

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 with the following items moved to the front of the agenda: 1) Personnel Item No. 4; 2) Discussion Item No. 1; and 3) Presentation Item No. 1. Additionally, Personnel item numbers 5 - 7 and Communication items 5 -9 will be grouped together.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

MINUTES TO BE APPROVED

1. Town Clerk Newton re 2026 Organizational Meeting Minutes of January 12, 2026

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve the 2026 Organizational Meeting Minutes of January 12, 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. Town Clerk Newton re Meeting Minutes 2026-01 of January 12, 2026

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve Meeting Minutes 2026-01 of January 12, 2026.

On the question, Councilmember Piekarec referred to his comments about the Internal Audit Committee and requested the minutes be amended to state "Amazon shipping charges."

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

LEGAL NOTICES

1. Town Clerk Newton re Proofs of Publication and posting of legal notice "OF A PUBLIC HEARING TO HEAR ALL PERSONS INTERESTED IN THE PROPOSED REZONE REQUEST FOR 120 SOUTH AVE, CHANGING ITS CLASSIFICATION FROM C-1&R-50 TO C-2 " in the Town of West Seneca. Publication date was December 25, 2025.

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

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

Code Enforcement Officer Schieber provided the following information:

- Applicant was before the Planning Board at the December 11, 2025, meeting and the Planning Board gave the project a favorable recommendation
- An existing warehouse building on site for a carpet installation company
- The parcel is currently zoned C-1 and R-50 and the original request was to change the zoning to C-1 to permit the construction of two new warehouse buildings
- The Planning Board has recommended changing the zoning to C-2 to conform with town code
- Zoning classification of C-2 allows a contractor business and warehousing operations and a Special Permit is not necessary

Sean Hopkins, attorney for the applicant, and Doug Feyes of Carmina Wood Design provided the following information:

- Proposing 2 flex warehouses and 26 parking spaces
 - The parcel is 2.2 acres
 - The floor covering business requires additional space
 - The applicant purchased the adjacent 0.89 acre parcel at 134 South Avenue and is proposing to leave this permanently undeveloped as a permanent buffer, a deed restriction would be recorded with Erie County
 - The two parcels would be merged
 - Referred to the concept plan that depicts two 6,000-sf buildings, parking spaces, and a T turnaround for emergency vehicles
 - Erie County Department of Environment and Planning had no recommendation
 - C-2 Zoning allows for many uses, but the applicant is only interested in flex warehouses, noting C-2 does not allow for outdoor storage
 - The Planning Board issued a positive recommendation for C-2 zoning with two recommendations: 1) merge the contiguous parcels, and 2) the zoning would be changed to C-2 to prevent outdoor storage and less intensive activities
 - A Special Use Permit is not needed
 - A short Environmental Assessment form has been submitted, noting the proposal is an unlisted action
 - The project will require site plan approval from the Planning Board at which time the applicant will submit fully engineered plans
 - The project will need to comply with NYSDEC and town stormwater quality and quantity standards
 - The issuance of a Negative Declaration is justified
- The applicant requests that the Town Board issue a Negative Declaration and approve the rezoning of the entire site to C-2

Supervisor Dickson asked for confirmation that C-2 zoning does not allow for outdoor storage. Mr. Schieber stated C-2 allows for warehouses and contractor yards, etc., but the Planning Board's condition is that no materials would be stored outside, but this did not include vehicles.

Councilmember Piekarec asked if any vegetation would be added to the undeveloped parcel. Mr. Hopkins stated the current plan is to leave the existing vegetation.

Councilmember Roberston asked if the applicant would perform maintenance on the undeveloped portion. Mr. Hopkins confirmed the applicant will maintain this area.

Councilmember Sherman asked if the entire parcel would be known as 120 South Avenue. Mr. Hopkins confirmed this was correct.

