

12-B LEGAL ITEMS

2. (continued)

Motion by Supervisor Meegan, seconded by Councilman Hart, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Town Attorney John Fenz stated this local law addresses concerns regarding sidewalks in disrepair. Town Law permits the Town Board to require certain sidewalks to be repaired and assess repairs not made by the property owner on their tax bills. Payment for the cost of the repair will be assessed over a three year period and interest will be charged if payment is not made within this time frame.

Senior Code Enforcement Officer John Gullo stated this will help the property owner to get sidewalks repaired as it is difficult to hire someone for small sections of sidewalk. The cost will be as inexpensive as possible to the property owner.

Councilman Hart stated the town will bid out this work and contractors will be scheduled for repairs. Property owners will receive notification of required repairs as well as their options for accomplishing them.

Beverly Leising questioned if the contractor will cut tree roots if that is what is causing the sidewalk problem.

Highway Sup't. Matthew English stated contractors use a product called bio-barrier to prevent roots from growing back once they are cut.

Dan Alessi questioned how problem sidewalks come to the attention of the town and whose responsibility it is if a sidewalk is disrupted because of a tree that is located on the town's easement.

Mr. Gullo responded his office receives complaints and entire neighborhoods are inspected.

Mr. English stated the Town Code was amended in 2001 and maintenance of sidewalks was designated as the property owner's responsibility.

Mr. Fenz stated most trees in residential areas were planted in the right-of-way by property owners.

Motion by Supervisor Meegan, seconded by Councilman Hart, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

12-C TABLED ITEM

1. Town Engineer re Municipal Separate Storm Sewer System annual report

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

Ayes: All Noes: None Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to sign the attached Municipal Separate Storm Sewer System annual report for submission to the NYSDEC.

Ayes: All Noes: None Motion Carried
APPENDICES

12-D COMMUNICATIONS

1. Supervisor Meegan re Status change for Caroline Keane to seasonal part-time

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of Caroline Keane from part-time to part-time seasonal effective June 20 - September 2, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

2. Supervisor Meegan re Friends of the West Seneca Public Library annual "Yard Sale"

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the request from the Friends of the West Seneca Public Library to hold their annual "Yard Sale" on August 20, 2016 from 9:00 A.M. – 3:00 P.M. on Town Hall property.

Ayes: All Noes: None Motion Carried

3. Councilman Hanley re Appointment of Austin Boehm as full-time laborer in Buildings & Grounds

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Austin Boehm as part-time Sanitation Laborer and appoint him as temporary full-time Buildings & Grounds Laborer, Group 1, Step 1 at a rate of \$20.41 per hour effective June 21, 2016 contingent upon passing of drug and alcohol testing and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12-D COMMUNICATIONS

7. Town Attorney re Settlement of assessment challenge – 1956 Ridge Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve and authorize the Town Attorney to execute the Stipulation of Settlement to resolve the real property tax assessment challenge for 1956 Ridge Road, SBL No. 143.06-4-21.11.

Ayes: All Noes: None Motion Carried

8. Town Attorney re Intermunicipal agreement with West Seneca School District for loaning of buses

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Central School District to temporarily loan school buses for transportation of youth to town activities, noting there is no fee to the town but the town will provide insurance to cover the buses and hire current active district bus drivers to operate the buses.

Ayes: All Noes: None Motion Carried

9. Town Attorney re Bid award for concession services

Motion by Supervisor Meegan, seconded by Councilman Hanley, to award the bid for concession services at the soccer complex and ice rink to 7K Unlimited, Inc. at their bid of \$1000 annually from June 2016 – May 2019 with the final form of agreement subject to approval by the Town Attorney, noting this was bid on two separate occasions and 7K Unlimited was the only bidder.

Ayes: All Noes: None Motion Carried

10. Town Engineer re Relocation of street lighting for Harlem Road project

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution approving relocation of the existing street lighting by NYSDOT during the NY 240 project and authorize the Supervisor to sign the necessary documents.

Ayes: All Noes: None Motion Carried
APPENDICES

12-D COMMUNICATIONS

11. Town Engineer re Relocation of manholes for Harlem Road project

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution approving adjustment to a sanitary sewer manhole by NYSDOT during the NY 240 project and authorize the Supervisor to sign the necessary documents.

