

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

The Town Board Meeting began at 6:11 P.M.

CONSENT AGENDA

1. Accept agenda as published

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to accept the agenda as published with the following change: Personnel Item Nos. 3, 4 and 5 are moved to the beginning of the meeting.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

MINUTES TO BE APPROVED

1. Town Clerk Newton re Meeting Minutes 2025-24 of December 22, 2025

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to approve Meeting Minutes 2025-24 of December 22, 2025.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

PUBLIC COMMENTS

The following comments and questions were received:

James Raymond, 81 Cedar Ridge Drive:

- Shared his personal history and expressed his interest in participating in the town
- Applied to the Recreation Commission, and the Zoning and Planning Boards but was not offered an interview
- Personal interest and concerns regarding future development's impact on infrastructure, water pressure, traffic, and neighborhood quality of life
- Referred to the recent appointments to the previously mentioned committee and boards and expressed concerns about political control and public trust
- Referred to the recent Town Prosecutor appointment that was made despite laws that prohibit law partners serving together in the same court and in his opinion, this is a failure of judgment, governance, and respect for the rules meant to protect public trust
- In his opinion, Town Board members should provide explanations when recusing themselves from a vote

Jacqueline Balikowski, Highland Avenue:

- Referred to the For Discussion item and asked why there is not an attachment
- Suggested the public have an opportunity to make comments after the Town Board Members and Department Heads portion

Jeff Quain, Davis Road:

- Expressed concern about the appointment of the Town Prosecutor and what process was followed
- Inquired as to who runs the town's Facebook page and noted turning off comments limits public comments and violates First Amendment rights - Supervisor Dickson stated Mr. Quain is not correct and one cannot discriminate, and there is no obligation for the town to give a public forum on every post.

A public comment from Facebook asked why notification of the meeting agenda is not given when individuals have enrolled. Supervisor Dickson referred the inquiry to Town Clerk Newton who stated she was working with Deputy Supervisor Greenan regarding this prior to Ms. Greenan's leave.

NEW BUSINESS

1. FOR DISCUSSION

1. Councilmember Breidenstein re Revision to Town Board Meeting Agenda format

Councilmember Breidenstein apologized for the lack of supporting information as he attempted to include his proposal with the agenda item. Councilmember Breidenstein commented on the public's expectation that the Town Board provide answers to their comments and questions, and proposed that two standing items be added to the agenda: Response to Public Comment and Department Head Responses.

Councilmember Piekarec stated in his opinion, the current process is adequate and formalizing the proposed process is not necessary. Supervisor Dickson stated the town has the most liberal policy and allows far more public comments than the vast majority of towns.

2. PERSONNEL

1. Highway Superintendent Adams re Retirement of Secretary to the Highway Superintendent Dina Weixlmann

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to accept the retirement of Dina Weixlmann as the Secretary to the Highway Superintendent effective January 10, 2026.

Ayes: 5

Noes: 0

Abstain: 0

Motion Carried

2. Highway Superintendent Adams re Appointment of Carly Pappas as Secretary to the Highway Superintendent

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to appoint Carly Pappas as full time Secretary to the Highway Superintendent Group 3, Step 1 of the White Collar contract as of January 10, 2026, at an annual salary of \$44,902.90 to be paid from the account line 001-5010-0137-0000-0000.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

3. Highway Superintendent Adams re Retirement of Highway Heavy Equipment Operator Brian Cummins

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to accept the retirement of Brian Cummins from his position as a Heavy Motor Equipment Operator after 39 years of service effective January 27, 2026, noting his last day of work will be January 26, 2026.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. Chief Cosgrove re Appointment of Evin Ksiezarczyk as Police Officer

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to appoint Evin Ksiezarczyk as Police Officer at the training rate of \$29.80 per hour with an effective start date of January 13, 2026, noting this appointment is contingent upon successful completion of pre-employment requirements.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

5. Chief Cosgrove re Appointment of Wilford Whitney III as Police Officer

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to appoint Wilford Whitney III as Police Officer at the training rate of \$29.80 per hour with an effective start date of January 13, 2026, noting this appointment is contingent upon successful completion of pre-employment requirements.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

3. ANNOUNCEMENTS

1. Councilmember Breidenstein re Appointment of David Cox to the Youth and Recreation Commission

Councilmember Breidenstein re-appointed David Cox to the Youth and Recreation Commission for a 3-year term effective January 1, 2026, and expiring December 31, 2028.

2. Councilmember Breidenstein re Appointment Georgi Ann Busse to Senior Advisory Board

Councilmember Breidenstein re-appointed Georgi Ann Busse to the Senior Services Advisory Board for a 4-year term effective January 1, 2026, and expiring December 31, 2029.

3. Councilmember Sherman re Appointment of Maura Lillis Blonski to the Youth and Recreation Commission

Councilmember Sherman re-appointed Maura Lillis Blonski to the Youth and Recreation Commission for a 3-year term effective January 1, 2026, and expiring December 31, 2028.

4. Councilmember Sherman re Appointment of Nancy Miloff to the Youth and Recreation Commission

Correction: This appointment is to the Senior Services Advisory Board

Councilmember Sherman appointed Nancy Miloff to the Senior Services Advisory Board for a 4-year term effective January 1, 2026, and expiring December 31, 2029.

4. COMMUNICATIONS TO BE VOTED ON

1. Supervisor Dickson re Excess Workers Compensation renewal

Kathleen Rapasadi of Tompkins Insurance stated the premium increased by approximately 5.5% and the town is receiving a 2-year rate block. Ms. Rapasadi stated two carriers declined to provide quotations. Councilmember Piekarec asked why the responses were not provided for the agenda packet. Ms. Rapasadi stated she did not have them available when the original was forwarded but did provide the responses directly to Supervisor Dickson.

Councilmember Sherman referred to the Renewal Comparison page and asked for clarification of the annual cost to the town. Ms. Rapasadi confirmed that the premium would be \$149,265 per year for two years. Councilmember Sherman asked what "Prd" means under the Total Est Policy Prd Premium. Ms. Rapasadi stated she was unsure. Supervisor Dickson stated he believes it is "period."

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to authorize the Supervisor to execute the excess workers' compensation contract with Midwest Employers Casualty with a total premium for two years of \$298,530.00.

Ayes: 5

Noes: 0

Abstain: 0

Motion Carried

2. Supervisor Dickson re EPIC fund NY

Leslie Murphy and Marty Hammond from PFM Asset Management introduced the company which serves the public sector. EPIC stands for Empire Public Investment Cooperative Fund of New York. The fund is being formed in collaboration with the New York Association of Towns.

Supervisor Dickson stated the resolution would allow the town to participate in the EPIC fund.

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to adopt the following resolution adding the option of investment in the EPIC fund at the discretion of the Finance Director.

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o ("Section 119-o") empowers municipal corporations, such as the Town of West Seneca (the "Town"), to enter into agreements for the performance of their respective functions, powers and duties on a cooperative or contract basis, with other municipal corporations; and

WHEREAS, the Town is considering investing portions of its available investment funds in cooperation with other municipal corporations and/or districts pursuant the EPIC Fund NY Municipal Cooperation Agreement (the "EPIC Fund NY MCA") and, prior to investment, the information

statement will be presented to the Town; and

WHEREAS, the Town wishes to assure the safety and liquidity needs of their funds; and

BE IT RESOLVED, that the Town Supervisor, acting on behalf of the Town of West Seneca is hereby authorized to participate in the EPIC Fund NY program under the terms of the EPIC Fund NY MCA and information statement.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

3. Councilmember Sherman re Attendance at AOT training conference

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to authorize Town Board Member Mary Sherman to attend the New York State Association of Towns Newly Elected Town Officials Training, January 21 – 23, 2026, in Corning, New York, at a cost not to exceed \$900, noting funds are available in account 01101000.50414.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. Town Engineer re St. David's Drive Drainage Project Change Order

Motion by Supervisor Dickson, seconded by Councilmember Piekarec, to approve Change Order Number 2 for the St. David's Drive Drainage Project in the amount of \$11,220.00.

On the question, Councilmember Breidenstein challenged the decision to preserve the shrubbery. Mr. Foote stated the plantings were mature, and the gutter was uncovered during the project. Councilmember Breidenstein asked when the work was completed. Mr. Foote stated in October. Councilmember Robertson stated he would prefer the Town Board approve additional costs before additional work is completed. Mr. Foote stated there is a general urgency during projects and timely decisions must be made. Councilmember Roberston questioned the amount of time that had passed before the change order was presented to the Town Board for approval. Mr. Foote acknowledged the need to relay the changes to the Town Board in a more timely fashion. Councilmember Piekarec agreed that timely notification should be made to the Town Board. Councilmember Sherman asked what impact saving the shrubs had on the project. Mr. Foote stated as the project began, the plans were adjusted to save the shrubs and additional paving was the result. Councilmembers Breidenstein and Piekarec reiterated that the Town Board should be made aware of any changes that impact the cost of a project.

Ayes: 3 Noes: 2 Abstain: 0 Motion Carried

Voting For: Supervisor Dickson, Councilmembers Piekarec and Sherman

Voting Against: Councilmembers Breidenstein and Robertson

Abstain: None

5. Town Engineer re Animal Shelter Improvements

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to adopt the following resolution authorizing the Supervisor and the town's grant writer to apply for a grant through the NYS Department of Agriculture and Markets Companion Animal Capital Projects Fund.

On the question, Councilmember Sherman if the statement about municipalities being compliant with standards by December of 2025 was correct. Highway Superintendent Adams stated the standards were pushed back.

WHEREAS, the New York State Department of Agriculture and Markets has announced funding opportunities through the Companion Animal Capital Projects Fund to assist eligible municipalities and nonprofit organizations with the construction, renovation, or improvement of animal shelters; and

WHEREAS, the Town of West Seneca owns and operates a dog control facility located at 582 Mineral Springs Road, providing essential dog sheltering and control services for the Town, handling hundreds of dogs annually and managing complaints, licensing, adoptions, and enforcement activities; and

WHEREAS, the current facility is in need of critical structural and operational improvements, including the enclosure of kennels, replacement of chain-link kennel doors with plexiglass doors, replacement of exterior siding, installation of outdoor perimeter fencing, addition of a wash and grooming bay, resurfacing of interior floors with epoxy, construction of interior isolation kennels, HVAC improvements and the installation of a key fob and security system, all to enhance safety, efficiency, and compliance with upcoming regulations; and

WHEREAS, the standards for companion animal care in New York State will soon change. In December of 2022, Article 26-C of NYS Agriculture and Markets Law regarding the regulation of Animal Shelters, or the Companion Animal Care Standards Act (CACSA), was passed. Whereas the current standards (Title 1 of the NYCRR) consist of four pages of directives, the new law (Articles 26-C) has 15 sections of standards detailed on 20 pages. Municipalities are expected to be compliant with the new standards by December of 2025; and

WHEREAS, the Town Board has prepared an application requesting grant funding not to exceed \$65,700 from the Companion Animal Capital Projects Fund, with the Town committed to providing no less than a 10% (\$7,300) cash match towards the total eligible project costs and any additional funds necessary for project completion; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of West Seneca Board authorizes Mr. Gary Dickson, as Supervisor of the Town of West Seneca, or his successor, to file an application to the 2025-2026 New York State Companion Animal Capital Projects Fund, and upon approval, to enter into and execute a project agreement with the New York State Department of Agriculture and Markets for such financial assistance; and

BE IT FURTHER RESOLVED, that Rotella Grant Management, the Town's grant consultant, is authorized and directed to prepare and submit all necessary documents for the application; and

BE IT FURTHER RESOLVED, that the Town commits to the timely implementation and completion of the project within 24 months of funding approval, ensuring adherence to the standards set forth by New York State.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

6. Town Engineer re Award of professional land surveying services

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to award the land surveying services contract to the lowest bidder, True North Land Surveying, in the total amount of \$7,300 for professional land surveying services to support upcoming Town projects and endeavors noting the scope of services includes performing boundary surveys and property staking at 3699 Seneca Street, a vacant lot on Orchard Park Road, and 2589 Clinton Street.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

7. Town Justice Court Liaison Almeida re Attendance at annual training

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize two Justice Court Clerks and one Town Justice to attend the annual NYC Town and Village continuing education training February 15–17, 2026, at a cost not to exceed \$6,600.00 with funds available from Budget line 01111000.50414.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

8. Director of Finance re Budget transfer - Town Board

Motion by Supervisor Dickson, seconded by Councilmember Breidenstein, to authorize the following 2026 budget transfer:

RESOLVED, that the Town of West Seneca Board authorizes the following 2026 budget transfer for an adjustment to 01101000.50414 Town Board Training from 01122000.50414 Supervisor Training

Increase	
\$900.00	01101000.50414 Town Board Training
\$900.00	Total Increases

Decrease	
\$900.00	01122000.50414 Supervisor Training
\$900.00	Total Decreases

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 Sherman, to approve the vouchers submitted for audit, chargeable to the respected funds as follows:

General Fund: \$ 336,200.19
Highway Fund: \$ 292,864.08
Trust & Agency: \$ 0.00

Capital Fund: \$ 375,781.15
Sewer Districts: \$ 21,377.45
Water Districts: \$ 6,251.66
Drainage District: \$ 0.00
Gas Conversion Lighting Districts: \$ 240.38
Electric Lighting Districts: \$ 1,174.67

Total: \$ 1,033,889.58

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

6. REPORTS FOR FILING

1. Councilmember Breidenstein re Ethics Board Annual Report 2025

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to receive and file the Ethics Board Annual Report for 2025.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

2. Town Clerk Newton re Town Clerk monthly report for December 2025

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to receive and file the Town Clerk monthly report for December 2025.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

3. Code Enforcement re Building and Plumbing reports for December 2025

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to receive and file the Building and Plumbing Reports for December 2025.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

4. Recreation Masset re Youth & Recreation Program Highlights 2025

Motion by Supervisor Dickson, seconded by Councilmember Sherman, to receive and file the Youth and Recreation Program Highlights for 2025.

Ayes: 5 Noes: 0 Abstain: 0 Motion Carried

ISSUES OF THE PUBLIC

The following comments and questions were received:

Beverly Leising, Harwood Road:

- Requested status of the stipends for the boards and commissions - Municipal Director of Human Resources Dittmar stated the Secretary's stipends for the Zoning Board of Appeals and Planning Board will remain the same and the smaller boards will be changed to an hourly wage. Supervisor Dickson stated the stipends were included in the agenda items.

- What is the status of recycling - Highway Superintendent Adams stated the town determined it was

currently more cost-effective to remain with Modern. The town did purchase three trucks for the price of one and can use them for garbage pick-up.

- Whose responsibility is it to identify water pressure issues when a house is being sold - Code Enforcement Officer Schieber stated there is no responsibility regarding this and encourages all potential buyers to seek information from the Code Enforcement Office about any property. Mrs. Harwood encouraged making this information known to the public and realtors.
- West Seneca Cares provided 127 gift bags to the residents of West Seneca nursing homes and thanked all who donated

James Raymond, Cedar Ridge Drive:

- Requested answers to questions he posed earlier in the meeting: why did Councilmember Breidenstein recuse himself from the Town Prosecutor appointment; can Councilmember Breidenstein speak to the transparency issues regarding the appointment of Mark Beehler to the Planning Board, a former colleague and employee; and is there a transparency issue with Joe Sherman sitting on the Planning Board while Mary Sherman is on the Town Board.

Kate Kotecki, Seneca Street:

- Asked why CPL was reappointed as the Town Engineer and, in her opinion, the town is encouraging bad behavior from this vendor
- Is a written policy in place for Facebook, or are comments turned off on a per-post basis, would like to review any existing written policy

James Manley, Larkwood Road:

- Governor Hochul signed NYS Bill S1183 which established real property tax exemption for the primary residence of veterans with 100% service-connected disability, and the West Seneca Joint Veterans Committees requested that the town adopt a local law or resolution creating a real property tax exemption - Supervisor Dickson relayed a message from Town Assessor Finbar that amendments will be made to the bill and Supervisor Dickson expressed support from the Town Board to adopt a local law.
- Requested status on the request to rename a park in honor of a veteran - Supervisor Dickson stated the Youth and Recreation Commission has been asked to follow up on the request.
- Offered assistance from the Joint Veterans Commission members with the town's 250th Anniversary celebrations - Supervisor Dickson stated a larger remembrance event is being planned for the 25th anniversary of 9/11.

Facebook comments:

- Why did Chelsea MacDonald resign, who runs the town's Facebook page and who decides to block comments
- Is one month a reasonable amount of time to provide answers to the public's questions
- Are there any laws or limits on flock cameras - Assistant Chief Pelow stated that based on communications he has viewed from Flock's legal team and advisors, Flock houses data for 30 days and then the data is scrubbed, and is a work in progress.

COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

Councilmember Breidenstein

- The Civic and Patriotic Commission is considering the following: beautification of Union Road,

partnering with the High Schools to make planters for the Town Hall campus, an event on September 12th, A More Perfect Union on Union, to include a car show, vendors, food, and a concert
- A Response to Public Comment is needed during the meeting so that all questions are addressed

Supervisor Dickson

- Quoted from an ACLU site: an official government social media channel can turn off all commenting on a post without encroaching on first amendment violation
- Supervisor Dickson or Deputy Supervisor Green control the posts
- Advised interested candidates to utilize the email provided
- Ms. MacDonald felt that being in the same law firm as Judge Minear could be an appearance of conflict and the Town Board initially thought it was acceptable that Ms. MacDonald would not appear before Judge Minear. Ironically, this situation occurred before and no one took issue.
- Attended the Union Fire Company Installation dinner and will attend others and commented on the longevity of those who serve the town
- Board members are selected through interviews and also personal knowledge, and it is insulting that some think that personal knowledge should disqualify a candidate

Councilmember Piekarec

- Echoed Supervisor Dickson's sentiments about volunteer firefighters and mentioned volunteers are always needed
- In his opinion, comments should be left on for all government pages
- The Internal Audit Committee has reviewed shipping charges and will review bank reconciliations next

Town Attorney Trapp

- Is looking forward to continuing his tenure with the town
- Forwarded revisions for music venues and avoidable alarms to the Code Enforcement Office for review
- Revisited his suggestion about alternate members for the Planning and Zoning Boards and asked for comments from the Town Board members who had not responded, including how many alternates for each board and would the alternates be used for conflicts of interest and/or absences. Mr. Trapp will proceed with one alternate for each board to fill in for both absences and conflicts of interest.
- Joe Trapp will attend the AOT Conference

Code Enforcement Officer Schieber

- All inspectors in NYS have 24 hours of in-service required
- Electrification is paused
- Agile Storage is nearly complete, Upstate Dairy expansion is to begin, and Ebenezer Landing is underway
- Nearly 500 multiple dwelling apartment fire inspections have been completed
- Town newsletters highlight fire districts, the Office of Emergency Management, and Dispatch

Town Clerk Newton

- The 2027 Organizational Meeting items will be entered into the meeting software as requested by residents
- 2026 Town and County Tax bills will be going out soon and the warrant is approximately \$70M

- The US Postal Service has made changes to the postmarking process and taxpayers need to be diligent to have their payments postmarked accordingly
- Reminded all that the Town Clerk secure drop box is just inside the doors at Town Hall

Recreation Supervisor Masset

- Hiring for pool supervisors and aquatic positions
- Announced her resignation as Recreation Supervisor and spoke kindly of her time with the town

EXECUTIVE SESSION

No executive session was needed.

ADJOURNMENT

Motion by Supervisor Dickson, seconded by Councilmember Robertson, to adjourn the meeting at 7:57 P.M.

Ayes: 5

Noes: 0

Abstain: 0

Motion Carried



NEWLY ELECTED OFFICIALS 2026 TRAINING SCHOOL



GENERAL INFORMATION

WHEN: January 14 - 16, 2026
Albany Capital Center, 55 Eagle Street, Albany, NY 12207

and

January 21 - 22, 2026
Radisson Hotel Corning, 125 Denison Parkway East, Corning, NY 14830

WHO: All first- and second-term supervisors, town board members, fiscal personnel and town clerks are encouraged to attend.

WHAT'S INCLUDED: Registration begins at 7:30 a.m. on the first day of each session. A breakfast buffet is served between 7:30 and 8:30 a.m.

AUTHORITY TO ATTEND Attendance at this training school is permitted by section 77-b of the General Municipal Law. Subdivision 3 of the section permits the town board to authorize attendance by "any of its members or any officer or employee ... or other person who has been elected pursuant to law to a public office of a municipality for which the term of office has not commenced ..." You are entitled to be reimbursed for all reasonable costs incurred while attending this program.

REGISTRATION INFORMATION: There is a school fee of \$250 per member and non-member, which is payable in advance of the program. This fee covers the cost of tuition, course materials, reception, breakfasts, lunches and coffee breaks. Please complete the registration form and return with payment to the address indicated on the next page. Registration will also be available on-site at a fee of \$350.

NEWLY ELECTED TOWN OFFICIAL TRAINING PACKAGE: All attendees of either NETO school can register for our 2026 Annual Meeting & Training School for the low price of \$100!

HOTEL RESERVATIONS: A block of rooms has been reserved at both locations. To reserve a room at the special rates, call your designated hotel, referencing the Association of Towns' Newly Elected Town Officials School program:

- Renaissance Hotel \$219 Standard Room 1-800-468-3571
Cut-off date for preferential rates: December 28, 2025
- Radisson Hotel Corning \$110 Standard Room (607)962-5000
Cut-off date for preferential rates: December 21, 2025

DID YOU KNOW? As a town officer, you are not required to pay tax on the room. Tax-exempt certificates should be carried with you for check-in. We will have extras available.

FOR FURTHER INFORMATION: Please contact Emily Kurtzner, Conference, Events and Education Manager, Association of Towns, at (518) 465-7933 or via email at ekurtzner@nytowns.org.

Checks made payable to Association of Towns. Please mail completed forms, one per registrant, with full payment to: Association of Towns, Attn: Emily Kurtzner, Conference, Events and Education Manager 150 State St., Albany, NY 12207