

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

Supervisor Dickson read the Fire Prevention Code instructing the public where to exit in case of a fire or an emergency.

The meeting was dedicated in memory of retired West Seneca Police Detective Captain Jack Daley.

MINUTES TO BE APPROVED

- Motion by Supervisor Dickson, seconded by Councilman Bauer, to approve minutes from the October 19, 2020 Budget Hearing.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Dickson, seconded by Councilman Hanley, to approve minutes from the October 22, 2020 bid opening for Plant 6 HVAC Improvements.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Dickson, seconded by Councilman Hanley, to approve Minutes #2020-22 of October 26, 2020.

Ayes: All Noes: None Motion Carried

LEGAL NOTICES

1. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR REZONING AND A SPECIAL PERMIT FOR PROPERTY LOCATED AT 1042 ORCHARD PARK ROAD, BEING A PART OF LOT NO. 332, CHANGING ITS CLASSIFICATION FROM R-75A TO R-50(S), FOR CONSTRUCTION OF A FOUR UNIT TOWNHOUSE" in the Town of West Seneca received and filed.

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

Ayes: All Noes: None Motion Carried

Chris Woods, project engineer from Carmina Woods and Morris, stated they have reduced the number of units to three at the recommendation of the Planning Board. This change allows for additional green space and the appropriate number of parking spaces.

LEGAL NOTICES (continued)

Town Attorney Hawthorne stated the Planning Board’s recommendation to the Town Board was to change the classification from R-75 to R-50(S), noting there will be no guarantee on the number of units.

Mr. Woods agreed and stated the project will have to go back before the Planning Board for site plan approval in the event it is rezoned. Mr. Woods noted the project is not out of character as many properties in the area are used as multifamily.

Councilman Hanley requested confirmation that the only change to the project is the number of units. Mr. Woods confirmed this is correct.

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

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilman Hanley, to grant a rezoning and a special permit for property located at 1042 Orchard Park Road, being part of lot no. 332, changing its classification from R-75A to R50(S).

Ayes: All

Noes: None

Motion Carried

PUBLIC COMMENTS ON COMMUNICATIONS

No comments were received.

NEW BUSINESS

23-A COMMUNICATIONS

1. Supervisor Dickson re Holiday hours

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

WHEREAS, the Town Board has historically closed Town Hall early prior to the Thanksgiving and Christmas holidays and;

WHEREAS, Town Hall employees have worked extremely hard through a pandemic, then;

THEREFORE, be it resolved that Town Hall shall close at 2pm on Wednesday, November 25, 2020 and at 12:00 P.M. on Thursday, December 24, 2020.

Ayes: All

Noes: None

Motion Carried

2. Town Attorney re Approval of WSPBA contract

Motion by Supervisor Dickson, seconded by Councilman Bauer, to adopt the following resolution providing legislative approval for the agreement between the Town of West Seneca and the West Seneca Police Benevolent Association:

WHEREAS the collective bargaining Agreement between the Town of West Seneca and the West Seneca Police Benevolent Association (collectively hereafter "the parties") expires on December 31, 2020;

WHEREAS the parties engaged in collective negotiations which took place over the several months preceding this Resolution, and the parties' negotiating teams have reached an agreement on the terms for a new collective bargaining agreement; and

WHEREAS The West Seneca Police Benevolent Association has ratified the terms of the new collective bargaining agreement, and the Town Board of West Seneca has determined it is in the best interest of its residents to enter into said agreement; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca hereby adopts this Resolution providing legislative approval for the Agreement between the parties and authorizes the Supervisor to execute the Agreement.

On the question, Town Attorney Tina Hawthorne stated the contract includes the following:

- 3 year contract, January 2021 – December 2023
- No wage increase for 2021; however, each officer will receive a \$750 signing bonus; followed by 2.5% increase in 2022 and 2023
- Increase longevity pay and enhanced educational pay according to wage percentage increase
- Larger employee contribution for healthcare - Supervisor Dickson stated there is a plan offered at no charge, the Gold Plan

Ayes: All

Noes: None

Motion Carried

3. Town Engineer re Bid Award – Plant 6 Sewer Pump HVAC Improvement Project

Motion By Supervisor Dickson, seconded by Councilman Bauer, to award the bid for Plant 6 Sewer Pump HVAC improvements to Everlasting Water, Inc. DBA Camtech Mechanical and Plumbing, 4715 Hyde Park Blvd, Niagara Falls, NY 14305, at their low bid price of \$118,500.

Ayes: All

Noes: None

Motion Carried

Abstained: Councilman Piekarec

4. Chief Denz re Appointment of Kristin Sandel as Senior Clerk Typist

Motion By Supervisor Dickson, seconded by Councilman Cantafio, to terminate Kristin Sandel as Clerk Typist and appoint her to Senior Clerk Typist, Group 3, Step 5, as per the CSEA collective bargaining agreement at a salary of \$46,937.68 effective November 10, 2020 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 Appointment of Jill Gallagher as Detective

Motion By Supervisor Dickson, seconded by Councilman Cantafio, to terminate Jill Gallagher as Police Officer and appoint her to the rank of Detective effective November 10, 2020 at an annual salary of \$94,229.90 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

6. Chief Denz re Appointment of Daniel Volpe as Detective

Motion By Supervisor Dickson, seconded by Councilman Piekarec, to terminate Daniel Volpe as Police Officer and appoint him to the rank of Detective effective November 10, 2020 at an annual salary of \$94,229.90 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

7. Town Clerk re Status change for Shauna Slater and Donna Ferron to seasonal

Motion By Supervisor Dickson, seconded by Councilman Bauer, to change the status of part-time clerks Shauna Slater and Donna Ferron to part-time seasonal effective November 16, 2020 through January 6, 2021 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

Abstained: Councilman Hanley

8. Director of Finance re Letter of Authorization

Motion by Supervisor Dickson, seconded by Councilman Hanley, to adopt the special assessments indicated on the attached Letter of Authorization as part of the 2021 Town of West Seneca budget.

Ayes: All

Noes: None

Motion Carried
APPENDICES

9. Director of Finance re Adoption of 2021 Benefit Basis Budget

Motion by Supervisor Dickson, seconded by Councilman Hanley, to adopt the adopt the 2021 Benefit Basis Budget.

Ayes: All

Noes: None

Motion Carried

10. Motion by Supervisor Dickson, seconded by Councilman Hanley, to adopt the 2021 Ad Valorem Budget, which includes the General and Highway Funds, as previously filed by the Town Supervisor and known as the "Preliminary 2021 Ad Valorem Budget" with possible amendments.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to adopt Amendment A.

On the question, Supervisor Dickson polled the Town Board for any changes to Amendment A.

Councilman Hanley clarified that with the budget now being adopted any changes can be made throughout the following year if the net effect remains \$0.

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

Noes: (1) Councilman Hanley

Motion Carried

Motion by Councilman Hanley, to adopt Amendment B.

Motion failed for lack of second.

Motion by Councilman Cantafio, seconded by Councilman Bauer, to adopt Amendment C.

On the question, Supervisor Dickson stated this is about the HR consultant; would like to leave the line as it is and if a solution generates savings those can be allocated later.

Councilman Cantafio stated Councilman Hanley brought up the tradition of certain employees receiving an increase and recommends creating a local law connecting the salaries of elected and appointed employees to cost of living increases or collective bargaining units. This proposal allocates the proposed increase in the HR line to the part-time sanitation line.

Supervisor Dickson stated the proposals add to each other, for example, Proposal A adds \$24,000 to Sanitation part-time, Proposal C adds \$8,000 for a total of \$32,000.

Ayes: (3) Supervisor Dickson
Councilman Bauer
Councilman Cantafio

Noes: (2) Councilman Hanley
Councilman Piekarec

Motion Carried

Councilman Piekarec withdrew Proposal D.

Motion by Supervisor Dickson, seconded by Councilman Hanley, to adopt the 2021 Ad Valorem Budget, which includes the General and Highway Funds, as previously filed by the Town Supervisor and known as the "Preliminary 2021 Ad Valorem Budget" with amendments A and C in the attached document.

Ayes: All

Noes: None

Motion Carried
APPENDICES

11. Director of Finance re Issuance of a deficiency note

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to adopt the attached resolution delegating to the Town Supervisor the powers to authorize the issuance of the attached \$600,000 deficiency note.

Ayes: All

Noes: None

Motion Carried
APPENDICES

12. Director of Finance re Budget transfer – Assessor's Office

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize a budget transfer in the amount of \$1,000 from Town Assessor Continuing Education line 01.1355.0414 to Supplies line 01.1355.0415 for the annual RPS software licensing fee.

Ayes: All

Noes: None

Motion Carried

13. Director of Finance re Budget transfer – Highway Department

Motion by Supervisor Dickson, seconded by Councilman Bauer, to authorize a budget transfer in the amount of \$10,000 from Highway Fund Blacktop Paving line 02.5110.0497 to Culvert, Pipe, Lumber, and Sand line 02.5110.0498 for DI repair, pipe and excavating costs.

Ayes: All

Noes: None

Motion Carried

14. Town Justices re Parental leave for Katie Almeida

Motion by Supervisor Dickson, seconded by Councilman Hanley, to accept and approve parental leave for Katie Almeida from December 8, 2020 into January 2021 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Town Attorney Hawthorne explained in 2019 the Town Board passed a Parental Leave Policy for the White-Collar Unit. Ms. Almeida is not part of the unit as she is appointed; it is up to the

Town Board to approve the leave as it is not contractual. Additionally, accepting it would not obligate the town to act similarly in the future; it does not bring into play past practice.

Ayes: All

Noes: None

Motion Carried

15. Recreation Supervisor re Resignation of Alexa Nigro as Youth Service coordinator

Motion by Supervisor Dickson, seconded by Councilman Hanley, to accept the resignation of Alexa Nigro as Youth Service Coordinator effective November 9, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

23-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 - \$100,270.71; Highway Fund - \$34,879.07; Sanitary Sewer - \$57,485.53; Sewer Fund - \$108,053.36; Electric Lighting - \$250.12 (vouchers 14433 - 15132)

Ayes: All

Noes: None

Motion Carried

23-C REPORTS FOR FILING

- Amy M. Kobler, Town Clerk's report for October 2020 & Receiver of Taxes report for September and October 2020 received and filed.
- Jeffrey Schieber, Code Enforcement Officer, building & plumbing reports for October 2020 received and filed.

23-D DEPARTMENT REPORTS

- Engineering Department
- Recreation Department

ISSUES OF THE PUBLIC

- Beverly Leising would like to continue the West Seneca Cares program and is requesting donations from the community; the donations are given to nursing home residents for Christmas; interested parties may contact the Supervisor's office

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Chief Denz

- Congratulated Jill Gallagher and Daniel Volpe on their promotions
- Winter parking ban goes into effect November 15, 2020 through March 15, 2021 – no parking on the streets between 1:00 A.M. and 7:00 A.M.
- Pinktober raised \$800; No Shave November - \$1,000 each donated to Roswell Park and Wings of Flight
- Governor's mandate for police reform -the Supervisor to form a committee to oversee the process, open forums and presentations will be held; must be completed by April 1, 2021; will partner with Hilbert College
- Manpower needs: open Captain's position and requesting four new hires for the January academy – the Town Board made the recommendation to proceed

Supervisor Dickson

- Erie County has been placed in the Yellow Zone for Covid-19: meetings are limited to 25 people, 50% capacity in restaurants and churches, testing is limited, reminder – do not come to work when sick; travel outside of NYS restrictions

Councilman Cantafio

- Commended the Police Department of their fundraisers
- Thanked all the veterans
- Recognized the cooperation of the board members regarding the 2021 budget

Highway Superintendent Adams

- Currently on the second round of leaf collection

Director of Finance

- Received a \$334,000 check from NYS Workers Compensation after fully registering the town in the FFS system; the reimbursements have been in queue for a while; this will offset the Workers Compensation expense

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilman Hanley, to adjourn the meeting at 6:51 P.M.

Ayes: All

Noes: None

Motion Carried

Amy M. Kobler

AMY M. KOBLER, TOWN CLERK

Letter of Authorization

To: Erie County Real Property Tax Department

From: Town of West Seneca

Subject: Unpaid items to be included in tax warrant

Date: 11/09/2020

In accordance with New York State Town Law, section 198, the town board has opted to enforce various unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below, by placing a lien upon the real property for which such services were provided. **Be sure to include a copy of the resolution(s) adopting all special town charges.**

In light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the town assessor's master computer assessment roll file, which is also hereby being delivered by the assessor with this letter of authorization.

• Total Unpaid Water	\$ <u>1738.19</u>
• Total Unpaid Sewer	\$ _____
• Total Unpaid Refuse	\$ _____
• Total Ag Penalty	\$ _____
• Total Omitted Taxes	\$ _____
• Total Other Charges	\$ <u>22,278.44</u>

Total of Items Above \$ 24,016.63 ^{EF}

Certification Town of West Seneca

Date: 11/09/2020

[Signature]
Town Supervisor

[Signature]
Town Clerk

Assessors Use Only

Date RPS file submitted to County RPTS 11/11/2020

I hereby certify that the entries on the master assessment roll file delivered herewith equal the amounts as required by the town board as provided for above.

[Signature]
Assessor

11/11/2020
Date

County RPTS Use Only

Date filed received _____ By: _____

File in balance Yes _____ No _____

		Proposal A	Proposal B	Proposal C	Proposal D
Town Justice					
1.1110.0133	Justice Clerks	(9,686)	1,930	-	-
1.1110.0137	Salaries of Clerical Other	9,686	-	-	-
Supervisor					
1.1220.0130	Salary of Secretary	-	909	-	-
Finance Department					
1.1310.0100	Salary of Department Head	-	1,471	-	-
Independent Auditing					
1.1320.0451	Professional Services	(6,500)	-	-	-
Assessor					
1.1355.0100	Salary of Department Head	-	1,823	-	-
Town Attorney					
1.1420.0100	Salary of Department Head	-	1,435	-	-
1.1420.0137	Salary of Account Clerk	(40,195)	-	-	-
1.1420.0138	Salary of Clerk - Part Time	28,000	-	-	-
1.1420.0199	Town Attorney's Department OT	(150)	-	-	-
1.1420.0452	Contracted Legal Services - Litigation	(25,000)	-	-	-
Personnel					
1.1430.0451	HR Consultant	-	-	(8,800)	(4,400)
Buildings - Town Community Center					
1.1621.0417	Cleaning and Other Supplies	(5,000)	-	-	-
Police					
1.3120.0155	Salary of Public Safety Dispatchers	15,213	-	-	-
Dog Control					
1.3510.0100	Salary of Dog Control Officer	(57,737)	-	-	-
1.3510.0149	Salary of Dog Control Officer PT	(5,200)	-	-	-
1.3510.0199	Dog Control Department OT	(2,000)	-	-	-
Superintendent of Highways					
1.5010.0137	Salary of Account Clerks	-	1,043	-	-
Buildings & Grounds					
1.7110.0149	Salary of Laborers PT	30,000	-	-	-
1.7110.0200	Equipment	(20,000)	-	-	-
Sanitation					
1.8160.0145	Laborers - Part Time	24,000	-	8,000	4,000
Recycling					
1.8161.0200	Equipment	(5,000)	-	-	-
Employee Benefits					
1.9030.0802	Social Security	2,485	389	800	400
Revenues					
1.2801.1	Interfund Revenue - Highway	64,000	-	-	-
General Repairs					
2.5110.0144	Regular Labor	64,000	-	-	-
2.5110.0145	General Highway OT	(10,000)	-	-	-
2.5110.0416	Gasoline, Oil and Grease	(5,000)	-	-	-
2.5110.0455	Guard Rail & Curbing Repairs	5,000	-	-	-
2.5110.0497	Blacktop Paving	(10,000)	-	-	-
Machinery					
2.5130.0199	Automotive Mechanics OT	19,500	-	-	-
Miscellaneous					
2.5140.0482	Interfund Services	(64,000)	-	-	-
2.5990.0480	Contingent Account	-	(9,000)	-	-
Employee Benefits					
2.9030.0802	Social Security	293	-	-	-
Transfer to Capital					
2.9950.975.1	Transfer to Capital Fund	(10,000)	-	-	-
Assessed Valuation					
n/a	Decrease in Assessed Valuation	13,291	-	-	-
	Net effect on preliminary budget	-	-	-	-

Comm #10.

At a regular meeting of the Town Board of the Town of West Seneca, in the County of Erie, New York, held at Town Hall, 1250 Union Road, West Seneca New York 14224 on November 9, 2020

PRESENT: Gary A. Dickson, Supervisor
William J. Bauer, Councilman
Joseph J. Cantafio, Councilman
William P Hanley Jr., Councilman
Jeffrey Piekarec, Councilman

ABSENT:

The following resolution was offered by Supervisor Dickson, who moved its adoption, seconded by Councilman Piekarec, to-wit:

RESOLUTION OF THE TOWN OF WEST SENECA, NEW YORK, ADOPTED NOVEMBER 9, 2020, DELEGATING TO THE TOWN SUPERVISOR THE POWERS TO AUTHORIZE THE ISSUANCE OF \$600,000 DEFICIENCY NOTES OF THE TOWN, OR SO MUCH THEREOF AS MAY BE NECESSARY, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

BE IT ENACTED BY THE BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Deficiency Notes (herein called "Notes") of the Town of West Seneca, Erie County, New York (herein called the "Town"), in the aggregate principal amount of not to exceed \$600,000, and any notes in renewal thereof, is hereby delegated to the Town Supervisor, as chief fiscal officer of the Town.

Section 2. The following additional matters are hereby determined and declared:

(a) The Notes shall be issued for the specific object or purpose of covering a deficiency in the General Fund, for which no other source of financing is available, arising from revenues being less than the amounts estimated in the budget for the current fiscal year of the Town due to the adverse economic effects of the COVID-19 epidemic.

(b) The Notes, including renewals thereof, shall mature on such date or dates as are determined by the Town Supervisor, as Chief Fiscal Officer of the Town, in accordance with the delegation of authority contained in Section 3 hereof, provided however that such deficiency notes, including renewals thereof, shall mature not later than the applicable period provided in Section 29.20 of the Law.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the Town, and the faith and credit of the Town shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount(s) sufficient for such payment shall be inserted in the Fiscal Year 2021 and/or 2022 budget(s) of the Town and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this Resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Town Supervisor, as chief fiscal officer of the Town.

Section 5. This Resolution shall take effect immediately.

STATE OF NEW YORK)
COUNTY OF ERIE) S.S.:

I, the undersigned Clerk of the Town of West Seneca, DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Clerk of the Town of West Seneca, Erie County, New York (the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and am duly authorized to execute this certificate.

2. A regular meeting of the Town Board of the Town of West Seneca, Erie County, State of New York, was held on November 9, 2020, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board.

3. Attached hereto is a true and correct copy of a board resolution duly adopted at a meeting of the Town Board held on November 9, 2020 and entitled:

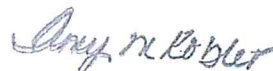
RESOLUTION OF THE TOWN OF WEST SENECA, NEW YORK,
ADOPTED NOVEMBER 9, 2020, DELEGATING TO THE TOWN
SUPERVISOR THE POWERS TO AUTHORIZE THE ISSUANCE OF
\$600,000 DEFICIENCY NOTES OF THE TOWN, OR SO MUCH
THEREOF AS MAY BE NECESSARY, FOR THE FISCAL YEAR
ENDING DECEMBER 31, 2020, AND TO PRESCRIBE THE TERMS,
FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND
CREDIT ENHANCEMENT OF SUCH NOTES.

4. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (3/5 of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

5. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of West Seneca this 9th day of November, 2020.

[SEAL]



Amy M. Kobler, Town Clerk