

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

ROLL CALL:	Present	Gary Dickson	Supervisor
		Robert J. Breidenstein	Councilmember
		Susan K. Kims	Councilmember
		Jeff Piekarec	Councilmember
	Absent	Joseph Cantafio	Councilmember

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

POLICE DEPARTMENT AWARDS PRESENTATION

Chief Baker recognized the following individuals who were nominated by their supervisors and reviewed by an awards committee comprised of Assistant Chief of Police William Leitzel and PBA President Robert Deppler. Life Saving Award: Police Officer Rachel Kingston, Det. Joseph Reidy, and Police Officer Paul Daley; Letter of Commendation: PSD Jeffery Locher, Det. Gerald Fibich, Det. James Kocieniewski, Police Officer Matthew Leitzel; Chief's Award: Lt. Jonathan Luterek.

Chief Baker thanked the entire Police Department for the work they do every day and noted there were over 22,000 calls for service in 2021.

MINUTES TO BE APPROVED

Motion by Supervisor Dickson, seconded by Councilmember Kims, to approve Minutes #2022-07 of March 28, 2022.

Ayes: All

Noes: None

Motion Carried

PUBLIC COMMENTS ON NEW BUSINESS

No comments were received.

NEW BUSINESS

8-A ANNOUNCEMENTS & DISCUSSIONS

1. Supervisor Dickson re Update on American Rescue Plan funds

Councilmember Kims stated \$1M should be put toward sewers to be compliant with the DEC Consent Order.

Councilmember Breidenstein stated he agrees with allocating funds to rehabilitating the sewers, creating a handicap accessible playground, and replacing/repairing the roof on the Town Hall building at an approximate cost of \$200,000; and creating additional recreation spaces including the unused areas in the Community Center and Library building.

Supervisor Dickson stated the town will be receiving some grant money for a handicap accessible playground and had already budgeted bonding of \$300,000 for playgrounds this year and no ARP funds would be needed to construct the playground. Supervisor Dickson anticipates spending \$4M or more on sewers out of the ARP funds, and the roof on Town Hall has started leaking and according to the engineers, it will be more than \$200,000 to replace.

Supervisor Dickson stated he has observed children using the doorways of the Community Center building to congregate as they have nowhere else to go and would like to make the following alterations to the building: move the Finance and Town Attorney Offices upstairs, move the recreation offices and open that area to allow for parents to observe the activities in the gym with an estimated cost of around \$500,000. Supervisor Dickson stated currently there are three walking trails in town, everything is very expensive, and he would really like to make this building usable to the community.

Councilman Piekarec stated renovations to the Community Center would primarily benefit children while walking paths would benefit all ages and is open to moving money around in terms of paving and sewers.

Councilmember Kims stated she would like to fully utilize the space in this building, and it is a great idea.

Councilmember Breidenstein stated he agrees with adding more money to deal with some road repairs and would like to know more about property rehabilitation; he agrees that this building was controversial, but they have the fiduciary and ethical responsibility to make the building as useable as possible without going back to the taxpayers for funds.

Supervisor Dickson stated one of the allowable uses of ARP funds is to acquire vacant or abandoned property and rehabilitate it to bring it back into an economical use to counter the difficult impact of Covid on the community. Supervisor Dickson thought of two possible properties: Bellwood School and the intersection at Mineral Springs and Harlem Road and would like to consult with someone involved in commercial real estate development. For example, the property at Harlem Road and Mineral Springs could be cleared and sold, and the Bellwood property might be appealing to investors that turn old school buildings into condominiums.

Councilman Piekarec stated the property at Harlem and Mineral Springs would be more viable; Bellwood would call for more caution and involve higher legal fees.

Councilmember Kims stated she agrees that both ideas are great, and Bellwood would be very interesting.

Supervisor Dickson reiterated they are not committing to anything and stated he will reach out to real estate agents and will report back to the town.

Supervisor Dickson questioned Town Engineer Steve Tanner about the next steps for looking into alterations to the Community Center building. Mr. Tanner stated some concepts were provided last year and they could provide additional ones; if the Town Board wants full engineering drawings, he can provide a proposal and noted it would be between 6 – 7.5% of the estimated construction costs.

Motion by Supervisor Dickson, seconded by Councilmember Kims, to direct the Town Engineering Department to produce construction documents not to exceed \$10,000 to be paid for through the Engineering contract.

Ayes: All

Noes: None

Motion Carried

Supervisor Dickson stated he will add \$150,000 to the 2023 budget for paving.

Motion by Councilman Piekarec, seconded by Councilmember Breidenstein, to direct the Town Engineering Department to provide bid specifications for a walking path at Fireman's Park.

Ayes: All

Noes: None

Motion Carried

2. Councilmember Kims re Suburban Towns

Councilmember Kims stated speeding and accidents have been an issue on Covington Drive for the last four decades; with a total of 50 accidents and 137 citations over the past 23 years. Residents have brought many petitions before previous boards and filed many complaints to no avail. It is not within the power of the Town of West Seneca to lower speed limits, that decision lies with NYSDOT, and they have denied all requests to lower the speed limit to date. The issue of speeding is town wide and Councilmember Kims proposes the Town Board initiate procedure and complete paperwork to change the town to a Suburban Town which allowing the town to change speed limits. There are 57 other suburban towns such as Clarence, Evans, Hamburg, Lancaster, and Orchard Park and propose the attorney outline the pros and cons of changing to a suburban town.

Town Attorney Chris Trapp stated the procedure is relatively simple and requires a resolution of the Town Board not later than July 1st for it to be effective January 1, 2023. It would require a public hearing and be subject to a permissive referendum in November. There are not many differences in terms of how the town operates because West Seneca is already a first class town. This will allow the town to regulate speed limits and there are not any cons that he can point out.

Supervisor Dickson requested Mr. Trapp to work with Councilmember Kims to draft the paperwork for voting.

Councilmember Piekarec questioned if this will allow the board to change individual town roads, or if they all must be changed. Mr. Trapp stated the board could do individual areas or the entire town. Councilmember Piekarec stated county and state roads could not be changed. Mr. Trapp concurred.

Councilmember Breidenstein asked Mr. Trapp to explain the ratification process if the Town Board approves this. Mr. Trapp stated assuming the Town Board has a public hearing and passes a resolution prior to July 1st, thus becoming effective January 1, 2023, normally permissive referendums have 30 days to file petitions, but in this circumstance, the deadline is September 5th to file petitions. Councilmember Breidenstein confirmed a permissive referendum means this goes to the voters for approval. Mr. Trapp confirmed this, and stated residents could sign and submit a petition, or it could be included on the ballot.

Councilmember Breidenstein questioned Chief Baker if he has any concerns from an enforcement standpoint. Chief Baker stated he does not and the problem they have now is enforcing and writing tickets in the 35mph speed limit zones.

3. Town Engineer re Basement inspections

The Engineering Department will resume basement inspections this month. Basement inspections are done to ensure residents' sanitary and storm water are going to the appropriate places; this is being done in compliance with current town code and the NYSDEC consent order.

4. Town Clerk re Resignation of Michael Wass from the Environmental Commission

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to accept the resignation of Michael Wass from the Environmental Commission effective immediately.

Ayes: All

Noes: None

Motion Carried

5. Town Clerk re Appointment of Molly Martin as Deputy Receiver of Taxes

6. Recreation Supervisor re Summer Programs and Staffing

Recreation Supervisor Masset and Councilmember Breidenstein would like to open a discussion about the challenges and possible solutions for the summer programs. Councilmember Breidenstein stated the Recreation Department is facing staffing shortages and the community's interests are changing due to Covid, for example, one concern is that parents are not ready to commit to a full time program. Councilmember Breidenstein stated they will also have a conversation about the pool, specifically there is a shortage of lifeguards.

Recreation Supervisor Masset stated they would like to remove the full day summer day camp program from the schedule due to staffing shortages and low registration numbers, and instead offer a half day camp program Monday through Thursday with staff reporting 9 – noon, and campers from 9:30 – 11:30, for ages 6 – 10 years.

Councilman Piekarec stated he would support the half day camp program and raising the wages for lifeguards to offer the use of the outdoor public pool.

Councilmember Kims questioned the cost of the repairs and updates at the pool. Highway Superintendent Brian Adams stated rebuilding the pump should not be significant, but opening a pool is an intensive process. Councilmember Kims questioned the age of the pump. Mr. Tanner stated the pump was replaced around 2012. Councilmember Piekarec asked Mr. Adams if he could provide a better idea of the cost of the pump repairs before a decision is made. Mr. Adams stated they will begin taking it apart to determine the extent and costs involved. Councilmember Piekarec stated it would be very expensive to demolish and fill in the pool also.

Councilmember Kims questioned Ms. Masset on past attendance and believed it was not large. Ms. Masset stated the in 2021 there was a total of 976 scan ins, only 360 total people visited the pool. Reports providing data back to 2018 are available on the Recreation website. Supervisor Dickson stated 300 is a pretty big number.

Councilmember Piekarec questioned the attendance at the full day summer camp for previous years. Ms. Masset stated they had 19 registrants with the total capacity of 15 campers each week and Covid has impacted attendance. Councilmember Breidenstein stated demographics have changed post pandemic and the recreation programs need to meet the changing needs. Councilmember Piekarec asked Ms. Masset if she knew how many other towns in Erie County will be running full day program. Ms. Masset stated she can think of four or five including Tonawanda, Amherst, Cheektowaga, and Buffalo, but does not know for certain. Ms. Masset stated she is seeking approval to remove Summer Day Camp from the Recreation Department's summer programs.

Motion by Councilmember Piekarec, seconded by Councilmember Breidenstein, to remove the full day Summer Camp Program and direct the Recreation Supervisor to prepare a half day program to be presented at the April 25, 2022, Town Board meeting.

Ayes: All

Noes: None

Motion Carried

8-B COMMUNICATIONS TO BE VOTED ON

1. Councilmember Breidenstein re Boot brush donation

Motion by Councilmember Breidenstein, seconded by Councilmember Piekarec, to approve the donation of a boot brush station with signage from Western New York PRISM with the understanding that same will be maintained by town personnel.

Ayes: All

Noes: None

Motion Carried

2. Town Engineer re Phase 5 post construction monitoring contract

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve a contract with GHD for the phase 5 post construction monitoring and report as required by the current town consent order relative to the town's sewer system in the amount of \$35,000 noting this will be paid for with proceeds remaining from the bonding for sewer districts 5, 13, and 20.

Ayes: All

Noes: None

Motion Carried

3. Highway Sup't. re Title change for Andrew Pangallo to Highway Laborer

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to terminate Andrew Pangallo as a Sanitation Laborer and appoint him as a Highway Laborer Group 1, Step 1, at a rate of \$22.58 per hour effective April 11, 2022.

Ayes: All

Noes: None

Motion Carried

4. Highway Sup't. re Appointment of Thomas Volkenner as part-time Buildings & Grounds Laborer

Motion by Supervisor Dickson, seconded by Councilmember Kims, to appoint Thomas Volkenner as a part-time Buildings & Grounds Laborer at a rate of \$13.20 per hour effective April 12, 2022, contingent upon completion of paperwork and passing of drug and alcohol testing.

Ayes: All

Noes: None

Motion Carried

5. Highway Sup't. re Appointment of Cameron Cook as part-time Sanitation Department Laborer

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to appoint Cameron Cook as a part-time Sanitation Department Laborer at a rate of \$14.45 per hour effective April 12, 2022, contingent upon completion of paperwork and passing of drug and alcohol testing.

Ayes: All

Noes: None

Motion Carried

11. Recreation Supervisor re Southtowns Soccer Facility Use 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to enter into an agreement with Shannon Mahoney (Southtowns Soccer) and the insured Western New York Amateur Soccer Association, US Adult Soccer Association, INC., Its Members National Affiliates, Leagues & Teams, for use of the West Seneca Soccer Complex.

Ayes: All

Noes: None

Motion Carried

12. Recreation Supervisor re Buffalo GAA Adult Facility Use 2022

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the Supervisor to enter into an agreement with the insured United States Gaelic Association DBA USGAA for use of the grassy area at Fireman's Park.

Ayes: All

Noes: None

Motion Carried

13. Recreation Department re Boy Scouts Fireman's Park Usage Agreement

Motion by Supervisor Dickson, seconded by Councilmember Kims, to authorize the Supervisor to enter into an agreement with Boy Scouts of America for use of Fireman's Park on August 27, 2022.

Ayes: All

Noes: None

Motion Carried

14. Chief Baker re Resignation of Jacob Fibich as Police Officer

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to accept the resignation of Jacob Fibich as Police Officer effective April 8, 2022.

Ayes: All

Noes: None

Motion Carried

8-C APPROVAL OF WARRANT

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$492,631.54; Highway Fund - \$72,122.69; Sewer District - \$13,533.72; Electric Lighting Districts - \$220.97; Capital Fund \$2,171.43 (vouchers 23407 - 24288)

Ayes: All

Noes: None

Motion Carried

8-D REPORTS FOR FILING

1. Amy M. Kobler, Town Clerk's report for March 2022, Receiver of Taxes report for March 2022, & Return of Tax Collection received and filed.
2. Jeffrey Schieber, Code Enforcement Officer, building & plumbing reports for March 2022 received and filed.

8-E DEPARTMENT REPORTS

1. Recreation Department report for January, February, & March received and filed.

ISSUES OF THE PUBLIC

A resident referred to the business behind his property, Occhino Paving Company, and commented:

- ✓ Fence is in disrepair and owners are uncooperative about replacing it
- ✓ Unregistered vehicles and barrels of unknown material are on property
- ✓ Check the property for code violations
- ✓ Require the business to replace the fence

Supervisor Dickson stated he is aware that the Code Enforcement Office is in contact with the business regarding their property and will follow up with them.

A resident referred to the prior discussion about Tim Tam Terrace and requested an update from Chief Baker. Supervisor Dickson suggested he have a conversation following the meeting.

A resident stated the Burchfield Nature and Art Center Park should be cleaned up. Supervisor Dickson stated the Boy Scouts usually help with this and school groups, also. Mr. Adams stated his employees do address the state of the parks in the spring and he has spoken with the organizer of Trojans Take Action Day.

A resident requested an update on the property at 111 Duerstein, specifically if the owners had been contacted about its state of disrepair. Supervisor Dickson will follow up with the Code Enforcement Office and requested the resident provide their phone number to contact them.

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Recreation Department

- Summer positions posted on the website

Highway Superintendent Adams

- Yard waste trucks will be out starting May 2, 2022
- Highway Garage restoration is progressing
- Paving and summer operations will begin later in May
- Applications being accepted for part-time Buildings & Grounds and Sanitation Departments

Town Attorney

- Contacted a local organization regarding Gaelic games for 2023
- Compiling a list of paper streets and will respond to the many inquiries received regarding turning them over to the residents, this will come before the Town Board
- Composing a local law to bring before the Town Board

Councilmember Piekarec

- Attended Free Wheels Bike grand opening and congratulated the business owner, Chris Holmes
- Union Fire Company to be hosting an open house on April 23, 2022, and Vigilant Fire Company will be hosting a recruitment events the same day, all companies are looking for new members
- Kiwanis Easter Egg Hunt to be held Saturday

