

11-B LEGAL ITEMS

1. (continued)

Councilman Hanley referred to an unanswered question on the application submitted to the town. The applicant had indicated the site or an adjoining property had been the subject of remediation for hazardous waste, but he neglected to describe the details.

Mr. Terragnoli responded that was generated from the New York State SEQR website and it is continuing to be researched.

Supervisor Meegan stated the public hearing will be held over until all necessary documentation is received from the DEC and any other state agencies.

Mike Roman stated the proposed project is located in his back yard and he questioned if residents will have the opportunity to meet with the project manager.

Supervisor Meegan responded a meeting with the project manager is tentatively scheduled for July 1st at the senior citizens center.

Mr. Roman was concerned with the proposed patios being located 25' from his back yard. He questioned the possibility of the developer purchasing additional land available on the other side of the proposed site and moving the project over approximately 40'.

Supervisor Meegan responded the developer is interested in purchasing additional property; however, it would be for other future development.

James Bukaty stated his property is located directly behind the proposed development and he questioned if the developer's plan was changed to include retention ponds.

Mr. Terragnoli responded the storm water drainage will be managed with three rain gardens and grass swales rather than retention basins. All drainage will run to an existing ditch located at the lowest area of the property. The proposed rear swales will be located in the center of the 25' setback around the perimeter of all residential parcels. They will be at least 2' lower than neighboring properties and will intercept rain water prior to water coming off the proposed properties into neighboring yards. It was never the intent of the developer for drainage to run to the right-of-way along Seneca Street because of higher elevations.

Ray Ball questioned grading the proposed properties to existing properties, noting there is an overall 12' drop from peak to street in the opposite direction of two of the three rain gardens. He was concerned that one of the rain gardens will be on the high side and unable to drain water away from existing properties. Mr. Ball was also concerned with having 2-story buildings located 30' from the property lines with potential sheds being 3' feet from property lines. He questioned if the meeting scheduled for July 1st could be changed since he is unable to attend.

11-B LEGAL ITEMS

1. (continued)

Supervisor Meegan responded that Mr. Ball can submit his concerns and they will be addressed. Any further questions or concerns can be brought to the next Town Board meeting. She encouraged all interested residents to attend the meeting with the developer on July 1st.

Mr. Bukaty commented the main concern of the proposed project is its close proximity to existing properties. He suggested a fence or shrubbery for a buffer between the properties to assist with residents' concerns. Mr. Bukaty understood it is a violation for water to runoff on neighboring property and questioned how violations are enforced if engineering miscalculates and problems exist.

Supervisor Meegan responded a performance bond is required and guarantees development plans are followed. The Code Enforcement office will also get involved and monitor situations as they arise.

Attorney for the Town Charles Grieco stated neighbors have the ability to enforce trespass upon their property through the courts.

Mr. Bukaty stated he has been a resident of Muriel Drive since 1974 and he understood when his neighborhood was originally developed in 1967, the developer removed about 4' of topsoil for profit. This left the backyards low and wet and there has never been any enforcement.

Supervisor Meegan thought the project could have a positive impact for surrounding residents' drainage issues. A living fence along the perimeter of the project will also be beneficial.

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

Ayes: All

Noes: None

Motion Carried

11-C COMMUNICATIONS

Items #10 & #11 were addressed first under this section of the meeting.

- | | |
|---|---|
| 10. Supervisor Meegan re
Abolishment of Town
Comptroller position | Motion by Supervisor Meegan, seconded by Councilman
Hart, that the office of Town Comptroller be abolished
pursuant to Town Law Section 20. |
|---|---|

On the question, Councilman Hart stated the Town Board is now the official auditor of all claims against the town.

Ayes: All

Noes: None

Motion Carried

11-C COMMUNICATIONS

11. Supervisor Meegan re Appointment of Drescher & Malecki LLP

Motion by Supervisor Meegan, seconded by Councilman Hart, that Drescher & Malecki LLP be hired as the provider of Accounting and Financial Consulting Services to the town during the year ending December 31, 2014 per the attached agreement and authorize the Supervisor to complete and sign the necessary paperwork.

Ayes: All Noes: None Motion Carried
APPENDICES

1. Supervisor Meegan re 14th Annual 5K Kickoff Run for St. John Vianney

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the request of St. John Vianney Church to hold a 5K Kickoff Run on Thursday, July 24, 2014 beginning at 6:30 PM on designated streets in the Town of West Seneca with approval from Chief Denz and Highway Supt. Matthew English.

Ayes: All Noes: None Motion Carried

2. Town Engineer re MS4 annual report

Motion by Supervisor Meegan, seconded by Councilman Hart, to accept and authorize the Chief Officer to sign the attached MS4 annual report required by New York State Department of Environmental Conservation (NYSDEC) under the State Pollutant Discharge Elimination System (SPDES) program, noting much of the compliance is handled in cooperation with the Western New York Stormwater Coalition of which the town is a member.

On the question, Councilman Hanley requested a brief explanation of the SPDES program.

Town Engineer David Johnson explained the MS4 annual report is a requirement under the SPDES program. The report involves documentation of proper management practices, site plan review, monitoring of new construction and stormwater systems etc. to ensure compliance with the program. Mr. Johnson stated the town is a member of the WNY Stormwater Coalition which assists with much of the compliance requirements through education and outreach.

Ayes: All Noes: None Motion Carried
APPENDICES

11-C COMMUNICATIONS

3. Town Engineer re SEQR determination for 2014 Road Reconstruction Projects
- Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached SEQR determination resolution for the 2014 road reconstruction projects, noting that no environmental impact statement is necessary and the proposed action is a Type II action in accordance with SEQR regulations.

Ayes: All Noes: None Motion Carried
APPENDICES

4. Town Engineer re Burchfield pre-fab storage building, change order #1
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve change order #1 for the Burchfield pre-fab storage building in the amount of \$18,969.81 to NewCal Construction for water and sanitary connections and sidewalks.

On the question, Councilman Hart stated this is relative to the comfort station at the Burchfield Center. The original plan was to utilize town workforces; however, based on the amount of work to be done it was determined it would be beneficial to go forward with a private contractor. The same company installing the comfort station and storage facility will be doing the sewer and water connections.

Ayes: All Noes: None Motion Carried

5. Chief Denz re Appointment of Ryan J. Miller as part-time Public Safety Dispatcher
- Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Ryan J. Miller as part-time Public Safety Dispatcher effective June 17, 2014 at a rate of \$10.95/HR and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned if this position was advertised, noting there are vacancies due to two dispatchers being promoted to police officers.

Asst. Chief Boehringer responded the job was advertised and numerous applications have been received. They are seeking to fill an additional position in the future.

Supervisor Meegan stated they may be hiring a third individual for scheduling flexibility since the inventory allows for the employment of 14 dispatchers.

Ayes: All Noes: None Motion Carried

11-C COMMUNICATIONS

6. Code Enforcement Officer re Electronic message board - 511 Union Road
- Motion by Supervisor Meegan, seconded by Councilman Hanley, pursuant to Section 120-44 4.G of the Town Code, to approve an electronic message board at First Baptist Church located at 511 Union Road.
- Ayes: All Noes: None Motion Carried
7. Director of Recreation re Status change for part-time ID Clerk Lynn Green to seasonal
- Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time ID Clerk Lynn Green to part-time seasonal effective June 30 – August 31, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All Noes: None Motion Carried
8. Highway Supt. re Title change for Edwin Lehsten as General Crew Chief
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Edwin Lehsten as Highway Working Crew Chief and appoint Edwin Lehsten as General Crew Chief, Group 7, Step 5, at a rate of \$30.33/HR effective June 13, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All Noes: None Motion Carried
9. Highway Supt. re Appointment of Robert Schultz as seasonal laborer in Highway Department
- Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Robert Schultz as part-time seasonal laborer in the Highway Department effective June 16 – September 14, 2014 at a rate of \$10/HR and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hanley questioned if this appointment is the same person that was denied at the last Town Board meeting and if the duties are different since the last request was for office help and this is for a laborer.

Highway Supt. Matthew English responded it is the same individual and the same job previously presented and denied.

Councilman Hart stated there is some question as to whether or not the Highway Supt. can make an appointment. He suggested tabling the item for one meeting and asked Attorney for the Town Charles Grieco to give them some guidance on this.

11-C COMMUNICATIONS

9. (continued)

Mr. Grieco questioned if Councilman Hart was looking for guidance beyond what he had already given and suggested they discuss this in executive session since it's a legal opinion.

Mr. English questioned why the item was being tabled.

Councilman Hanley stated he has some questions for Mr. English.

Councilman Hart stated he may get his vote eventually, but questioned why this was coming to the Town Board if Mr. English can make the appointment.

Mr. English responded he respects the Town Board and it is a courtesy for him to ask them for the appointment. He stated this has already been delayed two weeks and asked for a yes or no since there is a foreman in the office making \$26 an hour answering phone calls.

Councilman Hanley stated they had talked about getting someone else trained instead of bringing back a retiree to answer phones.

Mr. English responded it is a 12 week program and the department is run so when a resident calls they get an answer they deserve.

Councilman Hanley agreed but stated that summer help had already been brought in and someone from the Highway Department could be brought in to answer phones while the summer help takes his place on the roads.

Mr. English stated the current employees do not want to answer phones. He blamed politics for the lack of support by Councilman Hanley and Councilman Hart and stated Mr. Schultz is a retired town employee that has filled this position for the past three years and has done an outstanding job. When residents call, he has an answer for them. Mr. English stated that Councilman Hanley told him he should tell the residents they will call them back.

Councilman Hanley stated that he said, "Nobody has to have instant answers. If they don't have the answer they can say, 'I promise somebody will get back to you within 24 hours'."

Mr. English stated that is not how his department operates. He was elected as Highway Supt., this is the second time the councilmen have tried to tell him who to hire and he is not going to put up with it. He was elected to do a job and he is going to do the job he has been doing for five years. According to Councilman Hart, Mr. Schultz was telling laborers, "If you want to get a job in the Highway Department, you have to run for the Democratic Committee and vote the way you are told." Mr. English denied this and stated the public is being lied to. He outlined the hiring practice in the Highway Department as follows: Employees start as an alternate in

11-C COMMUNICATIONS

9. (continued)

sanitation and there are 15 alternates. When an employee retires, an alternate with a commercial drivers license (CDL) and a good work record becomes full-time in sanitation when they progress from #15 to #1 in seniority. The employees all know that and it is done fairly. Mr. English noted there are guys involved in politics, but the last three employees that moved up were not committeemen. He further stated that Councilman Hanley had told him guys were being promised higher positions in the Highway Department.

Councilman Hanley stated that he said they were told if they walked petitions it would help them get a job in the town.

Mr. English stated the Highway Department is closed shop. He referred to Ed Lehsten who was promoted to General Foreman at this meeting and stated he never walked a petition in his life and was never a committeeman. Mr. English further referred to Councilman Hanley's comment in the newspaper and stated he should not be commenting on Mr. Schultz's or anyone's financial status.

Councilman Hanley stated he did not know Mr. Schultz's financial status, but had commented that he was sure he was financially set since he worked for the town for 40 years.

Mr. English stated that Mr. Schultz is not a bully. This is all about politics and he has witnessed more politics in the last six months than he has experienced in the last 5.5 years as Highway Superintendent. He commented that the councilmen are against Mr. Schultz because of his involvement with the Democratic committee. Mr. Schultz had asked Mr. English to run for the committee and also stated there are always highway guys that want to run and asked if he could come over and talk to them. Mr. English told him he could talk to the guys when they were off the clock – the sanitation guys after 12:00 p.m. and the highway guys after 3:30 p.m. He thought the real reason for their denial of this appointment is because Mr. Schultz is a threat to take over the Democratic committee, noting they are so obsessed they have called people in higher positions in Albany and Washington and asked them to talk to people Mr. Schultz has running for the committee and ask them not to run.

