

Supervisor Gary Dickson called the meeting to order at 6:00 P.M via video conference and streaming to the Town of West Seneca Facebook page. The Pledge of Allegiance was led by Supervisor Dickson.

**ROLL CALL:** Present - Gary Dickson Supervisor  
William Bauer Councilman  
Joseph Cantafio Councilman  
William P. Hanley, Jr. Councilman  
Jeff Piekarec Councilman

Absent - None

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## **OLD BUSINESS**

### **7-A TABLED ITEMS**

Supervisor Dickson: If there are no objections, we are going to leave the two tabled items, the two legal notices on the table; because we have not been informed by the state that we are able to do public hearings online.

### **LEGAL NOTICES**

1. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 1220 SOUTHWESTERN BOULEVARD, BEING A PART OF LOT NO. 393, CHANGING ITS CLASSIFICATION FROM C-1 TO C-2(S), FOR CONSTRUCTION OF THREE- TWO STORY, EIGHT UNIT APARTMENT BUILDINGS" in the Town of West Seneca. Remained on the table.
2. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A HOME OCCUPANCY PERMIT FOR A HOME BASED RETAIL BUSINESS AT 55 SOUTH PIERCE STREET" in the Town of West Seneca. Remained on the table.

### **PUBLIC COMMENTS ON COMMUNICATIONS**

Supervisor Dickson: So, next we go to public comments on communications, we did solicit email comments and those were given to all of the Council members. And I think Brendon is just going to give us a little short summary of all of what they were.

Brendon Najm: Thank you, Supervisor. Yes, I just wanted to give a summary just for the audience so, and public it's only been in regards to the Burchfield Nature and Art Center and one other meeting agenda item that was emailed to Council members at about quarter to five. There are questions and comments on both sides of the Burchfield view and in summary we've received correspondence from fourteen or fifteen individuals with opposition to the resolution. Richard Lipka, a retired structural engineer stated in my years of engineering I've seen many buildings in disrepair and feel \$100,000 is not enough to cover the costs on the building. Some other folks are opposed to (inaudible) the pandemic and associated costs of recovery, or the inability of the public to present to the board in person. Others are concerned about the lack of a contingency plan if grant funding is threatened. There are additional concerns over cost overruns, the expertise (inaudible) and whether there's adequate funds, first stabilization, once more issues are discovered and whether this could impact

**PUBLIC COMMENTS ON COMMUNICATIONS** (continued)

property taxes. Evelyn Hicks of our Environmental Commission sent everyone a memo via email in support of the resolution before the board on the matter; she requested the board consider immediate stabilization of the structure and is strongly opposed to tearing it down. Hicks note was the sole correspondence with expressed written support of the project. And then Carol Yetter, who volunteers at the Burchfield site, provided a list of comments or points of discussion in her written comments she did not provide explicit support for the proposed resolution before the board.

Supervisor Dickson: Okay and we'll have plenty of opportunity to talk about it when we get to that that point. Okay.

**NEW BUSINESS**

**7-B COMMUNICATIONS**

1. Supervisor Dickson re Spot Coffee rental agreement                      Motion by Supervisor Dickson to cancel Spot Coffee's \$700.00 rent payment for April 2020.

Supervisor Dickson: On the question, so we'll go to item number one is a memo for me, requesting that since the library has been closed and there's no word when it will be open; actually, we've heard today that it will be closed indefinitely. Spot Coffee is closed and the building is closed; it puts the owner of Spot Coffee in a very difficult financial situation. So, I move that we cancel Spot Coffee's \$700 rent payment for the month of April 2020 since the building is closed. Do I have a second?

No second was received.

Motion failed for lack of a second.

2. Town Attorney re Burchfield Nature & Art Center repairs                      Motion by Supervisor Dickson, seconded by Councilman Cantafio, to adopt the following resolution regarding the Burchfield Nature & Art Center repairs:

Read by Councilman Bauer:

WHEREAS, the building at the Charles E. Burchfield Nature & Art Center, located at 2001 Union Road, is in a state of disrepair, which has limited it's occupancy and functionality; and

WHEREAS, the Town Board of West Seneca has determined that it is in the best interest of West Seneca and its residents to repair the building so it is able to be fully occupied and functional, and said repairs will include east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs; and

7-B COMMUNICATIONS (continued)

WHEREAS, the New York State Assemblyman, Patrick Burke, of the 142nd Assembly District, has allocated \$100,000 to West Seneca to be used toward the restoration and re-opening of the Burchfield Nature and Art Center, and the Town of West Seneca understands that the process of reviewing, approving, and receiving said funds will be between the Dormitory Authority of the State of New York (DASNY) and the Town of West Seneca; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca authorizes the repairs to the Burchfield Nature and Art Center, specifically to the east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs, at a cost not to exceed \$100,000 utilizing labor from the Town's Highway Department.

Supervisor Dickson: On the question, so my concern with this is several fold: number one, there is no money in the budget for this. As everybody should know the town is in very serious financial condition. The deficit for 2019 was over \$400,000; even in good times the deficit for 2020 was looking to be significant. And then we have this COVID-19 and the significant loss of sales tax and other revenue, it could be even worse. We simply do not have \$100,000 this year or even possibly next year for this money. Now, I understand that it's being presented as a grant. It's a grant proposal. So what happens is a member of the State Legislature allocates money. Allocates I should say more of a, it's more of a promise for money and then there's a whole process that we go through with DASNY, the state agency that administered all these things. This process can take months. It can take a year. It can take more than a year. So we don't know when this money is going to be available. We don't even know if the money is going to be available. It's possible that the, the application fails for various reasons. One of which could be that we're in litigation, according to our grant writer. And the other is that because of the state's well known very serious financial situation, they might pull any grants that are not yet, they're still yet not yet a contract. So, and it's also, you know, when I first heard about the Mr. Bauer's plan, it was presented as, you know, originally the town and said it's going to cost \$500,000. And then he said, okay, we've got it down to \$100,000. I thought, well, that's great, that's fantastic. However, then we heard, you know, eleven days ago, it's not \$100,000 versus \$500,000, it's more like, \$300,000 or \$400,000 versus a \$500,000. This plan commits us to further repairs next year, and the year after that. You know, of over \$100,000 for the mechanicals and \$150,000 or more for the siding and the roof. So, I have serious concerns, whether this is really putting us on the right path. The original idea was that we would have a public hearing about it in which Mr. Bauer would present the result of his report and then we'd have a public hearing. We would hear from the public and we would also be able to discuss other options because there are other options. And I'm very concerned that we're not talking about other possibilities, that by that, but this resolution puts us down the road of having chosen one path without the, the, the public having a chance to weigh in. This repair, it may be the right thing to do, I'm not saying it's not, but it is very, it is very problematic. Also, there's actually no reason for a resolution. If you go back and look at the minutes in past years there is no resolution. The person in the legislature says, hey, I'm going to put you in for a loan, we say, great. Maybe we announce it, that he's put us in for a loan and then we go through the whole process. We did it with the police cars. We've done it with lots of other things and those can often take a year or more to actually to do them. And then if, as I said, we don't have any money in the budget to actually begin any of this work. So, there's really no point to this resolution. And I'm not even sure why it's on, except maybe it locks us into one, to one route. Or one plan, that I'm not sure that, you know, really the, the town, the town residents are all really all behind. So I think we need to look at all the alternatives. I don't think we should lock ourselves into one. We can do nothing today and the, the grant application will still go

**7-B COMMUNICATIONS** (continued)

forward and maybe in a year or whatever we'll be approved for it. And then we'll decide what to do or what not to do. I mean, there's plenty of precedent in West Seneca for getting a grant and then doing nothing. In 2017 Senator Gallivan gave us one and announced he would put us in for a \$300,000 grant for a pavilion and comfort center at Veterans Park. That was approved in, I believe, was March 2018 and there has still been no work done on it. So, there's certainly precedent for having these grants, and just maybe thinking better about what actually gets, what we actually do with them, instead of just jumping in and saying, well, this is the solution and we're not really interested in what other people have to say. Thank you.

Councilman Bauer: And on the question, I'd like to also make a comment here. First of all, I'd like to start off by clarifying the intended scope of the work that was covered specifically at the March 19<sup>th</sup> meeting of Town Board. Scope of work is only including the structural repairs on the main concourse, walls, ceilings, exterior, drainage, and both the east and west concourse. After conducting numerous site meetings with the department heads of Engineering, Code Enforcement, Buildings and Grounds and Highway, as well as some employees of the departments, the scope of the needed repairs and the correct structural deficiencies were identified. In my 40 years of construction experience in project management and estimating, I broke up the scope of the work and proceeded to estimate the project as I would in any private industry. The result in cost for a contractor in a private industry to complete the work was calculated to be \$283,000. Completing the same scope of work and utilizing the Town of West Seneca current workforce and equipment to complete this work it will be estimated an out of pocket cost to the Town of West Seneca of \$94,400; an estimated savings over \$143,000 by performing the work with our own town forces. Of this work will be performed, there'll be no overtime by town employees. On February 28<sup>th</sup> I met with the Supervisor Gary Dickson in his office. We had a brief discussion on the repairs of the Burchfield and a rough estimate exceeding \$100,000 was talked about. And the Supervisor stated that the town could not afford that expense and he suggested I speak with Assemblyman Pat Burke to see if he could assist with the funding. Later on Councilman Cantafio and myself met with Assemblyman Pat Burke to see if he could assist with the funding. Pat Burke said he was interested in helping with the funding the repairs, but he'd have to get back to us. On March 19<sup>th</sup>, we received the written commitment for \$100,000 in funding for the repairs from Assemblyman Pat Burke. The funding of the project by Assemblyman Burke means that the structural repairs of the Burchfield in 2020 will be completed at no out of pocket expense to the taxpayers of the Town of West Seneca. Also in conjunction with the State of New York Office State Comptrollers Review of the West Seneca Capital Improvement Project, recommendations were made back in February 2020. All of the steps in the construction process will be followed to ensure that the construction process will be transparent to the taxpayers of the Town West Seneca. We'll prepare an itemized budget and amendment update the budget on a monthly basis. And Megan Wnek, the Finance Director will submit the report to the Town Board on a monthly basis. This report will compare the budgeted costs to the cost incurred every month. A report will also be made available to the public every month until the project is completed. At which time of final audit of the project will take place in order to finalize the project account. Councilman Bauer and Mr. James Frick, P.E., a member of the town Planning Board and a licensed professional structural engineer will make a monthly site visit to the project to ensure that the work is being performed properly and we'll write a brief report of the work that has been inspected. This project will also have weekly site visits by the Highway Superintendent, Buildings and Ground Supervisor, as well as periodic visits and inspections by the Code Enforcement Manager. Because the project was initiated, late in January 2020, before the current crisis evolved, it is imperative that we act promptly in making a commitment to do this project and accept the funding of this work by Assemblyman Burke's office and not procrastinate and run a high risk of losing the funding

**7-B COMMUNICATIONS** (continued)

to another municipality. The reality of having a building needing significant repairs with no funding assistance will have a much greater negative impact on the town's current finances. A proposed schedule for the start of this project will be after the lifting of the COVID-19 pandemic work restrictions, the return of the West Seneca highway employees to the job duties and not until the allocated funding from the New York State and DASNY is released to the Town of West Seneca. Only until after these conditions are met will work start on the Burchfield project. With this clear and concise outline of the scope of work, the detailed budget, and the funding sources defined, I feel there's time for the Town Board to approve the resolution and complete the project for the Friends of Burchfield and all of the taxpayers. It is time for our town leaders to stop making promises and start making progress for our community. In addition to that, I received a letter today from Pat Burke's office, and I'm going to read it off to you. This is to the Town Board members: For years Assembly District has not received its fair share of resources from New York State. As a new member of the New York State Assembly, I have worked to change that, and I am pleased to have the opportunity to designate over \$300,000 of its 2019 State Municipal Funds, SAM funds, for various projects and the Town of West Seneca. After speaking with the Town of West Seneca Town Supervisor and other members of the Town Board, it was my understanding that the project to repair the Burchfield Nature and Art Center on Union Road was a priority for the town and its constituent. This building belongs to the town and its current state is in need of attention. I believe that this project to restore and reopen the Burchfield, as it was outlined to me, would be a great asset to the Town of West Seneca residents. I'm also learning that the pursuit of this project is being reconsidered. At this time, I have submitted the application to designate \$315,000 in funding for the Town of West Seneca for multiple projects. Of which was requested by the town and approved by my office. The application for each project, specifically outlined, included \$100,000 for the Burchfield. If the Town of West Seneca decides not to commit to the Burchfield project, I will pull and amend the application to reflect the removal of this project. An amendment would, unfortunately, make this already lengthy process even longer. I have a project requests throughout the district, and I would like to submit accurate applications as soon as possible. Please let me know what the town's decision in this matter. Sincerely, Patrick Burke.

Councilman Piekarec: On this question here, personally at this time with COVID-19 crisis and families not able to leave their home, attend this Board Meeting and speak out. I don't feel we should be debating such a divisive controversial issue in the public. We need to let the public engage more in it. For that reason I'm going to make a motion here that we table this resolution.

Supervisor Dickson: Second. On the question? All in favor? Amy, you want to do the role on the question of tabling it.

Motion by Councilman Piekarec, seconded by Supervisor Dickson to table the resolution.

Ayes: Supervisor Dickson  
Councilman Piekarec

Noes: Councilman Cantafio  
Councilman Bauer  
Councilman Hanley

Motion Failed

**7-B COMMUNICATIONS** (continued)

Supervisor Dickson: Okay. Failed anything else Jeff?

Councilman Piekarec: Yeah. I'd like to make a motion to amend the resolution. To state that no construction is to begin until we receive the funding from the state. This will ensure that the town does not lose money on the endeavor to fix this building.

Councilman Hanley: That motion's already been made by Councilman Bauer.

Councilman Piekarec: That has not been made by Councilman Bauer.

Councilman Hanley: It has ... read (interrupted)

Councilman Piekarec: It does not state that we have to wait until the funds arrive before we can begin the work anywhere in it.

Councilman Hanley: It's the letter he just read to us.

Councilman Piekarec: That's not a formal motion that was a letter from the Assemblyman.

Town Attorney Hawthorne: So I suggest the Mr. Bauer make a motion and amending the resolution as he has stated in is speaking.

Councilman Bauer: I'd like to make a motion to approve the resolution of the repairs to the Burchfield Nature an Art Center with the following revisions:

WHEREAS, the building at the Charles E. Burchfield Nature & Art Center, located at 2001 Union Road, is in a state of disrepair, which has limited it's occupancy and functionality; and

WHEREAS, the majority of the Town Board of West Seneca has determined that it is in the best interest of West Seneca and its residents to repair the building so it is able to be fully occupied and functional, and said repairs will include east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting and west gallery exterior and interior wall and ceiling repairs; and

WHEREAS, the New York State Assemblyman, Patrick Burke, of the 142nd Assembly District, has allocated \$100,000 to West Seneca to be used toward the restoration and re-opening of the Burchfield Nature and Art Center, and the Town of West Seneca understands that the process of reviewing, approving, and receiving said funds will be between the Dormitory Authority of the State of New York (DASNY) and the Town of West Seneca; and

WHEREAS the work on the repairs outlined in this resolution will not begin until the funds, as allocated by Assemblyman Burke and DASNY, has been received by the Town of West Seneca, and the work force restrictions for the COVID-19 pandemic as set forth by the State of New York and the funds have been released to the Town of West Seneca and their employees are back to work; and

**7-B COMMUNICATIONS** (continued)

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca authorizes the repairs to the Burchfield Nature and Art Center, specifically to the east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs, at a cost not to exceed \$100,000 utilizing labor from the Town's Highway Department.

Supervisor Dickson: So, a couple of comments. One, is this a motion just to amended this? I don't think there should be a motion to pass it. It should be a motion to amend it as ever you want. Second, we don't receive money. These are reimbursements, so the money is never going to come to us. They will, we will have a grant decision, or I forgot what it's called, a GDA from DASNY, which says, yes, it's approved and then we will, we do the work and we have invoices. We submit them to DASNY and they pay them, you know, fairly quickly. So we never actually get any money before we have expenses. I'm just saying, I'm not saying that I mean, the reimbursement is quick, but just like, they don't send a hundred thousand dollars. We send them a bunch of bills and then they pay them pay us back.

Councilman Cantafio: Can I offer with what Supervisor Dickson just said, I think the word there is released as Supervisor Dickson mentioned. The money gets released, but we don't receive it until we submit invoices. So, I think the word "received" technically should be to be changed to "released." And that would offer what Supervisor Dickson had mentioned.

Town Attorney Tina Hawthorne: You could also change it to "once you have written commitment that the grant funding has been approved."

Councilman Cantafio: I'm good with either of those. I would ask Miss Hawthorne to make the corrective language and then have us vote on it.

Town Attorney Tina Hawthorne: So, what I would suggest is that the last paragraph of the current resolution that you add "with the understanding that construction will not begin until the Town of West Seneca receives the written commitment to grant funding for this project from DASNY in the amount of at least a hundred thousand."

Councilman Cantafio: Bill is that so that will become your motion? I would second then.

Supervisor Dickson: Alright, so Tina, I, I mean, we're just voting on the amendment. We're not voting in the actual resolution because of the discussion of that actual revolution resolution is not completed.

Town Attorney Hawthorne: That's correct. So, it sounds like Mr. Cantafio is seconding the motion in terms of amending it; and then you can put that to a vote, continue discussion, and vote on the resolution overall.

Supervisor Dickson: Alright, so any discussion about the amendment to which adds that, the understanding that the money won't be spent until it's available from DASNY?

Councilman Cantafio: I would like to note that in Councilman Bauer's statement that he just read, he referred to the Comptroller's office recommendations and spoke of how, if, and when this construction began, there would be that weekly and monthly updated checks by multiple people from the town as well as a Councilman Bauer. I think it's important to emphasize what he had read.

**7-B COMMUNICATIONS** (continued)

Supervisor Dickson: Mr. Piekarec, anything else?

Councilman Piekarec: Nothing on the amendment.

Motion by Councilman Bauer, seconded by Councilman Cantafio to adopt the revised resolution as follows:

WHEREAS, the building at the Charles E. Burchfield Nature & Art Center, located at 2001 Union Road, is in a state of disrepair, which has limited it's occupancy and functionality; and

WHEREAS, the majority of the Town Board of West Seneca has determined that it is in the best interest of West Seneca and its residents to repair the building so it is able to be fully occupied and functional, and said repairs will include east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting and west gallery exterior and interior wall and ceiling repairs; and

WHEREAS, the New York State Assemblyman, Patrick Burke, of the 142nd Assembly District, has allocated \$100,000 to West Seneca to be used toward the restoration and re-opening of the Burchfield Nature and Art Center, and the Town of West Seneca understands that the process of reviewing, approving, and receiving said funds will be between the Dormitory Authority of the State of New York (DASNY) and the Town of West Seneca; and

WHEREAS the work on the repairs outlined in this resolution will not begin until the funds, as allocated by Assemblyman Burke and DASNY, has been received by the Town of West Seneca, and the work force restrictions for the COVID-19 pandemic as set forth by the State of New York and the funds have been released to the Town of West Seneca and their employees are back to work; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca authorizes the repairs to the Burchfield Nature and Art Center, specifically to the east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs, at a cost not to exceed \$100,000 utilizing labor from the Town's Highway Department with the understanding that construction will not begin until the Town of West Seneca receives the written commitment to grant funding for this project from DASNY in the amount of at least \$100,000.

Ayes: All

Noes: None

Motion Carried

Supervisor Dickson: Okay. Alright. Getting back to the discussion of it, Jeff, Do you have anything else?

Councilman Piekarec: Yeah, at this time, without involving the public further, considering other options, we're also figuring if this will affect our labor costs either directly or indirectly, I cannot support the final resolution on this. I will be voting "Nay" on it.

Supervisor Dickson: Any other comment, I mean, I'm going to have some more comment, but if anybody else wants to go ahead.



**7-B COMMUNICATIONS** (continued)

Highway Superintendent Adams: I'll just chime in one thing. I know we were kind of talking about labor costs and there's been some misconception that there would be, you know, overtime and everything affiliated with the town employees doing the work. I can assure everybody that there will be no overtime used for this project. The daily work when our crews are on site will be in our normal hours and I will approve no overtime for this, again, this is something that we've gone through, the project, the building and we feel very comfortable doing the work. And, honestly, it's something that I think is big for the town is having, you know, using our own assets, our own equipment to do things like this and potentially save a good amount of money as far as I believe Councilman Bauer stated through a private company. Just for this phase one about \$283,000 from an outside company, if we can, you know, have our resources come in and do it for about a \$100,000 that's a pretty big savings and I just wanted to reassure everybody that no overtime would be affiliated with this.

Supervisor Dickson: Brian, I know you said at the last meeting that this was your, your number one priority was roads, do you have an idea how much labor dedicated to this?

Highway Superintendent Adams: Again, it's not just roads. There are a lot of other issues throughout town that take precedence to this. This is a priority, it's just not a top priority and it's not like we're going to have a fifteen to twenty person crew working there daily. We have many skilled laborers and operators within the town and I've pretty much tasked about five to six to do most of the work, and that doesn't mean, you know, six or so will be there daily. We may have two or three people working at a time when we have the ability to do so. Again, other projects around town take a priority to this, but if it's something that we can add, add a few extra bodies over there, a few hours here and there to complete the work, I'm all for it. I don't think that putting a timeframe of say, thirty to sixty days to complete the job is necessary. I think if we can do it within a reasonable time, that it's well worth and it's beneficial to the town.

Supervisor Dickson: Thanks. So, a couple things, one, there's only one way that this allocation gets pulled. It's if the Assemblyman pulls it himself, or if the state says our finances are so bad that we're going to, that we're going to disallow you know, we're going to cancel all these applications. Either one is possible. I have no idea if either one is probable. So that, so saying that if he doesn't accept this, if we don't accept this, then we could lose it. Well, certainly, we could lose it if the Assemblyman wants to lose the money for West Seneca and not be used on something else. Certainly that could be possible if the Assemblyman decided to do that. But I don't think that's likely. I think I think it would simply be allocated to some other, some other project. And don't forget this money is not is not free in the sense that it would normally be doing other things. A \$100,000 represents about three quarters of a mile of paving or a \$100,000 could be three police cars. So we're giving up something to do this. And I would just read something. There was some comment. Well, we need our town employees to tell us the condition of the building. I'd like to remind everyone of a different one to three years ago we had a professional engineer do a very extensive analysis and it's online and I would just like to read one thing at the end. "It is our professional opinion that this building should be considered a poorly designed, engineered and constructed building." So I think the town should have an opportunity to decide if we really want to put money into this again. And again, this is not \$100,000; it's closer to \$350,000 or \$400,000 which we don't have money for, because this is just the first step. The building was so incredibly poorly designed and has suffered so much over the last twenty years that we really don't know how much it's going to cost to fix. The HVAC is going to have to be replaced, that's going to be very expensive. A new roof is going to have to be put on, that's going to be very expensive. How many people have heard of a government project that has been on budget and maybe this one would be. You

**7-B COMMUNICATIONS** (continued)

know, it just is also the labor of our guys is not zero is definitely has a value. So, I think considering, as Jeff said, how important this is to the town, the feelings of many town residents for a pro or con, that we should give the, the town a chance to participate in person or at least more thoroughly to look at other alternatives; up to including replacing it, or simply some people just say, and I'm not one of them, but some people say just tear it down and leave an empty pad. Because this, this could be something that's going to cost us money for a long, long time. Thank you.

Councilman Piekarec: In the report from the state Comptroller's office, they cited us on the library or a few short weeks ago that the town rushed it through, didn't involve the public, that they didn't update the public correctly. We're going to reports as we go; alright, I'm fine with that. The fact, we're not doing in detail other options here, we're giving one option. We're shutting it down in the middle of a crisis in which people are dying and being hospitalized. I just don't think it's necessary. I think we're repeating the same mistakes in the past.

Councilman Cantafio: Plenty of information. Miss Hawthorne, is there a motion on the floor right now? Do we have a motion on the floor?

Town Attorney Hawthorne: No, while you're on the question still before you get to the ending motion? So, we did the amendment, the amendment passed now you're discussing, but there needs to be a new motion, if somebody wants to motion to have the resolution.

Councilman Cantafio: I move that. I'd like to move that the motion as presented and amended by Bill Bauer moves forward.

Councilman Hanley: I second that.

Motion by Councilman Cantafio, seconded by Councilman Hanley to adopt the resolution regarding the Burchfield Nature & Art Center repairs as presented and amended by Councilman Bauer.

On the question, Supervisor Dickson: On the question, so, on the question, one of the main findings of that Comptroller was that the town was not transparent and did not engage the public what the town did for the library was to have a whole bunch of public information things. But, basically, they were telling the town, this is what we're giving you. They didn't ask if we wanted it, they didn't ask what we wanted in it. They said this is what we're giving you and I believe this is being repeated yet again and it's a shame.

Councilman Cantafio: Can we call the question?

Supervisor Dickson: Sure. Why don't you? The, the clerk called the role.

Town Clerk Kobler: So, it is a motion to accept, as it's presented and amended by Councilman Bauer.

Ayes: Councilman Bauer  
Councilman Cantafio  
Councilman Hanley

Noes: Supervisor Dickson  
Councilman Piekarec

Motion Carried  
\*APPENDICES\*

**7-B COMMUNICATIONS** (continued)

Supervisor Dickson: Okey-dokey moving onto what did I do with the agenda? Highway Superintendent regarding immediate wage increase or sanitation part time workers

Town Attorney Hawthorne: Gary, Supervisor, I believe you skipped over number three.

Supervisor Dickson: Oh, I'm sorry I'm sorry. Town Attorney regarding municipal agreement.

Town Attorney Hawthorne: So, this is for summer camp. I mean, I know that's up in the air right now, but this was put on the agenda at the request of recreation.

3. Town Attorney re Intermunicipal Agreement with WSCSD Loaning of Buses
- Motion by Supervisor Dickson, seconded by Councilman Hanley, to adopt the following resolution authorizing the Supervisor to enter into an agreement with the West Seneca Central School District for use of school buses for the Recreation Department's summer youth program:

WHEREAS, the West Seneca Central School District maintains a fleet of school buses; and

WHEREAS, the Town operates activities devoted to the welfare of youth therein and provides leisure-time activities for youth, as authorized in General Municipal Law § 95; and

WHEREAS, the District has determined that it has school buses not used for the transportation of District students during certain periods, including when school is not in session; and

WHEREAS, the District and the Town jointly desire to enter into an agreement whereby the District would temporarily loan school buses to the Town for the transportation of youth to Town activities during the academic years beginning 2020- 2021 through the 2024-2025 school year; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca authorizes the Supervisor to execute the Intermunicipal Cooperation Agreement with the West Seneca Central School District for the loaning of school buses for the transportation of youth to Town activities during the 2020-2021 through 2024-2025 school year.

Supervisor Dickson: On the question, we actually did have, excuse, we had a comment on this issue for, from the, from the public that I neglected to read. So, Brendon, can you read that one?

Brendon Najm: Alright, this is a public comment from Susan Kims from 99 Covington regarding intermunicipal agreement with West Seneca Central School District for the loaning of buses. She states that "Since the bus driver is an employee of the school district that it aligns as to who the employer is, the town should reimburse the district for employee wages. This would eliminate the burden of possible workers compensation if the driver is injured on the job. Also, since we self insure for workers compensation, a claim the town making payments into the future for a driver and employee of the school district. The driver is after all an employee of the school district, not the town.

7-B COMMUNICATIONS (continued)

Councilman Hanley: Supervisor this is Councilman Hanley, if I may, the school bus driver is an employee of the town. They go through the same hiring process as every other person who gets hired by the town - background check, alcohol, drug testing. So, when they're working for the Summer Camp Program, they are strict, they are truly an employee of the Town of West Seneca being paid by The town of West Seneca.

Supervisor Dickson: Any other comment? Okay.

Councilman Hanley: One more if I can. I'd like to share that this is another example of an asset that the school has, it's a shared service. There is no cost to the tax parents for the school buses. They pay for the maintenance. They pay for the fuel. They pay for the buses. Well, the taxpayers pay for it, so we all pay for it, but this is another example of shared services where the schools do not charge the Town of West Seneca any expense for the bus.

Supervisor Dickson: Do we already did we have a second. I think we did.

Councilman Hanley: I seconded it.

Supervisor Dickson: Okay all in favor?

Ayes: All

Noes: None

Motion Carried

4. Highway Sup't. re Wage increase for part-time Sanitation Department employees

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to approve a wage increase to \$13.75 per hour for hours worked for all part-time Sanitation employees effective March 31, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Councilman Piekarec: On the question, I will be voting against this. As with the town currently facing financial problems, the economy declining, and many people out of work it sends the wrong message to raise the wages on this. I also think when it comes to attracting workers for this job our local economy is declining, it will be a larger work pool, it's not contractually obligated to do this, I do not think it would be beneficial for the town.

Supervisor Dickson: I will say that this is, this is actually will be in the budget to actually save, actually, the budget will save money because of a reduction in hours. So, even with this increase, the Highway Superintendent should pretty much hit his, the, the budget for a sanitation workers.

Councilman Piekarec: Let's keep all the savings. I mean, we're going to be over budget a lot of other areas.

**7-B COMMUNICATIONS** (continued)

Supervisor Dickson: Yeah, it comes to about is probably about \$10,000 or \$15,000 maybe \$20,000 or something like that, but it will be in the budget or in budget. So the net effect is actually saving us money because of fewer overtime hours. Any other comments? So, the clerk, I would take the role please.

Ayes: Supervisor Dickson  
Councilman Bauer  
Councilman Hanley  
Councilman Cantafio

Noes: Councilman Piekarec

Motion Carried

Town Attorney Hawthorne: So, on the Burchfield vote, you didn't asked Cantafio or Hanley. Maybe we should clear the record.

Councilman Cantafio: It is aye from Councilman Cantafio for the Burchfield vote.

Councilman Hanley: It is aye from Councilman Hanley for the Burchfield vote.

Town Clerk Kobler: Thank you.

Supervisor Dickson: Okay. If nobody objects we're going to do a five through nine as one vote. They all regarding, they all relate to the retirement of police officers.

5. Chief Denz re Retirement of Detective Daniel Crowe  
Motion by Supervisor Dickson, seconded by Councilman Piekarec, to accept the retirement of Detective Daniel Crowe effective March 21, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting Detective Crowe has served the Town of West Seneca for the past 32 years and will be greatly missed.
6. Chief Denz re Retirement of Detective Jeffery Lukis  
Motion by Supervisor Dickson, seconded by Councilman Piekarec, to accept the retirement of Detective Jeffery Lukis effective March 21, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting Detective Lukis has served the Town of West Seneca for the past 30 years and will be greatly missed.
7. Chief Denz re Retirement of Detective James Pappaceno  
Motion by Supervisor Dickson, seconded by Councilman Piekarec, to accept the retirement of Detective James Pappaceno effective March 28, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting Detective Pappaceno has served the Town of West Seneca for the past 32 years and will be greatly missed.



**7-C APPROVAL OF WARRANT**

Motion by Supervisor Dickson, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$97,737.22; Highway Fund - \$50,667.14; Capital Fund - \$291,358.14; Sewer Fund - \$11,729.75; Gas - \$76.37; Electric Lighting - \$706.84 (vouchers 10861 - 11522)

Ayes: All

Noes: None

Motion Carried

**PRESENTATION OF DEPARTMENT HEADS**

Supervisor Dickson: Now around the tables, so to speak, the virtual table, for words from participants. Mr. Bauer?

