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

TOWN BOARD PROCEEDINGS
Minutes #2016-04
February 29, 2016

Supervisor Sheila M. Meegan called the meeting to order at 7:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by James & Diane McParlane.

ROLL CALL:	Present -	Sheila M. Meegan	Supervisor
		Eugene P. Hart	Councilman
		William P. Hanley, Jr.	Councilman
	Absent -	None	

Supervisor Meegan read the Fire Prevention Code instructing the public where to exit in case of a fire or an emergency.

The meeting was dedicated to the memory of Sean O'Brien, Michael Sherk, Joseph Cosgrove and Daniel McParlane.

Chief Denz recognized the following police officers for their outstanding work on various incidents that occurred in 2015 and distributed letters of commendation: Kevin Carr, Daniel Volpe, Gerald Fibich, Donald Hanley, Det. James Pappaceno, Det. Daniel Crowe, Matthew Leitzel, Kevin Lufkin, Scott Daley, David Steinwandel, Det. Timothy Pratt, Det. Sean Donohue, Anthony Ferrucci James Gehen, Cheri McParlane, Christopher Bednasz, Det. Kenneth Morano, Jonathan Luterek, Paul Daley, Derek Vasquez, Det. Philip Swift, Det. Kevin Baranowski.

Chief Denz gave an update on the bait and shoot program proposed for the town to control the deer population and stated he has consulted with many parties including the NYSDEC, sportsman clubs and other chiefs of police. A lengthy study is being undertaken and they are currently looking to open up areas of West Seneca for bowhunting only, but this activity requires changes to town ordinances. Chief Denz emphasized that this project is in the infant stages and it will take several months before he will have a complete proposal. Many groups are interested in this topic and there will be a public hearing at the appropriate time.

4-C COMMUNICATIONS

1. Councilman Hanley re NYSDOT proposal for concrete culvert at Harlem Road Park

Mr. Renjit James P.E., of the NYSDOT Region 5 office, explained their ongoing project to replace the Route 400 bridge over Harlem Road. As part of the project, in the fall of 2016 they would like to replace the 5′ x 4′ culvert at Harlem Road Park with a 10′ x 5′ culvert, which would solve the existing drainage problems at the park. In order to proceed with this replacement, NYSDOT needs to acquire one-tenth of an acre of park land from the town, a portion that is not a utilized segment of the park, and a public hearing is required.

4-C COMMUNICATIONS

1. (continued)

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

Ayes: All Noes: None Motion Carried

Jennifer Toy questioned if the NYSDOT will be digging up any more of Harlem Road this year. Mr. James responded the roadway under the bridge will be replaced along with the culvert and it will be necessary to close off traffic to do this.

Councilman Hanley questioned if the two projects will be done at the same time. Mr. James explained the culvert replacement will be done separately from the bridge replacement. Four road closures are anticipated for the bridge and Route 400 northbound will be closed from Friday evening to Monday morning each time.

Town Engineer Steven Tanner requested the NYSDOT have 4" diameter pumps on site during replacement of the culvert to prevent flooding of basements of surrounding residences. He further suggested they provide the town with a schedule so the road closures can be posted on the town's website. Mr. James stated a schedule will be provided closer to the start of the construction season.

Town Attorney John Fenz commented on transfer of ownership of the land and stated since it is park land NYSDOT is looking for the federal designation *de minimis impact*. While the municipality holds title to the land, the state has the power to regulate what goes on in the park. Mr. Fenz requested a statement/declaration from the state level that the board does not need an act of legislature to alienate the property.

Linda Toy questioned if Harlem Road is being expanded to four lanes and also questioned plans for the bridge over Indian Church Road.

Mr. James responded there are no plans to expand Harlem Road at this time. The life of the bridge will be 50 to 75 years, so the area under it is being expanded in the event the road is widened in the future or sidewalks are added. Mr. James further stated there are no plans at this point to do anything with the bridge over Indian Church Road.

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

Ayes: All Noes: None Motion Carried

4-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the February 8, 2016 work session.

  Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2016-03 of February 8, 2016.

  Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the February 8, 2016 executive session.

  Ayes: All Noes: None Motion Carried

4-B LEGAL ITEMS

1. Motion by Supervisor Meegan, seconded by Councilman Hanley, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 3254 CLINTON STREET, BEING PART OF LOT NO. 26, CHANGING ITS CLASSIFICATION FROM M-1 TO M-1(S), FOR AUTOMOTIVE USE" in the Town of West Seneca, be received and filed.

   Ayes: All Noes: None Motion Carried

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

   Ayes: All Noes: None Motion Carried

   Architect James Wittmann represented Tim Kropovitch and stated his proposal for a 4500 sf automotive repair facility on the 1.24 acre parcel at 3254 Clinton Street. There will be three bays and parking for cars waiting to be serviced along with approximately ten cars for automotive sales.

   Councilman Hart asked Mr. Kropovitch to consider changing the look of the building to a more consistent architectural scheme the town is moving toward. This will be addressed at site plan review, but Councilman Hart stated he and Code Enforcement Officer John Gullo are willing to meeting with Mr. Kropovitch.

