



Councilman Piekarec asked what the difference would be if West Seneca were to opt out of having dispensaries when neighboring communities will allow them. Ms. Altman stated she does not have a good answer but as a town we should not allow them.

Councilman Cantafio stated as a teacher at the local high school he has had many students from the program and commended the program and Dick Gallagher. The kids turn into role models, and they take a journey of courage from the support they receive from the Kids Escaping Drugs program. Mr. Cantafio stated the recovering individuals have shared how they are physically in pain when they cannot get more drugs despite how much they want to give drugs up. Ms. Altman stated Mr. Gallagher's legacy is the Renaissance Campus and thanked Councilman Cantafio for his comments. Ms. Altman reminded everyone that our brains continue to develop until we are 25 – 26 years old; the children taking drugs at a young age are stunting their development. Further, anything adults can do to prohibit drugs is our job.

Supervisor Dickson asked about the current accessibility and is marijuana a gateway drug. Ms. Altman stated marijuana is very accessible throughout the community not just the inner-city and the patients have shared that it is a gateway to the "lifestyle". Smoking marijuana and drinking leads to the lifestyle of skipping school, stealing, quitting jobs, running away, and other negative choices. Ms. Altman stated it's a dichotomy that New York State licenses their program but then legalized marijuana.

Councilman Hanley recalled another presentation given by Save the Michaels and questioned if opening dispensaries will bring drug dealers to town. Ms. Altman clarified that the dispensaries' products will be more expensive, and people will turn to drug dealers for cheaper drugs, drug dealers are already here.

Councilman Piekarec pondered that people already go to drug dealers as marijuana is not currently legal. Ms. Altman stated that is correct, but the organization does not support dispensaries in town. Councilman Piekarec also contemplated added safety risks for people consuming cannabis outside of West Seneca then travelling back. Ms. Altman stated they are in a situation where they must agree to disagree on dispensaries; based on her experience drugs have led to devastating effects for too many people.

## **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 received and filed.

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

Ayes: All

Noes: None

Motion Carried

Dr. Peter Yacobucci, PH.D., SUNY Buffalo State gave a summary of research on term limits over the last 30 years:

- ✓ Fad policy adoption in the late 1990's and into early 2000's
- ✓ Possible benefits of term limits cited in the literature:
  - Restore citizen legislators
  - Increase electoral competition
  - Reduce state and municipal budgets
  - Increase political accountability
  - Reduce corruption and prevent the influence of special interests

- ✓ Term limits then went out of fashion because the results that were achieved did not match the objectives sought
- ✓ Summary of results from well over one hundred objective peer reviewed academic research projects on this topic:
  - Does not appear to be any significant impact on career politicians due to the revolving door effect of office hopping, for example Erie County
  - Increase partisan and participatory shirking; partisan shirking occurs when individuals in their last term stray from the ideological viewpoint they were elected under, and participatory shirking is when individuals stop doing their job
  - At the municipal level there was reduced electoral participation
  - Legislator term limits result in increased budgets - look for short term payoffs while long term projects are ignored
  - The state level saw a shift in the power away from the legislature towards the executive and career bureaucrats as it takes a while to build knowledge
  - Special interests' groups have more influence not less
- ✓ Two recent studies focused on municipalities with term limits found:
  - Proposed budgets are larger
  - No other statistically significant impact
  - Elections are lacking competition - people wait for other candidate to finish their term
- ✓ Overall, the research seems to suggest the negative impacts of term limits outweigh the potential benefits and there are very few examples where the potential benefits have outpaced the negative impacts

Councilman Piekarec challenged the statement people will not run if there are term limits and stated elected officials in Grand Island, Amherst, Evans, and Tonawanda almost always face opponents in their elections and argued more people run when an incumbent vacates a seat. Further, West Seneca does not have term limits but most Town Clerk races over the last 30 years have been unopposed, many for the Highway Superintendent, and some years Council and Supervisor positions, and does not agree with the cause and effect. Councilman Piekarec stated politicians do not always behave better when they can run for re-election and mentioned Governor Cuomo has not behaved very well and has indicated he wants to run for re-election. Further, several Presidents have not behaved badly in their last term. Dr. Yacobucci reiterated the literature suggests those in their last term lose interest.

