

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

TOWN BOARD PROCEEDINGS
Minutes - Meeting # 2026-06
March 23, 2026

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

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 Robertson, to accept the agenda as published and group Communication Item Nos. 5 - 13 in one vote.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

MINUTES TO BE APPROVED

1. Town Clerk Newton re Meeting Minutes 2026-05 of March 9, 2026

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve Meeting Minutes 2026-05 of March 9, 2026.

Ayes: 5 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

Public comments and questions were received as follows:

James Raymond, 81 Cedar Ridge Drive:

- Spoke of the strong opposition he and the surrounding property owners share regarding the Kloc's Grove project
- Can the Town Board identify specific sections of the Comprehensive Plan that support introducing a hotel use at 1285 Seneca Creek Road, or what is the legal basis for overriding the Comprehensive Plan
- How is this not spot zoning
- What is the broader public benefit
- Would the zoning change apply to other parcels, if so, which ones

- What studies have been done for the Town Board to rely on, including traffic, water, sewer, and emergency services
- Have independent studies been completed and available for the public
- Was a full Environmental Impact statement required under SEQRA, if not, why
- What alternatives were considered for the property without changing the law
- Can the Town Board confirm that no commitments were made to the property owner prior to the public hearings
- Expressed concerns about the costs that would be incurred by taxpayers during Article 78 legal proceedings
- Expressed concerns about transparency and influence
- Encouraged the Town Board to decline to consider the applicant's rezoning request

Amanda Putrelli, Lein Road:

- Adjacent property owner of 1245 Seneca Creek Road
- Strongly opposes the proposed rezoning
- In her opinion, this is spot zoning
- The town submitted inaccurate information to Erie County and cited an email released through a FOIL request noting the Town Attorney citing 27 arguments against the rezoning and 11 - 12 in support
- Nearly every resident directly affected opposes the request, noting nearly 400 signatures, widespread neighborhood signage, public participation at Town Board meetings
- Concerns include declining property values, reduced quality of life, pedestrian safety risks, environmental harm, increased strain on overburdened county infrastructure, irreversible loss of the neighborhood's character and green space; proposal seeks to undue decades of preservation efforts by the Kloc family
- Purchased property because of the green space

NEW BUSINESS

1. PERSONNEL

1. Town Clerk Newton re Retirement of part-time Clerk Typist Donna Ferron

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to accept the retirement of part-time Clerk Typist Donna Ferron effective March 9, 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. Town Clerk Newton re Status change of Pamela Neal from part-time Seasonal to part-time Senior Clerk Typist

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve the status change from seasonal to part-time for part-time Senior Clerk Typist Pamela Neal effective March 4, 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

3. Chief Cosgrove re Retirement of Lieutenant David Szmania

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to accept the retirement of

Lieutenant David Szmania effective March 28, 2026, noting his last day on the payroll is March 27, 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. Chief Cosgrove re Retirement of Police Officer Scott Daley

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to accept the retirement of Police Officer Scott Daley effective March 29, 2026, noting his last day on the payroll will be March 28, 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. COMMUNICATIONS TO BE VOTED ON

1. Town Attorney re Local Law 2026-3 Modification of Chapter 12-20.8 Outdoor Entertainment

Mr. Trapp stated the proposed modification seeks to obtain additional information from the applicant and to streamline the process by directing the Code Enforcement Office to perform initial reviews.

Councilmember Piekarec stated the requests being heard by the Zoning Board of Appeals have been increasing over the past decade. A goal of the modification is to set clear standards in the town code.

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to schedule a public hearing for Local Law 2026-3 Modification of Chapter 12-20.8 Outdoor Entertainment.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. Town Attorney re Local Law 2026-4 Modification of Chapter 46-6 Avoidable Alarms

Councilmember Piekarec stated that he joined the Fire Chiefs, Fire Commissioners, and Police Department Liaison Captain Unger to review the town code, noting it has been approximately 30 years since the provision had been updated. The fire departments feel that the code is not punitive enough for locations that have repeated false alarms.

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to schedule a public hearing for Local Law 2026-4 Modification of Chapter 46-6 Avoidable Alarms.

On the question, Councilmember Breidenstein requested information regarding the nature of the calls. In his opinion, Councilmember Breidenstein feels there are ambiguities and inconsistencies in the policy with regard to the time the residents and businesses may be penalized; his concern is that the focus is being overly punitive and mentioned senior citizens that rely on alarm systems for medical issues.

Councilmember Sherman asked how the penalty amounts and occurrences were established. Councilmember Piekarec stated Mr. Trapp made the changes. Mr. Trapp stated the number of occurrences did not change much; the amounts can be adjusted according to the Town Board's discretion. Councilmember Sherman asked if the revised code would also follow the calendar year. Councilmember Piekarec stated 2 years for Police alarms. Supervisor Dickson stated the purpose of the motion is to schedule a public hearing.

Councilmember Breidenstein asked if nursing homes would be penalized. Councilmember Piekarec stated the owner of the business with repeated avoidable alarms would be penalized.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

3. Town Attorney re Local Law 2026-5 Modification of Chapter 28-2A Alternate Planning Board and Zoning Board of Appeals Members

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to schedule a public hearing for Local Law 2026-5 Modification of Chapter 28-2A Alternate Planning Board and Zoning Board of Appeals Members.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. Town Attorney re Local Law 2026-6 Rezoning at 1245 Seneca Creek Road

Mr. Trapp stated the purpose of the proposed local law is necessary for the changes to the size of the property where the zoning change would be.

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to schedule a public hearing for Local Law 2026-6 Rezoning at 1245 Seneca Creek Road.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

Supervisor Dickson stated he would prefer that the public hearing for this item be the only public hearing at that meeting, and the other three at the following meeting. Town Clerk Newton stated that due to the timing of publication, the first available meeting would be April 27, 2026, and the following meeting would be May 11, 2026.

5. Highway Superintendent Adams re Westgate Park Playground improvements

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize the Highway Superintendent to execute the purchase of new playground equipment for Westgate Park playground under Sourcewell contract #101625-LSI in the amount of \$234,821.07 with funds for this project are available in the playground capital improvement fund.

Ayes: 5 Noes: 0 Abstain: 0 Motion

Supervisor Dickson asked what the installation schedule would be for the new playgrounds. Highway Superintendent Adams stated he will order the equipment and is hopeful that installation could occur mid-summer.

6. Highway Superintendent Adams re Carriage Park Playground improvements

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize the Highway Superintendent to execute the agreement with Parkitects in the amount of \$223,919.28 under Sourcewell contract #101625-LSI for playground equipment and improvements to Carriage Park playground with funds for this project available in the Playground Capital Improvement Fund.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

7. Highway Superintendent Adams re Purchase of street sweeper

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize the Highway Superintendent to execute the purchase agreement of a new Dulevo 6000 street sweeper from Guthrie Heli-Arc Inc. Under Sourcewell contract #062425-FYT in the amount of \$284,933.00 with funds for this purchase available in the 2026 Highway Equipment line 02511000.50200.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

8. Highway Superintendent Adams re Purchase of equipment - Buildings and Grounds Department

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize the Highway Superintendent to purchase two (2) new John Deere Pro-Gators with dump beds from Finch Turff / JD Financial under NYS Contract #PC69683 (PG XN CG 22) noting this program will require five (5) annual payments of \$15,040.32 with a \$1.00 buyout at the end of the 60-month term with funds available in the 2026 Buildings and Grounds Equipment line 01711000.50200.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

9. Highway Superintendent Adams re GPS Paint Sprayer - Buildings and Grounds Department

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize the Highway Superintendent to execute the three (3) year agreement with Turf Tender for a GPS paint sprayer through the BuyBoard government purchasing agreement in the amount of \$17,225.00 for the first year followed by 2 annual payments of \$16,000.00 with funds available in the 2026 Buildings and Grounds Equipment line 01711000.50200.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

10. Chief Cosgrove re Attendance of Firearms Instructors and SWAT Members at NYTOA Conference

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize four officers and two SWAT team members to attend the New York State Tactical Officers training conference, April 13 - 17, 2026, in Verona, NY, at a cost not to exceed \$6,308.00 to be paid with funds in the 2026 Police Training line (01312000.50459).

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

11. Chief Cosgrove re Attendance at 2026 ESLET Traffic Safety Conference

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize two officers to attend the 2026 Empire State Law Enforcement Traffic Safety Conference (ESLETS) in Saratoga Springs, NY, April 27-April 28, 2026, noting there is no fee to attend and the associated costs for this training, to include lodging and meals, should not exceed \$560.00 to be paid from funds available in the 2026 training budget line 001.3120.50459.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

12. Chief Cosgrove re Attendance at SafeSide Connect Training

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize three Police Officers to attend SafeSide Connect training in Troy, NY, April 21 - 22, 2026, noting the training is offered at no cost by the NYS Office of Mental Health (OMH), CARES UP initiative, and the associated costs for this training, to include lodging and meals, should not exceed \$437.00 to be paid with funds available in the 2026 training budget line 001.3120.50459.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

13. Chief Cosgrove re Purchase of stair climber for Wellness Center

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to approve the purchase of one True Palisade Climber Model VC10350LO from G&G Fitness, Williamsville, NY, at a cost of \$7,195.00 with funds available for this purchase through the 2026 NY Cares Up grant funding.

Ayes: 5 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: \$ 115,828.83
Highway Fund: \$ 94,037.98
Capital Fund: \$ 116,626.94
Sewer Districts: \$ 6,879.14
Water Districts: \$ 0.00
Drainage District: \$ 0.00
Gas Conversion Lighting Districts: \$ 27.97
Electric Lighting Districts: \$ 208.20

Total: \$ 333,609.06

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. REPORTS FOR FILING

1. Town Clerk Newton re Town Clerk monthly report for February 2026

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to receive and file the Town Clerk monthly report for February 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. Code Enforcement re Building & Plumbing Reports for February 2026

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to receive and file the Building & Plumbing Reports for February 2026.

Ayes: 5

Noes: 0

Abstain: 0

Motion Carried

ISSUES OF THE PUBLIC

Supervisor Dickson welcomed Jean Mayjack from Senator Gallivan's Office.

The following comments and questions were received:

James Raymond, Cedar Ridge Road:

- Regarding the new veterans tax exemption, how did the town decide what the cap would be for veterans

Kylie, Manhasset Street:

- Stated she believes she only received part of her FOIL request and is still awaiting clarity on the process
- Was told she can apply for a variance but has been told the Zoning Board of Appeals does not make decisions on this matter any longer

Beverly Leising, Harwood Road:

- Niagara Pride delivered additional socks and West Seneca Cares distributed them to the nursing homes
- Unfortunately, West Seneca Cares cannot afford to provide chocolates for Easter this year
- In her opinion, the town's contribution of \$35,000 to the Civic and Patriotic Commission this year is surprising compared to previous years, but is hopeful there is a big celebration for the 250th anniversary

Jim Manley, Larkwood Road:

- Referred to the request made by the Joint Veterans Commission to rename parks after West Seneca Veterans and asked if Highway Superintendent Adams discovered the significance of the current park names - Highway Superintendent Adams stated some parks are named for the neighborhoods they are located in, or in memory of people that have passed away. The Recreation Commission meeting was canceled, but this request is still on the agenda and the next Recreation Commission meeting will be in May.

Rob Kendrick, Ebenezer:

- In his opinion, renaming the parks when the new playgrounds are built would be a good time to do this
- Requesting bike racks at the new playgrounds - Highway Superintendent Adams confirmed bike racks are included with the new playgrounds.

Susan Kims, 99 Covington Drive:

- Recognized Lieutenant Dave Szmania's long career and service to the town

Supervisor Dickson provided the following responses:

- Will get an authoritative answer about the veterans' exemptions from the Assessor

- Kylie received an email from Code Enforcement about the Zoning Board of Appeals process and she may pursue the matter if she chooses

Councilmember Breidenstein provided an update on the public comment pilot:

- 40 comments were received prior to tonight's meeting
- All but one regarding water pressure has been addressed, noting the Town Board is awaiting guidance from ECWA
- Approximately 8 comments were made at this meeting
- The Recreation Commission determined that naming 3 parks after veterans was appropriate and are still pursuing this endeavor
- The budgetary line was increased significantly for the 250th and 175th celebrations tentatively scheduled for September 12th - "A More Perfect Union on Union" is the theme with a car show, a second night of fireworks, and beautification around the main Town Hall campus. Other ideas are being considered.

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Chief Cosgrove

- Alternate arm patches reflecting the 175th anniversary of the town have been approved for all Police Officers

Councilmember Breidenstein

- Thanked the Code Enforcement Office for their quick response regarding reported concerns about a particular property

Supervisor Dickson

- Within a few weeks, work will begin at the old Seneca Mall Site in preparation for further construction
- The Southgate Plaza will be making a significant announcement within the next few weeks
- The Code Enforcement and Police Departments are addressing a parking problem on Knox Avenue

Councilmember Piekarec

- The Erie County Fire Service Association presented David Klawitter with a Lifetime Achievement Award for his over 50 years of service to Vigilant Fire Compnay
- Congratulated the West Seneca Lions Club on their successful fundraiser
- Congratulated Lieutenant Szmania and Officer Daley for their many years of service to the town
- Upcoming Zoning Board of Appeals meeting is on Wednesday
- The Kiwanis Easter Egg Hunt on April 4th at the Bandshell
- Happy Easter and Happy Dingus Day

Town Attorney Trapp

- There is a reference to a one-year time frame in the avoidable alarms, but will clarify this for the public hearing

Town Clerk Newton

- Expressed her gratitude to Donna Ferron, she will be greatly missed

Deputy Supervisor Greenan

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

TOWN BOARD PROCEEDINGS
Minutes - Meeting # 2026-06
March 23, 2026

- There is a posting on Indeed for the Municipal Director of Human Resources position

EXECUTIVE SESSION

1. Supervisor Dickson re Executive session to discuss current litigation: Town of West Seneca v. Atkin

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to enter into executive session to discuss current litigation: Town of West Seneca vs. Atkin at 6:45 P.M.

Ayes: 5 Noes: 0 Abstain: 0 Motion
Carried

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to leave executive session and return to the open meeting at 7:10 P.M.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to adjourn the meeting at 7:10 P.M.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried