

Supervisor Gary Dickson called the meeting to order at 6:00 P.M.

<b>ROLL CALL:</b>	Present	Gary Dickson	Supervisor
		Robert J. Breidenstein	Councilmember
		Joseph Cantafio	Councilmember
		Susan K. Kims	Councilmember
		Jeff Piekarec	Councilmember
	Absent	None	

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

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**MINUTES TO BE APPROVED**

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve Minutes #2022-08 of April 11, 2022.

Ayes: All

Noes: None

Motion Carried

**PUBLIC COMMENTS ON NEW BUSINESS**

No comments were received.

**NEW BUSINESS**

**9-A ANNOUNCEMENTS & PRESENTATIONS**

1. Supervisor Dickson re Appointment of Tamara Sullivan to the Youth & Recreation Commission

Supervisor Dickson announced the appointment of Tamara Sullivan to the Youth & Recreation Commission due to the resignation of Patti Shea; Ms. Sullivan's term will expire on December 31, 2023.

**9-B COMMUNICATIONS TO BE VOTED ON**

1. Supervisor Dickson re Insurance Renewal

Supervisor Dickson introduced Kathleen Rapasadi from Tompkins Insurance Agency to present on liability insurance renewal:

- ✓ Sought proposals from five carriers, three companies declined due to the fire loss
- ✓ Trident and NYMIR provided quotes; the companies have different coverage and costs for multiple items
- ✓ Cyber coverage is very important these days and are seeking better coverage than the current \$100,000
- ✓ Recommends staying with Trident due to the current open claim

Supervisor Dickson stated Trident is a standard insurance company and asked Ms. Rapasadi to explain what type of company NYMIR is. Ms. Rapasadi stated NYMIR is a reciprocal company; the municipalities that are covered share in the risk and if a large loss was experienced beyond what was available in the fund all

municipalities would be responsible to cover the difference. Ms. Rapasadi stated this has never happened and NYMIR is a very good company.

Supervisor Dickson questioned the difference between the coverage amounts for commercial crime including employee theft, forgery, etc., NYMIR is \$1M and Trident is \$100,000 and questioned if Tompkins recommends additional coverage if the town stays with Trident. Ms. Rapasadi confirmed this; additional coverage should be sought from a different company that provides coverage for cyber and crime.

Supervisor Dickson questioned the difference between the coverage for miscellaneous equipment. Ms. Rapasadi stated the companies rate the equipment differently.

Supervisor Dickson noted Trident offers coverage for sewer backup and NYMIR does not. Ms. Rapasadi confirmed this, and stated Trident offers coverage for floods.

Supervisor Dickson reiterated the concern that if the town left Trident, it would be hard to get their coverage back. Ms. Rapasadi stated Trident would view leaving as a burned bridge and they are working hard to make the town whole after the fire loss. Supervisor Dickson stated Trident did notify the town that the premium would be increasing. Ms. Rapasadi agreed and stated this is a 220-Notice, required for any policy premiums raised 10% or more. Supervisor Dickson stated he has budgeted for this increase.

Councilmember Breidenstein stated the town should pursue better cyber coverage.

Councilmember Cantafio asked Ms. Rapasadi if the recommendation is to remain with Trident. Ms. Rapasadi confirmed even though the town may still consider NYMIR next year.

Councilmember Cantafio stated Trident advised the town of a 25-35% increase but came in at 37% and asked if it is normal to have that high of an increase after one occurrence. Ms. Rapasadi stated it is with a loss this high and Tompkins re-negotiated Trident's first offer of \$560,000.

Councilmember Cantafio stated he is certain the town has had large claims in the past and again referred to the large increase of 37%, which is over \$140,000. Councilmember Cantafio stated he is acting as a steward of taxpayer dollars and questioned if there was any room to further negotiate Trident down. If there are add-ons to the policy, where does the number end and how do we know we are getting the very best deal. Councilmember Cantafio stated he does not believe the town should pay any more than the 35% increase Trident quoted. Ms. Rapasadi stated she did go back, and Trident said this was their final number. Ms. Rapasadi stated they would meet about the cyber and crime policy. Councilmember Cantafio stated he is not comfortable with the increase and believes there is more room on the numbers. Ms. Rapasadi stated she will go back to Trident with the 25 - 35% quote as an argument.

Supervisor Dickson stated the policy expires on May 1, 2022, and there is not time to go back to Trident; it is a very small market and only two companies were willing to cover the town. Councilmember Cantafio questioned if an extension is possible due to the negotiation. Ms. Rapasadi stated she can explore this with Trident but is not certain what their term and cost would be; it would be best to approve what it currently offered in the event they cannot get an extension. Supervisor Dickson asked Town Attorney Chris Trapp to advise. Mr. Trapp stated the Town Board will either approve as is at this meeting or call a Special Town Board meeting; any extension will cost the town.