   Councilman Hanley agreed and commented the board members would like the town to look more presentable especially on busy thoroughfares. For example, they are doing away with cookie cutter buildings and would like to see iron fences instead of chain link.

4-B LEGAL ITEMS

1. (continued)

Mr. Wittmann stated they are open to suggestions on the appearance.

No comments were received from the public.

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

Ayes: All Noes: None Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the request for a special permit for property located at 3254 Clinton Street, being part of Lot No. 26, changing its classification from M-1 to M-1(S), for automotive use.

Ayes: All Noes: None Motion Carried

2. Motion by Supervisor Meegan, seconded by Councilman Hanley, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER LOCAL LAW 2016-05 MODIFICATION TO CHAPTER 30 OF THE TOWN CODE: PROCUREMENT POLICY" in the Town of West Seneca, be received and filed.

Ayes: All Noes: None Motion Carried

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

Ayes: All Noes: None Motion Carried

Councilman Hart suggested additional training for department heads and employees so they are aware of the way the procurement policy works.

No comments were received from the public.

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

Ayes: All Noes: None Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt Local Law #2016-05 Modification to Chapter 30 of the Town Code: Procurement Policy.

Ayes: All Noes: None Motion Carried
APPENDICES

4-B LEGAL ITEMS

3. Motion by Supervisor Meegan, seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER LOCAL LAW 2016-06 ESTABLISHMENT OF THE WEST SENECA INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD" in the Town of West Seneca, be received filed.

Ayes: All Noes: None Motion Carried

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

Ayes: All Noes: None Motion Carried

Town Attorney John Fenz explained that this proposal evolved from discussions between Code Enforcement Officer John Gullo and Councilman Hart as they looked at ways to have building facades along certain corridors of the town have a certain design quality. One of the tools the town can use to accomplish this is establishing tax incentives for industrial commercial properties pursuant to Section 485-b of the Real Property Tax Law. Any industrial commercial developer making improvements to properties will be eligible for a tax break. The responsibility of the Industrial and Commercial Incentive Board (ICIB) will be to limit the incentives to certain projects by making recommendations to the Town Board. The Town Board can then establish a policy for tax break incentives. The ICIB will consist of five members appointed by the Town Board and Mr. Fenz recommended the qualifications for the members be: knowledge of the assessment role, knowledge of what is assessable and knowledge of the designs the town is looking for.

Councilman Hart stated the town will advertise to fill these unpaid positions and suggested one member represent a citizen's point of view even if they lack the listed qualifications.

Amy Carpenter questioned if businesses will receive tax incentives from the Erie County Industrial Development Agency (ECIDA) also. She further requested clarification of the eligible properties (i.e. main roads) and questioned if there are limited time periods.

Councilman Hart responded a business could receive tax incentives from the ECIDA also, but it would be for other reasons. The business could be located on any road.

Mr. Fenz clarified that the West Seneca tax incentive will be tied to improvements in real property and affect real property taxes and they are limited by statute to a 10 year period.

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

Ayes: All Noes: None Motion Carried

4-B LEGAL ITEMS

3. (continued)

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt Local Law #2016-06 Establishment of the West Seneca Industrial and Commercial Incentive Board.

On the question, Councilman Hart asked Town Clerk Jacqueline Felser to post on the town's website a request for resumes from interested parties to fill the positions on this board.

Ayes: All Noes: None Motion Carried
APPENDICES

4-C COMMUNICATIONS

2. Supervisor Meegan re Appointment of Marriage Officer

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Supervisor Sheila M. Meegan as Marriage Officer with authority to solemnize marriages occurring within the Town of West Seneca, pursuant to Domestic Relations Law, Section 11-C.

Ayes: All Noes: None Motion Carried

3. Chief Denz re Replacement vehicle purchase

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the purchase of three (3) new police vehicles, replacing three (3) vehicles as part of the annual fleet replacement rotation, noting funding is available under Police Vehicle Acct. #1.3120.0208.

Ayes: All Noes: None Motion Carried

4. Town Clerk re Attendance at the NYS Town Clerks Association annual conference

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Town Clerk Jacqueline Felser to attend the NYS Town Clerks Association annual conference in Saratoga Springs, New York, April 17- 20, 2016 at a total cost not to exceed $1,000 with funds available in Continuing Education & Training Acct. #1.1410.0414.

Ayes: All Noes: None Motion Carried

4-C COMMUNICATIONS

5. Town Clerk re Extension of 2016 town/county tax collection

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve an extension of the time for collection of 2016 town/county taxes to June 30, 2016, noting this will allow the town to keep the penalties rather than the county receiving them.

Ayes: All Noes: None Motion Carried

6. Finance Department re Revision of General Reserve Fund Transfer

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution revising the General Fund Reserve transfer for the Courtroom Handicap Accessibility Project:

WHEREAS, on December 14, 2015 the Town Board approved the transfer of $125,000 of the General Fund Capital Equipment Purchase Reserve to capital project #005.1110.0200.0534 for appropriations on the Courtroom Handicap Accessibility Project; and

WHEREAS, now that the project has been completed and we have the final expenditures for this project we have requested a revision of the transfer amount to $86,136.68; now, therefore, be it

RESOLVED, the Town Board authorizes the transfer of $86,136.68 of the General Fund Capital Equipment Purchase Reserve to capital project #005.1110.0200.0534 for appropriations on the Courtroom Handicap Accessibility Project.

Ayes: All Noes: None Motion Carried

7. Finance Department re Establishment of General Fund restricted fund balance

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution to establish General Fund restricted fund balance to appropriately account for the grant award received for the purchase of the Oxbow Property Western Arm.

On the question, Supervisor Meegan explained the town was awarded the grant in 2012, but they did not receive the money right away as often happens with grants.

Ayes: All Noes: None Motion Carried

APPENDICES

4-C COMMUNICATIONS

8. Finance Department re Budget transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a budget transfer of $200 from Highway Department Water Acct. #1.5132.0423 to Buildings & Grounds Dept – Dog Control Water Acct. #1.3511.0423.

Ayes: All Noes: None Motion Carried

9. Town Justices re Appointment of Mary Jean Fitzgerald as full-time Court Clerk

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Mary Jean Fitzgerald as Clerk to the Town Justice and appoint Mary Jean Fitzgerald as full-time Court Clerk effective March 3, 2016 with no change to her current salary and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

10. Town Justices re Appointment of Katie Hourihan as full-time Clerk to the Judge Harrington

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Katie Hourihan as full-time Clerk to Town Justice Harrington effective March 3, 2016 at an annual salary of $41,167.25 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

11. Senior Recreation Therapist of Sr. Services re status change for Marirose Bless

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time food service worker Marirose Bless to part-time seasonal effective March 1 - 31, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12. Youth Service Coordinator re West Seneca Soccer Club agreement

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with the West Seneca Soccer Club.

Ayes: All Noes: None Motion Carried

4-C COMMUNICATIONS

13. Youth Service Coordinator re Catalyst Express annual 5K race

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Catalyst Express for their annual Race for a Cause on April 29, 2016 at 6:30pm.

Ayes: All Noes: None Motion Carried

14. Youth Service Coordinator re Adult softball registration fees and rulebook

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the attached adult softball registration fees and packet and program rule book.

Ayes: All Noes: None Motion Carried
APPENDICES

15. Finance Department re Budget transfer request

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a budgetary transfer of $11,000 from Contingent Acct. #1.119.480 to Kiwanis Building Demolition Acct. #1.7312.0467, noting this is the remaining amount of expenditures the town is responsible for.

On the question, Supervisor Meegan stated the town received FEMA money to help with expenses for the demolition. Union Concrete performed the demolition with no charge for labor and only charged the town for fuel costs. Town Engineer Steven Tanner thanked Bob Hill of Union Concrete for their work at the Kiwanis building.

Ayes: All Noes: None Motion Carried

16. Youth Service Coordinator re West Seneca Youth Baseball agreement

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Youth Baseball.

Ayes: All Noes: None Motion Carried

4-D REPORTS

- Jacqueline A Felser, Town Clerk's report for January 2016 received and filed.

4-E APPROVAL OF WARRANT

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - $440,913.49; Highway Fund - $172,047.85; Special Districts - $38,995.52; Capital Fund - $348,264.41 (voucher #'s 92326 to 93156)

Ayes: All Noes: None Motion Carried

ISSUES OF THE PUBLIC

PROPERTY MAINTENANCE

Karen Lucachik commented on the unfinished siding on Schwabl's Restaurant. Code Enforcement Officer John Gullo responded he has communicated with the owner and his insurance company and they did not receive the full claim from the insurance company. Also, they are limited to working on Sunday's because of a shared driveway with another business so the work has been delayed, but they do intend to side the entire building.

SANITATION ISSUE

Karen Lucachik commented on a television set at the curb in front of 208 or 210 Dover Drive that is tagged but has been there for two months. Highway Supt. Matthew English responded he will have it picked up tomorrow.

PILOT PROGRAM WITH UNIVERSITY OF BUFFALO

Karen Lucachik asked for clarification on the pilot program presentation from the February 8th Town Board work session. Councilman Hart and Youth Services Coordinator Lauren Masset explained the purpose of the project is to create an interactive online map that highlights locations in West Seneca. Professor Ryan from the University of Buffalo has grant money for this program and will work with members of the YES Program.

QUASAR

Amy Carpenter questioned if Quasar is still producing and if the town is responsible for anything if they go out of business. She further commented that Quasar is receiving federal aid and questioned how it will be paid back if they are not producing.

Councilman Hanley understood Quasar did not have an end user so he did not think they were doing anything at the West Seneca site. Code Enforcement Officer John Gullo advised the state will assist the town if Quasar goes out of business and there is any product in the silos. He further recommended Mrs. Carpenter contact her federal representatives concerning her question on federal aid.

ISSUES OF THE PUBLIC

EMPLOYEE HEALTH INSURANCE

Amy Carpenter questioned if the town charges premiums for employees that smoke. She further questioned if employees are allowed to smoke at work, noting she had witnessed a Highway Department employee smoking in a town vehicle.

Supervisor Meegan responded that premiums are not charged to employees that smoke and any change would have to be negotiated.

Highway Supt. Matthew English advised there is no smoking in town buildings.

UPDATE ON LIBRARY PROJECT

Amy Carpenter questioned if there will be public meetings on the library project.

Town Engineer Steven Tanner responded he would like to schedule a public information meeting for the library project on the evening of March 29th at the senior center, noting there is a meeting scheduled for the Comprehensive Plan on March 22nd and he would like the topics discussed separately. Mr. Tanner stated that multiple committees including the West Seneca Library, the veterans and town staff, have met with the architect to discuss what is needed inside the building, but not the outside appearance. At this point, the project is not ready to be put out to the public; however, it will be a collaborative process selecting the final look of the building. More exits will be required due to the addition; there will be a restricted employee entrance and convenience book drop off area added and additional maintenance workers will be required.

Councilman Hart reiterated that currently what is in front of the public are just proposals and nothing concrete has been set.

Mrs. Carpenter referred to the empty space where the Kiwanis building was located and questioned plans for future parking configurations.

Mr. Tanner explained that any permanent repaving will be done after the library construction is completed. For now the area will be leveled off and filled temporarily with millings/stones and utilized as a lay down area during construction of the project. The parking lots are eligible for use of Community Development Block Grant (CDBG) money and will be considered a separate project. Mr. Tanner further commented on the possibility of a "green" roof, but explained the drawbacks and noted that while grant money is available it does not cover the extra expense of the three ply roof with plantings and maintenance costs.

Councilman Hart suggested solar panels and questioned if grant money is available for them.

ISSUES OF THE PUBLIC

UPDATE ON LIBRARY PROJECT (continued)

Mr. Tanner responded they will be considering solar panels and will have to consult with Grantwriter Connie Miner for available grants.

Mrs. Carpenter suggested solar wind powered lights.

Supervisor Meegan stated the town departments currently located at the Burchfield Nature and Art Center will be moved to the library. She also confirmed the town has grant money from Senator Gallivan's office and CDBG funding for the future parking lot project.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

UPCOMING PUBLIC MEETINGS SCHEDULED

Town Engineer Steven Tanner announced public meeting dates as follows: Library Project - March 29th at 6:30 P.M.; Theresa Court Reconstruction Project - March 16th at 6:30 P.M.; Rosewood, Reynolds, Brianwood and Azalea Reconstruction Project – March 23rd at 6:30 P.M. All meetings will be held at the West Seneca Senior Center.

RECREATON PROGRAM UPDATES

Youth Service Coordinator Lauren Masset announced the following program updates:

- Skate with the Easter Bunny has been changed to March 13th at the West Seneca Ice Rink, 1:15 – 3:00 P.M. There will be face painting, games, an Easter egg hunt and children will have the opportunity to meet the Easter Bunny. Regular admission fees apply.
- Adult softball registration begins March 1st
- Non-resident registration for Summer Day Camp begins March 1st. Current Summer Day Camp registration enrollment is as follows: Week 1 – 47; Week 2 – 42; Week 3 – 41; Week 4 – 38; Week 5 – 47; Week 6 - 43

ETHICS COMMITTEE APPOINTMENT

Councilman Hanley received two responses for the available Ethics Committee position and selected Mary Derk-Weiss, noting she has completed ethics training and recertification.

GAS & ELECTRIC SUPPLIERS

Councilman Hanley referred to Governor Cuomo's pending legislation relative to utilities and stated if passed it will require utility marketers to prove their savings to customers and show the price that will be charged directly by the utility company. Councilman Hanley stated he will be requesting a request for quotes (RFQ) for gas suppliers at the next meeting. Town Engineer Steven Tanner suggested an RFQ for electric also, noting that contract comes due in July.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

GIRLS SOFTBALL TOURNAMENT

Youth Service Coordinator Lauren Masset stated there will be a softball tournament meeting Tuesday, March 8th at the Burchfield Nature and Art Center at 7 P.M. Councilman Hart expressed concerned that the tournament is being taken over by Buffalo & Niagara Sports when Amherst and West Seneca are the hosts and will be carrying the costs. He plans to address this at the upcoming meeting.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 9:05 P.M. to discuss contract negotiations.

Ayes: All Noes: None Motion Carried

The board members returned from executive session at 10:40 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 10:40 P.M.

Ayes: All Noes: None Motion Carried

Jacqueline A. Felser

JACQUELINE A FELSER, TOWN CLERK

Chapter 30 - PROCUREMENT AND PURCHASING POLICY

§30-1. Background

A. This policy has been developed to ensure that the Town of West Seneca, New York (the "Town") is in compliance with New York State Municipal Law concerning the procurement of goods and services as defined herein.

B. Pursuant to Section 104-b of the New York State General Municipal Law, each municipal governing body is to adopt a procurement policy for all goods and services which are not required by law to be publicly bid. This ensures that goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

C. In accordance with New York State General Municipal Law §103, all purchase contracts involving an expenditure of more than $20,000 and all contracts for public works involving an expenditure of more than $35,000 must be publicly bid.

D. In the event that any threshold limits set forth in New York State General Municipal Law §103 herein referenced shall change, then the Town shall follow those limits set forth in New York State General Municipal Law §103.