Councilman Piekarec stated four out of the five Town Board members are in their first term and suggested they have brought new ideas and perspectives to the town. With regards to spending, Councilman Piekarec stated it depends on the person elected and the platform they ran on. On the issue of spending, it does matter who you elect not just the term limits. There are some people who run for office and run on the platform of adding more police or public works, but they will raise taxes for it and there may others who want less services or more efficiency. Dr. Yacobucci replied he did not come across a study on the level of innovation because of term limits and cannot speak to that. There was a consistent finding that suggested legislators tend to be short sided in spending, raise taxes, and spend more money.

Supervisor Dickson stated he looked over the summary Dr. Yacobucci provided and the studies online and observed many were from foreign countries or the state level and are not relevant to the town. Further, Supervisor Dickson stated he disagrees with the studies regarding shirking and stated Councilman Hanley has not shirked his responsibility despite being in his last term and politicians generally look toward to the next election and stay focused on being effective. Eight years should be ample time to accomplish one's objectives, being able to run for another position is a good option, it

allows for new ideas, and if term limits are good enough for the President of the United States it is not too bad for West Seneca.

A member of the public questioned the size of the towns included in the studies and whether the size of the town made a difference. Dr. Yacobucci replied yes, as the size of the town goes up the impact of term limits is going to increase in a negative manner and what the studies did not find was that as the size of the town decreased the benefits of term limits came with it. Additionally, one study determined term limits did not have a significant impact in comparison to partisanship and the fiscal health of the city.

Supervisor Dickson stated term limits is not a magic bullet, the benefits are subtle.

The following comments/questions were received from members of the audience:

- ✓ Outgoing officials should be mentors to new board members
- ✓ Communities change and the boards should also change
- ✓ Proposed an option to return after an absence
- ✓ Serving on the Town Board is a privilege and should be open to more people
- ✓ New members will bring new ideas, insights, and energy
- ✓ Risk that multiple terms create complacency
- ✓ Running against an incumbent and entrenched incumbent is extremely hard
- ✓ Referred to Brian Higgins and stated over the last 50 years 80% of incumbents have been re-elected and listed some advantages incumbents have: name recognition, access to campaign funds
- ✓ Voters determine term limits on election day, the Town Board should not limit this right
- ✓ Some of the arguments for term limits have been sweeping generalizations and was grateful facts were presented
- ✓ Believes being elected and re-elected encourages energy
- ✓ Term limits tell the electorate the Town Board does not have confidence in their constituent's ability to make an informed decision
- ✓ After serving a certain amount of time do office holders receive free lifetime health insurance – Councilman Hanley stated part-time elected officials only receive a paycheck and the Supervisor, as a full-time position, can receive health insurance during their term.
- ✓ Challenged the notion that new officials won't have the expertise

The following comments were received via email:

- ✓ Greater fiscal responsibility and lower taxes
- ✓ Reduce the focus on politics
- ✓ Avoid voting along party lines for less popular items
- ✓ New people bring new ideas and less complacency
- ✓ Ensure healthy turnover in our town government and not a career as the founding fathers of the United States intended
- ✓ Will work for constituents and not become beholden to special interests to remain in office
- ✓ Should apply to all elected government positions
- ✓ Each written opinion represents 70 identical unwritten ones
- ✓ Eight years is ample time for a person to accomplish goals
- ✓ Corruption occurs when career politicians become loyal to the people with money
- ✓ This would prevent a problem from occurring in West Seneca
- ✓ The conduct of the Town Board over the last ten years is an example of unnecessary spending

- ✓ Multiple terms risk the development of a friends and family club
- ✓ Many polls show the public is in favor of term limits
- ✓ Incumbents have many advantages in re-elections including large campaign funds, name recognition, and political party backing
- ✓ Create opportunities for greater inclusion of women and minorities
- ✓ Examples given of career politicians convicted of criminal behavior
- ✓ NYS Governor is in his third term and under criminal investigation
- ✓ Officials elected under the term limits law could be held accountable to avoid complacency
- ✓ Would encourage larger voter turnout
- ✓ Strengthen democratic institutions over the long term and ensure peaceful political transition
- ✓ Encourages a rising generation of political leaders
- ✓ Would like this on the ballot for voters to decide
- ✓ Prevent a problem from occurring
- ✓ Current office holder from Grand Island supports this policy for West Seneca
- ✓ Questioned how term limits would improve local government, what corruption will they end, and what lobbyists will be stymied
- ✓ Term limits assume the worst of candidates: replaceable, not trustworthy, public service is not a noble pursuit but a power grab
- ✓ Worthless pursuit as there is rarely a three-term councilmember
- ✓ Undemocratic
- ✓ Voters should have the option to choose the best candidate whether they have served two terms

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

Ayes: All

Noes: None

Motion Carried

Motion by Councilman Piekarec, seconded by Supervisor Dickson, to adopt Local Law 2021-5, the Term Limits Law.

On the question, Supervisor Dickson stated he supports term limits, and this was an excellent discussion. Additionally, a candidate should know what they want to accomplish and already be involved in town government.

Councilman Piekarec stated he is voting for term limits because it is a check on complacency, entices new candidates, it is a good common sense/good government measure, and it has worked in locally.

Councilman Hanley commented West Seneca is a small government and the instances of fraud, corruption and special interest influences does not happen here. There has never been a charge of corruption or fraud on any sitting board member. There are three contracts with vendors each under \$100,000 per year, the claim of special interest does not apply. In fact, most candidates finance their own campaigns with assistance from small fundraisers like pizza parties.

Councilman Bauer observed there were many opinions in favor of term limits and thanked Dr. Yacobucci for sharing the research on this subject. Further, Councilman Bauer reiterated that he has full faith in taxpayers and voters of the town in their ability to ascertain the capabilities and talents of the candidates that they elect or reject on election day. It is the obligation and privilege of the registered voters to limit the term of every elected official and the responsibility should not be borne by the Town Board and this governing body does not and should not have the ability to limit voters' rights.

Councilman Hanley stated he has had many discussions on the subject and the feedback he received was that term limits take the voters' choice and voice away. Multiple terms for good candidates are not a bad thing.

Councilman Cantafio thanked Councilman Piekarec for bringing this topic to the board. Councilman Cantafio stated he learned of Dr. Yacobucci through his own research on the topic and invited him to speak with Supervisor Dickson's permission. Councilman Cantafio stated he believes everyone wants the same thing and believes this is servant leadership, there should be rotation in office, and he is a temporary custodian of this seat.

Councilman Cantafio stated he will be an independent thinker and was diligent in researching the topic of term limits. To vote in favor of the term limits law he was looking for three things: the taxpayers overwhelmingly wanted this, there is overwhelming research that states the goals that are proposed will be met by doing this, and a sense of urgency exists that this must be done now.

Councilman Cantafio stated his first thought was to put this up to the voters, but Town Attorney Hawthorne advised this was prohibited by law. As well, Councilman Cantafio observed the way the law is written the two offices that have multiple term candidates, the Town Clerk and Highway Superintendent, are not included and previous office holders, perhaps individuals this law was written to limit, could run again. It was noted the elections were competitive and candidates in West Seneca do not have war chests; this is seen on a federal level and Councilman Cantafio is in favor of campaign finance reform and to stop gerrymandering.

Councilman Cantafio shared the following statistics:

- ✓ In 2016 only 8 of 932 towns in NYS have term limits
- ✓ Employees and candidates in Tonawanda have reported they not having more competitive races,
- ✓ Since 1980 in West Seneca: 5 different Supervisors and 21 different councilmembers; 1 Supervisor served 4 terms and 1 served 3 terms; 4 councilmen served 3 terms, and none served more than 3; 10 councilmembers (50%) served 1 term
- ✓ No accusations of corruption
- ✓ When there have been accusations of complacency the candidates are not re-elected

Councilman Cantafio reiterated Councilman Bauer's comment that he trusts the taxpayers. The comments about Congress and the Governor are not happening here. Further, Councilman Cantafio stated he is not compelled to vote in favor of the term limits law for all the reasons stated.

Councilman Piekarec stated the law was written to make it fair for all future candidates and current office holders. The drafting process was transparent and personally supports term limits on all positions but compromised on the two positions removed.

Councilman Cantafio stated he did not question the transparency of the process and carefully considered the research as well as weighing the comments received from the public and noted the respondents reflect a very minute amount of the town's overall population.

Ayes: (2) Supervisor Dickson  
Councilman Piekarec

Noes: (3) Councilman Bauer  
Councilman Cantafio  
Councilman Hanley

Motion Defeated

**PUBLIC COMMENTS ON COMMUNICATIONS**

No comments were received.

**NEW BUSINESS**  
**16-A ANNOUNCEMENTS**

- Supervisor Dickson re Union Road crossing
- Supervisor Dickson re Mask usage policy in town facilities – Town Attorney Hawthorne advised the Town Board on the procedures should they want to impose a mask mandate. After discussion no mandate will be imposed.
- Supervisor Dickson re Results of cannabis survey

**26-B COMMUNICATIONS TO BE VOTED ON**

1. Supervisor Dickson re Removal of Britney-Bay Croyle from the WS Deer Task Force

Motion by Supervisor Dickson, seconded by Councilman Hanley, to remove Britney-Bay Croyle from the WS Deer Task Force effective immediately as she has been unable to attend meetings or remain in contact with Task Force Facilitator Cynnie Gaasch.

Ayes: All

Noes: None

Motion Carried

2. Supervisor Dickson re Rescind approval of home run fences

Motion by Supervisor Dickson, seconded by Councilman Hanley, to rescind Town Board approval initially granted on April 19, 2021, for the installation of home run fences around Harlem Road baseball diamonds numbers 2 and 3.

On the question, Councilman Piekarec stated many residents have been very positive about the fences and is concerned that rescinding approval could hurt the fund raising efforts. Further, there is a large green space in the back corner of the park that would not be affected by the fences and does not feel good about going back on the approval.

Councilman Hanley stated Mr. Albano from WSYB is comfortable holding off until next year.

Supervisor Dickson stated he had a conversation with Mr. Albano and while WSYB would like to put fences around all diamonds they are not able to add anymore this year due to financial reasons. Supervisor Dickson would like to allow neighbors of Harlem Road Park to weigh in. Mr. Piekarec commented that residents have had the opportunity to speak on this issue.

Councilman Hanley stated the Buildings and Grounds employees believe Harlem Road and Dirkson are two of the most used parks in town.

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

Noes: (1) Councilman Piekarec

Motion Carried

3. Highway Sup't. re Budget transfer – Harlem Road roof replacement

Motion by Supervisor Dickson, seconded by Councilman Hanley, to approve the budget transfer in the amount of \$12,500 from line 1.9950.975 to line 01711000.50445 for the purchase of the roof replacement at the Harlem Road Park maintenance building.

Ayes: All

Noes: None

Motion Carried

4. Highway Sup't. re Budget transfer – Engineering Department vehicle replacement

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to approve a budget transfer in the amount of \$4,025.41 from line 1.1990.0480 to line 1.1440.0200 to cover the additional cost of a vehicle replacement for the Engineering Department.

Ayes: All

Noes: None

Motion Carried

5. Highway Sup't. re Title Amendment and Appointment of Sean Cuddihy to Highway Motor Equipment Operator/Assistant Dog Control Officer

Motion by Supervisor Dickson, seconded by Councilman Bauer, to amend the title of Sean Cuddihy to be the combined title of Highway Motor Equipment Operator/Assistant Dog Control Officer Group 1, Step 5 at a rate of \$31.17 per hour effective August 2, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hanley asked if Mr. Cuddihy needs to complete training per the requirements of the SPCA agreement. Highway Sup't. Adams responded Mr. Cuddihy has already completed the training and this motion will update his status with Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

7. Chief Baker re Status change for part-time Public Safety Dispatcher Norm Brem to seasonal

Motion by Supervisor Dickson, seconded by Councilman Hanley, to change the status of part-time Public Safety Dispatcher Norm Brem to part-time seasonal effective August 1 – August 31, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

8. Chief Baker re Status change for part-time Public Safety Dispatcher Gerard Mazurkiewicz to seasonal

Motion by Supervisor Dickson, seconded by Councilman Hanley, to change the status of part-time Public Safety Dispatcher Gerard Mazurkiewicz to part-time seasonal effective August 1 – August 31, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried



9. Chief Baker re TASER Systems purchase

Motion by Supervisor Dickson, seconded by Councilman Bauer, to approve the fifth annual payment of \$5,754.24 to AXON Enterprise, Inc., formerly TASER International, per the signed 5 year equipment agreement noting funds are available in the 2021 police budgetary line 50549.

Ayes: All

Noes: None

Motion Carried

10. Town Clerk re Status change for part-time Clerk typist Donna Ferron to seasonal

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to change the status of part-time Clerk typist Donna Ferron to seasonal effective August 9 – October 15, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

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

Noes: None

Motion Carried

Abstained: Councilman Hanley

11. Director of Finance re Budget transfer – Town Clerk purchase of currency discriminator counter

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to authorize a budget transfer in the amount of \$1,500 from Town Clerk – Salaries of Part Time Clerks 01.1410.0138 to Town Clerk – Supplies 01.1410.0419 for the purchase of a currency discriminator counter.

Ayes: All

Noes: None

Motion Carried

12. Director of Finance re Budget transfer – Town Clerk re correctly allocate purchase of envelopes

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize a budget transfer in the amount of \$1,982.03 from Town Clerk – Print, Literature, Other to 01.1410.30448 to Town Clerk – Supplies 01.1410.0419 to correctly allocate for the purchase of envelopes.

Ayes: All

Noes: None

Motion Carried

13. Town Assessor re Status change for part-time Clerk Ellen Zawodzinski to seasonal

Motion by Supervisor Dickson, seconded by Councilman Hanley, to change the status of part-time Clerk Ellen Zawodzinski to seasonal effective August 10, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

14. Director of Sr. Services re Appointment of James McCullough as part-time permanent Van Driver

Motion by Supervisor Dickson, seconded by Councilman Hanley, to appoint James McCullough as a part-time permanent Van Driver effective August 10, 2021, at the rate of \$14 per hour noting the hire is contingent upon a drug test and background screening and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

**16-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 - \$185,916.25 and \$31,531.15; Highway Fund - \$72,269.35 and \$461.67; Sewer District - \$26,848.52 and \$4,252.83; Electric Lighting Districts - \$5,755.00 and \$573.91; Gas Conversion Lighting Districts - \$67.90 (vouchers 12678 – 19703 and 18577 - 19830)

Ayes: All

Noes: None

Motion Carried

**16-D REPORTS FOR FILING**

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

**16-E DEPARTMENT REPORTS**

- Recreation Department updates received and filed.

**ISSUES OF THE PUBLIC**

No comments were received.

**COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**Director of Finance Straus**

- Meeting with department heads to review 2022 budgets

**Highway Sup't Adams**

- Working on the budget, vehicle replacement plans, road projects, and traffic safety issues

**Councilman Piekarec**

- Thanked all who participated in National Night Out
- Recognized the West Seneca Bee article about Amelia Greenan

**Councilman Hanley**

- Thanked all who came to speak during the public hearing
- The Recreation Commission will hold their first meeting Tuesday, masks are required

**Director of Senior Services Stanek**

- First dinner dance of 2021 this week and another one is scheduled for September
- Free technology classes offered on Wednesdays at 1:30 P.M.
- Membership is continuing to grow

**Supervisor Dickson**

- The 2022 budget process begins Tuesday
- Requested Town Board members present ideas for the use of ARP funds at the next Town Board meeting

**Councilman Cantafio**

- Thanked all participants of the public hearing
- Complimented all involved with National Night Out

**Councilman Bauer**

- Thanked Highway Sup't. Adams for his department's assistance with the path between Allendale Elementary and Heritage Farms subdivision

**Town Assessor Finbar**

- All must re-apply for tax exemptions this year and anticipates scheduling a day at the Senior Center in January to assist senior residents with applications

Supervisor Dickson announced the town's total assessed value increased a little more than 1% due to new businesses and housing.

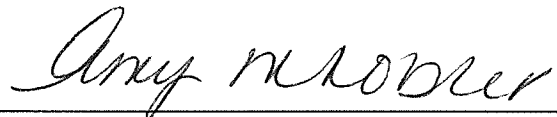
**ADJOURNMENT**

- Motion by Supervisor Dickson, seconded by Councilman Bauer, to adjourn the meeting at 8:11 P.M.

Ayes: All

Noes: None

Motion Carried



**AMY M. KOBLER, TOWN CLERK**