Public comments were received as follows:

Michael Smolen, Cresthaven Drive:

- Would have liked the slides provided in the agenda packet
- Asked if the neighbors were notified and what were their reactions - Code Enforcement Officer stated the documents are available with the agenda packet and surrounding property owners were notified about the Planning Board and Town Board meetings. One of the neighbors to the rear of the project asked what was proposed, how close to her property, and what would happen to the existing vegetation.
- Expressed concern that the weather may have kept people from attending the meeting and if the Town Board should delay a decision - Mr. Schieber stated no neighbors attended the Planning Board meeting.

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

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to adopt the following Negative Declaration:

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed Part I of the Short Environmental Assessment Form ("EAF") prepared by the applicant for property located at 120 South Avenue ("Subject Property"), for development of two warehouses and associated site work and parking (the "Project"), and reviewed the draft completed Part II and Part III of the EAF analyzing the potential for the Project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the identified potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7(c); and

WHEREAS, the Erie County Division of Planning, after carefully and fully reviewing a description of the proposed project, along with the application and other documents as submitted by the Town of West Seneca, replied in writing that the project was to be of local concern; and

WHEREAS, the Town Board held a public hearing which was properly noticed to the public wherein the project was discussed; and

WHEREAS, the Town Board herein determines that it shall act as lead agency for such purposes and there has been no opposition thereto by any other interested agency; and

WHEREAS, the Town Board, carefully and fully reviewed the application including the following documents submitted by the applicant and other interested entities: SHPO along with the responses from Erie County Environment and Planning, ECWA, and the reports and submissions from Carmina Wood Design; and

WHEREAS, a zoning change from C-1 and R-50 to C-2 to allow the construction of warehouses is sought; and

WHEREAS, the Town Board, upon taking an independent hard look and reasoned evaluation of all of the above-referenced information, comments and written documentation with regard to the project;

WHEREAS, upon review of Parts I, II, and III of the EAF and documentation and plans submitted by the applicant in connection with the review of the Project, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the Subject Property, has determined that this is an unlisted action and preparation of a Full Environmental Impact Statement is not necessary and that the issuance of a Negative Declaration is therefore appropriate; now, therefore, be it

RESOLVED that pursuant to 6 NYCRR 617.7(a) the Town Board hereby accepts its designation as lead agency and does hereby adopt a Negative Declaration with respect to the Project based on its determination that the Project will not result in any potentially significant adverse environmental impacts.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to grant the request to rezone property located at 120 South Avenue changing its classification from C-1 and R-50 to C-2 with the following conditions: 1) no materials to be stored outside; 2) the property currently known as 134 South Avenue add a deed restriction for no future development; and 3) the two parcels be merged.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

PUBLIC COMMENTS

Public comments were received as follows:

James Randolph, West Bihrwood Drive:

- Thanked Lauren Masset for her service to the town as the Recreation Supervisor and, in his opinion, Ms. Masset has done a very good job
- Will the Recreation Department have two part-time Supervisors - Supervisor Dickson stated Ms. Masset will stay on a part-time basis until a replacement can be found.

Michael Smolen, Cresthaven Drive:

- Referred to comments not able to made on Facebook - Councilmember Robertson asked if Mr. Smolen was referring to the comments being turned off after the Town Prosecutor job posting. Supervisor Dickson stated sometimes the person in the meeting overlooks comments during the meeting. Councilmember Piekarec stated the comments were turned off after the job posting and also understands this is the issue Mr. Smolen was referring to. Supervisor Dickson stated the town is considering switching to YouTube, noting that Facebook has started deleting files.
- In his opinion, the Town Board does a good job handling public comments

Joseph O'Donnell, Nancycrest Lane:

- Recognized Councilmember Robertson for thanking the poll workers on election day

- Is a new member of the Coalition on Open Government and thanked Mr. Wolf for attending the meeting
- Appreciates that there is not a time limit on public comments

Kylie, Manhasset Street:

- Does not support time limits for public comments
- Expressed frustration about maintenance of restrooms at parks
- Disagrees with staffing practices
- Expressed frustration over the changes to the town code regarding chickens - Supervisor Dickson stated these concerns have been addressed many times.

A comment was read from Facebook:

- West Seneca is the model for public comment by allowing people to speak freely

Councilmember Robertson stated that he is not aware of any intentions to limit or impose a time limit on public comments, and surveyed the Town Board members. The Town Board members agreed they do not intend any limitations.

NEW BUSINESS

1. PERSONNEL

1. Supervisor Dickson re Creation of part-time Recreation Supervisor Position

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to authorize the Supervisor to sign Erie County Form PO-17 New Position Duties Statement to create a part-time Recreation Supervisor position.

On the question, Councilmember Breidenstein asked how the position would be paid. Supervisor Dickson stated the Recreation Supervisor line would be used.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. Supervisor Dickson re Resignation of Recreation Supervisor Lauren Masset

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to accept the resignation of Lauren J. Masset from the position of full-time Recreation Supervisor effective January 23, 2026.

On the question, Councilmember Breidenstein spoke very highly of Ms. Masset's dedication to the position and thanked her for time with the town. Supervisor Dickson and Councilmember Robertson echoed the sentiments.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

3. Supervisor Dickson re Appointment of Lauren Masset as part-time Recreation Supervisor

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to change the title of Lauren J. Masset from full-time Recreation Supervisor to part-time permanent Recreation Supervisor effective January 23, 2026, at a rate of \$44.04 per hour.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. Chief Cosgrove re Title change for Emily Floreno to full-time Public Safety Dispatcher

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to appoint part-time Public Safety Dispatcher Emily Floreno to full time Public Safety Dispatcher, Group 7A, Step 1 at the rate of \$25.74 per hour per the White Collar Union Contract effective February 2, 2026, to be paid from account line 01312000.50155.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

5. Chief Cosgrove re Status change of part-time Public Safety Dispatcher David Velasquez

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to change the status of part-time Public Safety Dispatcher David Vasquez to part-time seasonal effective February 1, 2026, through June 30, 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

6. Director of Senior Services re Status change for part-time Clerk Typist Janet Kropczynski

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to change the status of part-time Clerk Typist Janet Kropczynski to part-time seasonal effective February 1, 2026, to be paid from account code 01762000.50138.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

7. Director of Senior Services re Appointment of Scott Cooke as part-time permanent Van Driver

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to appoint Scott Cooke as part-time permanent Van Driver at the rate of \$16.00 per hour effective January 27, 2026, to be paid from account code 01762000.50146.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. FOR DISCUSSION

1. Supervisor Dickson re Discussion regarding public comment periods and open meetings issues

Supervisor Dickson introduced Paul Wolf from the New York Coalition for Open Government.

Mr. Wolf provided the following information:

- Attorney from the Town of Amherst
- Founded the New York Coalition for Open Government and was a past President
- The Coalition's reports regarding open government issues have brought about changes in state law

Mr. Wolf provided comments on Public Comments:

- Public meetings are an important part of democracy
- New York State was the last state in the country to pass an Open Meetings Law in 1976
- NYS does not mandate that the public has a right to speak at Town Board Meetings

- Public comments only occur if the Town Board allows them
- A study performed in 2023 found that 79% of the over 900 towns in NYS
- The Erie County Legislature has only recently allowed public comments
- The Town of West Seneca allows public comments from Facebook and noted not many municipalities allow this
- Time limits were also studied and were found to vary from no limit to a certain number of minutes, most commonly 3 minutes
- The Coalition members' opinions on time limits also vary and Mr. Wolf personally supports 3 minutes per speaker
- Supports public comments at the beginning of meetings
- Public should be able to freely and spontaneously make comments and noted some municipalities require speakers to register prior to the meeting
- Speakers should have the option of identifying themselves and providing their address

Councilmember Sherman asked Mr. Wolf if time limits for speakers helps to maintain the order of the meeting. Mr. Wolf stated that, in his opinion, time limits do help to maintain order in a meeting and prevent bias by the Town Board when stopping or interrupting speakers. Further, it is important that speakers are treated in a uniform manner.

Supervisor Dickson stated the Cheektowaga Town Board allows 20 minutes of public comments and speakers are limited to 3 minutes. Further, after watching a recent meeting, Supervisor Dickson stated that, in his opinion, everyone was respectful of this process. Mr. Wolf stated that in his experience, people are respectful of time limits. Supervisor Dickson asked Mr. Wolf if a time limit violates the first amendment. Mr. Wolf stated the public does not have a first amendment right to speak at a Town Board meeting unless the Town Board allows them.

Councilmember Piekarec stated that, in his experience, speakers do not abuse their time. Councilmember Piekarec referred to agenda item attachments and asked Mr. Wolf if, for example, all quotes or only the quote from the selected vendor should be provided. Mr. Wolf stated that, in his opinion, the public should be provided with anything the Town Board has. Councilmember Piekarec asked Mr. Wolf how detailed an executive session should be. Mr. Wolf stated the name of the case should be identified and updates could be made in the open meeting. Additionally, personnel matters should indicate the type, for example, hiring, discipline, etc.

Councilmember Breidenstein asked Mr. Wolf if the rules of decorum should be read before each public comment period. Mr. Wolf stated that, in his experience, he has not witnessed the rules being read but the Town Board could provide copies to the public at the meeting and make them available on the website. Councilmember Breidenstein asked for Mr. Wolf's opinion on the Town Board engaging with some speakers and not others. Mr. Wolf stated the Town Board should do what they feel is right in the situation.

Councilmember Sherman asked Mr. Wolf what the purpose of public comments was, for example, to provide residents with a forum for input, or for dialogue. Mr. Wolf stated that, in his experience, most Town Boards view public comments as an opportunity to listen to residents before taking action, but noted that some boards do engage in debate.

2. Town Engineer re Grant funding update and planned grant strategy

Town Engineer Foote provided the following updates:

- The town was denied the following grants and has requested as formal debrief from NYSDEC and NYSEFC
 - 2025 WIIA Water grant for the replacement of water mains along Seneca Street and within Water District No. 2
 - 2025 WIIA Sewer grant
 - 2025 WQIP grant for the proposed Phase 9 Sanitary Sewer Project
- Requested to modify the schedule for the NYSDEC Consent Order
- Requesting Town Board approval to submit grant applications for the following recommended projects:
 - 2026 WIIA Water Grant – Consideration for replacement of the Orchard Park Road water main in advance of the NYSDOT project which is expected to be completed in 2027-2028. The water mains are listed on the ECWA recommended improvement list. Additionally, there should be consideration to upsize the sanitary sewer mains. The work could be completed as part of the DOT project as a betterment.
 - 2026 WQIP Sewer and 2026 WIIA Grant – Consideration for the replacement and upsize of the sanitary sewer mains along Orchard Park Road or for Phase 10 Sanitary Sewer Project which builds upon prior rehabilitation efforts and supports continued compliance with the Consent Order.

Councilmember Robertson asked where the connection is located. Mr. Foote stated near the medical park on Orchard Park Road.

Councilmember Piekarec asked where the cost of Phase 8 currently stands and is Mr. Foote certain there will be funds remaining when completed. Mr. Foote stated there is approximately \$800,000 and is hopeful a sag in the sewer line on West Willowdale and the pipe on Potters Road could be addressed. Councilmember Piekarec asked if the NYSDEC has signed off on these projects. Mr. Foote stated the two projects are maintenance. Councilmember Piekarec asked if property owners are being approached regarding the access roads construction. Mr. Foote stated the property owners will be contacted.

Councilmember Robertson asked how the sagging lines were identified. Mr. Foote stated the sagging was discovered when the lines were televised and cleaned, the intention was to replace them in Phase 9. Supervisor Dickson stated the Potters Road line had been known. Councilmember Robertson asked when the grant applications are due and the funding they would provide. Mr. Foote stated the applications are due in May and the funding would be 70% for WQIP, 25% for WIIA for sewer, and 60% for WIIA for water. Councilmember Robertson asked Mr. Foote to provide costs for the Town Board's review. Supervisor Dickson stated the town can apply for a Congressional Earmark for Phase 9.

Councilmember Sherman asked for clarification of the SCADA software and the cost. Mr. Foote explained that real-time sewer levels and flow rates are provided noting the town currently has a very antiquated system. Mr. Foote stated the cost is approximately \$100,000 and there could be some cost offsets. Councilmember Piekarec stated this system would be helpful along Orchard Park Road.

3. PRESENTATIONS

1. Supervisor Dickson re Farmer Pirates composting program

Jeana Franjoine from Farmers Pirates Compost provided an overview of the composting program that the town undertook in 2023. Ms. Franjoine stated they are proposing to continue the program for another year. Supervisor Dickson stated many residents love the program.

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize the Supervisor to execute a one-year contract with Farmer Pirates Compost LLC at a total maximum service cost not to exceed \$5,620.00.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. COMMUNICATIONS TO BE VOTED ON

1. Supervisor Dickson re Renewal of Recycling Contract

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to approve a two-year extension of the contract with Modern Disposal Services, Inc., for recycling services effective February 1, 2026, through January 31, 2028.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. Supervisor Dickson re Selection of Harris Beach Murtha as Bond Counsel

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to authorize the Supervisor to execute the Engagement Letter with Harris Beach Murtha for bond counsel services for 2026.

On the question, Councilmember Piekarec stated that, in his opinion, the bids should have been included with the agenda packet and will vote against the appointment.

Ayes: 4 Noes: 1 Abstain: 0 Motion Carried

Voting For: Supervisor Dickson, Councilmembers Breidenstein, Robertson, Sherman

Voting Against: Councilmember Piekarec

Abstain: None

3. Supervisor Dickson re Selection of Qualified Engineering Companies for Engineering Services for Water and Wastewater Projects

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to adopt the following resolution identifying qualified engineering services companies as follows:

WHEREAS, The Town of West Seneca issued a Request for Qualifications (RFQ) for Engineering Services for Water and Wastewater Projects in order to procure professional engineering services on a qualifications-based basis in accordance with applicable New York State requirements; and

WHEREAS, The RFQ sought statements of qualifications from consulting engineering firms licensed in the State of New York to provide engineering services including, but not limited to, planning, evaluation, design, bidding, construction administration, inspection, and project close-out for various water and wastewater system improvement projects to be undertaken by the Town on an as-needed basis; and

WHEREAS, The Town received two (2) Statements of Qualifications in response to the RFQ, submitted by CPL and GHD; and

WHEREAS, The Town Board reviewed the submitted qualifications in accordance with the evaluation criteria outlined in the RFQ, including firm experience, staff qualifications, project management approach, familiarity with the Town's water and wastewater systems, and experience with state and federally funded projects; and

WHEREAS, Based on this review, the Town Board has determined that CPL and GHD possess the necessary experience, qualifications, and resources to provide professional engineering services to the Town for water and wastewater projects;

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of West Seneca hereby determines that CPL and GHD are qualified firms for the provision of professional engineering services for water and wastewater projects; and be it further

RESOLVED, That selection as a qualified firm does not guarantee the assignment of any specific project, and that individual projects shall be assigned based on the Town's needs, project requirements, funding considerations, and scheduling; and be it further

RESOLVED, That the scope of services and professional fees for each assigned project shall be separately negotiated on a project-by-project basis in accordance with qualifications-based selection requirements, and subject to Town Board approval, as applicable; and be it further

RESOLVED, That the Supervisor is hereby authorized to take any actions necessary to implement this resolution consistent with the RFQ and this determination.

On the question, Councilmember Robertson requested clarification. Mr. Foote stated the process was required for the 100,000 planning grant the town received and would negotiate a price with GHD as GHD performed the original study and are familiar with the system.

Councilmember Breidenstein stated that this does not limit the town from seeking additional input for future work. Mr. Foote confirmed this was correct.

Councilmember Piekarec asked how the RFQ was advertised. Mr. Foote stated the request was published in the West Seneca Bee, Town Clerk Newton received requests for the documents and emailed them.

Ayes: 5

Noes: 0

Abstain: 0

Motion Carried

4. Councilmember Breidenstein re Addition of Standing Agenda Item

Motion by Councilmember Breidenstein, seconded by Councilmember Robertson, to adopt the following resolution ADOPTING A 90-DAY PILOT "RESPONSE TO PUBLIC COMMENT" AGENDA ITEM:

WHEREAS, the Town Board seeks to enhance transparency, communication, and respectful civic engagement at Town Board meetings; and

WHEREAS, the Town Board has discussed the addition of a structured opportunity for Board responses to public comments; and

WHEREAS, the Board desires to implement this practice on a pilot basis to evaluate its effectiveness;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts a 90-day pilot addition of a "Response to Public Comment" as a standing agenda item at Town Board meetings, effective February 9, 2026 through May 8, 2026; and

BE IT FURTHER RESOLVED, that the "Response to Public Comment" agenda item shall occur immediately following the first public comment period at each Town Board meeting during the pilot period; and

BE IT FURTHER RESOLVED, that prior to the first public comment session at each Town Board meeting, the following public statement shall be read into the record:

"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 (optional). 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."

BE IT FURTHER RESOLVED, that at the conclusion of the 90-day pilot period, the Town Board shall review the process and determine whether to continue, modify, or discontinue the "Response to Public Comment" agenda item.

On the question, Councilmember Robertson stated this does not set a time limit on public comments. Councilmember Breidenstein stated this is correct.

Councilmember Piekarec stated that, in his opinion, this is not necessary and expressed concerns that the proposal may deter public comments and cause frustration.

Supervisor Dickson asked how Councilmember Breidenstein anticipates the process working. Councilmember Breidenstein stated his intention was to identify who would provide a response and when.

Councilmember Sherman stated that, in her opinion, the Town Board should be acting in this way and a formal agenda item is not necessary.

Councilmember Piekarec stated he does not believe the public is limited by confidentiality such as the Town Board is. Councilmember Breidenstein stated there are rules of decorum for public engagement.

Supervisor Dickson asked if a Reponse to Public Comment would be added after each public

comments section. Councilmember Breidenstein stated his intention is to only add one Response section after the first public comments, as questions can be addressed during the Communications by Board Members and Department Heads.

Ayes: 4 Noes: 1 Abstain: 0 Motion Carried
Voting For: Supervisor Dickson, Councilmembers Breidenstein, Robertson, Sherman
Voting Against: Councilmember Piekarec
Abstain: None

5. Councilmember Robertson re Reappointment of Ben Szablewski to the Environmental Commission

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to reappoint Ben Szablewski to the Environmental Commission for the following term: January 1, 2026, through December 31, 2027.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

6. Councilmember Robertson re Appointment of Gina Geller to the Environmental Commission

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to appoint Gina Geller to the Environmental Commission for an open vacancy for a term from January 1, 2026, through December 31, 2027.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

7. Town Clerk Newton re Name change of Official Newspaper

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to recognize that the West Seneca Bee, the town's official newspaper, will now be known as the Southtowns Bee.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

8. Highway Superintendent Adams re Purchase of Nautilus HD Diesel Floor Scrubber

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to authorize the Highway Superintendent to execute the purchase of a used Nautilus HD Diesel Floor Scrubber and Sweeper from HJS in the amount of \$19,000.00 with funds from the 2026 Highway Equipment Budget Line 0511000.50200.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

9. Chief Cosgrove re Purchase of ammunition

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve the purchase of ammunition in the amount of \$13,966.73 per the quote from Amchar Wholesale Inc. in accordance with NYS contract #PC68734 with funds from 2026 budget line 01312000.50409.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

5. 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: \$ 129,537.74
Highway Fund: \$ 83,882.18
Trust & Agency: \$ 0.00
Capital Fund: \$ 2,525.89
Sewer Districts: \$ 775.26
Water Districts: \$ 0.00
Drainage District: \$ 0.00
Gas Conversion Lighting Districts: \$ 0.00
Electric Lighting Districts: \$ 223.34

Total: \$ 216,944.41

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

6. REPORTS FOR FILING

1. Town Engineer re Capital Project Report January 2026

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to receive and file the Capital Project Report for January 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

ISSUES OF THE PUBLIC

Public comments were received as follows:

Kylie, Manhasset Street:

- In her opinion, turning off Facebook comments limits public interaction
- In her opinion, her questions have not been answered

Jeff Quain:

- Appreciates the opportunity to make public comments
- Suggested the town develop a social media policy - Councilmember Robertson stated that, in his opinion, the comments were turned off so that interested candidates did not attempt to apply through Facebook.

Joseph O'Donnell, Nancycrest Lane:

- Requested clarification on Councilmember Breidenstein's proposal about responses to public comments - Councilmember Breidenstein stated the Town Board would respond after all public comments have been made. Supervisor Dickson reminded everyone that the Town Board members are available outside the meetings.

A public comment was read from Facebook:

- Appreciates the Town Board being open to public comments
- Suggested the Town Board seek resident opinions on new, controversial projects

- Does the town have a timeframe regarding the new Veterans law - Supervisor Dickson stated he is working closely with the Town Assessor as the new law evolves.
- What criteria are used for notification letters - Mr. Schieber stated that relative to rezone and special permit applications, owners within 250' are notified. Mr. Foote stated right-of-way access was needed for the Phase 8 project.

Lora Smolen, Cresthaven Drive:

- What impact would the denied grants have on taxpayers - Supervisor Dickson stated the town has almost \$1M to spend and taxpayers should not be impacted at this point in time and the town will continue to pursue funding.
- Will the new apartments on Orchard Park Road have an impact on the sewer system - Mr. Foote stated the downstream analysis for both apartment projects was determined not to have a negative impact.
- Should new construction be paused until the water and sewer lines are fixed - Supervisor Dickson stated that new developments have new water and sewer lines.

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Councilmember Robertson

- Congratulated the newly appointed employees and volunteers
- Recognized the long winter and the Highway Department employees and reminded all to be good neighbors

Councilmember Sherman

- Attended the AOT training

Councilmember Piekarec

- Reminded all to keep fire hydrants clear and accessible
- Reminded all of the boards and commissions meeting

Town Clerk Newton

- Wished Lauren Masset well and spoke of her many accomplishments with the town's Recreation Department and programs, Ms. Masset will be missed
- 2026 Town and County Bills have been mailed and tax collection is ongoing

EXECUTIVE SESSION

1. Supervisor Dickson re Executive session to interview candidates for deputy town attorney/prosecutor and to discuss current litigation, 1000 Queens Grant LLC v. Town of West Seneca, Town of West Seneca Town Board et al.

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to enter into executive session to interview candidates for Deputy Town Attorney/Prosecutor and to discuss current litigation, 1000 Queens Grant LLC v. Town of West Seneca, Town of West Seneca Town Board et al at 8:03 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 9:13 P.M.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to appoint Michael Mingo as Deputy Town Attorney/Prosecutor for 2026 at the rate of pay provided for in the 2026 budget, and appoint him as counsel to the West Seneca Ethics Board.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

ADJOURNMENT

Motion by Councilmember Breidenstein, seconded by Councilmember Sherman, to adjourn the meeting at 9:14 P.M.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried