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

TOWN BOARD PROCEEDINGS
Minutes #2016-05
March 14, 2016

Supervisor Sheila M. Meegan called the meeting to order at 7:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Jennifer Walters.

ROLL CALL:	Present	-	Sheila M. Meegan	Supervisor
			Eugene P. Hart	Councilman
			William P. Hanley, Jr.	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 Lucille Cirbus, Michael Clohessy, Mildred Baumgarten & Timothy Yetman.

5-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2016-04 of February 29, 2016.

  Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the March 10, 2016 bid opening for the Theresa Court Reconstruction Project.

  Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve minutes from the March 10, 2016 bid opening for the East & West Road/Angle Road Water System Improvements Project.

  Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve minutes from the March 10, 2016 bid opening for the Boncroft Drive Water System Improvements Project.

  Ayes: All Noes: None Motion Carried

5-B COMMUNICATIONS

4. Senior Code Enforcement Officer re Appointment of Joseph McCarthy as full-time Clerk Typist

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Joseph McCarthy as full-time Clerk Typist, Group 2, Step 1 at an annual salary of $26,884.58 effective March 22, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

5. Finance Department re 2015 year-end budget transfer requests

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the attached list of 2015 year-end budget transfers.

Ayes: All Noes: None Motion Carried
APPENDICES

6. Finance Department re Budget transfer for Economic Development Grant

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution approving a budget transfer to cover the cost of the professional services agreement with the West Seneca Chamber of Commerce:

WHEREAS, on December 14, 2015, the Town Board authorized the Supervisor to execute the necessary documents to enter into a professional services agreement with the West Seneca Chamber of Commerce, noting the town shall pay the Chamber of Commerce $15,000 in exchange for one (1) year of services; and

WHEREAS, at December 31, 2015 year-end the town still had available money remaining in Contingent Acct. #001.1990.0480.0000 to cover this payment; now, therefore, be it

RESOLVED, the Town Board does hereby authorize the transfer of $15,000 from the General Fund Contingency Acct. #001.1990.0480.0000 to the newly created Economic Opportunity and Development Grant Acct. #001.6989.0400.0000 to cover the payment for one year of service for the Chamber of Commerce invoice.

Ayes: All Noes: None Motion Carried

7. Town Attorney re SEQR determination – Cazenovia Creek Project

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached SEQR determination resolution concerning the Cazenovia Creek Project.

Ayes: All Noes: None Motion Carried
APPENDICES

5-B COMMUNICATIONS

8. Town Attorney re Bond Resolution – Cazenovia Creek Project

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution authorizing waterway and drainage improvements to Cazenovia Creek in the town, estimating the total cost is $114,125, appropriating said amount therefor and authorizing the issuance of $114,125 in serial bonds of the town to finance said appropriation.

On the question, Councilman Hart stated this represents 5 percent of the total cost of the project. Town Engineer Steven Tanner explained the scope of the project to include improving the accessway to the creek with heavier stone and stabilizing the banks with heavy stone fill. This will give the Highway Department equipment better access when removing the debris that builds up on the structure. Supervisor Meegan stated new cameras are being installed and the public will be able to view the creek.

Ayes: All Noes: None Motion Carried
APPENDICES

9. Town Engineer re Bid award for Boncroft Drive Water System Improvements Project

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the bid for the Boncroft Drive Water Systems Improvement Project to E & R Construction, 38 Saint David's Drive, West Seneca at their low bid of $226,270 and authorize the Supervisor to sign the appropriate paperwork, noting this company was the low bidder out of four bids received.

On the question, Councilman Hanley questioned if core samples were done. Town Engineer Steven Tanner confirmed that core samples were taken for all three projects. He stated this is done to discover underground water, and more importantly, to determine if there are poor soils and if bedrock is present, which will affect the project costs. Mr. Tanner noted Boncroft Drive was ranked #1 for water repairs based on the number and cost of repairs provided by Erie County and the road will be submitted for CDBG funding for reconstruction next year.

Ayes: All Noes: None Motion Carried

10. Town Engineer re Bid award for East & West Rd/Angle Rd Water System Improvements

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the bid for the East & West Road/Angle Road Water Systems Improvement Project to DJM Contracting, Inc., 1128 Jamison Road, Elma, NY 14059 at their low bid of $1,064,714 and authorize the Supervisor to sign the appropriate paperwork, noting this company was the low bidder out of nine bids received.

5-B COMMUNICATIONS

10. (continued)

On the question, Supervisor Meegan stated Erie County will be reconstructing East & West Road from Leydecker Road to Orchard Park Road next year and it will be a full depth restoration with sidewalks and bike paths.

Ayes: All Noes: None Motion Carried

11. Town Engineer re Bid award for Theresa Court Reconstruction Project

Motion by Supervisor Meegan, seconded by Councilman Hanley, to award the bid for the Theresa Court Reconstruction Project to E & R Construction, 38 Saint David's Drive, West Seneca at their low bid of $894,882 and authorize the Supervisor to sign the appropriate paperwork, noting this company was the low bidder out of six bids received.

On the question, Town Engineer Steven Tanner stated there was a minor discrepancy in the bid, but E & R Construction was still the low bidder. Town Attorney John Fenz advised that under New York State law the Town Board has the right to waive minor technical mistakes when it is not to the detriment of another bidder or is in the best interest of the town. The explanation of this particular discrepancy is satisfactory.

Ayes: All Noes: None Motion Carried

12. Town Engineer re Bid date for Rosewood Section Road Reconstruction Project

Motion by Supervisor Meegan, seconded by Councilman Hart, to set a bid date of April 20, 2016 at 2:00 P.M. for receipt of bids on the reconstruction of the Rosewood section which includes Rosewood, Azalea, Reynolds, and Brianwood.

Ayes: All Noes: None Motion Carried

13. Town Engineer re NYSDOT adjustment of manhole at Harlem Road Bridge

Motion by Supervisor Meegan, seconded by Councilman Hanley, to allow the New York State Department of Transportation (NYSDOT) to adjust a manhole during replacement of the Harlem Road Bridge over the Buffalo River and authorize the Supervisor to sign the necessary paperwork, noting all costs for adjusting the manhole will be paid by NYSDOT.

Ayes: All Noes: None Motion Carried

5-B COMMUNICATIONS

14. Town Engineer re NYSDOT moving of light pole fixture at Harlem Road Bridge

Motion by Supervisor Meegan, seconded by Councilman Hart, to allow the New York State Department of Transportation (NYSDOT) to relocate an overhead light during replacement of the Harlem Road Bridge over the Buffalo River and authorize the Supervisor to sign the necessary paperwork, noting all costs for relocating the light pole will be paid by NYSDOT.

On the question, Town Engineer Steven Tanner stated he is asking the NYSDOT to revise the language in the contract since the town now owns the light poles. They will either reimburse the town or pay a contractor to do this work.

Ayes: All Noes: None Motion Carried

15. Town Engineer re Out-of-district sewer agreement for Westgate Estates

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Town Attorney John Fenz to draft an out-of-district sewer use agreement with Westgate Estates and authorize the Supervisor to sign the agreement in order to establish ongoing billing for this out-of-district sewer user.

Ayes: All Noes: None Motion Carried

16. Youth Service Coordinator re Termination of Alphonso Gaglia as Recreation Attendant (PT)

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Alphonso Gaglia as part-time Recreation Attendant effective March 11, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

17. Justice Court re Budget transfer request

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a budget transfer of $30,000 from JCAP Grant for Court Room Construction 2015 Acct. #01.0001.3021.3333 to Acct. #001.9901.0004.0000 which represents the JCAP Grant received in 2016.

Ayes: All Noes: None Motion Carried

5-B COMMUNICATIONS

18. Chief Denz re Budget transfer request

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a budget transfer of $2096.92 from the Police Expansion Trust Fund Acct. #004.0004.0071 to Police Expenses Acct. #001.3120.0419 to cover remaining expenditures for redesign of the Police Department's training room, noting this will exhaust the monies held in the Police Expansion Trust Fund and allow termination of that account.

Ayes: All Noes: None Motion Carried

5-C REPORTS

- Jacqueline A Felser, Town Clerk's report for February 2016 received and filed.