Supervisor Dickson questioned how the town would go about increasing the crime coverage to \$1M. Ms. Rapasadi stated Travelers offers a crime with cyber, a wrap policy; the town could either use this alone and not through Trident or add it to the Trident coverage. Supervisor Dickson stated cyber carriers review their clients' systems to minimize risk and the difference between Trident and NYMIR is \$26,000.

Supervisor Dickson stated it would be best to remain with Trident.

Motion by Supervisor Dickson, seconded by Councilmember Kims, to accept the quote from Trident for insurance starting May 1, 2022, in the amount of \$527,281.00.

On the question, Councilmember Breidenstein questioned if a lower price is negotiated will the contract need to be approved again. Mr. Trapp stated no. Councilmember Breidenstein questioned if the price is not renegotiated is the town able to seek other vendors. Mr. Trapp stated yes, for coverages they do not provide. Councilmember Breidenstein asked if the town is locked in for a year. Mr. Trapp stated yes.

Ayes: (4) Supervisor Dickson  
Councilmember Breidenstein  
Councilmember Kims  
Councilmember Piekarec

Noes: (1) Councilmember Cantafio

Motion Carried

2. Highway Sup't. re Retirement of Darryl Seibert as Highway Motor Equipment Operator

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to accept the retirement of Darryl Seibert as Highway Motor Equipment Operator effective April 9, 2022.

Ayes: All

Noes: None

Motion Carried

3. Highway Sup't. re Retirement of Andrew Bork as Sewer Maintenance Worker

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to accept the retirement of Andrew Bork as Sewer Maintenance Worker effective April 14, 2022.

Ayes: All

Noes: None

Motion Carried

4. Highway Sup't. re Termination of Nick Tronolone and Samuel Vona as part-time Buildings & Grounds Laborers

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to terminate Nick Tronolone and Samuel Vona as part-time Buildings & Grounds Laborers effective April 12, 2022.

Ayes: All

Noes: None

Motion Carried

5. Highway Sup't. re Appointment of Alexander Pawlik as part-time Buildings & Grounds Laborer

Motion by Supervisor Dickson, seconded by Councilmember Kims, to appoint Alexander Pawlik as a part-time Buildings & Grounds Laborer at a rate of \$13.20 per hour effective April 26, 2022, contingent upon completion of paperwork and passing of drug and alcohol testing.

Ayes: All

Noes: None

Motion Carried

6. Highway Sup't. re Appointment of Matthew Bowen as part-time Buildings & Grounds Laborer

Motion by Supervisor Dickson, seconded by Councilmember Kims, to appoint Matthew Bowen as a part-time Buildings & Grounds Laborer at a rate of \$13.20 per hour effective April 26, 2022, contingent upon completion of paperwork and passing of drug and alcohol testing.

Ayes: All

Noes: None

Motion Carried

7. Highway Sup't. re Appoint of part-time Sanitation Laborers

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to appoint Zachary Brooks, Spencer Przbyla, and Christian Locher as part-time Sanitation Laborers at a rate of \$14.45 effective April 26, 2022, contingent upon completion of paperwork and passing of drug and alcohol testing.

Ayes: All

Noes: None

Motion Carried

8. Highway Sup't. re Attendance of Brian Cummins at CSEA Peer Training Program

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize Brian Cummins to attend the CSEA Peer Training Program May 2- 5, 2022, per the safety agreement with the town and paid through CSEA.

Ayes: All

Noes: None

Motion Carried

9. Highway Sup't. re Vehicle purchase – Engineering Department

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to authorize the Highway Superintendent to complete a mini-bid via NTS Office of General Services contract award No. 23166 for the purchase of a new pickup truck for the Engineering Department with funds available in equipment line 1.1440.0200.

Ayes: All

Noes: None

Motion Carried

10. Highway Sup't. re Vehicle purchase – Code Enforcement Department

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Highway Superintendent to complete a mini-bid via NTS Office of General Services contract award No. 23166 for the purchase of a new SUV for the Code Enforcement Department with funds available in equipment line 1.13620.0200.

Ayes: All

Noes: None

Motion Carried

11. Highway Sup't. re Used truck purchase – Fleet Maintenance

Motion by Supervisor Dickson, seconded by Councilmember Kims, to authorize the Highway Superintendent to make an emergency purchase of a used 2011 Mack Granite day cab truck from Fleet Maintenance in the amount of \$45,000 with funds available in the highway equipment line 2.5110.0200.

Ayes: All

Noes: None

Motion Carried

12. Highway Sup't. re Emergency purchase of Dump/Plow trucks

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to authorize the Highway Superintendent to purchase six (6) dump trucks under an emergency purchase.

On the question, Supervisor Dickson questioned the opportunity to take delivery sooner than ordering trucks. Highway Superintendent Brian Adams stated this will allow the town to take delivery of one truck immediately and the remainder before winter. Town Attorney Chris Trapp stated given current circumstances this is a sufficient emergency to allow this.

Councilmember Piekarec questioned the reimbursement for the lost trucks. Mr. Adams stated the amount is being negotiated but will not cover the full cost; an equipment replacement plan has been included in budget preparations over the past few years to help offset the remainder.

Supervisor Dickson stated these will be paid for using a bond.

Ayes: All

Noes: None

Motion Carried

13. Highway Sup't. re Vehicle/Equipment Sale-Disposal

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Highway Superintendent to list the vehicles and equipment on the attached list for auction/disposal with Auctions International noting all proceeds from Highway vehicles and equipment will go to the Highway Fund equipment line, and Buildings & Grounds and Sanitation vehicles and equipment will go to those will go to the General Fund equipment lines.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

14. Highway Sup't. re Bid approval – Outdoor Fitness Pad

Motion by Supervisor Dickson, seconded by Councilmember Kims, to authorize the Highway Superintendent to accept the low bid from Broad Spectrum Concrete in the amount of \$15,125.00 for the completion of a concrete pad for an outdoor fitness court at the West Seneca Soccer Complex.

On the question, Councilmember Breidenstein stated he will be abstaining due to a personal relationship with one of the bidders.

Ayes: (4) Supervisor Dickson  
Councilmember Cantafio  
Councilmember Kims  
Councilmember Piekarec

Noes: None

Motion Carried

Abstained: (1) Councilmember Breidenstein

15. Town Clerk re Resignation of Amanda Weixlmann as Account Clerk Typist

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to accept the resignation of Amanda Weixlmann as Account Clerk Typist effective April 17, 2022.

Ayes: All   Noes: None   Motion Carried

16. Town Clerk re Status change for Donna Ferron to seasonal

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to change the status of part-time cashier Donna Ferron to seasonal effective May 2 – June 3, 2022, at which time she will return to part-time permanent.

Ayes: All   Noes: None   Motion Carried

17. Recreation Supervisor re CEBA Baseball facility use 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to enter into an agreement with the insured CEBA County of Erie Baseball Association located at 116 Floradale Avenue, Tonawanda, NY 14150, for use of the Town of West Seneca baseball diamonds.

Ayes: All   Noes: None   Motion Carried

18. Recreation Supervisor re R.J. Gullo Music in the Park event

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to enter into an agreement with R.J. Gullo Inc for use of the Veterans Park for a Music in the Park Event on August 7, 2022.

Ayes: All   Noes: None   Motion Carried

19. Recreation Supervisor re West Seneca Lions Club Summer Concert Series 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to enter into an agreement with the West Seneca Lions Club to use the Lions Bandshell and Veterans Park for their Summer Concert Series and Celebrate Summer Event.

Ayes: All   Noes: None   Motion Carried

20. Recreation Supervisor re Summer Fun Program 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the Summer Fun Program for the 2022 season.

Ayes: All   Noes: None   Motion Carried

21. Recreation Supervisor re Employee Bonus Summer 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the Employee Bonus program for Summer 2022 for the Recreation Department employees only.

On the question, Councilmember Breidenstein stated this is a replication of what was done last year.

Ayes: All

Noes: None

Motion Carried

22. Recreation Supervisor re Youth open gym – Spring 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the Youth Open Gym Program for Spring 2022.

Ayes: All

Noes: None

Motion Carried

23. Recreation Supervisor re WSCSD Kindergarten Event 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to enter into an agreement with the insured West Seneca Central School District located at 1397 Orchard Park Road, West Seneca, NY 14224, for use of the West Seneca Soccer Complex on August 24, 2022, for a Kindergarten Orientation Event.

Ayes: All

Noes: None

Motion Carried

**9-C APPROVAL OF WARRANT**

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$283,900.76; Highway Fund - \$52,462.14; Sewer District - \$65,596.88; Gas Conversion Lighting Districts - \$143.11; Electric Lighting Districts - \$1,244.95; (vouchers 24055 – 24439 and 23242 - 24593)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

A resident from Elmsford Drive had the following questions:

- ✓ Referred to sink holes on her street and questioned when this will be permanently fixed - Highway Superintendent Brian Adams stated the issues are due to an underground concrete pipe running through the yards and small repairs are planned for this summer; they will camera and dye test it within the next week or two.
- ✓ After heavy rainfalls there is a machine attached to the sewer on the street, what is it and what is it doing – Mr. Adams stated it is a pump for sanitary relief.

A resident had the following questions about the town's insurance:

- ✓ Was the process handled differently this year – Supervisor Dickson stated the town has a broker who then obtains bids; earlier this year the town selected a broker.
- ✓ How does the town know the best pricing was obtained – Supervisor Dickson stated Trident had notified

the town of the increase in pricing and the town places their trust in the broker they selected.

- ✓ Will the actual numbers be available for the public to review – Supervisor Dickson stated that information was added to the agenda today and added larger towns self-insure for their general liability; the town can investigate this and explained how the workers compensation works.

Residents from the townhouses behind Wimbledon Plaza made the following comments:

- ✓ Concern over traffic and safety issues due to the car show held at the Wimbledon Plaza
- ✓ Extremely noisy
- ✓ Suggested the Old Seneca Mall site for these events

Chief Baker stated he believes the owner of the plaza hosted the car show and he shares the same concerns mentioned. The town plans to speak to the plaza owner about better planning for future events and Chief Baker will be certain to increase police presence during the event. It is unlikely the event would be moved to another location.

Councilmember Piekarec stated he believes the plaza owner holds this event to attract business to the businesses located there and signage and police presence can help alleviate the neighbors' concerns.

Supervisor Dickson questioned the parking on school property. Chief Baker stated there are no signs prohibiting parking. Supervisor Dickson stated the town is considering charging the plaza owner a fee to cover the cost of a police officer stationed at the event. Supervisor Dickson stated he will contact the owner of the Seneca Mall site to discuss that location and, if necessary, the town will not allow the car shows to continue.

Councilmember Piekarec questioned Town Attorney Chris Trapp about requiring security and a parking plan for a Special Events Permit. Mr. Trapp stated this would be appropriate.

A resident thanked Supervisor Dickson for addressing the issue about 111 Duerstein Street he brought to the Supervisor's attention.

## **COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

### **Deputy Supervisor Greenan**

- Reminder about the Art by Aoife program
- Farmers Market begins May 26 – September 15, Thursday 4-7PM

### **Highway Superintendent Adams**

- Yard waste collection begins Monday, May 2nd
- Electronic drop off will resume Monday, May 2<sup>nd</sup>, daily 7:30 A.M. – 2:30 P.M.

### **Town Attorney**

- Attending meeting regarding changes to the Open Meetings Law Friday

### **Councilmember Piekarec**

- Recognized the WS Chamber of Commerce for receiving the Torch Award for ethics
- Kiwanis Easter Egg Hunt was a big success
- Thanked all the volunteers who cleaned up Burchfield Park on Saturday



**Supervisor Dickson**

- Engineering Department will re-bid the sign for Town Hall
- Thanked the volunteers from the Rotary Club and Wegmans employees for cleaning up Mill Road Park and the boat launch on Harlem Road

**Councilmember Breidenstein**

- The Recreation Department has many summer positions to fill, and online registration will begin this week

**Chief Baker**

- Annual Police Department Torch Run for the Special Olympics on Sunday, May 15<sup>th</sup> at 11 A.M.

**Director of Finance**

- Annual audit began today
- Reports due this week include the state and ARP

**ADJOURNMENT**

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to adjourn the meeting at 7:11 P.M.

Ayes: All

Noes: None

Motion Carried

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**AMY M. KOBLER, TOWN CLERK**

## Sale/Disposal List-Auction International 2022

1017	Chevy pickup w/ plow	2006	1GCHK24U36E260572
1014T	Ford Econoline International dump w/ plow	2002	1FBNE31L22HB46474
1039	Chevy Cube Van	2003	1HTWDAAR13J069976
1045	Freightliner tractor semi	2000	1GBJG31R811152400
1076	International dump truck	1988	1FUPYSYB9JH316887
1080	International dump truck	1993	1HTGBPCR7PH495467
1089	International dump truck	2000	1HTGBAARXYH262331
1091	Chevy rubbish truck	2005	1GBC4E1123F505971
1016	Chevy Club Cab pickup	2005	1GCHK29U85E230460
1062	Case rubber tire excavator	1991	JAK0032562
1061	Huber Road Grader	1972	FV251805
1093	Caterpillar dozer Willibald yard waste shredder	1993	7R519
1087	Willibald yard waste shredder	2002	1034615
1082	Willibald yard waste shredder		
1095	Chevy dump truck	2005	1GBE4C1214F515267
601	Chevy Silverado	2003	1GCEC14V33Z228714
702	Ford Fusion		3FAHP0HGXR265368
703	Ford Taurus	2008	1FAFP53U06A192899
708	Chevy Impala	2005	2G1WT58K479153381
1107	Volvo garbage truck	2001	4V2DC6UEX1N323975
1108	Volvo garbage truck	2001	4V2DC6UE11N323976
804	FORD PICKUP 4X4	2002	1FTNF21L53EA64471
816	CHEVY SILVERADO PICKUP	1998	1GCFC24Z7RZ246171
835	CHEVY SILVERADO PICKUP	2000	1GCGC24U11Z129957
823	KUBOTA 2WD TRACTOR	2009'	12344