

Supervisor Gary Dickson called the meeting to order at 6:00 P.M.

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

Absent - None

MINUTES TO BE APPROVED

- Motion by Supervisor Dickson, seconded by Councilman Bauer, to approve Minutes #2020-12 of June 8, 2020.

Ayes: All

Noes: None

Motion Carried

LEGAL NOTICES

1. Motion by Supervisor Dickson, seconded by Councilman Hanley, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 1940 RIDGE ROAD, BEING PART OF LOT NO. 296, CHANGING ITS CLASSIFICATION FROM M-1 to M-1(S), FOR A MOTOR VEHICLE SERVICE SHOP" in the Town of West Seneca, be received and filed.

At the request of the petitioner the application was withdrawn.

2. Motion by Supervisor Dickson, seconded by Councilman Hanley, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 2884 RIDGE ROAD, BEING PARTS OF LOT NOS. 157 and 158, CHANGING ITS CLASSIFICATION FROM C-2 to C-2(S), FOR SERVICE OF ALCOHOLIC BEVERAGES" in the Town of West Seneca, be received and filed.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilman Hanley, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Douglas Hetter of Zaxis Architectural P.C. spoke on behalf the applicant Mighty Taco and stated Mighty Taco is seeking a special use permit for the sale of alcoholic beverages. Alcoholic beverages will be beer and wine, only in the store and only single units. There will be no patio or drive through use. Serving beer and wine allows Mighty Taco to gain more use of their dining room and potentially gain new customers. No changes will be made to the site plan or building. The dining room can accommodate 72 patrons; the hours of operation in the dining room are 10:00 AM – midnight on Monday – Saturday and 11:00 AM – midnight on Sunday.

Councilman Hanley questioned the plan for outdoor seating. Mr. Hetter explained the alcohol license does not include outdoor seating; there will be signage indicating all alcohol must be consumed in the dining room.

LEGAL NOTICES (continued)

Councilman Piekarec questioned the age requirements for serving alcohol. Mr. Hetter replied only employees eighteen and older will work the counter; all employees will be required to undergo special training to be involved in the sale of alcohol.

Councilman Bauer questioned if any other locations currently sell alcohol. Mr. Hetter responded they do not; the plan would be to have one large opening to unveil this.

Code Enforcement Officer Jeffrey Schieber offered the following comments from the online May Planning Board Meeting:

- ✓ Surrounding neighbors notified
- ✓ Received a few calls from the adjacent business about fencing – any issues have been resolved
- ✓ No issues raised by the Planning Board who unanimously recommended approval to the Town Board

Motion by Supervisor Dickson, seconded by Councilman Bauer, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to grant a special use permit for property located at 2884 Ridge Road, being parts of Lot Nos. 157 and 158, changing its classification from C-2 to C-2(S), for service of alcoholic beverages.

Ayes: All

Noes: None

Motion Carried

PUBLIC COMMENTS ON COMMUNICATIONS

No comments were received.

NEW BUSINESS

13-A COMMUNICATIONS

1. Town Engineer re Purchase of televising truck for Sewer Department

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to approve the purchase of a Supreme 14' Spartan Cargo Body with Camera Option 3 from Van Bortel Ford, 71 Marsh Road, East Rochester, NY 14445 at the Onondaga County Bid Contract 8415 price of \$253,504.52; noting a new truck was included in the 2020 budget line 05050000.51207.

On the question, Councilman Bauer questioned the plan for the old truck and estimated delivery of the new truck. Highway Superintendant Brian Adams stated they're considering multiple options for the truck; delivery of the new truck could be anywhere from eight to twenty weeks.

Councilman Hanley stated he spoke with Town Engineer Steven Tanner and was told the camera equipment is shelf ready, they keep one on hand as it takes them over a year to build one. The unit is ready and the chassis is ready, they just need to put them together. With regards to the current truck, the chassis only has thirty thousand miles and could be transitioned to a flusher truck in the Highway

COMMUNICATIONS (continued)

Department. Mr. Adams replied a flusher trailer and an old flusher truck currently are used by the Highway Department.

Supervisor Dickson stated he was told that the truck may be idling for many hours per day despite the low mileage and this does wear on the engine. It is a televising truck because it has a robot connected to the truck that films the inside of sewer lines.

Ayes: All

Noes: None

Motion Carried

2. Highway Sup't. re Purchase of Ferris Mower for Buildings and Grounds part-time laborers

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize Highway Superintendent Brian Adams to the purchase a Ferris mower in the amount of \$11,479.00 for the Buildings & Grounds Department; noting the pricing is per BuyBoard contract #529-17, vendor no. 3092 with funds available in line 001.7110.0200.

Ayes: All

Noes: None

Motion Carried

3. Highway Sup't. re Status change for Buildings and Grounds part-time laborers

Motion by Supervisor Dickson, seconded by Councilman Hanley, to change the status of the following Buildings and Grounds part-time laborers to part-time seasonal effective June 15 – November 15, 2020 at a rate of \$11.80 per hour:

Justin Alley
Samuel Feneziani
Wayne Kelm
Paul Olszewski

Matthew Amoia
Quinn Finnegan
Jason Lehsten
Jake Weber

Michael Baker
Colin Horan
Zachary Lembke

Dylan Blanchard
Connor Houlihan
Matthew Northern

and Richard Mingle at a rate of \$12.00 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Highway Superintendent Brian Adams stated Richard Mingle has always been paid a higher wage as he is very valued long term employee and would like to see him receive a raise to \$12.80 per hour.

Councilman Piekarec stated this is not a good idea given the financial stress the town is currently facing, maybe next year. Mr. Adams commented that he is currently short employees and the eighty cent change would not cause undue strain.

Councilman Cantafio agreed that a policy should be put into place regarding wage increases based on longevity and performance and he supports Mr. Adams judgment in this instance.

Councilman Bauer agreed with putting a policy in place and is in favor of tabling the \$.80 raise until the next meeting to get a broader understanding and be certain no one else is being overlooked for a raise.

COMMUNICATIONS (continued)

Councilman Hanley commented that twenty two part time positions were budgeted for and none have been used for the last few months. There have always been two long term part time employees that have received raises of approximately a dollar a year; one is not returning this year and Mr. Mingle is the other one. All part time employees work day shifts, while Mr. Mingle works evenings closing the parks and collecting garbage and supports the raise.

Councilman Cantafio asked Highway Superintendent Adams what budget impact the raise would have. Mr. Adams replied he would still be under budget.

Supervisor Dickson stated he is looking at the bigger picture and would like procedures put in place for raises; it is not about Mr. Mingle personally.

Ayes: All

Noes: None

Motion Carried

4. Highway Sup't re Buildings & Grounds part-time appointments

Motion by Supervisor Dickson, seconded by Councilman Bauer, to appoint Joshua Cooke, John McNamara, and Mason Smith as part-time seasonal Laborers in the Buildings and Grounds Department effective June 23 – November 15, 2020 at a rate of \$11.80 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Chief Denz re Status change for part-time Safety Dispatcher Justin Zielinski to part-time seasonal

Motion by Supervisor Dickson, seconded by Councilman Hanley, to change the status of part-time Safety Dispatcher Justin Zielinski to part-time seasonal effective July 1 – July 31, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

6. Town Clerk re Status change for Shauna Slater to part-time

Motion by Supervisor Dickson, seconded by Councilman Hanley, to accept the resignation of Shauna Slater from her position of provisional cashier effective June 22, 2020 and reappoint Ms. Slater to the position of part-time clerk typist at the rate of \$15.00 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

COMMUNICATIONS (continued)

7. Town Clerk re Appointment of Amanda Weixlmann to Cashier – provisional
- Motion by Supervisor Dickson, seconded by Councilman Hanley, to appoint Amanda Weixlmann as full-time provisional Cashier, Group 3, Step 1, at an annual salary of \$36,611.96 effective July 6, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Supervisor Dickson noted the West Seneca Town Clerk's Office is one of the most cost effective offices. The Town Clerk's Office budget is \$238,000 as compared to Orchard Park - \$267,000; Lancaster - \$439,000; and Cheektowaga - \$600,000. Town Clerk Amy Kobler stated the next anticipated opening has been lowered from Senior Cashier to Cashier as it will be a new position and this will save taxpayer money on the salary.

Ayes: All

Noes: None

Motion Carried

8. Recreation Supervisor re Benker Diamond Use 2020
- Motion by Supervisor Dickson, seconded by Councilman Piekarec, to authorize the Supervisor to enter into an agreement with Donald Benker and Sportsplex Operators and Developers Association for use of the Town of West Seneca baseball and softball diamonds.

On the question, Recreation Supervisor Lauren Masset stated the West Seneca youth leagues will be given priority when scheduling diamond use.

Ayes: All

Noes: None

Motion Carried

9. Recreation Supervisor re West Seneca Youth & Recreation Employee Handbook (revised June 2020)
- Motion by Supervisor Dickson, seconded by Councilman Hanley, to approve the updated West Seneca Youth & Recreation Employee Handbook (revised June 2020).

On the question, Recreation Supervisor Lauren Masset stated this is a working document and recent updates included harassment and workplace violence policies, required drug tests, hiring and re-hiring process, payroll and attendance policies, and checking youth in and out.

Ayes: All

Noes: None

Motion Carried

10. Town Attorney re Status change for Joli Messinger to part-time seasonal
- Motion by Supervisor Dickson, seconded by Councilman Bauer, to change the status of part-time clerk Joli Messinger to part-time seasonal effective June 23, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

COMMUNICATIONS (continued)

On the question, Councilman Piekarec stated he feels the project can wait. Supervisor Dickson stated that the town does not have a central repository for contracts and he feels this is a critical project to improve internal controls.

Ayes: (4) Supervisor Dickson
Councilman Bauer
Councilman Cantafio
Councilman Hanley

Noes: (1) Councilman Piekarec

Motion Carried

13-B 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 - \$421,832.71; Highway Fund - \$115,633.71; Sewer Fund - \$148,566.63; Gas Conversion - \$85.65; Electric Lighting - \$142.18 (vouchers 8974, 11432 - 12810)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

A resident commented on the following:

- ✓ Recognized the changes departments were required to make in light of the pandemic while still providing required services
- ✓ Thanked the department heads and staff, the Police Department, Buildings & Grounds and Highway Departments
- ✓ Commended the Supervisor and Council, department heads and staff, Highway Superintendent and employees, for a job well done!

Questions/comments received through FaceBook as follows:

- ✓ Is CodeRED worthwhile to the town due to its limited reach, uses, and cost – Supervisor Dickson would like to expand CodeRED's use rather than relying on social media as social media does not reach a significant amount of people. Councilman Bauer commented that if the current contract has expired, now would be a good time to explore options. Supervisor Dickson believed the contract automatically renewed for five years if the town did not extend it. Town Attorney Hawthorne stated it was not renewed, it was not in her office to be able to keep track of. Councilman Hanley recalls a discussion about the contract with the Emergency Management Team at the Mill Road office. Chief Denz confirmed the contract was signed in 2014, with a term of 5 years and 170 days; he believes it renewed itself. Ms. Hawthorne confirmed it is a five year renewal but there may a clause to get out of it. Chief Denz stated when severe weather events and community events affecting roadways occur it is a very useful service. It is voluntary; residents need to sign up to participate. There are not many vendors that offer this type of product. When the contract was entered, it was split with Orchard Park for the cost savings. Chief Denz would like to keep the use of it to emergencies and public notification; the system is well worth the cost, and it would be a good idea to

ISSUES OF THE PUBLIC (continued)

encourage more residents to enroll. Supervisor Dickson learned the system has more capabilities such as sending messages based on geographical location; everyone who has the CodeRED app will get the notification if they are in the specified range much like the Amber Alerts. Chief Denz concurred explaining the notifications will be received for any area the app subscriber is in even put of state. Councilman Cantafio believes the subscriber can choose the type of notifications they would like to receive; it is a substantial investment, but if Chief Denz thinks it is worthwhile then it should still be used.

- ✓ When was the decision made to open the playgrounds – the announcement was made Monday June 15th, but the resident saw parks being used the day before, and will the playground equipment and restrooms be open and cleaned and how often? Highway Superintendent Brian Adams responded Governor Cuomo gave the towns permission to open playgrounds on June 11th or 12th. The caution tape was in place to deter use of the playground equipment, it was removed on the 15th. There is not have enough staff for the Buildings & Grounds crew to be sanitizing the equipment and strongly encourages using hand sanitizer prior to and after being on the equipment. The restrooms are open and cleaned three times a day.
- ✓ When are the bags going to be covered with dirt on Lexington Green? Highway Superintendent Brian Adams replied they are working on this; please contact his office to set up appointments for them to review each property.
- ✓ Jim Manley commented/questioned the Veteran's Walkway of Freedom:
 - Concrete bases needed for some benches and the Howitzer
 - Learning stations to be placed on metal bases
 - Walkway sign to be installed
 - Questioned the status of World War I and World War II memorials currently in St. Matthew's Cemetery – Highway Superintendent Brian Adams stated they need to contract a third party to move the monuments; Mr. Manley can reach out to him regarding the concrete work to schedule. Town Attorney Tina Hawthorne spoke with Forest Lawn about the monuments and they are ready for the town to move them and will bring Mr. Adams up to speed with the concrete work discussions.
- ✓ Why wasn't the CodeRED contract expiration date mentioned during the discussion at the previous board meeting – Town Attorney Hawthorne stated she did mention the contract expiration date.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Supervisor Dickson

- Would like to discuss what types of events the Town Board should allow:
 - ✓ Car shows: Councilman Hanley does not see a problem as long as social distancing is adhered to and does not feel right limiting what a tax paying property owner can do on their property. Councilman Bauer asked Town Attorney Hawthorne for guidance on the town's liability for issuing a permit and referred to a car show at the Wimbledon Plaza where participants weren't wearing masks and groups were observed. Ms. Hawthorne stated the liability would be with the person putting on the event; however, the town is brought into lawsuits with the school district all the time and recommends a permit only be approved conditioned upon following all of the CDC, NYS, and EC Department of Health recommendations. Councilman Bauer asked if the town could put a hold harmless clause in the permit. Ms. Hawthorne is not sure if it would hold

Supervisor Dickson (continued)

up. Supervisor Dickson stated he was offered a mask and also passed out masks at the Wimbledon car show in question. Councilman Hanley felt it would be a reach for someone to claim they caught a cold or COVID-19 at a car show event. Councilman Piekarec would not be opposed to car shows as long as the guidelines were adhered to, however he questioned how the event holder could regulate compliance. Supervisor Dickson stated he will work with Town Attorney Hawthorne to formulate an agreement.

- ✓ Sports car memorabilia show inside the Community Center on July 8th- the event will have 25 tables and use the main corridor and large meeting room and recur monthly. Councilman Piekarec suggested holding the first event outside in order to spread people out. Supervisor Dickson suggested there would be more opportunity to control social distancing and masks inside the Community Center and would like to encourage its use. Councilman Hanley agreed that the flow of traffic inside could be better controlled. Councilman Cantafio questioned who would be in charge of this enforcement inside the CCL feeling the town would have more responsibility if there was any contact spread of COVID. Councilman Piekarec suggested the event could be held when town offices and the library are closed to better regulate social distancing; possibly using the Senior Center would be an option as well. Supervisor Dickson stated the event holder should regulate the entrance and if they aren't effective they won't be permitted to return.
- ✓ Pool closure: Supervisor Dickson believes the town made the right decision and noted Tonawanda opened one of their three pools with limitations. Councilman Piekarec agreed with the decision and noted he has had conversations with residents that were frustrated but understanding. Councilman Hanley stated he believes the town made the decision too early and COVID-19 is not transmitted through pool water.
- ✓ Farmers Market: Brendon Najm stated there have been inquiries and interest from former vendors including extending the season to November; targeting a start date of July 9th. Chief Denz mentioned there will be a logistics issue in the fall due to the weather and the beginning of hockey season. Councilman Piekarec suggested the baseball diamonds might be a good location. Town Attorney Hawthorne suggested having vendors sign a COVID waiver and providing appropriate signage about physical distancing and masks during the events.

Recreation Supervisor Lauren Masset

- Play kit drive thru for West Seneca residents on Friday, June 26th from 2:00 PM – 4:00 PM or while supplies last

Chief Denz

- Remember fireworks are illegal; received 51 fireworks complaints since May 1st – Councilman Piekarec asked if the drone would be useful to catch offenders. Chief Denz stated it would be cost prohibitive and illogical.

Town Clerk Amy Kobler

- Last day to pay the Town & County tax bills is June 30th
- Town Clerk's office is a designated drop spot for the West Seneca Food Pantry; thank you for the donations recently received, current needed items will be relayed to us by Mary Lou Dietrich

Highway Superintendent Brian Adams

- Kirkwood Drive, Edson Street, and Duerstein Street road project is complete; appreciates the residents cooperation; the highway department did a great job
- Thanked the town departments for their continued support

Councilman Bauer

- Very encouraging to see the opening of more restaurants over the last two weeks

Councilman Cantafio

- Would like to recognize the Police Department and Chief Denz for being very progressive and already compliant with 99% of the Governor's Executive Order 203, the Police Reform Act
 - ✓ West Seneca is one of only 130 out of 550 NYS police Agencies that has NYS Accreditation
 - ✓ Use of Force policies, Procedural Justice, Bias Awareness training, De-escalation training, Violence Prevention, Community Policing including SRO program and Crisis Intervention Teams
 - ✓ We are not facing some of the problems being seen around the country
- Looking forward to seeing everyone, keep up with social distancing and wearing masks

Chief Denz is very appreciative of the support that the Police Department receives from the Town Board and Town Attorney, not all law enforcement departments in NYS enjoy this type of relationship.

Councilman Hanley

- Agrees with Councilman Cantafio's statements and chose to live in West Seneca years ago based on the schools and Police Department
- Would like to recognize the Highway Department employees

Councilman Piekarec

- The West Seneca Public Library is open for the public to enter, they are operating with half of their staff so their hours are reduced

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to adjourn the meeting at 7:42 P.M.

Ayes: All

Noes: None

Motion Carried



AMY M. KOBLER, TOWN CLERK