Councilman Bauer: I have nothing. No. Thank you.

Supervisor Dickson: Miss Kobler.

Town Clerk Kobler: I have nothing, but you have to approve the warrant.

Supervisor Dickson: Mr. Adams, anything?

Highway Superintendent Adams: I just want to kind of touch base on the whole, a handbook and things we were talking about with the parks. You know, as the weather gets warmer and we're still in this crisis right now we want people, again, to use the parks and be outdoors and, you know enjoy the time with their families and stuff, but please be responsible, you know, with our playground equipment and other things. We can't, you know, clean and keep up with things. So, you know, please keep the children off of those pieces of equipment for now. Use the walking paths, the open space, just enjoy the scenery. We have a lot of different parks, and they have a lot to offer. So, again, just please use caution and well, we're all in this together and hopefully in the near future, this will, we can be looking back on this and really enjoying the parks to their full potential.

Supervisor Dickson: Mr. Piekarec?

Councilman Piekarec: Nothing major here. I just want to again, wish everyone to keep safe out there. I'll reiterate what Brian said: please, don't use the playground we are not cleaning them at the moment. You know, like I said, support our local restaurants as well, who are hurting quite a bit right now, with takeout orders. So keep safe and let's get through this.

Supervisor Dickson: Mr. Cantafio?

Councilman Cantafio: Again, I wish everybody well, and be safe. And I want to especially thank all of our employees for still finding a way to do their job and put in some of them, they're putting themselves at risk in the different departments. So, I just wish them health and safety and thank them for their continued service and ask that they continue to be safe.

Supervisor Dickson: Thanks. And for the public, I apologize; I skipped your issues so we'll go to you after the warrant after we finish up with us. Mr. Hanley?

PRESENTATION OF DEPARTMENT HEADS (continued)

Councilman Hanley: Supervisor, on motion number one for the Spot Coffee that did not receive a second, so we weren't able to go on the question. I'd like to revisit that if I can and I, I believe the reason are might not have been a second. I don't, I haven't spoken to the other people or the other council members. Giving Spot Coffee a pass on the seven hundred dollar payment would be a gifted, gift to public funds. That's not allowed by law. However, I think we can work with our Town Attorney Tina, we can amend the contract that would give them, if they missed March and April, we could extend the contract at the end for two more months. But just to forego the seven hundred dollar payment would be a gift of public funds. So, if our Town Attorney's willing, we could probably, it has to be, it has to be in the interest of both parties. So, if Spot Coffee is in agreement with the Town Board, we can extend the contract for two months at the end. Or whatever, whatever time they lose, we can give them that time at the end of the contract. I think that's the only way around that.

Supervisor Dickson: Tina?

Town Attorney Hawthorne: So, my legal analysis of an unauthorized gift of funds is slightly different, but I think that it's a win-win to redraft the contract adding, extending it for the months in, which you would waive the payment. So, I'm certainly willing and able to work on that.

Councilman Hanley: If this goes for three months, we can extend the contract at the end of three months and then there is no question on whether or not it was a gift of public funds.

Town Attorney Tina Hawthorne: Yeah, that's the safest way to do it, and we should wait until we know how many months.

Councilman Cantafio: Can I also just ask to consider, I think we have another tenant, the Chamber of Commerce. If we're going to do this for Spot Coffee, at least, I think we should look into considering, in fairness to their office too, I believe they also pay rent. And I don't know if there are any other offices that pay rent. If there is, I think we should consider all of them but I know I know they pay partial rent, so I would support looking at doing something for Spot Coffee and also to look at the other tenants.

Supervisor Dickson: So the difference is we closed the building so spot coffee cannot work cannot work. There's no such thing as working off site for Spot Coffee. The Chamber can and is working off site and continues to work.

Councilman Cantafio: Thank you for that Supervisor

Councilman Piekarec: Personally, I think it sends the wrong message to cut them a break on it. Lots of, most of our taxpayers right now aren't getting break on their mortgages and their rent necessarily, for even some businesses as well, for us to go do a bailout of the business in our building. I just think it's unfair and it sends the wrong message to the taxpayers.

Councilman Cantafio: I appreciate all the comments I just was offering, is something to consider because they were also a tenant. We all make very valid points.

Supervisor Dickson: Tina, what is your analysis of the gift of funds issue?



PRESENTATION OF DEPARTMENT HEADS (continued)

Town Attorney Tina Hawthorne: So, I was looking at it earlier today in response to this question and a lot of times it's more when the public monies are being used for personal use. I'm not sure that that's what's actually happening here, but I do think that Councilman Hanley's suggestion makes sense and is the cleanest way to do it without a question.

Supervisor Dickson: So, how would that in practice work?

Town Attorney Hawthorne: Well, I think we would, we would simply do an amended contract. So we would take the existing contract and then I would use it to extend the term by however many months we decided and we would re-sign. It would have to go through the Town Board, we'd have to put it on an agenda, have it approved.

Supervisor Dickson: So, but what about well, you could make an argument that you might, I don't know if you can make an argument that we're violating the contract by not letting her work. Not giving her access to her place.

Town Attorney Hawthorne: That's my other thought here, right? As she is differently situated, although we have all the Executive Orders and stuff that would work, you know, that would come into play there. And this is all such touch and go with government and private businesses on knowing how to interpret all of this. But I think the, the cleanest way to do it is to amend the contract, which I imagine, obviously, she would have to have a willingness to do. I imagine she would, if that's all we were changing were the term and close it down.

Councilman Cantafio: Can I ask a question Supervisor and Miss Hawthorne?

Town Attorney Hawthorne: Sure.

Councilman Cantafio: So the reason why, I, I was hoping somebody else would second, like Bill, just on the question. I don't know legally how this would work, but I think philosophically it sounds as if most of us want to do something to help them. So, could we Supervisor and Miss Hawthorne, maybe look into it and come up with something that would answer those questions for us and then we can vote on it the next meeting. I don't think we're going to beat down their doors to take their rent right now.

Town Attorney Hawthorne: That's correct.

Councilman Cantafio: So that would buy us that time to look at it. Because I think philosophically, Supervisor, it's a very good idea; I just wasn't familiar on how to do it. So, if you figure out a way to present how we can do it, I'm in favor of helping them out for the reasons that you stated.

Town Attorney Hawthorne: I'd be happy to do that, and the next meeting is in two weeks, and we could put it on for motion. I'm not aware of any bill collectors we send out at the town, and that's especially during these times. So it should be sufficient time.

Supervisor Dickson: Okay, who do we leave out chief? Do you want to do you have anything for us before we go to issues of the public and approval of the warrant?

PRESENTATION OF DEPARTMENT HEADS (continued)

Chief Denz: I have all kinds of things for you. Obviously we're still under state of emergency. As I shared with the Supervisor earlier in our department head meeting, all the info I'm getting out of Albany, that downstate health departments is that we're still about two, two and a half weeks out from peaking here in Erie County with the COVID-19 crisis. Even though we peak, it doesn't mean it's going to immediately fall off and we're going to be done. I mean, it's going to be a very lengthy time that we're going to be under this. I know we've been struggling with people in their social distancing and in the parks and everything. I really think this is going to start hitting home for people when we start finding out that some of our friends and family are affected by this. And some local semi celebrities have already come forward. Darius Pridgen did a press release city that he has contracted this. I personally know a fella that I work with at the stadium, he does not work for the Bills, he works for me, and he is currently on a ventilator - I found that out today. So this is a very serious crisis we're under the public should take it seriously. Fortunately, no one at the police department is ill at this time. We've instituted policies that everybody gets their temperature taken before they enter work. If they're even showing the slightest sign of illness there's sent home. We're taking every precaution we can. No, no officers who show those signs will be sent out to deal with the public at all. So, they will be sent home and follow the health department protocols. Our Emergency Operations Center is prepped and ready to go. It is not open. It doesn't need to be open yet. However, all of our FEMA paperwork is in place, everything is up and running. We have a FEMA WebEx next Thursday, the second, to talk about financial situation of FEMA - how to apply for reimbursement for things, what will be reimbursable. Because this is a nation, national crisis, I think this is going to change the game for everybody and what is going to be reimbursable and what they're going to look at. So, that will be an interesting WebEx that we have to attend. We've increased our business and parks checks. You know, a lot of businesses are closed as some of the other Councilmen have alluded to. Same thing with the gatherings and parks, we're breaking everybody up. I think the weather should help over the next couple of days to keep the park traffic down. It's supposed to be kind of lousy out all week, but people are getting a little house bound and getting antsy, and they want to get out. That being the case, we're starting to see an uptick as I have predicted in service calls, domestic violence, neighbor disputes. One of the things I just got a update from the New York State Narcotics intelligence Center pushed out statewide that we should start, we're probably going to start seeing a uptick in overdoses; just because the supply is down, people are starting to withdraw. And when they do get a supply, they will, are likely to overuse. So we're going to be watching for that. We're working close with the town judges and the courts, and multiple changes in their policies throughout the state. We also talked today about the community events coming up. We have a Memorial Day Parade, Community Days and Queen of Heaven are the first three big ones out of the box. It is my recommendation that we have a really like a drop date of May 1st to decide whether these things are going to go forward. Its five weeks out. We should have a good handle on where we are in the state. The Governor should have a better handle on what he's going to do as far as his States of Emergency and where we are health wise in the county. I think if we can have these people make some decisions by May 1<sup>st</sup>, we should be able to go forward if it's safe. If not, there's going to be some tough decisions to make, and we may not be able to give those permits. Today I did a public service announcement and posted it in our Facebook page regarding the coronavirus if the public is interested in going to the West Seneca Police Facebook page. It was posted up about six o'clock tonight. It's just a short little thing about a minute or two just where the state of the police department, town and the situation at hand is going and a readiness to serve the public. The last thing I have for the Town Board collectively here and I haven't talked to anybody about this. I've been struggling with this, with the plan for replacement. And let me start off by telling everybody and I know the Town Board knows, but if this is getting viewed, the retirements that happened here tonight those are all preplanned. That is nobody who is bailing out on the town because the coronavirus. I know everybody's a little apprehensive. But I just want to clarify that these are all prescheduled, they've been the in the plan for well over a year to get to this point. And these gentlemen served with distinction and I was honored to serve with each and every one of them. All of them were car partners of mine back in the day when we're young

PRESENTATION OF DEPARTMENT HEADS (continued)

whippersnappers. So I know these gentlemen well, their families well, and I wish them luck. But, you know, I don't want you thinking there's a confidence problem here in the police department, and people are bailing out. That's not the case at all. As a matter of fact, some, they pretty much felt guilty they were getting out during this particular time. But it was just a fact that the paperwork was in and they had to go. So, best to those follows. That being the case, we have a plan in place that I've been sharing with the Town Board and the Town Supervisor for, and Megan Wnek, how I thought the the promotion should go, how we could put them off a little bit because of the state of the town's finances and everything and where we are. The Assistant Chief's job I had slated, under normal circumstances, I was going to ask for that replacement in June. I thought that I could carry the load of both jobs because I did both jobs. I could do that for a couple of months until we can get to June, and then start the ball rolling there. However, under the current circumstances with this, being under state of emergency, the operations changes within the police department, I liked to request from the Town Board that you consider moving that promotion, just the Assistant Chief's promotion, to get that moved up as soon as possible. I think it's very important for my department to have a continually, a contingency in the chain of command should something happen to me. I don't plan on getting sick. Nobody plans on that. However, if I should have to leave the department for a period of time, we should have somebody who's clear cut in charge of the police department in my absence and lessen the confusion. We would need to set the over the next a couple of days, or even here tonight. Usually under these things we would discuss this in an executive session is a contractual thing. The two things that would need to be done is first off an agreement that you would want to have a promotion made, second would be what the salary for that position would be set at, and then, thirdly, would be to get the certified list and canvas. I contacted civil service today. None of their rules have changed for promotion under the state of emergency. You have to go by a certified list, take the people who are qualified on that list, and then canvas. And without me asking the lady at civil service, sent me the certified list. I did not ask for it. It got delivered to me any way, she sent it to me via email and in that certified list is good through May. That's just a procedural thing. Usually that comes from the Supervisor's office. I wasn't doing an around it trying to get, get that done. She just did it on her own and I don't know why but I got it. So, that's my ask for you, that the, you know, we can set the pay rate because it has to go on the canvas lists. So, we canvas right away and really get this done by our next Town Board meeting where I would have a name in for a promotion to fill that slot. Just because I, I do believe it's very important that the men and women who work here in the police department would have some specific chain of command should something happened to me and I get taken out. This is happening all over the country right now to Detroit PD, the New York PD, everywhere around the nation top command staff is starting to be sidelined with the coronavirus. Again, I'm drinking lots of orange juice. I'm not planning on getting sick, but you never know what's going to happen here. And that's the only reason why I'm asking for that one particular position to be moved up so I have a second in command; it is clear cut second in command in case something happens here. I'll leave it to you for discussion. You know, again, I've been going back and forth this or a couple of days and I thought I should address it here.

Supervisor Dickson: I'm sure we all agree with you. I don't hear any negatives.

Councilman Piekarec: Hey Chief, just one question on that. Until we do fill the Assistant Chief job who is your second command effectively?

PRESENTATION OF DEPARTMENT HEADS (continued)

Chief Denz: Well, I have three Captains with all equal rank. It would most likely go to the Senior Captain, by protocol, who is my Detective Captain. He hasn't been, he hasn't been involved with a lot of planning we've been doing because he's been running the Investigation Bureau. I suppose that the Town Board could designate one of the other captains to do it in case I go down. Perhaps I could; we've never been here before. This is very unusual times. We've never really been here before. Probably thirty years that I've been here a, whenever the chief was out, the Assistant Chief took over, and we didn't really have to get below that. And there's a possibility that could happen. I mean, if we promote somebody to Assistant Chief, it could happen to both of us go out. And then we're scrambling around and we would have to just, you know, figure out some type of plan on the fly. I would just like, not to have that hanging and dangling out there until June if we're still going to be battling this thing, all the way into May. You know so, and that was just my ask to accelerate this up. I didn't plan on asking for this. My plan was June, but that was again under just normal circumstances, which we are not. So, that's my explanation on that.

Supervisor Dickson: Thanks, Chief. I think we all agree unless there's any discussion for anyone else.

Councilman Hanley: Chief, you're not asking us to pick your person, you're just asking us to set the salary, correct?

Chief Denz: That would be, that would be the case at hand now. It would be the asking, you know, giving permission for the canvas letters to go out for the three qualified guys who run the list. And on those canvas letters a salary would have to be set. That is Civil Service and Erie County personnel; well that's how you handle that.

Councilman Hanley: Alright, so, we, we set the salary, you send out the canvas list.

Chief Denz: Normally, that would go out from the Supervisor's office. Brendon has sent them out in the past and that's how it's usually handled. I can send them out from here if that's, if we're out of sync ....

Supervisor Dickson: Brendan can do it. Brendon can do it.

Chief Denz: Okay. And it's just a matter of agreeing on where the board would want to go if you want to have that discussion online here, how you want to set that salary. And I don't even know if it's appropriate to do that I'd ask Miss Hawthorne, if that's even appropriate.

Councilman Piekarec: Can we even do an executive session online?

Supervisor Dickson: Well, I suppose you could ... exclude everybody else. We've talked about already. You know, there is an existing standing agreement so we can just follow the agreement. We can talk about it.

Councilman Piekarec: I'm sorry, Gary you're breaking up there.

Supervisor Dickson: Let's talk later. Let's talk tomorrow.

Councilman Cantafio: So do we so, Supervisor, to clarify because we talked about this before you can just move forward with the Chief on this? Is that what we're saying?

Supervisor Dickson: Right, yeah.

**PRESENTATION OF DEPARTMENT HEADS** (continued)

Councilman Cantafio: Or? Okay so to be honest with you, I don't know exactly what you need Chief, but you're rationale and argument I agree with the Supervisor makes sense. So, I don't know. Miss Hawthorne, if we need official motion, or if we just because this is already started, we just support the Supervisor working with the chief to make this happen. Whatever we need to do, I support the Supervisor and Chief on this.

Chief Denz: Well, can I just jump in here quick? It just so all the Town Board, we did discussions in the Executive Session a while back and there was no determination of where the salary was going to be. There was thoughts that were kicked around. There was a high side. There was a low side. There was a middle. But there was nothing that was solidified coming out of that Executive Session. We said we would hold that off for further discussion.

Councilman Piekarec: May I make a suggestion or at least, maybe after we approve the warrants that we go into Executive Session to discuss salary, so we get you set Chief.

Chief Denz: I'm good with that. However you guys want to do that.

Town Attorney Hawthorne: That's how you should do it.

Councilman Piekarec: You want me to make the motion now, or after we do the warrant and issues of the public?

Supervisor Dickson: Alright, so I move to accept the warrant.

Councilman Hanley: I second that.

Supervisor Dickson: So we're going to go to, I skipped Issues of the Public.

**ISSUES OF THE PUBLIC**

Supervisor Dickson: So, Brendan, are there any issues of the public that have, of any questions that have come up since we've been?

Mr. Najm: Yes, there have been Supervisor. There was a question asked for clarification about the issues of the public and the written correspondence that we received. We made the decision not to read every piece of written correspondence we received just because of the sheer volume of it and how long that would take. If the Town Board would want to revisit that and we read the comments I'm able to do that; that is your call. As of now we won't read all of the written submissions we've received and they will be part of the written record but not read as part of the meeting. There just simply received by the Town Board unless anyone feels differently. We have a couple questions on our Facebook page. We have our kind of first question that people have been asking is why isn't Spot Coffee serving take out like other restaurants? I'm not sure if anyone wants to touch upon them.

Supervisor Dickson: Yeah, because the building is closed, she can't even get in the building and neither could any customers.

Councilman Hanley: That's correct. She may be deemed essential as a restaurant but our workers are not; so, without opening the building, she has no access to the building.

ISSUES OF THE PUBLIC (continued)

Mr. Najm: Okay. We have a question from a resident of the Orchard Park School District but the Town of West Seneca, wondering if they're basically paying for services for the school district on that bus issue. Does anyone want to provide clarity on how to Orchard Parks School District residents aren't paying for a school function, but rather a town function.

Supervisor Dickson: Are you talking about is she talking about the school bus issue, right?

Mr. Najm: Correct.

Supervisor Dickson: Well, in fact she is, or the person is absolutely right. There's an argument that when we were talking about the trash line, someone said, well, what does it matter? It's the same tax base, you know, your paying through your school, or you paying through your town. Well, the fact is that it's not the same tax base. We have people in other towns in our districts, and other districts have people from them. So, for that reason, I kind of lean towards just paying what, you know, paying what you what you owe. If you have a bill, pay it.

Mr. Najm: We have questions regarding police and when they'll be restored after all these retirements. I believe the Chief kind of touched that I'm not sure if he wanted to provide more clarity on that. So, we have a question as to whether, or when the police department will be back at full strength, following the retirements.

Chief Denz: Do you want me to tackle that Gary?

Supervisor Dickson: Sure

Chief Denz: Okay, as far as the full strength of the police department is going to take us probably most of a, a year and a half period to two years get back to full strength. Right now, with the coronavirus, the Police Academy is shutdown. We do not know when it's going to reopen. The new civil service list was released; however, the county still has to do some tasks on that to certify it. They have to do a physical agility and physicals before that list becomes usable. Once the test results came out it made the old list null and void so we can't take anybody off the old list and the new list technically isn't ready yet. There is a solid plan in place that I have with the Town Supervisor and the Town Board for replacements. So it's just the timeframe will probably take us the better part of a year and a half to two years, barring anything crazy like we're going through right now, to get back to full staff.

Councilman Bauer: Chief, can you tell me how many officers you are down right now?

Chief Denz: Right now I am down eight. I am planning on by the end of the summer probably being down ten. And hopefully the academy is open by August; we can get some people going. And I may have two further retirements before the end of the year. Coming from 68 person police department, that's a pretty significant number. We can get by short periods of time, you know, really stretched, but it's not sustainable. However, I understand the fiscal difficulties there are so, that's why we had a long term plan in place. And the only one I'm looking to replace now is that Assistant Chief job - which isn't a new person coming on, its just a promotion from within. So, we're, we're going to be down ten by the end of summer.

Councilman Bauer: I know it probably has your force stretched out pretty good? Is there an awful lot of overtime going in? Additional overtime?

**ISSUES OF THE PUBLIC** (continued)

Chief Denz: That is very hard to gauge right now, because under the State of Emergency, we have changed our operations and our scheduling. I don't have a good feel for that. I can't give you a good answer on that. A lot of our, because these were senior people, a lot of the retirements came out of the Detective Bureau, so it doesn't particularly impact the street work right now. However, they're starting to get stacked up a little bit in the, in the Detective Bureau. The positive side is everybody's staying in their house so the real heavy duty crime right now for investigations is down. So I can't give you an honest answer there, Bill, you know, just because of how things are rolling out under this State of Emergency.

Councilman Bauer: Okay. I appreciate that, thank you Chief.

Mr. Najm: And then finally there seems to be some confusion from our Facebook followers to our relationship to Spot Coffee as their landlord. People are wondering why we're offering them a special break that we wouldn't offer other restaurants in town. They kind of view it as a tax break, rather than relief for their lease, if someone wants to quickly touch on our relationship to Spot Coffee and how they operate in our town facility.

Supervisor Dickson: Tina, you want to do that?

Town Attorney Hawthorne: So we're essentially their landlord and they are our tenant and as their landlord have blocked off access to their establishment so they're not able to run it. But for the fact that the town has locked the doors and the public doesn't have access to the Town Hall. So, there well, when I say Town Hall I should've said the Community Center and Library, it appears that, you know, some people are of the belief that we can just open the door to allow them to go into Spot Coffee. But I think there's much more involved in that than maybe the residents realized that this point.

Supervisor Dickson: And frankly, I would hope that every landlord shows a little bit of mercy to some of their, their tenants. A lot of restaurants are going through some very, very hard times.

Town Attorney Hawthorne: Yeah, and I think one person at least commented what we do if the government reimburses them for the rent. I've been watching those program's pretty closely and, you know, the only grant funding coming into small businesses like her franchise would be for payroll only and would not anything else would be alone she would have to take out so I'm not aware of anything that would get her reimbursement on a grant basis.

Mr. Najm: Alright, I think that's all the issues from the public.

**EXECUTIVE SESSION**

Supervisor Dickson: Okay so, Jeff do you want to make your motion?

Motion by Councilman Piekarec, seconded by Supervisor Dickson, to recess to executive session to discuss the personnel matter within the Police Department, specifically the promotion of the position Assistant Police Chief and salary requirements.

Ayes: All

Noes: None

Motion Carried

Supervisor Dickson: So for the public, once we're done with this that would be the end of our meeting. We're not going to do any business after that. So, I'm going to stop the live streaming now.

WEST SENECA COMMUNITY CENTER  
1300 Union Road  
West Seneca, NY 14224

TOWN BOARD PROCEEDINGS  
Minutes #2020-07  
March 30, 2020  
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**ADJOURNMENT**

Motion by Supervisor Dickson, seconded by Councilman Bauer, to adjourn the meeting at 7:43P.M.

Ayes: All

Noes: None

Motion Carried

  
\_\_\_\_\_  
AMY M. KOBLER, TOWN CLERK



## RESOLUTION

**WHEREAS**, the building at the Charles E. Burchfield Nature & Art Center, located at 2001 Union Road, is in a state of disrepair, which has limited it's occupancy and functionality; and

**WHEREAS**, the Town Board of West Seneca has determined that it is in the best interest of West Seneca and its residents to repair the building so it is able to be fully occupied and functional, and said repairs will include east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs; and

**WHEREAS**, the New York State Assemblyman, Patrick Burke, of the 142<sup>nd</sup> Assembly District, has allocated \$100,000.00 to West Seneca to be used toward the restoration and re-opening of the Burchfield Nature and Art Center, and the Town of West Seneca understands that the process of reviewing, approving, and receiving said funds will be between the Dormitory Authority of the State of New York (DASNY) and the Town of West Seneca; and

**NOW THEREFORE**, be it resolved that the Town Board of the Town of West Seneca authorizes the repairs to the Burchfield Nature and Art Center, specifically to the east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs, at a cost not to exceed \$100,000.00, utilizing labor from the Town's Highway Department, and said repairs shall not commence until all of the following have occurred: the grant funding has been approved and the Town is permitted to access the funding, the current Governor mandated COVID-19 restrictions in the workforce have been lifted, and the Town of West Seneca Highway employees are back to full scale workforce.



# TOWN OF WEST SENECA

TOWN SUPERVISOR  
 GARY DICKSON  
 TOWN COUNCIL  
 WILLIAM HANLEY  
 WILLIAM BAUER  
 JOSEPH CANTAFIO  
 JEFFREY PIEKAREC

LAUREN J. MASSET  
 RECREATION SUPERVISOR

LAST NAME	FIRST NAME	LOCATION	NEW OR REAPPOINTMENT	Pay Rate (Hourly)
CORLESS	DANIELLE	AQUATICS	NEW	\$12.00
FAWLS	MIA	AQUATICS	NEW	\$12.00
FRONTERA	MARIA	AQUATICS	NEW	\$12.00
HARRIS	BRADY	AQUATICS	NEW	\$12.00
HESSEL	JAYSON	AQUATICS	NEW	\$12.00
LAMBERT	DANIELLE	AQUATICS	NEW	\$12.00
MURRAY	ELISABETH	AQUATICS	NEW	\$12.00
OLSZOWKA	SAMUEL	AQUATICS	NEW	\$12.00
PENN	EMILY	AQUATICS	NEW	\$12.00
ROLLEK	BRIANNA	AQUATICS	NEW	\$12.00
SCHROCUS	ALEX	AQUATICS	NEW	\$12.00
ZIER	ALLIE	AQUATICS	NEW	\$12.00
BALOGH	SAMANTHA	AQUATICS	REAPPOINTMENT	\$13.00
BLANDIN	ERIN	AQUATICS	REAPPOINTMENT	\$13.00
BOUTON	MEGAN	AQUATICS	REAPPOINTMENT	\$13.00
BREWSTER	JOHN	AQUATICS	REAPPOINTMENT	\$13.00
CLUNE	ELLA	AQUATICS	REAPPOINTMENT	\$13.00
DEMARCO	SAMUEL	AQUATICS	REAPPOINTMENT	\$13.00
D'MATO	DAVID	AQUATICS	REAPPOINTMENT	\$13.00
DREWS	CARSON	AQUATICS	REAPPOINTMENT	\$13.00
DYSON	KATELYN	AQUATICS	REAPPOINTMENT	\$13.00
FARR	ABIGAIL	AQUATICS	REAPPOINTMENT	\$14.50
GELINAS	MIKE	AQUATICS	REAPPOINTMENT	\$13.00
HARPER	JACK	AQUATICS	REAPPOINTMENT	\$13.00
HUBER	MORGAN	AQUATICS	REAPPOINTMENT	\$13.00
KAUFMAN	SAMANTHA	AQUATICS	REAPPOINTMENT	\$13.00
KAUFMAN	KELSEY	AQUATICS	REAPPOINTMENT	\$13.00
LEHSTEN	HANNAH	AQUATICS	REAPPOINTMENT	\$13.00
LINDNER	KELLY	AQUATICS	REAPPOINTMENT	\$15.00
MURRAY	ALIVIA	AQUATICS	REAPPOINTMENT	\$13.00
PIOTROWSKI	CHRISTINA	AQUATICS	REAPPOINTMENT	\$13.00
PIOTROWSKI	JESSICA	AQUATICS	REAPPOINTMENT	\$13.00
SAINSBURY	KELSEY	AQUATICS	REAPPOINTMENT	\$13.00
SCARPELLO	MORGAN	AQUATICS	REAPPOINTMENT	\$13.00

West Seneca Youth & Recreation  
 Mailing Address: 1250 Union Rd, West Seneca, NY 14224  
 Office Address: 1300 Union Rd, West Seneca, NY 14224  
 Telephone Number: 716-674-6086

Email: [lmasset@twsny.org](mailto:lmasset@twsny.org)  
 Website: [www.westseneca.net](http://www.westseneca.net)  
 Facebook: West Seneca Youth & Recreation  
 Twitter: WS\_REC



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JEFFREY PIEKAREC

LAUREN J. MASSET  
RECREATION SUPERVISOR

SCHAUMLOEFFEL	AARON	AQUATICS	REAPPOINTMENT	\$13.00
SIGLER	SAMANTH	AQUATICS	REAPPOINTMENT	\$13.00
ZAK	RACHEL	AQUATICS	REAPPOINTMENT	\$13.00
GILL	MEGHAN	CAMP	NEW	\$12.00
JAKUBIK	TAYLOR	CAMP	NEW	\$12.00
KEANE	SAMANTHA	CAMP	NEW	\$12.00
PELLICANE	CONNOR	CAMP	NEW	\$12.00
PIATEK	KELSEY	CAMP	NEW	\$12.00
TOPORIZYK	KENDAL	CAMP	NEW	\$12.00
WILLERT	GRACE	CAMP	NEW	\$12.00
DRAJEM	JOSEPH	CAMP	REAPPOINTMENT	\$13.75
KOEHLER	EVAN	CAMP	REAPPOINTMENT	\$13.00
MARSHALL	ALEXANDRA	CAMP	REAPPOINTMENT	\$15.00
MARSHALL	ZACHARY	CAMP	REAPPOINTMENT	\$15.00
PUTNAM	AMANDA	CAMP	REAPPOINTMENT	\$13.00
SCHLEER	JACQUELINE	CAMP	REAPPOINTMENT	\$13.00

Please note that we have not selected any Head Lifeguards. If an employee was a Head Lifeguard in 2019 they may be being appointed in 2020 at a lower rate of pay. Head Lifeguards and WSI pay rate increases will be given at a later date. The department is still hiring Assistant Pool Supervisor, Head Lifeguards, Lifeguards, Camp Leadership and Camp Counselors. More information can be found on our website ([www.westseneca.net](http://www.westseneca.net)).

Title	Type	2019 Hourly Rate	Total Who Worked in 2019	2020 Rate	2020 Estimated Total to Hire	Hired 3-30-2020
Pool Supervisor	Aquatics	\$14.50	1	Return (\$15.00) New (\$14.50)		1
Camp Director	Recreation	\$13.00-\$14.00	2	Return (\$15.00) New (\$14.50)		1
Asst Pool Supervisor	Aquatics	\$14.00	2	Return (\$14.50) New (\$14.00)	2-3	1
Asst. Camp Director	Recreation	\$13.00 - \$14.00	1	Return (\$14.50) New (\$14.00)		0
Head Lifeguard	Aquatics	\$13.25	5	Return (\$13.50) New (\$13.25)	5-6	0
Lifeguard	Aquatics	\$12.00 -	24	Return (\$13.00) New	30+	35

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		\$12.50		(\$12.00)		
Camp Staff	Recreation	\$12.00 - \$12.50	22	Return (\$13.00) New (\$12.00)	25	12
Bus Driver	Recreation	\$15.50	2	Return (\$16.00) New (\$15.50)		0
WSI Cert	Both		6	.50 Cent Pay Raise	Avail to any employee whose job does not require this	0
Total			65			50

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