

14-B LEGAL NOTICES

1. (continued)

No comments were received from the public.

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

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, 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 in connection with the proposed special permit for property located at 5190 Seneca Street in the Town of West Seneca ("subject property") from C-2 to C-2(S) for minor vehicle repairs and display of vehicles for sale ("the project"), and

WHEREAS, upon such review the Town Board has not identified any potentially significant adverse environmental impacts associated with the project, has determined that no Environmental Impact Statement is necessary and that a Negative Declaration is therefore appropriate; and

WHEREAS, the Planning Board reviewed the project on January 11, 2018, March 8, 2018 and June 14, 2018 and adopted a resolution recommending approval of the requested special permit to allow for the project; and

WHEREAS, pursuant to the Town Code, the Town Board further finds that granting a special permit for the subject property to allow for the project is appropriate for the location and will not adversely affect surrounding properties; now, therefore, be it

RESOLVED, that pursuant to 6 NYCRR 617.7(a), the Town Board does hereby adopt a Negative Declaration with respect to the Project; and be it further

RESOLVED, a special permit for minor vehicle repairs and display of vehicles for sale is hereby issued subject to the following: 1) compliance with Town Engineer David Johnson's letter and stipulation to protect the west property line with a swale; 2) grass to be planted and maintained behind the building with no parking behind the building now or at any time in the future; 3) display of no more than 12 vehicles for sale; 4) installation of a 175' long, 5' high privacy fence to screen the rear property from the neighbors; 5) removal of blacktop along Seneca Street and Center Road prior to installation of grass per the site plan; 6) compliance with all restrictions prior to issuance of a certificate of occupancy.

Ayes: All

Noes: None

Motion Carried

14-B LEGAL NOTICES

2. Proofs of publication and posting of legal notice: "OF RECEIPT OF THE INDEPENDENT PUBLIC ACCOUNTANT'S EXTERNAL AUDIT OF THE FISCAL AFFAIRS OF THE TOWN OF WEST SENECA FOR THE PERIOD BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017" in the Town of West Seneca, received and filed.

Ayes: All

Noes: None

Motion Carried

14-C PUBLIC COMMENTS ON COMMUNICATIONS

- An Indian Church Road resident commented on Item #1 concerning hiring a full-time person in the Buildings & Grounds Department and questioned if the employee is a relative of Buffalo City Comptroller Mark Schroeder. Councilman Hanley stated Joseph Horan has been a part-time employee in the Buildings & Grounds Department for 2.5 years and has had perfect attendance, great reviews by his supervisors, worked the hours no one else wanted and also volunteered his time on his day off. Highway Sup't. Matthew English stated Mr. Horan has been a great part-time employee and at the time of hiring he had no knowledge of Mr. Horan being a relative of Mr. Schroeder.
- A Union Road resident questioned if the full-time Buildings & Grounds position is a replacement or a new position and suggested contracting out instead of hiring an additional person. Councilman Hanley stated the position is new; the blue collar contract calls for 14 and he believes this will make 15. The current minimum staffing was put into place in 2004 and since then the number of parks and buildings to be maintained has significantly increased. Supervisor Meegan stated under the blue collar contract the employees could file grievances if the position was outsourced.
- A Burch Avenue resident questioned the streets in Phase 2 of the Sidewalk Replacement Project. Code Enforcement Officer Jeffrey Baksa advised Phase 2 is the southeast section of town.
- A Covington Drive resident referred to the two bids for sidewalk repair and replacement and commented on the extreme difference in the bids. Councilman Hanley stated both bidders received the same specs on the project.
- A Covington Drive resident questioned why employees didn't bid on the Buildings & Grounds position when it is a civil service job. Councilman Hanley stated the hiring came from the recommendations of his supervisors. Supervisor Meegan also noted no test is required and there is no civil service list to hire from for this position.

14-D TABLED ITEMS

1. Supervisor Meegan re Appointment of Jon Minear as attorney to the Ethics Board
Remained on the table.

14-E COMMUNICATIONS

1. Councilman Hanley re Appointment of Joseph Horan as laborer in Buildings & Grounds

Motion by Councilman Hanley, seconded by Supervisor Meegan, to appoint Joseph Horan as a full time laborer in the Buildings & Grounds Department at a rate of \$21.34 per hour effective July 16, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

2. Town Attorney re Bid award for Repair & Replacement of Sidewalks – Phase II

Motion by Supervisor Meegan seconded by Councilman Hanley, to award the bid for Repair & Replacement of Sidewalks – Phase II to Kamholz Enterprises, LLC, noting Kamholz Enterprises was the lowest responsible bidder with the amount of \$50,850; and further, adopt the attached order authorizing apportionment of said repairs pursuant to Town Law Section 200-a.

Ayes: All Noes: None Motion Carried
APPENDICES

3. Town Attorney re Option to Renewal of agreement with Modern Recycling Inc.

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to exercise the town's option to continue its agreement for collection of recyclables for the final one year term rate of \$44.51 per unit, per year, noting the number of units to be serviced previously set at 16,500 will need to be confirmed by the town's verified assessment records.

Ayes: All Noes: None Motion Carried

4. Highway Sup't. re Termination of Justin Tynan as part-time laborer in Buildings & Grounds

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Justin Tynan as part-time laborer in the Buildings & Grounds Department effective July 10, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

14-E COMMUNICATIONS

5. Highway Sup't. re
Appointment of Zachary
Lembke as seasonal laborer
in Buildings & Grounds

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Zachary Lembke as part-time seasonal laborer in the Buildings & Grounds Department at a rate of \$10.40 per hour effective July 17 – August 31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

6. Highway Sup't. re
Termination of Erin Gehen as
Seasonal laborer in Highway
Department

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Erin Gehen as part-time seasonal laborer in the Highway Department and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

7. Highway Sup't. re
Appointment of seasonal
Laborers in Highway
Department

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Kenneth Hiam and Raymond Jordon as part-time seasonal laborers in the Highway Department at a rate of \$10.40 per hour effective July 17 – August 31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

8. Chief Denz re Retirement of
Detective Captain Patrick
Shea

Motion by Supervisor Meegan, seconded by Councilman Hanley, to accept the retirement of Detective Captain Patrick Shea effective July 10, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting Detective Captain Shea has served the Town of West Seneca for the past 32 years and will be greatly missed.

Ayes: All Noes: None Motion Carried

9. Chief Denz re Reinstatement
of Police Officer Christopher
Bednasz to duty

Motion by Supervisor Meegan, seconded by Councilman Hanley, to reinstate Christopher D. Bednasz to his position as Police Officer effective July 15, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

14-E COMMUNICATIONS

10. Town Clerk re Status change for Margaret Pomana to seasonal
Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of Margaret Pomana to part-time seasonal effective August 1 – November 2, 2018 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

11. Sr. Recreation Therapist of Sr. Services re Status change for Janet Kropczynski to seasonal
Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time clerk typist Janet Kropczynski to part-time seasonal effective July 16 – August 17, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

12. Highway Sup't. re Appointment of Emily Benkleman as seasonal clerk in Highway Dept.
Motion by Supervisor Meegan, seconded by Councilman Hanley, to transfer Emily Benkleman from the Recreation Department to the Highway Department as a seasonal clerk at a rate of \$12 per hour effective July 16 – August 31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

14-F REPORTS

- Jacqueline A Felser, Town Clerk's report for June 2018 received and filed.

14-G 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 - \$95,611.26; Highway Fund - \$51,174.37; Special Districts - \$3,869.08; Capital Fund - \$150,654.71 (vouchers 105917 - 106218) Trust - \$288,038.74 (vouchers 106093 - 106113)

Ayes: All Noes: None Motion Carried

ISSUES OF THE PUBLIC

- A Union Road resident referred to the Moody's report for the Town of West Seneca that stated the fund balance went from \$7.3 million in 2013 to \$3.4 million. Supervisor Meegan stated board members decided to use the fund balance instead of accepting the budgets she presented. She further noted Moody's felt the town was making progress as a whole and there is a robust housing market with businesses coming into town. Councilman Hanley stated an independent auditor advised carrying a \$7 million fund balance is a form of over taxation to the residents.
- A Union Road resident questioned the status of John Gullo and if the rumor of him being offered another job with the town is true. Supervisor Meegan responded the case is still with the hearing officer and Councilman Hanley stated Mr. Gullo has not been offered another job with the town.
- A Delray Avenue resident commented that Town Board meetings should be held in the evening at 7 P.M. when most residents can attend. Supervisor Meegan responded there have been 66 meetings since 2001 that took place before 7 P.M. She further noted the August 13th Town Board meeting has been changed to 7 P.M. due to two public hearings being scheduled.
- An Indian Church Road resident questioned the total cost of the library & community center. Supervisor Meegan responded the project came in under budget by \$43,613. The total project cost is \$13,344,307 and there is \$3 million in grant funding, so the total cost to the taxpayers is \$10,344,307. The resident understood the project is not complete and questioned if additional money will be spent. Supervisor Meegan responded the contractors only have their punch lists to finalize. The library is complete and the coffee shop is paying for build out of their space. Town offices housed in the community center and library are the Finance Department, Legal Department, Human Resources and Recreation and all offices have been completed.
- A Covington Drive resident stated she saw a town highway pickup truck carrying totes with red lids. Highway Sup't. Matthew English advised the totes are available for use to residents that need an extra tote temporarily.
- A Covington Drive resident referred to sewer lines on her tax bill and questioned if there is a way to find out if the sewer has been paid in full. Councilman Hanley stated the question has been turned over to the Finance Department and Engineering Department to determine what the sewer lines are for and if they will be paid off.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

HIGHWAY SUP'T. MATTHEW ENGLISH

- Investigated the sidewalk replacement on Covington Drive that was brought to his attention at the June 18, 2018 meeting and found his department did not do any work at that location.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

RECREATION SUPERVISOR LAUREN MASSET

- Veterans Park Aquatic Complex has seen record numbers this season with 1841 people having passed through the gates.

COUNCILMAN HANLEY

- Cost to repair damages from vandalism at Dorrance Avenue Park is \$8,367.63; the town will pursue other quotes and the possibility of replacing the basketball court with floor hockey or a tennis court
- Nelson Cosgrove resigned from the Ethics Board; the new appointment to replace Mr. Cosgrove is William Bauer

ADJOURNMENT

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

Ayes: All

Noes: None

Motion Carried

JACQUELINE A FELSER, TOWN CLERK

WHEREAS, Section 200-a of the Town Law of the State of New York authorizes a Town Board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks, and

WHEREAS, this Town Board, by Local Law No. 8 of the Year 2016, adopted provisions to apportion the cost of relaying or repairing sidewalks in the Town to the adjacent property owners, and

WHEREAS, the Senior Code Enforcement Officer has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement,

NOW, THEREFORE, BE IT ORDERED, that the owners of properties on the attached list be and hereby are directed to repair/replace the sidewalks abutting such properties in accordance with the Town's Streets and Sidewalks Law, and

BE IT FURTHER ORDERED, that, should such property choose to not repair/replace their sidewalks, the Town will cause such sidewalks to be repaired/replaced and will assess/charge the property owner the balance over a period of three (3) years on the County/Town tax bill, with interest as authorized by State law, and

BE IT FURTHER ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties identified on the attached list of the adoption of this Order by publication as set forth in Section 200-a of the Town Law.

	Address	Number of Slabs
98	Azalea	3
40	Bernice	1
7	Blair	2
20	Blair	5
39	Brianwood	1
40	Brianwood	3
47	Brianwood	2
115	Carmelite	1
56	Carriage Pkwy	1
71	Carriage Pkwy	1
248	Carriage Pkwy	3
296	Carriage Pkwy	2
39	Chippewa	1
9	Colleen	1
26	Crofton	1
69	Crofton	1
14	Crownland	1
19	Crownland	1
95	Dauer	2
123	Dauer	1

65	Deer Path	1
570	East & West	10
753	East & West	1
31	East Bihrwood	5
206	Fawn Trail	3
315	Fawn Trail	3
318	Fawn Trail	1
355	Fawn Trail	3
46	Glenmar	1
52	Glenmar	1
7	Green Hill	1
14	Green Hill	2
66	Green Hill	2
67	Green Hill	3
77	Heather Hill	1
95	Heather Hill	1
174	Heather Hill	2
149	Hemlock	1
142	Mill	1
202	Mill	2
479	Mill	3
77	Molnar	1
93	Molnar	1
31	Naples	5
15	Nina Terr	1
59	Nina Terr	1
65	Nina Terr	1
270	Oakbrook	1
1632	Orchard Park Rd	1
5	Phyllis	2
24	Phyllis	1
49	Phyllis	3
84	Phyllis	1
90	Phyllis	3
82	Reynolds	3
56	Roycroft	1

62	Roycroft	2
119	Shawnee	2
132	Shawnee	2
87	Sibley	1
114	Southridge	1
144	Sunrise Terr	2
50	Tanglewood	3
68	Tanglewood	3
45	Tracy Lynn	2
68	Tracy Lynn	1
7	Treehaven	1
56	Treehaven	3
60	Treehaven	2
105	Treehaven	1
106	Treehaven	4
50	Vermont	2
36	Villa Maria	1
45	Villa Maria	3
53	Villa Maria	4
100	W. Bihrwood	2
9	Wedgewood	2
11	Wedgewood	3
31	Wedgewood	1
88	Wedgewood	1
10	Westwood	1
64	Willowcrest	3
73	Willowcrest	6
120	Willowcrest	3
123	Willowcrest	1
126	Willowcrest	3
290	Woodward	6
344	Woodward	2