

10-B LEGAL ITEMS

1. (continued)

Motion by Supervisor Meegan, seconded by Councilman Hart, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Town Attorney Shawn Martin stated that this local law will modify personnel policies to include that anyone hired after the effective date will be required to undergo a background check, either through the Police Department or other agency, and drug screening. Also, anyone hired that will be driving town vehicles will have their driving record checked. Nothing will be a disqualifying factor, but the information will be used and considered in the hiring practice.

Councilman Hart questioned the potential cost for this.

Chief Gehen stated that when a police officer is hired the background check is done internally; however, background checks for other employees (i.e. Public Safety Dispatchers, clerical, etc.) are sent to a regional center and the cost is \$120 to \$125. There is also an additional cost for chemical testing.

Councilman Rusinski noted that a risk assessment group can do the background and driving checks and drug testing at a substantially lower rate than having them done individually. The town will request proposals for this service.

Frank Russo questioned if driving records are checked and if there is random drug testing for current employees, specifically those with commercial driver's licenses, and if there will be criminal checks.

Supervisor Meegan stated that the town uses a License Event Notification Service (LENS) program to check driving records and there is random drug testing of current employees. The local law will address this for new hires and also allow criminal checks.

Beverly Leising questioned if a bad background check will have any effect on hiring an individual.

Mr. Martin stated that the information received will be considered when hiring individuals but will not be used as an absolute bar from hiring.

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

10-B LEGAL ITEMS

1. (continued)

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to adopt Local Law No. 2012-03, Modification to Chapter 25, Personnel Policies.

Ayes: All

Noes: None

Motion Carried
APPENDICES

10-C TABLED ITEMS

1. Councilman Hart re Extension of Shared Assessor Agreement Remained on the table.
2. Title change for Sarah Flattery from part-time Clerk Typist to full-time Recreation Leader Remained on the table.

10-D COMMUNICATIONS

1. Supervisor Meegan re St John Vianney 5k Run Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve the request of St. John Vianney Church to hold their 12th Annual 5k Kickoff Run on July 26, 2012 beginning at 6:30 P.M. on designated streets in the Town of West Seneca.

Ayes: All

Noes: None

Motion Carried

2. Town Attorney re Appointment of Jaimie Kaminski as part-time Clerk/Legal Assistant Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Jaimie Kaminski as part-time Clerk/Legal Assistant at a rate of \$12 per hour effective June 13, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

10-D COMMUNICATIONS

3. Town Engineer re Erie County Water Authority requirement of additional hydrants on Dover and Greenmeadow Drive
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the addition of three (3) hydrants along Dover and Greenmeadow Drive with the implementation of the town's 2012 road reconstruction project; and further, acknowledge and resolve to pay the additional hydrant fee that will be charged by Erie County Water Authority in the amount of \$160.80 per hydrant.

On the question, Councilman Rusinski questioned the current code for the distance between fire hydrants and Code Enforcement Officer John Gullo responded that 800' is required.

Ayes: All

Noes: None

Motion Carried

4. Highway Supt. re Title change for William Weixlmann to Highway Laborer
- Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate William Weixlmann as Sanitation Motor Equipment Operator and appoint William Weixlmann as Highway Laborer, Group 1, Step 1, at a rate of \$23.91 per hour, effective May 30, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Highway Supt. re Title change for Francis Malota to full-time Sanitation Laborer
- Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Francis Malota as part-time Sanitation Laborer and appoint Francis Malota as full-time Sanitation Laborer at a rate of \$16.38 per hour effective June 12, 2012 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 Appointment of summer help in Highway Department
- Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint the following as part-time seasonal laborers in the Highway Department at a rate of \$7.25 per hour effective June 18 – August 17, 2012:

Joshua Andrzejewski
James Palaszynski

Nicholas Gugliuzza
Jason Scheely

Christopher Jerge
Matthew Shields

Nicholas Lavalieri
Robert Walsh

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

Ayes: All

Noes: None

Motion Carried

10-D COMMUNICATIONS

7. Highway Supt. re Appointment of part-time seasonal laborers in Buildings & Grounds Department

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to terminate Ian Kennedy and Nicholas Ruberto as part-time seasonal laborers in the Buildings & Grounds Department effective May 28, 2012 and appoint Ryan Struzik and Matthew Wolf as part-time seasonal laborers in the Buildings & Grounds Department at a rate of \$7.25 per hour effective May 28 – August 17, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried
8. Chief Gehen re Appointment of Andrew Oscypala as full-time Public Safety Dispatcher

