

3-B LEGAL ITEMS

1. (continued)

Paul Pitlock questioned how this will affect the speed limit on Union Road. Town Attorney John Fenz advised the design standards only deal with land use issues and do not directly affect the speed limit. Councilman Hart stated currently New York State determines the speed limit on Union Road and it may calm the traffic.

A resident stated he is not opposed to improving the appearance of the town, but questioned why the Town Board should dictate to business owners how to present their buildings.

Supervisor Meegan stated many municipalities have design standards and businesses conform in those communities. The town will also offer a financial incentive for businesses to conform.

Town Attorney John Fenz stated under Section 45(b) of the Real Property Tax Law, incentives can be offered to commercial businesses when they alter, improve or reconstruct their property. Businesses will add value to their property.

Councilman Hart stated existing businesses are not required to comply with the design standards plan, but if current businesses comply with the standards the town will help with the cost. This is a 10 year program and the town is trying to encourage development and new businesses to come to West Seneca.

Karl Spencer stated he was a citizen member of the advisory committee for the design standards and it was not just the Town Board making the plan. The Chamber of Commerce, other citizens and business people within the community were involved in the process. Holding this public hearing is an open process. Mr. Spencer further commented the design standards are a benefit to the community and will bring stability to businesses.

Kathy Goodwin commented on the lack of benches from Clinton Street down Union Road.

Supervisor Meegan stated that the town has applied for a grant for streetscaping to install benches, change out fixtures, enhance with landscaping and make a walkable community.

Councilman Hart stated the Comprehensive Plan started a process that will take years to complete and the town will keep working together to efficiently make changes that will turn our main streets into calm and friendlier places. The town will also be competing for grants to reduce or avoid any impact on the taxpayers.

Motion by Supervisor Meegan, seconded by Councilman Hart, to table the public hearing until the next meeting.

Ayes: All

Noes: None

Motion Carried

3-C COMMUNICATIONS

1. Supervisor Meegan re Attendance at NYS Association of Towns annual meeting
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Supervisor Sheila Meegan, Councilman William Hanley and Town Attorney John Fenz to attend the Association of Towns annual meeting in New York City, February 17 - 21, 2017 at a cost not to exceed \$2,000 per person, and further, designate Supervisor Meegan as voting delegate for the Town of West Seneca.

Ayes: All Noes: None Motion Carried

2. Supervisor Meegan re PBA Car Show/Chamber of Commerce Taste of West Seneca
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the West Seneca PBA Car Show/West Seneca Chamber of Commerce Taste of West Seneca to be held on September 3, 2017, 12:00 PM - 5:00 PM on Town Hall property and authorize execution of needed documents to support closure of Union Road from 8:00 AM - 6:00 PM.

Ayes: All Noes: None Motion Carried

3. Town Attorney re Public hearing - Veronica Estates Drainage Benefit Area
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to schedule a public hearing on February 27, 2017 at 7:00 PM to hear all persons interested in creation of Veronica Estates Drainage Benefit Area.

On the question, Town Attorney John Fenz stated pursuant to the town's stormwater ordinance, storm water retention is required along with maintenance when a subdivision is developed. A special district is being created for the drainage benefit area and all residents of the subdivision will pay a small tax to maintain the stormwater retention area.

Ayes: All Noes: None Motion Carried

4. Town Attorney re Disbursement Conditions Agreement for Zombie Homes Initiative Grant
- Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the attached agreement with Local Initiatives Support Corporation, noting this agreement sets forth the conditions that must be met to trigger disbursement of \$175,000 in grants to the town for its zombie and vacant properties remediation and prevention initiatives.

3-C COMMUNICATIONS

4. (continued)

On the question, Town Attorney John Fenz stated this is a grant from the Attorney General's Office that will target at risk homeowners and offer a plan to avoid foreclosure or strategically follow through with the foreclosure while allowing the home to remain marketable and well repaired. This will allow tracking of the status of zombie homes and how many families have been helped.

Ayes: All

Noes: None

Motion Carried

5. Chief Denz re Status change for part time Public Safety dispatcher Richard Miller to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time Public Safety Dispatcher Richard Miller to part-time seasonal effective February 1 - 28, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

6. Chief Denz re purchase of firearms

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the purchase of forty new Glock firearms from AMCHAR Wholesale, Inc. at the total cost of \$8,443.20, noting this purchase replaces the current firearms already in service and past their viable life span and the purchase cost is currently under State Bid pricing.

Ayes: All

Noes: None

Motion Carried

7. Town Clerk re Appointment of Diane Webber as part-time seasonal Records Clerk

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Diane Webber as temporary part-time seasonal Records Clerk at the rate of \$20 per hour effective February 6 – June 30, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Supervisor Meegan stated the current Local Government Records Management Improvement Fund grant for digitizing payroll records in the Finance Department allows up to 506 hours for a part-time Records Clerk for verification of records and testing of the index and the work must be completed by June 30, 2017.

Ayes: All

Noes: None

Motion Carried

3-C COMMUNICATIONS

8. Director of Finance re
Budgetary Transfer Request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a budget transfer of \$20,000 from Contingent Acct. #01.1990.480 to Other Economic Opportunity Acct. #1.6989.0451 for funding of the agreement with the West Seneca Chamber of Commerce for the Community Development position for 2017.

Ayes: All Noes: None Motion Carried

9. Director of Finance re
Budgetary Transfer Request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a transfer of \$13,952 from Contingent Acct. #01.1990.480 to Other Economic Opportunity Acct. #1.6989.0451 for payment of invoices from Steinmetz for 2016.

Ayes: All Noes: None Motion Carried

10. Recreation Supervisor re Pay
rate increase for Caitlyn
Demma

Motion by Supervisor Meegan, seconded by Councilman Hanley, to increase the rate of pay for part-time Recreation Attendant Caitlyn Demma to \$12 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

11. Recreation Supervisor re Pay
rate increase for Joanne
McCabe

Motion by Supervisor Meegan, seconded by Councilman Hanley, to increase the rate of pay for part-time Clerk Typist Joanne McCabe to \$11 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12. Recreation Supervisor re
Appointment of Brohdny
Ricketts as Part-time
Clerk/Typist

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Brohdny Ricketts as part-time Clerk Typist at a rate of \$10 per hour effective February 7, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

3-C COMMUNICATIONS

13. Recreation Supervisor re Catalyst Express Race for a Cause 5K

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Courtney McDermott and USA Track & Field to host the annual Catalyst Express Race for a Cause 5K on Friday, April 28, 2017 beginning at 6:30 P.M., noting this is contingent upon the licensee providing proper insurance no later than April 3, 2017.

Ayes: All Noes: None Motion Carried

14. Chief Denz re Appointment of Jenna Sullivan as Clerk Typist

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Jenna Sullivan as full-time Clerk Typist, Group 2, Step 1, at an annual salary of \$28,926.25 effective February 21, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

15. Town Attorney re Agreement with WNY Law Center

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute an agreement with WNY Law Center that sets forth the milestones and funding requirements for their work performed pursuant to the Zombie Homes Initiative Grant, noting the agreement shall be subject to legal review.

Ayes: All Noes: None Motion Carried

16. Town Attorney re Abandonment of paper street - north end of Bayberry Avenue

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Town Board and Superintendent of Highways to sign a Statement of Abandonment in a form approved by the Town Attorney declaring the town's abandonment of a portion of the paper street at the northern terminus of Bayberry Avenue.

Ayes: All Noes: None Motion Carried

3-C COMMUNICATIONS

17. Town Attorney re Easement agreement – property adjacent to 266 Union Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute an easement agreement with Diane R. Miller for access to a paper street located adjacent to her property at 266 Union Road.

Ayes: All

Noes: None

Motion Carried

3-D REPORTS

- Jacqueline A Felser, Town Clerk's report for January 2017 received and filed
- John A. Gullo, Code Enforcement Officer's building & plumbing reports for November & December 2016, January 2017 and 2016 year end

3-E 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 - \$189,246.00; Highway Fund - \$43,453.74; Special Districts – \$4,805.29; Capital Fund - \$208,424.70 (vouchers 97652-98223)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

SINGER DRIVE STREET LIGHTS

Eugene Mlodozeniec commented on an issue with street lights out between 82 and 112 Singer Drive and stated he has been contacting the town since December 12, 2016 and they still are not fixed. Supervisor Meegan stated she will look into this issue and contact Mr. Mlodozeniec tomorrow. Councilman Hart noted all lights in the subdivision will eventually be replaced.

VERONICA SUBDIVISION

Karen Dusza questioned why there has been no plow service on Veronica Drive to date. Town Attorney John Fenz stated the developer has not met all the conditions for subdivision approval in order for the town to take dedication of the road and the developer is responsible for plowing until the road is dedicated to town.

