

ROLL CALL: Present Supervisor Dickson
Councilmember Breidenstein
Councilmember Kims
Councilmember Piekarec
Councilmember Robertson

Absent None

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

APPROVAL OF AGENDA

1. Town Clerk re Approval of Agenda as submitted

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve the agenda with the additional item from the Director of Senior Services.

Ayes: All Noes: None Motion Carried

MINUTES TO BE APPROVED

1. Town Clerk Newton re Reorganizational Meeting Minutes from January 13, 2025

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve the Reorganizational Meeting Minutes from January 13, 2025.

Ayes: All Noes: None Motion Carried

2. Town Clerk re Meeting Minutes 2025-01 of January 13, 2025

Motion by Supervisor Dickson, seconded by Councilmember Kims, to approve Meeting Minutes 2025-01 of January 13, 2025.

Ayes: All Noes: None Motion Carried

PUBLIC COMMENTS

Courtney Fallon, Treehaven Road, referred to Communications Item No. 10, Summer employee bonus:

- ✓ Requested the Town Board not to approve the item and in her opinion the bonus should be higher for water safety instructors
- ✓ Recommended terms to better accommodate pool staff, specifically college students
- ✓ Qualification 4.d in her opinion does not accommodate employees' scheduling challenges, for example, summer school

Mary Jane Held, 1442 Orchard Park Road, referred to the proposed project at 1425 Orchard Park Road:

- ✓ Is opposed to the project and suggested a dog park instead – Supervisor Dickson stated the town is reviewing adding a dog park and NYS is planning to add sidewalks along Orchard Park Road.
- ✓ Is concerned about additional traffic

TABLED ITEM

1. Code Enforcement re Request for special use permit – 1850 Union Road

The item remained tabled.

OLD BUSINESS

1. Code Enforcement re Rezone & Special Use Permit – 1425 Orchard Park Road

Code Enforcement Officer Schieber stated the following information has been received:

- ✓ Fully coordinated SEQR
- ✓ SHPO clearance regarding a full investigation of the archeologically sensitive area near cemetery
- ✓ NYSDOT have no objections to the traffic generated by the project

Town Engineer Foote stated the lining of the trunk sewers is reducing overflow occurrences.

Councilmember Breidenstein questioned Mr. Foote on the completion date of the Phase 8 project. Mr. Foote stated he anticipates the project will be completed this summer noting the lining will be completed this spring.

Councilmember Piekarec stated he is in favor of the project and noted he does not agree with the Town Board having tabled the project last year.

Councilmember Kims stated in her opinion it was prudent of the town to address the downstream sewer problems before approving the project.

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the request for rezoning and special use permit for property located at 1425 Orchard Park Road, changing its classification from C- 1 and R-75 to C-1(S) for construction of a multi-unit residential development.

On the question, Councilmember Breidenstein recognized the Engineering Departments efforts to clear the sewer lines and acknowledged the concerns of residents whose basements have flooded on a routine basis. Furthermore, Councilmember Breidenstein stated that sometimes government takes time, however we have a responsibility to the residents and developers to get it right.

Supervisor Dickson further advised there is a playground for children at the school and would support a town shared playground for the neighborhood.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to adopt the following resolution:

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed Part I of the Short Environmental Assessment Form ("EAF") prepared by the applicant for property located at 1425 Orchard Park Road ("Subject Property"), for construction of a new 30 unit multi-family residential development and associated site work and parking (the "Project"), and reviewed the draft completed Part II and Part III of the EAF analyzing the potential for the Project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the identified potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

WHEREAS, the Erie County Division of Planning, after carefully and fully reviewing a description of the proposed project, along with the application and other documents as submitted to the Town of West Seneca, replied in writing that the project was to be of local concern; and

WHEREAS, the Town Board held a public hearing which was properly noticed to the public wherein the project was discussed; and

WHEREAS, the Town Board herein determines that it shall act as lead agency for such purposes and there has been no opposition thereto by any other interested agency; and

