



**10-B COMMUNICATIONS**

2. Town Attorney re WS Fire District No. 3 – License Agreement 980 East & West Road

Motion by Councilman Hanley, seconded by Supervisor Meegan, to adopt the attached resolution authorizing the Supervisor to execute a license agreement with West Seneca Fire District No. 3 for training at 980 East & West Road.

Ayes: All                      Noes: None                      Motion Carried  
\*APPENDICES\*

3. Town Attorney re Intermunicipal cooperation agreement with WSCSD for loaning of buses

Motion by Councilman Hanley, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Central School District whereby the district will temporarily loan school buses to the town for transportation of youth to town activities for the term set forth therein, noting there is no fee to the town for rental of the buses; however, the town shall provide insurance to cover the vehicles when used on behalf of the town and hire current active district bus drivers to operate the vehicles.

Ayes: All                      Noes: None                      Motion Carried

4. Town Attorney re License agreement with Buffalo Fenians - Gaelic Games

Motion by Councilman Hart, seconded by Supervisor Meegan, to table this item.

Ayes: All                      Noes: None                      Motion Carried

5. Highway Sup't. re Termination of Daniel Dimitroff as part-time laborer in Highway Department

Motion by Councilman Hanley, seconded by Councilman Hart, to terminate Daniel Dimitroff as part-time seasonal laborer in the Highway Department effective May 15, 2018 and 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 Building & Grounds summer appointments

Motion by Councilman Hanley, seconded by Councilman Hart, to appoint the following part-time seasonal laborers in the Buildings & Grounds Department effective May 22 – August 31, 2018 at a rate of \$10.40 per hour:



**10-B COMMUNICATIONS**

10. Recreation Supervisor re NSA Class B North Eastern Softball Fast-Pitch World Series

Motion by Councilman Hanley, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with the National Softball Association for the 2018 NSA Class B North Eastern Softball Fast-Pitch World Series.

Ayes: All                      Noes: None                      Motion Carried

11. Recreation Supervisor re Non-exclusive facilities use permit & agreement – Post 735

Motion by Councilman Hanley, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with American Legion, its State Department and Post #735 for use of Town of West Seneca baseball and softball diamonds, noting this is contingent upon a certificate of insurance as outlined in Section 12 of the agreement being turned in to the Recreation Office prior to any diamond use.

Ayes: All                      Noes: None                      Motion Carried

**10-C APPROVAL OF WARRANT**

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$527,715.80; Highway Fund - \$44,058.52; Special Districts - \$1,008,794.22; Capital Fund - \$1,006,459.51 (vouchers 104932 - 105500) Trust - \$261,527.27 (vouchers 105246 - 105317)

Ayes: All                      Noes: None                      Motion Carried

**ISSUES OF THE PUBLIC**

- A Covington Drive resident questioned the rate of pay for an assessment clerk and the part-time clerk typist in the Recreation Department. Supervisor Meegan responded she will have to look at the union contract for the exact rate for an assessment clerk. The part-time clerk typist position on the agenda was a termination and the rate was \$12 per hour.
- A Woodward Crescent resident referred to a question at the last Town Board meeting concerning an expenditure at the soccer complex that was listed on the last warrant and asked if there was an update. Town Attorney John Fenz stated the payment previously discussed was for a legal bill regarding an appeal. The amount on the line above was \$1500 and that was for repairs at the soccer complex.

**ISSUES OF THE PUBLIC**

- A Northridge Drive resident referred to a recent letter he received from the Code Enforcement Office notifying him that he needed to replace sections of his sidewalk. He noted years ago the town replaced sections of his neighbor's sidewalk that were raised due to roots from a tree planted by the town. Councilman Hart stated property owners are responsible for the sidewalks and the town offers a program that gives the property owner the option of having the town do the work with the cost assessed on the tax bill. He recommended the resident contact the Code Enforcement Office.

A Covington Drive resident questioned why the town replaced her neighbor's sidewalk that was raised due to roots from a town tree. Supervisor Meegan suggested the resident contact Highway Supt. Matthew English.

**PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**ETHICS BOARD**

The following appointments were made to the Ethics Board:

- Supervisor Meegan – Theresa Funk and James Lazaros
- Councilman Hanley – Rodney Montgomery and Nelson Cosgrove
- Councilman Hart - Susan Kims and Amy Carpenter (original appointments)

Town Clerk Jacqueline Felser stated she will arrange a meeting with the members.