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

TOWN BOARD PROCEEDINGS
Minutes #2017-03
February 6, 2017
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PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

RECREATION UPDATES

Recreation Supervisor Lauren Masset stated summer program registration is currently taking place and they are accepting applications for a part-time clerk typist along with volunteers for the West Seneca Youth Board.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:00 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK



January 30, 2017

Sheila M. Meegan, Supervisor
Town of West Seneca
1250 Union Road
West Seneca, New York 14224
smeegan@twsny.org

Re: LISC Program Action Number: 47385-0001
Town of West Seneca

Dear Supervisor Meegan:

Disbursement of Grant:

By commitment letter dated October 11, 2016 (the "Commitment Letter"), from Local Initiatives Support Corporation ("LISC") to the Town of West Seneca (the "Grantee") LISC committed a grant in the amount of \$175,000.00 (the "Grant") for its zombie and vacant properties remediation and prevention initiatives. Such initiatives qualify as Code Enforcement and Housing Quality Improvement Programs as set forth in the Commitment Letter.

LISC will disburse the proceeds of the Grant to the Grantee in two equal disbursements of \$87,500 each by Automated Clearing House ("ACH") or by wire transmittal.

A. First Disbursement of Grant:

The First Disbursement will be made by LISC, in the amount of \$87,500, upon the satisfaction of the following conditions:

1. Receipt by LISC of a countersigned copy of this disbursement conditions agreement ("Disbursement Conditions Agreement" or "DCA") executed by a duly authorized signatory of the Grantee; scanned and sent to LISC via e-mail in accordance with the directions below. The original, with original signature of an authorized signatory of Grantee, to be mailed to LISC in accordance with the instructions below. By countersigning this letter the Grantee agrees to such disbursement conditions, and reaffirms that it will use Grant proceeds solely for its zombie and vacant properties remediation and prevention initiatives. Such initiatives qualify as Code Enforcement and Housing Quality Improvement Programs as set forth in the Commitment Letter.

Local Initiatives Support Corporation – NYS Housing Stabilization Fund
501 Seventh Avenue, 7th Floor, New York, NY 10018

Accepting the Grant proceeds will be further acknowledgement of Grantee's agreement to the terms and conditions of the Commitment Letter and this Disbursement Conditions Agreement.

2. Receipt by LISC of completed and signed ACH instructions or of signed wire instructions.
3. Completion and execution, by an authorized signatory, of the attached disbursement request form (Attachment A).

B. Second Disbursement of Grant:

The Second Disbursement will be made by LISC, in the amount of \$87,500, no sooner than 5 calendar months, and no more than 10 calendar months, after the date of the First Disbursement, upon the satisfaction of the following conditions:

1. Completion and execution by an authorized signatory, of the attached disbursement request form.
2. The budget submitted by Grantee, a copy of which is attached as Attachment B, with additional information showing what portion of each line item was funded with the First Disbursement and how the Second Disbursement will be allocated. Any proposed changes to the budget, if any, should be flagged and a brief written explanation must be provided for the proposed changes. (This is to be sent by e-mail in accordance with the instructions below.)
3. A narrative report, detailing whether and how the following goals were met, which deliverables were produced and the timeline for when those goals were met and deliverables were produced.
 - a) At-Risk Homeowner Outreach and Retention
 - (1) Distribution of at least 500 brochures to the public – through outlets and in locations likely to reach at-risk homeowners.
 - (2) Outreach through direct mailing to at least 250 at-risk homeowners who have been identified pursuant to a plan
 - (3) Targeted outreach to at least 13 homeowners who have vacated or abandoned their homes.
 - b) Vacant/Abandoned Properties Task Force
 - (1) Establish and set an agenda for the Task Force.
 - (2) Report on the accomplishments during the first six months.
 - c) Create database of all vacant and zombie properties and coordinate efforts with the NYS Department of Financial Services (DFS) zombie registry.
 - (1) Select and purchase new software to track properties.

- (2) Hire a consultant to create database and train staff in its use.
 - (3) Consultant to meet with town officials to review property database.
 - (4) Research and track mortgage foreclosures for one year – identify first 50.
 - (5) Maintain database with all zombies and vacant properties
 - (6) Produce a monthly report on the status and progress of each foreclosure case affecting a zombie property
 - (7) Research and track the ownership of vacant and abandoned properties.
- d) Increase the use of legal process to move vacant properties through the foreclosure process to be repurposed for productive use.
- (1) Bring proceedings against financial institutions to compel them to maintain five zombie properties pursuant to the NYS zombie law.
 - (2) Advertise for, and identify competent, responsible contractors to demolish three structures that are so deteriorated they cannot be rehabilitated.

C. FINAL REPORT

1. No later than 10 months after the Second Disbursement is requested by Grantee, Grantee shall e-mail to LISC, to Hcaloir@lisc.org, the final narrative report detailing whether and how the following goals were met, which deliverables were produced and the timeline for when those goals were met and deliverables were produced.
 - a) At-Risk Homeowner Outreach and Retention
 - (1) Distribution of a total of at least 1,000 brochures to the public – through outlets and in locations likely to reach at-risk homeowners.
 - (2) Outreach through direct mailing of a total of at least 500 at-risk homeowners who have been identified pursuant to a plan.
 - (3) Targeted outreach to a total of at least 25 homeowners who have vacated or abandoned their homes.
 - (4) Summarize the effectiveness of the above initiatives, using LISC grant proceeds, to connect at-risk homeowners and displaced homeowners to foreclosure prevention assistance.
 - b) Vacant/Abandoned Properties Task Force
 - (1) Report on the accomplishments of the Task Force during the LISC grant period.
 - c) Create database of all vacant and zombie properties and coordinate efforts with the NYS Department of Financial Services (DFS) zombie registry.
 - (1) Consultant to meet with town officials to review property database.
 - (2) Research and track mortgage foreclosures for one year – identify 100.

- (3) Maintain database with all zombies and vacant properties during the LISC grant period and report on how it has been used and whether and how it has aided with enforcement efforts.
 - (4) Summarize the status and progress of each foreclosure case affecting a zombie property during the LISC grant period.
 - (5) Summarize the results of researching and tracking the ownership of vacant and abandoned properties during the LISC grant period.
- d) Increase the use of legal process to move vacant properties through the foreclosure process to be repurposed for productive use.
- (3) Bring proceedings against financial institutions to compel them to maintain a total of 10 zombie properties pursuant to the NYS zombie law.
 - (4) Advertise for, and identify competent, responsible contractors to demolish a total of five structures that are so deteriorated they cannot be rehabilitated.

Please email a scanned copy of the countersigned copy of this Disbursement Conditions Agreement, and all other required documents, to HCaloir@lisc.org, and mail her a hard copy of this Disbursement Conditions Agreement only (no hard copies are required of the other documents) to Helene Caloir, LISC, 501 Seventh Avenue, 7th Floor, New York, NY 10018. Please contact Ms. Caloir if you have any questions about these disbursement conditions.

Please note - this Disbursement Conditions Agreement must be signed and returned to LISC on or before February 10, 2017. If such deadline passes, LISC reserves the right to modify these disbursement conditions.

Please also note – Grantee must submit all of its disbursement requests on or before December 15, 2017. Any Grant proceeds not requested on or before December 15, 2017 will be de-obligated and re-granted unless LISC consents, in writing, to an extension of the deadline.

LOCAL INITIATIVES SUPPORT CORPORATION

Signature: _____

Name: _____

Title: _____

Date: As of January 30, 2017

DISBURSEMENT CONDITIONS ACCEPTED AND AGREED TO:

TOWN OF WEST SENECA

Authorized Signature: _____

Name: _____

Title: _____

Date: _____, 2017

Attachment A

LISC P.A. No. 47385-0001

DISBURSEMENT REQUEST FORM

This Disbursement Request Form is being furnished to Local Initiatives Support Corporation ("LISC") pursuant to the Disbursement Conditions Agreement (the "Disbursement Conditions Agreement"), entered into between the Town of West Seneca ("Grantee"), and LISC, pursuant to which LISC has awarded to Grantee a \$175,000.00 grant (the "Grant") to be disbursed upon the satisfaction of certain conditions. All terms not otherwise defined here will have the meaning set forth in the Disbursement Conditions Agreement.

- (1) Grantee hereby certifies that:
- (a) It requests a Disbursement of the Grant in the amount of \$_____.
This is the _____ [First/Second] Disbursement pursuant to the Disbursement Conditions Agreement.
 - (b) It has satisfied all conditions to receiving such Disbursement. (All documentation required for the requested Disbursement is attached to this Disbursement Request Form.)

TOWN OF WEST SENECA

Authorized Signature: _____

Name: _____

Title: _____

Date: _____, 20__

Attachment B

BUDGET	TOTAL	Disbursement 1	Disbursement 2
Salaries	\$115,775	\$57,887.50	\$57,887.50
Fringe	\$28,210	\$14,105	\$14,105
Travel	\$3,000	\$1,500	\$1,500
Office Overhead	\$11,000	\$5,500	\$5,500
Community Outreach	\$3,200	\$1,600	\$1,600
Staff Training	\$1,000	\$500	\$500
Software and Tech Support	\$1,500	\$750	\$750
Research	\$4,000	\$2,000	\$2,000
Other e.g. postage, printing, supplies etc.	\$7,315	\$3,657.50	\$3,657.50
TOTAL	\$175,000	\$87,500	\$87,500