

Supervisor Sheila M. Meegan called the meeting to order at 3:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Councilman Hanley.

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 Florence McNamara & Margaret Hempling.

17-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2019-16 of August 12, 2019.

Ayes: All

Noes: None

Motion Carried

17-B HELD OVER PUBLIC HEARING

1. Re: "A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN LOCAL LAW NO. 2019-04 – AMENDMENT TO CHAPTER 13, CODE OF ETHICS" in the Town of West Seneca.

Supervisor Meegan stated the Ethics Board will be reviewing public comments made at the previous meeting and presenting any changes to the Town Board.

Town Attorney Tina Hawthorne advised if there are significant changes to the proposed local law, the public hearing will have to be republished according to statutory requirements. Minor changes would allow the process to move forward.

17-C 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 HEAR ALL PERSONS INTERESTED IN AN INCREASE AND IMPROVEMENT OF FACILITIES KNOWN AS THE PRINCETON PARK DRAINAGE BENEFIT AREA" 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

17-C LEGAL NOTICES

1. (continued)

Town Attorney Tina Hawthorne stated a drainage benefit area is required by Town Code for new subdivisions. A special district will be created and the cost to maintain the area will be added to the tax rolls of the property owners within the legal description of the drainage benefit area. The cost is estimated at \$75 per parcel, per year to be paid by property owners.

No comments were received from the public.

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

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve an increase and improvement of facilities to be known as the Princeton Park Drainage Benefit Area.

Ayes: All

Noes: None

Motion Carried

17-D PUBLIC COMMENTS ON COMMUNICATIONS

- A resident referred to Item #6 concerning Bishop Timon use of West Seneca Ice Rink and questioned the following:
 - ✓ Hourly fee for ice time at ice rink – Councilman Hanley advised the fee for Bishop Timon is \$210
 - ✓ Is there is a conflict of interest with Matthew English signing the agreement – Town Attorney Tina Hawthorne advised there is no conflict of interest as Mr. English is signing as hockey coach for Bishop Timon, not as Highway Supt.
 - ✓ Scheduling protocols – Recreation Supervisor Lauren Masset stated first choice is given to West Seneca Youth Hockey and West Seneca Central School District; after September 1st, third-parties such as Bishop Timon can schedule
- Three residents questioned/commented on the proposed development at 945 Center Road:
 - ✓ Submitted information on NYS wetlands on the site and presented a petition signed by surrounding residents requesting the project be denied – Supervisor Meegan stated the Town Board is legally obligated to send the request to the Planning Board for review and suggested the residents attend the Planning Board meeting to voice their concerns.
 - ✓ The developer already clear cut the entire site – Councilman Hart stated the Town Board was not made aware of the situation until after the land was clear cut and the legal process will take its course as there will be issues with the wetlands.
 - ✓ Are fines or penalties assessed for clear cutting the site - Town Attorney Tina Hawthorne stated the property owner could be penalized for not obtaining a tree removal permit. Code Enforcement Officer Jeffrey Baksa advised a tree removal permit is free and only verifies which trees are being removed. The town is in the process of reviewing the situation with the Engineering Department and Army Corps of Engineers.

17-E TABLED ITEMS

1. Highway Sup't. re Appointment of Jeremy Krawczyk as full-time Sanitation Laborer

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Jeremy Krawczyk as part-time Sanitation Laborer and appoint him full-time Sanitation Laborer, Group 7, Step 1 at a rate of \$20.03 per hour effective August 27, 2019 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

17-F COMMUNICATIONS

1. Chief Denz re Attendance at International Chiefs of Police training conference

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Police Chief Daniel Denz and Assistant Police Chief Michael Boehringer to attend the International Chiefs of Police (IACP) training conference, October 25 – 30, 2019 to be held in Chicago, Illinois at a cost not to exceed \$3,800, noting funds to cover this training conference will be taken from the Federal Asset Seizure Trust Fund (004.0004.0072) and will not affect the town's operating budget.

Ayes: All Noes: None Motion Carried

2. Chief Denz re Status change for part-time Matthew Greenan to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time public safety dispatcher Matthew Greenan to part-time seasonal effective September 1 – 30, 2019 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

3. Code Enforcement Officer re Rezoning request – 945 Center Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to refer the rezoning request for 945 Center Road to the Planning Board for review.

Ayes: All Noes: None Motion Carried

17-F COMMUNICATIONS

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| 4. Code Enforcement Officer re Home Occupation request – 1005 Center Road | Motion by Supervisor Meegan, seconded by Councilman Hart, to refer the home occupation request for 1005 Center Road to the Planning Board for review. |
| | Ayes: All Noes: None Motion Carried |
| 5. Recreation Supervisor re West Seneca Central School District – use of West Seneca Ice Rink | Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Central School District for use of the West Seneca Ice Rink for the 2019 – 2020 school year. |
| | Ayes: All Noes: None Motion Carried |
| 6. Recreation Supervisor re Bishop Timon – St. Jude High School – use of West Seneca Ice Rink | Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Bishop Timon – St. Jude High School for use of the West Seneca Ice Rink for the 2019 – 2020 school year. |
| | Ayes: All Noes: None Motion Carried |
| 7. Senior Recreation Therapist of Senior Services re Status change for Lee Ann Piniewski to seasonal | Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time food service worker Lee Ann Piniewski to part-time seasonal effective September 2 – 30, 2019 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel. |
| | Ayes: All Noes: None Motion Carried |
| 8. Town Engineer re Bid date for 2019 Sidewalk Replacement Project | Motion by Supervisor Meegan, seconded by Councilman Hart, to set a bid date of September 17, 2019 at 10 A.M. for receipt of bids on the 2019 Sidewalk Replacement Project. |
| | Ayes: All Noes: None Motion Carried |

17-G REPORTS

- Jeffrey Schieber, Code Enforcement Officer's, building & plumbing reports for July 2019 received and filed.

17-H 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 - \$370,632.78; Highway Fund - \$112,637.31; Sewer Fund - \$135,475.52; Gas Conversion - \$73.15; Electric Lighting - \$588.29 (vouchers 5564 - 7079)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

- A resident questioned/commented on the following:
 - ✓ What section of town is included in the sidewalk replacement project - Code Enforcement Officer Jeffrey Baksa responded the sidewalk replacement project will address the southwest quadrant of town which includes areas southwest of Center and Union Roads.
 - ✓ Did the Town Board sign a new consent order with the DEC – Town Attorney Tina Hawthorne advised the DEC consent order will be on the next agenda and available for public view as an attachment to the agenda item.
 - ✓ Suggested additional language in the Ethics Code prohibiting political activity on town property
- Carol Yetter of the Burchfield Center questioned the status of repairs to the building and submitted a petition signed by 891 people who are in favor of repairing the building – Supervisor Meegan stated she has had several discussions concerning the repairs and suggested adding \$50,000 to the budget to begin inside repairs while allowing the next Town Board to decide on funding the complete repairs either through bonding or budgeting. Councilman Hart & Councilman Hanley both stated they are in favor of making the necessary repairs to the building.
- A resident commended the Highway Department for the milling & paving work done on Laurelton Drive, Marlin Drive and Cranwood Drive.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

RECREATION SUPERVISOR LAUREN MASSET

- Open interviews will be held Wednesday, August 28th, 10 – 11 A.M. for several part-time positions needed for fall & winter programming
- Veterans Park aquatics complex will close for the season August 29th
- Movie in the Park will be held Friday, September 6th featuring Hotel Transylvania III

ASST. CHIEF MICHAEL BOEHRINGER

- Reminder that schools are opening soon; be prepared for sudden stops with bus traffic

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

SUPERVISOR MEEGAN

- Supervisor Meegan read the following public notice into the record: "Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district. Copies of the application form have been provided to Municipal Clerks, Assessors and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment. The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning. A public hearing will also be scheduled at a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.
- A grant was secured for the Town Hall parking lot and reconstruction will begin September 3rd
- Currently interviewing for a part-time Fire Inspector; more information can be found on the Town of West Seneca website

COUNCILMAN HART

- Referred to a vehicle that has been for sale all summer on property at the corner of Union Road and East & West Road and questioned what steps have been taken by the Code Enforcement Office – Code Enforcement Officer Jeffrey Baksa stated a letter was sent to the property owner to remove the vehicle. No response has been received and the next step will be a final letter followed by a court appearance.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hanley, to recess to executive session at 3:50 P.M. to discuss two employee discipline issues and two employee contractual benefit issues.

The board members returned from executive session at 4:20 P.M.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 4:20 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK