

DRAFT

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 Hanley, to approve Minutes #2020-19 of September 14, 2020.

Ayes: All

Noes: None

Motion Carried

LEGAL NOTICES

1. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR REZONING FOR PROPERTY LOCATED AT 905 MILL ROAD, BEING PART OF LOT 66, CHANGING ITS CLASSIFICATION FROM R-65 TO R-65(A) FOR USE AS A TWO-FAMILY RESIDENCE" in the Town of West Seneca received and filed.

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Kathy Linhardt, Esq. was present on behalf of the applicant Joelle Sawyer. Ms. Linhardt stated approval was granted by the Zoning Board of Appeals on August 26, 2020 for the frontage restriction. The Planning Board recommended approval to the Town Board at the September 10, 2020 meeting. The appearance of the house suggests it was once a double; the residence has two sets of utility services and kitchens on both levels. The lot is also a good size to accommodate two families.

Supervisor Dickson questioned if any restrictions were imposed by the Planning Board or Zoning Board. Town Attorney Hawthorne stated she was not aware of any restrictions, the parking was adequate, and the variance was granted by the Zoning Board of Appeals the classification only applies to "Parcel A" as described.

Councilman Hanley questioned if the property is operating as a double and would the rezoning bring the property into compliance with the Town Code. Ms. Linhardt explained it has been family owned and they were not actively renting it out.

Motion by Supervisor Dickson, seconded by Councilman Hanley, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to grant a variance for property located at 905 Mill Road, being part of lot 66, changing its classification from R-65 to R-65(A) for use

LEGAL NOTICES(continued)

as a two-family residence for Parcel A only.

Ayes: All

Noes: None

Motion Carried

2. Proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN THE USE OF FEDERAL COMMUNITY DEVELOPMENT FUNDS" in the Town of West Seneca received and filed.

Motion by Supervisor Dickson, seconded by Councilman Piekarec, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Supervisor Dickson stated the money for the grant can only be used in a specified area of West Seneca or for senior citizens; the annual amount is usually around \$100,000.

A resident questioned if the town was able to assist seniors with moving their garbage and recycling totes to the curb on pick up days. Highway Superintendent Adams pointed out that the sanitation workers already assist residents that contact the department. Councilman Hanley agrees the town can do this without using the grant money and would like to protect vulnerable residents from being targets.

A member of West Seneca Bikes proposed using the money to build a paved pump track at Harlem Road Park. Highway Superintendent Adams questioned the cost difference between the dirt and paved options. The resident stated he believes the costs would be similar.

A resident commented that great improvements at Dirksion Avenue and Harlem Road park have been made and requested continued improvements the residents in this area.

A resident commented that children in these neighborhoods have a great need for accessible recreation opportunities especially basketball courts.

A resident requested Dwyer Street be paved as the streets around it have been. Supervisor Dickson stated Dwyer Street is outside the designated area eligible for the CDBG grant money; but as the zones are determined from census data this may change. Highway Superintendent Adams stated he has Dwyer Street on his list of streets in need of paving.

Councilman Piekarec asked Highway Superintendent Adams to weigh in on the use of the grant money. Highway Superintendent Adams stated typically it is used for paving streets; any type of improvement to the town will add value whether it is used for roads or parks. The money can be used for multiple projects.

Supervisor Dickson stated each town in Erie County proposes projects then a board votes on them; historically, West Seneca has received \$100,000.

Motion by Supervisor Dickson, seconded by Councilman Hanley, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

PUBLIC COMMENTS ON COMMUNICATIONS

No comments were received.

NEW BUSINESS

20-A COMMUNICATIONS

1. Highway Sup't. re Equipment purchase/trade-in

Motion by Supervisor Dickson, seconded by Councilman Bauer, to authorize Highway Superintendent Brian Adams to purchase the following equipment from George and Swede Sales and Service: 2020 Hyundai Wheel Loader-Sourcewell under Contract No. 032119-HCE in the amount of \$134,575.00 and trade in the following loader for \$60,000.00:

<u>Vehicle #</u>	<u>Plate #</u>	<u>Year/Make</u>	<u>Vin #</u>
1053	AK98222	2013 Hyundai	HLM01ED0000604

Noting, the net purchase amount will be \$74,575.00 with funds available in line 029950.975.1.

Ayes: All Noes: None Motion Carried

2. Chief Denz re Appointment of Anthony Patronaggio as part-time Public Safety Dispatcher

Motion by Supervisor Dickson, seconded by Councilman Cantafio, to appoint Anthony Patronaggio as part-time Public Safety Dispatcher effective September 29, 2020 at the rate of \$15.00 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

3. Chief Denz re Retirement of Robert Sporysz as Detective Captain

Motion by Supervisor Dickson, seconded by Councilman Bauer, to accept the retirement of Robert Sporysz as Detective Captain effective September 30, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

4. Director of Finance re Budget amendment – purchase of patrol vehicles Motion by Supervisor Dickson, seconded by Councilman Hanley, to adopt the following resolution:

WHEREAS, the Town has been approved by the State and Municipal Facilities Program ("SAM") for the reimbursement of the purchase of patrol vehicles for the police department in the amount of \$100,000.

WHEREAS, the cash received from this grant will be recognized as revenue in the General Fund as General Governmental State Aid - Police 01000100.3490.

NOW, THEREFORE, be it

RESOVLED, that the Town Board does hereby authorize the budget amendment to increase General Governmental State Aid - Police 01000100.3490 by \$100,000 for the receipt of the SAM grant revenue and to correspondingly increase Purchase of Police Vehicles 01312000.0208 by \$100,000 for the cost of the purchase and outfitting of three patrol vehicles for the police department.

Ayes: All

Noes: None

Motion Carried

5. Director of Finance re Purchase of Budgetary software Motion by Supervisor Dickson, seconded by Councilman Bauer, to adopt the following resolution:

WHEREAS, the Town of West Seneca (the "Town") recognizes the importance of providing transparency to its residents as well as budget monitoring and reporting excellence; and

WHEREAS, the Town secured quotes for software that will streamline and modernize the Town's budgeting process as well as provide increased transparency of the Town's financial position from two companies (ClearGov and Qwestica Ltd); and

WHEREAS, THE Town has carefully weighed the quotes provided, including the services the software provides and the cost for said software, and the Town desires to secure cost-effective budgetary software that best suit the needs of the Town for the benefit of the taxpayers; and

NOW THEREFORE, be it resolved that the Town Board of the Town of West Seneca authorizes the Supervisor to execute the Professional Services Agreement with ClearGov for budgetary software as more fully described in the attached quotation at the rates contained therein.

On the question Supervisor Dickson stated this will be submitted for complete reimbursement under the Cares Act in the amount of \$14,750.

Ayes: All

Noes: None

Motion Carried

6. Highway Sup't. re Title change for Jason Hobot to Highway Laborer

Motion by Supervisor Dickson, seconded by Councilman Hanley, to terminate Jason Hobot as Highway Heavy Motor Equipment Operator and appoint him as a Highway Laborer – Caretaker, Group 1, Step 5, at a rate of \$30.45 per hour as per the Blue Collar Contract effective September 21, 2020 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

20-B APPROVAL OF WARRANT

Motion by Supervisor Dickson, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$410,761.59; General Fund - \$96,429.67; Highway Fund - \$498.79; Sewer Fund - \$38,225.44; Electric Lighting - \$22.99; Electric Lighting - \$13,711.13 (vouchers 13738 - 14369)

Ayes: All

Noes: None

Motion Carried

OLD BUSINESS

20 – C TABLED ITEMS

1. Supervisor Dickson re Use of Recreation Funds:

Councilman Bauer met with a splash pad manufacturer to get pricing; by eliminating the wading pool it would save the town approximately \$245,000 - \$250,000 in lifeguard costs.

Supervisor Dickson stated there are many advantages to a splash pad including the length of time it can be open to the public; this item will stay in Old Business for further discussion.

2. Town Attorney re Creation of Internal Audit Committee:

Town Attorney Hawthorne addressed the concerns that were raised at the last meeting and stated many concerns are not applicable to this scenario including: the Town Board members are already covered by Errors and Omissions coverage; the scope of the work is set out; there is a Whistle Blower policy in place; the resident would be a volunteer in an unpaid position; no amendments are needed at this time.

Supervisor Dickson stated his intention was to have a resident from the financial industry be an extra set of eyes; the committee would review vouchers and credit card statements.

Councilman Piekarec reiterated he would like the committee to have five members.

Councilman Bauer stated his concerns regarding the of Open Meetings Law as this prohibits Council members to sit with departments to review and request additional information.

Councilman Hanley expressed concerns that the Town Board could be negatively impacted.

20 – C TABLED ITEMS(continued)

Councilman Piekarec stated the committee would be advisory much like the Planning Board and Ethics Board; both make recommendations that the Town Board could act on.

Town Attorney Hawthorne believes this is an advisory committee and will not be making decisions; it is a checks and balances exercise.

Supervisor Dickson clarified that the proposed audit committee is not the Citizens Budget Advisory Committee. It would be a sub-committee of the Town Board and would be subject to the Open Meetings law.

Councilman Hanley referred to the last audit of the Office of the State Comptroller and the list of recommendations did not include forming an audit committee.

Supervisor Dickson stated there is a history of vouchers not being processed correctly, and this would provide another layer of protection.

Councilman Hanley stated the last independent audit found no deficiencies and no recommendations were made for the town.

Supervisor Dickson stated this will remain an open issue.

ANNOUNCEMENTS

Endeavor Health Services Presentation

Assistant Police Chief Baker introduced Lieutenant Brian Cosgrove and Endeavor Health Services to introduce a program to assist the police department with mental health response.