WHEREAS, the Town Board, carefully and fully reviewed the application including the following documents submitted by the applicant and other interested entities: Response from DEC, SHPO, NYSDOT, Army Corp of Engineers, and the reports of Powers Archaeology, LLC; and

WHEREAS, the Town Board, upon taking an independent hard look and reasoned evaluation of all of the above-referenced information, comments and written documentation with regard to the project;

WHEREAS, upon review of Parts I, II, and III of the EAF and documentation and plans submitted by the applicant in connection with the review of the Project, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the Subject Property, has determined that this is an unlisted action and preparation of a Full Environmental Impact Statement is not necessary and that the issuance of a Negative Declaration is therefore appropriate; now, therefore, be it

RESOLVED that pursuant to 6 NYCRR 617.7(a) the Town Board hereby accepts its designation as lead agency and does hereby adopt a Negative Declaration with respect to the Project based on its determination that the Project will not result in any potentially significant adverse environmental impacts.

Ayes: All

Noes: None

Motion Carried

2. Code Enforcement re Rezone & Special Use Permit – 2544 Clinton Street

Mr. Schieber stated the applicant has provided the following:

- ✓ Adjusted conceptual plan for the addition of parking spaces
- ✓ Information and schematics for the existing mansion building to temporarily house residents in the event of emergencies
- ✓ Cover letter

Town Attorney Trapp stated he sent letters to the Seneca Nation and received no response which can be interpreted as agreement with SHPO. The West Seneca Central School District indicated that they have sufficient capacity for the program. The SEQR documents are in front of the Town Board and a full EAF for the site was completed.

Supervisor Dickson stated he received a letter from the West Seneca Superintendent indicating her full support of the project.

Councilmember Breidenstein addressed the concerns he expressed about the project:

- ✓ Lack of a response from Seneca Nation – Councilmember Breidenstein’s own correspondence went unanswered
- ✓ Parking spaces – Questioned the number of handicapped spaces required in the town code. Mr. Schieber stated the number is determined by the overall quantity of the site and 2-3 handicapped spaces are required per 100; the applicant exceeds this amount.

- ✓ Sidewalks – NYS has indicated sidewalks will not be added to Clinton Street and questioned if sidewalks have been added by the developer. Mr. Schieber referred to the drawing and stated sidewalks are included in the interior of the development. Additionally, NYS requested the development carry the sidewalk out of the property west on Clinton Street up to the bridge area.
- ✓ Did not see elevators or lifts in the plans of the 3-story buildings and questioned how individuals with mobility issues will be accommodated – Mr. Schieber stated the applicant will address the question.
- ✓ Concerned that the dumpster site is inadequate for the property – Supervisor Dickson stated he understands the Planning Board can review and recommend changes or additions.
- ✓ How many electric car charging stations will be installed accommodated – Mr. Schieber stated the applicant will address the question.
- ✓ Is the entire parcel being rezoned – Mr. Schieber stated the entire parcel and noted the remainder is not suitable for development.

Councilmember Piekarec questioned if the current M-1 zoning allows manufacturing businesses. Mr. Schieber confirmed this. Councilmember Piekarec questioned if the town requires any new projects to include electric car charging stations. Mr. Schieber stated the requirement is not in the town code but is regularly discussed at the Planning Board meetings. Councilmember Piekarec stated in his opinion most of the residents will have gasoline powered vehicles.

Dan Brock of LaBella Associates made the following comments:

- ✓ Handicap parking spaces were addressed
- ✓ ADA compliant units are located on the ground floors of buildings and the plans meet all NYS requirements
- ✓ Dumpsters are for garbage overflow, each unit will have a tote – Councilmember Breidenstein questioned what party will be responsible for garbage collection and mentioned a concern with the garbage generated by parties moving in and out of the development. Mr. Brock understands it will be the developer's responsibility and will investigate the particulars of collection.
- ✓ NYS guidelines require a certain number of electric vehicle charging stations and the plans accommodate 5 stations

Councilmember Piekarec asked if the sidewalks are ADA compliant along the length of the property. Mr. Brock confirmed the development must be ADA compliant. Councilmember Piekarec asked if the community mansion can accommodate all residents. Mr. Brock stated that there will be enough room to accommodate 200 people and noted there are office spaces that will be on a generator and can accommodate additional people.

Councilmember Robertson asked which power company will service the development. Mr. Brock stated NYSEG will supply electricity. Councilmember Robertson stated he does not believe the location is right for an all-electric community and added the condition that the applicant must provide the development plans to NYSEG for the utility company's review and approval. NYSEG's report will be submitted to the town.

Councilmember Piekarec asked Mr. Schieber and Mr. Foote if the applicant is required as a part of the site plan process to obtain approval from the electric company for hook-ups. Mr. Schieber stated in this instance, he will reach out to his contacts to facilitate this request.

Councilmember Breidenstein questioned if school buses will be able to navigate the site. Mr. Brock stated buses are generally provided with a central loop and accessible areas for the students.

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve the request for rezoning and special use permit for property located at 2544 Clinton Street changing its classification from M-1 to R-

50(S) for construction of multiple family dwelling with all related site improvements with the condition that the applicant contact NYSEG and receive approval for the electrical development and that the report will be sent to the Town Board and Planning Board.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to adopt the following resolution:

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed Part I of the Full Environmental Assessment Form ("FEAF") prepared by the applicant for property located at 2544 Clinton Street ("Subject Property"), for development of affordable housing multi-family residential units and associated site work and parking (the "Project"), and reviewed the draft completed Part II and Part III of the EAF analyzing the potential for the Project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the identified potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

WHEREAS, the Erie County Division of Planning, after carefully and fully reviewing a description of the proposed project, along with the application and other documents as submitted to the Town of West Seneca, replied in writing that the project was to be of local concern; and

WHEREAS, the Town Board held a public hearing which was properly noticed to the public wherein the project was discussed; and

WHEREAS, the Town Board herein determines that it shall act as lead agency for such purposes and there has been no opposition thereto by any other interested agency; and

WHEREAS, the Town Board, carefully and fully reviewed the application including the following documents submitted by the applicant and other interested entities: Response from DEC, SHPO, NYSDOT, West Seneca Central School District, and the reports and submissions from LaBella, PC; and

WHEREAS, the Town Board, upon taking an independent hard look and reasoned evaluation of all of the above-referenced information, comments and written documentation with regard to the project;

WHEREAS, upon review of Parts I, II, and III of the FEAF and documentation and plans submitted by the applicant in connection with the review of the Project, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the Subject Property, has determined that this is an unlisted action and preparation of a Full Environmental Impact Statement is not necessary and that the issuance of a Negative Declaration is therefore appropriate; now, therefore, be it

RESOLVED that pursuant to 6 NYCRR 617.7(a) the Town Board hereby accepts its designation as lead agency and does hereby adopt a Negative Declaration with respect to the Project based on its determination that the Project will not result in any potentially significant adverse environmental impacts.

Councilmember Breidenstein noted that he experienced internet issues today and was unable to download and view the materials that were sent to him today and will be abstaining for that reason.

Ayes: 4 (Dickson, Kims, Piekarec, Robertson) Abstain: 1 (Breidenstein) Noes: None Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to change the status of part-time Clerk Typist Jeanette Kropczynski to part-time seasonal effective February 2, 2025, to be paid from account code 01762000-50138.

Ayes: All Noes: None Motion Carried

8. Director of Senior Services re Resignation of part-time Recreation Attendant Valarie Halady

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to accept the resignation of Recreation Attendant Valerie Halady effective January 25, 2025.

Ayes: All Noes: None Motion Carried

9. Director of Senior Services re Appointment of Jessica Reino as RPT Recreation Attendant

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to appoint Jessica Reino as a RPT Recreation Attendant at the rate of \$20 per hour effective February 2, 2025, to be paid from account line 01762000.50484.

Ayes: All Noes: None Motion Carried

B. ANNOUNCEMENTS

1. Councilmember Robertson re Resignation of Valerie Halady from the Senior Services Advisory Board

Received and filed.

2. Chief Cosgrove re Retirement of part-time Disaster Coordinator Peter Spilsbury, Jr.

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to accept the retirement of Peter W. Spilsbury, Jr., as part-time Disaster Coordinator effective January 27, 2025.

Ayes: All Noes: None Motion Carried

C. COMMUNICATIONS TO BE VOTED ON

1. Supervisor Dickson re West Seneca Deer Control Program

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve the attached West Seneca Deer Control Program and authorize the Supervisor to execute the DEC Deer Damage Permit.

On the question, Councilmember Piekarec inquired if property owners should contact the Program Coordinator or the Supervisor's Office to allow access to their property. Supervisor Dickson confirmed that those individuals should contact his office directly. Councilmember Piekarec asked how many deer will be culled. Supervisor Dickson advised in the short term approximately 100 but cannot say for certain.

Councilmember Breidenstein inquired if this program requires any additional insurance coverages. Ms. Kathleen Rapasadi, Tompkins Insurance indicated that she would investigate this request. Councilmember Breidenstein inquired if the town will control the background check or is that at the individual expense. Chief Cosgrove will utilize the Police Department to conduct background and criminal history checks.

Ayes: All

Noes: None

Motion Carried
APPENDICES

2. Supervisor Dickson re Appointment of Richard Richert as West Seneca Deer Control Program Coordinator

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to appoint Richard Richert as West Seneca Deer Control Program coordinator at an annual stipend of \$1,000 paid for out of the Deer Task Force budget line 01352000.50419.

Ayes: All

Noes: None

Motion Carried

3. Deputy Supervisor Greenan re West Seneca Semiquincentennial

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to adopt the following resolution regarding the West Seneca Semiquincentennial celebration:

WHEREAS, July 4th, 2026, will be the 250th anniversary of the signing of the Declaration of Independence (the "semiquincentennial"), and

WHEREAS, October 16th, 2026, will be the 175th anniversary of the creation of the Town of Seneca by the Erie County Board of Supervisors, the name of which was changed to West Seneca in February 1852, and

WHEREAS, the U.S. Semiquincentennial Commission was established by Congress in 2016 to plan and orchestrate the 250th anniversary of the signing of the Declaration of Independence of the United States on July 4th, 2026, and

WHEREAS, the West Seneca Civic and Patriotic Commission was founded as the West Seneca Bicentennial Commission in 1974 to coordinate festivities in West Seneca related to the 200th anniversary of the signing of the Declaration of Independence, and

WHEREAS, former West Seneca Town Board member Joan F. Lillis was the chair of the West Seneca Bicentennial Commission and is the current chair of the West Seneca Civic and Patriotic Commission, and
WHEREAS, the West Seneca Civic and Patriotic Commission has agreed to coordinate festivities in the Town of West Seneca related to the 250th anniversary of the signing of the Declaration of Independence and the 175th anniversary of the creation of the Town of West Seneca, and

RESOLVED, that the Town Board of the Town of West Seneca hereby appoints the West Seneca Civic and Patriotic Commission, chair Joan F. Lillis, to coordinate festivities in the town related to the 250th anniversary of the signing of the Declaration of Independence and the 175th anniversary of the creation of the Town of West Seneca, and

FURTHER RESOLVED, that the Town Board of the Town of West Seneca pledges to support the 250th and 175th anniversaries, both financially and physically, and

FURTHER RESOLVED, that the Town Board of the Town of West Seneca calls on all service clubs and voluntary organizations in the Town of West Seneca to support the Civic and Patriotic Commission in furtherance of this plan.

Resolved in the Town of West Seneca on January 27, 2025.

Ayes: All

Noes: None

Motion Carried

4. Deputy Supervisor Greenan re 2025 Excess Workers' Compensation Proposal

Tompkins Insurance Broker Ms. Kathleen Rapasadi stated they approached several carriers and the price offered by Midwest was the best option.

Motion by Supervisor Dickson, seconded by Councilmember Kims, to authorize the Supervisor to execute the two-year contract with Midwest Employers Casualty Company for Excess Workers' Compensation in the amount of \$282,556.

Ayes: All

Noes: None

Motion Carried

5. Deputy Supervisor Greenan re Phase III Composting Program proposal

Deputy Supervisor Greenan stated the Phase III proposal would expand the West Seneca composting program by providing a 50% subsidized pickup service for 75 households. Supervisor Dickson stated the town and each household would each contribute \$6.50 per month for bi-weekly pickups for a total cost to the town of \$11,283 that would be paid from the Recycling Collection line noting the town is attempting to obtain a grant. Another option is to continue with the current program allowing 120 households to drop off their composting.

Supervisor Dickson asked if the town resumes recycling collection, could composting pickup be included. Highway Superintendent Adams stated food scrap pickup would require different equipment and is not part of the initial plans, but another option may be to add another location for residents to drop off their compost items.

Deputy Supervisor Greenan stated additional educational events will be included with both options.

Councilmember Piekarec stated he would support continuing with the current program with the possibility of adding another drop off location. Deputy Supervisor Greenan stated she will contact Farmers Pirates to obtain the cost to add another drop off location.

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to table the item pending additional information.

Ayes: All

Noes: None

Motion Carried

6. Town Justices re Attendance at 2025 Court Clerk Conference

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to authorize the attendance of Court Clerks Mary Jean Fitzgerald and Teressa Stacey at the Winter 2025 Continuing Court Clerk Education (CCE) Training Program for Towns & Villages at the Marriott Marquis in New York City from February 16 - 18, 2025, at a cost not to exceed \$2,100 per person to be paid from training line 01111000-50414.

Ayes: All

Noes: None

Motion Carried

7. Chief Cosgrove re Sale and disposal of police vehicles

C. WARRANT

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve the vouchers submitted for audit, chargeable to the respective funds as follows:

General Fund: \$ 591,917.97
Highway Fund: \$ 28,665.74
Trust & Agency: \$ 0.00
Capital Fund: \$ 517,610.98
Sewer Districts: \$ 12,516.72
Water Districts: \$ 237,548.84
Drainage District: \$ 0.00
Gas Conversion Lighting Districts: \$ 265.08
Electric Lighting Districts: \$ 9,383.92

Total: \$ 1,397,909.25

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

James Randolph, West Bihrwood Drive, made the following comments and questions:

- ✓ What is the status on proposed updates to the Ethics Code – Supervisor Dickson stated a draft has been provided to the Town Board for review and a public hearing will be held.
- ✓ What are the duties of the Secretaries to the various boards –
 - Town Clerk Newton first referred to the Zoning Board of Appeals and Planning Board
 - Upon the receipt of an application it is processed for payment and copies of the application are reproduced for the committee; the agenda is prepared by the secretary based on the number of applications received and reviewed with Code Enforcement and Chairperson; letters are drafted for the notifications to applicants and/or neighbors as required; confirmation of the location and appropriate notifications are then submitted and filed with the County and/or the State as required, places a legal notice for the meeting with publication vendor, on the website and on the clerk's bulletin board; arranges for copies of the agendas, set up of the meeting room; attendance of the meeting and preparation of the draft of the minutes; final letter notifications to applicants of approvals or tabling notification; finalization of the agenda item documentation and the minutes are placed in final form in the minute book.
 - With regards to the other commissions (Ethics, Environmental, Historical and Recreation) the Chairperson prepares and forward the agenda to the secretary for posting on the website who then prepares copies of the agenda and other materials as requested, attends the meeting, prepares the minutes, and places the approved meeting minutes in the minutes books.
- ✓ Is a difference the Planning and Zoning Boards compared to other boards due to the larger involvement – Town Clerk Newton confirmed this is correct.
- ✓ In his opinion, based on the duties just provided, he feels that the stipend amounts could be increased. Supervisor Dickson confirmed that during the next budget session they will consider increasing the amounts.

Courtney Fallon, Treehaven Road, made the following comments and questions:

- ✓ Requested a change to the town pool safety plan to reduce the staffing requirements and increase capacity
- ✓ In her opinion, the town is overspending on unnecessary lifeguards
- ✓ In her opinion, the current program offerings are less than pre-pandemic offerings

Michael Smolen, Cresthaven Drive, stated in his opinion, NYS Public Health Law Rule 213, Quarantine and Isolation is tyranny and encouraged the Town Board to oppose this.

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Municipal Director of Human Resources Scibetta

- Making progress filling open positions

Recreation Supervisor Masset

- The Recreation Department's website lists open part-time positions and recreation programs

Councilmember Robertson

- Good start to the year with Police Department appointments, the deer control program, and the Highway Departments response to the weather events

Councilmember Breidenstein

- West Seneca Chamber of Commerce will be recognizing members of the Town of West Seneca at the upcoming Awards dinner
- The Recreation Commission is reviewing recommendations for pool fees and will be brought forward for review at a future meeting
- Recognized the Police Department and Highway Department's efforts
- Recognized the efforts of the Town Clerk's Department launching the new meeting software

Supervisor Dickson

- Anticipates that the new owners of the Seneca Mall site will attend the March Planning Board meeting
- NYS has hired a consultant to review options for the East & West Road developmental school property
- Apartments are planned for the former Bellwood School building
- Flappy's Restaurant has a new owner and has plans for the building
- There are ongoing discussions with the property owner of the old car wash at Clinton Street and Transit Road

Councilmember Kims

- Thanked the Highway and Police Departments

Councilmember Piekarec

- Anticipates a presentation from the Senior Advisory Board for uses of the lower level of the Senior Center
- Recognized Mr. Spilsbury's efforts with the fire companies

Town Clerk Newton

- The proceeds from the Community dinner provided for 3 donations of \$1,100 each to the following local charities - WS Food Pantry, Grace Guest House, and WNY Valor. The WS Rotary Club worked with the Chamber of Commerce on the check presentation
- 2025 Town and County tax collection is underway with a due date of February 18th
- Anticipating a full launch of the new CivicPlus software by the end of February and the website launch is expected in the summer
- Expressed gratitude to Deputy Molly Martin for all of her efforts with the CivicPlus agenda software

Deputy Supervisor Greenan

- Currently seeking produce vendors for the Farmers Market

**WEST SENECA COURT ROOM
1250 Union Road
West Seneca, NY 14224**

**TOWN BOARD PROCEEDINGS
Minutes #2025-02
January 27, 2025**

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilmember Kims, to adjourn the meeting at 7:42 P.M.

Ayes: All

Noes: None

Motion Carried

TOWN OF WEST SENECA



Gary A. Dickson
Supervisor's Office

TOWN SUPERVISOR
Gary A. Dickson
TOWN COUNCIL
Scott D. Robertson
Jeffrey A. Piekarec
Susan K. Kims
Robert J. Breidenstein

Dear Colleagues,

As promised, below is the proposed deer control program for West Seneca for the board's approval.

1. In a letter dated 12/20/2024 the DEC issued a DEC deer damage permit (DDP) effective 1/1/2025 through 12/31/2025 upon receipt of the attached Agreement to Conditions signed by the Supervisor.
2. The West Seneca Deer Control Program (DCP) will be managed by a coordinator appointed by the Town Board who is a DEC-licensed Nuisance Wildlife Control Operator (NWCO) with extensive experience controlling deer in West Seneca, Clarence, and other towns. Everyone participating in the West Seneca program will possess an active NWCO license and pass a background screening by the West Seneca Police Department.
3. The DCP will take place on town-owned property and on private property, with the owner's permission, in accordance with DEC regulations.
4. DCP activity will be fully coordinated with the West Seneca Police Department (as are current deer control activities currently underway on private property with their own DEC permits).
5. Mirroring the program in Clarence, the Town of West Seneca will pay \$50 for each deer taken as part of the DCP and pay the Buck and Doe Shop in Williamsville to process the deer (currently estimated at \$20 per deer). Meat from the Buck and Doe shop will be donated to the West Seneca Food Pantry.
6. The Town of West Seneca will pay for bait (corn and apples) and other equipment for the DCP, except that participants will supply their own firearms and crossbows, as appropriate. The Highway Superintendent has agreed to provide storage for bait.
7. Every effort will be made to keep the DCP from negatively impacting the residents of West Seneca, with safety as the top priority.
8. At the end of each season (which will run from mid-November to the end of March), the DCP coordinator will present a summary of the number of deer taken, the number of deer recommended to take in the following season, any security incidents, and other relevant information and suggestions.
9. Upon board approval, the attached signed permit will be sent to the DEC.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish, Wildlife and Marine Resources, Region 9
182 East Union, Suite 3, Allegany, NY 14706-1328
P: (716) 372-0645 | F: (716) 372-2113
www.dec.ny.gov

December 20, 2024

Honorable Gary A. Dickson
Town of West Seneca
1250 Union Road
West Seneca, NY 14224

**PERMIT TRANSMITTAL LETTER DEER
DAMAGE PERMIT NO. 9-2025-37993**

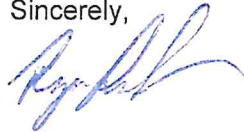
Supervisor Dickson:

Enclosed is the Town of West Seneca's deer damage permit (DDP), which was issued in accordance with the applicable provisions of the Environmental Conservation Law (Article 11-0521). This permit is only valid once reviewed and *signed* by you (the permittee).

In addition, enclosed you will find the Log of Agents Shooting on a Deer Damage Permit (Shooter Log) form and the Deer Harvest Summary Report Card. You are required to maintain this Shooter Log and return the Report Card within *30 days* after the expiration date of your permit. **Reporting is required regardless of whether or not any deer are taken on your permit.**

Please do not hesitate to contact me with any questions. Thank you for your cooperation.

Sincerely,



Ryan D. Rockefeller

Wildlife Biologist – Big Game

Enclosed: Deer Damage Permit, Shooter Log, Report Card, Carcass Tags

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

REG YEAR PERMIT #
S 2025 37993

Division of Fish and Wildlife, Bureau of Wildlife, Region 3
182 East Union St., Suite 3, Allegany, NY 14706
T: (716) 372-0340 ext.
www.dec.ny.gov

DEER DAMAGE PERMIT

Pursuant to Environmental Conservation Law 11-0521

ISSUED TO:

Gary Dickson	Town of West Seneca
1250 Union	
Buffalo, NY 14224	Work: (716) 558-3203
	Email: GDICKSON@TWSNY.ORG

LOCATION OF PROBLEM:

1. County: Erie, Town: West Seneca Lands owned by the Town of West Seneca and private properties where agreements have been secured. List of properties to be maintained by the permittee., WMU: 9C

NATURE OF CONFLICT:

Community/Residential

ACTIONS AUTHORIZED:

Baiting, Lethal removal (bow or crossbow), Lethal removal (shotgun or muzzleloader), Take of antlerless deer only, Use of artificial lights, night vision, laser sights and thermal optics are authorized

CARCASS TAGS ISSUED:

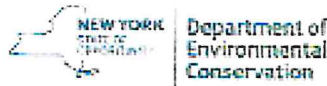
(50 Total): 21101-21150

Issue Date: 1/1/2025	Issuing Agent:
Expiration Date: 12/31/2025	Ryan Rockefeller

ASSENT TO CONDITIONS

I have read and fully understand the enclosed conditions of this permit.

Permittee Signature: *Gary Dickson* Date: 1/15/2025



STANDARD CONDITIONS

1. This permit is not valid unless or until the AGREEMENT TO CONDITIONS is signed by the permittee.
2. This permit is valid only on lands identified on the front of the permit.
3. This permit is valid only with landowner permission.
4. If this permit is to be used on multiple properties with different landowners and the permittee is not the lessee of the properties, written permission of all cooperating landowners must be attached to the original permit and copies must be carried afield with the agent.
5. The permittee must maintain a log of agents using the permit. The log must be available for inspection at any time.
6. Agents must sign the log agreeing to comply with all permit conditions prior to acting pursuant to this permit.
7. Persons who have previously been found in violation of Deer Damage Permit conditions may not act as agents without written permission from the Regional Wildlife Manager.
8. Agents must be at least 18 years of age.
9. Only the permittee and designated agents may be afield when acting pursuant to this permit.
10. If agents are authorized pursuant to this permit, the permittee shall be liable and responsible for any activities conducted by designated agents pursuant to this permit or any actions by designated agents resulting from activities authorized by this permit.
11. The DEC has the right to inspect any building, structure or property used for any activity pursuant to this permit.
12. The permittee must return the completed Summary Report to the DEC office listed on the permit WITHIN 30 DAYS of the permit expiration date. Failure to report will be grounds for denial of future permits.

SPECIAL CONDITIONS

1. Shooting may take place at any time of day or night.
2. Carcasses may be consumed or donated.
3. A management plan update and progress report must be submitted with each permit renewal request.
4. All shooting with a firearm must be done from an elevated platform or position

ACTION-SPECIFIC CONDITIONS

1. To shoot under this permit, agents must possess a valid NYS hunting license, hunter education certificate, or certificate of safe firearms training.
2. Persons who have had their NYS hunting privileges revoked or suspended may not act as shooting agents on this permit.
3. Permittee and agents must abide by local firearms discharge ordinances or obtain a written waiver from local authorities. If a waiver is required, it must be carried afield when acting pursuant to this permit.
4. All deer taken without administration of drugs or chemicals must be prepared for consumption, buried, incinerated, or disposed of at a rendering facility or landfill. Every effort should be made to use the deer for human consumption, including donation to those in need.
5. The permittee and designated agents must carry a copy of the signed permit and a carcass tag when acting pursuant to this permit.
6. Unused carcass tags must be destroyed upon permit expiration.
7. A damage permit carcass tag must be completely filled out immediately upon taking a deer and must be attached to the deer by the permittee or agent upon reaching his/her vehicle, home or farm building, or before leaving the property.
8. Bait may only consist of unprocessed corn, grains, fruit, or vegetable matter and may not contain any protein supplements or salt.
9. Bait may not be placed more than three weeks prior to shooting or capture activity or in proximity to hunted parcels.
10. Bait must be removed immediately upon completion or suspension of activities.
11. Baiting areas must be pre-approved by regional wildlife and law enforcement staff.
12. Implements used for shooting deer must meet the deer-hunting specifications in ECL 11-0901.

ENVIRONMENTAL CONSERVATION LAW

1. No one may sell, trade or barter: a Deer Damage Permit, a carcass tag, the ability to be an agent on a permit, the opportunity to shoot a deer on a permit, or a deer shot on a permit.

ENVIRONMENTAL CONSERVATION LAW - BAITING

1. Bait may not be placed within 300 feet of a public road.

ENVIRONMENTAL CONSERVATION LAW - SHOOTING

1. Possession of a loaded firearm or cocked crossbow in or on a motor vehicle and shooting from a motor vehicle or across any part of a public roadway are prohibited unless exempted by Federal or State law.
2. Discharging a firearm within 500 feet, a crossbow within 250 feet, or a vertical bow within 150 feet of a school, playground, public structure, or occupied factory, church or farm building is prohibited.
3. Discharging a firearm within 500 feet, a crossbow within 250 feet, or a vertical bow within 150 feet of a dwelling is prohibited unless the shooter owns or leases the dwelling or has the owner's or lessee's consent.

Failure to comply with the conditions outlined above and on any additional pages may result in denial of future permits and may be considered violations of state laws. This permit may be revoked at any time.



Department of
Environmental
Conservation

Log of Agents Shooting on a Deer Damage Permit

Every Agent shooting on this Deer Damage Permit must read and abide by all the Permit Conditions. In addition, each Agent must read the certification below and print their full name, address, date of birth, and sign their full name prior to exercising the privileges of this permit.

By signing this form I agree that I have read, fully understand, and agree to abide by all of the attached Permit Conditions. I am at least 18 years old, I possess a valid NYS hunting license, hunter education certificate, or certificate of safe firearms training, and my NYS hunting privileges have not been revoked or suspended.

Print Full Name	Print Address	Date of Birth	Signature
			I have read and understand the permit conditions and the above heading and affirm under penalty of perjury that all information is true pursuant to section 210.45 Penal Law
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