

Supervisor Sheila M. Meegan called the meeting to order at 3:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Mitch Martin from Senator Gallivan's office.

ROLL CALL: Present - Sheila M. Meegan Supervisor
Eugene P. Hart Councilman
William P. Hanley, Jr. Councilman

Absent - None

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

The meeting was dedicated to the memory of Joseph Ciancio, William McGowan, Paul Kloc and Edward Roberts.

15-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the July 16, 2018 work session.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2018-14 of July 16, 2018.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the July 19, 2018 bid opening for Solid Waste Disposal Services.

Ayes: All Noes: None Motion Carried

15-B LEGAL NOTICES

1. Proofs of publication and posting of legal notice: "OF THE ADOPTED ORDER OF THE TOWN BOARD OF THE TOWN OF WEST SENECA CONCERNING REPAIR OF SIDEWALKS IN FRONT OF DESIGNATED ADDRESSES" in the Town of West Seneca, received and filed.

15-C PUBLIC COMMENTS ON COMMUNICATIONS

No comments were received.

15-D TABLED ITEMS

1. Supervisor Meegan re Appointment of Jon Minear as attorney to the Ethics Board

Town Attorney John Fenz stated the Ethics Board recommended Mr. Minear's appointment, but there has been no discussion on the term or compensation. When appointed, Mr. Minear will serve as Deputy Town Attorney assigned to the Ethics Board.

Motion by Supervisor Meegan, seconded by Councilman Hanley, to table this item pending discussion on term and compensation.

Ayes: All Noes: None Motion Carried

15-E COMMUNICATIONS

1. Town Attorney re Bid award for Solid Waste Disposal contract

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the bid for Solid Waste Disposal in the Town of West Seneca to Modern Landfill, Inc. at their low bid of \$38.50 per ton and authorize the Supervisor to execute the necessary documents to enter into an agreement for disposal of solid waste, noting this is a five year contract with a cost escalator each year and the consumer price index for treatment of solid waste cannot increase greater than 10 percent in any year.

On the question, Councilman Hanley encouraged everyone to recycle as much as possible to reduce landfill costs.

Ayes: All Noes: None Motion Carried

2. Chief Denz re Appointment of John McNamara as Police Captain

Motion by Supervisor Meegan, unanimous second, to terminate John McNamara as Patrol Lieutenant and appoint him to the position of Police Captain effective July 31, 2018 at an annual salary of \$104,330.84 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

15-E COMMUNICATIONS

3. Director of Finance re Senior Center budget amendment Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution approving a budget amendment for the senior center:

WHEREAS, during the 2018 fiscal year the senior center is estimated to generate \$2400 of revenue from the sale of coffee to its members and an additional \$2000 of revenue from ceramic classes held at the center; and

WHEREAS, the expenditure related to the generation of these revenues has been recorded in the senior center's cleaning supplies line 1.7620.417 and in its craft material & supplies line 1.7620.475, respectively; now, therefore, be it

RESOLVED, the Town Board does hereby amend the 2018 Ad Valorem Budget to increase Senior Center revenues 1.1.2069 by \$4400 and correspondingly increase Senior Center - Cleaning Supplies 1.7620.417 by \$2400 and Senior Center - Craft Material & Supplies 1.7620.475 by \$2000.

Ayes: All

Noes: None

Motion Carried

4. Director of Finance re Community Development Block Grant Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the following resolution approving a budget amendment for the Highway Department:

WHEREAS, on January 26, 2018, the town was awarded funding by the Erie County Community Development Block Grant Program: Milling & Resurfacing Project for Benson Avenue, Dirkson Avenue and Wichita Road in the amount of \$100,000; and

WHEREAS, the cash received from these grants will be recognized as revenue in the Highway Fund as Highway Fund CDBG Block Grant 002.0002.4860; now, therefore, be it

RESOLVED, the Town Board does hereby authorize a budget amendment to increase Highway Fund CDBG Block Grant 002.0002.4860 for receipt of the Erie County Community Development Block Grant Program revenue in the amount of \$100,000 and increase General Repairs Blacktop Paving 002.5110.0497.0006 in the amount of \$100,000 for the cost of the project.

Ayes: All

Noes: None

Motion Carried

15-E COMMUNICATIONS

5. Recreation Supervisor re Southtowns Radiology
Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Southtowns Radiology Associates, LLC for use of West Seneca diamonds.
Ayes: All Noes: None Motion Carried
6. Recreation Supervisor re Southtowns Shock
Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Southtowns Shock for use of West Seneca diamonds.
Ayes: All Noes: None Motion Carried
7. Recreation Supervisor re Termination of inactive employees
Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate the attached list of inactive employees and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
Ayes: All Noes: None Motion Carried
APPENDICES
8. Town Attorney re East & West Road Rehabilitation
Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution of commitment for the East & West Road Rehabilitation Project:

WHEREAS, in February of 2018 the County of Erie approached the town about a collaborative rehabilitation of East & West Road (the "Project") whereby the county would perform certain work and the town would perform certain work; and

WHEREAS, at a regularly scheduled work session on May 7, 2018 the Town Board discussed the Project and deliberated over the town's contribution to the collaborative rehabilitation; and

WHEREAS, by letter dated July 12, 2018 the county requires a commitment from the town on or before July 31, 2018 that it will perform work under the Project; now, therefore, be it

RESOLVED, the Town of West Seneca Town Board certifies that as part of the Project it will perform sanitary sewer rehabilitation work to approximately 750 feet of sanitary sewer along East & West Road immediately west of Union Road in an amount not to exceed \$500,000.

15-E COMMUNICATIONS

8. (continued)

On the question, Town Engineer Steve Tanner stated the project will be completed by the county through their contractor and the sewer lines items will be bid separate allowing the town to know the cost. Mr. Tanner recommended the inspection be completed by an in house inspector. The project will be two phases starting on the west side of Union Road, and if money is left they will move on to the east side of Union Road.

Ayes: All

Noes: None

Motion Carried

15-F REPORTS

- Jeffrey Schieber, Code Enforcement Officer's, building & plumbing report for June 2018 received and filed.
- West Seneca Chamber of Commerce – Economic Development quarterly report received and filed.

15-G APPROVAL OF WARRANT

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$131,053.58; Highway Fund - \$37,510.47; Special Districts - \$14,041.27; Capital Fund - \$3354.80 (vouchers 105341 - 106457); Trust - \$22,317.03 (vouchers 106333 - 106355)

Ayes: All

Noes: None

Motion Carried

SOUTHGATE PLAZA ASSESSMENT CHALLENGE

Supervisor Meegan referred to an assessment challenge filed by Southgate Plaza and stated the town lost the case and then filed an appeal. The decision was recently unanimously overturned in favor of the town.

Town Attorney John Fenz commented on the importance of going forward with the appeal, noting Southgate Plaza added approximately \$2 million in fair market value, and if the case had been decided against the town the tax burden would have gone to other taxpayers. The system of changing valuations on properties was validated and it proved the town is acting in a consistent matter.

ISSUES OF THE PUBLIC

- A West Bihrwood Drive resident questioned the annual benefit as a result of winning the Southgate Plaza assessment appeal. Town Attorney John Fenz stated the annual amount is \$41,000.
- A West Bihrwood Drive resident questioned how the town identified sidewalks in need of repair and commented on the lack of sidewalks in some areas. Code Enforcement Officer Jeffrey Schieber stated code enforcement officers walked the streets in Phase II and looked for raised or sunken sidewalks that could be tripping hazards. Supervisor Meegan stated the work is being done in zones and any concerns can be directed to the Code Enforcement Office. She further stated in the past residents could chose whether or not to install sidewalks and the town cannot go back now and make the property owner add sidewalks.
- A Covington Drive resident questioned the status of the Burchfield Center. Town Attorney John Fenz stated a formal summons and complaint has been filed and the case is currently in litigation with all parties being served.
- A Covington Drive resident commented on the Leydecker Road Bridge and Mill Road Bridge that are in bad shape. Supervisor Meegan stated the town does not own the bridges and if there are plans by the county or state for any repairs there would be a public hearing on the matter.
- A Covington Drive resident questioned the status of the sewer project work under the consent order. Town Engineer Steven Tanner responded it is a 10 phase project with phases 1 – 4 being complete. Phase 5 will continue next year and the town is seeking additional grant money. As they complete phases, the sewers are in better condition and the engineers will reevaluate phases 6 – 10. The system is running much better with a big decrease in basement backups. Mr. Tanner stated the town would like to see the siphon fixed so the temporary pumps at the high school can be removed.
- James Manley of the West Seneca Veterans Committee reported the following:
 - ✓ All 1900 engraved bricks are back in the Walkway of Freedom and he is looking forward to installation of signs and learning stations along with benches outside the reflection pond.
 - ✓ Bricks for the Walkway of Freedom will go on sale October 2018 through February 2019. The cost will be \$90 per brick and order forms will be available in the Town Clerk's Office, West Seneca Library, American Legion Post 735 and online at wsvets.org.
 - ✓ The cost of the Korean War Monument is \$15,500 and \$8194 has been collected through fundraising. Residents that would like to help with the monument can contact Mr. Manley or go online to wsvets.org for more information.
 - ✓ Tuesday, August 7th is National Purple Heart Day and a ceremony honoring recipients will be held on August 7th at 1:00 P.M. at the Old County Hall Court Room.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

MOODY'S REPORT UPDATE

Director of Finance Megan Wnek stated in July 2017 Moody's placed the town on a negative outlook and it was the planned use of fund balance that led to the downgrade. The 2017 budget included the appropriated use of \$900,000 of fund balance in the General Fund and an additional \$350,000 of fund balance in the Highway Fund. Of the \$900,000 in the General Fund, \$837,000 was used and in the Highway Fund the town went over the appropriated fund balance by \$175,000. In the 2018 budget, the amount of appropriated fund balance in the General Fund was reduced to \$450,000 and the appropriation of fund balance in the Highway Fund was completely removed. The town also has anticipated savings in 2018 with regard to personnel costs, anticipated state aide coming in and a planned build up of reserves of \$220,000 in the Highway Fund. As a result of these factors, Moody's removed the negative outlook and see the town stabilized in 2018. The goal is for Moody's to see the turnaround in 2019. Mrs. Wnek further noted bonds were sold this month at a rate of 3.25 percent which is better than previous years.

Councilman Hart commented that flooding in the Lexington Green area cost approximately \$2 million and the November storm cost \$1.5 million. Both were significant unplanned hits to the fund balance.

Mrs. Wnek stated per the town's fund balance policy, the town will maintain adequate fund balance to provide flexibility and to mitigate current and future risks, to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings. The town has endeavored to maintain an unrestricted fund balance of two months of regular operating expenditures. As of December 31, 2017 the unassigned fund balance in the General Fund is approximately 16.6 percent of total General Fund operating expenditures, which is directly in line with the policy.

RECREATION SUPERVISOR LAUREN MASSET

Open interviews for a part-time clerk typist position in the Recreation Department will be held Wednesday, August 1st at 2:00 P.M.

TOWN CLERK JACQUELINE FELSER

Hunting licenses for the 2018-2019 season go on sale August 1st

CHIEF DENZ

National Night Out will be held Tuesday, August 7th at Dunn Tire, 2150 Union Road from 5 P.M. – 9 P.M.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

COUNCILMAN HART

Susan Kims resigned from the Ethics Board and a replacement will be appointed at the next Town Board meeting; interested candidates are asked to provide a resume.

COUNCILMAN HANLEY

Suggested drafting legislation or policy for repeat sewer department callouts from restaurants needing a cleanout due to grease in the sewer system.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 4:00 P.M. to discuss discipline of a particular employee, a collective bargaining matter with the Blue Collar Unit, litigation of Workers Compensation Board #G1160554 and litigation concerning Atkin Construction vs. Town of West Seneca.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 5:00 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 5:00 P.M.

Ayes: All

Noes: None

Motion Carried



JACQUELINE A FELSER, TOWN CLERK



TOWN OF WEST SENECA

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

LAUREN J. MASSET
RECREATION SUPERVISOR

Recreation Attendants - PT

Alessi, Kaitlin
Chavanne, Riley
Cheatom, Jennifer
Glawatz, Lauren
Harrington, Patrick
Henderson, Joshua
Jordan, Emily
Kluebek, Riley
Korczynski, Eric
McCormick, Mara
McGilvary, Tierney
Olszowka, Abigail
Reed, Jenna
Ricketts, Brohdny
Roberts, Nathan
Roberts, Spencer
Salamone, Peter
Samantha, Smith
Sardo, Rebecca
Sharkey, Joseph
Strawder, Nicole
Sudyn, Nicole

Bus Drivers - PT

Grossjean, Gary
Krone, Diane
Maier, Joanne
Stoher, Deborah

Lifeguard - PT

Breidenstein, Robert
Clune, Ella
Corbett, Clare
Jagodzinski, Catherine
McDermott, Kristin
Neary, Erin
Nowak, Jason
Rennie, Leah
Slowik, Jenna
Tremblay, Trevor
Westling, Kaitlyn
Wheeler, Alicia



TOWN OF WEST SENECA

LAUREN J. MASSET
RECREATION SUPERVISOR

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

Recreation Attendants - PT

Alessi, Kaitlin
Chavanne, Riley
Cheatom, Jennifer
Glawatz, Lauren
Harrington, Patrick
Henderson, Joshua
Jordan, Emily
Kluebek, Riley
Korczynski, Eric
McCormick, Mara
McGilvary, Tierney
Olszowka, Abigail
Reed, Jenna
Ricketts, Brohdny
Roberts, Nathan
Roberts, Spencer
Salamone, Peter
Samantha, Smith
Sardo, Rebecca
Sharkey, Joseph
Strawder, Nicole
Sudyn, Nicole

Bus Drivers - PT

Grossjean, Gary
Krone, Diane
Maier, Joanne
Stoher, Deborah

Lifeguard - PT

Breidenstein, Robert
Clune, Ella
Corbett, Clare
Jagodzinski, Catherine
McDermott, Kristin
Neary, Erin
Nowak, Jason
Rennie, Leah
Slowik, Jenna
Tremblay, Trevor
Westling, Kaitlyn
Wheeler, Alicia