Councilmember Kims

- Relayed the following questions and complaints from residents to Highway Superintendent Adams:
 - ✓ Why are the restrooms unavailable at the Soccer Park – Mr. Adams stated the restrooms are currently open and they generally wait for more consistently warm temperatures before opening them; they are typically opened during the first week of April and closed late October. The night crew will make the rounds and close them between 8:45 P.M. – 9 P.M. daily.
 - ✓ How many solar panels on the Highway Garage were lost in the fire, how many will be replaced, what strength – maximum generation capacity – of the old/new – Mr. Adams stated he does not know how many were lost, but all were lost; does not know what capacity they were, and stated Mr. Tanner may know. The solar panels are very costly, and their benefit is not enough to offset this; he does not anticipate replacing them.
 - ✓ Is their help for seniors with garbage and recycling totes – Mr. Adams stated there is not currently a program for this, but the sanitation workers will assist people as they see they need help; if they are aware of a resident in dire need, they will make accommodations for them. Supervisor Dickson stated he would hope neighbors’ step in and help. Councilmember Kims stated there many seniors that need assistance and is aware of programs – a porter system - within the state and asked if she could encourage the residents to call the Highway Department. Mr. Adams confirmed they can look at the requests.
 - ✓ Is the list of streets to be paved in 2022 available – Mr. Adams stated the first two projects will be Tampa Drive and Dwyer Street, Arcade Street, and Bradford Court; construction costs have increased 30% across the board and he is always reevaluating the list. Mr. Adams stated they prefer to work through the roads in neighborhoods over the course of a few years as funding is available. Councilmember Piekarec requested Mr. Adams provide reports with costs for each paving project going forward. Mr. Adams stated its approximately \$161,000 per mile in material costs, not including labor and equipment. Ideally, Mr. Adams stated he would like to be able to repave all town roads every 15 years. Councilmember Kims asked Mr. Adams if he has a list of streets and how they are ranked. Mr. Adams stated he has a list of streets on his 2022 list but cannot guarantee they will all be completed this year: Bayberry Avenue, Arrowhead Drive, Main Street, Hilldale Avenue, and Hillcrest Drive. Mr. Adams will provide the Town Board a projected list for the next five years.

Supervisor Dickson stated about \$1M is available this year and it may not be enough, and sometimes a road reconstruction is needed and repaving it is a waste of money.

Councilman Piekarec stated the town can also apply for the CDBG funding for the roads that are eligible. Mr. Adams stated the NYS budget has a Pave our Potholes Program that should provide about \$64,000 for paving.

Supervisor Dickson

- The brewery project on Orchard Park Road is ongoing, a new bridal shop on Union Road across from the Southgate Plaza is being opened along with the office building at Center Road and Union Road.
- The Deer Task Force anticipates a special meeting in May to present their recommendations

Councilmember Breidenstein

- The Students of Excellence dinner for the high school seniors will be April 27, 2022
- Thanked the Police Department for their service

Director of Senior Services

- Drive-thru drug drop off event on April 30, 2022, 10 A.M. – 2 P.M.
- Evening dinner dance April 21, 2022
- Yard sale in June date to be determined

Supervisor Dickson stated the Senior Center is getting three new vans and an outdoor pickle ball court. Ms. Stanek stated they are also getting a golf simulator and fitness equipment will be delivered soon.

Town Engineer

- Currently removing debris from the line at the Cazenovia Greek Golf Course, this line transmits sewage from districts 5, 13, 20, 14, 12, and Erie County sewer district 1 to the City of Buffalo.
- Engineering survey crews finished their survey of manholes from the fingers past the Soccer Park; he will review their report and make recommendations for a project to mitigate the water issues – Supervisor Dickson questioned if the issue of the ice jams knocking the manhole covers off the sewers was a significant factor in the recent flooding in that neighborhood. Mr. Tanner stated it was a significant part of the cause and three locations where the covers were completely off were identified, and the creek was able to free flow into them.

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to adjourn the meeting at 8:20 P.M.

Ayes: All

Noes: None

Motion Carried



AMY M. KOBLÉR, TOWN CLERK