





Town Attorney should be included on communications. Supervisor Dickson stated the Town Board would need to address this at an open meeting.

Town Attorney Trapp stated other municipalities use the voucher system for payment and deferred to Ms. Straus. Ms. Straus stated using vouchers would impact those individuals in the retirement system.

Supervisor Dickson stated a board member will not be paid for a missed meeting unless the Chair approaches the Town Board with justification that it was an excused absence.

Supervisor Dickson questioned if the removal of a person from a board for three absences would be impacted by this policy. Mr. Trapp stated it could. Councilmember Breidenstein stated travel plans should not be excused as it is a disservice to the public unless it is due to an excusable circumstance.

Supervisor Dickson suggested the Town Board members draft the procedure for a vote at the next meeting.

- Supervisor Dickson re Proposed Local Law, Attorney residency requirements

Motion by Supervisor Dickson, seconded by Councilmember Kims, to schedule a public hearing for a local law regarding attorney residency requirements.

Ayes: All

Noes: None

Motion Carried

- Councilmember Kims re Reappointment of Amy Brotka to the Senior Advisory Committee for a four year term effective January 1, 2022.
- Councilmember Piekarec re Upgrade of Harlem Road Crosswalk – NYSDOT to add a rectangular rapid flashing beacon

## **2-B COMMUNICATIONS TO BE VOTED ON**

1. Supervisor Dickson re Modern Recycling contract extension

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to authorize the Supervisor to sign a three year contract extension using Option 2 with Modern Disposal Services.

On the question, Supervisor Dickson explained the two different options for the extension of the contract with Modern Disposal. The first option is a flat fee with the addition of a processing fee at \$46.42 per ton. The second option is the blended risk/reward which would allow the town to receive commodity revenue

Highway Superintendent Adams stated according to the current trends the blended risk reward would yield an annual savings of \$120,000 but this does not account for the mixed contaminated waste costs of approximately \$10,000 per month. Mr. Adams stated realistically there would be no cost savings. Supervisor Dickson stated he understands the added cost has been added to the fee for both options.

Ayes: All

Noes: None

Motion Carried

2. Supervisor Dickson re RFP for Insurance Brokerage Services

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to issue an RFP for insurance brokerage services for a general liability policy to USI, M&T Insurance, and Tompkins Insurance.

On the question, Supervisor Dickson stated he included the town's current broker as well as two brokers that have maintained contact with him.

Councilman Cantafio questioned the how costs will be compared and how to know if the company selected is getting the best deal for the town. Supervisor Dickson stated the Town Board will be able to ask the companies during their presentations and check references and reviews.

Ayes: All

Noes: None

Motion Carried

3. Supervisor Dickson re Association of Towns delegate and alternate

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to adopt the following resolution designating a delegate and an alternate to attend the Association of Towns Annual Business Meeting:

WHEREAS, the Association of Towns of the State of New York will hold the Annual Business Session on February 23, 2022 virtually and votes will be cast pursuant to Section 6 of Article III of the Constitution and Bylaws of said Association; and

WHEREAS, the Town Board of West Seneca has determined that it is in the best interest of West Seneca and its residents to participate in the Annual Business Session and exercise voting rights; and

WHEREAS, it is necessary for the Town Board to designate a voting delegate and an alternate voting delegate for the Town of West Seneca to cast the vote of the Town of West Seneca at the Annual Business Session; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca designates Supervisor Gary Dickson to be a voting delegate and the Deputy Town Supervisor Amelia Greenan to be an alternate voting delegate.

Ayes: All

Noes: None

Motion Carried

4. Supervisor Dickson re Salary increase for part-time Clerk Typist Joli Messinger

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to increase the hourly rate of part-time Clerk Typist Joli Messinger to \$16.00 per hour effective January 23, 2022, and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Councilman Piekarec re Local Law 2201-1, Term Limits

Motion by Councilmember Piekarec, seconded by Councilmember Breidenstein, to schedule a public hearing on February 14, 2022, for proposed Local Law 2021-1 Term Limits and further authorize the Town Clerk to publish the legal notice.







address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that Town of West Seneca hereby officially requests that BENLIC acquire the following property:

107 Flohr Ave. West Seneca, NY 14224  
SBL #: 134.45-10-6;

and be it further

RESOLVED, that the Town of West Seneca has completed the required Acquisition Applications for each property listed above and has attached the Acquisition Applications to this resolution; and be it further

RESOLVED, that the Town of West Seneca agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the Town of West Seneca agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property including removal of motor vehicles upon BENLIC property by use of municipal emergency services (i.e. police and fire department); and be it further

RESOLVED, in the event that after a period of one year from the date of BENLIC acquisition, BENLIC is unable to dispose of vacant lots which do not contain structures and which are identified herein, BENLIC retains option to transfer to the Town of West Seneca, the Town of West Seneca agrees to accept a transfer of title of all non-disposed vacant lots which do not contain structures by quit claim deed; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

Ayes: All

Noes: None

Motion Carried

19. Director of Finance re Petty cash correction - Recreation Department

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to adopt the following resolution to correct the amount set for petty cash funds for the Recreation Department:

WHEREAS, on January 3, 2022, the Board adopted a resolution during the 2022 Reorganizational Meeting authorizing the petty cash funds for the Town's Recreation Department to be set at \$250.00;  
WHEREAS, during the prior year reorganizational meeting, the Town's Recreation Department had their petty cash funds authorized to be \$300.00;

NOW, THEREFORE, be it



RESOVLED, that the Town Board amend their original authorization of petty cash for the Town's Recreation Department to \$300.00 for fiscal year 2022.

Ayes: All

Noes: None

Motion Carried

20. Director of Finance re Budget transfer – Salaries

Motion by Supervisor Dickson, seconded by Councilmember Kims, to approve the following budget transfers related to the salaries approved at the Reorganizational Meeting of January 3, 2022:

*Increase*

\$65,000.00 01.1420.50453 – Town Attorney – Contracted Legal Services - Attorney  
\$17,305.00 01.1990.50480 – Special Items – Contingent Account  
\$82,305.00 Total Increases

*Decrease*

\$ 2,600.00 01.1220.50100 – Supervisor – Salary of Supervisor  
\$ 2,320.00 01.1410.50100 – Town Clerk – Salary of Town Clerk  
\$73,185.00 01.1420.50100 – Town Attorney – Salary of Town Attorney  
\$ 3,200.00 01.5010.50100 – Superintendent of Highways – Salary of Superintendent  
\$ 500.00 01.8010.50138 – Zoning Board – Secretary – Part Time  
\$ 500.00 01.8020.50138 – Planning Board – Secretary – Part Time  
\$82,305.00 Total Decreases

Ayes: All

Noes: None

Motion Carried

21. Director of Finance re Budget transfer – Senior Center Department

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve the following budget transfers related to van repairs for the Senior Center Department:

*Increase*

\$500.00 01.7620.50445 – Senior Center – Repairs & Maintenance  
\$500.00 Total Increases

*Decrease*

\$500.00 01.7620.50478 – Senior Center – Craft Material & Supplies  
\$500.00 Total Decreases

Ayes: All

Noes: None

Motion Carried

22. Director of Finance re Budget transfer – Police Department

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the following budget transfers related to Police Department telephone charges:

*Increase*

\$5,216.00 01.3120.50420 – Police – Telephone

\$5,216.00 Total Increases

*Decrease*

\$5,216.00 01.3120.50416 – Police – Gasoline

\$5,216.00 Total Decreases

Ayes: All

Noes: None

Motion Carried

23. Town Assessor re Executive Order 11.1 – Exemption renewals

Motion by Supervisor Dickson, seconded by Councilmember Kims, to adopt the following resolution adopting Executive Order 11.1 that would allow the Assessor to automatically renew the exemptions for Low Income Seniors and Low Income Disability, noting this is for the 2022 Exemption and Assessment Roll and these exemptions support tax bills for September 2022 School, and January 2023 Town and County:

WHEREAS, the Covid 19 Global Pandemic, and the recent significant increases in Transmission and Hospitalizations has resulted in limited hours in municipal offices and rendered seniors and individuals with disabilities homebound; and

WHEREAS, many seniors and individuals with disabilities do not have the ability to file their real property tax exemption applications in person due to safety precautions and lack the ability to file such applications online; and

WHEREAS, Governor Hochul has issued Executive Order 11.1, which grants local governments the ability to adopt a resolution that eliminates the renewal requirements covered under Real Property Tax Law 467 & 459-c

NOW THEREFORE BE IT RESOLVED that the Town Board of The Town of West Seneca adopt a resolution in agreement with the executive Order 11.1 and direct the Assessor to not require renewals for those individuals receiving the Low Income Senior exemption and the Persons with Disabilities and Limited Income exemption for the 2022 Exemption & Assessment Roll without a renewal application except in the circumstances indicated below; and

BE IT RESOLVED that the Assessor may require a renewal application if he or she believes that an owner that qualified for the 2021 exemption has since changed their primary residence, added another owner to the deed, transferred the property to a new owner, or passed away.