5-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 - $248,953.99; Highway Fund - $75,797.05; Special Districts - $26,408.85; Capital Fund - $348,910.15 (vouchers 92724 – 93390); Trust Fund - $50,055.65 (vouchers 93219 – 93276).

Ayes: All Noes: None Motion Carried

ISSUES OF THE PUBLIC

SEWER/ROAD RECONSTRUCTION PROJECTS

Amy Carpenter referred to the upcoming sewer project along East & West Road and questioned if other streets along that area will be looked at for next year. Town Engineer Steven Tanner responded they try to coordinate sewer repairs with scheduled road work. The water systems are being done on East & West Road this year because the county will be completing a road reconstruction next year. There is a five year plan and water projects are already identified.

FIRE DISTRICT NO. 2 REFERENDUM

Ronald Czechowski referred to the recent referendum held at Fire District No. 2 and commented that some voters were denied the right to vote.

Supervisor Meegan responded the Town Board has no authority over the fire districts and encouraged Mr. Czechowski to contact his NYS Assemblyman or Senator.

ISSUES OF THE PUBLIC

FIRE DISTRICT NO. 2 REFERENDUM (continued)

Dolores Stefanacci understood that some of the people denied did not live in the district, were not registered to vote and were not listed in the poll book furnished by the Erie County Board of Elections.

Supervisor Meegan stated a voter did not need to be registered, but only had to prove their residency in a fire district vote.

Mrs. Stefanacci stated the fire district ran out of the forms to prove residency. Additionally, some people came from the south side of West Seneca to vote and they are not residents of the fire district.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

COMMUNITY EMERGENCY RESPONSE TEAM (CERT) 10 YEAR ANNIVERSARY

Supervisor Meegan read the attached proclamation recognizing West Seneca CERT on their 10 year anniversary and thanked them for their dedication and service to the community. An anniversary celebration event will be held April 30th from 5 – 8 P.M. at the Harvey D Morin Post 2940.

EDBAUER CONSTRUCTION 10 YEAR ANNIVERSARY

Supervisor Meegan recognized Edbauer Construction on their 10 year anniversary in business and thanked them for their assistance with the Lexington Green flooding event.

SPCA GROUNDBREAKING

Senior Code Enforcement Officer John Gullo announced the SPCA should be breaking ground shortly. Supervisor Meegan stated there will be a ribbon cutting ceremony to mark this event.

UPCOMING PUBLIC MEETINGS

Town Engineer Steven Tanner announced the following public meetings scheduled at the senior citizens center, noting Code Red will be used to remind residents as appropriate:

Theresa Court project – Wednesday, March 16th @ 6:30 P.M.
Comprehensive Plan update - Tuesday, March 22nd with an open house from 5:30 to 7 P.M. where the committee and consultants will be available to the public followed by a public hearing @ 7 P.M.
Rosewood project - Wednesday, March 23rd @ 6:30 P.M.
Library/Community Center project - Tuesday, March 29th @ 6:30 P.M.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENE HEADS

RECEATION UPDATES

Youth Service Coordinator Lauren Masset commented on the success of the first annual Skate with the Easter Bunny. She further reminded the residents that the Luke Gould Memorial Hockey Tournament will be held Sunday, March 20th at the ice rink and there will be no open skate that day. Summer day camp is filling up and Ms. Masset encouraged people to register as soon as possible.

Councilman Hanley congratulated Lauren Masset, Emily Baker and Erin Gehen on their work at the Skate with the Easter Bunny event.

SENIOR CENTER UPDATES

Senior Recreation Therapist of Senior Services Mary Josefiak reminded residents that a representative from Congressman Higgins' office will be at the senior center Tuesday morning, March 15th and Erie County will be providing Narcan training Tuesday evening. Mrs. Josefiak further invited everyone to attend the St. Patrick's Day celebration on Thursday.

POLICE DEPARTMENT RECEIVES DONATION OF TWO AED UNITS

Chief Denz announced the Police Department received a generous donation of two AED units from an anonymous businessman in West Seneca. They now have a total of nine AED units for their use.