Councilman Hart stated he thought there was a law that prohibited political solicitation on town property even after work hours.

Mr. English referred to a recent full-time hire in the Sanitation Department where he had submitted the name of the alternate with the highest seniority, a CDL and a good work record. Councilman Hanley emailed Mr. English and stated he was not going to support his choice and that he had another person. Councilman Hart also told Mr. English he was not sure he would support his choice.

11-C COMMUNICATIONS

9. (continued)

Councilman Hart agreed but stated after he looked at the other individual he decided to give the job to Mr. English's choice.

Mr. English stated they did end up supporting his choice because the person they wanted had two DWI's in six years, no driver's license and could not get a CDL license. It was a former Judge's secretary's son and Mr. English stated he was not here to play politics. He asked for Mr. Schultz because it's the right thing to do for the people. Mr. Schultz knows how to answer residents' questions and that's what the residents deserve. Mr. English commented it was not right to not appoint Mr. Schultz based on politics. He stated that all the alternates know when they move up in seniority they will get a job. They do not have to be a Democratic committeeman or get petitions. Mr. English stated he is not going to play any political games and has not done so since he has been in office. He hires the guys that deserve to be hired and doesn't know them until they are standing in front of him for an interview. If they interview well, he hires them. Mr. English does not want the councilmen to run his department. That's his job and they should not tell him who to hire or fire. Mr. English stated if they don't stop playing politics, the town is going to go backwards. He referred to how the public had commented on the great job the Town Board did in 2013 and agreed that great strides were made. But they fixed something that wasn't broke and now need to keep the politics out of things.

Councilman Hanley thought the room was stacked in Mr. English's favor so he felt there was politics involved. He stated that Mr. English has had four years to train someone else to work in the office, but he brought back a retired employee that is probably financially set and does not need the job. There are plenty of high school students that would love to have the job and if it isn't political he questioned why this appointment pays \$10 per hour when other summer help are paid \$8 per hour.

Mr. English responded that Mr. Schultz works harder in the office than some of the guys on the road. Mr. Schultz answers phone calls, handles vendors, handles residents bringing in TVs, etc. Councilman Hart has witnessed and commented on the number of phone calls along with Supervisor Meegan. Mr. English stated the job is worth \$10 per hour and it has never been a problem in the past.

Councilman Hanley stated although a clerk's job is stressful, he thought shoveling blacktop off the back of a pickup truck is harder than answering phones.

Mr. English stated Councilman Hanley is entitled to his opinion but he disagreed and commented that the clerk's in his office work very hard.

11-C COMMUNICATIONS

9. (continued)

Councilman Hart stated he stands by his previous statement that he had received calls from individuals working within the Highway Department being told it would benefit their career if they circulated petitions and worked campaigns. One particular individual said it was last year that a large group of young part-time employees went to help Senator Kennedy at the suggestion that it would be good for their careers at the Highway Department. Councilman Hart stated he did not say it was required, but there has been pressure placed on some employees to circulate petitions to become a committeeman and circulate petitions for some selected politicians. He had concerns about that and did not think it was right that the young men should be approached at all. They can contact Mr. Schultz after hours and volunteer rather than doing it on the job site on town property. Councilman Hart stated he thinks there is arm twisting going on or at least the suggestion that it will help them to become politically active.

Mr. English stated it can't help them and every guy knows it doesn't help them. He even met with the alternates after the last hiring incident and explained the entire hiring process to them.

Councilman Hart thought there may be some people who jump the list since it is Mr. English's choice to recommend and the board members should have the opportunity to recommend if they think he is wrong. The individual they recommended did not get the job because of the two DWI's, but Mr. English told him if he gets his CDL, clears his record and stays clean, he will get a full-time job possibly by the end of the year depending on retirements.

Mr. English agreed but stated the reason he did not get the job is because the councilmen did not want him to go to the newspapers with this issue.