§30-2. Guidelines

A. Determine Aggregates

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of §103 of the General Municipal Law. To determine whether the intended procurement is subject to competitive bidding, town officers, board members, department heads or other personnel must first determine if the expected town wide aggregate will exceed the aforementioned thresholds of $20,000 for purchase contracts or $35,000 for public works within 12 months of the planned purchase.
2. Under General Municipal Law §103, aggregates must be examined in two ways:
    a) By Commodity or Service – Every town officer, board, department head or other personnel must determine the reasonably expected aggregate amount of all purchases of the same commodities, services or technology that will be made within 12 months of the date of the planned purchase.
    b) By Vendor – Every town officer, board, department head or other personnel must also determine the reasonably expected aggregate amount of all purchases of the same commodities, services or technology within 12 months of the date the planned purchase will be made from the **same** vendor.
3. Every town officer, board, department head or other personnel with the requisite purchasing authority (purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

B. Quotes and proposals

1. The methods used for quotes and proposals shall be as follows:

Estimated Amount of Purchase Contract	Method
$20,000 and above (required)	Formally bid pursuant to §103 of the General Municipal Law
$10,000 - $19,999.99	Require a written request for proposal (RFP) and written quotes from three (3) vendors
$5,000 - $9,999.99	Require an oral request for the goods and written/email quotes from two (2) vendors
$2,500 - $4,999.99	Written/email approval from Town Board liaison as designated at reorganization meeting
$0 - $2,499.99	Left to the discretion of the purchaser

Estimated Public Works Contract	Method
$35,000 and above (required)	Formally bid pursuant to §103 of the General Municipal Law
$10,000 - $34,999.99	Require a written request for proposal (RFP) and written quotes from three (3) vendors
$5,000 - $9,999.99	Require an oral request for the goods and written/email quotes from two (2) vendors
$2,500 - $4,999.99	Written/email approval from Town Board liaison as designated at reorganization meeting
$0 - $2,499.99	Left to the discretion of the purchaser

2. Any exceptions to the aforementioned thresholds (i.e. sole source provider, etc.) and quote requirements must be documented with a detailed explanation.

C. Documentation

1. Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/ fax/oral quotes have been requested and the written/fax/oral quotes offered.
2. Any information gathered in complying with the procedures of this chapter shall be preserved and filed with documentation supporting the subsequent purchase of public works contract.
3. All purchases greater than $4,999.99 requires submission of the town's standardized quotes form.
4. Electronic documentation shall be held in accord for compliance with Electronic Signatures and Records Act.

D. Good Faith Effort. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

E. Claims approval

1. All expenditures are subject to the Town's claims approval process. Each claim shall be individually approved by the department head, the Finance Department and a board member. Prior to processing for payment, all claims should be reviewed and audited by the remaining board members.
2. After such audit the Town Board shall pass a resolution acknowledging the claims have been audited.

§30-3. Exceptions to the Procurement Policy

A. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

1. Acquisition of professional services*
2. Emergencies
3. Sole source situations
4. Goods purchased from agencies for the blind or severely handicapped
5. Goods purchased from another governmental agency
6. Goods purchased at auction
7. Goods purchased for less than two thousand five hundred dollars ($2,500)
8. Public works contracts for less than two thousand five hundred dollars ($2,500)

* All professional services contracts shall be examined by the Town Board every five years; however, such review does not necessitate a written proposal or quotation.

B. The decision that a purchase is not subject to competitive bidding should be documented in writing by the individual making the purchase. This documentation may include a memo from the purchaser explaining the decision, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

ESTABLISHMENT OF WEST SENECA INDUSTRIAL AND
COMMERCIAL INCENTIVE BOARD

§1. Establishment. Pursuant to the provisions contained in § 485-b of the Real Property Tax Law, the Town of West Seneca hereby establishes a board to be known as the "Industrial and Commercial Incentive Board" (the "ICIB").

§2. Membership. The ICIB shall consist of five members, including a Chairman, to be appointed by the Town Board by resolution.

§3. Powers and duties; reports.

A. The ICIB shall have the powers and duties prescribed by § 485-b of the Real Property Tax Law of the State of New York and shall present a plan to the Town Board of the Town of West Seneca concerning the various types of business and real property which should be granted eligibility for such exemption.

B. The ICIB shall, within a time to be fixed by the Town Board, present a report and plan to the Town Board concerning the following:

(1) The various types of business real property which should be granted eligibility for exemption from taxation and specific ad valorem levies authorized by Real Property Tax Law § 485-b.

(2) Limiting the applicability of the exemption to specific divisions and major groups as defined in the Standard Industrial Classification Manual published by the United States Government.

(3) Whether the exemption shall be computed in the manner specified in Subdivision 2 or 12 of Real Property Tax Law § 485-b.

(4) Specific geographic areas of the Town within which the exemption should be offered.

(5) Reduction of the per centum of exemption otherwise allowed pursuant to Real Property Tax Law § 485-b.

(6) The minimum value of construction, alteration, installation or improvement required to qualify for the exemption.

(7) Other actions deemed desirable to improve the economic climate within the Town.

(8) Other factors as the Town Board may direct.

