completed:

1. Town Highway Garage Improvements

- Work to be completed on the Town Highway Garage at 39 South Avenue in the Town of West Seneca;
- Work includes, but not limited to, installation of new roofing, roof drains, roof copings and roof coatings, rehabilitation to masonry and installation of metal panels along the west elevation of the building;
- Installation of glass block windows and lintel repairs;

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Engineer and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action,

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR. Part 617 of the Environmental Conservation Law, Article 8 ("SEQRA") and concluded that the project involves:

- Maintenance or reconstruction involving no substantial changes in an existing facility, structure or infrastructure (6 NYCRR §617.5(c)(1));
- Replacement, rehabilitation or reconstruction of infrastructure or facility, in kind, on the same site, including upgrading buildings,

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities or infrastructure and involves routine activities required for proper operation and maintenance of the Town Highway Garage, and, therefore, does not exceed the thresholds for a Type II Action established under 6 N.Y.C.R.R. Part 617.
2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

**TOWN OF WEST SENECA
BOND RESOLUTION No. 1-2012
May 7, 2012**

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AND ALSO AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES TO FINANCE THE REHABILITATION OF A GARAGE TO HOUSE VEHICLES EQUIPMENT AND WORKING AREAS FOR THE TOWN HIGHWAY DEPARTMENT AS DESCRIBED HEREIN.

WHEREAS, the TOWN OF WEST SENECA, in the County of Erie, by its Town Council has determined it necessary for the Town to rehabilitate a garage to be occupied by the Town Highway Department for the purposes of housing equipment, vehicles and to provide working area for Town Highway Department personnel (the "Project").

WHEREAS, the estimated maximum costs for the Project is \$1,000,000 plus the cost of issuance of the bonds or notes.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Council of the Town of West Seneca, Erie County, New York, as follows:

Section 1. The Project constitutes a specific object or purpose defined by Section 11.00. (a) 11 of the New York State Local Finance Law (the "Local Finance Law").

Section 2. The Project is hereby authorized subject to the terms and conditions of this Resolution.

Section 3. The financing of the Project, is hereby authorized at a maximum estimated cost of \$1,000,000.

Section 4. The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds of the Town in an aggregate principal amount not exceeding \$1,000,000 which are hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty five (25) years, pursuant to subparagraph 11 of Section 11.00.(a) of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not be in excess of fifteen (15) years.

Section 6. The faith and credit of the Town of West Seneca, Erie County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on

such bonds as the same respectively become due and payable. An annual appropriation shall be made in every year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 7. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby authorized as if by separate resolution and is delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Town Supervisor, consistent with the provisions of the Local Finance Law. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

Section 8. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor, as the chief fiscal officer of the Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Town Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution is subject to permissive referendum pursuant to Article 7 of the Town Law and shall not become effective until the earlier of either (a) the expiration of 30 days or (b) its approval by the qualified voters of the Town in any

special election held pursuant to a petition duly filed requesting such election.

Section 12. Upon the effective date as defined by Section 1.1 hereof, an abstract of this resolution shall be published in the West Seneca Bee, as the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form prescribed in Section 81.00 of the Local Finance Law.

* * * * *

The foregoing resolution was moved by SUPERVISOR MEEGAN and seconded by Councilperson HART, and the vote thereon was as follows:

Supervisor Meegan voted Aye

Councilman Rusinski voted Aye

Councilman Hart voted Aye

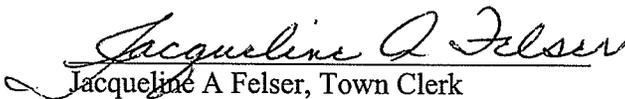
CERTIFICATE OF THE TOWN CLERK

STATE OF NEW YORK) ss.:
COUNTY OF ERIE)

I, Jacqueline A. Felser, the Town Clerk of the Town of West Seneca, Erie County, New York (the "Town"), DOES HEREBY CERTIFY:

1. That a meeting of the Town of West Seneca Town Council was duly called, held and conducted on the 30th day of April, 2012.
2. That such meeting was a regular meeting.
3. That attached hereto is a copy of Bond Resolution No. 1-2012 of the Town which was duly adopted at such meeting by the Town Council.
4. That such attachment constitutes a true and correct copy of the entirety of such Resolution as adopted by the Town Council.
5. That all members of the Town Council had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law."
7. That the attached Resolution was adopted subject to Permissive Referendum.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town as of the 30th day of April, 2012.


