

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

ROLL CALL: Present - Gary Dickson Supervisor
William Bauer Councilman
Joseph Cantafio Councilman
William P. Hanley, Jr. Councilman
Jeff Piekarec Councilman

Absent - None

MINUTES TO BE APPROVED

- Motion by Supervisor Dickson, seconded by Councilman Piekarec, to approve Minutes #2020-10 of May 11, 2020.

Ayes: All

Noes: None

Motion Carried

ANNOUNCEMENTS

No announcements were made.

PUBLIC COMMENTS ON COMMUNICATIONS

No comments were received.

NEW BUSINESS

11-A COMMUNICATIONS

1. Councilman Bauer re Purchase and installation of security glass for Town Clerk's Office

Motion by Councilman Bauer, seconded by Supervisor Dickson, to approve the purchase and installation of a new glass partition/security screening for the Town Clerk's Office at a cost not to exceed \$9,500.00 noting funds are available in the Town Clerk's approved 2020 budget, the project will be submitted to FEMA, and installation will be 5 -6 weeks after written acceptance from the town.

Ayes: All

Noes: None

Motion Carried

2. Town Attorney re Raine Logistics SEQR Resolutions

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to adopt the following resolutions:

WHEREAS, the Town of West Seneca sent correspondence to the other potentially "involved agencies," as that term is defined in the State Environmental Quality Review Act (SEQRA) regulations found at 6 NYCRR Part 617, indicating the Town's desire to be designated as a SEQRA lead agency through the coordination review process; and

WHEREAS, each of the involved agencies has agreed to or raised no objections to West Seneca as a SEQRA lead agency for the proposed action; and

11-A COMMUNICATIONS (continued)

WHEREAS, the Town has determined that the proposed action is subject to the Final Environmental Impact Statement accepted by the Town of West Seneca on August 12, 1991; and

WHEREAS, the applicant is not required to prepare a new Environmental Impact Statement, but rather it must demonstrate that its project is consistent with the previously accepted Final Environmental Impact Statement;

NOW, therefore, be it

RESOLVED, pursuant to and in accordance with the coordinated review requirements of SEQRA, the Town of West Seneca has hereby established itself as SEQRA lead agency for the proposed action; and be it further RESOLVED, that based upon an examination of the Final Environmental Impact Statement, the Town's knowledge of the environmental setting, magnitude and importance of the proposed action and the Town's desire to fully consider potentially significant environmental impacts, the applicant will be required to demonstrate consistency with the previously accepted Final Environmental Impact Statement.

Ayes: All

Noes: None

Motion Carried

WHEREAS, on August 12, 1991, the Town of West Seneca accepted the Final Environmental Impact Statement for the West Seneca Industrial Park, which was prepared by Waste Resource Associates, Inc.; and

WHEREAS, the Town of West Seneca received an application for a restricted use permit from Raine Logistics to develop a cross-dock and warehouse facility in the West Seneca Industrial Park for freight consolidation services; and

WHEREAS, the application was considered by the West Seneca Industrial Park Review Committee on November 7, 2019 and all conditions of review have been met; and

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed the Final Environmental Impact Statement for the West Seneca Industrial Park Overlay District ("FEIS"), analyzing the potential for the project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

WHEREAS, upon such review the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the subject property and has determined the project is consistent with the Final Environmental Impact Statement and no further Environmental Impact Statement is necessary; and

WHEREAS, the Industrial Review Committee reviewed the project on November 7, 2019 and the Code Enforcement Officer recommended to the Town Board that the restricted use permit be granted; and

11-A COMMUNICATIONS (continued)

WHEREAS, the Town Board reviewed the project on November 18, 2019 at a regular meeting of the Town Board and granted the restricted use permit for the proposed project by Raine Logistics and determined the project was appropriate for the location and would not adversely affect surrounding properties; and

RESOLVED, the Town of West Seneca Town Board certifies that any environmental impacts resulting from the project are consistent with the provisions of the Final Environmental Impact Statement.

Ayes: All

Noes: None

Motion Carried

3. Town Engineer re Phase 6 Sanitary Sewer Repair Project bidding

Motion by Supervisor Dickson, seconded by Councilman Bauer, to set a bid date of June 25, 2020 at 2 P.M. for receipt of bids for Phase 6 Sanitary Sewer Improvements Project.

Ayes: All

Noes: None

Motion Carried

4. Highway Sup't re Appointment of Steven Hanavan as Working Crew Chief

Motion by Supervisor Dickson, seconded by Councilman Hanley, to terminate Steven Hanavan as Buildings and Grounds Laborer and appoint him as a Working Crew Chief Group 6, Step 5 at a rate of \$33.57 per hour effective May 29, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

5. Town Clerk re Budget transfer request

Motion by Councilman Bauer, seconded by Supervisor Dickson, to authorize a budget transfer request in the amount of \$9,500 from the part-time clerk line 1.1410.0138 to the office supply line 1.1410.0419 for the purchase of security glass surrounding the counter of the Town Clerk's Office.

Ayes: All

Noes: None

Motion Carried

11-B REPORTS

- Megan Wnek, Director of Finance, Supervisor's Reports: January 2020, February 2020, March 2020, & April 2020; Budget Monitoring Report April 30, 2020; Town of West Seneca Audit Fiscal Year 2019 received and filed.
- Jeffrey Schieber, Code Enforcement Officer, building & plumbing reports for April 2020 received and filed.

11-C APPROVAL OF WARRANT

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$46,424.16; Highway Fund - \$12,374.80; Sewer Fund - \$45,401.63; Electric Lighting - \$179.71 (vouchers 8909, 11832 - 12418)

Ayes: All

Noes: None

Motion Carried

OLD BUSINESS

11-D TABLED ITEMS

1. Recreation Supervisor re 2020 Summer Program and facilities status

Recreation Supervisor Lauren Masset requested the Town Board discuss and decide the status of Summer Swim Lessons and the opening of the Veterans Park Aquatic Complex due to COVID-19:

Recreation Supervisor Masset provided the following update:

- ✓ Regardless of what the Town Board decides, the NYSDOH or ECDOH could change the regulations for programs or facility ordering the town to close
- ✓ Some surrounding municipalities have decided to keep their pools closed for the season
- ✓ Reached out to ECDOH for guidance on whether the summer camps and pools were allowed to reopen and under what conditions – ECDOH has not received guidance from the NYSDOH but will forward if/when it's received
- ✓ The CDC has released guidelines for public pools including social distancing, sanitizing surfaces, and the use of masks when out of the water – which would decrease maximum capacity but not operational costs
- ✓ Issues could arise with staffing should an employee become infected – current applicants are lacking certification
- ✓ The pool operating costs are influenced by factors such as the weather, attendance, staffing, and operating hours – the cost savings by not opening the pools would be \$121,147.42

Supervisor Dickson stated some surrounding communities have decided to close their pools and asked if Ms. Masset was aware of any that were going to open their pools. Ms. Masset stated she is currently aware of five municipalities that will not open, one or two are neighboring towns; she is aware that Amherst and the City of Buffalo are still considering the decision.

Councilman Piekarec questioned if any towns are going to open and if it is realistic to wait for further information and how social distancing will be enforced. Ms. Masset stated everyone is waiting for information; there are social distancing protocols the staff would follow.

Councilman Cantafio thanked Ms. Masset for the thorough information she provided and asked if there would be any further benefit to decide on the large pool and splash pad/wading pool separately. Ms. Masset stated the opening times for each are different, but would still need to staff and order supplies if one was to be opened.

Highway Superintendent Brian Adams stated he had a discussion with Ms. Masset regarding the CDC guidelines and they determined that it would not be feasible to open the large pool due to restrictions and costs. The splash pad/wading pool requires less time to open, but they are still waiting for guidelines.

Councilman Cantafio questioned if uniforms were ordered could they be held over if they weren't used this season. Ms. Masset stated the shirts and lanyards with CPR masks and whistles could be stored and used in the future; however, the costs of staffing, on-boarding packets, and drug tests could not be recouped.

11-D TABLED ITEMS (continued)

Councilman Piekarec referred to the CDC guidelines and questioned if the wading pool and splash pad use chlorine. Ms. Masset stated the wading pool and mushroom are in the same area, the town does not have a splash pad. The wading pool is chlorinated; the mushroom is fresh/tap water. Councilman Piekarec asked if the wading pool could be open and the mushroom kept off. Ms. Masset stated that might be possible, but it would not decrease the costs of staffing and attendance would be very limited.

Councilman Hanley questioned if the town would need Erie County Health Department's clearance on using the mushroom. Ms. Masset stated it is not clear at this point, there are no guidelines due to the COVID pandemic.

Councilman Bauer questioned if Ms. Masset had enough staffing to cover the wading pool and mushroom. Ms. Masset stated she currently does not as applicants are waiting to get certification; it's also possible some may back out due to lack of hours.

Town Attorney Tina Hawthorne stated she does not have any further legal guidance regarding the opening of the facilities, but should they open it's likely that people will need to sign liability waivers. Ms. Masset stated there is a waiver for the large pool; one could be added for the wading pool – requiring an additional employee.

Councilman Cantafio asked for clarification from Ms. Masset and Mr. Adams regarding their recommendations. Mr. Adams stated the large pool isn't feasible to open, because the wading pool requires less time to open he would like to wait to make the final decision.

Councilman Piekarec stated he felt the safest decision is to not open either.

Supervisor Dickson stated there are three issues: safety, practicality, and costs. There are too many unknowns about the virus, Phase 4 is about a month away and employees' certification require pools to be open, and the cost of over \$100,000 in this environment must be taken into consideration.

Councilman Hanley stated the CDC offers guidelines not procedures. Other states are opening their summer camps and pools and would like to keep the possibility of opening the pools.

Mr. Adams questioned if the school district offered certification courses. Ms. Masset stated the Continuing Education program does offer classes but were cancelled due to the PAUSE order.

Councilman Piekarec stated his concerns are the costs over a shortened season and the safety concerns that exist.

Councilman Hanley questioned if the chemicals are the same for both pools. Mr. Adams stated they are the same chemicals just different quantities. Mr. Adams recommended not opening the large pool this summer.

Supervisor Dickson questioned the capacity of the wading pool. Ms. Masset stated normal capacity is around 100; due to social distancing requirements it would drop to 10 – 15 in the wading pool and 1 – 2 under the mushroom, measurements could be made. Extra measures would need to be taken to

11-D TABLED ITEMS (continued)

indicate household relationships.

Councilman Piekarec asked if the town would be liable for anyone waiting in line outside of the pool. Town Attorney Hawthorne responded that she does not think the town would be liable until people enter the pool area.

Public questions/comments included:

- ✓ Despite their child's enjoyment of the mushroom, they would not allow them to use it this summer
- ✓ Life guard certification is lengthy and expensive, shortened season would not make it worthwhile
- ✓ Waiting to enter the wading pool area – standing in the sun - wouldn't be healthy for children

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to close the Veterans Park Aquatic Complex for the summer of 2020.

Ayes: (3) Supervisor Dickson
Councilman Piekarec
Councilman Bauer

Noes: (1) Councilman Hanley

Motion Carried

Abstained: (1) Councilman Cantafio

ISSUES OF THE PUBLIC

A question was received regarding the opening of the Community Center and Library – Supervisor Dickson stated he is waiting for the library to open to the public noting they may start a pick up option, Spot Coffee is ready to open; he is waiting for the library to open to justify opening the building. Councilman Piekarec has heard libraries are waiting for guidance from the state.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Chief Denz

- Service calls are still up
- Traffic is increasing
- His department did a tremendous job with a food drive challenge - accumulating 2.5 tons of donations given to the West Seneca Food Pantry

Highway Superintendent Adams

- Electronics drop off at the Highway Department will resume Monday, June 1st
- Will not have a yard truck for construction materials, residents can place them on their curb

Councilman Cantafio

- Thanked everyone on the front line and appreciates everyone's efforts to reach the re-opening benchmarks

WEST SENECA COMMUNITY CENTER
1300 Union Road
West Seneca, NY 14224

TOWN BOARD PROCEEDINGS
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Supervisor Dickson

- Encouraged everyone to view the Memorial Day Ceremony on the town's Facebook page
- Contract negotiations ongoing with the PBA
- Discussions about Town Hall re-opening - targeting Phase 3; and in person Town Board Meetings
- The town received thousands of masks from Erie County to distribute to local businesses that are re-opening to give to customers
- Code Enforcement is addressing properties with high grass

Councilman Hanley

- Congratulated Steve Hanavan on his promotion
- Congratulated the Police Department on the successful food drive

Councilman Piekarec

- Congratulated the Police Department on the food drive and encouraged residents to donate as well
- Thanked Jim Manley and Supervisor Dickson for the virtual Memorial Day Ceremony
- Encouraged people to support local businesses as they reopen

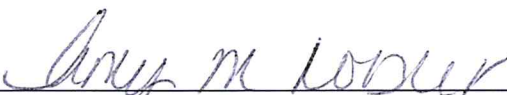
ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilman Bauer, to adjourn the meeting at 7:02 P.M.

Ayes: All

Noes: None

Motion Carried



AMY M. KOBLER, TOWN CLERK