§4. Considerations for exemptions. In developing the plan and report to the Town Board, the ICIB shall consider:

A. The planning objectives of the Town and the areas thereof within which exemptions pursuant to Real Property Tax Law § 485-b shall be offered;

B. The necessity of the exemption to the attraction or retention of business;

C. The creation or retention of permanent private-sector jobs;

D. The need to allow the exemption to provide employment opportunities and broaden the tax base; and

E. Other factors the ICIB deems relevant.

Resolution to Establish Restricted Fund Balance

WHEREAS, on February 22, 2012, the Town of West Seneca received $29,000 from the U.S. Fish and Wildlife Service for the purchase of Oxbow Property Western Arm and its protection with a conservation deed restriction,

WHEREAS, at December 31, 2015 year-end, the Town still has $2,710.96 remaining of the National Fish and Wildlife Foundation Grant,

WHEREAS, the cash received from these grants was and will be recognized in revenue and currently is maintained within unassigned fund balance of the General Fund,

WHEREAS, due to the restrictions regarding the award, the $29,000 and the remaining $2,710.96 should be reclassified as a restricted fund balance within the General Fund

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorizes the reclassification of $29,000 of unassigned General Fund fund balance to General Fund restricted fund balance to appropriately account for the grant award received for the purchase of the Oxbow Property Western Arm and set up an additional restricted fund balance within the General Fund for the $2,710.96.

Adult Softball Registration Packet

West Seneca Youth & Recreation
900 Mill Road #210
West Seneca, NY 14224
(716)674-6086

Important Dates:

April 1, 2016 – Registration Closes, Deposit is Due, Page 3 of this packet are due

May 1, 2016 – Remaining Balance, Non-Resident Fee(s) and Pages 4, 5, 6 and 7 are due

Registration begins March 1, 2016. Registration Ends April 1, 2016. Spots in each league are limited. All leagues are on a first come, first serve basis. If your team played during any previous seasons, this does not guarantee a spot for 2016. In the event that after April 1, 2016 spots are left available late registration will take place until April 15, 2016. There will be a $25 late fee due at time of registration.

League Fees are as follows:

Co-Ed	Monday	$225
Adult Men's	Wednesday	$225
Slow Pitch	Friday	$225

There is an additional $10.00 fee for each Non-Resident player.

At time of registration a $100.00 deposit is due.

All fees are non-refundable, non-creditable and non-transferable.

Teams are also responsible for paying an Umpire Fee at each game, directly to the Umpire.

Additional fees are outlined in the West Seneca Youth & Recreation Adult Softball Handbook.

If you have any further questions please contact the West Seneca Youth & Recreation Office at 674-6086.

ADULT SOFTBALL REGISTRATION FORM

The following are the available leagues and prices for the 2016 Softball Program:

Co-Ed	Monday	$225
Adult Men's Fast Pitch	Wednesday	$225
Slow Pitch	Friday	$225

- Leagues are slow-pitch unless otherwise specified
- All fees are non-refundable
- $100 deposit is required to register each team.
- Each team is required to pay the umpire fee per each game, directly to the umpire.
- In order to qualify for the resident fee, a copy of each players valid Resident ID Card must be attached to the roster. Each player without a copy of their valid Resident ID Card attached to the roster will be assessed an additional $10 Non-Resident Fee.
- Registration Fees include scorecards and 1 ball for each teams scheduled home games, only.

Failure to turn in rosters, money due or registration forms will result in a forfeit of all games until all information.

Team Managers Information:

Name: _____

Street: _____

Town/State/Zip: _____

Main Phone Number: _____

Email Address: _____

League: _____ **Team Name:** _____

FOR OFFICE USE ONLY

League Fee	$225			
Deposit	$100	Receipt Number _____		
Non-Resident Fee	$10/PP	Amount Paid	_____	Receipt Number _____
Other Payments		Amount Paid	_____	Receipt Number _____

2016 Adult West Seneca Youth & Recreation Team Waiver

Team:_____ League:_____

Managers Name: _____ Phone Number: _____

I, the undersigned player, acknowledge, agree, and understand that:
1) Voluntarily and of my own free will, I elect to participate as a member of the softball team and league indicated below. 2) I understand that there are certain risks and hazards involved in participating in softball that may result in injury or death to me or other players, including, but not limited to those hazards associated with weather conditions, playing conditions, equipment, and other participants. 3) I understand that sliding into bases is dangerous to me and to other players and may result in serious injury or death. 4) I understand that the very nature of the game of softball is hazardous and risky, including, but not limited to, the acts of pitching, throwing, fielding, and catching of a ball, the swinging of a bat, running, jumping, stretching, sliding, diving, and collisions with other players and with stationary objects, all of which can cause serious injury or death to me and to other players.
Further, I, the undersigned player, agree that in consideration for the right to play as a member of the team designated above and in consideration for permission to play on the fields arranged for/by the team or league: 1) I voluntarily elect to accept and assume all risks of injury incurred or suffered by me (a) while practicing or playing as a member of the team so designated, (b) while serving in a non-playing capacity as a team member during practice or play by other teams or by other players on my team, and (c) while on or upon the premises of any and all of the fields arranged for/by my team or league for practice or play. 2) I release, discharge, and agree not to sue the team and league designated above, the field owner, or other entity designated above, the Amateur Softball Association of America, The Town of West Seneca or their owners, officers, agents, servants, associations, employees, or any person or entity connected with the team, league, field, or Amateur Softball Association of America, The Town of West Seneca for any claim, damages, costs, or cause of action which I have or may in the future have as a result of injuries or damages sustained or incurred by me from whatever cause including but not limited to the negligence, breach of contract, or wrongful conduct of the parties hereby released.

Players:

Name	Address (Street/Town/Zip)	Phone	Date/Signature
1			
2			
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4			
5			
6			
7			
8			
9			
10			
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TOWN OF WEST SENECA POLICY

USE OF ANY AND ALL PLAYING FIELDS

The Town of West Seneca maintains the following policy for use of Town of West Seneca owned or maintained playing fields:

1. All adult participants must read and agree to the Players Contract on the reverse side. If a participant is under the age of 21, his/her parent or guardian must also sign as such, and indicate the relationship to the participant.
2. All coaches and managers must jointly and carefully inspect the playing fields before the start of each game. The inspection shall include base and home plate stakes, pitchers' rubber stakes, all field goals, nets, and other playing field fixture, along with the general playing condition of the field, and record the results of this inspection. If, during this careful inspection, an unsafe condition is determined, it must be corrected. If not corrected, the game must be cancelled! There shall be no exceptions to this common sense requirement.
3. The playing field and adjacent premises must be kept free of litter and garbage before, during and after every game.
4. The coaches/managers shall, before each practice or game, explain to all participants and assistants that participation in such sports or athletic activities and the use of the Town of West Seneca facilities for such purposes may result in injury to themselves and that they are playing at their own risk.

I have read and understand the above Town of West Seneca policy and agree to abide by its provisions and agree to obtain the signatures of all participants before they are allowed to practice or play.

Name	Address (Street/Town/Zip)	Phone	Date/Signature
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West Seneca Recreation Department

Official Team Roster

Team Name: _____

Managers Name: _____

Managers Phone Number: _____

#	Players Name	Address	Zip	Age	Resident ID Attached
1					
2					
3					
4					
5					
6					
7					
9					
10					
11					
12					
13					
14					
15					
16					
17					

Player Roster and Player Waivers must be turned in no later than May 1, 2016. Also, copies of all the player's Valid Resident ID Cards for those that are not paying the Non-Resident fee must be turned in at this time.

West Seneca Youth & Recreation Additional Policies:

I understand all fees paid are non-refundable, non-creditable and non-transferable. Fees not be refunded or adjusted if a game is canceled due to weather or any other circumstance beyond West Seneca Recreation control. Games not required to be rescheduled if they are canceled for weather related issues. Refunds will only be issued in the event that the entire length of the season is canceled. Failure to pay any remaining fees or turn in remaining paperwork by the due date could result in being removed from the league. The Town of West Seneca reserves the right to deny a refund of registration fees should the participant wish to withdraw from the program prior to its scheduled start date. I understand and agree to the information, rules, polices, fees and regulations outline in the Adult Softball Rulebook. I authorize West Seneca Recreation Department to take photographs and video footage of myself I am participating in any programs being run by West Seneca Recreation. I understand these photographs and video footage will be used for marketing purposes, West Seneca Recreation Department Bulletins, West Seneca Recreation Brochures, postings on the West Seneca Recreation Department website, seen on TV's in local businesses, You Tube and other social networking sites.

Name	Address (Street/Town/Zip)	Phone	Date/Signature
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TOWN OF
WEST SENECA
"PROUD PAST · UNLIMITED FUTURE"

ADULT SOFTBALL RULES 2016

West Seneca Youth & Recreation

900 Mill Road #211
West Seneca, NY 14224
(716)674-6086
www.westseneca.net

Office Hours:
Monday – Friday
9:00 AM – 5:00 PM
Closed 1:00 – 2:00 PM

2016

SOFTBALL RULES OF OPERATION

ELIGIBLE PLAYERS – Anyone who is a resident of the Town of West Seneca. Participants who are not residents are required to pay a fee of $10.00. Players who are eligible may be added to a team, up to, and including the last game of the first half of the season, with the consent of the League Supervisor. Players may not switch teams during the playing season. Ineligible players will constitute an automatic forfeit of the game. All players must be 18 years or older.

PROTESTS - All protests must be made to the umpire at the time of the rule infraction. A written copy of the protest must be sent to the League Supervisor, together with a $25.00 deposit. Protest will be ruled on by a committee set up by the Recreation Department. The deposit will be returned providing the protest is upheld. If the protest is ruled out, the money will be used to help defray the cost of the program. Protest must be submitted to the League Supervisor within 24 hours of the game being protested. The ruling of the committee is **FINAL. INELIGIBLE PLAYERS MAY BE PROTESTED AT ANY TIME.**

VEHICLES - Under no circumstances will any type of motor vehicle (car, truck, motorcycle, etc.) be allowed on any school or town property adjacent to a ball diamond. Vehicles are to be parked in the designated areas only. **VIOLATORS WILL BE PUNISHED BY SUSPENSION AND FORFEITURE AT ANY TIME, BEFORE, OR DURING A GAME.**

RULES - All rules are subject to change at discretion of the West Seneca Recreation Department.

INSURANCE - Teams are required to carry their own insurance. Players and spectators participate at their own risk.

PROFANITY- The use of any form of profanity, vulgar remarks or gestures is strictly forbidden. It is the express responsibility of the official umpire to stop the game immediately until the violator is removed from the playing field. Removal may result in suspension of player (s).

ALCOHOL - There is **ABSOLUTELY NO ALCOHOL** allowed on any fields. **THERE IS AN OPEN CONTAINER LAW FOR ALL PARKS IN THE TOWN OF WEST SENECA.**

NON-RESIDENT - Players residing outside the boundaries of the Town of West Seneca will be assessed a fee **($10.00).** This fee must be paid before the player is allowed to participate.

UMPIRES – Teams are respinsbile for covering the umpire fee for each game. This fee should be paid directly to the umpire. In the event an umpire calls off a game for any reason, the balance is still due. Failure to pay the umpire for any reason will result in the teams next game being a forfeit. In the event this happens more than one time, the team may be ejected from the league.

LEAGUE RULES

Official USA/ ASA Fast Pitch or Slow Pitch (not modified or Figure "8") rules will be followed with the following **exceptions:**

1. Eight players will be allowed to start the game if nine are not available at starting time. If at the end of the third inning nine players are not playing, the game must be completed with eight men. The game will start no later than 20 minutes after scheduled starting time.

2. **NO STEALING HOME** - Player must be batted in, or played on, in order to score.

3. No windmill pitching. NO Crow Hops.

4. Figure 8 pitching on Men's Wednesday

5. There will be a 2 strike foul ball rule in place. This means that if a batter has 2 strikes and hits a foul ball, he is out. (Men's Slow Pitch)

6. There will be a 15 run rule. After 5 innings and a team is ahead by 15 runs, the game will end immediately.

7. The **Home Team** will bat last. **The Home Team will be listed last on the Schedule.**

8. The winning team is responsible for delivering the score card signed by the umpire with the score of the game to the West Seneca Recreation Department, 900 Mill Road #211 West Seneca, NY 14224. There is a slot on the office door for cards.
   All regular game scorecards must be turned in within **five** days of the game or they are ineligible. Playoff game scorecards are due in 48 hours. Verbal scores are **not** accepted. To receive a playoff game ball you must present your score card to the Recreation Office after the last game.

TIME LIMITS WILL BE ENFORCED.

9. Games must start on time.

10. In case of **RAIN**, the **TEAM MANAGER** may call after 4:00 to find out if the game has been called off. **THE NUMBER TO CALL IS 677-4754 !!** A text will also be sent out to all team managers. Please like and follow our Facebook page, West Seneca Youth & Recreation, for cancellations as well.

11. Games cancled due to weather or any other circumstances outside of West Seneca Youth & Recreations control may not be rescheduled. In the event that they are teams not available at that time will forfeit the game.

13. Additional player (s) may be added during the first round of games only. Players must sign all waiver forms.

14. Any game in which a player is used that has not been added to the team Roster on file in the Recreation Office will be forfeited.

15. **FORFEITS - A team forfeiting a game will pay: Slow-pitch – a $50.00 fine and Fast pitch a $55.00 fine. Fines must be paid 48 hours before the next game.** If the fine is not paid by the next game, that game will be forfeited. The fee can be paid at the Recreation Office between the hours of 9:30 AM and 4:30 PM.

16. Players may not change teams during the playing season. Players may participate on more than one team in the West Seneca Recreation League. **INELIGIBLE PLAYERS WILL CONSTITUTE AN AUTOMATIC FORFEITOF THE GAME (S) IN WHICH THE PLAYER PARTICIPATED.**

17. **Alcoholic beverages are FORBIDDEN** from being consumed on the ball Diamond and playground. This is a **TOWN LAW. The umpire has the Option to forfeit the game to the non-offending team.**

18. **No** metal spikes

19. In case of rain during the game, you must have completed four innings for the game to count.

20. There will be no vulgar language from players, coaches or spectators. If there is, the violator will be removed from the premises. If the person refuses to leave, the offending team will forfeit.

21. Face masks MUST be worn by all catchers. (Fast pitch Leagues)

22. Report all accidents to the Recreation Office the following business day.

23. Phone in all games not played due to field conditions unless **ALL** games were cancelled by the Town.

24. Home teams are responsible for providing the softball. If the ball is hit out of the park or is no longer playable the away team is responsible for providing a used ball to continue the game with.

25. Teams are prohibited from throwing garbage onto the diamond, grass or parking lot. All garbage should be placed in trash cans located throughout the park.

FAILURE TO COMPLY WITH THE ABOVE RULES COULD RESULT IN FORFEITING GAME.

Failure to comply with the above rules more than a single time may result in the team will be ejected from the league.

Have a Safe and Fun Season!!

West Seneca Youth & Recreation
Office: 900 Mill Road #211, West Seneca NY 14224
Mailing: 1250 Union Rd. West Seneca, Ny 14224
Phone 716-674-6086
Softball Phone: 716-677-4754
Email: recdept1@twsny.org