Jacqueline A Felser, Town Clerk

**RESOLUTION
OF THE TOWN OF WEST SENECA TOWN BOARD
AUTHORIZING THE PURCHASE OF LAND**

LEIN AVENUE

Motion by SUPERVISOR MEEGAN

WHEREAS, The Town of West Seneca has a drainage system across Lots 51 through 53 along Lein Ave with said property being described on the attached map and deed description and,

WHEREAS, Lots 51, 52 and 53 are surplus County of Erie owned lands and,

WHEREAS, The County of Erie has offered to deed the lands described as lots 51, 52 and 53 according to a map filed under Cover Number 975 to the Town of West Seneca for a fee of \$1,

BE IT RESOLVED, the Town Board wishes to take ownership of said lands in order to maintain storm water drainage and

BE IT FURTHER RESOLVED, that copies of this resolution along with the description of the aforementioned properties be forwarded to the Erie County Real Property Tax Services Office to complete the purchase of said properties.

Seconded by COUNCILMAN HART

Vote:	Yes	No
Supervisor Sheila Meegan:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Board Member Gene Hart:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Board Member John Rusinski:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

STATE OF NEW YORK
COUNTY OF ERIE
OFFICE OF THE CLERK OF THE TOWN OF WEST SENECA

This is to certify that I, Jacqueline A. Felser, Clerk of the Town of West Seneca, Erie County, State of New York, have compared the foregoing copy of the Resolution with the original now on file in this office and that the same is a true and correct transcript of such original and of the whole thereof as duly adopted by said Town Board May 7, 2012, by the required necessary votes of the members to approve the Resolution.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the Town of West Seneca, New York, this 7th day of May, 2012.


West Seneca Town Clerk

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot Number 104 of the Village of Middle Ebenezer and according to map filed under Cover Number 975 is known as subdivision Lot Number 51.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot Number 104 of the Village of Middle Ebenezer and according to map filed under Cover Number 975 is known as subdivision Lot Number 52.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot Number 104 of the Village of Middle Ebenezer and according to map filed under Cover Number 975 is known as subdivision Lot Number 53.

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, this Town Board does hereby establish a Capital Reserve Fund to finance the cost of acquisition and/or construction of permanent improvements and/or equipment – General Fund.

The Supervisor is hereby directed to deposit moneys of this reserve fund in a separate bank account to be known as the "Capital Projects" Reserve Fund.

The Supervisor is authorized to invest, from time to time, the moneys of this fund pursuant to Section 6-f of the General Municipal Law.

No expenditure shall be made from this fund, except upon authorization of this board pursuant to Section 6-c of the General Municipal Law.

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, this Town Board does hereby establish a Capital Reserve Fund to finance the cost of acquisition of highway equipment.

The Supervisor is hereby directed to deposit moneys of this reserve fund in a separate bank account to be known as the "Capital Equipment" Reserve Fund.

The Supervisor is authorized to invest, from time to time, the moneys of this fund pursuant to Section 6-f of the General Municipal Law.

No expenditure shall be made from this fund, except upon authorization of this board pursuant to Section 6-c of the General Municipal Law.

**Resolution To Amend Dormitory Authority of the State of New York (DASNY)
Community Capital Assistance Program (CCAP) Grant for Ice Rink Rehabilitation
to be used for the Police Department Expansion**

WHEREAS, the Town of West Seneca's \$350,000 EDAP Grant from DASNY for the Police Department Expansion was deleted in June 2011 by the New York State Senate, leaving an unanticipated funding gap for the Police Department Expansion Project;

WHEREAS, the Town of West Seneca was nominated in 2008 by Assemblyman Mark Schroeder for a \$250,000 Grant for rehabilitation to the ice rink, to be administered by DASNY;

WHEREAS, some, but not all, ice rink improvements were completed before DASNY issued an executed contract to the Town of West Seneca;

WHEREAS, the Town of West Seneca considers the Police Department Expansion Project to be a priority because the Town's Buildings and Grounds Department has commenced work that is part of the Town's in-kind contribution to this project, and additional outside funding is needed to continue the project;

NOW, THEREFORE, BE IT RESOLVED that the Town of West Seneca requests from DASNY and the New York State Assembly that the \$250,000 CCAP Ice Rink Rehabilitation Project be amended to be used for the Police Department Expansion Project.

NOW BE IT FURTHER RESOLVED that Connie D. Miner & Co. Grant Consultants, the Town's grants consultants, be authorized and directed to complete the necessary application, forms, and attachments to be submitted to DASNY for the purpose of amending this grant; and,

AND BE IT FURTHER RESOLVED that Sheila M. Meegan, Supervisor of the Town of West Seneca, is hereby authorized and directed to sign all necessary documents required to amend this project, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of West Seneca for the Police Department Expansion.