Received and filed.
9. Assessor re Extension of leave of absence for Erik Finbar

Motion by Supervisor Meegan, seconded by Councilman Hart, to grant Erik Finbar an extension to his existing leave of absence as Real Property Appraiser Tech effective June 1, 2012 – June 1, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried
10. Director of Recreation, Youth & Senior Services re Status change for Michael Talluto to seasonal

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to change the status of Recreation Supervisor Michael Talluto from permanent part-time to part-time seasonal effective June 11 – September 1, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried
11. Director of Recreation, Youth & Senior Services re Rate increase for part-time Clerk Typist Sarah Flattery

Received and filed.

10-D COMMUNICATIONS

12. Director of Recreation, Youth & Senior Services re Appointment of seasonal part-time employees

Motion by Councilman Hart, seconded by Councilman Rusinski, to appoint the individuals on the attached list as part-time seasonal employees effective June 1 – September 30, 2012 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried
APPENDICES

13. Highway Sup't. re Budgetary transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a budget transfer of \$800 from Equipment Acct. #1.8161.0200 to Advertising, Printing Acct. #1.8161.0448 to cover the cost of new signs for the town.

Ayes: All

Noes: None

Motion Carried

10-E 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 - \$299,485.35; Highway Fund - \$80,839.55; Special Districts - \$69,977.49 (voucher #'s 73180 - 73443); Trust & Agency Fund - \$32,511.39 (voucher #'s 73162 - 73202); Capital Fund - \$202,070.59 (voucher #'s 73163-73423)

Ayes: All

Noes: None

Motion Carried

10-F REPORTS

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

ISSUES OF THE PUBLIC

PEER COUNSELING PROGRAM

Students of the Peer Counseling Program and parents addressed the Town Board concerning the board's decision to eliminate funding for the program in the 2013 town budget. They commented on the vital role the program has played in helping kids and the number of kids it has impacted over the years. The students disagreed with statements made that the Peer Counseling program is redundant to the DARE program and stated that they focus on bullying, cyber bullying, drug abuse and drug prevention. They further stated the Peer Counseling program is kids helping kids and it is in both the high school and elementary school whereas the DARE program is only in the elementary school.

Supervisor Meegan stated that Peer Counseling is a great program and the Peer Counselors have done a phenomenal job, but the board members have to make cuts to stay within the 2 percent property tax cap. Many residents were also concerned with the program because they felt it was a duplication of services. The board members looked at other school districts throughout the state and found that the Peer Counseling program is extremely unique to the Town of West Seneca and does not exist in any other county in the State of New York. Many hours were spent researching this and it was not an easy decision. Supervisor Meegan stated that the town budget does not afford the program, but suggested that the students approach the School Board and ask them to support the program and then the town could share a portion of the cost. She further noted that Chief Gehen assured her the School Resource Officers will be stepping up to help.

Councilman Hart stated that the town has funded the vast majority of the Peer Counseling program for many years and he also suggested that students reach out to the School Board and ask them to share in the cost. Currently the town pays approximately \$125,000 and the school pays \$12,000. Councilman Hart stated that if the School Board agrees to pay more of the cost, he will support reinstating the program. He further stated he was willing to talk to the students and try to save the program.

Chief Gehen stated that the town provides the schools with School Resource Officers and the DARE program, but he believes there is a difference in what the Peer Counseling program offers. Chief Gehen commented that it is easier for students to open up to a friend or peer and receive advice instead of an adult. He thought the program should be maintained but at a lesser cost to the town.

Karen Lucachik stated that Peer Counseling can continue and suggested that the students go to the School Board and ask them to subsidize and pay for the program, noting that the Town Board does not have the finances due to many other big issues in town like the sewers. Mrs. Lucachik suggested that the School Board monitor the program since they are in the education business.

ISSUES OF THE PUBLIC

PEER COUNSELING PROGRAM (continued)

Beverly Leising stated that this has been an ongoing issue with the Town Board for the last eight months and the board members and Town Attorney have met with the School Board concerning the Peer Counseling program, but they think it is a duplication of services and understand that the town does not want to fund the program. Mrs. Leising did not believe the Town Board should be chastised on this issue and suggested that the students go to the School Board to have the Peer Counseling program funded.

Councilman Rusinski commented on the passion the students have for the Peer Counseling program and that demonstrated how much it means to them. Although the town can't afford the program the way it is, he was open to alternative ways of funding it.

Donna Lepore and Jolynn Keane disagreed with statements made about the actual cost of the program and stated their salaries are \$34,000 each and only one takes the health insurance benefit of approximately \$17,000. The School Board informed them that the town had not asked that they increase their portion for the Peer Counseling program and they questioned if other things in the town budget have been cut.

Supervisor Meegan stated they have not finished with budget cuts. Conversation on the Peer Counseling program has been ongoing since last year and it was the right time to cut with the school year ending.

Mrs. Lepore stated that the board members may not be in the education business but they are in the community business and the Peer Counseling program is invaluable to the kids.

Councilman Hart stated that he has been involved in the community his whole life, a member of the Lion's Club for 35 years and involved in youth baseball for over 30 years and these decisions are not easy to make. He further stated that he approached the school and did not get any support for the Peer Counseling program from the administration. If the School Board is willing to share more of the cost he would be willing to save the program. Councilman Hart further stated that the town has tremendous costs with the sewers, etc. and they will continue making cuts as needed.

WORK SESSION MINUTES

Paula Minklei asked that work session minutes be transcribed in more detail.

ISSUES OF THE PUBLIC

COMPREHENSIVE PLAN

Paula Minklei referred to the Comprehensive Plan that was adopted in 2006 and commented on the need to review and update it. She had previously suggested that volunteers from the community form a committee for this purpose and asked the Town Board to commit to seeking out people to be on this committee.

STATUS OF AMERICORPS PAYMENTS

Karen Lucachik questioned the status of the AmeriCorps payments. Laura Landers of the Finance Department responded that a payment was received June 8th and they had not received anything on the sale of the house.

RECREATION DEPARTMENT ISSUES

Karen Lucachik referred to a discussion at a previous Town Board meeting concerning overtime compensation for Recreation Director Mary Josefiak and thought that Mrs. Josefiak should have corrected the incorrect information given at the meeting which stated that she did not receive overtime in her position. Mrs. Lucachik further stated she was told that the recreation leader position was advertised, but she did not see it on the town's website.

Supervisor Meegan stated that the position was on the website and Mrs. Josefiak had interviewed four or five people for the job.

HOUGHTON COLLEGE PROJECT

Arlene Vogt referred to the upcoming Planning Board meeting concerning Houghton College and asked if the Town Board members will be at the meeting.

Town Attorney Shawn Martin advised that the project is before the Planning Board for site plan approval and will not come before the Town Board for final approval.

SEWAGE IN CAZENOVIA CREEK

Arlene Vogt referred to the amount of sewage that is pumped into Cazenovia Creek and did not think people should be swimming in it. She suggested that this information be posted in the newspaper to make the public aware of the situation.

ISSUES OF THE PUBLIC

TABLED ITEMS

Linda Toy questioned why the tabled items on the agenda were skipped and specifically referred to the extension of the shared assessor agreement.

Supervisor Meegan stated they are waiting for a response from Elma concerning the shared assessor agreement.

ADDITIONAL HYDRANTS ON DOVER & GREENMEADOW DRIVE

Linda Toy referred to the additional hydrants required on Dover and Greenmeadow Drive and questioned why the town didn't know these were needed when the project was bid.

Code Enforcement Officer John Gullo stated that the Engineering Department does the drawings and it is a process to have them approved.

VACANT HOUSES & BUSINESSES

Linda Toy commented on the number of vacant houses in town and their condition.

Supervisor Meegan stated that she and Legislator Joseph Lorigo are teaming up to put forth a resolution to this problem and they will be proposing new legislation that will require licensing of rental housing in the town. There is also a large list of incomplete foreclosures and they intend to adopt legislation that will hold banks accountable. They further intend to propose legislation to require that property managers be licensed and if they don't do their job they will not be able to work in West Seneca.

Amy Carpenter commented that a number of businesses in town are for sale and also look hideous, particularly at the gateways to town.

Supervisor Meegan stated that she also has a list of businesses in need of repair and will be meeting with Legislator Lorigo on this issue.

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 matters with Town Attorney Shawn Martin.

Ayes: All

Noes: None

Motion Carried

The Town Board returned from Executive Session at 8:40 P.M.

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

SENECA CITY LINE INITIATIVE

Chief Gehen stated they will be starting the Seneca Street initiative shortly and will be walking the Seneca City Line area handing out surveys for the residents to complete concerning problems relative to that area. Chief Gehen further reminded everyone to lock their car doors at night to prevent them from being broken into.

TOWN BOARD MEETING SCHEDULE

Supervisor Meegan announced the following Town Board meetings for the second half of 2012:

Monday, July 23, 2012	@	7:00 P.M.
Monday, August 20, 2012	@	7:00 P.M.
Monday, September 10, 2012	@	7:00 P.M.
Monday, September 24, 2012	@	7:00 P.M.
Monday, October 15, 2012	@	7:00 P.M.
Monday, October 29, 2012	@	7:00 P.M.
Monday, November 19, 2012	@	7:00 P.M.

CDBG FUNDS FROM WEST SENECA DEVELOPMENT CORPORATION

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution concerning the use of Community Development Block Grant funds that were available to the West Seneca Development Corporation.

On the question, Councilman Rusinski questioned the replacement lighting and Supervisor Meegan responded that parking lot lighting at the Senior Citizens Center will be repaired or replaced as needed.

Councilman Hart questioned if John W Danforth is doing anything and Supervisor Meegan advised they are taking care of the freezers in the kitchen.

Ayes: All

Noes: None

Motion Carried
APPENDICES

BRIDGE RECONSTRUCTION ON SENECA BETWEEN CENTER ROAD & LIND AVENUE

Supervisor Meegan announced that Seneca Street between Center Road and Lind Avenue will be closed from June 12 – November 30, 2012 for bridge reconstruction.

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

JOHN GULLO RECEIVES OUTSTANDING FIRE RESPONDER AWARD

Supervisor Meegan congratulated Code Enforcement Officer John Gullo on receiving the National Homeland Security award for outstanding fire responder.

GARBAGE TOTES

Councilman Hart noted that the Town Board will be looking at garbage totes at the next work session.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:50 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK

LOCAL LAW 2012-03
TOWN OF WEST SENECA
MODIFICATION TO Chapter 25, PERSONNEL POLICIES

Section 25-18

- A. One of the town's primary objectives is to provide a safe, healthful and productive working environment for all of our employees. This means that all employees must be in suitable mental and physical condition at all times while working for the town. Our work environment and our employees must be completely free of substance abuse and its harmful and dangerous effects. *All applicants offered a position, to be hired after June 1, 2012 will be required to submit to a drug screen as a condition to their hire. In its sole discretion, the Town Board of the Town of West Seneca may refuse to hire an individual who fails a drug test. In its sole discretion, the Town may hire an individual who fails a drug test and impose conditions, the violation of which may result in all remedies, up to and including termination. (amended May 21, 2012).*

ARTICLE V

BACKGROUND CHECKS OF NEW HIRES AFTER JUNE 1, 2012

Section 25-20

- A. *The objective and policy of the Town of West Seneca is and has been to maintain a safe and healthful environment for all employees, residents, and all members of the general public who visit the Town.*
- B. *In order to further effectuate this objection and police, effective June 1, 2012, all applicants offered a position will have a criminal history check. In its sole discretion, and subject to all other applicable laws, the Town Board of the Town of West Seneca may refuse to hire an individual who refuses to undergo a criminal history check or whose*

criminal history check reveals a conviction of a misdemeanor or felony in the State of New York, or equivalent in any other jurisdiction.

- C. *For all potential new hires whose duties may include the operation of Town motor vehicles or other motorized equipment, the potential new hire shall undergo a check into his or her driving history. In its sole discretion, the Town Board of the Town of West Seneca may refuse to hire an individual who refuses to permit a check of the individual's driving history. The Town Board of the Town of West Seneca may consider the potential new hires' driving record in its hiring decision.*

LIFEGUARD STAFF 2012

HEAD LIFEGUARDS: (\$8.50/hr.)

Caruana, Caitlin
Kuroski, Laura
Perry, Alyssa

RETURNING LIFEGUARDS: (\$8.00/hr.)

Blandin, Brian
Boltz, Jeremy
Davis, Christopher
Grzechowiak, Cory
Luongo, Victoria
Morgante, Caitlin
Osmond, Nathaniel
Pavlovic, Alex
Pavlovic, Loren
Schmidt, Kaitlyn
Skrzypczyk, Matthew
Webber, Rachel
Willman, Kristen
Wolf, Brittanyann

NEW LIFEGUARDS: (\$8.00/hr.)

Cusella, Rose
Hamberger, Jacob
Jerabek, John
Lindner, Michelle
McDermott, Kristin
Rennie, Leah
Schmidt, Tyler
Skrzypczyk, Michael
Slowik, Jenna
Stevenson, Alyse
Wheeler, Alicia

Recreation Attendant @ \$8.50/hr

Martinez, Marleah

Recreation Attendant @ \$7.75/hr

Altman, Lauren
Broda, Jane
Hess, Kelly
Ormond, Fallon
Smith, Lauren

Braun, Tom
Eggleston, Kirsten
Leone, Faith
Piniewski, Jill
Yates, Jenna

Recreation Attendant @ \$7.50/hr

Amoia, Matt
Amoia Jr, Steve
Baker, Kayleigh
Blandin, Ben
Braunscheidel, Patrick
Dzaak, Victoria
Huber, Samantha
Keane, Patrick
Marino, Jillian
Nigro, Nicolette
Pelowski, Alexis
Pulinski, Leanna
Stewart, Ashley
Sullivan, Kalen
Szczublewski, George
Wach, Matthew
Reynolds, Devin

Amoia, Morgan
Baker, Emily
Barren, Brendan
Bonner, Devin
Caulfield, Joseph
Harrigan, Kristen
Keane, Kirsten
Lewis, Dan
Mancuso, Mitchell
Perna, Tyler
Prentice, Michael
Rich, Benjamin
Stratton, Nina
Supples, Kali
Vogel, Paige
Wise, William
Fridmann, Zachary

Recreation Attendant @ \$7.25/hr

Bernier, Olivia
Cummins, Brodey
Thur, Gregory

RESOLUTION

WHEREAS, the Town of West Seneca has learned that the CDBG funds were available to the West Seneca Development Corporation; and

WHEREAS, on May 17, 2012 officials from the Town of West Seneca met with officials from the County of Erie regarding the use of these funds, and received assurance that those funds would be made available for projects within the Town of West Seneca

WHEREAS, at its May 31, 2012 meeting, the West Seneca Development Corp. voted to turn those funds over to the County for use by the Town; and

WHEREAS, the Town of West Seneca has identified many numerous worthy project for use of those funds, the amount of which is \$452,790.45 and

WHEREAS, the funding is governed by existing federal regulations which describe the process for returning, receiving and using program income generated through the Community Development Block Grant fund;

NOW THEREFORE BE IT RESOLVED, that the Town of West Seneca intends to utilize these funds for worthy projects which comply with the existing federal regulations which describe the process for returning, receiving and using program income generated through the Community Development Block Grant fund;

BE IT FURTHER RESOLVED, that the funds shall be used as follows:

- Acquisition of 2 Natural Gas Senior Vans for use by the Senior Center;
- Acquisition of a side by side freezer, oven, stove, and garbage disposal to replace the outdated equipment at the Senior Center;
- The building of a garage at the Senior Center to house the vans; and
- Repair and/or replacement of lighting at the Senior Center.