

Supervisor Sheila M. Meegan called the meeting to order at 8:20 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Town Clerk Jacqueline Felser.

ROLL CALL: Present - Sheila M. Meegan Supervisor
Eugene P. Hart Councilman
William P. Hanley, Jr. Councilman
Absent - None

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

The meeting was dedicated to the memory of Francis Maracle and Marcelino Vazquez.

20-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the October 2, 2017 work session.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2017-20 of October 2, 2017.

Ayes: All Noes: None Motion Carried

20-B LEGAL NOTICES

1. Motion by Supervisor Meegan, seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER LOCAL LAW NO. 8 OF THE YEAR 2017 – TAX LEVY LIMIT OVERRIDE" in the Town of West Seneca, be received and filed.

Ayes: All Noes: None Motion Carried

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

Ayes: All Noes: None Motion Carried

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

20-C COMMUNICATIONS

2. Supervisor Meegan re Appointment of Sally Tenhagen as part-time seasonal clerk-typist
- Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Sally Tenhagen as part-time seasonal clerk typist at a rate of \$14 per hour effective October 16, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Supervisor Meegan stated this position was advertised on the town's website and Mrs. Tenhagen will be utilized in the Code Enforcement office and Supervisor's office.

Ayes: All Noes: None Motion Carried

3. Supervisor Meegan re Standard Workday & Reporting Resolution
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached Standard Workday and Reporting Resolution and authorize the Finance Department to submit completed forms to the Elected & Appointed Officials Reporting Program.

Ayes: All Noes: None Motion Carried
APPENDICES

4. Senior Recreation Therapist of Senior Services re Termination of Francis Maracle as part-time van driver
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Francis "John" Maracle as part-time van driver for the West Seneca Senior Center and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting Mr. Maracle recently passed away and will be greatly missed by all.

Ayes: All Noes: None Motion Carried

5. Senior Recreation Therapist of Senior Services re Appointment of David Kobler as part-time van driver
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint David Kobler as part-time van driver at a rate of \$10.50 per hour effective October 16, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

20-C COMMUNICATIONS

6. Grant Writer re Erie County Community Development Block Grant Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the following resolution concerning Community Development Block Grant funds:

WHEREAS, following the public hearing of September 18, 2017 that was held at the West Seneca Town Hall for suggestions by the public for Community Development Block Grant projects to be submitted for funding; now, therefore, be it

RESOLVED, the West Seneca Town Board submits the following project to be considered for funding by the Erie County Community Development Block Grant (ECCDBG) program during the 2018-2019 grant cycle:

1st priority - Requesting \$100,000 in CDBG funds for milling & resurfacing project for the following roadways that are in CDBG-eligible areas

- Benson Avenue (Seneca Street to dead end)
- Dirkson Avenue (Seneca Street to North Seneca Street)
- Wichita Road (Seneca Street to dead end)

and be it further

RESOLVED, the West Seneca Town Board authorizes Supervisor Sheila M. Meegan to sign, submit and execute a contract with ECCDBG program for the cited project upon approval of ECCDBG; and be it further

RESOLVED, the West Seneca Town Board provides a 26% match of \$35,636.72 for the 1st priority project using force account labor from line item #002.5110.0144.

Ayes: All

Noes: None

Motion Carried

20-D REPORTS

- Jacqueline A Felser, Town Clerk's report for September 2017 received and filed.
- John Gullo, Code Enforcement Officer's building & plumbing reports for September 2017

20-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 - \$149,604.23; Highway Fund - \$100,098.51; Special Districts - \$39,956.09; Capital Fund - \$1,354,586.34 (vouchers 101759 - 102255) Trust - \$49,320.62 (vouchers 102210 - 102243)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

JOB POSTINGS

Susan Kims stated she did not see the part-time clerk typist position advertised online. Supervisor Meegan responded the position has been advertised on the town's website for some time, but with the new website being launched things may have been moved around.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

JOE CANTAFIO DAY

Supervisor Meegan declared October 14th as Joe Cantafio Day in the Town of West Seneca, noting Mr. Cantafio raised over \$20,000 for breast cancer awareness.

GRANT FUNDING

Supervisor Meegan stated the town has received \$7 million in grant funding since 2012.

SENIOR CENTER UPDATES

Senior Recreation Therapist of Senior Services Mary Josefiak announced the senior center will be hosting a Health Insurance & Services Fair on Friday, October 20th.