**RECREATION SUPERVISOR LAUREN MASSET**

- Summer recreation registration runs until June 1<sup>st</sup>; summer aquatics registration runs until June 16<sup>th</sup>
- Applications are being accepted for bus drivers employed by West Seneca Central School District
- Applications are still being accepted for recreation attendants for the summer recreation program; candidates must be at least 18 years old to apply
- Buffalo Sabres mascot, Sabre Tooth, will be visiting summer day camp Monday, June 25<sup>th</sup>

**CHIEF DENZ**

- West Seneca Police Department is participating in the "Click It or Ticket" campaign and Chief Denz reminded everyone to wear their seat belts.

**COUNCILMAN HART**

- West Seneca received an award for its Comprehensive Plan from the WNY Chapter of the American Planning Association; Councilman Hart expressed his thanks to all involved in the planning of the Comprehensive Plan

WEST SENECA TOWN OFFICES  
1250 Union Road  
West Seneca, NY 14224

TOWN BOARD PROCEEDINGS  
Minutes #2018-10  
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**PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**SUPERVISOR MEEGAN**

- Memorial Day Parade will be held Monday, May 28<sup>th</sup> at 10:30 A.M. starting at Southgate Plaza

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 7:20 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**

## MEMORANDUM OF AGREEMENT

This Agreement, by and between the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO on behalf of the CSEA Town of West Seneca White Collar Unit (hereinafter referred to as "CSEA White Collar Unit") and the Town of West Seneca (hereinafter referred as the "Town"),

WHEREAS, "Assessment Clerk" is an existing title within Group Number One of the Collective Bargaining Agreement between the Town and the CSEA White Collar Unit ; and

WHEREAS, the Town has experienced difficulty filling Group Number One positions with suitable candidates for those titles that are more specialized than others; and

WHEREAS, the Town intends to fill this position in the immediate future and desires to attract suitable candidates.

NOW THEREFORE, be it agreed as follows:

1. The Assessment Clerk title shall be moved up by two (2) step increments effective as of the date this Memorandum of Agreement is fully executed.

Dated: May 7, 2018

TOWN

CSEA

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Sheila M. Meegan  
Town Supervisor

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Robert W. Mueller  
Labor Relations Specialist

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Ronald Pfeil  
Unit President

## LICENSE AND INDEMNITY AGREEMENT

This License, Indemnity and Protection Easement Agreement (the "Agreement"), dated as of May \_\_\_, 2018, by and between the Town of West Seneca, having an address at 1250 Union Road, West Seneca, New York, (the "Licensor" or the "Town") and West Seneca Fire District No. 3, having an address at 2400 Berg Road, West Seneca, New York (the "Licensee" or the "District").

### WITNESSETH

WHEREAS, the Town acquired Property commonly known as 980 East and West Road, West Seneca, New York (the "Property") which is improved by a single family dwelling (the "Structure"); and

WHEREAS, the Town intends to demolish the Structure to further its purposes a governmental entity; and

WHEREAS, the District desires to use the Structure for purposes of training its members; and

WHEREAS, Licensor is willing to grant a license allowing District to enter into and train upon the Property and Structure subject to the terms, provisions and conditions hereinafter set forth.

NOW THEREFORE, upon the premises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. Subject to and in accordance with the terms and conditions of this License Agreement, Licensor hereby grants to Licensee, and Licensee hereby accepts from Licensor, a license to enter upon the Property and the Structure (the "License Area"), necessary for the purposes of training exercises and complying with any requirement(s) of law imposed upon the Licensee, including any requirements imposed by the Town of West Seneca Department of Engineering and Code Enforcement Department. The term of the license granted herein (the "License Period") shall be for the term ending when the District ceases training at the License Area. The Licensee shall maintain control and responsibility for the Licensed Area during all training exercises. Licensee shall have the right firefighting personnel and emergency service personnel from neighboring agencies in order to train for response to mutual aid situations (the "Licensee Parties")

2. Licensee and the Licensee Parties shall take commercially reasonable measures to prevent any material damage to any adjoining properties or right-of-ways.

