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

TOWN BOARD PROCEEDINGS
Minutes #2014-14
July 28, 2014

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 to the Flag led by Highway Supt. Matthew English.

ROLL CALL:	Present -	Sheila M. Meegan	Supervisor
		Eugene P. Hart	Councilman
		William P. Hanley Jr.	Councilman

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 Edward Toy, Vincent Graber Sr. & Vincent Talty.

14-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the July 14, 2014 work session.

  Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve Minutes #2014-13 of July 14, 2014.

  Ayes: All Noes: None Motion Carried

14-B TABLED ITEMS

1. Highway Supt. re Policy change for Town — Received and filed.

14-C COMMUNICATIONS

1. Town Clerk re Budgetary amendment request — Motion by Supervisor Meegan, seconded by Councilman Hanley, to increase revenue account #001.0001.3060 (Records Management Grant) in the amount of $47,906 and increase expense accounts #001.1410.0442.3333 (Records Expense) $29,810.05; #001.1410.0139.3333 (Part-time Clerical) $1,585.68; and #001.1410.0200.3333 (Equipment Purchases) $16,510.27, noting the source of funding for this request is grant money awarded from NYS Local Government Records Management Improvement Fund.

   Ayes: All Noes: None Motion Carried

14-C COMMUNICATIONS

2. Code Enforcement Officer re Rezoning request for 1425 Orchard Park Road

Motion by Supervisor Meegan, seconded by Councilman Hart, to refer the rezoning request from R-75 to R-50(S) to construct 24 luxury apartments at 1425 Orchard Park Road to the Planning Board for recommendation.

Ayes: All Noes: None Motion Carried

3. Chief Denz re Budgetary transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a budgetary transfer request of $534.73 from Acct. #01.3120.0447 (Microfilming) to Acct. #01.1410.0200.3333 (Equipment) to cover a shortfall due to the purchase of a scanner with grant funds.

Ayes: All Noes: None Motion Carried

4. Chief Denz re Status change for part-time Public Safety Dispatcher Richard Miller to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time Public Safety Dispatcher Richard Miller to part-time seasonal effective August 1 – August 31, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

5. Town Clerk re Status change for part-time clerk Amy Kobler to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time Clerk Amy Kobler to part-time seasonal effective July 29 – December 31, 2014 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

14-D 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 - $330,473.59; Highway Fund - $120,507.88; Special Districts - $135,602.55; Capital Fund - $535,535.35 (voucher #'s 84786 – 85213); Trust & Agency Fund - $32,400.09 (voucher #84992 - 85188)

Ayes: All Noes: None Motion Carried

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

LIBRARY CONSTRUCTION GRANT PROGRAM

Connie Miner gave a presentation on the $14 million Public Library Construction Grant Program including an overview of eligible/non eligible and non-reimbursable items. The deadline date is October 4, 2014 and the required match by the town is 50 percent. Mrs. Miner stated that due to the nature of the project, it is advantageous for the town to commit funding for phase I & II even though the commitment will involve another year and another grant cycle. A three phase approach of building an addition, making interior improvements and complete renovation of the existing library was also discussed. The Buffalo & Erie County Public Library recommended the town proceed with a two phase approach and she agreed, stating that rehabilitation of the existing library can be addressed at a later date. Mrs. Miner stated she has worked on several library expansion projects and wanted to provide residents with the best possible library the town can fiscally afford. If the town is ready in year three or later to continue with phase III, the project will not impede library operations because materials will be placed in the already expanded library. Due to previous grant funding it is essential to keep the existing library intact for ten years to avoid any clawback issues. Mrs. Miner explained that the Library Construction Grant Program requires municipalities to be responsible to maintain a library for ten years from the time a grant funded project is finished. Since 2009 the town has received four grants for the library involving masonry repairs, interior doors/windows, HVAC etc. Renovation of the interior library footprint will not allow materials to be moved causing everyday operations to cease. Mrs. Miner commented that the library is dated and too small for the current population and any proposed expansion must be submitted to the Buffalo & Erie County Public Library system for approval, which she will do if the Town Board gives approval. She will also apply to the State Historic Preservation Office for approval, a requirement because the building is more than 50 years old, and complete the grant application prior to the October 4th deadline. Mrs. Miner believes the two phase approach is fiscally responsible, makes the most sense and still provides the public with a fully functional library during construction. Approval to go forward with the grant process does not hold the town to a financial commitment because full expenditures are unknown. The library grant requires construction cost estimates; engineering and architectural estimates are not used. If approved, work will continue to move forward and a resolution outlining costs associated with Phase I & II will be presented at a future Town Board meeting prior to the October 4th deadline. The Town Board will then have to commit to the entire project cost less any grants received. This year the total cap of money available within the public library system is $641,863 and the town will be competing against every other library system going in, so she could not estimate how much the town will receive. Energy efficient type improvements (i.e. solar) for the expansion were discussed to help keep the town's net cost in terms of utilities at a minimum. Mrs. Miner noted the Buffalo & Erie County Library system will not provide additional staff for any library expansion projects, so staffing must remain neutral.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

LIBRARY CONSTRUCTION GRANT PROGRAM (continued)

Brian Kulpa of Clarke Patterson Lee stated approximately a year ago he began meeting with Supervisor Meegan, Councilman Hart, the Library Board and staff and Friends of the Library to discuss current library conditions and put together a wish list. Working together a vision statement was developed which included the library occupying the same space with some addition. The existing building could be used, but they also discussed items such as establishing a community/conference meeting space, integrating a coffee shop atmosphere with wi-fi capabilities and a possible future location for the Chamber of Commerce. Mr. Kulpa presented a drawing showing the footprint of the existing library and outlining future possibilities including a leasable business area, stand alone children's area, and flexible program space for youth along with flexible computer/IT areas. Including a walkable coffee shop/cafe will be an added amenity giving people a reason to go to the library and revenue can be generated from leasing space to Spot Coffee or Starbucks, which will help the library as a whole and make it valuable space within our community. Mr. Kulpa stated they were able to collectively work together and cut back from 18,000 sf to 10,000 sf of addition and 7,000 sf of renovation to the existing space. The community areas can be built out and include teen space that separates young adult users and children. The proposed design shows how the library and surrounding area will be alive 24/7 and how Veterans Memorial Park will become more of a community minded place. New construction costs will be approximately $275/sf and renovation costs $175/sf. Options such as rooftop and rain gardens were also discussed as possible ways to acquire funding through grants.

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Connie D Miner Grant Consultants to proceed with submission of documentation and communication with Erie County Library for Phase I & II of the future Library Expansion Construction Grant Program.

Ayes: All Noes: None Motion Carried

PAYMENT FOR STUDY

Supervisor Meegan referred to questions asked at the previous Town Board meeting concerning payment for the Seneca Mall site study and stated that the developer, Scott Congel, is now reimbursing the town for money spent on the study so it will not be released.

DEC PERMITS FOR CLEANING CREEKS

Supervisor Meegan, Highway Supt. Matthew English and Town Engineer David Johnson met with the DEC and put together a plan for the town to go forward with cleaning out Cazenovia Creek. There will be a 15 day waiting period from date of publication this Thursday and the Highway Department will then commence with the work. The permit for cleaning of Buffalo Creek will be forthcoming.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

DEC PERMITS FOR CLEANING CREEKS (continued)

Mr. English stated this will give the town an opportunity to put machinery in Cazenovia Creek and remove full size trees. A track excavator will be used at the fingers where a large amount trees and brush have accumulated. The town also hopes to move forward with a plan to clean Buffalo Creek near Indian Church Road. The plan involves using a bulldozer to lower the shoal by pushing it to the north side of the creek near the strawberry fields. Mr. English further stated he met with a representative from the DEC this past Thursday to discuss concerns regarding Buffalo Creek and they went to Harlem Road Park where Cayuga Creek and Buffalo Creek join. The DEC still has to decide if they will let the town do anything there.

Councilman Hanley questioned if there were any plans to take the bridge down and understood the railroad tracks were being removed from French Road to Indian Church Road.

Mr. English was not aware of anything with the black bridge but understood it was in the process of being sold. The railroad line has been abandoned and he had heard there will be total reconstruction of the Harlem Road Bridge near Clinton Street.

NATIONAL NIGHT OUT

Chief Denz announced that National Night Out is Tuesday, August 5th, 5 P.M. – 9 P.M. at Southgate Plaza. The Police Department will have displays along with the fire departments and animal control. The West Seneca School Board and bus garage will also be there to assist residents that have children going to school in getting their school bus number.

SUMMER DAY CAMP

Recreation Director Craig Kroll stated summer camp is held in the ice rink on rainy days like today and there are various activities and interactive games for the kids. Supervisor Meegan stated she has received many good comments on the program and the parents would like to see it extended until the kids go back to school in September.

PART-TIME ELECTRICAL INSPECTOR

Councilman Hart referred to Code Enforcement Officer John Gullo's request to hire a part-time electrical inspector and questioned if a code change is required. Attorney for the Town Charles Grieco stated he is researching this question.

HUMAN RESOURCES

Councilman Hart questioned the status of the rfq for a human resources person and asked Attorney for the Town Charles Grieco to proceed with advertising for this position.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

INDUSTRIAL PARK REVIEW COMMITTEE

Councilman Hart stated that Donald Marts has resigned from the Industrial Park Review Committee effective May 16, 2014 and questioned if it is necessary to fill the vacancy since there has been a proposal to dissolve the committee and have the Planning Board address any site plan requests for the industrial park.

Code Enforcement Officer John Gullo did not see an urgency to fill the vacancy and stated he will be proposing changes to the code in about 30 days.

Attorney for the Town Charles Grieco stated an amendment to the code could be accomplished within 30 days after the changes are proposed.

Motion by Councilman Hart, seconded by Councilman Hanley, to accept the resignation of Donald Marts from the Industrial Park Review Committee effective May 16, 2014.

Ayes: All Noes: None Motion Carried

MOVIE NIGHT IN THE PARK

Councilman Hanley commented on Movie Night in the Park and complimented Lauren Masset on a great job.

Recreation Director Craig Kroll announced they are cancelling the movie this Friday and it is rescheduled for August 15th.

ISSUES OF THE PUBLIC

DRAINAGE ISSUE ON NORTHRIDGE DRIVE

Thad Klaich commented on a severe drainage issue he has been experiencing on Northridge Drive and presented pictures of his back yard to Highway Supt. Matthew English, noting the last rainfall left over two feet deep water and the drain was totally under water. He initially reported the problem last August and an Engineering Department employee visited the site, but the residents of Northridge Drive are still having drainage issues. Mr. Klaich stated there is 100 feet without pipe from the manhole cover so all the water floods to the first house and continues on. This has been an issue for many years and their yards are flooded from winter to spring because there is not enough drainage to handle the water. Water from Carriage Park comes underground to the manhole cover and he suggested it be raised. Mr. Klaich has talked to numerous people in the sewer and engineering department and he felt no one wanted to commit to resolve the problem. He asked that someone visit the site, make an assessment and resolve this issue, noting it is the worst it has ever been.

ISSUES OF THE PUBLIC

DRAINAGE ISSUE ON NORTHRIDGE DRIVE (continued)

Town Engineer David Johnson stated he will go out and check out the situation.

Stephen Turkovich commented that this issue was reported a year ago and the residents have no other recourse than to approach the Town Board. He questioned when they can expect a commitment to action, noting he wants to put up a shed and is unable to do so.

Supervisor Meegan responded that the board members cannot commit to anything until they can establish that it is the town's responsibility. Mr. Johnson will investigate and report back within 10 business days and then the proper action will be taken.

Councilman Hart commented that the board members need to receive feedback from the departments or they assume that a problem is being taken care of and he had not gotten any feedback from Engineering on this issue.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 2:50 P.M. to discuss two personnel issues with Chief Denz.

Ayes: All Noes: None Motion Carried

The board members returned from Executive Session at 3:30 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 3:30 P.M.

Ayes: All Noes: None Motion Carried

JACQUELINE A FELSER, TOWN CLERK