

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

**TOWN BOARD PROCEEDINGS**  
**Minutes #2018-08**  
**April 23, 2018**

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 Barbara O'Brien.

**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 Arlene Herman, Robert Byrne, Monica Conrad, Jean Hoskins and Linda Barlow.

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**8-A MINUTES TO BE APPROVED**

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the April 9, 2018 work session.

Ayes: All    Noes: None    Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2018-07 of April 9, 2018.

Ayes: All    Noes: None    Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the April 9, 2018 executive session.

Ayes: All    Noes: None    Motion Carried

**8-B LEGAL NOTICES**

1. Proofs of publication and posting of legal notice: "OF THE ADOPTED CHANGE IN THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1420 UNION ROAD, BEING PART OF LOT NO. 112, CHANGING ITS CLASSIFICATION FROM R-65 TO C-1 FOR A PARKING LOT" in the Town of West Seneca, received and filed.

**8-B LEGAL NOTICES**

2. Proofs of publication and posting of legal notice: "OF THE ESTOPPEL NOTICE AND ADOPTED BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AUTHORIZING ADDITIONAL FINANCING FOR PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF AN ADDITION TO THE PUBLIC LIBRARY BUILDING; ESTIMATING THAT THE TOTAL COST THEREOF IS \$13,387,921; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$1,900,000 SERIAL BONDS OF THE TOWN TO FINANCE A PORTION OF SAID APPROPRIATION, IN ADDITION TO THE \$8,432,045 PREVIOUSLY AUTHORIZED AND APPLICATION OF \$1,430,759 OF ENERGY PERFORMANCE CONTRACT FUNDING AND \$1,621,917 GRANT FUNDS RECEIVED OR EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE TOWN'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS" in the Town of West Seneca, received and filed.

**8-C COMMUNICATIONS**

1. Supervisor Meegan re Retirement of Gail Vogel  
Motion by Supervisor Meegan, seconded by Councilman Hanley, to accept the retirement of Gail Vogel and terminate her as clerk/typist effective April 13, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.  
  
Ayes: All                      Noes: None                      Motion Carried
2. Highway Sup't. re Attendance at CSEA Statewide Conference on Occupational Health & Safety  
Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Brian Cummins and James Nicholas to attend the CSEA 2018 Statewide Conference on Occupational Health & Safety, noting they will use their Union Safety and Health leave time on April 27, 2018 and travel expenses will be covered by the CSEA.  
  
Ayes: All                      Noes: None                      Motion Carried
3. Highway Sup't. re Termination of Buildings & Grounds part-time laborers  
Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate James Brady, Nicholas Cafarella, Ryan Czekaj and Raymond Ignasiak as part-time laborers effective April 23, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.  
  
Ayes: All                      Noes: None                      Motion Carried

**8-C COMMUNICATIONS**

4. Highway Sup't. re Status change for sanitation Department laborers to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of the following part-time laborers in the Sanitation Department to part-time seasonal at a rate of \$10.40 per hour effective April 30 – August 31, 2018:

James Deppler  
Jeremy Krawczyk  
Andrew Pangallo

Daniel Feeney  
Norman Locher  
Michael Pauly

Zachary Giacobello  
Mitchell Mancuso  
Mackenzie Szakacs

Tyler Kluck  
Matthew McCarthy  
Christopher Szumla

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 Status change for Buildings and Grounds laborers to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change the status of Buildings & Grounds Department part-time laborers Rick Mingle and Harold Schwartz to part-time seasonal at a rate of \$12 per hour effective April 23 – September 23, 2018; and further, change the status of the following part-time laborers in the Buildings & Grounds Department to part-time seasonal at a rate of \$10.40 per hour effective April 23 – September 23, 2018:

Matthew Amoia  
Quinn Finnegan  
Jason Lehsten

Michael Baker  
Joseph Horan  
Matthew Northern

Rachel Bebak  
Wayne Kelm  
Cooper Panek

Brandon Bork  
Joseph Kropczynski  
Zachary Piechowiak

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 Status & department change for part-time laborers

Motion by Supervisor Meegan, seconded by Councilman Hanley, to change Dawson Broad and Daniel Dimitroff from part-time laborers in the Buildings and Grounds Department to part-time seasonal laborers in the Highway Department at a rate of \$10.40 per hour effective May 4 – August 31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