RFQ'S FROM UTILITY COMPANIES

Councilman Hanley provided an update regarding pending legislation that will hold utility marketers accountable to prove cost savings. The marketers have asked Gov. Cuomo to hold off on signing the legislation until some language is addressed. Regardless of this delay, Councilman Hanley will work with Town Attorney John Fenz and Buildings & Grounds Sup't. Steve Amoia to go forward with a request for quotes.

OPIOD SITUATION

Councilman Hart expressed his gratitude to the West Seneca Police Department for their assistance and care in a recent opiod death in his extended family.

Supervisor Meegan stated she will be meeting tomorrow morning with Avi & Julie Israel concerning the opiod situation. The Israel's founded the organization, "Save the Michaels of the World," after losing their son to suicide as the result of an opiate addiction. They have asked West Seneca to host a public forum to discuss current issues of addiction, overdose and suicide. The forum will be scheduled and shared with the public.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENE HEADS

OPIOD SITUATION (continued)

Commissioner Bill Cleary of Fire District No. 6 spoke on the anti-drug task force that has been formulated by fire companies, town representatives, Kids Escaping Drugs and others in Erie County. Mr. Cleary commented the purpose of the task force is to generate ideas to get opiod addicts rehabilitated and he emphasized the importance of addressing the full scope of the situation including crime related activities. Retired Town Justice Dale McCabe has offered his input and their next meeting is scheduled for Tuesday, March 15th at 11:00 A.M. at the library.

ADA COMPLIANT PLAYGROUNDS

Supervisor Meegan stated town playgrounds will be made ADA compliant in accordance with requirements issued by New York State in 2005. One improvement will be to replace wood chips with a new material made of recycled tires. The town will be receiving funds from Senator Gallivan for Tim Russert Park and new steel slides and equipment will be purchased. All parks will be assessed for equipment and compliance needs and a five year compliance plan will be established.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 7:55 P.M. to discuss an employee issue.

Ayes: All Noes: None Motion Carried

The board members returned from executive session at 8:05 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:05 P.M.

Ayes: All Noes: None Motion Carried

JACQUELINE A FELSER, TOWN CLERK

WHEREAS, the Town of West Seneca seeks grant monies from the New York State Education Department, New York State Archives under the Local Government Records Management Improvement Fund to create an Electronic Content Management System (ECMS) for the Finance Department; and

WHEREAS, digital access to the Town's Finance Department Records will decrease the amount of staff time needed to file, locate and retrieve these records; and

WHEREAS, utilization of part-time, temporary staff, to be paid for through this LGRMIF Grant, will provide the necessary tools to continue this ECMS beyond the grant period, with applications in other departments within the Town of West Seneca; now, therefore, be it

RESOLVED, that Connie D. Miner & Co, the Town's Grant Consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Education Department State Archives for the purpose of securing this grant; and BE IT FURTHER

RESOLVED, that the Town of West Seneca Supervisor and Town Clerk be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Town of West Seneca
Budgetary Transfer Request

The following budgetary transfers are requested as indicated below to be approved

From:

Account Number	Description	Amount
01.1010.414	Continuing Education and Training	1,500.00
01.1990.480	Contingent account	1,896.00
01.1990.480	Contingent account	3,281.00
01.1990.480	Contingent account	8,132.00
01.1990.480	Contingent account	15,000.00
01.1990.480	Contingent account	518.00
01.1990.480	Contingent account	3,350.00
01.1990.480	Contingent account	31,946.00
01.8560.484	Consultant and replacement	1,502.00
01.8160.149	Salary of laborers part time	48,347.00
01.8160.400	Office supplies	786.00
01.8160.415	Rodent and vermin control	318.00
01.8160.416	Gasoline, oil and grease	39,086.00
01.8160.421	Electricity	7,382.00
01.8160.422	Gas	4,383.00
01.8160.443	Equipment repair and maintenance	4,686.00
01.8160.445	Repair and maintenance	992.00
01.8160.481	Clothing allowance	27.00
01.8160.491	Rental of heavy equipment	500.00
01.5132.420	Telephone	985.00
01.7140.139	Salary of clerical	6,690.00
01.7140.167	Salary of photo ID clerks	6,029.00
01.7140.230	Sports and recreation equipment	3,533.00
01.7140.420	Telephone	691.00
01.7140.166	Salary of umpires and referees	828.00
01.7140.230	Sports and recreation equipment	1,707.00
01.7140.443	Equipment repair and maintenance	1,204.14
01.7140.448	Advertising	603.47
01.7140.453	Photo ID	1,550.00
01.7140.475	Craft materials & supplies	917.50
01.7140.476	Summer day camp	139.52

01.7140.481	Clothing allowance	120.60
01.7141.149	Part time laborers	12,705.00
01.7141.230	Purchases of equipment	1,400.00
01.5132.420	Telephone	99.21
01.5132.421	Electric	1,094.11
01.5132.422	Gas	4,966.65
01.5132.439	Radio installation	6,195.49
01.7142.420	Telephone	651.97
01.7142.446	Service contract	578.59
01.7180.100	Salary of department head	367.24
01.7180.149	Salary of part time laborers	3,850.71
01.7180.230	Purchases of equipment	125.60
01.7181.445	Repair and maintenance	783.44
01.7270.438	Band concerts	5,000.00
01.7510.100	Salary of historian	2,859.24
01.7510.139	Salary of part time clerk typist	3,721.25
01.7621.421	Electricity	655.43
01.7621.423	Water	331.71
01.7621.445	Repair and maintenance	4,743.13
01.1420.460	Legal services	27,821.72
01.8560.419	Other Expenses	206.00
01.8560.484	Consultant and replacement	348.00
01.8540.498	Culvert, pipe, lumber, sand, etc.	98.00
01.8020.106	Salary of board members	1,345.00
01.8020.139	Salary ~~of sec~~retary	470.00
01.8010.139	Salary of secretary	470.00
01.7621.445	Repair and maintenance	3,303.00
01.7620.0445	Repairs & Maintenance	150.00
01.7620.475	Craft material and supplies	805.83
01.7620.484	Fitness consultant	3,220.25
01.7550.473	Patriotic observances	458.00
01.7510.419	Other expenses	123.00
01.7420.200	Equipment	404.31
01.7420.420	Telephone	124.67
01.7420.421	Electric Primary Power	958.92
01.7420.422	Gas	1,276.29
01.7420.423	Water	99.11
01.7420.445	Repairs and maintenance	386.56
01.6510.410	Contracted Services	700.00
01.3640.419	Contracted Services	1,000.00

01.1620.417	Cleaning supplies	3,410.81
01.1620.421	Electricity	1,245.34
01.1620.422	Gas	881.36
01.1620.445	Repair and maintenance	2,213.62
01.1440.443	Repairs and maintenance	3,937.29
01.1420.460	Legal services	36,600.00
TOTAL		340,816.08

To:

Account Number	Description	Amount
01.1220.451	HR Consultant	1,500.00
01.1110.137	Salaries of other clerical (4)	1,896.00
01.1220.451	HR Consultant	2,500.00
01.1220.130	Salary of secretary	781.00
01.1315.216	Computer software	667.00
01.1315.451	Professional services	1,547.00
01.1315.496	Storm related expenditures	5,918.00
01.1320.451	Auditing	15,000.00
01.1355.0451	Professional Services	518.00
01.1380.0451	Professional Services	3,350.00
01.1410.137	Salary of clerk	10,426.00
01.1410.200	Equipment	21,520.00
01.8760.419	Other expenses	752.00
01.8760.443	Equipment repairs & maintenance	750.00
01.8161.200	Equipment purchases	13,408.00
01.8161.0409	Television Disposal	768.00
01.8161.408	Sanitary land fill disposal	92,331.00
01.5010.100	Salary of superintendent	985.00
01.7312.0467	Demolition	16,167.00
01.7312.4960	Storm	85.00
01.7110.144	Salary of laborers	22,375.00
01.7110.149	Salary of part-time laborers	28,787.00
01.7110.420	Telephone	505.00
01.7110.423	Water and telephone	4,041.00
01.7110.445	Repair and maintenance	829.00
01.7110.463	Shelter for trees at E & W Road	118.00
01.7110.496	Storm related expenditures	1,235.00
01.1670.440	Copy machine expense	8,728.72
01.1670.443	Equipment repair and maintenance	19,093.00
01.3410.143	Personal Services	11,356.00

01.3620.100	Salary of inspector	1,261.00
01.3620.101	Salary of assistant inspector	823.00
01.3620.139	Salary of zoning inspector	30.00
01.3620.400	Various forms	64.00
01.3620.405	Fire prevention supplies	13.00
01.3620.406	Membership-dues	55.00
01.3620.416	Gasoline	815.00
01.3620.445	Repairs and maintenance	361.00
01.3620.448	Printing costs	1,431.00
01.3120.416	Gasoline	42,348.00
01.1910.425	Unallocated insurance	5,678.36
TOTAL		340,816.08

Justification:

Year-end transfer, Board approval required.

DEPARTMENT HEAD APPROVAL

Availability to Appropriation Checked
By Director of Finance Jessica L. Tempest 3/7/16

At a regular meeting of the Town Board of the Town of West Seneca, in the County of Erie, New York, held at Town Hall, 1250 Union Road, West Seneca New York 14224 on March 14, 2016

PRESENT: Sheila M. Meegan, Supervisor
William P Hanley Jr., Councilman
Eugene P. Hart, Councilman

ABSENT: None

The following resolution was offered by Supervisor Meegan, who moved its adoption, seconded by Councilman Hanley, to-wit:

NEGATIVE DECLARATION RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK (THE "TOWN"), PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT CONCERENING THE FUNDING OF A PROJECT TO BE COMPLETED BY THE UNITED STATES ARMY CORP OF ENGINEERS

WHEREAS, the Town Board of the Town of West Seneca (the "Town") is considering certain funding of a portion of work to be performed by the United States Army Corp of Engineers associated with waterway and drainage improvements to Cazenovia Creek in the Town and in particular modifications to the previously constructed Cazenovia Creek Ice Control Structure ("the Ice Control Facility") with such modifications hereinafter referred to as "the Project"; and

WHEREAS, pursuant to the requirements of the New York State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, 6 NYCRR Part 617.1 et seq. ("SEQRA"), the Town is required to review the potential impacts for actions which it directly undertakes or funds, including the Project here; and

WHEREAS, the Town, based upon review of the Project, has determined that it constitutes an unlisted action under SEQRA and therefore has commissioned the completion of a draft of the short environmental assessment form ("EAF") by the Town's consultant, Clark-Patterson Engineers; and

WHEREAS, the Town and its consultants have also reviewed the project cooperation agreement between the Department of the Army and the New York State Department of Environmental Conservation ("DEC") for the construction of the original Cazenovia Creek, West Seneca, New York Ice Control Facility which the Project is a modification thereof, and the Town, with the aid of its consultant, has reviewed the finding of no significant impact ("FONSI") dated September 2005 issued by the United States Army Corp of Engineers, as well as the Environmental Assessment completed for the Project also dated September 2005; and

WHEREAS, the Town has categorized the Project as an unlisted action and completed an uncoordinated review of the Project pursuant to the review of the referenced documents, including responses to the EAF.

Name of Action: Modifications to the Cazenovia Creek Ice Control Facility

Applicant: The United States Army Corps of Engineers is constructing the Project and the Town is partially funding such Project.

Type of Action: Unlisted

Description of Action:

Minor modifications and repairs needed for the Ice Control Facility constructed along and within Cazenovia Creek by the United States Army Corp of Engineers.

Location of Action:

The stream bank along Cazenovia Creek in the Town of West Seneca, Erie County, New York as well as the stream bed where the existing Ice Control Facility is located.

Reasons Supporting This Determination:

The Town has reviewed the documents referenced in the "whereas clauses" (which are incorporated by referenced) and has concluded that the funding of the Project will not result in a significant adverse impact on the environmental as such Project will improve the function of the Ice Control Facility to limit ice damming and such modifications will be constructed by the United States Army Corp of Engineers.

1. The Project Will Not Cause A Significant Adverse Impact to Land. For the reasons set forth in the documents referenced in the whereas clauses, including the finding of No Significant Impact dated September 2005 issued by the United States Army Corps of Engineers (previously referred to as "the FONSI") and the Environmental Assessment completed in support of the FONSI, as well as the EAF completed by the Town for the Project, the work associated with the Project is not anticipated to have any adverse impact to land as it consists of mere modifications to the Ice Control Facility, designed to improve the function of the Ice Control Facility.

2. The Project Will Not Cause a Significant Adverse Impact to any Water Body, Wetlands or other protected Water Resources under New York Law. The Project will not adversely impact any surface water, or groundwater quality or quantity, nor will it adversely impact wetlands or any other surface waters. As discussed, the Project which will be constructed by the United States Army Corp of Engineers consists of modifications to the Ice Control Facility and will improve conditions in Cazenovia Creek by limiting ice damming, including by improving the function of the Ice Control Facility. There is a discrete impact noted to an area of wetland less than .10 of an acre, but based on the Army Corps findings in the FONSI, no significant adverse impact to the wetland identified is anticipated.

3. There Project Will Not Cause a Significant Adverse Impact to Endangered or Threatened Plants, Animals or Applicable Habitat. Construction and operation in the Project will not result in any significant adverse impact to any threatened or endangered species or sensitive habitat in the area of the Project. As demonstrated by the EAF mapper, as well as the FONSI and Environmental Assessment completed in 2005, the Project is not anticipated to have any significant adverse impact to endangered or threatened species or other habitats. As discussed, the Project is limited to modifications to the existing Ice Control Facility, and because such structure has already been constructed and operated for some time without indication of any such significant impacts, the modifications associated with the Project are not anticipated to have a significant adverse impact on any such species or habitats.

4. The Project Will Not Cause a Significant Adverse Impact to Aesthetic Resources, Traffic or Air Quality. The Project is not anticipated to have any significant adverse impact to aesthetic resources, as it consists of discrete modifications to the existing Ice Control Facility located in and around Cazenovia Creek. Further, no additional traffic or other impacts associated with such construction or operation is anticipated (which could potentially result in

air quality impacts) though presumably there will be some traffic associated with the modifications and is not expected to result in any material increase in traffic in the area of the Project.

5. The Project Will Not have any Significant Adverse Impact on Archeological resources, nor be impacted by any Remedial Sites, Nor Will the Project result in any Significant Adverse Impact to Open Space or Recreational Areas. The Project is not anticipated to have any significant adverse impacts associated with archaeological resources, as though the EAF indicates that such resources may be impacted, because the Project is limited to modifications to the Ice Control Facility already in place, no impacts to archaeological resources is anticipated as the area associated with the Project has already been disturbed. Similarly, while the EAF indicates that a remedial site is located in the area of the Project, no impacts from same are anticipated given the fact that the Project is limited to modifications to the Ice Control Facility and it has already been operated for some time. No impacts to transportation are anticipated, because the modifications to the ice control structure encompassed by the Project will not impact or cause any material increase to traffic in the area of the Project. Similarly, there will be no significant adverse impacts to open space or recreational resources, for the reasons stated above, including the limited scope of the Project.

6. The Project Will Not Result in Any Significant Adverse Impact from Noise or Odors, nor Will the Project Cause any Significant Adverse Impact Associated with Growth or such Impact to the Character of the Community. The Project will not cause any significant adverse impact from noise or odors associated with its operation or construction because it is limited to modifications to the Ice Control Facility. Similarly, there will be no significant adverse impact to community character, including any growth inducing impacts because of the limited scope of the Project.

NOW, THEREFORE, BE IT RESOLVED:

Upon a thorough and due consideration by the Town of the Environmental Assessment Form completed for the Project, as well as its consideration of the United States Army Corps of Engineers' Finding of No Significant Impact as and Environmental Assessment as referenced herein, as well as the additional information provided by the Town's consultant, the Town makes the following findings:

a. The Town has considered the Project pursuant to the parameters and criteria set forth in the applicable provisions under SEQRA, including those found under 6 NYCRR §§ 617.2 and 617.3.

b. The Town has classified its review and approval of the Project as an unlisted action pursuant to applicable regulations and criteria and conducted an uncoordinated review of the Project.

c. The Town has carefully reviewed and completed a short EAF for the Project, as well as reviewing the other matters referenced herein, including extensive documentation prepared by the United States Army Corps of Engineers in the form of a Finding of No Significant Impact and underlying Environmental Assessment and it has determined that the Project will not result in any significant adverse environmental impact.

d. This resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Law by the Town of West Seneca.

e. The requirements of SEQRA have been satisfied.

f. This resolution shall take effect immediately

The following vote was taken and recorded in the public or open session of said meeting:

AYES: All NAYS: None

At a regular meeting of the Town Board of the Town of West Seneca, in the County of Erie, New York, held at Town Hall, 1250 Union Road, West Seneca New York 14224 on February 29, 2016

PRESENT: Sheila M. Meegan, Supervisor
William P Hanley Jr., Councilman
Eugene P. Hart, Councilman

ABSENT: None

The following resolution was offered by Supervisor Meegan, who moved its adoption, seconded by Councilman Hanley, to-wit:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING FINANCING FOR THE TOWN'S LOCAL SHARE OF THE COST OF WATERWAY AND DRAINAGE IMPROVEMENTS TO CAZENOVIA CREEK IN THE TOWN; ESTIMATING THAT THE TOTAL COST THEREOF IS $114,125; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF $114,125 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

WHEREAS, the Town Board of the Town of West Seneca (the "Town") proposes to authorize the issuance of $114,125 in serial bonds of the Town to finance its local share of the cost of waterway and drainage improvements to Cazenovia Creek in the Town, pursuant to Amendment No. 1 to the Agreement between the State of New York and the Town for the Construction of the Cazenovia Creek Ice Control Project fully executed as of July 24, 2014 (the "Project"); and

WHEREAS, the Project constitutes an "Exempt" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution.

WHEREAS, the Town Board of the Town now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake and to issue up to $114,125 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance its local share of the Project. It is hereby determined that the maximum estimated cost of the aforementioned object or purpose is $114,125; said amount is hereby

appropriated therefor and the plan of financing thereof shall include the issuance of up to $114,125 in serial bonds of the Town and any bond anticipation notes issued in anticipation of the sale of such bonds to finance a portion of said appropriation and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of and interest on said bonds and notes.

SECTION 2. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose described in Section 1 is thirty (30) years, pursuant to subdivision a. 3 of Section 11.00 of the Law, provided however, the maximum term of said bonds and notes shall not exceed five (5) years.

SECTION 3. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d.9. of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10, 63.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to subdivision

b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 11. As soon as reasonably possible after the date that this resolution takes effect, the Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
(c) such obligations are authorized in violation of the provisions of the constitution.

The following vote was taken and recorded in the public or open session of said meeting:

AYES: All NAYS: None

This resolution shall take effect immediately.

WEST SENECA CERT
10TH ANNIVERSARY
APRIL 30, 2016

Formed in 2006, The West Seneca Community Emergency Response Team, known as the West Seneca CERT, is celebrating their 10th anniversary of assisting the West Seneca and Western New York Region. , and;

The West Seneca CERT assists in and supports the mission of the West Seneca Office of Disaster Preparedness to mitigate the results of natural and man-made disasters. They protect the public through planning, detection, communication, response, public information, and training. Starting with 8 people in the first class, the West Seneca CERT has grown to be a robust team of 85 volunteers, and;

The West Seneca community is forever grateful for the exemplary service of the West Seneca CERT members. The team was an integral part of many incidents, snow storms, local floods, and especially the most recent 2014 Winter Storm, Knife. They provided aid to West Seneca and surrounding communities by maintaining a 24/7 emergency call center, delivering food and medications to shut ins, shoveling driveways, supporting responders, and much more, and;

Sheila M. Meegan, Supervisor, along with fellow Town Councilmen Eugene Hart and William Hanley of the great Town of West Seneca, in the County of Erie, in the State of New York, the Empire State, on this 30th day of April in the year two thousand and sixteen, do hereby join with my fellow citizens in recognizing the West Seneca CERT on their 10th anniversary;

And I encourage all of our residents to appreciate and support the West Seneca CERT for their dedication and great service provided to our community