3. Licensee agrees to indemnify and save harmless Licensor and Licensor's officers, directors, contractors, agents, members and employees (the "Licensor Parties") from and against any and all liability (statutory or otherwise), claims, suits, demands, actual damages,



consequential damages, punitive damages, judgments, costs, fines, penalties, interest and expense (including, without limitation, reasonable attorneys' fees and disbursements) to which the Licensor Parties may be subject to or suffer arising from, or in connection with the Licensee Parties' use and occupancy of the License Areas and, to the extent caused by Licensee, any violation of any and all laws, orders, rules and regulations of all state, federal, municipal and local governments, departments, commissions and boards.

4. All damage or injury caused by or resulting from the negligent acts or omissions of Licensee or the Licensee Parties shall be restored promptly by Licensee at its sole cost and expense, to the condition existing immediately prior to such injury or damage. It is understood that the structure in the License Area will be irreparably damaged as a result of the training exercises. The damage caused in the normal course of training exercises will not be repaired or restored.

5. Licensee shall provide evidence of the Licensee's insurance naming the Town of West Seneca as an additional insured and in accordance with the following:

(a) The limits for Worker's Compensation and Employers' Liability insurance shall meet statutory limits mandated by State and Federal Laws.

(b) The limits for Commercial General Liability insurance including coverage for the License Areas and Adjacent Property, Independent Contractors' Protective, Products-Completed Operations, Contractual Liability, Personal Injury and Broad Form Property Damage (including coverage for Explosion, Collapse and Underground hazards) shall be as follows: \$1,000,000 Each Occurrence \$10,000,000 General Aggregate.

(c) Automobile Liability insurance (owned, non-owned and hired vehicles) for bodily injury and property damage: \$ 1,000,000 Each Accident.

(d) Umbrella or Excess Liability coverage: \$ 2,000,000.

(e) If this insurance is written on a Commercial General Liability policy form, the certificates shall be ACORD form 25-S.

6. Miscellaneous Provisions.

(a) This Agreement constitutes the entire understanding between the parties regarding the subject matter hereof and shall bind the parties hereto and their respective successors, assigns or other legal representatives. This Agreement supersedes any prior verbal understanding or written agreement between the parties relative to the subject matter hereof, and may not be amended, supplemented or discharged except by an instrument in writing signed by both parties.

(b) Nothing contained in this Agreement shall be construed to create an agency, partnership or joint venture arrangement between the parties. The parties' relationship shall at all times be and remain licensor-licensee.

(c) This Agreement shall be governed by and construed under and in accordance with the laws of the State of New York, without regard to its conflicts of law provisions. LICENSOR AND LICENSEE HEREBY VOLUNTARILY, KNOWINGLY AND IRREVOCABLY WAIVE ANY RIGHT TO A TRIAL BY JURY IN ANY ACTION BROUGHT UNDER THIS AGREEMENT.

(d) This Agreement may be executed in two or more counterparts, each of which, when taken together, shall constitute one and the same instrument. Electronically transmitted signatures shall be deemed binding and effective.

LICENSOR:

LICENSEE:

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_



## TOWN OF WEST SENECA

TOWN SUPERVISOR  
**SHEILA M. MEEGAN**  
 TOWN COUNCIL  
**EUGENE P. HART**  
**WILLIAM P. HANLEY**

**LAUREN J. MASSET**  
 RECREATION SUPERVISOR

**Lifeguard (Part-Time) New (4)**

Name	Title	Rate of Pay (Hourly)	New or Re-Appointment
Brown, Jacob	Lifeguard Part Time	\$12.00	New
Huber, Morgan	Lifeguard Part Time	\$12.00	New
Sigler, Samantha	Lifeguard Part Time	\$12.00	New
Tychinski, Stephanie	Lifeguard Part Time	\$12.00	New

**Lifeguard (Part-Time) Reappointment (25)**

Name	Title	Rate of Pay (Hourly)	New or Re-Appointment
Balogh, Samantha	Lifeguard Part Time	\$12.25	Re-Appointment
Bednarz, Mitchell	Lifeguard Part Time	\$12.25	Re-Appointment
Blandin, Erin	Lifeguard Part Time	\$12.25	Re-Appointment
Clune, Ella	Lifeguard Part Time	\$12.25	Re-Appointment
Farr, Abigail	Lifeguard Part Time	\$12.25	Re-Appointment
Farr, Kyle	Lifeguard Part Time	\$12.25	Re-Appointment
Gelinas, Gabrielle	Lifeguard Part Time	\$12.25	Re-Appointment
Hartman, Jillian	Lifeguard Part Time	\$12.25	Re-Appointment
Headd, Virginia	Lifeguard Part Time	\$12.25	Re-Appointment
Jerabek, John	Lifeguard Part Time	\$12.25	Re-Appointment
Kaufman, Kelsey	Lifeguard Part Time	\$12.25	Re-Appointment
Kostelny, Rachel	Lifeguard Part Time	\$12.25	Re-Appointment
Lew, Jennifer	Lifeguard Part Time	\$12.25	Re-Appointment
Lindner, Kelly	Lifeguard Part Time	\$12.25	Re-Appointment
Lindner, William	Lifeguard Part Time	\$12.25	Re-Appointment
McNeight, Angela	Lifeguard Part Time	\$12.25	Re-Appointment
Moore, Julia	Lifeguard Part Time	\$12.25	Re-Appointment
O'Connor, Rylie	Lifeguard Part Time	\$12.25	Re-Appointment
Piotrowski, Jessica	Lifeguard Part Time	\$12.25	Re-Appointment
Rados, Francis	Lifeguard Part Time	\$12.25	Re-Appointment
Rodinelli, Bridget	Lifeguard Part Time	\$12.25	Re-Appointment
Scarpello, Morgan	Lifeguard Part Time	\$12.25	Re-Appointment
Sion, Caitlin	Lifeguard Part Time	\$12.25	Re-Appointment
Skrzypczyk, Laura	Lifeguard Part Time	\$12.25	Re-Appointment
Zak, Rachel	Lifeguard Part Time	\$12.25	Re-Appointment



## TOWN OF WEST SENECA

TOWN SUPERVISOR  
**SHEILA M. MEEGAN**  
 TOWN COUNCIL  
**EUGENE P. HART**  
**WILLIAM P. HANLEY**

**LAUREN J. MASSET**  
 RECREATION SUPERVISOR

**Recreation Attendant (Part Time) New (9)**

Name	Title	Rate of Pay (Hourly)	New or Re-Appointment
Backer, Kaleigh	Recreation Attendant PT	\$12.00	New
Baker, Leon	Recreation Attendant PT	\$12.00	New
Cheatom, Derek	Recreation Attendant PT	\$12.00	New
Fazzolari, Jacob	Recreation Attendant PT	\$12.00	New
Harrington, Olivia	Recreation Attendant PT	\$12.00	New
Kabel, Danielle	Recreation Attendant PT	\$12.00	New
Olivia, Levulis	Recreation Attendant PT	\$12.00	New
Roberts, Katie	Recreation Attendant PT	\$12.00	New
Shea, Jackie	Recreation Attendant PT	\$12.00	New

**Recreation Attendant (Part Time) Reappointment (12)**

Name	Title	Rate of Pay (Hourly)	New or Re-Appointment
Balisteri, Emily	Recreation Attendant PT	\$12.25	Re-Appointment
Bork, Bridget	Recreation Attendant PT	\$12.25	Re-Appointment
Feneziani, Samuel	Recreation Attendant PT	\$12.00	Re-Appointment
Fuerst, Elyse	Recreation Attendant PT	\$12.25	Re-Appointment
Loughran, Michael	Recreation Attendant PT	\$13.00	Re-Appointment
Marshall, Zachary	Recreation Attendant PT	\$13.00	Re-Appointment
McNamara, John	Recreation Attendant PT	\$12.25	Re-Appointment
Nigro, Alexa	Recreation Attendant PT	\$12.00	Re-Appointment
Roberts, Nathan	Recreation Attendant PT	\$12.25	Re-Appointment
Smith, Samantha	Recreation Attendant PT	\$12.25	Re-Appointment
Urbanczyk, Felicia	Recreation Attendant PT	\$13.50	Re-Appointment
Wood, Sarah	Recreation Attendant PT	\$12.25	Re-Appointment

**Recreation Supervisor (Part-Time) Reappointment / Pool Supervisor (1)**

Skrzypczyk, Matthew	Recreation Supervisor PT	\$14.25	Re-Appointment
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