

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

TOWN BOARD PROCEEDINGS
Work Session
April 6, 2015

Supervisor Meegan called the work session to order at 3:00 P.M. with the Pledge of Allegiance to the Flag led by Asst. Chief Michael Boehringer.

ROLL CALL: Present - Sheila M. Meegan Supervisor
Eugene P. Hart Councilman
William P. Hanley Councilman
John Fenz Town Attorney
Jacqueline A. Felser Town Clerk
Jeffrey Schieber Code Enforcement Officer
Matthew D. English Highway Supt.
Michael Boehringer Asst. Police Chief
Jessica Tempest Finance Director
Johanna Gross Finance Director
Steven Tanner Town Engineer
Mary Josefiak Sr. Recreation Therapist of Sr. Services
Lauren Masset Youth Service Coordinator
Dale J McCabe Town Justice

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

FINANCE DIRECTOR JESSICA TEMPEST

- Resolution for Highway Fund transfer
- Active capital projects; Luke Malecki will meet with Engineering Department and draft resolutions to propose closing inactive projects
- Auditor Roger Lis (R.A. Mercer) field work scheduled for week of May 4th with issue report by Memorial Day (within the deadline of 180 days from year end)
- Matching funds for library grant

TOWN ENGINEER STEVEN TANNER

- Revised change order for senior center parking lot project for \$1512.29 deduct on materials used; total contract amount is \$39,446.21
- Contractual issue for executive session
- Councilman Hart questioned status of Northridge Drive drainage issue
- Councilman Hart questioned status of Forest Drive and Flohr Avenue; \$480,000 for pumps and piping for Flohr Avenue with formal paperwork to be compiled that addresses this drainage issue; nothing more on Forest Drive at this time

TOWN ATTORNEY JOHN FENZ

- Representatives from fire districts were present to discuss shoveling fire hydrants and hydrant rental agreements. Each district has hydrant rental agreement with Erie County Water Authority (ECWA), but there is a question as to what this agreement includes.

Dale McCabe, attorney for Fire District 5, stated no formal agreement was found in their records going back the last twenty years.

Paul Notaro, attorney for Fire Districts 1, 3, 4 & 6 stated District 6 found nothing in their current records. District 4 found a 1952 agreement indicating the town maintained the fire district and was responsible for upkeep. They also found a 1962 agreement where ECWA assumed these duties from the town. Mr. Notaro added that all fire districts pay a rental to ECWA based on the number of hydrants in each district.

Mr. Fenz stated that after cross-checking, it is unclear what is covered under these agreements and if snow removal is included. Town Law 176 (12) states that fire district commissioners may contract for hydrant maintenance to include snow removal. In his determination, the town does not have legal authority to maintain or remove snow from hydrants. Mr. Fenz added that he did a FOIL request with ECWA and received a 1932 agreement, a 1999 Lease Management Agreement and tariff information on hydrant core maintenance. He plans to do another FOIL request to include agreements with the fire districts. Mr. Fenz will also attend an Association of Fire Districts meeting so the town can work together with the fire districts on this issue.

Attorney Paul Notaro noted other local towns in New York have added to their sidewalk shoveling code making it the responsibility of homeowners to clear hydrants located on their property.

- AmeriCorps settlement
 - ✓ Grant administration agreement in 2008 to separate AmeriCorps from the town
 - ✓ September 2009 amendment determined \$1,178,851 was owed the town
 - ✓ \$566,000 has been collected
 - ✓ Current settlement - Opportunity to fully resolve with lump sum of \$268,147 against outstanding debt, \$20,000 in property and service hours to municipality (need to be symmetrical with grant services they can provide); overall agreement results in \$.76 on the dollar
- Little Loop Football license agreement for property behind senior citizens center
- Draft of tree ordinance – SEQR process and schedule for public hearing
- Three legal items for executive session
- Meeting with Buffalo Fenians on Friday, April 10th at 10 AM

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YOUTH SERVICES COORDINATOR LAUREN MASSET

- 2015 recreation fees
- Discussion on move to Mill Road building; Councilman Hart suggested using Kiwanis building one more year
- Summer brochure preview

CODE ENFORCEMENT OFFICER JEFFREY SCHIEBER

- Started foundations at 2400 Seneca Street
- Part-time electrical inspector appointment

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 3:50 P.M. to discuss one employee issue and four legal matters.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 4:55 P.M.

The work session concluded at 4:55 P.M.

JACQUELINE A FELSER, TOWN CLERK