Ayes: All Noes: None Motion Carried
APPENDICES

12. Highway Sup't re Termination of Ryan McCoy as part-time laborer in Buildings & Grounds

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Ryan McCoy as part-time laborer in the Buildings and Grounds Department effective June 13, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

13. Highway Sup't re Termination of Sebastian Orsene as part-time Laborer in the Highway department

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Sebastian Orsene as part-time laborer in the Highway Department effective June 13, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

14. Chief Denz re Attendance of Detective Captain Patrick Shea at training conference

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Detective Captain Patrick Shea to attend the 29th Annual Colonel Henry F. Williams Homicide Seminar, September 18 – 23, 2016 in Albany at a cost not to exceed \$1,500, noting there are sufficient funds budgeted in police training line 1.3120.0459.

Ayes: All Noes: None Motion Carried

15. Chief Denz re Title change for Police Officer Duane Wisniewski to Detective

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Duane Wisniewski as Police Officer and appoint him Detective effective June 21, 2016 at an annual salary of \$85,787.90 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12-D COMMUNICATIONS

16. Finance Department re
Budgetary transfer request

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a budget transfer of \$14,250 from budget line 1.1420.0461 (Contracted Legal Services – Attorney) to budget line 1.6989.0451 (Economic Development Grant), noting this will cover the CMA invoice for work completed on the Seneca Place Project.

Ayes: All Noes: None Motion Carried

17. Youth Service Coordinator re
Resignation of Grace Reedy
as part-time clerk typist

Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the resignation of Grace Reedy and terminate her as part-time clerk typist effective June 25, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

18. Youth Service Coordinator re
Termination of inactive
employees

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate the following inactive employees effective June 20, 2016:

Danielle Gehen	Deborah Sturm	Elizabeth Lusk	Jillian Piniewski
Kaitlin Alessi	Kali Supples	Kayleigh Baker	Kristen Harrigan
Lauren Smith	Mark Wach	Megan Weinreber	Nicholas McMahon
Nicolette Nigro	Patricia Alexander	Tyler Chodkowski	Vincent Leone

and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

19. Youth Service Coordinator re
Appointment of bus drivers
for summer program

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Deborah Stoeher, JoAnne Maier, Michael Aures, Thomas Keenan and Eric Kalenda as part-time seasonal bus drivers effective June 27 – August 30, 2016 at a rate of \$15 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12-D COMMUNICATIONS

20. Youth Service Coordinator re Appointment of part-time seasonal recreation attendants
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint John McNamara, Erin Schappert and Sarah Wood as part-time seasonal recreation attendants effective June 21 – September 1, 2016 at a rate of \$9.25 per hour and Sarah Amoia as part-time seasonal recreation attendant effective June 21 – September 1, 2016 at a rate of \$9.50 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All Noes: None Motion Carried
21. Youth Service Coordinator re Rate increase for Jack Jerabeck, head lifeguard
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a rate increase for Jack Jerabeck to \$9.75 per hour in his position as head lifeguard at the town pool and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All Noes: None Motion Carried
22. Youth Service Coordinator re Status change for Youth Theatre Staff to part-time seasonal
- Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time Youth Theatre staff Carly Luksch, Phebe Herreid and Molly Sergi to part-time seasonal effective June 27 – September 3, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
- Ayes: All Noes: None Motion Carried
23. Youth Service Coordinator re Approval of 2016 Pickleball Program
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the 2016 Pickle Ball Program.
- Ayes: All Noes: None Motion Carried
24. Youth Service Coordinator re Approval of Recreation Program Accident/Incident Report form
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the Recreation Program Accident/ Incident Report form for the youth and recreation programs, noting the Town Attorney has reviewed the form.
- Ayes: All Noes: None Motion Carried

12-D COMMUNICATIONS

25. Youth Service Coordinator re Approval of Swimming Pool Safety Plans

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the Swimming Pool Safety Plans to be submitted to NYSDOH, noting the Town Attorney and Emergency Manager have reviewed and approved the plans.

Ayes: All Noes: None Motion Carried

26. Youth Service Coordinator re Agreement with Life Church for annual 5k

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Life Church to hold their annual Run for Life 5K on July 16, 2016.

Ayes: All Noes: None Motion Carried

27. Youth Service Coordinator re Agreement with West Seneca Lions Club for 2016 concert schedule

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with the West Seneca Lions Club to host their annual Summer Concert Series.

