



**10-B COMMUNICATIONS**

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| 2. Town Attorney re Professional Services Agreement with GDY, Inc.           | Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with GDY, Inc. to perform background checks and drug screens for potential employees to be hired by the Town of West Seneca, noting the cost for a background check and drug screen is \$95 per employee. |
|  | Ayes: All                      Noes: None                      Motion Carried   |
| 3. Town Engineer re SEQRA Lead Agency for 36 inch Sewer Installation Project | Motion by Supervisor Meegan, seconded by Councilman Hanley, to designate the West Seneca Town Board as Lead Agency for the 36-inch Sewer Installation Project.  |
|  | Ayes: All                      Noes: None                      Motion Carried   |
| 4. Town Engineer re 36" Sewer Install SEQRA Determination                    | Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution concerning SEQR on the 36-inch Sewer Installation Project and authorize the Supervisor to sign the requisite portion of the Environmental Assessment Form:  |

WHEREAS, the Town of West Seneca desires to make improvements to its sewer system to lessen the burden of sewer overflows on its residents; and

WHEREAS, the Town of West Seneca solicited for lead agency for the implementation of a parallel 36" sewer and new siphon; and

WHEREAS, the Town of West Seneca did not receive any objections to its solicitation of lead agency; and

WHEREAS, the Town of West Seneca declared itself lead agency and has considered this project relative to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town of West Seneca feels the environmental impacts of this project are minimal and will affect the residents of West Seneca in a positive way; now, therefore, be it

RESOLVED, the Town of West Seneca makes a negative declaration relative to SEQRA.

**10-B COMMUNICATIONS**

4. (continued)

On the question, Town Engineer Steven Tanner stated this project is for a 36-inch line that runs parallel to the existing 36-inch line that runs along the creek from the opposite side of West Seneca West Senior High School to behind the Ironworkers Hall on Orchard Park Road. This is an overflow sewer only and will be set up so the 36-inch sewer carries most of the daily flows. The capacity is 10 million gallons a day and a capacity of 26 million gallons per day is often needed. This will help eliminate or cutback tremendously on a lot of sanitary sewer overflows. The project also includes a new siphon across the creek because the current siphons are oversized and get clogged up with solids with the daily flows not having enough velocity to push them across the creek.

Councilman Hart understood the overflows have been reduced dramatically in certain areas with the sewer work that has been completed thus far.

Mr. Tanner responded it was difficult to determine how much at this point, but the number of complaints received has been reduced.

Ayes: All

Noes: None

Motion Carried

**10-C 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 - \$586,475.08; Highway Fund - \$99,773.35; Special Districts - \$139,872.77; Capital Fund - \$239,072.97 (voucher #'s 88893 - 89171); Trust & Agency Fund - \$51,542.60 (voucher #'s 89059 - 89091)

Ayes: All

Noes: None

Motion Carried

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

**EMERGENCY ROAD RECONSTRUCTION IN HEATHER HILL SUBDIVISION**

Supervisor Meegan commented on the huge impact the past winter had on the streets and stated Highway Supt. Matthew English brought to the board member's attention the condition of Pamela Court and Heather Hill Drive and asked the engineers to take a look at it. A process has to be followed and it will be mid July or August before anything will happen. Supervisor Meegan noted receipt of a petition submitted at this meeting signed by residents of Pamela Court, Heather Hill Drive and Theresa Court requesting an emergency road reconstruction project to repair the streets, curbs and sidewalks.

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

**EMERGENCY ROAD RECONSTRUCTION IN HEATHER HILL SUBDIVISION** (continued)

Town Engineer Steven Tanner stated some streets can be milled and resurfaced depending on the severity of the cracking, but Heather Hill Drive and Pamela Court require complete reconstruction. The sewers have already been lined in that neighborhood so that work does not need to be done, but they are checking if there is any water work needed and will not have that information until next week. Pamela Court and Heather Hill Drive have 3900' of roadway and the cost estimate for the project is \$1.4 million which will include curbs and approaches or \$1.7 million with sidewalks. Mr. Tanner further stated that typically a lot of the work gets done by the engineering staff, but it is not possible with their current workload so there will have to be conversations with the white collar union.

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Town Engineer Steven Tanner to proceed with the necessary steps and request proposals for an emergency road reconstruction capital project for Heather Hill Drive and Pamela Court.

On the question, Councilman Hart stated he did not receive any emails on this issue until this week. He further questioned if any water work that is required could be charged to the \$8 million project they recently bonded. Mr. Tanner stated he will research that question.

Councilman Hanley also stated he did not receive an email regarding this issue until this week.

Ayes: All

Noes: None

Motion Carried

**RECREATION DEPARTMENT UPDATES**

Supervisor Meegan reported recreation updates from Youth Service Coordinator Lauren Masset. The Recreation Department is hosting a Teen Night on Friday, June 19th, 7 P.M. to 10 P.M. A new aquatics program, "Mommy & Me," will be held Tuesday's at 9:15 A.M for children 24 – 48 months. Four out of six weeks of summer day camp are full and a wait list has been started.

**ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT**

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution urging state representatives to amend the New York State Electronic Equipment Recycling and Reuse Act.

On the question, Supervisor Meegan noted the town is paying up to \$25,000 per year for these mandated costs that are still unfunded.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

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

**WEST SENECA DEVELOPMENTAL CENTER**

Supervisor Meegan stated the town has been notified that the DEC has taken over management of the wildlife area of the West Seneca Developmental Center. The town is not yet in receipt of the map. Assemblyman Kearns has reached out to Howard Zemsky requesting that Empire State Development revisit and prioritize plans concerning the remaining acres and 38 buildings that are listed on New York State's Surplus Properties website. He has requested a meeting with state and local officials regarding immediate plans to remedy the vacant structures that are impacting the neighborhood housing stock.

**USE OF PARKING LOT AT HARLEM ROAD AND ORCHARD PARK ROAD**

Town Engineer Steven Tanner referred to the NYS Department of Transportation project on Harlem Road and Orchard Park Road and stated a request was made for use of the municipal lot for overnight parking for the residents.

Supervisor Meegan responded the town maintains the lot, but it is actually owned by the NFTA.

**UPCOMING PUBLIC MEETINGS**

Councilman Hart announced the following upcoming meetings: West Seneca Environmental Commission at Burchfield Center, Tuesday, May 26<sup>th</sup>, Tree Ordinance subcommittee at 6 P.M., regular meeting at 7 P.M.; Comprehensive Plan meeting at Burchfield Center on June 10<sup>th</sup>; West Seneca Stakeholders meeting on June 16<sup>th</sup>, location to be determined

**ISSUES OF THE PUBLIC**

**EMERGENCY ROAD RECONSTRUCTION IN HEATHER HILL SUBDIVISION**

Frank Boncore expressed concern that the road reconstruction project for Heather Hill Subdivision will not start until October since surveying and design work takes 30 days.

Town Engineer Steven Tanner stated the reconstruction project can be handled and bid on an emergency basis with an emergency meeting called to award the bid. He referred to Commerce Parkway that was handled as an emergency project last year.

Tim Aguglia appreciated the response from the Town Board and offered to be the contact person for the neighborhood. He was happy that funding is being restored for the project and that it will be done the right way, but noted Theresa Court is also in disrepair.

Mr. Tanner did not believe Theresa Court was as bad as the other streets, but stated they will look at it for a future project. They cannot add on and expect to complete the project this year.

**ISSUES OF THE PUBLIC**

**EMERGENCY ROAD RECONSTRUCTION IN HEATHER HILL SUBDIVISION** (continued)

Councilman Hart questioned funding for the project and if there were funds available under the current outstanding bond.

Mr. Tanner thought there would be some funds available under the current bond, but they may have to do additional borrowing.

Greg Hall felt the damage on Theresa Court is as extensive as on Heather Hill Drive and the entire subdivision should be done rather than disrupt the neighborhood twice. He did not believe it made sense to stop at Theresa Court and not continue to Michael Road.

Mr. Tanner responded the Town Board will have to decide if they want to include Theresa Court, but the project will not be completed this year if they do the entire subdivision. They would have to suspend work in November and finish it next year. Mr. Tanner stated they could use two contractors, but then there are problems with ingress/egress along with a coordination problem and a big disruption to the neighborhood.

Dennis Jakes supported including Theresa Court in the reconstruction project. He commented on emergency projects and questioned if the town has a long term plan for road reconstruction and if there is any information available on the town website.

Supervisor Meegan responded there is a five year capital plan in place and this is discussed at Town Board meetings, but the information could be made available on the town website.

Councilman Hart questioned if an emergency project has to be bid.

Mr. Tanner responded they can get quotes, but he plans to bid the project because that is the way to get the best price.

Mr. Boncore suggested scraping the asphalt off on Heather Hill Drive and putting stone down as they did on Pamela Court.

Mr. Tanner stated that would be a question for Highway Supt. Matthew English, but he could not see spending money on that when it will soon be torn up.

Mr. Hall commented if they only get bids for Heather Hill Drive and Pamela Court, they need to find out exactly what the contractor is going to do because it may be more cost effective to do it once and include Theresa Court.

Councilman Hanley stated Mr. Tanner has a very impressive spreadsheet that itemizes every item on a bid.

## **ISSUES OF THE PUBLIC**

### **TREE ORDINANCE AMENDMENTS**

Barb Lipiew requested clarification on the Tree Ordinance public hearing.

Councilman Hart responded the Tree Ordinance subcommittee will meet Tuesday, May 26<sup>th</sup> at 6 P.M. at the Burchfield Center to finalize and organize a presentation for the public hearing to be held June 1<sup>st</sup> at 7 P.M. Both meetings are open to the public. Several changes are being proposed including banning clear cutting for non-agricultural purposes and a requirement that a tree survey be performed by an arborist to mark trees impacted by a project.

Mrs. Lipiew questioned if the arborist requirement will apply to the work that is to be done on Reynolds Road, Azalea Drive, Rosewood Drive and Brianwood Drive. She further questioned why these streets could not be an emergency reconstruction project.

Town Engineer Steven Tanner stated with a complete road reconstruction project an arborist comes out to determine if the trees can be saved. If they can, they are left in. The arborist will mark which trees need to be removed if he thinks the digging will disturb the roots. Every resident also gets offered a new tree or more if they have more. Mr. Tanner stated there is sewer work that needs to be done in that area and possibly some water work also. The road reconstruction project was postponed because of this and they anticipated the sewer work would be done by now. They don't want to break up a new road with the heavy equipment.

### **ETHICS COMMITTEE RECOMMENDATION**

Susan Kims questioned the status of the Ethics Committee recommendation. Supervisor Meegan responded the issue has not come to a conversation in executive session due to other priorities. The public will be advised when the board members have that conversation.

### **RURAL METRO CONTRACT**

Susan Kims questioned the status of the Rural Metro contract and how long it is for.

Town Attorney John Fenz stated he reviewed the previous rfp and is looking to revise it to expand the scope of respondents. Rural Metro's response times have been a big issue in Buffalo recently, but Mr. Fenz had spoken with Paul Notaro, an attorney for a number of fire districts, and they have the ability to transport patients if necessary. Mr. Fenz stated the contract was for a set term and then renewed annually thereafter, but it was not renewed.

Supervisor Meegan stated they will be looking for a renewal in perpetuity which will afford the town the opportunity to cancel in 30 days if they need to go in a different direction. Being under contract is important to the town, especially if the Public Safety Dispatchers are dispatching the ambulance, so there is a liability concern. They will try to expedite this, but in the best interest of the town.

**ISSUES OF THE PUBLIC**

**SENECA PLACE**

Susan Kims requested an update on Seneca Place.

Town Attorney John Fenz stated the board members wanted to look at the financial feasibility and market demand for the proposed sports arena and community facility. An rfp was sent to several national firms that handle this and after three days of interviews a consulting group was selected that has very strong local knowledge and knowledge of the type of project. Mr. Fenz received a return on the proposed agreement with the consulting firm this date and will review this with the board members. The local law adopted last year will make this cost an obligation of the developer.

**QUASAR**

Susan Kims questioned the status of the Quasar issue with sewer sludge.

Town Engineer Steven Tanner stated their permits are very specific with regard to what Quasar is permitted to bring in. If they do bring in human waste, it must have already gone through a portion of the treatment process. It is not solids; it is pre-digested material.

Karen Lucachik stated there is a lot of debate on equate and questioned if any exploration was done while the moratorium was in effect, noting other towns have signed that they don't want it used as a fertilizer in their town.

Supervisor Meegan responded the application for reuse would have to be presented to the board and the DEC so the town would know prior to it happening.

Councilman Hart stated it was indicated it was not profitable to spread the waste product in West Seneca. They want to charge for it and do so in other states.

Mr. Tanner stated municipal waste water facilities have been doing this for years. He further stated Quasar will be producing energy, but they have to be able to remove what is in the tanks first.

**KIWANIS BUILDING**

Karen Lucachik questioned if and when the Kiwanis building is being demolished.

Supervisor Meegan responded they are moving the staff to the Mill Road building, but the Kiwanis building will not be demolished at this time. They may structurally change it or expand the library to include recreation.

**ISSUES OF THE PUBLIC**

**KIWANIS BUILDING** (continued)

Councilman Hart stated it was decided to continue to use the Kiwanis building and make minor repairs until a plan is in place to replace the building.

Town Engineer Steven Tanner stated \$400,000 is required to repair the building, but that still does not make the building ADA compliant.

**TOWN HALL PARKING LOT**

Karen Lucachik referred to the proposal to resurface the parking lot and commented that it doesn't appear to have any problems.

Supervisor Meegan responded money from Senator Gallivan's office is being used to pay for the parking lot and they are making it green with regard to the flow of water. They also need a sidewalk on the hill for safety and as part of the plan to make a walkable community.

Town Engineer Steven Tanner stated the project only involves milling and paving and should last 10 to 15 years. It is being paid for with money from the Dormitory Authority of the State of New York (DASNY) which can't be spent on a residential road project and must be spent on a building used by the entire community. A turning lane will be added to the driveway along with a sidewalk and lighting.

**EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 4:25 P.M. to discuss an employee issue.

The board members returned from executive session at 5:00 P.M.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 5:00 P.M.

Ayes: All

Noes: None

Motion Carried

  
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**JACQUELINE A FELSER, TOWN CLERK**

**RESOLUTION URGING STATE REPRESENTATIVES TO AMEND THE NEW YORK STATE  
ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT**

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) were to assist local governments with managing the fast-growing electronics waste stream by relying on electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs, and;

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs), and;

WHEREAS, the consequence, specifically following the January 2015 Disposal Ban, is significant as a growing number of municipalities such as ERIE County are faced with bearing more of the financial responsibility for continued e-scrap collection in their communities, and;

WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state, and

WHEREAS, once manufacturers have met their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to unexpected, cash-strapped local governments, and;

WHEREAS, the issue is worsened by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage, and;

WHEREAS, this has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale.

RESOLVED, that the Legislature of the County of ERIE does hereby call upon Governor Cuomo, the New York State Assembly, the New York State Senate and the State Department of Environmental Conservation to improve the current law intended to build toward the long-term goals of creating a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure by implementing actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of the Proposed Statutory Changes to the Act to provide for year round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations—that help alleviate the immediate financial pressures faced by local governments, and be it further

RESOLVED, that I Supervisor Sheila M. Meegan of the Town of West Seneca in the County of ERIE shall forward copies of this Resolution to Governor Cuomo, Environmental Conservation Committee Chairwoman Evelyn Hicks, State Senator Patrick Gallivan; Member of the Assembly Michael Kearns; Member of the Assembly ; the New York State Association of Counties and its Board of Directors; the County Legislatures and Boards of Supervisors of all counties within the State of New York.