

Supervisor Sheila M. Meegan called the meeting to order at 2:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance.

**ROLL CALL:** Present - Sheila M. Meegan Supervisor  
Eugene P. Hart Councilman  
John M. Rusinski 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 David Rutecki.

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**19-A COMMUNICATIONS**

1. Supervisor Meegan re Automated Clearing House Agreement with Evans Bank Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Supervisor Sheila M. Meegan to sign and submit the automated clearing house agreement with Evans Bank for payroll deductions.

On the question, Councilman Rusinski questioned what this agreement involved.

Finance Director Laura Landers responded that with this agreement payroll deductions can be made without cutting a check. The deductions will be made by wire transfer, a service that is more efficient and provided to the town at no additional cost.

Ayes: All

Noes: None

Motion Carried

2. Supervisor Meegan re Request for quotes for town banking needs Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Supervisor Sheila M. Meegan to request quotes for the banking needs of the Town of West Seneca.

Ayes: All

Noes: None

Motion Carried

3. Supervisor Meegan re Demolition of 17 Round Trail Road Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the demolition of the structure located at 17 Round Trail Road as per agenda item #13 of the September 19, 2012 Town Board Meeting, at which time bids were requested for demolition.

**19-A COMMUNICATIONS**

3. (continued)

On the question, Councilman Hart questioned the result of Town Attorney Shawn Martin's conversations regarding this property.

Mr. Martin stated there were numerous conversations with various lawyers and other involved parties and it appeared that no one is looking to save this property. He further stated that this is not a Citibank loan; Citibank is managing the loan on behalf of the Veterans Administration (VA).

Councilman Rusinski questioned if all opportunities have been exhausted to keep this property on the tax rolls, if the people involved are aware of what's taking place and if any litigation is anticipated.

Mr. Martin responded that the parties involved are aware of what's taking place and have had every opportunity to rectify the situation. He has had many conversations with the lawyer representing Citibank and one conversation with Congressman Higgins' office advising them of the situation. When he spoke with the lawyer representing the estate, he was informed that the only heir currently resides in Pennsylvania and has shown no interest in the property. Unless the owner takes control, he did not see any other interested parties. In an effort to avoid ongoing litigation, the estate has offered the deed in lieu of foreclosure which the bank has refused to accept.

Code Enforcement Officer John Gullo stated the building has been posted, letters sent and property managers contacted. No response was received.

Councilman Rusinski questioned Mr. Martin's recommendation when analyzing risk vs. benefit.

Mr. Martin responded that the condition of the building is not his department; however, no one has stepped up to take care of this property. From the town's standpoint every aspect has been exhausted to have the building repaired vs. having it demolished.

Supervisor Meegan stated the property is beyond repair, has become a health issue, and the town has done everything they can do.

Councilman Hart stated he was concerned that the town had not directly been in touch with the VA.

**19-A COMMUNICATIONS**

3. (continued)

Mr. Martin responded that he was not part of the conversations that took place between Citibank and the VA, but the VA is well aware of the foreclosure action that was commenced on behalf of Citibank as subrogee of the VA. He further stated that he would be willing to continue to attempt to contact the VA and Congressman Higgins' office if the board thought it was necessary.

Supervisor Meegan responded that the town has done their due diligence and has reached out to Congressman Higgins' office and the VA. She thanked the neighbors, Legislator Lorigo and Assemblyman Kearns for their interest and support in an attempt to resolve this issue. Supervisor Meegan noted that a letter was sent to residents of the Round Trail Road area advising them of the town's intention to demolish the property and an e-mail was received in return from neighbors offering their thanks and gratitude for the town's perseverance and help in resolving this issue and moving forward.

Mr. Gullo responded that if approved today, he will contact the contractor. An asbestos survey will take place and all asbestos will be abated, a process that takes approximately two weeks. The project will then move forward involving such things as sewer capping and utility removal.

Ayes: All

Noes: None

Motion Carried

**19-B 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 - \$118,771.00; Highway Fund - \$127,855.06; Special Districts - \$7,132.20 (voucher #'s 75843 - 76014); Trust & Agency Fund - \$31,972.52 (voucher #'s 75992 - 76027); Capital Fund - \$121,449.71 (voucher #'s 75867 - 75985).

Ayes: All

Noes: None

Motion Carried

**EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 2:15 P.M. to discuss one contract matter and two litigation matters.

Ayes: All

Noes: None

Motion Carried

The board returned from Executive Session at 3:50 P.M.

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

**TOWN BOARD PROCEEDINGS**  
**Minutes #2012-19**  
**December 3, 2012**  
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**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 3:50 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**