

2-C COMMUNICATIONS

- 8. Recreation Supervisor re Appointment of Dominic Sorrento as part-time recreation attendant

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Dominic Sorrento as part-time recreation attendant at a rate of \$11 per hour effective January 30, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting this position will be paid from Salary of Other Employees Account #1.7140.0149.

Ayes: All Noes: None Motion Carried

2-D REPORTS

- John A Gullo, Senior Code Enforcement Officer’s building and plumbing report for December 2017 received and filed.

2-E 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 - \$322,202.88; Highway Fund - \$130,757.23; Special Districts - \$8,362.52; Capital Fund - \$501,279.47 (vouchers #103316 - #103700); Operating/Capital – General Fund - \$5752.53; Highway Fund - \$4978.16; Special Districts - \$331.88 (voucher #103294)

Ayes: All Noes: None Motion Carried

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

SUPERVISOR MEEGAN

- The next work session is scheduled for Monday, February 5, 2018 at 3:00 P.M. followed by a regular Town Board meeting at 3:30 P.M.

RECREATION SUPERVISOR LAUREN MASSET

- Currently hiring a part-time clerk typist; more information regarding the position is available on the town website
- “Team Spirit Skate” will take place Sunday 1:15 P.M. – 3:05 P.M.
- Resident registration for all summer programs begins Thursday at 10:00 A.M.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

COUNCILMAN HART

- Councilmen Hart commented that administrative fees for work done by the town (i.e. grass cutting, etc.) are levied on property taxes but they are not guaranteed by Erie County. Supervisor Meegan responded the county has never guaranteed these fees, but it is important to do the work for safety reasons and to ensure the value of neighborhoods.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 7:20 P.M.

Ayes: All

Noes: None

Motion Carried

JACQUELINE A FELSER, TOWN CLERK

TOWN OF WEST SENECA
LOCAL LAW NO. 1 OF THE YEAR 2018

Chapter 58: Point of Sale Inspections – Vacant and Abandoned Residential Real Property

§58-1 Purpose.

The Town of West Seneca has determined that it is in the interest of protecting the public health, safety and welfare to maintain, preserve and improve residential housing by requiring point of sale inspection of all vacant and abandoned residential property as a condition of the sale of housing.

§58-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MORTGAGEE

Mortgagee means the holder of a mortgage and/or note secured by residential real property, including, as applicable, the original lender under a mortgage, its successors and assigns, and the holders of credit instruments issued under a trust indenture, mortgage or deed of trust pursuant to which such holders act by and through a trustee therein named.

RESIDENTIAL REAL PROPERTY

Residential real property shall mean real property located within the Town of West Seneca improved by any building or structure that is or may be used, in whole or in part, as the home or residence of one or more persons and shall include any building or structure used for both residential and commercial purposes.

VACANT AND ABANDONED RESIDENTIAL REAL PROPERTY

Vacant and abandoned residential real property shall be defined pursuant to section thirteen hundred nine of New York Real Property Actions and Proceedings Law or if such property was listed on the statewide vacant and abandoned property electronic registry pursuant to thirteen hundred ten of the New York Real Property Actions and Proceedings Law one (1) year prior to sale or transfer.

§58-3 Inspection officials.

The Town Code Enforcement Officials are hereby designated as officials to inspect any property subject to this chapter.

§58-4 Duty of owner or mortgagee or purchaser or transferee.

- A. No owner or agent or mortgagee of any vacant and abandoned residential real property shall sell, transfer or otherwise convey an interest or enter into an agreement to sell, transfer or otherwise convey an interest in such property, including by land installment contract or a transfer from a mortgagor to a mortgagee in lieu of foreclosure, or similar transaction, without first presenting the prospective purchaser or grantee with a copy of a point of sale inspection certificate issued by the Town of West Seneca inspection officials.
- B. The owner or agent or mortgagee shall arrange to have all properties subject to the requirements of this chapter inspected by the Town of West Seneca inspection officials within ten (10) business days of publication of the notice of judicial sale. For all other transfers, the owner or agent or mortgagee shall arrange to have the property inspected by Town of West Seneca inspection officials not more than thirty (30) days prior to transfer.

- C. In the event that the vacant and abandoned residential real property is sold or transferred or conveyed and no point of sale inspection certificate has been issued within thirty (30) days prior to such sale, the purchaser or transferee shall have the duty to apply in writing to the Town of West Seneca Code Inspection Bureau within thirty (30) days of the date of sale or transfer for an inspection of the property and shall otherwise comply with the requirements of this Chapter.
- D. Where the purchaser or transferee has the duty to obtain the point of sale inspection because the owner or agent or mortgagee failed to do so, any such building code or other violations subsequently found shall be the joint and several liability of the owner or agent or mortgagee or purchaser or transferee.
- E. If the owner or agent or mortgagee or purchaser or transferee fails to arrange for an inspection, the property shall be inspected by the inspection officials pursuant to Chapter 57 of the Town of West Seneca Code.

§58-5 Fees.

- A. The fee charged for the point of sale inspection certificate shall be:
 - (1) Two hundred dollars (\$200.00) for a single-family dwelling;
 - (2) Three hundred dollars (\$300.00) for a two-family dwelling;
 - (3) Two hundred dollars (\$200.00) for the first dwelling unit in a multi-family dwelling structure and an additional fifty dollars (\$50.00) for each additional unit in a multi-family structure.
- B. A re-inspection fee of twenty-five dollars (\$25.00) shall be charged for each re-inspection.

§58-6 Point of Sale Inspection Certificates.

- A. Upon successful inspection, the Town of West Seneca Inspection Officials will issue of point of sale inspection certificate indicating compliance with Building, Fire and Safety Codes. Such certificate will expire after a period of thirty (30) days.
- B. If, as a result of the inspection, the Inspection Officials determine that health code violations, housing code violations, hazards, or structural defects exist on the property, the Inspection Officials shall provide written notice either personally or by registered mail addressed to the address listed in the application for the inspection, of the owner or agent or mortgagee or the purchaser or transferee, informing the parties of the following:
 - (1) The need to repair and correct the violations, hazards, or structural defects prior to sale or transfer;
 - (2) If the property is not brought into compliance within ninety (90) calendar days of the issuance of the notice of violation, the Town of West Seneca may correct or repair some or all of the violations;
 - (3) If the Town of West Seneca corrects or repairs some or all of the violations either with town employees or outside contractors the cost and expenses shall be assessed against the land on which the building or structure is located.
 - (4) In addition to the cost or expense of such work ordered by the Inspection Officials there shall be a fee of \$200 for administrative costs for each occurrence.
- C. Waiver of Point of Sale Inspection. The Town's Code Enforcement Official may temporarily waive the requirement of Point of Sale Inspection Certificate as a prerequisite to transfer of title provided that no later than ten (10) business days prior to the expected closing for such transfer or judicial sale:

- (1) The owner or agent or mortgagee makes a written request to the Town's Code Enforcement Officer and such request includes a written, itemized quote by a licensed contractor approved by the Town of West Seneca, which provides for correction of all violations listed;
- (2) The purchaser or transferee file with the Town's Code Enforcement Officer a written guaranty to correct all violations within ninety (90) days after the closing or a period of time specified by the Town's Code Enforcement Officer;
- (3) The owner or agent or mortgagee or purchaser or transferee provides a sum equal to one hundred fifty percent (150%) of the estimated costs contained in the itemized quote above. Such sum shall be payable by certified check or bank draft to the Town of West Seneca at closing and held in escrow by the Town of West Seneca; such sum will be returned to the purchaser or transferee if the corrections are completed within the time specified in the guaranty, but which sum will be forfeited to the Town of West Seneca if needed corrections are not completed within the time frame specified in the written guaranty.

D. Violations. The following types of violations are of particular concern to the Town of West Seneca's vital interest in maintaining property values including but are not limited to:

(1) Exterior

- Roof – chimney
- Paint – all related carpentry repairs (house and/or garage)
- Porch and step repair
- Downspouts to storm sewers
- Replacement of deteriorated windows and/or doors
- Concrete replacement or major repair
- Garage replacement or major repair
- Dead tree removal
- Fences

(2) Interior

- Major electrical repair
- Major plumbing repair
- HVAC
- Foundation – support post, block wall bowed or collapsed
- Major breach of ceilings, walls or floor
- Mold remediation

E. An owner or agent or mortgagee or purchaser or transferee aggrieved by a notice of violation may appeal from the action to the Town Board, which shall make a ruling on the appeal.

TOWN OF WEST SENECA LOCAL LAW NO. 2 OF THE YEAR 2018

A Local Law of the Town of West Seneca to Amend Section 77-6

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

A local law to Amend Section 77-6 entitled "Basis for Establishing the Areas of Special Flood Hazard"

The areas of special flood hazard for the Town of West Seneca, Community Number 360262, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map (multiple panels) NO. 360262-0001-0004, whose effective date is September 30, 1992 and any subsequent revisions to the map panels that do not affect areas under our community's jurisdiction.
- (2) A scientific and engineering report entitled "Flood Insurance Study, Town of West Seneca, New York, Erie County, dated September 30, 1992.
- (3) Letter of Map Revision, Case Number 17-02-1965P, effective May 2, 2018 amending Panel 3602620003B of the Flood Insurance Rate Map.

The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file with the Town Clerk's Office, 1250 Union Road, West Seneca, New York 14224



West Seneca Chamber of Commerce

950-A Union Road, Suite 5 | West Seneca, New York 14224 | www.WestSeneca.org | 716-674-4900

ECONOMIC DEVELOPMENT COORDINATOR

Final Report

Adendum to Previous Report

October 5-December 31, 2017

Inquires/Meetings -- 485 B Incentive

- Gardenvue Restaurant - inquiry
- Mayer Brothers - inquiry, meeting pending
- Jeff Nowatka - sites for lease - property promotion
- Ilana Karaglon - new business start up inquiry

Miscellaneous Meetings/Functions Attended

- Set up and arrange for cafe letter of interest promo through Chamber newsletter
- Arrangement and accompany three possible vendors on tours of the cafe site
- Possible vendor meetings -- Q & A for cafe (Jason Schneckenberger, James Suchocki, Rick Schunke)
- Vendor meeting with Clark Patterson Lee representatives
- Meeting with Great Lakes Pizza - proposal review
- Envision mailing - 150 direct mail contacts
- Chamber awards dinner meeting

NOTE:

The coordinator was out of office:

November 8-16

December 4-14

December 26-29

Funds from the 2017 grant are sufficient through January 2018.



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ECONOMIC DEVELOPMENT COORDINATOR REPORT SUMMARY

Following is a report of activities conducted by the coordinator covering the period from January 2017 to December 31st, 2017. Hard copies of the attachments, including direct mail contacts, communiqués, and office schedules, are available in the Chamber office.

The economic development activities thus far, effectively occurred beginning with the resolution passed by the town board in March of 2017, authorizing an accelerated 485B plan. This recent occurrence and related marketing activities have served as a catalyst for increased inquiries and development. Along with expansions, re-location, and new business, the 485B has served as a tool to implement the new design standards. As we move forward, the ENVISION 2.0 forum will further establish our business friendly approach and create increased traction for our tax incentive program. Coupled with the change of location and re-organization strategies planned for the Chamber of Commerce, there is a new opportunity for cross marketing of services and promotion of West Seneca.

Locating this office, in conjunction with the Chamber on the town hall campus, will provide a convenient and accessible source of economic development information and assistance.



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ECONOMIC DEVELOPMENT COORDINATOR REPORT

As of October 1st, 2017

PROJECTS

- Design and Completion of Economic Development Brochure
- Direct Mail Campaign -- 193 Recipients -- List Attached
(Developers, Builders, CPA/Accounting Firms, Banks Investors, Real Estate)
- Shell Fab Countertops -- Workforce Development Grant -- \$15,000 (2016 Final Amount)
- Car Star Relocation/Expansion -- Pending -- 485 B -- New Addition
Energy Grant Saving \$42,000 Savings
- Synchronet -- Pending -- 485 B -- New Build Relocation
NSEG Energy Grant \$TBD
Geo Thermal Heating System (Saving TBD)
- Jim Collins Heating -- Pending -- 485B
- Tri R -- 2299 Clinton Street -- Pending -- 485 B
- Nova Site Co. LLC -- Gino Zagarrio -- New Build -- Indian Church Road -- Pending -- 485 B
Lighting Grant -- Info Shared
Geo Thermal Heating -- Info Shared
- Olive Branch -- Pending -- 485 B -- Addition
- Dr. Koleinl -- Pending -- 485 B -- Expansion 2339 Union Road

Inquires/Meeting -- 485 B Program Incentive

- Mike Pepe -- Newcoat Painting -- 4-5,000 square feet expansion
- Judy Stamm -- Incentive/Assistance with Space Rental
- Cator Tots -- Curtis Knight -- Bid Process
- Mickey Glenn -- Continental Transmission -- Tax Incentive
- Borzillier -- Bistro Location -- 1291 Union Road -- Site Information
- Galaxy Auto -- Rick & Dana Bress -- Expansion -- Tax Incentive



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Inquires/Meetings -- 485 B Program Incentive Continued

- Synchronet -- Assistance with Space Rental
- Realty USA -- Shell Fab Building -- Site Information
- David Richards -- Community Development Information
- Joe Alferi -- Nuttos --485 B Building Improvements
- Schneider Development -- 2806 Seneca Street -- 485 B Information Sent
- Mayer Bros. -- Tax Incentives -- ECIDA
- Bob McCormick -- Tax Consequences with 485 B -- 150 Empire Drive
- Peterson Plumbing -- Tax Incentive

485 B Promotion -- Meetings/Correspondence/ Follow-Up Contacts

- M & T Bank -- Three Branches
- Northwest
- Evans National
- Chick-Fil-A -- Letter Attached
- Core Life -- Letter Attached
- Hook & Ladder Development -- Letter Attached*
- Wing Stop -- Focus JD Site -- Letter Attached

*Letter resulted in recent contact from Pete Scarcello. We agreed to work in cooperation to promote development of Seneca Street within West Seneca township. He will also join West Seneca Chamber.

Miscellaneous Meetings/Functions Attended

- Brochure Design and Development -- numerous meetings
- Library Construction
- Economic Development Update (Gene Hart, Kandice Whittmeyer, John Fenz, John Gullo)



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Miscellaneous Meetings/Functions Attended Continued

- Envision WS 2.0 -- Planning Meetings/Committee
- Senator Gallivan Business Summit
- Public Hearings --Master Plan/Standards
- Public Hearings -- 485 B Resolution
- Chamber -- Grand Openings, Mixers, Award Dinner MC, Membership, Golf & Women in Business Sponsor (**Personal Expense**)

Chamber Office Hours

- Office hours are scheduled 8-3 every Wednesday and Thursday subject to attendance at meetings or other appointments related to economic development
- Coverage provided to Chamber includes:
 - Answering phone calls/messages
 - Providing town information or contacts
 - Notifying Chamber Director about requests involving Chamber activities (dues payments, reservations for chamber functions, new member inquiries)
 - Distribution of chamber renewals (those relevant to economic development opportunities)
 - Handle walk-ins
 - Issue "Certificates of Origin" for local businesses with International Sales (Trans America)

Time Sheets

Completed Weekly, on file in Chamber Office



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Notation:

The current grant allows for 500 hours. This equates to 41 weeks at 12 hours per week. (Remaining 8 hours for attendance at meetings, functions, etc.)

All "out-of-office" time is non-compensated; however, the coordinator has and is available by cell, text, and email to receive inquiries and direct those to appropriate individuals.

STATE OF NY
COUNTY OF ERIE:

On the _____ Day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH L. THOMPSON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NY
COUNTY OF ERIE:

On the _____ Day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared SHEILA M. MEEGAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public