

RESPONSE TO PETITION FILED FOR PERMISSIVE REFERENDUM ON BONDING

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution:

Whereas, a Petition has been filed which has triggered a referendum on the financing that was to provide the funds to complete the Library/Community Center; and

Whereas, the authority to finance the remaining construction is no longer authorized; and

Whereas, without financing, any additional expenses would need to be paid out of the Town's general fund which would have the practical effect of significantly increasing taxes in 2019;

In response to and respecting those who signed the petition I am asking the Town Board to RESOLVE that any further expenditures on the Project stop; and

Also, to RESOLVE that the Town Attorney, Director of Finance and Town Engineering firm Clark Patterson Lee be directed to work with outside counsel, our outside accountants and the contractors on the Project and provide a Report and Recommendations outlining:

1. Status of construction
2. Project costs incurred to date
3. Costs necessary to complete the building
4. Legal obligations under existing contracts
5. Ability to complete portions but not all the work and any associated savings
6. Ability to "mothball" some or all the project
7. Costs associated with stopping work
8. Any and all available savings to the Town by deleting or modifying portions of work
9. Options in the event financing is voted down at the referendum vote

The Town Attorney should be authorized if he deems it necessary and advisable to issue stop work orders on any of the contracts associated with the Project.

Ayes: All

Noes: None

Motion Carried

4-B COMMUNICATIONS

1. Highway Sup't. re Amendment to appointment of Matthew Northern as part-time laborer

Motion by Supervisor Meegan, seconded by Councilman Hart, to amend the resolution dated January 16, 2018 hiring Matthew Northern as part-time laborer in Buildings & Grounds effective January 18, 2018 and set his hourly rate at \$10.40 per hour to comply with minimum wage laws and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

4-B COMMUNICATIONS

2. Chief Denz re Attendance at Canadian American Law Enforcement Organization training
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Det. Lt. Kevin Baranowski and Det. Daniel Crowe to attend the Canadian American Law Enforcement Organization (CALEO) training conference, April 18 - 20, 2018 in Niagara Falls, Ontario, Canada at a cost not to exceed \$700.

Ayes: All Noes: None Motion Carried

3. Town Clerk re Extension of tax collection
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve an extension of the time for collection of 2018 town/county taxes to July 2, 2018 pursuant to §6-14.0 of the Erie County Tax Act Laws of 1942, noting this allows the town to keep the penalties rather than the county.

Ayes: All Noes: None Motion Carried

4. Director of Finance re JCAP grant
- Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the following resolution for the JCAP grant:

WHEREAS, the town received an award letter from the New York State Office of Justice Courts stating they were to be reimbursed for ceiling fans in the amount of \$3,403.61 (the "JCAP grant"); and

WHEREAS, the cash received from this grant will be recognized as revenue in the General Fund as General Governmental State Aid 001.0001.3089; now, therefore, be it

RESOLVED, the Town Board does hereby authorize a budget amendment to increase General Governmental State Aid 001.0001.3089 by \$3,403.61 for receipt of JCAP grant revenue and to correspondingly increase Town Justice Equipment Purchases – State Aid 001.1110.0200.3333 by \$3,403.61 for the cost of the purchase and installation of the ceiling fans.

Ayes: All Noes: None Motion Carried

5. Town Justices re Rate increase for part-time clerks Rachel Nalewajek & Julie Korczynski
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to grant a rate increase to \$16 per hour for part-time court clerks Rachel Nalewajek and Julie Korczynski effective March 1, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

4-B COMMUNICATIONS

6. Senior Recreation Therapist of Sr. Services re Status change for Marirose Bless to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time food service worker Marirose Bless to part-time seasonal effective March 1 – 30, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

7. Senior Recreation Therapist of Sr. Services Status change for Carol Kennedy to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of part-time food service worker Carol Kennedy to part-time seasonal effective March 1 – May 31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

8. Recreation Supervisor re Appointment of Lynn Conte as part-time clerk typist

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Lynn Conte as part-time clerk typist at a rate of \$11 per hour effective February 27, 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 Clerical – part-time account #001.7140.0139.

Ayes: All Noes: None Motion Carried

9. Recreation Supervisor re West Seneca Youth Hockey agreement

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Youth Hockey.

Ayes: All Noes: None Motion Carried

10. Recreation Supervisor re Non-exclusive facilities use permit & agreement with OPSD

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Orchard Park Central School District for use of diamonds at Sunshine Park.

Ayes: All Noes: None Motion Carried

4-B COMMUNICATIONS

11. Recreation Supervisor re
West Seneca Kiwanis Club
Easter Egg Hunt

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Kiwanis Club for their annual Easter Egg Hunt on March 31, 2018 from 9:00 AM – 11:00 AM at the Lions Bandshell and Kiwanis Shelter located within the Veterans Park Complex.

Ayes: All

Noes: None

Motion Carried

4-C REPORTS

- John Gullo, Senior Code Enforcement Officer's building & plumbing reports for January 2018 received and filed.

4-D 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 - \$490,384.77; Highway Fund - \$165,495.67; Special Districts - \$124,770.66; Capital Fund - \$73,383.14 (vouchers 103586 - 104136) Trust - \$332,290.30 (vouchers 104045 - 104061)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

- A Reynolds Road resident commented on conditions at the Burchfield building. Town Attorney John Fenz stated the building is evidence and the town cannot disrupt things, but he will request that certain maintenance issues be addressed. An Orchard Park Road resident questioned if the town could petition the court to speed up the process with the Burchfield building to prevent further degradation. Mr. Fenz responded the town is currently working through settlement negotiations with the responsible parties. A Covington Drive resident questioned if the town is taking steps to prevent any further problems with the Burchfield building. Mr. Fenz responded the town has taken the necessary steps to make sure nothing is contributing to further damage.
- A Woodward Crescent resident witnessed a town employee smoking in a highway vehicle. Highway Supt. Matthew English asked that the resident call him with the truck number when they see an employee smoking in a town vehicle.
- A Greenmeadow Drive resident questioned who attended meetings on the library/community center. Supervisor Meegan responded construction meetings were attended by the project contractors, Town Attorney, Town Engineer and council members.

ISSUES OF THE PUBLIC

- A Greenmeadow Drive resident referred to the full-time appointment of Matthew Melski as a laborer in the Buildings & Grounds Department and questioned if the job was advertised. Supervisor Meegan responded that Mr. Melski was hired as a part-time employee in 2006 and was still in the payroll system although not an active employee at the time. Councilman Hanley stated the job was not advertised and Mr. Melski was taken off the part-time list, noting he had been bypassed for many years.
- A Creekview Drive resident commented on the increase in his Fire District 2 taxes and questioned if the fire districts could be consolidated. Councilman Hart responded the fire districts are independent of the town and set their own budgets. The Town Clerk collects taxes on behalf of the fire districts, but the town has no supervision over the districts. He suggested the resident contact the commissioners for Fire District 2. Town Attorney John Fenz stated it was his understanding under General Municipal Law that fire districts cannot take on the debt of another when annexing.
- A Harwood Road resident commented on the poor condition of the Mill Road bridge and questioned who monitors it. Highway Supt. Matthew English was aware of issues with the Mill Road bridge and had spoken with Erie County. The resident further questioned if there is a tentative list of town roads to be repaired. Mr. English responded currently there are only the Community Development Block Grant qualifying roads.
- A Harwood Road resident questioned why the recently purchased sewer truck was painted metallic blue. Councilman Hanley responded the truck was blue when it was purchased and the color was not specifically requested.
- A Union Road resident questioned the original cost of the library/community center, if the original bond was intended to pay for the entire project, the grants for the project and what changed to make the cost increase. Councilman Hanley responded the original plan was for a library and the cost was \$8.1 million, but they did not know at the time they would lose both the Burchfield Center and the Kiwanis Building. Councilman Hart stated the town was awarded a library construction grant and an energy performance grant and they continue to apply for grants for the project. Town Attorney John Fenz stated they understand the public has questions and the board is taking a pause right now and stopping spending on the project. They are working with professionals to deliver a concise report to the public so they fully understand.
- A W Bihrwood Drive resident commented the town has exemplary services, but encouraged the board members to be more transparent with regard to town projects. The resident further questioned if there is anything the town can do to ensure the safety of school children. Chief Denz stated his department works with the school district and there are currently five full-time school resource officers assigned to the schools. The Police Department along with all six fire districts will also be holding an active shooter drill tomorrow night.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

RECREATION SUPERVISOR LAUREN MASSET

- Summer program resident registration is now taking place; non-resident registration for summer programs begins Thursday, March 1 at 10:00 AM
- Adult softball registration begins Monday, March 5th at 10:00 AM
- Pirate skate will be held Sunday, March 4th and Skate with the Easter Bunny will be Sunday, March 25th; regular admission fees and regular program times apply

COUNCILMAN HANLEY

- Burchfield Center annual report is available on the BNAC website; 20 organizations were displaced with the closing; 32 events were lost due to lack of building space

SUPERVISOR MEEGAN

- Information on the Farmer’s Market is online for interested vendors; Lloyd’s Taco Truck will be a vendor this year

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 8:20 P.M. to discuss a real estate matter.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 8:50 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:50 P.M.

Ayes: All

Noes: None

Motion Carried

JACQUELINE A FELSER, TOWN CLERK