Ayes: All

Noes: None

Motion Carried

24. Director of Senior Services re Status change for Janet Kropczynski to seasonal

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to change the status of part-time permanent Clerk Janet Kropczynski to seasonal effective January 21 – February 11, 2022.

Ayes: All

Noes: None

Motion Carried

25. Recreation Supervisor re Buffalo Bombers facility use 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to execute



## **2-D REPORTS FOR FILING**

- Amy M. Kobler, Town Clerk's report for December 2021 and year end received and filed.
- Jeffrey Schieber, Code Enforcement Officer, building & plumbing reports for December 2021 received and filed.

## **ISSUES OF THE PUBLIC**

The following comments and questions were received:

- West Seneca Cares was able to provide gifts to an additional home this past Christmas and they were very much appreciated.
- Requested clarification about additional charges for recycled materials – Mr. Adams stated items such as unclean containers are sent to the landfill and the town is charged; it is less expensive for the items to go right into the trash stated a mailer.
- A resident suggested Modern may have a video that can be uploaded to the town's website
- Referred to Supervisor Dickson's previous comments from November 27, 2021, about mask mandates being an abuse of the rights of every person in Erie County asked the following :
  - ✓ Has the county responded to municipalities to draft a Covid response plan – Supervisor Dickson stated he is not aware of anything.
  - ✓ Should the public fear having the police called when not wearing a mask –Chief Baker stated he had a conversation with the resident regarding the situation and multiple officers responded due to the unknowns of any situation.
  - ✓ Does he have a duty to oppose the mask mandate as it is not a law – Supervisor Dickson stated the Erie County Legislator Joe Lorigo stated what the Erie County Executive did is legal under Public Officer's law, and he does not agree; Supervisor Dickson shares this opinion. Councilmember Piekarec stated at this point restrictions should be going through the Legislature and encouraged residents to send correspondence to state legislators.
- Referred to the Deer Task Force and asked why they did not answer questions at their meeting and stated the meeting minutes were inconsistent and incomplete – Councilmember Cantafio stated the meeting on January 18<sup>th</sup> was for public comment only and not to answer questions. The task force is gathering all this information and will make recommendations to the Town Board. Councilmember Cantafio commended the Deer Task Force members and stated there is not a simple answer to this issue and it will be the Town Board that ultimately decides on any action to be taken.

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

### **Director of Finance**

- Audit is April 19, 2022

### **Highway Superintendent Adams**

- Recognized the Highway Department employees for their hard work during the challenges they are facing and surrounding municipalities for loaning equipment to the town

### **Councilmember Piekarec**

- The Chamber of Commerce is displaying a map of Erie County from the 1800's
- The Internal Audit Committee reviewed items from the Recreation and Senior Center

**Supervisor Dickson**

- Recognized those involved in distributing the free test kits supplied by Erie County including Highway Superintendent Adams, Town Clerk Kobler, Chief Baker, the Councilmembers, and Ms. Greenan; this was followed by a distribution of KN95 masks

**Town Clerk Kobler**

- Town and County tax bills have been mailed, contact the office if you have not received one
- Will be at the Senior Center on February 8 from 10 A.M. – 2 P.M. to collect taxes and the Assessor's office will collect exemption paperwork
- Granicus Peak Agenda training scheduled, this is the new meeting agenda and minutes software
- Residents can order free Covid tests through the US Postal website and the office staff will assist those without internet access.

**Town Assessor**

- NYS has extended dates for Veterans' exemptions, those with a Cold War exemption have been notified
- Sales report for 2021: number of house sales increased from 541 in 2020 to 603 and the average price of houses increased from \$189,000 to \$216,000; an increase of \$27,000

**ADJOURNMENT**

Motion by Supervisor Dickson, seconded by Councilmember Cantafio, to adjourn the meeting at 7:44 P.M.

Ayes: All

Noes: None

Motion Carried

  

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AMY M. KOBLER, TOWN CLERK