**8-C COMMUNICATIONS**

7. Highway Sup't. re  
Appointment of Erin Gehen  
as part-time laborer

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Erin Gehen as part-time seasonal laborer in the Highway Department at a rate of \$11 per hour effective May 8 – August 31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

8. Senior Code Enforcement  
Officer re ECWA required  
resolution for additional  
hydrants

Motion by Supervisor Meegan, seconded by Councilman Hanley, to acknowledge the addition of two new hydrants at the proposed Jasmine Avenue Waterline Replacement; and further, the town acknowledges on behalf of Fire District #6 and resolves to pay the hydrant fee that will be charged by Erie County Water Authority (ECWA).

Ayes: All                      Noes: None                      Motion Carried

9. Senior Code Enforcement  
Officer re permit fee  
schedule

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached changes in the permit fee schedule.

On the question, Senior Code Enforcement Officer John Gullo noted new fees for fireworks, re-inspection fees for first – fourth occurrence per job and basement inspection fees.

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

10. Director of Finance re  
Budget Amendment for  
Records Management Grant  
– Town Clerk

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution approving a budget amendment for the Records Management Grant received:

WHEREAS, the Town was awarded a records management grant in the amount of \$32,608 from the New York State Education Department (NYSED) for the Town Clerk's office for work completed during the period of July 1, 2016 through June 30, 2017; and

WHEREAS, the cash received from this grant will be recognized as revenue in the General Fund as General Governmental State Aid – Records Management Grant 001.0001.3060; now, therefore, be it

**8-C COMMUNICATIONS**

10. (continued)

RESOVLED, the Town Board does hereby authorize the budget amendment to increase General Governmental State Aid – Records Management Grant 001.0001.3060 by \$32,608 for receipt of the Records Management grant revenue and to correspondingly increase Town Clerk Records Management Expense – State Grants 001.1410.0442.3333 by \$32,608 for the cost of records management for the year ended December 31, 2017.

Ayes: All

Noes: None

Motion Carried

11. Director of Finance re Short-term interfund loan

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution approving a short-term interfund loan of \$1,900,000 from the General Fund to the Capital Projects Fund in anticipation of serial bond proceeds:

WHEREAS, on March 12, 2018 the Town Board adopted a resolution authorizing the issuance of \$1,900,000 in serial bonds to finance a portion of the Community Center/Library Expansion project; and

WHEREAS, a petition to submit the resolution to a permissive referendum was not filed with the Town Clerk within the statutorily required thirty (30) days of its adoption; and

WHEREAS, the resolution became effective on April 11, 2018; and

WHEREAS, Chapter 195 of the New York State Laws of 1989 provides that towns may temporarily advance moneys from one fund to any other fund; and

WHEREAS, the town’s General Fund has available cash at April 24, 2018; now, therefore, be it

RESOLVED, the Town Board does hereby authorize the General Fund to provide a short term interfund loan in the amount of \$1,900,000 as of April 24, 2018 to support the Capital Projects Fund to be repaid upon receipt of bond proceeds.

Ayes: All

Noes: None

Motion Carried

**8-D REPORTS**

- John Gullo, Code Enforcement Building and Plumbing Report for March 2018 received and filed.

**8-E APPROVAL OF WARRANT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$321,833.49; Highway Fund - \$111,098.08; Special Districts - \$9,259.54; Capital Fund - \$137,127.80 (vouchers 104549 - 104938) Trust - \$273,333.75 (vouchers 104807 - 104845)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

- Deborah Smith, a member of the Erie County Opiod Epidemic Task Force and Chair of Family & Consumer Support & Advocacy spoke about the opiod crisis. Ms. Smith asked for the town's help and stated she would like to present OD mapping at the next Town Board meeting. She further questioned the West Seneca Police Department's decision to not carry Narcan.

Chief Denz responded although his officers do not carry Narcan, they work in conjunction with the local fire departments and AMR ambulance that both carry it. He has been monitoring the issue and believes the policy is working.

Bill Cleary of Vigilant Fire Company commented on their efforts and the problems they encountered with the HIPPA law, noting he believes there is a need for coordination beyond the local level. Mr. Cleary stated the opiod epidemic affects all age groups and rehabilitation is critical. He suggested the town institute a drug court.