Ayes: All Noes: None Motion Carried

28. Sr. Recreation Therapist of Senior Services re Status change for Marirose Bless to part-time seasonal

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time food service worker Marirose Bless to part-time seasonal effective July 1 – 29, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

29. Highway Sup't re Termination of Frank Courtney as part-time seasonal sanitation laborer

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Frank Courtney as part-time seasonal sanitation laborer effective June 17, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12-D COMMUNICATIONS

30. Youth Service Coordinator re
Bi-Centennial Pool free
admission day

Motion by Supervisor Meegan, seconded by Councilman Hanley, to designate Wednesday, June 29, 2016, or the appropriate opening day, as free admission day at the Bi-Centennial Pool, noting this applies to town residents with a valid resident ID card and guest rates will apply.

On the question, Supervisor Meegan questioned if a lifeguard is needed for the wading pool. Youth Service Coordinator Lauren Masset will check on this and report back.

Ayes: All

Noes: None

Motion Carried

12-E APPROVAL OF WARRANT

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$ 329,611.45; Highway Fund – \$ 45,042.21; Special Districts – \$ 991,017.28; Capital Fund - \$ 1,001,305.08 (vouchers 93959 - 94840) Trust - \$37,798.62 (vouchers 94761 - 94894)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

HEATHER HILL DRIVE RECONSTRUCTION

Dan Alessi commented on the road reconstruction on Heather Hill Drive and stated his driveway apron is already in need of repair. Mr. Alessi further commented on the width of the road being narrower and the problem with the flow of traffic, especially school buses, around parked vehicles on the street. He also commented that grass restoration for the first phase was very poorly done in comparison to the second phase of reconstruction.

Supervisor Meegan stated any needed repairs can be reported to the Town Engineer or Highway Department at any time and they will come out and take a look.

Highway Sup't. Matthew English agreed there is a problem when residents park on the street instead of in their driveways.

Town Engineer David Johnson stated the typical suburban standard width for residential roads is twenty four (24) feet.

Frank Boncore commented on the poor appearance of the grass.

Supervisor Meegan stated the town will look into this issue.

ISSUES OF THE PUBLIC

DEMOLITION OF HOUSE ON EAST & WEST ROAD

Amy Carpenter questioned the cost for demolishing the house on East & West Road. Senior Code Enforcement Officer John Gullo stated the last demolition cost \$14,000. The Highway Department will also be assisting.

SUMMER BUS DRIVERS

Amy Carpenter questioned the cost of the summer bus drivers. Youth Service Coordinator Lauren Masset stated the summer program will use three drivers per day with a maximum of seven hours per driver per day, three days per week.

BUDGET TRANSFER

Amy Carpenter questioned if the Seneca Place fees were under an economic grant. Town Attorney John Fenz responded the Town Board previously authorized a planning grant if the project had moved forward and unused funds were available in the budget line.

REMOVAL OF STREET LIGHTING FROM TAX BILLS

Frank Boncore stated the street light charge is still on his tax bill. Supervisor Meegan will check on this and contact Mr. Boncore.

PLAQUE IN POLICE DEPARTMENT

Frank Boncore questioned the status of the plaque in the Police Department. Councilman Hart suggested Mr. Boncore contact Chief Denz.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

YARD SALES

Supervisor Meegan questioned how many times a resident can hold a yard sale. Senior Code Enforcement Officer John Gullo responded residents can hold two yard sales per year according to office policy; anything more is considered a business.

ARMY CORPS OF ENGINEERS STUDY FOR LEXINGTON GREEN

Town Engineer David Johnson announced the Army Corps of Engineers has released their final study and assessment of the Lexington Green flooding. They will present this publicly at Town Hall on July 7th at 6 P.M. A copy of the study is available on the town's website.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

RECREATION DEPARTMENT UPDATES

Youth Service Coordinator Lauren Masset announced Summer Day Camp begins Monday, June 27th. The bicentennial pool opens Wednesday, June 29th and residents with valid town I.D. cards will be admitted free of charge that day. Registration is still open for the half day Summer Fun Program as well as swim lessons. On Friday, August 19th, movie night will be sponsored by the elected town officials and "Finding Nemo" will be shown at the Kiwanis Band Shell.

COMMUNITY DAYS

Supervisor Meegan invited the public to attend Community Days on Friday, June 24th and Saturday, June 25th with the parade stepping off at 2 P.M. at West Senior High School and proceeding down Main Street. A fireworks display will be held at dusk.

TRAFFIC STUDY FOR UNION ROAD

Councilman Hart stated he is looking into a traffic safety study for Union Road.

WEST SENECA TOWN BAND

Councilman Hart stated an effort is being made to revive the Town Band.

SPEED LIMIT AT TOWN HALL

Supervisor Meegan asked that a 15 mph speed limit sign be posted on the Main Street driveway into Town Hall.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 8:05 P.M. to discuss three employee issues and three contractual issues.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 9:15 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adjourn the meeting at 9:15 P.M.

Ayes: All

Noes: None

Motion Carried

Chapter 87. Peddling, Soliciting, Transient Business, and Mobile Food Vending

§ 87-5. Hours.

No peddling, soliciting or transient business activities shall be conducted before 9:00 a.m., or after the earlier of 7:00 p.m. or dusk. Mobile food vending shall not be conducted before 7:00 a.m. or after 11:00 p.m.

§ 87-8. Fees.

The following fees shall be paid to the Town Clerk with an application for a permit:

Peddlers or Solicitor's Permit	\$75.00 per month
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§ 87-9. Permit regulations.

- B. Solicitor's, peddler's or transient business permits issued pursuant to this chapter automatically expire 30 days after issuance.

Sidewalk Maintenance

Article I. Specifications

§ 1. Sidewalks to be one-course and constructed as required.

Sidewalks in the Town of West Seneca shall be a one course sidewalk and shall hereafter be constructed as follows.

§ 2. Materials specifications.

A. Cement shall meet the requirements of the standard specifications of the American Society for Testing Materials (serial designation C9-26).

B. Fine aggregate shall consist of natural sand or screenings from hard, tough, crushed rock, gravel or slag and must be clean and well graded. All fine aggregate shall pass a one-fourth-inch screen and 95% shall be retained on a one-hundred-mesh screen.

C. Coarse aggregate may be pebbles, broken stone or blast furnace slag and must be clean, hard, durable and uncoated. All coarse aggregate shall pass a one-inch screen and 95% shall be retained on a one-fourth-inch screen.

D. Proportions of mix. Proportions are to consist of one part Portland cement, two parts sand or stone screenings, three parts crushed stone or pebbles, and 6¼ gallons of water (maximum) per sack of cement. This mix is a 1:2:3 mix and is to be determined by volume, that is, one cubic foot of cement (one bag), two cubic feet of sand and three cubic feet of gravel.

E. Gravel alternate. In case it is decided to use local combined aggregate for this work, an analysis shall be made so that the material supplied shall conform to Subsections **B** and **C**.

F. Water to be used shall be clean enough to drink.

G. Forms shall be of lumber two inches thick or steel forms of equal strength. Flexible strips may be used on curves. They shall be rigidly held to line and grade by stakes or braces.

H. Division of plates shall be of one-eighth-inch steel as wide as the depth of the slab and as long as the width of the walk.

§ 3. Construction specifications.

A. Subbase. The subbase shall be thoroughly rammed and all soft spots removed and replaced by some hard material. When a fill exceeding one foot in thickness is required, it shall be thoroughly compacted by flooding and tamping in layers not exceeding six inches. The top of all fills shall extend at least 12 inches beyond the sidewalk. A subbase of cinders or gravel must be placed and compacted to a minimum depth of four inches if the Town Engineer deems it necessary.

B. Thickness. The walk shall not be less than four inches thick. Across driveways it shall be increased to six inches thick.

C. Concrete shall be mixed until each particle of fine aggregate is coated with cement and each particle of coarse aggregate is coated with mortar and shall be mixed not less than one minute.

D. Placing and finishing. Concrete shall be placed immediately after mixing. It shall be tamped and struck off with a template and shall be floated with a wood float until the surface has a true contour. Care shall be taken to not bring to the surface an excess of water and fine sand by over finishing.

E. Jointing. The walk shall be cut into separate rectangular slabs not greater than six feet on any one side. The surface edges of each slab shall be rounded to a one-fourth-inch radius. Markings shall be exactly at cuts between slabs.

F. Finish. Finish shall be brush finish.

G. Protection. When completed, the sidewalk shall be kept moist and protected from traffic and the elements for at least three days. The forms shall be removed with great care, and upon their removal, earth shall be banked against the edges of the walk.

H. The walk must have a pitch of 1/4 inch per foot.

I. The minimum width of any walk shall be four feet, or such other width as the Town Board may determine for a particular location or locations.

J. Temperature. No concrete is to be laid when the temperature is lower than 45° F.

K. Heaving. Where trees are growing and are likely to cause drainage to a proposed sidewalk from upheaval, sidewalks shall be reinforced with steel if the Town Engineer deems it necessary.

§ 4. Enforcement.

The provisions of this article shall be enforced by the Code Enforcement Officers of the Town of West Seneca.

§ 5. Penalties for offenses.

Any violation by any person, firm or corporation of any provision of this chapter shall be deemed an offense punishable by a fine not less than \$25 nor more than \$250 or imprisonment for a period not to exceed 15 days, or both, for the conviction of the first offense; for conviction

of a second offense, punishable by a fine not less than \$50 nor more than \$500 or imprisonment for a period not to exceed 15 days, or both; for conviction of a third and subsequent offense, punishable by a fine not less than \$100 nor more than \$1,000 or imprisonment for a period not to exceed 15 days, or both.

§ 6. Severability.

The declaration of any portion of this article by a court of competent jurisdiction to be invalid shall not invalidate the entire article but only that part thereof so declared to be invalid and the remainder of said article shall remain in full force and effect.

Article II. Sidewalk Repair Costs

§ 7. Assessment of costs.

Whenever the West Seneca Town Board shall have adopted an order pursuant to § 200-a of the Town Law directing the owner(s) of parcels adjoining on any town, county or state highway, along which it is desired that sidewalks be re-laid or repaired, to relay or repair such sidewalks, and the owner neglects or refuses to do so, the Town of West Seneca may cause such work to be done. The expense of relaying or repairing such sidewalks shall be assessed to the owner of the adjoining parcel.

§ 8. Assessment against property.

The owner's share of the cost of relaying or repairing sidewalks shall be assessed against the owner's benefited property via three annual installments with interest as provided by state law.

§ 9. When effective.

This article shall take effect upon filing with the Secretary of State.

Self- Imposed Limitation for Net-Operating Expenditures

Section 1. It is the intent of this local law to self-impose a cap for each annual adopted budget to require that the budgeted increase in *net operating expenditures* will be limited to 2% of the *net operating expenditures* included within the adopted budget for the preceding fiscal year.

Section 2. Authority

This local law is adopted pursuant to Municipal Home Rule which authorizes every local government to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law relating to its property, affairs or government and every local government, as provided by that chapter, shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law, relating to the listed subjects, whether or not they relate to the property, affairs or government of such local government, except to the extent that the legislature shall restrict the adoption of such a local law relating to other than the property, affairs or government of such local government.

Section 3. Adopted Budget Limit

The Town Board of the Town of West Seneca, County of Erie, shall adopt a budget for each fiscal year, commencing for the budget effective January 1, 2017, which requires a budgeted increase in *net operating expenditures* limited to 2% of the *net operating expenditures* included within the adopted budget for the preceding fiscal year. Prior to adopting each annual budget, the Town Board may adopt a resolution setting forth that the annual budget increase for net operating expenditures may exceed the amount set forth in this Chapter.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision or part of this local law or the application thereof to any person, firm, corporation or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Section 6. Definitions

Net operating expenditures: total appropriations of funds with property tax levy less amounts for capital improvements, debt service expenditures and employee benefits, including but not limited to workers' compensation, retirement system contributions and health insurance.

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR OF THE TOWN OF WEST SENECA TO APPLY TO THE STATE OF NEW YORK OFFICE OF GENERAL SERVICES FOR TRANSFER AND CONVEYANCE OF A CERTAIN PARCEL OF STATE LAND KNOWN AS THE "980 EAST AND WEST ROAD" LOCATED IN THE TOWN OF WEST SENECA, COUNTY OF ERIE.

WHEREAS, the State of New York ("State") is the owner of a parcel of property located at 980 East and West Road in the Town of West Seneca, County of Erie, consisting of approximately one (1) acre hereinafter referred to as the "Premises;" and

WHEREAS, the State is authorized to convey its right, title and interest in the Premises to the Town of West Seneca pursuant to Section 34 of the Public Lands Law for the purpose set forth in the statute; and

WHEREAS, it is the desire of the Town of West Seneca to apply for a transfer and conveyance of the Premises for the purposes of park and recreation; and

WHEREAS, the consideration for the transfer and conveyance of the Premises as set forth in Section 34 is One Dollar (\$1.00).

NOW, THEREFORE, it is hereby

RESOLVED, that the Supervisor is hereby authorized to apply to the State of New York, Office of General Services, for the transfer and conveyance of the Premises for the purposes of park and recreation pursuant to Section 34 of the Public Lands Law; and it is further

RESOLVED, that the Supervisor is authorized to execute all documents necessary to effectuate said use and transfer and conveyance of the Premises and that such documents shall be subject to the review thereof by the City Attorney as to form and substance; and it is further

RESOLVED, that title shall be transferred after such environmental reviews as may be required by the State Environmental Quality Review Act have been completed.

TOWN OF WEST SENECA



JACQUELINE A. FELSER
TOWN CLERK

RECEIVER OF TAXES
REGISTRAR OF VITAL STATISTICS
NOTARY PUBLIC
RECORDS MANAGEMENT OFFICER

TOWN SUPERVISOR
SHEILA M. MEEGAN

TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY JR.

Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of NY 240 from NY 354 to Mineral Springs (BIN 102620) in the Town of West Seneca located in Erie County, PIN 5268.48; and

WHEREAS, the State will include as part of the construction, reconstruction or improvement of the above mentioned project relocation of street lighting owned by the Town of West Seneca pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended; and

WHEREAS, the State will provide for the reconstruction of the above mentioned work as shown on the contract plans relating to the above mentioned project; now, therefore, be it

RESOLVED, that the Town of West Seneca approves of the relocation of the existing street lighting and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of West Seneca will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and be it further

RESOLVED, that Supervisor Sheila M. Meegan has the authority to sign, with the concurrence of the Town of West Seneca Town Board, any and all documentation that may become necessary as a result of this project as it relates to the Town of West Seneca; and be it further

RESOLVED; that the clerk of the Town of West Seneca is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Moved by : Supervisor Meegan

Seconded by: Councilman Hart

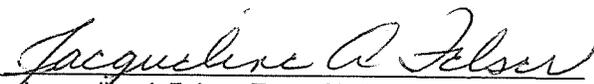
Ayes: All

Noes: None

Motion Carried

I, Jacqueline A. Felser, duly appointed and qualified Town of West Seneca Town Clerk, do hereby CERTIFY that the foregoing resolution was adopted at a meeting duly called and held in the office of the Town of West Seneca Town Hall, a quorum being present on the 20th day of June 2016 and that said copy is a true, correct and compared copy of the original resolution so adopted and that the same has not been revoked or rescinded.

WITNESSETH, my hand and seal this 20th day of June 2016


Jacqueline A Felser, Town Clerk

TOWN OF WEST SENECA



JACQUELINE A. FELSER
TOWN CLERK

RECEIVER OF TAXES
REGISTRAR OF VITAL STATISTICS
NOTARY PUBLIC
RECORDS MANAGEMENT OFFICER

TOWN SUPERVISOR
SHEILA M. MEEGAN

TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY JR.

Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract

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WHEREAS, the State will include as part of the construction, reconstruction or improvement of the above mentioned project adjustment to a sanitary sewer manhole owned by the Town of West Seneca pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended; and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project; now, therefore be it

RESOLVED, that the Town of West Seneca approves of the adjustment of sanitary sewer manholes and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of West Seneca will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and be it further

RESOLVED, that Supervisor Sheila M. Meegan has the authority to sign, with the concurrence of the Town of West Seneca Town Board, any and all documentation that may become necessary as a result of this project as it relates to the Town of West Seneca; and be it further

RESOLVED, that the clerk of the Town of West Seneca is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Moved by: Supervisor Meegan

Seconded by: Councilman Hart

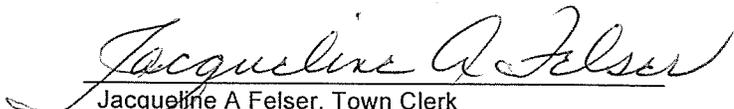
Ayes: All

Noes: None

Motion Carried

I, Jacqueline A. Felser, duly appointed and qualified Town of West Seneca Town Clerk, do hereby CERTIFY that the foregoing resolution was adopted at a meeting duly called and held in the office of the Town of West Seneca Town Hall, a quorum being present on the 20th day of June 2016 and that said copy is a true, correct and compared copy of the original resolution so adopted and that the same has not been revoked or rescinded.

WITNESSETH, my hand and seal this 20th day of June 2016


Jacqueline A Felser, Town Clerk