



**24-B HELD OVER PUBLIC HEARING**

1. (continued)

Councilman Hart commented that the property is located at a tight corner and questioned how many vehicles will be on site at one time. He further questioned the color of the building.

Mr. Wagner responded a maximum of four cars can be stored inside the building and there will be four parking spaces on the left of the building near the creek plus two parking spaces behind the building. An area will be designated in front of the building for handicapped parking. Mr. Wagner stated he plans to pave the entire parking area in the spring and there will be no outside storage of parts or vehicles under repair. The building is white, red and black and he plans to put an American flag on one side.

No comments were received from the public.

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

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the following resolution:

**WHEREAS**, the Town Board of the Town of West Seneca has received a request for a Special Permit authorizing the use of the property located at 3225 Seneca Street in the Town of West Seneca as an automotive repair shop ("Permitted Use"); and

**WHEREAS**, the Town Board has determined that the Project constitutes a Type II action exempt from review pursuant to the State Environmental Quality Review Act, due to the fact that the Project involves no significant physical alteration of the subject property; and

**WHEREAS**, the Planning Board recommended the granting of the special permit on November 13, 2014; and

**WHEREAS**, pursuant to Section 120-23(A) of the Town Code, the Town Board further finds that granting a special permit authorizing the Permitted Use of the subject property is an appropriate use of said property and will not adversely affect surrounding properties, particularly given that said property has been used as an automotive repair shop in the past;

**THEREFORE, BE IT RESOLVED THAT** the Town Board hereby grants a Special Permit for the Project pursuant to Sections 120-20(A)(8)(c) and 120-23 of the Town Code.

Ayes: All

Noes: None

Motion Carried



**24-C LEGAL ITEMS**

1. (continued)

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt Local Law 2014-14, Modification to Chapter 33 – Records, Public in the Town of West Seneca.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

**24-D COMMUNICATIONS**

1. Supervisor Meegan re Appointment of Craig Kroll as Director of Recreation II regular part time

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Craig Kroll as Director of Recreation II regular part time effective December 16, 2014 at a salary of \$20 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart spoke on behalf of Mr. Kroll who was unable to attend the meeting, noting he is happy to return and will be starting work tomorrow.

Supervisor Meegan thanked Lauren Masset for her work in the Recreation Department and commented on the outstanding job she did with Santa’s Breakfast which included the YES Program and Theatre of Youth.

Ayes: All

Noes: None

Motion Carried

2. Attorney for the Town re Transportation & Escort Services Contract with Erie County

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the Transportation and Escort Services Contract with Erie County effective January 1 – December 31, 2015.

On the question, Councilman Hart questioned the cost to the town.

Attorney for the Town Charles Grieco responded there is no cost to the town. The contract is renewed annually and the vans are provided by both the county and town.

Ayes: All

Noes: None

Motion Carried

3. Town Engineer re Appointment of J. Clifford as winter intern in the Engineering Department

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

Ayes: All

Noes: None

Motion Carried

**24-D COMMUNICATIONS**

4. Town Engineer re Commerce Parkway Reconstruction Project, change order #1
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve change order #1 in the amount of \$138,779.84 for Union Concrete & Construction Corp., 105 Center Road, West Seneca, for additional work on the Commerce Parkway Reconstruction Project to address poor subsoil conditions encountered during construction.

Ayes: All                      Noes: None                      Motion Carried

5. Town Engineer re Princeton Estates Subdivision – street lighting application
- Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to sign the street lighting application with NYSEG for Electric Lighting District 63, Princeton Estates Subdivision.

On the question, Councilman Hart questioned if this will be billed separately to residents of Princeton Estates under Electric Lighting District 63.

Supervisor Meegan responded this will be billed on their tax bills under Electric Lighting District 63 to residents of that district.

Ayes: All                      Noes: None                      Motion Carried

6. Chief Denz re Budgetary transfer request
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a budgetary transfer request of \$4,457.89 from Acct. #001.3120.0471 (Police Community Service) to Acct. #001.3120.0153 (Detective) \$1,202.37, Acct. #001.3120.0154 (Police Officer) \$813.81, Acct. #001.3120.0161 (Police Lieutenant) \$1,780.22, and Acct. #001.3120.0163 (Police Detective Lieutenant) \$661.49.

Ayes: All                      Noes: None                      Motion Carried

7. Chief Denz re Purchase of five patrol fixed mount computers
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the purchase of five (5) Patrol PC Core I Value Intel Generation 3 fixed mount computers from Patrol PC, 344 John L. Dietsch Blvd., Attleboro, MA 02763 at a total cost of \$26,885 with available funding in the Asset Seizure Fund, Line T-004.0004.072, noting the price is below state bid and the purchase is replacing five outdated police car mobile data terminals.

**24-D COMMUNICATIONS**

7. (continued)

On the question, Councilman Hart questioned if money needs to be transferred into the operating fund for this purchase.

Chief Denz understood that a check can be written directly from the trust fund. He further stated this is federal asset seizure money and has no impact on the budget or taxpayers.

Ayes: All

Noes: None

Motion Carried

8. Town Clerk re Purchase of FOIL tracker software

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the purchase of FOIL tracker software from Business Automation Services Inc., 636 Plank Rd., Clifton Park, NY 12065 at a cost of \$3,980 which includes installation, training and annual software maintenance fee.

On the question, Councilman Hart questioned what service the software provides. He further questioned if the Town Clerk's office receives originals of all town contracts, noting that he thought it was a good idea they be kept in the clerk's office instead of the attorney's office.

Town Clerk Jacqueline Felser responded the software will track FOIL requests, generate letters and archive. She further stated not all town contracts are kept in her office.

Attorney for the Town Charles Grieco stated Town Law designates the Town Clerk as the keeper of all town records and he agreed with the suggestion that the Town Clerk receive and keep all original town contracts in her office going forward.

Ayes: All

Noes: None

Motion Carried

9. Town Justices re Attendance at 2015 NYS Association of Towns annual meeting

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Town Justice Dale J McCabe and Court Clerks Darlene Sommer & Michelle Leone to attend the 2015 NYS Association of Towns conference in New York City, February 15 – 17, 2015 at a cost not to exceed \$1,200 per person.

On the question, Councilman Hart stated the training seminars are an excellent program for the court clerks and are required for the Town Justices.

Ayes: All

Noes: None

Motion Carried

**24-D COMMUNICATIONS**

10. Supervisor Meegan re  
Budget Note Resolution

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached budget resolution authorizing the issuance of a budget note in an amount not to exceed \$2,500,000 to pay for certain expenses and operation and maintenance costs.

On the question, Supervisor Meegan explained local finance law has a special section that covers emergency expenditures for storm recovery. She stated the town has not committed to this expenditure; however, the opportunity will be in place in case the town encounters unforeseen financial concerns going forward. Supervisor Meegan commented on the recent snowstorm, noting the overall cost totaled over \$3 million as a town collectively.

Councilman Hart commented on the importance of adopting the resolution and the significant amount of storm related expenditures, noting anything paid prior to adopting this resolution would not be covered. Once adopted and bills are paid, the Town Board is hopeful to receive reimbursement from FEMA and other sources. In the event the town is not reimbursed and a budget shortfall exists, the expenses will be covered.

Supervisor Meegan noted that Governor Cuomo complimented the town for the hard work, coordination and recovery with the storm and called the Town of West Seneca a template for all towns and villages.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

**24-E REPORTS**

- Jacqueline A. Felser, Town Clerk’s report for November 2014 received and filed.
- John A Gullo, Code Enforcement Officer’s report and plumbing report for November 2014 received and filed.

**24-F APPROVAL OF WARRANT**

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

General Fund - \$226,255.88; Highway Fund - \$81,157.51; Special Districts - \$23,327.13; Capital Fund - \$946,734.81 (voucher #'s 86290 - 87059); Trust & Agency Fund – \$32,230.12 (voucher #'s 87024 - 87043)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**BUDGET NOTE RESOLUTION FOR NOVEMBER STORM EXPENSES**

Don Weiss questioned the interest rate on the budget note and Supervisor Meegan responded the last interest rate was 0.1 percent. Mr. Weiss thanked the Town Board and town employees for their hard work during and after the November storm and especially thanked Assistant Code Enforcement Officer Jeffrey Baksa for his assistance and Highway Supt. Matthew English for removing a tree. He further commented on opportunistic individuals who took advantage of the situation, adding the majority of people worked together.

Dave Monopolus questioned if the Town Board had any information or if anything was done with individuals who price gouged during the storm.

Councilman Hart responded he was aware of some instances of price gouging and suggested residents report any instances to the New York State Attorney General.

Supervisor Meegan stated she had already provided the New York State Attorney General's office with this information.

**CODE OF ETHICS**

Dale Clarke referred to ethics violations that were before the Ethics Committee and questioned the status of their recommendations, noting he was concerned that issues were being ignored.

Supervisor Meegan responded that after the Town Board receives a recommendation from the Ethics Committee they will review it and respond.

**DIRECTOR OF RECREATION POSITION**

Dave Monopolus questioned if the Director of Recreation position was posted and how many hours a week the job entails.

Supervisor Meegan responded the job was posted and interviews conducted from a list provided by Erie County. Currently the position is part-time with a maximum 30 hours per week, but it could become a full-time position in the future.

Amy Carpenter disagreed with the position becoming full-time with benefits. She commented on the change in hourly rate to \$20 when it was advertised at \$18 and did not believe that was fiscally responsible. Mrs. Carpenter referred to the decline of student enrollment and the aging population with 78 percent of the population without children and did not believe money should be spent on services that less than 25 percent of the residents will use.

**ISSUES OF THE PUBLIC**

**DIRECTOR OF RECREATION POSITION** (continued)

Councilman Hart responded that recreation is not just for children.

Karen Lucachik was disturbed by the rehiring of Mr. Kroll and commented since he did not want a part-time position he must have been told that the position will become full-time. She questioned if other individuals that were interviewed were provided the same information.

Councilman Hart responded they had told Mr. Kroll the job may become full-time and the other individuals were also told that. Two of the applicants did not want full-time and the third individual turned the job down because he had other employment. Mr. Kroll was the best choice.

Frank Russo reiterated his displeasure in the Town Board's decision to fill the Director of Recreation position, stating there is no need to make this a full-time job in the future. He commented on the recreation programs competing with programs offered through continuing education, hiring friends, downsizing and consolidation of government. Mr. Russo thought filling this position is a blatant disregard to taxpayers and fiscally irresponsible.

Councilman Hart disagreed with Mr. Russo's comments and stated he believes the position should be full-time.

Doug Kroll, father of Craig Kroll, commented on his son's college education and knowledge of his work. He believes a town the size of West Seneca should be able to afford a full-time recreation director as in other towns, noting \$30,000 is not a lot when compared to other positions.

Beverly Leising questioned what Mr. Kroll will be doing with the additional hours if the job is made full-time.

Supervisor Meegan responded the job description will clearly identify the duties of the full-time position.

Susan Kims commented on Mr. Kroll being invited back to fill a part-time position that he chose to leave two months ago. She complimented Lauren Masset for doing a good job and questioned why she was not considered for the position.

Councilman Hart responded Ms. Masset was not eligible to take the test. Mr. Kroll was hired from the list and was the best candidate of those interviewed.

**ISSUES OF THE PUBLIC**

**STATUS OF HUMAN RESOURCE CONSULTANT**

Amy Carpenter questioned the status of hiring a human resource firm and Supervisor Meegan responded a human resource firm was hired a few months ago and there have been discussions on their duties. A consultant from the firm met with each department head and a report should be forthcoming next month.

**FIRE INSPECTOR**

Amy Carpenter questioned who serves as fire inspector for the town and Supervisor Meegan responded that Code Enforcement Officer John Gullo is fire inspector.

**MASTER PLAN**

Amy Carpenter questioned the date of the next Master Plan meeting and Councilman Hart responded the next meeting is scheduled for Wednesday, December 17<sup>th</sup>, at Burchfield.

**ICE RINK SKATE RENTAL UPDATE**

Supervisor Meegan referred to a question at the last Town Board meeting concerning skate rental availability during lessons and stated that according to the vendor's contract he is only required to be open during open skate.

**2015 BUDGET MEETING**

Karen Lucachik objected that the 2015 budget was adopted at a 3 PM meeting and stated the town's website never said there was a work session that day.

**FINANCE DEPARTMENT TRAINING**

Karen Lucachik questioned if employees in the Finance Department will have additional training and Supervisor Meegan responded that training will be provided in March and April. Drescher & Malecki are also continuing to work in the Finance Department and provide support services.

**STREETLIGHT OUTAGES**

Karen Lucachik stated that streetlights were reported out on her street prior to the storm and they have not yet been repaired.

Highway Supt. Matthew English suggested Mrs. Lucachik contact NYSEG directly, noting the Highway Department is not responsible for reporting streetlight outages, but if a resident calls his office will call NYSEG as a courtesy.

**ISSUES OF THE PUBLIC**

**FORMER TOWN ATTORNEY SERVICES**

Karen Lucachik questioned if the services of former Town Attorney Shawn Martin have concluded and Supervisor Meegan responded that Mr. Martin continues to provide assistance on various ongoing issues.

Attorney for the Town Charles Grieco stated there is still litigation that predates his firm working for the town and it is easier, cheaper and more productive to consult with Mr. Martin. Mr. Grieco further noted the town retains a number of attorneys to represent various legal issues.

**PORTER SERVICE FOR TOTES**

Johanna Guenther questioned the status of the porter service for totes and Councilman Hart responded it has been decided the town is not prepared to provide this service.

**ELECTRONIC SIGN**

Susan Kims commented on a new electronic sign on Orchard Park Road that flashes during the day and is extremely bright at night. When the sign was approved by the Zoning Board, she understood it was not supposed to be flashing.

Code Enforcement Officer Jeffrey Baksa responded that Code Enforcement Officer Jeffrey Schieber has addressed this issue. The electronic sign was approved by the Zoning Board, but town regulations stipulate how the sign is to be maintained. He understood that Mr. Schieber had informed the owner the sign had to be shut off at 10:00 PM.

Mrs. Kims stated she attended the Zoning Board meeting and the owner said the sign would not flash during the day. The sign is also a distraction at night.

Mr. Baksa responded they can only ask the owner to comply with the ordinance and act upon the law as it is written; however, there may be an appeals process to address this issue.

**ETHICS COMMITTEE**

Ethics Committee Chairman George Clifford stated the committee's proposals and recommendations were sent to the board members in early November via the minutes. He thanked the Ethics Committee members for their work and volunteering, noting they are doing the best they can to follow the Ethics Code.

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

**SENIOR CENTER UPDATES**

Supervisor Meegan offered the senior center report on behalf of Sr. Recreation Therapist of Senior Services Mary Josefiak. She commented on a celebration earlier this month recognizing senior center volunteers and being the first senior center to be included in the Buffalo Sabres community give back program. Mrs. Josefiak sent her wishes for a Merry Christmas and all the best in 2015.

**TWITTER/TOWN WEBPAGE/CODERED**

Supervisor Meegan announced that Twitter is live in West Seneca at west-seneca. She further stated that even though the town website was not updated during the recent storm, the Police Department webpage, Facebook page and Twitter were updated and keeping the public informed. Supervisor Meegan reminded everyone of the benefit of signing up for CodeRed and encouraged residents to do so.

**NOVEMBER STORM UPDATE**

Supervisor Meegan thanked Asst. Code Enforcement Officer Jeffrey Baksa and his family for their assistance during the storm. She further stated the town is offering the ice rink as a site for the Small Business Association and FEMA relief to meet.

Mr. Baksa stated that anyone with storm damage should contact the Code Enforcement Office and use the permit process to make repairs, noting the permit fee is waived for any storm damage.

Councilman Hart questioned how many homes were damaged.

Mr. Baksa stated to date the Code Enforcement Office has responded to approximately 316 addresses, some of which sustained damage and others that required inspection. There were 47 addresses that had at least a partial collapse and the total dollar amount for repairs is in the area of \$3 million.

Councilman Hanley questioned if a deadline has been established for receipt of damage claims.

Mr. Baksa responded initially the deadline was 30 days; however, a damage claim will be recognized if it is found to be storm related.

**HOLIDAY REMINDER**

Chief Denz extended his wishes for a happy holiday season and reminded everyone to celebrate responsibly, be safe and lock doors when shopping.

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

**RELAY FOR LIFE**

Supervisor Meegan announced that Relay for Life will be a coordinated effort throughout the county and will kickoff on January 27th, 5:30 to 7:30 pm at the senior center, noting the actual event will be held in May at Green Lake.

**LOCAL LAW 2014-15**

Motion by Councilman Hart, seconded by Supervisor Meegan, to schedule a public hearing for December 29, 2014 at 7:00 P.M. to consider Local Law #15 concerning electrical inspections.

Ayes: All

Noes: None

Motion Carried

**RECREATION UPDATES**

Lauren Masset welcomed Craig Kroll as Recreation Director and thanked Sr. Recreation Therapist of Sr. Services Mary Josefiak for her help with the Enchanted Path and Breakfast with Santa. Ms. Masset reminded the public that winter camp registration is taking place Monday – Friday 9:00 A.M. to 5:00 P.M. and anyone wishing to donate canned goods to benefit the West Seneca food pantry can do so at the Town Hall, ice rink, library and Kiwanis Center.

Councilman Hart referred to Town Board criticism concerning the Recreation Director position, noting he has and will continue to work very hard as councilman. He stated the Town Board is progressive and he believes they are moving in the right direction.

Supervisor Meegan agreed with Councilman Hart’s comments, stating it is difficult to be criticized for something they truly believe there is a need for. She complimented Ms. Masset on her hard work and stated she will continue to be a part of a Recreation Department that is growing. Supervisor Meegan stated the Town Board will continue to move forward and grow because it is the right thing to do.

**EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hanley, to recess to executive session at 8:30 P.M. to discuss legal and personnel matters.

Ayes: All

Noes: None

Motion Carried

The board members returned from Executive Session at 9:45 P.M.

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

**TOWN BOARD PROCEEDINGS  
Minutes #2014-24  
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**PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 9:45 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**