- Paul Wolf, President of the Buffalo Niagara Coalition for Open Government spoke on their evaluation of the town's website and offered recommendations. Town Clerk Jacqueline Felser referred to another website report card done by See Through NY where West Seneca was the only municipality in Erie County to receive a passing grade. The town's website was adjusted based on suggestions made from that report (i.e. FOIL request form was added to the Town Clerk's page). Councilman Hanley commented Mr. Wolf's report is opinion and not a scientific report. The town was also upgrading its website at the time the report was done and further improvements are forthcoming.

- A Kron Avenue resident stated his street was paved ten years ago and the blacktop is peeling off. Highway Sup't Matthew English stated he will add Kron Avenue to the list of streets to be looked at and the foremen will be out to rate the condition of the street.

- A Covington Drive resident referred to an opinion from Robert Freeman of the Committee on Open Government that stated ethics committee meetings should be open and public. Councilman Hart stated the ethics meetings will be open, but the committee has the right to go into executive session.

A Woodward Crescent resident suggested addition of a whistleblower policy to the town's ethics code. She further suggested publicly advertising for members of the ethics committee and any advisory committees.

**ISSUES OF THE PUBLIC**

- A Covington Drive resident referred to a comment at a previous meeting where a spending and hiring freeze was suggested due to recent figures involving sewer chargebacks and workers compensation payouts. Councilman Hanley stated he is checking on the sewer chargebacks and asking for an explanation.
- A Burch Avenue resident requested a breakdown of the amount billed by the public relations firm. Supervisor Meegan responded the town has not been billed yet.
- Carol Yetter spoke on behalf of the Burchfield Nature and Art Center volunteers and thanked Highway and Building & Grounds laborers for their help in getting the park open. Earth Day was Saturday and Mrs. Yetter expressed her thanks to the Waterkeepers, West Seneca Environmental Commission, Girl Scout Troop #3012, Boy Scout Troop #416, members of the public and students and parents from Queen of Heaven School for their help in cleaning the park. Some improvements this year are a butterfly meadow from the scouts, new birdhouses and a stump garden along with QR codes to scan with phones to obtain various guides.
- A Union Road resident questioned how a complaint on a drug house in town would be handled and if the Police Department had enough resources. Chief Denz responded a drug complaint would be forwarded to the narcotics unit of the detective bureau for investigation and other agencies offer mutual aid to the town.
- A Union Road resident referred to the April 9, 2018 executive session minutes concerning moa's for the labor contracts and questioned how it came about. Town Attorney John Fenz stated a representative from the blue collar unit brought this to the Town Board's attention.

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

**CODE ENFORCEMENT OFFICER JOHN GULLO**

- Senator Gallivan is sponsoring a Health & Safety Fair on Saturday, April 28<sup>th</sup> from 9:00 A.M. – 1:00 P.M. at Union Fire Company.
- Office of Disaster preparedness along with the CERT team will be installing smoke detectors in West Seneca homes on Saturday, April 28<sup>th</sup>.

**CHIEF DENZ**

- A Drug Drop Off will be held at the senior center on Saturday, April 28<sup>th</sup> from 9:00 A.M. – 2:00 P.M.
- A volunteer firefighter drive and recruitment is ongoing in all six fire districts.

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

**COUNCILMAN HART**

- Proposed changes to the ethics code and will be scheduling a public hearing.
- Congratulated students from West Seneca Schools who received the "Students of Excellence" award.
- West Seneca is the recipient of the Comprehensive Planning award for the year 2017; an awards ceremony and dinner will be held on May 14<sup>th</sup>.

**EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 8:10 P.M. pursuant to Public Officers Law §105(1)(f) to discuss the discipline of two particular employees and to discuss a collective bargaining issue with the white collar unit.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 8:45 P.M.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:45 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**





TOWN OF  
**WEST SENECA**  
"PROUD PAST - UNLIMITED FUTURE"



Town of West Seneca Code Enforcement Office – Fee Schedule

Fee Schedule for Building and Zoning Compliance Permits Extract from Executive Law, Article 18 and Section 383:  
".....each municipality.....is expressly authorized and empowered to make, amend and repeal rules for the administration and enforcement and for the collection of reasonable fees in connection therewith...."