RECREATION UPDATES

Recreation Supervisor Lauren Masset stated open skate programs have begun on Wednesday nights and Saturday & Sunday afternoons. The Enchanted Path will be held Friday, October 27th from 6 P.M. – 8 P.M. Youth basketball registration is currently taking place.

LEAF PICK UP

Highway Sup't. Matthew English stated leaf pickup season is beginning and asked residents to place leaves on the lawn at the curb and not in the street to prevent drainage issues.

FIRE DISTRICT BUDGET HEARINGS

Councilman Hart stated fire district budget hearings are Tuesday, October 17th at 7:00 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:40 P.M.

Ayes: All

Noes: None

Motion Carried



JACQUELINE A FELSER, TOWN CLERK

TOWN OF WEST SENECA
LOCAL LAW NO. 8 OF THE YEAR 2017

A Local Law of the Town of West Seneca to override the tax levy limited established in General Municipal Law Section 3-c, as follows:

Be it enacted by the Town Board of the Town of West Seneca:

A local law to override the tax levy limit established in General Municipal Law §3-c.

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of West Seneca to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of no less than sixty (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Town Board of the Town of West Seneca, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4. Severability

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

Section 5. Effective Date.

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

A LOCAL LAW PROVIDING FOR A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS
UNDER REAL PROPERTY TAX LAW §458-b

Section 1. Purpose

The purpose of this local law is to make provision for a Cold War veterans exemption from Town of West Seneca real property taxes and to make such exemption available and applicable on the first taxable status date occurring after the effective date of this Local Law.

Section 2. Findings

- A. The New York State Legislature amended New York State Real Property Tax law to authorize the Town of West Seneca and other jurisdictions to enact a real property tax exemption for Cold War Veterans under RPTL §458-b.
- B. The state legislation was intended to provide Cold War Veterans with a real property tax exemption similar to tax exemptions given to other war time veterans.
- C. The Town of West Seneca desires to extend similar tax exemptions to Cold War Veterans by this local law.

Section 3. Definitions

- A. "Cold War veteran" means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released therefrom under honorable conditions.
- B. "Armed forces" means the United States army, navy, marine corps, air force, and coast guard.
- C. "Active duty" means full-time duty in the United States armed forces, other than active duty for training.
- D. "Service connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.
- E. "Qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- F. "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for

Section 5. Limitations

- A. The exemption from taxation provided by this subdivision shall be applicable to Town of West Seneca ad valorem taxes, but shall not be applicable to taxes levied for school purposes.
- B. The exemption provided by section 4 of this local law shall be granted for a period of ten (10) years. The commencement of such ten (10) year period shall be governed pursuant to this paragraph. Where a qualified owner owns qualifying residential real property on the effective date of this local law such ten (10) year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this local law. Where a qualified owner does not own qualifying residential real property on the effective date of this local law, such ten (10) year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty (60) days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty (60) days after the date of purchase of a residential property, such ten (10) year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten (10) year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten (10) year exemption period.
- C. Application for exemption shall be made by the owner, or all of the owners of the property on a form prescribed by the state subject to the terms and conditions set forth in Real Property Tax Law §458-b.

Section 6. Severability

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 7. Effective Date

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

**TOWN OF WEST SENECA
STANDARD WORK DAY AND REPORTING
RESOLUTION**

BE IT RESOLVED, that the Town of West Seneca hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

(see attached)



Office of the New York State Comptroller
 New York State and Local Retirement System
 Employees' Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A
 (Rev. 8/15)

BE IT RESOLVED, that the TOWN OF WEST SENECA / 30046 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
Appointed Officials								
PLANNIN BOARD MEMBER	6.0	JAMES RATHMANN	8090	38114385	<input type="checkbox"/>	01/01/15-12/31/21	2.22	<input type="checkbox"/>
TOWN ATORNY	7	JOHN FENZ	7961	41360215	<input type="checkbox"/>	01/01/16-12/31/17	28.68	<input type="checkbox"/>
PLANNIN BOARD MEMBER	6.0	CLIFFORD, GEORGE	0861	35133263	<input type="checkbox"/>	12/15/15-12/31/20	1.71	<input type="checkbox"/>

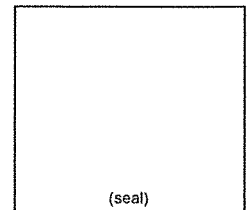
SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Jacqueline A. Felsler, secretary/clerk of the governing board of the TOWN OF WEST SENECA, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the _____ day of _____, 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the TOWN OF WEST SENECA on this _____ day of _____, 2017.

Affidavit of Posting: I, Jacqueline A. Felsler, being duly sworn, deposes and says that the posting of the Resolution began on _____ and continued for at least 30 days. That the Resolution was available to the public on the _____

- Employer's website at www.westseneca.net
- Official sign board at _____
- Main entrance secretary or clerk's office at 1250 Union Road, Room 212, West Seneca



Instructions for completing the Standard Work Day and Reporting Resolution

A.	B.	C.	D.	E.	F.	G.	H.	I.
Title	Standard Work Day <i>(Hrs/day) Min. 6 hrs Max. 8 hrs</i>	Name <i>(First and Last)</i>	Social Security Number <i>(Last 4 digits)</i>	Registration Number	Tier 1 <i>(Check only if member is in Tier 1)</i>	Current Term Begin & End Dates <i>(mm/dd/yy-mm/dd/yy)</i>	Record of Activities Result*	Not Submitted <i>(Check only if official did not submit their Record of Activities)</i>
Elected Officials								
Highway Superintendent	8.00	John Smith	0000	0101010-1		1/1/2010-12/31/2013	32.79	
Receiver of Taxes	6.00	Michelle Jones	1111	0202020-2	X	1/1/2010-12/31/2014	NA	
Town Justice	6.25	Michael Hall	2222	0303030-3		1/1/2010-12/31/2011		X
Appointed Officials								
Planning Board Member	7.00	Joseph Gray	3333	0404040-4		1/1/2010-12/31/2010	17.54	

- A. **Title:** All paid elected and appointed officials (who are active members of the Retirement System) and are not paid hourly and do not participate in a employer’s time keeping system that consists of a daily record of actual time worked and time charged to accruals must be listed. For the purpose of the regulation, an “appointed official” is someone who is appointed by an elected official, an appointed official or governing board. They hold an office in an organization or government and participate in the exercise of authority. This also includes appointees of elected and appointed officials such as deputies, assistants or confidential secretaries.
- B. **Standard Work Day:** The minimum number of hours that can be established for a standard work day (SWD) is **six**, while the maximum is **eight**. A SWD is the denominator to be used for the days worked calculation; it is not necessarily always the number of hours a person works. For example, if a board member only attends one three-hour board meeting per month, you must still establish a SWD between six and eight hours as the denominator for their record of activities (ROA) calculation.
- C. **Name:** The official’s complete first and last name must be included for identification purposes.
- D. **Social Security Number:** The last four digits of the official’s Social Security Number must be included for identification purposes. For security purposes, the last four digits of the Social Security Number can be omitted from the publicly posted version.
- E. **Registration Number:** The official’s Registration Number must be included for identification purposes. For security purposes, the Registration Number can be omitted from the publicly posted version.
- F. **Tier 1:** If the official is a Tier 1 member, this box should be checked. Tier 1 members are not required to keep a ROA.
- G. **Current Term Begin & End Dates:** All officials listed on the Resolution must have a specified Term End date. Leaving this column blank or listing ‘Tenure/At Pleasure’ is not acceptable. If the official does not have a designated term, the current term for the official who appointed them to the position should be used. If they are appointed by the governing board, the chairman of the board’s term should be used.
- H. **Record of Activities Result*:** This column must be left blank if an official does not submit their required sample three-month ROA. To determine the average number of days worked per month, you must divide the total number of hours documented on the three-month ROA by three months to get a one-month average number of hours worked. Then, the one-month average number of hours worked must be divided by the SWD to get the average number of days worked per month.
- I. **Not Submitted:** This column must be checked if an official has not submitted the required sample three-month ROA within the 150 day requirement, regardless of whether they are being reported by another employer for the same period. If the Retirement System receives such a Resolution, it will contact the official to notify them of the consequences of not submitting the ROA.

Once passed, the Resolution must be posted on your public website for a minimum of 30 days or, if a website isn’t available to the public, on the official sign-board or at the main entrance to the clerk’s office. A certified copy of the Resolution and Affidavit of Posting must be filed with the Office of the State Comptroller within 45 days of the adoption. The Resolution and Affidavit can be submitted online via the Elected and Appointed Officials Reporting (EAOR) program.

*To determine the number of days worked to include on the monthly report for the various payroll frequencies, please refer to the Calculating Days Worked instructions available in the ‘Reporting Elected & Appointed Officials’ section of our website: http://www.osc.state.ny.us/retire/employers/elected_appointed_officials/index.php