

ROLL CALL: Present: Supervisor Gary Dickson
Councilmember Scott Robertson
Councilmember Mary Sherman
Councilmember Robert Breidenstein

Absent:

SUPERVISOR CALL TO ORDER

1. Pledge of Allegiance
2. Fire Safety Notification
3. Roll Call

CONSENT AGENDA

1. Accept agenda as published

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to accept the agenda as published with one change, Personnel item no. 2 will be moved to the front of the agenda.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

MINUTES TO BE APPROVED

1. Town Clerk Newton re Meeting Minutes 2026-14 of July 27, 2026

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve Meeting Minutes 2026-14 of July 27, 2026 .

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

OLD BUSINESS

1. Town Clerk Newton re Proofs of Publication and posting of legal notice "OF A PUBLIC HEARING TO HEAR ALL INTERESTED PARTIES AND CITIZENS FOR OR AGAINST THE ADOPTION OF LOCAL LAW 2026-4 MODIFICATION OF CHAPTER 46-6 AVOIDABLE ALARMS" in the Town of West Seneca.

Supervisor Dickson stated the town is awaiting input on the proposed modifications.

LEGAL NOTICES

1. Town Clerk Newton re Proofs of Publication and posting of legal notice "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 1340 ORCHARD PARK ROAD FOR THE SERVICE OF ALCOHOL" in the Town of West Seneca. (Project documents)

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to open the public hearing.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

Supervisor Dickson stated the Planning Board members had questions and received answers from the applicant and no public comments were received. The project received a positive recommendation from the Planning Board.

Alexander Armstrong, of Armstrong's Beer Company, provided the following information:

- Family friendly tap room
- The layout will include a lounge area with tables, an L-shape bar with taps behind and coolers for self-service by patrons
- Alcoholic beverages will include beer, wine, and cider
- Will offer a very limited food menu
- Full kids recreation are at the back of the space
- Considering adding a playground outside next summer

Supervisor Dickson asked if Mr. Armstrong is familiar with this type of business. Mr. Armstrong stated there is a business called Big Oyster Brewing in Rehoboth Beach that is family friendly and his desire is to create a family-friendly atmosphere. Supervisor Dickson asked how the kids' areas would be monitored. Mr. Armstrong stated a camera would be installed and accessed through a cell phone. The hours of operation would be noon - 9 P.M.

Councilmember Sherman asked if there would be an age limit for children to be in the play area. Mr. Armstrong stated he would leave that up to parental discretion.

The following comments and questions were received:

Joseph Steffan, 1366 Orchard Park Road

- Expressed concern about adequate parking and safety
- Will there be an arcade room

Supervisor Dickson asked Chief Cosgrove to address parking concerns. Chief Cosgrove stated there have not been any parking issues and noted parking is legal along the shoulders of Orchard Park Road.

Mr. Armstrong stated he does not anticipate many occasions of the parking lot being full and parking

along Orchard Park Road is legal. Any children must be accompanied by an adult, so teenagers could not enter just to play arcade games.

Councilmember Breidenstein stated he followed up with the Code Enforcement Department regarding parking concerns and noted there is ample parking and the town must be notified of large events.

Councilmember Robertson stated he is aware of other similar businesses and wished Mr. Armstrong luck with his venture.

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to close the public hearing.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to grant a special use permit for property located at 1340 Orchard Park Road for the service of alcohol in the Town of West Seneca.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

REGARDING PUBLIC COMMENTS

The Board will now entertain public comments for an item on the agenda or for any topic of concern. Each speaker should state your name and street for the record. Please be respectful in your comments and do not divulge any personal or confidential information (for example: names, specific situations, etc.). Speakers should recognize that not all questions or comments can be answered immediately and may require additional research. It is the Board's goal to respond in a thoughtful, timely, and accurate manner.

PUBLIC COMMENTS

The following comments and questions were received:

Maria Telaak, Emerald Drive:

- Her property is "ground zero" for the sewer work near Cazenovia Creek
- In her opinion, the contractor has entered and is working on her property without permission or an easement
- Has experienced property damage, and specifically the hedges that served as a privacy screen
- The bypass sewer line was placed on her property without notification and she expressed concerns about a potential issue of the lines leaking

Town Attorney Trapp stated the easement does allow repair and maintenance of sewer lines and will need to consult with the engineer regarding safety concerns. Ms. Telaak stated that Mr. Foote

indicated there was not an easement on her property and she believes that the courtesy of requesting her permission, would have improved the situation. Supervisor Dickson stated the engineering department has been in communication with Ms. Telaak but suggested the issue with the hedges was not known. Further, the existing sewer line is within 8' of Ms. Telaak's foundation and is sagging; the new sewer is being built farther from the house and fixing the sag, and fixing the property would be accomplished after the project. Supervisor Dickson asked Mr. Trapp to speak about the town's responsibility to repair facilities. Mr. Trapp stated the town has the right under the easement for the construction and repair of the sewer, and one of the requirements is to repair/replace damaged property. Supervisor Dickson stated that if the plants cannot be replaced, the town may build a fence.

Ms. Telaak stated that during a discussion she was assured that the hedges would not be impacted and expressed concerns about the sewer line failing. Supervisor Dickson stated the town would make things right on her property. Ms. Telaak asked if the town has the right to occupy her private property. Mr. Trapp stated within the context of repairing within the easement or right-of-way. Ms. Telaak stated she has not yet seen the easement and continued to insist there is not an easement on her property. Mr. Foote stated this will be provided with her FOIL request. Mr. Trapp stated that some easements are so old they are not indicated on newer surveys.

Ms. Telaak handed a complaint/inquiry to Town Clerk Newton.

Ms. Telaak asked if this project would solve the problems in her neighborhood, including sewer back-ups. Supervisor Dickson stated much work has been completed, and the town is no longer receiving complaints. The current project should benefit residents further upstream.

Beverly Leising, Harwood Road:

- The presentation by Mr. Richert about the deer cull program was excellent and is happy to hear that the program will be expanding
- Requested a time frame for a financial report from the Civic and Patriotic Commission, specifically regarding \$38,000 received by the town - Supervisor Dickson stated Councilmember Breidenstein would provide a report.
- Will the expiring contract with the Civic and Patriotic Commission be amended to include financial reports - Mr. Trapp stated negotiations will begin this fall.
- Part D Medicare will be reversed in January, expressed concern about rising costs of medication, and called for action to counter this to be taken now
- Need organizations to help seniors

David Klawitter, South Warren Avenue:

- Congratulated the town for creating the fitness room and asked what employees are eligible to use the facility - Supervisor Dickson stated this was an initiative of the PBA. Chief Cosgrove stated full time town employees can use the facility. Mr. Klawitter asked why part-time employees are not eligible and suggested this be considered. Chief Cosgrove stated Assistant Chief Pelow made this recommendation.

NEW BUSINESS

1. PERSONNEL

1. Highway Superintendent Adams re Retirement of Sanitation General Crew Chief Kevin McCartan

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to accept the retirement of Kevin McCartan from his position as Sanitation General Crew Chief effective August 29, 2026, noting his last day of work will be August 28, 2026.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

2. Chief Cosgrove re Promotion of Detective Joseph Reidy, Jr. to Lieutenant

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to promote and change the title of Detective Joseph Reidy, Jr. to the rank of Lieutenant effective August 11, 2026, at an annual salary of \$120,430.06 to be paid from Police budget line 01312000.50161.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

3. Director of Recreation Cox re Title change of Lifeguard Luke Blatchley

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to promote and change the title of Luke Blatchley from Lifeguard to Head Lifeguard at the rate of \$19.00 per hour effective August 11, 2026.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

2. COMMUNICATIONS TO BE VOTED ON

1. Deputy Supervisor Greenan re Renewal of Cyber Insurance

Kathleen Rapasadi of Tompkins Insurance/Gallagher Insurance was present along with Randy Glenn. Mr. Glenn provided the following information:

- The town has had cyber insurance
- Cyber liability is experiencing an uptick
- CFC is one of the best companies for cyber insurance
- Recommend that the town increase the computer crime coverage from \$250,000 to \$500,000
- There are two options for the town's consideration; a \$0 retention/deductible or a \$10,000 retention/deductible
- The premium, after taxes and fees, for the 2nd option (\$10,000 retention/deductible) would be

\$24,342.82 versus \$28, 954.51

Councilmember Breidenstein asked when the current policy expires. Ms. Rapasadi stated August 16th.

Ms. Rapasadi stated the following companies were contacted but declined as they could not compete with the pricing: Beazley, E-Risk, and Westchester. Councilmember Sherman asked if the companies declined because the town had cyber claims. Ms. Rapasadi stated they did not and the town has never had a cyber claim. Councilmember Breidenstein stated the declinations should be included with the agenda item.

Councilmember Sherman questioned the deductible. Mr. Glenn stated the town would pay one deductible of \$10,000 per claim. Councilmember Sherman asked what would happen if the town met the \$10,000 deductible. Mr. Glenn stated the town would forward any invoices beyond \$10,000 to the insurance company; the reinsurance company would cover costs up to \$1M.

Councilmember Robertson asked when the process of exploring other carriers and services began. Ms. Rapasadi stated the process begins 6 months ahead. Councilmember Robertson stated the proposal was just brought to the Town Board when the current policy expires in 6 days and requested that the Town Board members are included sooner to have adequate time to consider the information. Ms. Rapasadi and Mr. Glenn confirmed they would do this.

Councilmember Breidenstein stated that while he is pleased to have a robust cybersecurity package, it is frustrating that the numbers provided for the agenda are different than the figures being considered at the meeting. Going forward, Councilmember Breidenstein requested that the proposal is cleaner and understandable by town residents. Further, Councilmember Breidenstein stated that he would like at least 30 days notice of any new proposal.

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to accept the quote for cybersecurity insurance from CFC in the amount of \$24,342.82 with crime coverage increasing to \$500,000 with a \$10,000 retention (deductible).

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

2. Councilmember Breidenstein re Use of out-of-service police vehicle

Motion by Councilmember Breidenstein, seconded by Councilmember Sherman, to adopt the following resolution reassigning an out-of-service police vehicle to the Recreation Department:

WHEREAS, the Town Board previously and unanimously adopted a resolution on June 29, 2026, declaring certain Police Department vehicles as out-of-service property; and

WHEREAS, the Town Board Liaisons for the Police Department and Recreation Department

respectively, has determined that one of the vehicles previously designated as out-of-service is no longer needed for disposal and can be utilized to support municipal operations; and

WHEREAS, the Recreation Department has identified the need for a departmental pool vehicle to be used by authorized Town employees in the performance of official Town business;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby rescinds that portion of the June 29, 2026, resolution declaring the following vehicle as out-of-service:

- 2021 Chevrolet Tahoe (formerly assigned to West Seneca Police Department), VIN: 1GNSKLED2MR337827

BE IT FURTHER RESOLVED, that the above-referenced Chevrolet Tahoe is hereby removed from the out-of-service inventory and reassigned to the Town of West Seneca Recreation Department as a departmental pool vehicle.

BE IT FURTHER RESOLVED, that the vehicle shall be available for use only by authorized Town employees who possess a valid driver's license and are approved to operate Town-owned vehicles in accordance with applicable Town policies and procedures.

BE IT FURTHER RESOLVED, that the appropriate Town officials are authorized and directed to update the Town's vehicle inventory, insurance, and any other records necessary to effectuate this reassignment.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

3. Director of Recreation Cox re Recreation management software

Director of Recreation Cox explained the need to upgrade the Recreation Department software and noted Dash by Daysmart would also serve as the reservation system for the town for all town facilities and addresses the complaints residents have expressed. It is necessary to begin implementation immediately and have a target date of November 1, 2026, to go live.

Councilmember Sherman asked if any additional equipment would be needed for the new software. Director of Recreation Cox stated new card readers would be needed at some point in the future. Councilmember Sherman commented that the software appears to be very robust and includes notification capabilities.

Councilmember Robertson asked how testing of the software would occur. Director of Recreation Cox stated testing would be ongoing during the implementation process.

Councilmember Breidenstein asked if tap to pay would be available. Director of Recreation Cox stated the current card readers do not have the capability, but new card readers, at the cost of \$250, would be needed.

Supervisor Dickson noted the 3-year subscription costs would be: 1st year at \$6,000.00; 2nd year at \$6,300.00; 3rd year at \$6,615.00. Director of Recreation Cox explained the pricing of MyRec is calculated differently.

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to approve the purchase of new recreation management software from Dash by DaySmart at the cost of \$6,000 for the department's administration of programs and space reservations to be paid from budget line 01714000.50216 — computer software.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

3. WARRANT

1. Director of Finance re Approval of Warrant

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve the vouchers submitted for audit, chargeable to the respected funds as follows:

General Fund: \$ 56,847.81
Highway Fund: \$ 28,323.91
Capital Fund: \$ 29,356.63
Trust & Agency Fund: \$0
Sewer Districts: \$ 9,931.86
Water Districts: \$ 0.00
Drainage District: \$ 0.00
Gas Conversion Lighting Districts: \$ 26.02
Electric Lighting Districts: \$ 3,326.18

Total: \$ 127,812.41

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

ISSUES OF THE PUBLIC

The following comments and questions were received:

Jeff Quain, Davis Road:
- Congratulated the WSYBA for the event at Firemen's Park

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Recreation Director Cox

- Successful summer and extending pool hours in August
- Fall catalog is now available, noting there are programs scheduled for all school holidays

Chief Cosgrove

- Congratulated Lieutenant Reidy on his promotion and Kevin McCartan on his retirement

Director of Senior Services

- The flooring and ceilings will be transitioned

Councilmember Robertson

- Received inquiries from Cedar Ridge Drive residents and requested an update from Mr. Foote - Mr. Foote stated he is finalizing all options and costs, and will have this information in the next few days.
- Also wished his congratulations to the promotion and retirement
- National Night Out was a very successful event

Supervisor Dickson

- Considering bringing a Ground Round restaurant back to West Seneca
- September 11th commemoration at Union Fire Hall for the 25th anniversary

Councilmember Sherman

- A More Perfect Union on Union is scheduled for September 12th
- Thanked Ms. Telaak for attending the meeting and speaking directly to the Town Board

Councilmember Breidenstein

- Thanked the Armstrong family for continuing to invest in the town
- Thanked all that were involved in creating the Wellness Center in the Community Center and Library
- Residents on Neubauer Court have ongoing property issues and the Code Enforcement Office is involved
- Regarding the Civic and Patriotic expenses, approximately \$11,300 for the planters and arrangements; \$717 for port-a-potties; \$395 for signage; \$3,000 for awards and certificates for competition participants; \$779 for additional printing; and \$252 for banners and buntings which totals \$16,400

Highway Superintendent Adams

- Also congratulated Lieutenant Reidy and Kevin McCartan

Town Clerk Newton

- Received Mr. Trapp's email this afternoon regarding 8 Emerald Drive and will forward it to Ms. Telaak tomorrow

EXECUTIVE SESSION

No executive session was needed.

**WEST SENECA COURT ROOM
1250 Union Road
West Seneca, NY 14224**

**TOWN BOARD
Meeting Minutes 2026-15
August 10, 2026**

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to adjourn the meeting at 7:16 P.M.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried