



Town of West Seneca

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MEMO

To: The Honorable Town Board

From: Tina M. Hawthorne, Town Attorney

Date: October 28, 2021

Subject: Burchfield Nature & Art Center Repairs
Resolution

Please see attached resolution drafted in collaboration with Councilman Bauer for review and adoption. This resolution will, in part, repeal the prior resolution regarding the Burchfield repairs that was adopted by the Board on March 30, 2020.

RESOLUTION

WHEREAS, the building at the Charles E. Burchfield Nature & Art Center, located at 2001 Union Road, is a Town owned property that is in a state of disrepair, which has limited it's occupancy and functionality for the Town and it's residents for an extended period of time; and

WHEREAS, Councilman William Bauer at the Town Board meeting on March 19, 2020 gave an oral and written presentation of the need of repair to the Burchfield, the estimated costs by outside contractors to complete the work, and analysis of reduction of that cost by utilizing Town resources and again discussed the needed repairs at the Town Board meeting on March 30, 2020 before a majority of the Town Board passed a resolution regarding said repairs to Burchfield, and at the August 23, 2021 Town Board meeting, Councilman Bauer presented on the imminent need for repairs to Burchfield in order to stabilize the exterior walls; and

WHEREAS, the Town Board of West Seneca has determined that it is in the interest of West Seneca and its residents to repair the building so it is able to be fully occupied and functional, and said repairs shall include east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs; and

WHEREAS, the New York State Assemblyman, Patrick Burke, of the 142nd Assembly District, sponsored a State and Municipal (SAM) Facilities Program Project grant administered by the Dormitory Authority of the State of New York (DASNY) in a total amount of \$315,000.00 for milling and paving of Tampa Drive, renovation of the Charles E. Burchfield Nature and Art Center, and purchase camera license plate readers and a motorcycle for the Police Department; and

WHEREAS, the above-referenced SAM was approved by DASNY on August 9, 2021 and was subsequently approved by the Division of Budget on October 21, 2021, and the Town understands that the grant is still subject to both the Town and DASNY signing an agreement for these funds and recognizes the grant is reimbursement based; and

WHEREAS, funds to repair Burchfield have not been included in the Town of West Seneca 2022 Tentative Budget; and

WHEREAS, the Town Board passed a resolution on December 7, 2020 wherein the Town Board determined no further review of the proposed action is required under SEQRA as it relates to the rehabilitation of the Burchfield; and

NOW THEREFORE, be it resolved that the Resolution passed on March 30, 2020 by the Town Board concerning repairs of the Burchfield is hereby repealed; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of West Seneca allocates up to \$140,000.00 of the SAM grant referenced herein to repairing the Burchfield Nature and Art Center, specifically the east gallery exterior and interior wall and ceiling repairs, patio restoration, main gallery ceiling repairs and painting, and west gallery exterior and interior wall and ceiling repairs; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute any and all documents required for funding of the grant; and

BE IT FURTHER RESOLVED, that the Town shall not incur any expenses for the repairs to the Burchfield referenced herein until such time as there is a fully executed contract for the grant between the Town and DASNY.