

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.

CHIEF OF POLICE APPOINTMENT

Supervisor Dickson announced the appointment of Edward A. Baker, Jr. to the position of Chief of Police. Chief Baker was sworn into office by Town Clerk Amy Kobler in the presence of his family and friends.

MINUTES TO BE APPROVED

- Motion by Supervisor Dickson, seconded by Councilman Cantafio, to approve Minutes #2021-13 of June 28, 2021.

Ayes: All

Noes: None

Motion Carried

LEGAL NOTICES

1. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN THE ADOPTION OF LOCAL LAW NO. 5, TERM LIMITS LAW" in the Town of West Seneca.
The public hearing was rescheduled to August 9, 2021.

PUBLIC COMMENTS ON NEW BUSINESS

No comments were received.

NEW BUSINESS

14-A ANNOUNCEMENTS

- Supervisor Dickson re NYSDOT response to noise evaluation request
- Code Enforcement Officer Jeffrey Schieber re Discussion on dispensaries

Code Enforcement Officer Schieber shared his thoughts on accommodating dispensaries within the town. Mr. Schieber suggested the Town Board could add dispensaries to the Special Permit process in the Town Code that regulates businesses which have the potential to affect surrounding property owners; this process currently regulates any automotive uses, service of alcohol, and multiple dwellings and apartment buildings. Applicants attend a Planning Board meeting where details are scrutinized, and

10. Town Engineer re Change order Phase 5 Sanitary Sewer Rehabilitation Contract

Motion by Supervisor Dickson, seconded by Councilman Bauer, to authorize the Supervisor to sign Change Order No. 1 of the 2019 Phase 5 Sanitary Sewer Rehabilitation Contract to deduct \$57,374.60 from the original amount of \$1,590,924.40 leaving the contract to date in the amount of \$1,533,549.80.

Ayes: All

Noes: None

Motion Carried

14-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 - \$70,585.36; Highway Fund - \$100,871.60; Sewer District - \$69,692.43; Electric Lighting - \$624.53 (vouchers 19108 – 19279 and 8012, 18574 - 19303)

Ayes: All

Noes: None

Motion Carried

14-D REPORTS FOR FILING

- Amy M. Kobler, Town Clerk's report for June 2021 received and filed.

14-E DEPARTMENT REPORTS

- Recreation Department updates received and filed.

ISSUES OF THE PUBLIC

- A resident had the following comments:
 - ✓ Suggested auditing the Town Codes – Supervisor Dickson stated some codes have been updated and more will be reviewed
 - ✓ Firepits continue to pose health issues – Town Attorney Hawthorne stated she is currently reviewing a draft provided by the Code Enforcement office. Code Enforcement Officer Schieber stated his office becomes involved after a complaint is received by the Police Department; the responding police officers assess the situation and provide feedback to Code Enforcement. The draft provided to the Town Attorney would provide more authority to the police officers and Code Enforcement and current regulations are taken from the NYS Fire Code.
 - ✓ Warrant No. 1460 – Town Attorney Hawthorne stated the 45,000 settlement was for a 2011 lawsuit, Cheryl Richardson vs. the Town of West Seneca, the prior insurance company had never billed the town for its share
 - ✓ Warrant No. 1462 – Supervisor Dickson can review and provide details.
 - ✓ Requests the Town Board address short-term rentals, aka Airbnb's, and put a policy in place – Councilman Hanley questioned Code Enforcement Officer Schieber if his office has received phone calls about them. Mr. Schieber stated his office was asked if short-term rentals were permissible and is not aware of any complaints. Councilman Piekarec stated it would be difficult to enforce; most Airbnb's are used as a less expensive option than a hotel.

- A resident made the following comments regarding dispensaries:
 - ✓ Observes the comments made and posts that were “liked” by some Town Board members on social media/newspapers to be negative towards dispensaries
 - ✓ Supports other peoples’ right to consume marijuana
 - ✓ There is a financial benefit to the town to allow dispensaries
 - ✓ Referred to a news article stating a cannabis dispensary is looking to select West Seneca due to the location
 - ✓ Used the West Seneca Police Department’s social media accounts description of the Queen of Heaven Carnival patrons as an example that sales and consumption of alcohol are widely accepted and celebrated but marijuana is viewed differently
 - ✓ Marijuana offers medicinal benefits and is not listed in an article about the drug overdose deaths in 2020
 - ✓ Zoning should be consistent with alcohol and tobacco sales
 - ✓ Alcohol-to-go during the pandemic was popular, would like consistency with cannabis
 - ✓ Cannabis usage is already in West Seneca, not allowing dispensaries will not keep it out
 - ✓ Referred to Chair of the Republican Party/Supervisor’s spouse recent post on the town Facebook page stating “consumers are mainly 18 – 35-year old’s, who have grown up with little or no social skills from video games to everyone gets a trophy...” – stated the post is insulting and condescending
 - ✓ Society will not fall apart by allowing dispensaries

Councilman Piekarec stated he is not against allowing dispensaries but would like the zoning decided before allowing them.

Councilman Hanley stated the Town Board is going into the process with an open mind.

Supervisor Dickson questioned why the resident feels he is against dispensaries. The resident responded the Supervisor’s comments have been neutral to negative and cited an article in the Sun where the Supervisor stated he has not heard from many people who are in favor of dispensaries. Supervisor Dickson responded that he is stating facts based on data. The resident cited Facebook posts made by the Chairperson of the Republican Party/Supervisor’s wife stating she has seen the lives damaged by drugs and worked with “gang members and their baby mommas” and that \$80,000 is not much worth it, as this is half a town employee, the resident noted, Supervisor Dickson “liked” the comment. Supervisor Dickson stated the Chairperson is a past president of Cazenovia Recovery and would go into jails to teach parenting skills to people who had lost their parental rights often because of addiction; this has given her a different perspective.

Supervisor Dickson stated alcohol is legal and pointed out many campaigns and efforts against drunk driving and alcohol related issues, illustrate the fact that not everyone in society is for alcohol. Many residents have shared their opposition of dispensaries despite the financial benefit to the town and West Seneca seems to be unique in seeking the public’s input.

- A resident made the following comments:
 - ✓ Wants the town to send the message to children that West Seneca is against drugs. Councilman Piekarec stated people will still travel through town as they return home from dispensaries.
 - ✓ Referred to the number of alcohol related issues that occurred after the Queen of Heaven Carnival and requested better controls on future events
 - ✓ Complimented the new splash pad and thanked the Town Board for their responsiveness

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Recreation Supervisor Masset

- Hiring a part-time Clerk Typist position
- Veterans Park Aquatic Complex is open

Highway Sup't. Adams

- Phase 2 project of East & West Road is underway and recommends using an alternate route
- Aldi's on Ridge Road is moving to the old Top's building and a fully functioning signal will be placed
- Construction on roof at the Harlem Road Park to begin July 16
- Culvert project on Clinton Street has been delayed but drainage work is underway
- NYS plans to repave union Road in 2022

Councilman Hanley

- Candidate for Deer Task Force to be on next agenda
- Reviewing prices for improving the cameras at the Splash Pad

Councilman Cantafio

- Congratulations to Chief Denz in his retirement and Chief Baker for his appointment; all candidates were excellent
- Thanked Code Enforcement Officer Schieber for his presentation and his responsiveness to all issues
- Complimented Recreation Supervisor for her ability to handle the many crises
- Complimented Town Clerk Kobler for handling the many changes presented to her office
- Thanked the residents that have come to the meetings and spoken to the Town Board

Town Engineer Tanner

- Submitting an add/change order for Phase 6 Sewer Repairs at the next meeting
- The new clerk typist in Engineering is doing a great job

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilman Bauer, to adjourn the meeting at 7:33 P.M.

Ayes: All

Noes: None

Motion Carried



AMY M. KOBLER, TOWN CLERK