- A. WHEN A STOP WORK ORDER IS ISSUED AND WORK CONTINUES THE PERMIT FEE IS DOUBLED FIRST DAY, IF CONTINUES WITHOUT PERMIT FEE IS INCREASED BY 50% EACH DAY.
- B. ANY PERMITS NOT APPLIED FOR PRIOR TO WORK COMMENCING THE FEE IS AUTOMATICALLY DOUBLED.

**BUILDING PERMITS:**

**One and Two Family Homes** \$ .25/sq ft

Note: Floor area shall not include cellar, non-habitable basement, non-habitable attic or carport, but shall include an accessory garage. Floor area shall be based upon outside dimensions of the building.

3" Truss ID Decal \$ 4.00 each

**Multiple Dwellings** \$ .25/sq ft

**Building of Non-Residential Occupancy (New Building)** \$ .30/sq ft  
\$ 250.00 min.

**Repairs, Alterations & Decks - Residential**

- Up to \$500 \$ 20.00
- Over \$500 up to \$1,000 \$ 30.00
- For each \$1,000 over the first \$1,000 \$ 5.00

**Re-Roofing and Siding** \$ 40.00

**Additions – Residential** \$ .35/sq ft

**Commercial Fee (Repairs, Alterations, Additions, Solar Panels)** \$ 275.00 min.

- Up to \$1,000 \$ 20.00
- For each \$1,000 over the first \$1,000 \$ 10.00
- 6" Truss ID Decal \$ 8.00

**Demolition Work**

- Up to \$1,000 \$ 50.00
- Over \$1,000 up to \$5,000 \$ 70.00
- For each \$1,000 over \$5,000 \$ 8.00

**Certificate of Occupancy - Commercial** \$ 100.00

**Annual Fire Inspection Fees:**

- Initial inspection No Fee
- First Re-inspection No Fee
- Second Re-inspection \$ 50.00
- Third Re-inspection \$ 50.00



TOWN OF  
**WEST SENECA**  
"PROUD PAST - UNLIMITED FUTURE"



Town of West Seneca Code Enforcement Office – Fee Schedule

Private Garages

Unattached	\$ .15/sq ft
Attached	\$ .20/sq ft

Accessory Structures

Storage Sheds, Fences, Pools, etc. For first \$1,000 estimated cost	\$ 18.00
For each additional \$1,000	\$ 8.00

<u>Mechanical (Furnace, Rooftop, etc. )</u>	\$ 25.00
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<u>Emergency Generator Installation</u>	\$ 15.00
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Fireplaces & Wood Stoves

Gas or Solid Fuel	\$ 40.00
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Solar Panels – Residential

\$ 15.00

Commercial

\$ 275.00

Parking Areas

Driveway for One or Two Family Homes	\$ 15.00
Commercial or Multiple Dwellings: First 1,000 sq ft	\$ 50.00
1,000 to 10,000 sq ft	\$ 80.00
Each 1,000 sq ft thereafter	\$ 2.00

Commercial Mechanical Permit

\$ 50.00

Fireworks

Display \$ 125.00

Retail Annual Fee \$ 50.00

Sign Permits

Min. Fee up to 3 sq ft	\$ 20.00
Thereafter per sq ft	\$ 1.75/sq ft
Temporary Signs	\$ 70.00/60 days

Snow Removal Contractor License

\$ 25.00/vehicle

Tree Removal

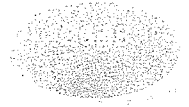
No Fee

Recreation Fee

Single Family Dwelling or Building Lot	\$ 225.00
Two Family Dwelling	\$ 325.00
Multiple Dwellings – per unit	\$ 100.00



TOWN OF  
**WEST SENECA**  
PROUD PAST • ENLIGHTENED FUTURE



Town of West Seneca Code Enforcement Office – Fee Schedule

**Liquid Containers (Tank Installation)**

Tank Capacity of 550 gallons up to 3,000 gallons \$ 100.00  
Sum of \$10.00 for each 1,000 gallons or fraction  
thereof in excess of 3,000 gallons

**Tank Removal**

\$ 100.00/tank

**Moving a Structure**

\$ 100.00

Plus \$2.00 per \$1,000 of new construction cost

**Re-Inspections**

(Fees associated with all inspections)

First occurrence per job \$40.00  
Second occurrence per job \$80.00  
Third occurrence per job \$120.00  
Fourth occurrence per job \$160.00

**Permit Extension**

After 6 month Extension \$ 15.00  
After 1 year Extension Permit Fee Issued

**Tower Special Permit Fee – Application Fee**

\$2000.00

Plus additional costs for outside consultants incurred by the  
Town for review of propagation Studies, search ring and analysis,  
co-location possibilities of any other review deemed by Town Officials

**New Tower**

(measure from grade to uppermost part of tower) \$ 20.00/linear ft of height

**Co-User of Existing Telecommunications Tower (Change out)**

\$ 500.00/user/antenna

**Located on Existing Structure, Other Than Existing Tower  
(Water Tower)**

\$1000.00/user

**Site Plan Review Fee**

\$ 3000.00



ZONING SPECIAL PERMITS & SPECIAL DEVELOPMENT PLANS

This fee is presently \$75.00 per application, and the cost for processing, public hearing and required legals has *substantially* increased. Requests to reschedule meetings with the Planning Board, Zoning Board & Town Board will result in additional charges to cover cost of publication, correspondence and postage. Recommended is the following schedule:

.5 acres or less	\$175.00
.6 acres to 2 acres	\$300.00
2.1 acres to 5 acres	\$300.00
[Plus \$50.00 for each acre over 2]	
5.1 to 10 acres	\$475.00
[Plus \$15.00 per acre over 5]	
10.0 acres or more	\$525.00
[Plus \$10.00 per acre over 10]	

HOME OCCUPATION APPLICATION \$125.00

BOARD OF APPEALS APPLICATION \$160.00

PLUMBING FEES

Filing Fee:	
One and Two Family Dwellings	\$ 35.00
All Others	\$ 55.00
From 1 to 5 Fixtures	\$ 4.00 ea. fixture
From 6 to 10 Fixtures	\$ 2.50 ea. fixture
Over 10 Fixtures	\$ 2.00 ea. fixture
Dishwashers	\$ 5.00 ea. fixture
Garbage Disposals	\$ 5.00 ea. fixture
Open Waste Fixtures	\$ 5.00 ea. fixture
Hot Water Tank Replacement	\$ 35.00
Must include installation of hard-wired smoke/co detectors and must be installed by a West Seneca licensed plumber	



## Basement Inspections Fees

- No Show for Appointment or Cancellation less than **ONE** hour before appointment

First Offense: Warning with Letter sent

Second Offense: \$50.00 Fee

Third Offense: \$ 50.00 Fee and Summons Sent

- Administrative for multiple letters or Summons

More than (3): \$25.00

Summons: \$50.00

- Re inspections

First: No Charge

Second: \$25.00

Third: \$25.00 (Summons will also be sent out if violation is NOT corrected)

- Violations Not corrected in Allotted time

Per Month: \$50.00



**SEWER CONNECTION & INSPECTION FEES**

<u>ERIE COUNTY SEWER 1 &amp; 3</u>		<u>WEST SENECA SEWER DISTRICTS</u>
SINGLE FAMILY	\$100.00	\$400.00
DOUBLES/DUPLEX	\$100.00 FIRST UNIT \$ 50.00 SECOND UNIT	\$400.00 FIRST UNIT \$300.00 SECOND UNIT
MULTIPLE	\$100.00 FIRST UNIT \$ 50.00 EACH ADDITIONAL	\$400.00 FIRST UNIT \$300.00 EACH ADDITIONAL
MOTELS/HOTELS	\$100.00 FIRST UNIT \$ 50.00 EACH ADDITIONAL	\$400.00 FIRST UNIT \$200.00 EACH ADDITIONAL
COMMERCIAL	\$100.00	
Industrial & Others	\$400.00 MINIMUM	
First 5 Fixtures	\$ 80.00 EACH ADDITIONAL FIXTURE	
Sewer Lateral Replacement/Repair		\$ 75.00
Water Service “ “		\$ 55.00
Geothermal Heating System		\$ 25.00
Plumbing Exam Application Fee		\$ 130.00
Special Exam Fee		\$ 225.00
Sewer Contractor Exam Fee		\$ 100.00
Master Plumber License Renewal Fee (yearly)		\$ 125.00
Sewer Contractor License Renewal Fee (yearly)		\$ 75.00