

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

<b>ROLL CALL:</b>	Present	Gary Dickson	Supervisor
		Joseph Cantafio	Councilman
		William P. Hanley, Jr.	Councilman
		Jeff Piekarec	Councilman
	Absent	William Bauer	Councilman

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

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8. Chief of Police re Appointment of Cheri McParlane to Police Lieutenant

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to terminate Cheri McParlane from the rank of Police Officer and appoint her to the rank of Police Lieutenant effective September 21, 2021, at an annual salary of \$103,891.36 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hanley stated Lt. McParlane is the first female Lieutenant in the West Seneca Police Department.

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 USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS" 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

Supervisor Dickson stated every year the towns receive money from the federal government called Community Development Block Grants. These are intended for areas near the city line but not all areas and delineated by census track; in addition, the money can also be spent on the Senior Center.

Supervisor Dickson stated a new van is necessary after speaking with Director of Senior Services Stanek. A new van was received this year and they are hoping to purchase another one next year as the current vans are old. A second need for the Senior Center would involve the pickle ball court. Supervisor Dickson noted traditionally these funds have been used for paving; however, funds from the budget are in place for paving as well as some state funding.

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

Ayes: All    Noes: None    Motion Carried

**OLD BUSINESS**

**LEGAL NOTICE**

1. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN A REQUEST FOR A REZONING AND SPECIAL PERMIT FOR PROPERTY LOCATED AT 1465 UNION ROAD, 1471 UNION ROAD, AND 798 CENTER ROAD CHANGING THEIR CLASSIFICATION OF C-1 AND C-2(S) TO C-2(S) FOR USE AS A CAR WASH" in the Town of West Seneca received and filed.

**PUBLIC COMMENTS ON NEW BUSINESS**

No comments were received.

**NEW BUSINESS**

**19-A DISCUSSION**

- Supervisor Dickson re American Rescue Plan
  - ✓ No deadline to spend these funds from the federal government, which totals approximately \$8.5 million dollars over two years. Supervisor Dickson referred to the excel spreadsheet containing projects that could benefit from the American Rescue Plan.
  - ✓ Councilman Hanley rescinded Plant 6 Overflow Retention as it is not necessary, and the funds could be used elsewhere.
  - ✓ Councilman Piekarec stated he is in favor of the ideas on the list but does not support the premium pay suggestion because everyone collected wages throughout the pandemic when many in the private sectors did not and thinks giving extra wages would send the wrong message; Supervisor Dickson agreed.
  - ✓ Councilman Hanley stated the interest on the bond is only 1.03%. Premium pay is intended for employees who worked every single day, for example, sanitation workers. Supervisor Dickson stated the PBA received significant overtime as many officers worked 12-hour shifts and the bond is due at the end of 2022.
- Supervisor Dickson re Modern Recycling Risk Reward proposal
  - ✓ By signing a five year contract the town would have a revenue sharing opportunity – Highway Superintendent Adams stated this offer may mean there are competitors in the market and the town should be certain this is the best deal available. Supervisor Dickson stated items that cannot be sold by the Modern Recycling, such as glass, is then transported to the landfill or an additional fee to the town. Mr. Adams stated the extra charge is generally \$10,000 - \$15,000 per month.
- Town Clerk re Multiple Dog Housing Permit
  - ✓ Town Code currently for allows two dogs per household,
  - ✓ Proposed changes: increase to three dogs, require a Multiple Dog Housing Permit for four or more, and revise the reference to kennel license
  - ✓ Orchard Park has instituted the multiple dog housing permit

Highway Superintendent Adams stated this is a good idea and it works well in Orchard Park.

Supervisor Dickson directed Town Attorney Hawthorne to complete the draft of the local law.

- Town Clerk re Granicus Peak Agenda Management Software
  - ✓ Software builds the agenda, and it is customized to the town's needs
  - ✓ Creates an extension of the website and residents can enroll to receive notifications when new agendas are posted, or changes are made
  - ✓ The software can benefit multiple departments as it accommodates unlimited users and boards
  - ✓ Increase efficiency and transparency while limiting human error and paper usage
  - ✓ Used for the Town, Planning and Zoning Board meetings
  - ✓ Compared other available software, pricing was comparable, but this product was simpler to use
  - ✓ Annual cost will be \$9,995; November and December to be prorated this year

Councilman Cantafio is in favor of the efficiencies the software will bring.

Councilman Hanley is in favor of streamlining the process for the Town Clerk's office.

Councilman Piekarec would like to move forward at this meeting.

Town Clerk Kobler stated the pricing for the end of 2021 is \$1,720.77. It is a three-year contract, \$9,995.98 in 2022 and an annual increase of approximately \$500.

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to authorize the Town Clerk to enter into a contract with Granicus in the amount of \$1,720.77 in 2021, 2022 being \$9,995.98 with reasonable increases thereafter for purposes of increasing efficiency and transparency in the Town Clerk's office.

Ayes: All

Noes: None

Motion Carried

- Internal Audit Committee re Sanitation Department report

Councilman Piekarec read the two versions of minutes from the September 7, 2021, Internal Audit Committee meeting and stated one was the original and one was submitted by Councilman Bauer with revised language.

Supervisor Dickson asked Councilman Piekarec how the committee arrived at their conclusion. Councilman Piekarec stated as the invoices for Modern were being reviewed the committee noticed the sanitation would be completed before noon or 1:00 P.M. This led to reviewing the times employees clocked out and tonnage of garbage picked up.

Highway Superintendent Adams stated he understood the committee's purpose was to review invoices and further quoted the Internal Audit Committee was "analyzing invoices, procedures, and operations" stating it is easy to analyze operations from the outside and experiencing the job prior to making any recommendation is essential. The Sanitation Department employees work in the most efficient manner by foregoing breaks and lunches. The Town Board already eliminated five positions in Highway and eliminating more will leave no incentive for part-time employees to stay and work; it is not sustainable. Not all employees leave shortly after noon, there are drivers and lifters that stay to perform maintenance on the trucks, again without taking breaks. Highway Superintendent Adams stated he met with only two committee members, Councilman Bauer, and Ms. Stolinski, and provided information about routes, houses per day, and tonnage and the recommendation was made on numbers alone.

Councilman Piekarec stated only two members met with Highway Superintendent Adams to prevent a quorum and acknowledged the Internal Audit Committee is only an advisory board. Councilman Piekarec stated no

members have ever ridden on the back of a truck, but the members were asked to follow both a garbage and recycling truck to gain some understanding of the process. Councilman Piekarec stated there is always room for improvement and cost savings.

Highway Superintendent Adams stated he has implemented cost saving measures including using a five route system more often, requiring workers and drivers to service their trucks, and collecting yard waste.

Supervisor Dickson asked Highway Superintendent Adams if sanitation workers sign out and then continue to work. Mr. Adams stated not all employees are finished for the day when the route is completed, full time employees have other duties to complete.

Councilman Piekarec stated the EBC timeclock records were reviewed.

Councilman Hanley stated he is disturbed with the way this item was submitted: specifically, multiple versions of the report were submitted and there were no prior meetings with the Town Board and the Internal Audit Committee. Councilman Hanley listed examples of the sanitation taxes paid across the town and stated residents receive a great value. The sanitation workers do a great job and make it easy for the Town Board as there are very few complaints about them. It is not worth a few dollars off his tax bill to lay off or eliminate three positions. Councilman Hanley stated he spoke with a member of the Internal Audit Committee who approved a letter being sent to the Town Board but did not approve the recommendations in the letter. Councilman Hanley stated he is concerned about the older trucks being used even harder and the time each route would take if both sides of the street were not collected at the same time.

Councilman Piekarec stated the committee members were given the opportunity to make changes and no changes were offered. The committee plans to submit an annual report to the Town Board in December and this item was presented now as the 2022 budget is being prepared. Because of the discrepancies between the original report and one Councilman Bauer submitted both were versions read. Councilman Piekarec stated he prefers attrition to layoffs.

Councilman Cantafio referred to paragraph four of each letter and questioned the discrepancy between the two - Councilman Piekarec's version requests the Supervisor and Town Board choose to cut routes and positions, and Councilman Bauer's letter recommends the Supervisor and Highway Superintendent investigate, review, and consider the recommendation. Councilman Piekarec stated the rest of the committee believes the power of the purse comes from the Town Board and the Department Heads implement the budget.

Councilman Cantafio stated he would like to hear from the entire committee, and it seems that this is going beyond what the audit committee is supposed to do. This is supervisory of the people that are hired or appointed by the Town Board or duly elected and it is their job. Councilman Cantafio stated he trusts the Highway Superintendent and his staff to work with the Supervisor to set the budget and is concerned with the message the Town Board is sending; employees are human beings and not merely numbers.

Supervisor Dickson questioned if the committee's intention was that the two or three employees would be transferred to Highway and not laid off. Councilman Piekarec confirmed the decrease would be achieved through attrition, the committee acknowledged the guys work hard and it's not their fault there's not enough garbage to pick up in town. Supervisor Dickson observed private companies are relentless in cost cutting, efficiencies, and making money. The Town Board should not be complacent and must spend taxpayers' money wisely.

Highway Superintendent Adams stated he would like to be brought into discussions as his firsthand knowledge is missing and too much speculation seems to be occurring.

Councilman Hanley stated he has never been asked to lower the sanitation taxes.

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

1. Councilman Bauer re TAP grant – Bike Trial

Received and filed.

2. Town Attorney re Ice Rink proposals

Motion by Supervisor Dickson, seconded by Councilman Hanley, to accept the proposal for operation of concession stand, skate rental, and pro shop at the hockey ice rink in the Town of West Seneca from Leisure Rinks Southtown Inc.

On the question, Highway Superintendent Adams stated Leisure offered more services and a potential for an increased revenue for the youth hockey program. During Covid, an additional locker room took over the pro shop space and no determination on the space has been made at this point. Town Attorney Hawthorne stated Buildings and Grounds Crew Chief Hanavan indicated there was an older smaller pro shop that could be utilized. Mr. Adams confirmed this.

Town Attorney stated the term of the contract is for three years, commencing on September 15, 2021, and terminating April 30, 2024, with Leisure being fully operational on October 1, 2021.

Ayes: All

Noes: None

Motion Carried

3. Town Engineer re SEQR – Bike trail TAP grant application

Received and filed.

4. Town Engineer re Town Hall sign replacement

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize the request for proposals for the replacement of the Town Hall sign with a bid opening date of Tuesday, October 12, 2021, at 11:00 A.M. and direct the Town Clerk to publish the advertisement for bids in the West Seneca Bee.

Ayes: All

Noes: None

Motion Carried

**5. Highway Sup’t. re Appointment of part-time seasonal Buildings & Grounds Department Laborers**

Motion by Supervisor Dickson, seconded by Councilman Hanley, to appoint Joseph Gorman and Nicholas Pitiss as part-time seasonal Laborers in the Buildings and Grounds Department effective September 21 – November 19, 2021, at a rate of \$12.50 per hour noting, this hiring is contingent upon completion of paperwork and passing of drug and alcohol testing and further authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All    Noes: None    Motion Carried

**6. Highway Sup’t. re Budget transfer – End of year projects and purchases**

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to approve a budget transfer in the amount of \$50,000 as follows for concrete, curb repair, blacktop paving, machinery and equipment, and part-time Sanitation Department Laborers to complete end of the year work:

<u>Decrease:</u>		
Contingent (Highway)	2.5990.50480	\$50,000.00

<u>Increase:</u>		
Curb, Concrete Repair	2.5110.0455	\$10,000.00
BT Paving	2.5110.0497	\$ 5,000.00
Machinery & Equipment	2.5130.0441	\$ 5,000.00
Equipment	2.5110.0200	\$ 5,000.00
Sanitation Laborers P-T	1.8160.0145	\$25,000.00

Ayes: All    Noes: None    Motion Carried

**7. Highway Sup’t. re Vehicle purchase – Highway Department**

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize Highway Superintendent Adams to complete a mini-bid via NYS Office of General Services contract award No. 23166 for the purchase of a new pickup truck in the Highway Department with funds available in the Equipment line 2.5110.0200.

