







**PUBLIC COMMENTS ON NEW BUSINESS**

- A resident referred to Item No's. 7, 8, 9, and 10 and asked the following question:
  - ✓ Are sanitation routes being reduced by one – Supervisor Dickson stated in his tentative budget he is keeping the Sanitation Department the same and more analysis is needed.
  - ✓ Should the Town Board hold off on hiring the new employees until this determination is made – Supervisor Dickson stated there is currently a need. Highway Sup't. Adams stated these are not additional employees but filling vacancies from retirements and promotions, these positions meet the staffing requirements to run five routes.
- A resident had the following questions and comments
  - ✓ Referred to Item No. 5 and asked what calamity the Town Board wants to avoid by not opting out of cannabis sales and/or on-site consumption – Councilman Bauer stated after researching this he found that there was a reported increase in drug use and driving which requires Police Officers trained to identify this in the absence of machines. There are only three trained Police Officers currently and he desires that number increased to possibly six to ensure coverage on all patrols.
  - ✓ Referred to Councilman Hanley's prior statements "they don't make it like they used to" and stated the cannabis that will be sold is regulated and taxed – Councilman Hanley states he recalls saying it was different from what is being sold today.
  - ✓ Referred to Councilman Hanley's comments from the public hearing for the apartment project on Clinton Street and was encouraged by his use of "NIMBYism" and agrees it was a case of not in my back yard – Councilman Hanley stated the people present never opposed other apartment projects until it was in their backyard.
  - ✓ Referred to Councilman Hanley's previous statements on facemasks: personal liberty, personal responsibility, personal freedoms and questioned his stance on opting out on cannabis – Councilman Hanley stated opting out is not saying no, the town would like to wait for the regulations; and people should not be forced to be vaccinated or wear mask. The resident asked if Councilman Hanley can force his disgust with cannabis on the residents.
  - ✓ Referred to the results of the surveys that were 60 – 40 in favor of allowing sales and on-site consumption and stated the Town Board is voting to opt-out anyway – Councilman Hanley stated he does not believe in the surveys and many of his acquaintances were not aware of the survey.
  - ✓ Referred to Supervisor Dickson's social media post on ten of the safest places in Buffalo/Western New York which included the corner of East and West Road and Union Road, noting it was in between his and Supervisor Dickson's residences, and stated on walks with his family he has smelled marijuana and wants to reinforce that the users are neighbors, not drug users living in the slums. The town's attitude will not attract younger people with families.

**NEW BUSINESS**

**20-A PRESENTATION**

- Modern Recycling contract extension

Joseph Hickman, Municipal Sales Manager for Modern Disposal, discussed the benefits to the town for contract extension:

- ✓ Opportunity to adopt a new processing fee schedule – Blended Value / Risk Reward
- ✓ Recyclable items are a commodity, their value fluctuates
- ✓ Traditional pricing methodology offers pricing safety and stability with no risk and no reward

- ✓ The Blended Value / Risk Reward model allows the customer to share in the profits, but there is also the risk that the customer could be charged due to market fluctuation

Supervisor Dickson asked what the charges would be if the town were to stay with the traditional pricing and with the blended value / risk reward pricing. Mr. Hickman stated the processing charge would increase to \$45.51 per ton and the collection price of \$45.26 per unit per year for the traditional option. Mr. Hickman referred to the example he had given that factored the cost of processing and the commodity value and concluded it would be \$37.98 per ton and the collection per unit will stay the same with an increase of 2% or less per year.

Supervisor Dickson asked if the town had to commit to renewing until 2027. Mr. Hickman stated there are step options.

Supervisor Dickson noted the plastics and glass market has greatly increased beginning around the start of Covid. Mr. Hickman concurred and stated plastics have surpassed aluminum and the value of plastics are tied to the price of oil. Glass is the most dangerous commodity recycling centers handle.

Supervisor Dickson questioned how often the average composition is changed. Mr. Hickman stated this is reviewed at least once a year. Supervisor Dickson asked what is driving the increase in the cost of recyclables. Mr. Hickman stated in addition to the price of oil, consumer demand for more recyclable materials is increasing.

Councilman Bauer asked if there was a website with monthly commodity values. Mr. Hickman referred to OBM, Official Board Market, for fiber rates; a steel industry publication for aluminum and tin; there is not an official document for plastics, this information is gathered from invoices provided to their plastics customers.

Councilman Hanley referred to the market price of paper and stated it seems low on Mr. Hickman's report. Mr. Hickman stated this market has evolved into a blended paper market and the value has gone from a negative to a positive.

Councilman Hanley asked if there a certain day a price is established. Mr. Hickman stated pricing is generally sent to municipalities during the first week of the next month; for example, October pricing is being sent out this week.

Supervisor Dickson asked Mr. Hickman to forward a draft contract for review.

## **20-B ANNOUNCEMENTS**

- Supervisor Dickson re Resident letter – Senior Engineer Assistant Mark Hummel

## **20-C DISCUSSION**

- Director of Finance re Tyler Technology support

Director of Finance Straus stated there have been multiple support issues with the accounting system MUNIS. The provider of the software, Tyler Technologies, has provide two options to resolve the issues:

1. Saas Option – Software as a service
  - ✓ Tyler Technologies would host and manage the server directly with 24/7/365 support

- ✓ Requires a three-year contract, migration fee

2. TSM for MUNIS - Tyler System Management support

- ✓ Tyler would support issues that fall outside of the functionality portion of MUNIS with AIS still providing the server

Supervisor Dickson stated it would be a cleaner process to take AIS out of the picture and the cost over ten years is minimal. Tyler Technology would be solely responsible for their product and its performance. Councilman Hanley stated he agreed with this option.

Supervisor Dickson asked Ms. Straus how often there are problems with the Munis server. Ms. Straus stated while it is not often, the problems are sever when they occur; for example, adding new users and closing the fiscal year.

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize the Director of Finance to enter into an agreement with Tyler Technologies for the Saas migration

Ayes: All

Noes: None

Motion Carried

▪ Town Attorney re Social Media Policy

Supervisor Dickson asked Town Attorney Hawthorne to present the draft of the Social Media Policy for discussion purposes.

Ms. Hawthorne stated much legal research, review of other municipality's policies, debate and discussion resulted in the proposed draft and noted the following points:

- ✓ The record retention laws apply, and the Town Clerk must be able to retain them accordingly
- ✓ Public officials are using social media to communicate with residents and the content of posts may rise to the level of conducting official business
- ✓ Ensure good social media practices

Councilman Piekarec stated he has two suggested edits:

- ✓ Page 9, number 11 change to "non-elected officials who are contacted..." Ms. Hawthorne agreed and stated "Department Head" may be added, also.
- ✓ Appendix A, number 20 – how is "filed for office" defined and would it apply to incumbents – Ms. Hawthorne stated those are both good points to clarify.

Councilman Bauer asked if this policy would apply to the Police Department employees. Ms. Hawthorne stated it would. Councilman Hanley stated the Police Department has their own social media policy. Chief Baker concurred one has been in place for a few years. Ms. Hawthorne stated the Police Department's policy was reviewed as part of the process and if they are not included this should be specifically stated.

Councilman Piekarec asked if the Town Courts have a separate policy under state law. Ms. Hawthorne stated they would not be allowed on social media.

**20-D COMMUNICATIONS TO BE VOTED ON**

1. Supervisor Dickson re Appointment of Mary Sherman to the Internal Audit Committee

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to appoint Mary Sherman to the Internal Audit Committee.

On the question, Councilman Bauer questioned if there were other candidates. Supervisor stated Ms. Sherman was the only candidate.

Ayes: All

Noes: None

Motion Carried

2. Town Attorney re Local Law 2021-5 – Modify Chapter 92 Property maintenance law

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

WHEREAS the Town of West Seneca has identified a benefit to modifying our property maintenance law to address placing tarps as temporary protection on a structure; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca hereby schedules a public hearing on November 1, 2021, at 6:00 P.M. and directs the Town Clerk to properly publish the notice for the public hearing.

Ayes: All

Noes: None

Motion Carried

3. Town Attorney re Local Law 2021-6 Modify/create Chapter 62 Dog Laws

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

WHEREAS the Town of West Seneca has identified a benefit to modifying our dog laws to address how many dogs a residence may keep; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca hereby schedules a public hearing on November 1, 2021, at 6:00 P.M. and directs the Town Clerk to properly publish the notice for the public hearing.

Ayes: All

Noes: None

Motion Carried

4. Town Attorney re Local Law 2021-7 – Modify Chapter 115 Vehicles and Traffic

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

WHEREAS the Town of West Seneca has identified a benefit to adopting a local law prohibiting the parking of oversized vehicles on residential streets; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca hereby schedules a public hearing on November 1, 2021, at 6:00 P.M. and directs the Town Clerk to properly publish the notice for the public hearing.

Ayes: All

Noes: None

Motion Carried

5. Town Attorney re Local Law 2021-8 Local Opt-Out Law, Marijuana Regulation and Tax Act

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

WHEREAS the Town of West Seneca has identified a benefit to adopting a local law prohibiting retail sales of cannabis; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca hereby schedules a public hearing on November 1, 2021, at 6:00 P.M. and directs the Town Clerk to properly publish the notice for the public hearing.

On the question, Town Attorney Hawthorne stated if the town opts out, it is subject to a permissive referendum.

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

Noes: (1) Councilman Piekarec Motion Carried

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

WHEREAS the Town of West Seneca has identified a benefit to adopting a local law prohibiting on-site consumption licenses for cannabis; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca hereby schedules a public hearing on November 1, 2021, at 6:00 P.M. and directs the Town Clerk to properly publish the notice for the public hearing.

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

Noes: (1) Councilman Piekarec Motion Carried

6. Highway Sup't. re Retirement of Dennis Fridmann as Highway Laborer

Motion by Supervisor Dickson, seconded by Councilman Bauer, to accept the retirement of Dennis Fridmann as a Highway Laborer effective September 17, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried



7. Highway Sup't re Title change for Jeremy Krawczyk to Sanitation Motor Equipment Operator

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to terminate Jeremy Krawczyk as a Sanitation Laborer and appoint him as a Sanitation Motor Equipment Operator Group 7, Step 3 at a rate of \$24.90 per hour as per the Blue-Collar Contract effective October 5, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

8. Highway Sup't re Title change for Baird Hageman to Sanitation Motor Equipment Operator

Motion by Supervisor Dickson, seconded by Councilman Hanley, to terminate Baird Hageman as a Sanitation Laborer and appoint him as a Sanitation Motor Equipment Operator Group 7, Step 3 at a rate of \$24.90 per hour as per the Blue-Collar Contract effective October 5, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

9. Highway Sup't re Title change for Matthew McCarthy to Sanitation Motor Equipment Operator

Motion by Supervisor Dickson, seconded by Councilman Bauer, to terminate Matthew McCarthy as a Sanitation Laborer and appoint him as a Sanitation Motor Equipment Operator Group 7, Step 2 at a rate of \$23.30 per hour as per the Blue-Collar Contract effective October 5, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

10. Highway Sup't re Appointment of full time Sanitation Laborers

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to terminate Mitchell Mancuso, Devon Kutzbach, and Zachary Giacobello as part-time Sanitation Laborers and appoint them as full-time Sanitation Laborers Group 7, Step 1 at rate of \$20.64 per hour as per the Blue-Collar Contract effective October 5, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

11. Highway Sup't re Appointment of Anthony Paolini as a part-time seasonal Sanitation Laborer

Motion by Supervisor Dickson, seconded by Councilman Bauer, to appoint Anthony Paolini as a part-time seasonal Sanitation Laborer effective October 5, 2021, at a rate of \$13.75 per hour contingent upon completion of paperwork and passing of drug and alcohol testing and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

12. Highway Sup't re Title change for Donald Bebak to Buildings and Grounds Working Crew Chief

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to terminate Donald Bebak as a Buildings and Grounds Laborer and appoint him as a Working Crew Chief Group 6, Step 5 at a rate of \$33.57 per hour as per the Blue-Collar Contract effective October 5, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

13. Chief Baker re appointment of Jake Weber as a Public Safety Dispatcher

Motion by Supervisor Dickson, seconded by Councilman Hanley, to terminate Jake Weber as a part-time seasonal Laborer and appoint him as a Public Safety Dispatcher effective October 5, 2021, at an annual salary of \$45,636.82 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

14. Town Clerk re Title change for Kelsey Girard to Account Clerk Typist

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to terminate Kelsey Girard as provisional Cashier and appoint her as Account Clerk Typist in the Town Clerk's Office effective October 4, 2021, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

15. Town Clerk re Title change for Amanda Weixlmann to Account Clerk Typist

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to terminate Amanda Weixlmann as provisional Cashier and appoint her as Account Clerk Typist in the Town Clerk's Office effective October 4, 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 Finance re Budget transfer – Town Clerk

Motion by Supervisor Dickson, seconded by Councilman Hanley, to authorize a budget transfer in the amount of \$1,720.77 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 Granicus Peak Agenda Management software.

Ayes: All

Noes: None

Motion Carried



**COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**Recreation Supervisor Masset**

- Enchanted Path is Friday October 16, 2021

**Highway Superintendent Adams**

- Leydecker Road between East & West Road and Transit Road is closed for culvert repair with a completion date of October 22, 2021

**Councilman Piekarec**

- Recognized the WS Historical Society for commemorating the East Seneca medicine woman

**Councilman Hanley**

- Recognized Judge Shannon Filbert for being awarded the 2021, 40 Under 40 by Buffalo Business First

**Supervisor Dickson**

- The 2022 budget was filed with the Town Clerk and two budget work sessions will be this Wednesday and Thursday with the public hearing scheduled for October 20, 2021

**Councilman Cantafio**

- Recognized the Highway Department for immediately responding to West Middle School to remove a deer that was stuck in a soccer net
- Wearing pink to raise awareness and money for breast cancer
- West Seneca West varsity football team will be the NFL Crucial Catch Game of the week this Friday

**Councilman Bauer**

- Apologized to the Sanitation Department employees for confusion over the Internal Audit Committee minutes discussed at the previous meeting

**ADJOURNMENT**

Motion by Supervisor Dickson, seconded by Councilman Hanley, to adjourn the meeting at 8:00 P.M.

Ayes: All

Noes: None

Motion Carried

  
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AMY M. KOBLER, TOWN CLERK