Patrol Lieutenant Brian Cosgrove stated one of his major areas of responsibility within the department is with mental health and people that might be in crisis and the departments response to these calls. Lieutenant Cosgrove has been a crisis negotiator since 2010 and began training in crisis intervention since 2014; crisis intervention is a collaborative effort between police and mental health professionals. Governor Cuomo issued a mandate on police reform which includes the component of mental health issues and police response including a behavioral health specialist as a co-responder. Since this training began in 2014, there has been a good response within the police department and forty percent of the offices have received training. Traditionally the department has worked with Erie County Crisis Services; going forward there is a need for broader services. Lieutenant Cosgrove noted the Town of Cheektowaga has a full-time behavioral health specialist, Sarah Bonk of Endeavor Health and Services.

Eliza Mauro, Chief Executive Officer of Endeavor Health Services, and Sarah Bonk made a presentation about the services they offer.

Councilman Cantafio questioned the work schedule. Ms. Bonk stated there is an after-hours call crisis line. Lieutenant Cosgrove stated the hours would be tailored to serve the peak hours of need.

Councilman Bauer questioned if patrol officers currently have an obligation or ability to call in these services on domestic calls. Lieutenant Cosgrove stated they do, and forty percent are CIT (Crisis Intervention Trained) trained and have the authority to make the call.

Town Attorney Hawthorne questioned if the services are limited to calls for service or the police officers themselves. Ms. Bonk stated the program is geared toward the overall needs of the town including the police officers and even other departments that uncover a need, for example the Senior Center.

Councilman Piekarec questioned the training of the Endeavor staff. Ms. Bonk stated all employees placed within police departments are Licensed Master Clinicians; additionally, Endeavor Health offers specified training and Continuing Education Credits are required.

Councilman Piekarec questioned the fees and if grants were available from the state. Ms. Mauro stated there are grants currently available, the salary of the clinicians starts at \$55,000 plus benefits. Overall, the programs pay for themselves by saving on overtime for example.

Councilman Hanley questioned how clinicians are assigned to the variety of calls, i.e., veterans, drug, and alcohol issues, etc. Ms. Bonk stated they do fit the clinician to the situation.

Councilman Cantafio thanked the participants for the presentation and commented on the positive nature of the program and how it will place West Seneca in a great position.

Supervisor Dickson stated the next steps would be to create a plan and determine the cost of implementing this type of program in the town.

ISSUES OF THE PUBLIC

- A resident questioned if the individual who damaged the town sign will be obligated to pay the difference of the replacement cost not covered by their insurance policy – Town Attorney Hawthorne stated they are waiting for the claim to be resolved to then determine the next steps. Supervisor Dickson stated some people do not want it replaced.
- A resident questioned the status of the petitions presented to the town board requesting a lower speed limit on Covington Drive – Town Attorney Hawthorne stated she has the petition and will follow up with the resident. Supervisor Dickson has also inquired about the process and would like to explore traffic calming measures. Assistant Police Chief Baker stated the speed sign is put in place and records data; he does not recall Covington's information off hand. The police would have difficulty with a five mile per hour difference due to the accuracy of radar equipment and the Town Prosecutor will also have difficulty.
- A resident questioned when a dog census will be done – Town Clerk Kobler stated it was discussed in January and decided it would not be conducted this year. Although the limit is low, the Town Clerk's Office is obligated to license any dog presented. If the Town Board wishes a dog census can be conducted. Highway Superintendent Adams stated Animal Control responds to noise complaints; recurring complaints are addressed accordingly. Town Attorney Hawthorne stated as the former Town Prosecutor Animal Control does write tickets when necessary.
- A resident commented stated some laws on the books are not enforced and requested the Town Board modify them

ISSUES OF THE PUBLIC (continued)

- A resident requested public access to the materials that are reviewed in the SEQR process for projects and allow public input – Supervisor Dickson stated the Code Enforcement Office generally does not receive the information until just before a meeting. Town Clerk Kobler stated the application can be put online but the application does not contain much detail. Town Attorney Hawthorne agreed that putting the application online is a good idea.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Town Attorney Hawthorne

- Requested an executive session to update the Town Board on the collective bargaining agreement negotiations with the PBA.

Councilman Piekarec

- The West Seneca Library is expanding their hours

Supervisor Dickson

- The town received a donation of hardware for artwork displays in the Community Center

Town Clerk Kobler

- The Town Clerk and the Town Assessor will be at the Senior Center on Thursday, October 1, 2020 to receive tax payments and exemption paperwork

Highway Superintendent Adams

- Requested an executive session to discuss a potential discipline issue and to discuss a promotion

Assistant Police Chief Baker

- A radar detail will be placed on Covington Drive and patrol vehicles soon

EXECUTIVE SESSION

Motion by Supervisor Dickson, seconded by Councilman Hanley, to discuss the PBA contract negotiations, Blue Collar contract negotiations, a discipline issue within the Highway Department, and a promotion within the Highway Department.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Councilman Piekarec, seconded by Councilman Bauer, to adjourn the meeting at 9:12P.M.

Ayes: All

Noes: None

Motion Carried