Ayes: All    Noes: None    Motion Carried

**9. Chief of Police re Creation of Police Captain position**

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to create a new Captain position pursuant to the Police Reform Initiative Committee recommendations noting, the position will be taken from the current number of patrol officers and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Chief Baker stated on the responsibilities will include Community Policing Initiatives including community events and outreach, School Resource Officer Program, DARE program, Community Group liaisons, Neighborhood Watch Program initiatives, Records Department oversight, FOIA and Discovery requests, development of in-car police reporting, and upcoming NIBRS reporting system initiation.

Supervisor Dickson stated there will not impact the budget.

Councilman Cantafio stated this is another example of the Police Department being proactive.

Ayes: All    Noes: None    Motion Carried

10. Director of Finance re Title change for Rosalee Metzger to provisional Cashier

Motion by Supervisor Dickson, seconded by Councilman Hanley, to change the title of Rosalee Metzger from provisional Account Clerk Typist to provisional Cashier effective September 20, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All    Noes: None    Motion Carried

11. Director of Finance re Budget Transfer – Town Clerk software purchase

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize a budget transfer in the amount of \$2,638 from Town Clerk – Salaries of Part Time Clerks line 01.1410.50138 to Town Clerk – Programmed Maintenance line 01.1410.50444 for the purchase of social media records retention software.

Ayes: All    Noes: None    Motion Carried

12. Director of Finance re Budget Transfer – Police Department personnel expenses

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize a budget transfer in the amount of \$11,000.00 as follows for Police personnel expenses:

Decrease:

Police – Salaries of Warr Clerks – PT	01.3120.50139	\$5,000.00
Police – Salaries of Police Matrons – PT	01.3120.50157	\$2,000.00
Police – Equipment Rental	01.3120.50441	\$2,000.00
Police – Juvenile Programs	01.3120.50468	\$2,000.00

Increase:

Police-Salaries of Safety Dispatchers – PT	01.3120.50148	\$11,000.00
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Ayes: All    Noes: None    Motion Carried

13. Director of Finance re Budget Transfer – Assessor training

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize a budget transfer in the amount of \$1,200.00 as follows for expenses related to the NYS Assessors Association’s Fall Conference training:

Decrease:

Assessor – Supplies	01.1355.50419	\$1,000.00
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Assessor – Salaries of Warrant Clerk – PT 01.1355.50138 \$ 200.00

Increase:

Assessor – Continuing Education & training 01.1355.50414 \$1,200.00

Ayes: All                                      Noes: None                                      Motion Carried

14. Town Assessor re Attendance at the NYS Assessors Association’s Fall Conference

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize Erik Finbar and Amanda Murphy to attend the NYS Assessors Association’s Fall Conference from October 3 – 5, 2021, at a cost not to exceed the amount available in the department training budget line noting, the courses offered will fulfill the annual required continuing education and certification credits.

Ayes: All                                      Noes: None                                      Motion Carried

15. Director of Sr. Service re Status change for part-time Food Service Worker Carol Kennedy to seasonal

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to change the status of part-time Food Service Worker Carol Kennedy to seasonal effective October 1 – 29, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                                      Noes: None                                      Motion Carried

16. Director of Sr. Service re Status change for part-time Clerk Georgi Bussi to seasonal

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to change the status of part-time Clerk Georgi Busse to seasonal effective October 1 – 29, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                                      Noes: None                                      Motion Carried

17. Director of Sr. Services re Resignation of part-time van driver Robert Mayer

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to accept the resignation of Robert Mayer as part-time van driver effective September 20, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                                      Noes: None                                      Motion Carried

18. Recreation Supervisor re Resignation of Lynn Putnam from the WS Youth & Recreation Commission

Motion by Supervisor Dickson, seconded by Councilman Hanley, to accept the resignation of Lynn Putnam from the WS Youth & Recreation Commission effective September 20, 2021.

Ayes: All                                      Noes: None                                      Motion Carried



19. Recreation Supervisor re Learn to Skate 2021 – 2022 Program

Received and filed.

**19-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 - \$144,816.03; Highway Fund - \$10,539.69; Sewer District - \$1,397.09; Gas Conversion Lighting Districts - \$13.31; Electric Lighting Districts - \$14,025.74; (vouchers 20257 - 20547)

Ayes: All

Noes: None

Motion Carried

**19-D REPORTS FOR FILING**

Jeffrey Schieber, Code Enforcement Officer, building & plumbing reports for August 2021 received and filed.

**19-E DEPARTMENT REPORTS**

Recreation Department Reports for 2021: Summer Day Camp, Veterans Park Pool, and Summer Employee Bonus received and filed.

**ISSUES OF THE PUBLIC**

Comments/questions received from the public:

- ✓ Learned that it costs the town money to place glass in recycling totes and requested a list of recyclable items – Highway Superintendent Adams stated Modern Recycling does put out a mailer every year.
- ✓ Referred to the discussion about the Sanitation Department and commented on the lack of time and motion studies or justifications for determining appropriate staffing levels and questioned if there are other improvements that have been overlooked – Supervisor Dickson stated Hamburg residents have privatized their collection and the residents pay more for inferior services. The Town Board is looking to get as much efficiency as possible for residents.
- ✓ A bill, A04446, has been introduced by Dave DiPietro and John Salka to divide NYS into three regions and highlighted the intentions of the bill
- ✓ ARP funding to possibly be used for sewer improvements, thought residents paid for improvements in their sewer district, will some residents get the benefits for free – Supervisor Dickson stated the town is under a consent order from NYSDEC and there are other sewer projects that can be done that will benefit as many residents as possible
- ✓ Referred to Councilman Hanley's proposal to give some employees bonuses for working through the COVID pandemic and questioned if this will increase pensions – Director of Finance, Alissa Strauss stated she will check with NYS.
- ✓ Referred to the new software the Town Clerk's office is purchasing and suggested giving that money to the Sanitation Department
- ✓ Cuts to the budget can be made in other areas, Sanitation laborers work hard and deserve incentives
- ✓ Minimum wage discrepancies exist for full time and part-time workers; the Sanitation workers should be paid more than part-time clerks

- ✓ Referred to Councilman Piekarec's comment regarding tonnage and asked for clarification, and why is Modern not being reviewed – Councilman Piekarec stated the town cannot increase the amount of garbage picked up per day and they will be scrutinizing Modern as well.
- ✓ Sanitation workers work hard in hopes to move up to a better position and eliminating full time positions removes the incentive to work for low wages; cutting staff is fiscally irresponsible
- ✓ Do sanitation workers violate labor laws by skipping breaks and lunches – Supervisor Dickson stated they are not violating any labor laws. Highway Superintendent Adams stated breaks are not withheld, workers opt to take them at the end of their day.

### **COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

#### **Recreation Supervisor Masset**

- Splash Pad to close on October 1, 2021
- Enchanted Path event to be held October 15, 2021

#### **Highway Superintendent Adams**

- Road closures due to replacement of a cross culverts:
  - ✓ Seneca Street between Pinewood Drive and Center Road, near 5062 Seneca Street, September 27 – October 1, 2021
  - ✓ Leydecker Road between Southwestern Boulevard and East & West Road October 4 – 22, 2021
- Traffic signal on Ridge Road in front of Big Lots to be fully functional September 27, 2021

#### **Supervisor Dickson**

- Preliminary NYS Comptroller annual stress monitoring report shows West Seneca has improved
- Personnel costs constitute 70% of the budget, goal is zero percent increase in taxes

#### **Chief Baker**

- Crossing guards are aging, would like permission to hire three part-time guards for back up – Supervisor Dickson stated this can be done.
- Two new Chevrolet Tahoe's along with Dodge Chargers, overall, there was cost savings achieved

#### **Director of Finance Straus**

- 2022 Tentative Benefit Basis budget filed with the Town Clerk's office and the 2022 Ad Valorem budget is in process

### **ADJOURNMENT**

Motion by Supervisor Dickson, seconded by Councilman Hanley, to adjourn the meeting at 8:05 P.M.

Ayes: All

Noes: None

Motion Carried

  
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**AMY M. KOBLER, TOWN CLERK**