Councilman Hart disagreed and stated when he found out this information about the individual he decided it could not work and he made a lot of people on the so called "other side" angry with him because he wouldn't do it. There have been a couple others he was asked to hire that he wouldn't because they would not be the employee the town needs. He stated a lot of people work for the town because of politics and knowing somebody.

Supervisor Meegan agreed and referred to the recent hires of the Comptroller, Attorney, Zoning Board Chairman and Planning Board secretary that were made by Councilman Hart and Councilman Hanley. She further commented on violations to the Open Meetings Law.

11-C COMMUNICATIONS

9. (continued)

Councilman Hart stated that Councilman Hanley was not on the Town Board when they discussed the possibility of who they might select to do some of these jobs, so it was not a violation of the Open Meetings Law.

Supervisor Meegan stated she was referring to the Planning Board secretary violating the Open Meetings Law by not having the proper information online. She further noted that she was not part of the political hires made by Councilman Hart and Councilman Hanley.

Motion by Councilman Hart, seconded by Councilman Hanley, to table this item.

Ayes: All

Noes: None

Motion Carried

12. Director of Recreation re Appointment of Thomas Keenan as part-time seasonal Bus Driver

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Thomas Keenan as part-time seasonal Bus Driver effective June 22 – August 31, 2014 at a rate of \$10.60/HR and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned if the bus drivers come from the schools.

Recreation Director Craig Kroll responded bus drivers for the town are employees of the West Seneca School system and covered by the school district's insurance.

Ayes: All

Noes: None

Motion Carried

13. Director of Recreation re Use of Sunshine Park for cross country events

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve West Seneca Central School District use of Sunshine Park on September 9th, September 13th, September 23rd, October 4th and October 7th for cross country events in 2014, noting the school district will be covered under their own risk management policy.

Ayes: All

Noes: None

Motion Carried

11-C COMMUNICATIONS

14. Highway Supt. re Summer help

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Steven Andrzejewski as part-time seasonal laborer in the Highway Department effective June 10, 2014 and appoint Michael Bauer and Eric Darling as part-time seasonal laborers in the Highway Department at a rate of \$8/HR effective June 17 – August 29, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

11-D REPORTS

- Jacqueline A Felser, Town Clerk's report for May 2014 received and filed.
- John A. Gullo, Code Enforcement Officer's report for May 2014 and plumbing reports for April & May 2014 received and filed.

11-E 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 - \$215,668.71; Trust & Agency Fund - \$32,587.65 (voucher #'s 84534 - 84564)

Ayes: All Noes: None Motion Carried

ISSUES OF THE PUBLIC

SEWERS ON HI VIEW TERRACE

Dawn Fisher questioned if there is a proposed plan to install public sewers on HiView Terrace.

Supervisor Meegan responded there has been some discussion with a member of the Environmental Commission that had concerns about discharge. An overlay would require a permissive referendum and it would not occur if any homeowner were to object. She stated the cost of public sewers on HiView Terrace would be substantial and a monetary plan needs to be in place prior to presenting any proposal to the residents.

Mrs. Fisher stated an individual from either the DEC or Clarke Patterson Lee was on HiView Terrace talking with neighbors and indicated that sewers are going to be installed and residents have no input.

ISSUES OF THE PUBLIC

SEWERS ON HI VIEW TERRACE (continued)

Supervisor Meegan stated this is not true.

Mrs. Fisher referred to comments at previous Town Board and Environmental Commission meetings regarding unavailable and non-qualifying grant funding for public sewers on HiView Terrace.

Councilman Hart responded that grant money and available funding has been discussed at previous meetings; however, there is no proposal to go forward with a sewer project.

Supervisor Meegan stated the town is under a state mandated consent order which is moving forward. Under the consent order the town has an obligation to the state to bring the town's sewer system into compliance. The levels of contamination caused by raw sewage entering the creek are of great concern to the Town Board and the Environmental Commission. Supervisor Meegan referred residents to the DEC website for information on levels of creek contamination and stated there are no plans at this time for sewers on HiView Terrace.

ABANDONED PROPERTIES ON WEDGEWOOD DRIVE

Judy Cline questioned the status of abandoned properties on Wedgewood Drive. She referred to a previous Town Board meeting and discussions of available land bank money for renovation of one of the homes.

Supervisor Meegan responded the town is in line with other municipalities waiting for funding, noting only three or four homes have been completed throughout the county.

Mrs. Cline thanked Code Enforcement Officers John Gullo and Jeff Schieber along with Supervisor Meegan for following through with the property maintenance of these particular homes last summer. She suggested everyone contact their representatives and encourage them to pass proposed bills regarding vacant homes.

Supervisor Meegan stated the town and local representatives are aggressively working together to address the problem of abandoned and vacant properties.

LEXINGTON GREEN FLOODING / BUFFALO CREEK

Audrey Petrie referred to flooding in the Lexington Green neighborhood and questioned if the town is doing anything with the creek. She further questioned if greenery and rock surrounding a state owned railroad bridge could be dredged out and cleaned up.

ISSUES OF THE PUBLIC

LEXINGTON GREEN FLOODING / BUFFALO CREEK (continued)

Supervisor Meegan stated there will be a formal presentation on replacement of the Harlem Road Bridge over Buffalo Creek on Wednesday June 25th from 4 PM to 8 PM at Winchester Community Church. She encouraged residents to attend the meeting as it will be a great opportunity to speak to officials. The town is continuing to make calls to representatives and officials; however, the DEC and Army Corps of Engineers maintain control.

Councilman Hart added the town does not have the right to enter the creek and they are subject to huge fines unless a permit from the Army Corps of Engineers is acquired.

Attorney for the Town Charles Grieco advised the town does not have jurisdiction over the creek bed. State and federal government have jurisdiction over the creeks and the town is limited to lobbying that these issues be addressed.

Councilman Hart further commented the Army Corp of Engineers has yet to complete a study of the Buffalo Creek/Lexington Green flooding, but the town has been working very hard to do what they can (i.e. Highway Department assistance with clean-up and installation of a berm).

Town Engineer David Johnson stated the Army Corps of Engineers has not gotten back to the town as to when that study will be complete.

Mrs. Petrie stated she had received a letter from Senator Schumer stating this is not a federal issue and referring it to Senator Gallivan.

Supervisor Meegan stated the town is not ignoring this issue and they are doing everything within their power to correct the problem.

Councilman Hart stated there will be an upcoming open house at 111 Lexington Green.

DOG CONTROL LAWS

Linda Toy questioned if the town had given any consideration to new dog control laws she proposed in a recent email.

Supervisor Meegan responded she will forward the email to Attorney for the Town Charles Greico for review and a future public forum discussion. She also requested Mr. Grieco provide the release for the dog walker at the animal shelter.

Mrs. Toy commented on a problem with aggressive dogs in her neighborhood and was not happy with the way the town employee handled the situation. Highway Supt. Matthew English stated he talked to the employee.

ISSUES OF THE PUBLIC

ETHICS CODE/POLITICAL APPOINTMENTS

Dale Clarke referred to a correction made to a recent newspaper article regarding Zoning Board Chairman Timothy Elling and noted that he now understood Mr. Elling was friends with the developer. He further stated that Councilman Hart hired two relatives, not one as the article indicated. Mr. Clarke thought it was hypocritical for Councilman Hart and Councilman Hanley to accuse others of political appointments and referred to the political appointments they had made, including Mr. Elling's, noting that Councilman Hanley said it wasn't political and Councilman Hart said it was somewhat political.

Councilman Hart responded that the appointment was political, just like when Mr. Clarke was on the Town Board it was political to a great extent.

Mr. Clarke stated that he understood Mr. Elling was getting petitions and was with Councilman Hanley.

Councilman Hanley responded that Mr. Elling is getting petitions for himself and he had no idea who was on which side.

Mr. Clarke questioned if Mr. Elling went to the Super Bowl with his son and if that created a problem if the developer goes before the Zoning Board.

Councilman Hanley responded that Mr. Elling went to the Super Bowl and took his son and he welcomed the developer to go before the Zoning Board and Ethics Board and tell his side of the story.

Councilman Hart understood the developer has never done any business with the town; however, if he did come before the Zoning Board Mr. Elling would have to abstain from voting.

Mr. Clarke understood Mr. Elling accepted a gift in excess of \$75 from the developer, which is a violation of the Ethics Code.

Councilman Hanley responded it violates the Ethics Code if you accept a gift that influences your judgment. It is not an ethics violation to accept a gift from an individual who has no business in town.

Mr. Clarke further referred to Jean Nihill's appointment to and resignation from the Comptroller's office. He understood Mrs. Nihill's husband is a co-worker of Councilman Hanley's.

Councilman Hanley confirmed that Mr. Nihill works for the same employer but they do not work together and he thought Mrs. Nihill was a good choice for the Comptroller's position.

ISSUES OF THE PUBLIC

ETHICS CODE/POLITICAL APPOINTMENTS (continued)

Mr. Clarke disagreed and commented that he understood Mrs. Nihill wrote a bad check, failed to pay a bill and was recording employees in that department.

Councilman Hanley questioned how Mr. Clarke knew this information and if it would be a violation of the Ethics Code if someone is feeding him information.

Mr. Clarke referred to the appointment of Joseph Clifford as part-time summer help in the Engineering Department at the last meeting. He questioned if the appointment was political and if the position was posted on the website.

Councilman Hart responded that Joseph Clifford's father is a very good friend of his and he will not deny that the appointment was political.

Councilman Hanley stated he went to school with Joseph Clifford's father. The recommendation came from the Engineering Department and it is just summer help. He further stated he would love to see the department heads post the jobs, but they are not.

FILLING TOWN POSITIONS

Karen Lucachik commented on full-time town retirees returning to fill part-time positions and suggested that other people be trained to fill the job in the Highway Department office. She further stated no one should go to a place of employment to solicit for committeemen.

UPDATING TOWN CODES

Karen Lucachik thought there was a problem on the Planning Board because there are not proper codes in place. She had talked to a member of the Planning Board from another town and they are changing their codes themselves. They are getting together and soliciting other towns to see what works. Mrs. Lucachik repeated a suggestion that the Planning Board, Zoning Board and Town Board get together to work on this, noting the town is antiquated and way behind everyone else.

Councilman Hart stated they have begun the process of reviewing the comprehensive plan and it is the town's intention to review the zoning codes completely next year.

SLIPLINING PROJECT

Beverly Leising questioned if sliplining is lowering the capacity of the sewers. She noted that one of the southtowns had a bridge/road collapse and questioned if the town will have any problem with the sewer being smaller in diameter to take the water.

ISSUES OF THE PUBLIC

SLIPLINING PROJECT (continued)

Town Engineer David Johnson responded the new liner is slicker so it could have a little better capacity.

Mrs. Leising further asked for a progress report on Phase I.

Mr. Johnson did not have an answer, but will find out and report at the next meeting.

PLANNING BOARD STIPEND

Beverly Leising referred to the last Planning Board meeting and noted that one of the members left the meeting early which left a void with the questions that were put forth. She questioned if he gets paid for only the portion of the meeting he attended.

Supervisor Meegan responded that each member gets paid one twelfth of the annual stipend for each meeting they attend.

Councilman Hart stated the Planning Board member may have had a health issue and he will check on the reason he left the meeting.

PROPERTY MAINTENANCE ISSUES

Susan Kims presented pictures of various properties with maintenance issues. She commented on boat and trailer storage at 1136 Orchard Park Road and the condition of the grass.

Code Enforcement Officer Jeffrey Schieber responded their office is aware of the issue and will be acting on it accordingly.

Mrs. Kims referred to the construction equipment that is consistently parked on property located at 180 Union Road and questioned if this is allowed.

Supervisor Meegan responded the trailer is legal and plated so it is allowed.

Mrs. Kims commented on the condition of property located at 5200 Seneca Street and referred to the large amount of vehicles, dismantled vehicles, a fence falling down and a roof in need of repair.

Supervisor Meegan responded this property has been and continues to be an issue.

Mr. Schieber stated the occupants rent and do not own the property.

ISSUES OF THE PUBLIC

PROPERTY MAINTENANCE ISSUES (continued)

Mrs. Kims further stated the property located at 10 Lein Road contains old tires, unlicensed and junk vehicles, grass that needs to be cut and a large dirt pile. She suggested the installation of a fence to shield the public from having to view the lot and commented that a homeowner would not be allowed to get away with these types of violations.

Supervisor Meegan responded the owners have been asked to utilize the dirt and make a living fence around the perimeter of the property.

APPOINTMENT OF SEASONAL LABORER IN HIGHWAY DEPARTMENT

Susan Kims questioned how many hours per week Robert Schultz will be working if appointed as a seasonal laborer in the Highway Department and if he will be eligible for unemployment.

Highway Sup't. Matthew English responded a seasonal employee works 20 – 40 hours a week. Mr. Schultz has never filed for unemployment and he was not sure if anyone in this position would be eligible to file for unemployment since it is not a full-time job.

Mrs. Kims questioned if there are insurance issues related to Mr. Schultz speaking with employees on town property after working hours.

Mr. English responded that anyone from the public can come to the Highway Department and Mr. Schultz did not come in and speak to employees during work hours.

Mrs. Kims commented on how hard highway employees work and did not want to see them swayed.

WALKABLE COMMUNITY

Johanna Guenther referred to a Town Board meeting from approximately three years ago when the possibility of West Seneca becoming a walkable community and the hiring of Mr. Barden was discussed. She commented on recent meetings in Buffalo and discussions of making the city a walkable community and questioned if any board members had attended these meetings.

Supervisor Meegan responded she was unable to attend; however, Councilman Hart did attend a couple of seminars. She further noted that Williamsville Mayor Brian Kulpa, an employee with Clarke Patterson Lee, is making Williamsville a walkable community and bringing his ideas to West Seneca.

ISSUES OF THE PUBLIC

WALKABLE COMMUNITY (continued)

Councilman Hart responded he had attended 9 three hour sessions and learned a lot. He is hopeful the acquired knowledge can be applied to West Seneca, the comprehensive plan and a new zoning ordinance.

ADDITIONAL HELP IN CODE ENFORCEMENT OFFICE

Susan Kims thought there was a need for additional help in the Code Enforcement Office and commented on the large amount of work they have.

Supervisor Meegan agreed their workload is heavy and commented on the non-stop phone calls they receive, noting she recognizes the need for additional staff.

Councilman Hanley stated he had asked for numbers to support the hiring of an additional individual, and if warranted, he would like to specifically hire someone to look at properties.

Councilman Hart thought it would be difficult to hire an individual to specifically look at properties since there is so much work to be done. He commented on the department's two year intern who has taken tests in preparation to work full-time, but noted proper funding will need to be in place prior to hiring a full-time individual.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

CONGRESSMAN HIGGINS REPRESENTATIVE AT SENIOR CENTER

Sr. Recreation Therapist of Senior Services Mary Josefiak announced a representative from Congressman Higgins' office will be at the senior citizens center on Tuesday June 17th to answer any questions residents might have.

COMPREHENSIVE PLAN

Councilman Hart stated the town is moving ahead with the Comprehensive Plan and a public meeting will be scheduled on either July 10th or 15th at 7:00 PM at the senior citizens center depending on availability. Councilman Hart requested Sr. Recreation Therapist of Senior Services Mary Josefiak get back to the board members with a date.

COMMUNITY DAYS

Supervisor Meegan announced Community Days will take place on June 27th & 28th. The parade begins at 2 PM on the 28th and will include the world champion Carolina Crown marching band.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

EXECUTIVE SESSION

Attorney for the Town Charles Grieco requested an executive session to update board members on some legal matters.

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 8:50 P.M. to discuss legal matters.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 9:00 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 9:00 P.M.

Ayes: All

Noes: None

Motion Carried

JACQUELINE A FELSER, TOWN CLERK