

Supervisor Sheila M. Meegan called the meeting to order at 7:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Anthony Mazzanti of Assemblyman Patrick Burke'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 Robert Hyland, Andrew Bouquard, Matthew Ferrentino, Margaret Graber, Norma Cannan and Barbara McMullen.

5-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2019-04 of February 25, 2019.

Ayes: All

Noes: None

Motion Carried

5-B LEGAL NOTICES

1. Motion by Supervisor Meegan, seconded by Councilman Hanley, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE RESTRICTED USE PERMIT FOR PROPERTY LOCATED ON NORTH AMERICA DRIVE, LOT #3, FOR TRUCK SALES AND MAINTENANCE AND LEASE OF A SMALL AREA FOR A FOOD TEST KITCHEN" in the Town of West Seneca, be received and filed.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, to amend the restricted use permit for property located on North America Drive, Lot #3, for truck sales and maintenance and lease of a small area for a food test kitchen by removing the condition that an industrial standard berm be placed along the northerly portion of the site from the bend in the road to the end of the property with 5' tall trees to create a fencing effect and refer this matter to the Planning Board.

Ayes: All

Noes: None

Motion Carried

POLICE PROMOTIONS

10. Chief Denz re Appointment of Gerald Fibich as Detective

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Gerald Fibich as Police Officer and appoint him to the rank of Detective effective March 12, 2019 at an annual salary of \$92,156.38 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

11. Chief Denz re Appointment of Anthony Serafini as Detective

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Anthony Serafini as Police Officer and appoint him to the rank of Detective effective March 12, 2019 at an annual salary of \$92,156.38 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

WEST SENECA POLICE AWARDS CEREMONY

Chief Denz gave a report on his department for the year 2018 and recognized the following officers for their outstanding work that went above and beyond the normal course of duty, noting these individuals were nominated for their award by their Supervisor and were selected by a committee of their peers: David Steinwandel, James Gehen, Det. Daniel Crowe, Det. James Pappaceno, James Unger, Adam Schnitzer, Michael Kocieniewski, PSD Mark Palkowski, Lt. Matthew Kriegbaum, Det. Donald Driscoll, Paul Daley and PSD William Coughlin.

5-C PUBLIC COMMENTS ON COMMUNICATIONS

- A Covington Drive resident commented/questioned the following agenda items:
 - ✓ Item No. 1 re Lease agreement with Tilson Technology and Verizon Wireless
 - Who is the owner of the property – Town Attorney Tina Hawthorne responded the Town of West Seneca owns the property.
 - Why the lease agreement was not attached to the agenda – Mrs. Hawthorne stated she just received the lease today and it will be posted online tomorrow.
 - Why was this neighborhood chosen – Mrs. Hawthorne stated Verizon indicated there was a need for increased coverage in this neighborhood.
 - Lack of advertisement and if the item was in front of the Zoning Board – Code Enforcement Officer Jeffrey Baksa advised a variance is not required. A special permit is normally needed for a communications tower, but in this case the equipment is being mounted on a telephone pole. They will still need permits from the Code Enforcement Office.

5-C PUBLIC COMMENTS ON COMMUNICATIONS

- ✓ Item No. 2 re Bid date for Phase 5 Sanitary Sewer Rehabilitation Project - Councilman Hanley stated Phase 5 involves work in Sewer District #13 on Seneca Street from Main Street to Transit Road and the subdivisions with sewers that run into Seneca Street.
- ✓ Item No. 5 re Appointment of Nicholas Gugliuzza as Highway Mechanic
 - Is this a replacement position – Highway Sup't. Matthew English stated a mechanic was promoted to foreman at the last Town Board meeting and this is a replacement for that position.
 - If Mr. Gugliuzza had any experience as a mechanic – Mr. English responded he has been a fill-in mechanic with the town for the last few years.
- ✓ Item No. 8 re West Seneca Central School District use of facilities and requested the locations – Recreation Supervisor Lauren Masset referred to Page 6, Exhibit C of the item which states the locations.
- A Union Road resident referred to Item No. 5 re Appointment of Nicholas Gugliuzza as Highway Mechanic and questioned his certifications and training - Highway Sup't. Matthew English responded due to the union contract he is obligated to fill the position from within, and although Mr. Gugliuzza is not yet certified, he has trained side by side with the mechanics and is the most qualified.
- A Harwood Road resident referred to Item No. 4 re Extension of leave of absence and questioned the date of the letter and if there will be any additional benefits with the extension. Highway Sup't. Matthew English stated he neglected to submit a request for extension of his leave of absence earlier this year and this allows him to go back in the workforce on January 1, 2020. He further stated he receives medical insurance but no vacation, personal days or sick days while he is Highway Supt.

5-D COMMUNICATIONS

1. Town Attorney re Lease agreement with Tilson Technology and Verizon Wireless

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution issuing a negative declaration pursuant to SEQRA for the Verizon Wireless project.

Ayes: All Noes: None Motion Carried
APPENDICES

Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached resolution authorizing the Supervisor to enter into a lease with Verizon Wireless to allow Verizon Wireless to construct and operate a wireless telecommunications facility and related infrastructure on town property at an annual rent of \$2400.

Ayes: All Noes: None Motion Carried
APPENDICES

5-D COMMUNICATIONS

2. Town Engineer re Bid date for Phase 5 Sanitary Sewer Rehabilitation Project

Motion by Supervisor Meegan, seconded by Councilman Hanley, to set a bid date of April 2, 2019 at 10 A.M. for receipt of bids on the Phase 5 Sanitary Sewer Rehabilitation Project.

Ayes: All Noes: None Motion Carried
3. Highway Sup't. re Attendance at CSEA Peer Trainer Refresher Training

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize Brian Cummins to attend the annual CSEA Peer Trainer refresher training from April 23 – 25, 2019 using the Union Safety & Health leave time with travel expenses paid by CSEA.

Ayes: All Noes: None Motion Carried
4. Highway Sup't. re Extension of leave of absence

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve an extension of the leave of absence for Matthew English from his blue collar position of Motor Equipment Operator through and including January 1, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried
5. Highway Sup't. re Appointment of Nicholas Gugliuzza as Highway Mechanic

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Nicholas Gugliuzza as Sanitation Laborer and appoint him Highway Mechanic, Group 5, Step 3, at a rate of \$25.47 per hour effective March 4, 2019 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 Appointment of James Deppler as full-time Sanitation Laborer

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate James Deppler as part-time sanitation laborer and appoint him full-time sanitation laborer at a rate of \$20.03 per hour effective March 11, 2019 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

5-D COMMUNICATIONS

7. Recreation Supervisor re Appointment of Gary Ersing as part-time Recreation Attendant

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Gary Ersing as part-time Recreation Attendant at a rate of \$12 per hour effective March 12, 2019 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting this position will be paid from Salary of Other Employees PT – 01.7140005.0149.

Ayes: All Noes: None Motion Carried

8. Recreation Supervisor re West Seneca Central School District – use of facilities

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Central School District for use of Town of West Seneca owned athletic facilities for the spring 2019 season.

Ayes: All Noes: None Motion Carried

9. Recreation Supervisor re West Seneca Lions Summer Concert Series

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Lions Club to host and hold their annual Summer Concert Series & Celebrate Summer Event in the Lions Bandshell in 2019.

Ayes: All Noes: None Motion Carried

5-E REPORTS

- Jacqueline A Felser, Town Clerk’s report & Receiver of Taxes’ report for February 2019 received and filed.
- Jeffrey Schieber, Code Enforcement Officer’s, building & plumbing reports for February 2019 received and filed.

5-F 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 - \$733,334.10; Highway Fund - \$194,093.28; Sewer Fund - \$65,975.64; Gas Conversion - \$172.41; Electric Lighting - \$14,233.32 (vouchers 1563 - 3441)

Ayes: All Noes: None Motion Carried

ISSUES OF THE PUBLIC

- A Covington Drive resident questioned the total cost for the sewer line on North Covington Drive – Councilman Hanley responded they do not have a total yet.
- A Union Road resident questioned/commented on the following:
 - ✓ Referred to two lifesaving incidents mentioned during the Police Department awards and commented on the arrival time of AMR; suggested it may be beneficial for police officers to carry Narcan since they arrive first in some instances - Chief Denz responded the current model is working and last year there were zero deaths.
 - ✓ Status of tree removal and fire pit ordinance – Highway Sup't. Matthew English referred to the tree situation on Leydecker Road and stated the property owner was sent a letter from Code Enforcement Officer Jeffrey Schieber advising that the trees need to be taken down. Councilman Hanley stated the tree ordinance is up-to-date and the code from six months ago is sufficient. Town Attorney Tina Hawthorne understood a fire pit ordinance was drafted by previous Town Attorney John Fenz and she will confirm.
 - ✓ Referred to Highway Supt. Matthew English's leave of absence extension and questioned if retiring January 1, 2020 as opposed to December 31, 2019 has any effect on his accrual of benefits – Mr. English stated his accruals were frozen when he became Highway Supt. and he will receive no additional benefits.
- A Harwood Road resident commented on the public hearing held to discuss repairs to the Burchfield Center
 - ✓ Suggested the next meeting be held at a location that accommodates a larger capacity
 - ✓ Not enough handicapped spaces for residents when the library is open
 - ✓ Status of a committee – Supervisor Meegan stated there will be a posting on the website for anyone interested in serving on the committee.
 - ✓ Bill Bauer, a contractor by trade, offered to help yet someone commented it was not allowable due to his candidacy for office – Town Attorney Tina Hawthorne stated nothing would legally bar Mr. Bauer from volunteering his services and time. She also noted that before his candidacy Mr. Bauer had given assessments on the Burchfield Center.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

CHIEF DENZ

- Winter parking ban ends Friday, March 15th

COUNCILMAN HART

- Commended highway employees, buildings & grounds employees and police officers for their assistance during the recent flooding

SUPERVISOR MEEGAN

- Friday, March 15th is the deadline for applications for the Budget Advisory Committee

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:15 P.M.

Ayes: All

Noes: None

Motion Carried

STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEORA")

LEASE OF TOWN PROPERTY FOR WIRELESS TELECOMMUNICATIONS FACILITY

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless ("Verizon Wireless") proposes to construct and operate a wireless telecommunications facility (the "Project") pursuant to a Lease Agreement (the "Lease") with the Town of West Seneca (the "Town"), pertaining to properties located at the rear of Bullis Road and 109 Liberty Lane, Town of West Seneca, County of Erie, State of New York, as shown on the tax map of the Town of West Seneca as tax map numbers 136.17-1-21 and 145.05-1-8 (together, the "Property"); and

WHEREAS, the facility consists of certain ground space sufficient for the installation, operation and maintenance of Verizon Wireless' utility pole, equipment and associated appurtenances (the "Project"), as more particularly shown on the Lease Exhibit attached to the Lease as Exhibit "A"; and

WHEREAS, representatives of Verizon Wireless previously met with Town officials to discuss the Project and the Lease; and

WHEREAS, the Town Board of the Town of West Seneca (the "Board") is fully familiar with the Property and the surrounding area; and

WHEREAS, the Lease and Project is an unlisted action under SEQRA and the Board is the only involved agency and, therefore, the Lead Agency; and

WHEREAS, the Board has reviewed the Project, the Lease and all other materials submitted in connection therewith; now, therefore, be it

RESOLVED, by the Board that based upon the Board's thorough and careful review of the Project, the Lease, and all other materials submitted in connection therewith, the Board hereby determines that the Project and the Lease will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA.

REASONS SUPPORTING THE NEGATIVE DECLARATION:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. The Project will produce minimal, if any, disturbance of soil and vegetation, with minimal storm run-off.

2. Aesthetics, Agriculture, Archaeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archaeological, historical, natural or cultural resources. The Project is a public utility which must be located as and where necessary to provide essential wireless telecommunications service. Although a facility of this nature will be visible, its overall visibility will be minimized to the maximum extent possible.

3. Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species: No plant or animal life will be adversely affected by the Project.

4. Community Plans, Use of Land or Natural Resources: The Project is in keeping with the official community plans and goals and will have no adverse effects on land use or the use of natural resources by or in the community.

5. Growth, Subsequent Development, etc.: The Project will not induce any significant or adverse growth or subsequent development.

6. Long Term, Short Term, Cumulative or Other Effects: The Project will not have any significant adverse long term, short term, cumulative or other environmental effects.

7. Critical Environmental Area: The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, subdivision 617.14(g).

8. Public Health and Safety: The Project will have no adverse impacts on the public health. The Board recognizes that the Project will enable Verizon Wireless to provide reliable wireless telecommunications service to the Town, enabling individuals, businesses and emergency service providers access to this essential service. The Project will promote the general health, safety and welfare of the citizens of the Town by providing access to a modern, reliable system of wireless communications service.

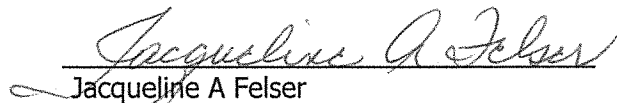
Further, the Board finds that none of the criteria for determining significance set forth in §617.7(c)(1)(i)-(xii) would be implicated as a result of this Project.

Notice of this determination of non-significance shall be filed to the extent required by the applicable regulations under SEQRA and as may be deemed advisable by the Board.

IN WITNESS WHEREOF, this Resolution was properly adopted by the Board at its regularly scheduled meeting on March 11, 2019.

The foregoing resolution was put to a vote which resulted as follows:

| | |
|-------------------|-----|
| Supervisor Meegan | Aye |
| Councilman Hart | Aye |
| Councilman Hanley | Aye |


Jacqueline A Felser
West Seneca Town Clerk

RESOLUTION

LEASE OF TOWN PROPERTY FOR WIRELESS TELECOMMUNICATIONS FACILITY

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless ("Verizon Wireless") proposes to construct and operate a wireless telecommunications facility on property to be leased from the Town of West Seneca (the "Town"), pursuant to that certain lease agreement between the Town and Verizon Wireless (the "Lease"), and located at the rear of Bullis Road and 109 Liberty Lane, Town of West Seneca, County of Erie, State of New York, as shown on the tax map of the Town of West Seneca as tax map numbers 136.17-1-21 and 145.05-1-8 (together, the "Property"); and

WHEREAS, the facility consists of certain ground space sufficient for the installation, operation and maintenance of Verizon Wireless' utility pole, equipment and associated appurtenances (the "Project"), as more particularly shown on the Lease Exhibit attached to the Lease as Exhibit "A"; and

WHEREAS, in connection with the Lease, the Town Board of the Town of West Seneca (the "Board") has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project pursuant to the State Environmental Quality Review Act ("SEQRA") and on March 11, 2019 duly issued a Negative Declaration pursuant thereto; and

WHEREAS, the Board has reviewed the Project, the Lease and all other materials submitted in connection therewith; and

WHEREAS, the Board met on March 11, 2019 to consider the Lease; and

WHEREAS, resolutions approving a lease by a Town Board are subject to a permissive referendum in accordance with Article 7 of the New York State Town Law; now, therefore, be it


RESOLVED, the Board hereby authorizes the Town Supervisor to enter into a lease with Verizon Wireless, as well as any associated utility easements, to allow Verizon Wireless to construct and operate a wireless telecommunications facility and related infrastructure on the Property, contingent upon passage of the permissive referendum period required under law without a petition for a permissive referendum, for an initial term of five (5) years with up to four (4) five (5) year renewal terms, at an annual rent of \$2400 and such other terms and conditions as agreed upon by the Town and Verizon Wireless; and be it further

RESOLVED, the Town Clerk is authorized and directed to publish notice of such permissive referendum within ten (10) days from the date hereof in accordance with Article 7 of the New York State Town Law.

IN WITNESS WHEREOF, this Resolution was properly adopted by the Board at its regularly scheduled meeting on March 11, 2019.

The foregoing lease authorization resolution was put to a vote which resulted as follows:

| | |
|-------------------|-----|
| Supervisor Meegan | Aye |
| Councilman Hart | Aye |
| Councilman Hanley | Aye |


Jacqueline A Felser
West Seneca Town Clerk

Site Name: CONSTITUTION AVE
Site Number: 20171574148/444713
Atty/Date: NP/MARCH 2019

EXHIBIT "A"

SITE PLAN OF PREMISES

THIS LEASE CHARTER IS SOLEMNLY AND IS RETURNED TO PROVIDE GENERAL INFORMATION ONLY. IT IS NOT A CONTRACT AND DOES NOT BIND THE USER. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

PLANS PREPARED FOR



PROJECT COORDINATOR BY
TILSON
 CONSULTING ENGINEERS
 100 WEST 10TH STREET
 BUFFALO, NY 14202

PLANS PREPARED BY
ERDMAN ANTHONY EA
 ENGINEERS ARCHITECTS
 100 WEST 10TH STREET
 BUFFALO, NY 14202

| | | |
|---|----------|------|
| 1 | APPROVAL | DATE |
| 2 | REVISION | DATE |
| 3 | REVISION | DATE |
| 4 | REVISION | DATE |
| 5 | REVISION | DATE |
| 6 | REVISION | DATE |
| 7 | REVISION | DATE |

THIS DRAWING IS TO BE PART OF THE RECORD DRAWING FOR THE PROJECT. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

PROJECT NAME
CONSTITUTION AVE. MICRO
 LEASE EXHIBIT
 100 LIBERTY LN,
 BUFFALO, NY

SHEET TITLE
TITLE SHEET

SHEET NUMBER
LE-1



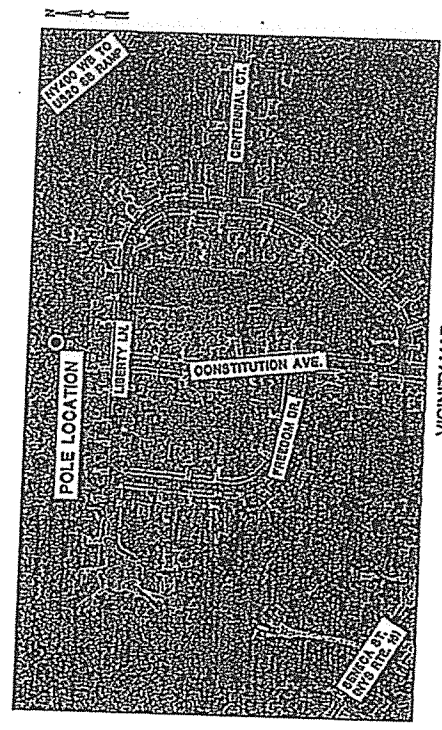
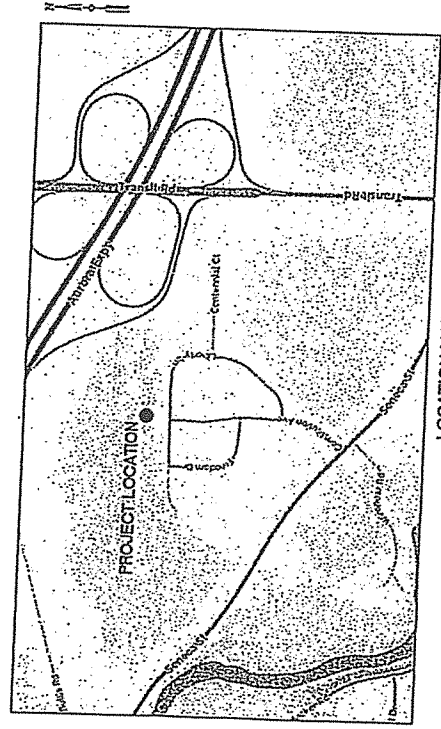
SITE NAME: CONSTITUTION AVE. MICRO
RE PROJECT NO: 20171574148
LOCATION CODE: 444713
LATITUDE: 42° 50' 01.59" (N)
LONGITUDE: 78° 42' 10.01" (W)
POLE NO: NEW POLE

PROJECT SUMMARY

SITE NAME: CONSTITUTION AVE. MICRO
 RE PROJECT NO: 20171574148
 LOCATION CODE: 444713
 STRUCTURE TYPE: NEW 45' WIRELESS POLE, 30.5' A.E.L.
 SITE LOCATION: NEAR 100 LIBERTY LN, BUFFALO, NY PROPERTY
 JURISDICTION: TOWN OF WEST SENeca
 PUBLIC ROW-WAY: NONE
 COUNTY: ERIC
 POLE OWNER: VERIZON WIRELESS
 APPLICANT: BELL LABORING MOBILE SYSTEMS
 OF ALBANY, NY
 1235 JOHN ST., STE. 100
 WEST HONOLULU, HI 14306

SHEET INDEX

LE-1 THIS SHEET
 LE-2 ELEVATIONS AND DETAILS



PRINTING NOTE:
 THIS SHEET IS A PART OF THE PROJECT. SEE THE PROJECT FOR THE COMPLETE SET OF THIS PLAN. SEE THE TITLE SHEET FOR THE PROJECT NUMBER.

PLANS PREPARED FOR

verizon

PROJECT COMMISSIONED BY

TILSON
1400 West Street, Cheektowatch, NY
14124

PLANS PREPARED BY

ERDMAN
ANTHONY
1300 West Street, Cheektowatch, NY
14124

MOST UNAUTHORIZED ALTERATION OR
REVISION OF THESE PLANS SHALL BE
CONSIDERED A VIOLATION OF THE
APPLICABLE LOCAL, STATE AND FEDERAL
LAW.

| NO. | REVISIONS | DATE |
|-----|--------------------|----------|
| 1 | ISSUED FOR PERMIT | 10/15/14 |
| 2 | REVISED PER PERMIT | 11/10/14 |

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ANTHONY.

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PROJECT NAME

CONSTITUTION AVE.
MICRO
LEASE EXHIBIT
109 LIBERTY LN.,
BUFFALO, NY

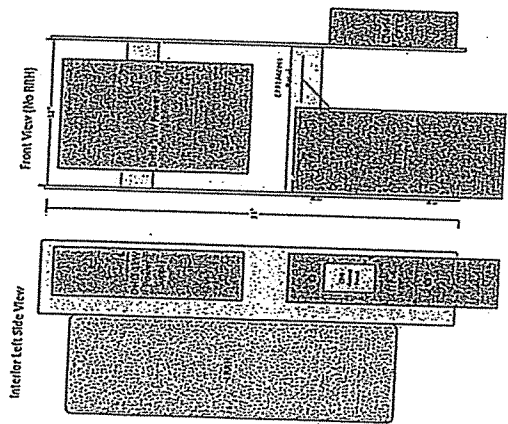
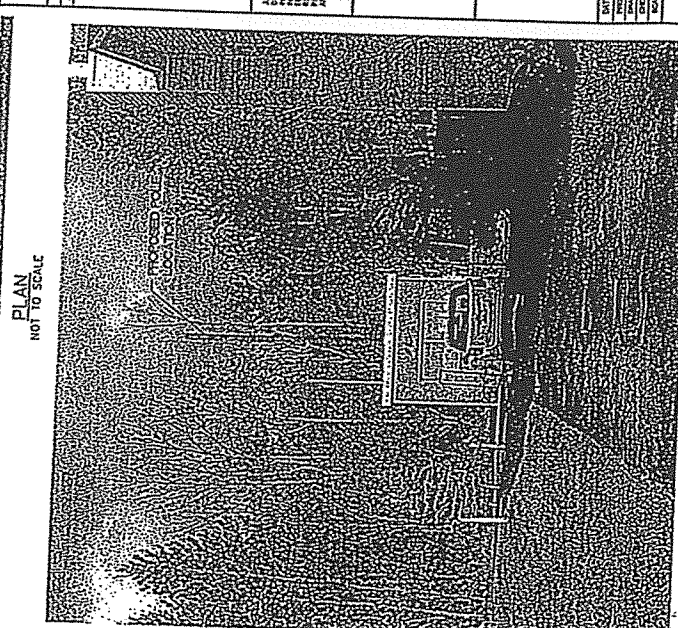
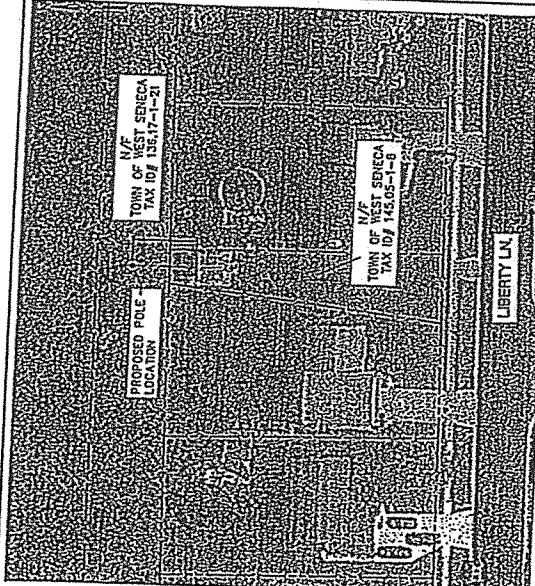
SHEET TITLE

ELEVATIONS
AND DETAILS

| SHEET NO. | TITLE |
|-----------|------------------|
| 1 | GENERAL NOTES |
| 2 | GROUND PLAN |
| 3 | POLE ELEVATION |
| 4 | PHOTO SIMULATION |

SHEET NUMBER

LE-2



POLE MOUNTING BRACKET EQUIPMENT LAYOUT
NOT TO SCALE

