

Town of Grand Island – Regular Meeting #1

A regular meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Rd., Grand Island, NY at 8:00p.m. on the 4th of January 2010.

Present:	Peter A. McMahon	Supervisor
	Mary S. Cooke	Councilwoman
	Gary G. Roesch	Councilman
	Raymond A. Billica	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney
Excused:	Richard W. Crawford	Councilman

Supervisor McMahon called the meeting to order at 8:00p.m.

Reverend Kevin Backus of Bible Presbyterian Church gave the Invocation.

Councilman Raymond Billica led the Pledge of Allegiance.

PRIVILEGE OF THE FLOOR:

This is an opportunity for residents to comment on any matter regarding the meeting agenda items only.

Speakers: None

PUBLIC HEARINGS:

Create Lighting District #55 – Waterford Park Phase I

A public hearing was held at 8:00p.m. for the purpose of hearing anyone who wanted to speak in favor of or in opposition to the creation of Lighting District #55 – Waterford Park Phase I.

Speakers in Favor: None
Speakers in Opposition: None

Supervisor McMahon declared the Public Hearing closed.

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to adopt the following resolution creating Lighting District #55 – Waterford Park Phase I:

WHEREAS, previously the Town Board of the Town of Grand Island, received a petition, signed and acknowledged in the manner required by law by sufficient number of property owners, together with a map, plan and report for the creation of the Waterford Park Phase I Lighting District No. 55, Town of Grand Island, the boundaries of which said district are set forth below, and the improvements proposed consist of an electric street lighting system serving said district; and

WHEREAS, pursuant to an Order adopted by this Town Board on December 21, 2009, reciting the filing of the map, plan and report, the improvements proposed, the method of financing, the boundaries of the proposed Creation and all other matters required to be stated by law, the Town Board of the Town of Grand Island held a duly noticed public hearing at the Town Hall, 2255 Baseline Road, Grand Island, New York at 8:00 p.m. on January 5, 2010, to consider creation of said district including the environmental significance thereof and to hear all persons interested in the subject thereof, concerning the same, and for such other further action on the part of said Town Board, with relation to the proposed district.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF GRAND ISLAND as follows:

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1. Establishment of the Lighting District will not have a significant adverse impact on the environment and therefore a Negative Declaration of Environmental Significance has been issued for the creation of this District.

2. That the Petition is signed and acknowledged or proved or authenticated as required by law, and is otherwise sufficient.

3. That the notice of public hearing was duly published and posted as required by law, and is otherwise sufficient.

4. That all properties and property owners benefitted by the improvements are included in the District.

5. That all properties and property owners included in the District are benefitted thereby.

6. That it is in the public interest to create the Lighting District.

7. That creation of the District as set forth in the map, plan and report is approved, that the performance of supplying electrical street lighting service be contracted for by the Town Board acting for and on behalf of the District for the illumination of streets or highways in said District pursuant to the provisions of New York Town Law § 198(6), with an annual total charge not to exceed \$1,277.77, with an expected annual cost to the typical property in the proposed District (which typical property is a single family home) of \$85.18, which said expense shall be levied and collected from the several lots and parcels of land within said District, as bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie, State of New York, being part of Lot 17 of said Island, being more particularly described as follows:

BEGINNING at the southeast corner of Sublot 6 of Mapcover 3402/0001 as recorded in the Erie County Clerk's Office, said point being in the north line of East River Road (66 feet wide) at the southeast corner of Parcel "D" of lands described in a deed recorded in the Erie County Clerk's Office in Liber 8216 of Deeds at Page 437; thence northerly along the east line of Parcels "C" and "D" of said lands described in Liber 8216 of Deeds at Page 437, a distance of 583.40 feet to the northeast corner said Parcel "C"; thence westerly along the northerly line of said Parcel "C", a distance of 759.41 feet to a point; thence southerly at right angles to the previously described line, a distance of 160.00 feet to a point; thence westerly at right angles to the previously described line, a distance of 2.44 feet to a point; thence southerly at right angles to the previously described line, a distance of 70.00 feet to a point; thence easterly at right angles to the previously described line, a distance of 372.34 feet to a point; thence southerly along a line parallel to the east lines of said Parcels "C" and "D", a distance of 353.52 feet to a point in the said south line of parcel "D"; thence easterly along the said south line of Parcel "D", with a portion of said line of Parcel "D" being the same as the north line of East River Road, a distance of 390.00 feet to the point or place of beginning containing 7.18 acres more or less.

8. This Resolution is effective immediately. Within ten (10) days after adoption the Town Clerk shall file one certified copy of this Resolution with the State Comptroller and the Office of the Erie County Clerk.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahan
Noes 0

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Local Law Intro #8 of 2009 – Stop Sign – Laurie Lane and Park Lane

A Public Hearing was held at 8:00p.m. for the purpose of hearing anyone who wants to comment in favor or in opposition to Local Law Intro #8/2009 – to install a stop sign at the corner of Laurie Lane and Park Lane.

Speakers in Favor: None
Speakers in Opposition: None

Supervisor McMahon declared the Public Hearing closed.

A motion was made by Councilman Roesch, seconded by Councilman Billica to adopt Local Law #1/2010 modifying Section 46A-1 of the Town Code of the Town of Grand Island to place a stop sign on Laurie Lane at the Northeast corner of the intersection with Park Lane.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

APPROVAL OF MINUTES:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to approve Minutes of Workshop #72, December 21, 2009 and Minutes of Regular Meeting #23, December 21, 2009.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

CONSENT AGENDA:

1. New York State Department of Environmental Conservation Division – Permit Transmittal Letter – Permit No. 9-1446-00649/00001 – John Stickl
2. HodgsonRuss, LLP Attorneys – Daigler v. Town of Grand Island and Town of Grand Island Zoning Board of Appeals; Erie County Supreme Court Index No. 3965/2009

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to approve the consent agenda as distributed.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

2010 REORGANIZATION:

30-Day Extension Supervisor's Report

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to grant a 30-day extension for filing the Supervisor's Annual printed Financial Report for the fiscal year 2009.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Deputy Supervisor

Supervisor McMahon informed the Town Board he has appointed Richard W. Crawford as Deputy Supervisor for the year 2010. This is for your information only, no action by the Town Board.

Mileage

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to set the mileage at 0.50¢ per mile to be allowed town officials when performing duties for the Town of Grand Island during 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

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Assessment Formulas Reaffirmed

Consolidated Water Districts:

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to adopt the resolution regarding method of assessment for consolidated water district, method of assessment for consolidated sewer districts and method of assessment for Town lighting districts as follows:

BE IT HEREBY RESOLVED by the Town Board of the Town of Grand Island that, for 2010 all operation and maintenance costs and all capital costs, net of water rents and other revenues, shall be apportioned against the assessed land valuation of each of the properties or parcels of land within the Consolidated Water District.

Sewer Districts:

BE IT HEREBY RESOLVED by the Town Board of the Town of Grand Island that the method for the apportionment of the capital construction and operation and maintenance costs of the Wastewater Treatment Plant Facilities and its Sewer District lines and appurtenances for 2010:

1) 100% of all net operation and maintenance costs shall be apportioned to the water consumption of each of the properties or parcels of land within the Town Sewer Districts and shall be recovered as a sewer rent.

2) 100% of capital costs shall be apportioned against the assessed land valuation of each of the properties or parcels of land within the Town Sewer Districts.

3) Where there is an accessible line frontage it shall bear an annual tax of eighty (80) cents per front foot in the area of the Consolidated Sewer District formerly known as Sewer District #4, except that lateral sewer lines installed by a real property developer such front foot charges shall not apply. Also, a charge per frontage feet in said former Sewer District #4 or those connected in the East River lateral to be determined by the county.

User/Non-User Methodology

1) A User shall pay all Wastewater Treatment Plant Facility and Sewer District lines and appurtenances costs assigned to operation and maintenance and to capital construction costs of said Wastewater Treatment Plant Facilities.

2) A Non-User shall pay one hundred (100) per cent of the capital construction costs of said Wastewater Treatment Plant Facilities based upon the assessed land valuation of such non-User.

The following definitions shall apply:

1) USER shall be any property or parcel that fronts or abuts a sewer line or is connected or required to be connected to a public sewer line.

2) NON-USER is a property or parcel not fronting or abutting a public sewer line or where said sewer is not immediately available.

Lighting Districts:

BE IT HEREBY RESOLVED by the Town Board of the Town of Grand Island that, for 2010, that all costs shall be apportioned against the properties in all Districts in the Town of Grand Island based upon the frontage of said property.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

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Authorization – Petty Cash Funds

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to authorize Petty Cash Funds as follows for the year 2010:

Town Clerk	\$700
Sewer & Water Department	\$150
Town Justices	\$200
Highway Department	\$125
Recreation Department	\$100

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Rules and Procedures

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adopt the Rules and Procedures adopted January 20, 1964 and amended January 18, 1988, May 19, 1997 and January 5, 2004 are adopted for the year 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Bonding – Town Personnel

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to authorize the Supervisor to bond Town Personnel in the following amounts:

Supervisor	\$250,000.00
Town Clerk	\$250,000.00
Deputy Town Clerk (s)	\$250,000.00
Supervising Accountant	\$250,000.00
Court Clerks – Town Justices	\$100,000.00
Blanket Bond (for each employee that is bonded)	5,000.00

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Legal Holidays

A motion was made by Councilman Billica, seconded by Councilwoman Cooke authorizing all town offices to be closed in observance of the following holidays, as set forth in the various bargaining units:

Friday, January 1, 2010	New Year's Day
Monday, January 18, 2010	Martin Luther King Day
Monday, February 15, 2010	President's Day
Friday, April 2, 2010	Good Friday (1/2 day)
Monday, May 31, 2010	Memorial Day
Monday, July 5, 2010	Independence Day
Monday, September 6, 2010	Labor Day
Monday, October 11, 2010	Columbus Day
Tuesday, November 2, 2010	Election Day – Presidential Elections Only
Thursday, November 11, 2010	Veteran's Day
Thursday, November 25, 2010	Thanksgiving
Friday, November 26, 2010	Day after Thanksgiving
Thursday, December 23, 2010	Christmas Eve
Friday, December 24, 2010	Christmas Day
Thursday, December 30, 2010	New Year's Eve (1/2 day)
Friday, December 31, 2010	New Year's Day

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Easter Sunday (if actually worked)***and any other holiday declared by the Town Board of Grand Island***

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Town Hall Hours - 2010

Town Hall office hours for 2010 as follows:

January 1 to December 31

Monday-Friday 8:30 a.m. to 5:00 p.m.

Closed on all designated Town Holidays

Special Hours for Tax Collection will be determined by the Town Clerk

This is for your information only, no action by the Town Board.

Town Newspaper Designated

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke designating the *Island Dispatch* as the official newspaper for the Town of Grand Island for the year 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Bank Depositories Designated

A motion was made by Councilwoman Cooke, seconded by Councilman Billica designating The Manufacturers and Traders Trust Company, HSBC Bank, MBIA CLASS, JP Morgan Chase Bank, Citizens Bank, First Niagara Commercial Bank as depositories for the Town of Grand Island for the year 2010 in which the Supervisor and Town Clerk shall deposit all monies coming into their hands by virtue of their office, and furthermore, that the Town Clerk be directed to deposit tax monies in the HSBC Bank Grand Island office, said tax money to be remitted to the Supervisor at least once each week. Water, Wastewater and General Receipts are to be remitted to the Supervisor daily. All other funds of the Clerk to be deposited with the Supervisor no later than the 15th of the following month.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Audit Counselors Designated

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke designating the firm of Bonadio Group as audit counselors for the Town of Grand Island for the year 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Facsimile Signature of Supervisor

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch designating Manufacturers and Traders Trust Company, HSBC Bank, MBIA CLASS, JP Morgan Chase Bank, Citizens Bank, First Niagara Commercial Bank as depositories of the Town of Grand Island and be and they are hereby requested, authorized and directed to honor checks, drafts or other orders for the payment of money drawn in the name of the Town of Grand Island, including those payable to the individual order of any person or persons thereof, when bearing or purporting to bear the facsimile signature of Peter A. McMahon, Supervisor of the Town of Grand Island, and the Manufacturers and Traders Trust Company, the HSBC Bank, MBIA CLASS, JP Morgan Chase Bank,

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Citizens Bank, First Niagara Commercial Bank shall be entitled to honor and to charge the Town of Grand Island for such checks, drafts, or other orders, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen duly certified to or filed with the Manufacturers and Traders Trust Company, the HSBC Bank, MBIA CLASS, Chase Manhattan Bank by the Town Clerk of the Town of Grand Island.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Town Board Meeting Nights Designated

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to hold Town Board Meetings on the first and third Monday of each month at 8:00 p.m. A regular meeting that falls on holiday shall be held on Tuesday of that week. Workshop meeting will be held on the first and third Monday of each month at 6:30 p.m., or Tuesday if a holiday. The Town Clerk is directed to post a notice of all regular and workshop meetings.

Exception, third Monday in February (15th) no meeting due to the NYS Association of Towns Conference in New York City.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Date to Audit Bills

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch that bills drawn against the General Fund, Highway Fund, Sewer and Water Funds, Lighting Districts Fund, Capital Fund and Federal Revenue Funds will be audited on the first and third Monday of each month, or the following Tuesday if a holiday falls on that Monday.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Payroll Dates

A motion was made by Councilman Billica, seconded by Councilwoman Cooke authorizing the Supervisor to set the payroll date as every other Thursday, commencing January 1, 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Supervisor's Secretary:

Supervisor McMahon informed the Town Board that he has appointed Jacqueline McGuinty as his Secretary for the year 2010.

Budget Officer Designated

A motion was made by Councilwoman Cooke, seconded by Councilman Billica designating Supervisor Peter A. McMahon as Budget Officer for the Town of Grand Island for the year 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Salaries Adopted

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to adopt the Salary Schedule for the year 2010 as follows:

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2010

GRADE	POSITIONS	STEP	A	STEP	B	STEP	C	STEP	D	STEP	E
		HOURLY	ANNUALLY	HOURLY	ANNUALLY	HOURLY	ANNUALLY	HOURLY	ANNUALLY	HOURLY	ANNUALLY
		3.00%	1044 2088								
1	Laborer (Part-Time/Seasonal) Recreation Attendant (Part-Time/Seasonal) Clerk - Part-Time "B"	7.62		7.84		8.13		8.42		8.65	
2	Clerk Typist (Part-Time/Seasonal) Receptionist (Part-Time) Van Driver (Part-Time) Recreation Leader (Part-Time)	10.05		10.41		10.82		11.20		11.58	
3	Clerk - Part-Time "A"	11.58		12.01		12.44		12.90		13.35	
4	Dog Control Officer (Part-Time) Recreation Attendant	13.58	28355.04	14.10	29440.80	14.61	30505.68	15.13	31591.44	15.60	32572.80
4A	Payroll Clerk	14.38	30025.44	15.46	32280.48	17.78	37124.64	21.33	44537.04	25.57	53390.16
5	Police Officer (Part-Time) "B" Clerk to Town Justice	14.94	31194.72	15.52	32405.76	16.07	33554.16	16.66	34786.08	17.17	35850.96
6	Deputy Town Clerk Secretary to the Supervisor Police Officer (Part-Time) "A" Zoning Inspector (Part-Time)	16.51	34472.88	17.14	35788.32	17.77	37103.76	18.36	38335.68	19.01	39692.88
7	Clerk of Justice Court	18.25	38106.00	18.97	39609.36	19.65	41029.20	20.34	42469.92	21.03	43910.64
8	Account Clerk Mini Computer Oper. Confidential Code Enforcement Officer (Part-Time)	23.68	49443.84	24.54	51239.52	25.42	53076.96	26.31	54935.28	27.19	56772.72
9	Assessor (Full-Time)	26.02	54329.76	27.00	56376.00	27.96	58380.48	28.96	60468.48	29.91	62452.08
10	Deputy Highway Superintendent Supervising Accountant	28.61	59737.68	29.83	62285.04	30.80	64310.40	31.86	66523.68	32.95	68799.60
11		31.50	65772.00	32.68	68235.84	33.86	70699.68	35.03	73142.64	36.21	75606.48
12	Highway Superintendent	35.27	73643.76	36.59	76399.92	37.92	79176.96	39.24	81933.12	40.58	84731.04
13		38.15	79657.20	39.61	82705.68	41.04	85691.52	42.46	88656.48	43.91	91684.08

SALARIES ELECTED OFFICIALS

Supervisor	67331.43
Councilmembers	19597.00
Highway Superintendent	73643.76
Town Justice	42561.79
Town Clerk	66795.12

SALARIES OFFICIALS

Assessor Part-Time	24720.00
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APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Architectural Review Board

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to appoint Kenneth Killian to the Board of Architectural Review Board for a five-year term expiring December 31, 2014.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

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Appointment – Board of Ethics

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to reappoint Michael Rossi to the Board of Ethics for a five-year term expiring December 31, 2014.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Cable/Communications Committee

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to reappoint James Mazza to the Cable/Communications Committee for a seven-year term expiring December 31, 2016 and Ethan Huber for the remainder of a seven-year term which expires on December 31, 2013.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Commission for Conservation of the Environment

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to reappoint Sam Akinbami to the Commission for Conservation of the Environment to five-year term to expiring December 31, 2014.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Economic Development Advisory Board

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to reappoint John Bonora and Robert Christmann and Michael Steinagel to the Economic Development Advisory Board for three-year terms expiring December 31, 2012.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointments – Historical Preservation Committee

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to reappoint Sharon Nichols to the Historical Preservation Advisory Board for a four-year term expiring December 31, 2013, and reappoint Town Historian Teddy Linenfelser for a one-year term expiring December 31, 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Human Rights Commission

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to reappoint Christine Sanborn as Chair to the Human Rights Commission for a five-year term expiring December 31, 2014.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Library Trustee

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to reappoint Fay Rech McDonald as a Library Trustee for a five-year term expiring on December 31, 2014.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

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Appointment – Parks & Recreation Advisory Board

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to table the appointments to the Parks & Recreation Advisory Board.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Planning Board

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to reappoint Frank Greco to the Planning Board for a seven-year term expiring December 31, 2016 and appoint Shelia Ferrentino for the remainder of a seven-year term which expires on December 31, 2015.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Planning Board Chair

A motion was made by Councilman Roesch, seconded by Councilman Billica to reappoint Frank Sturniolo as Chair of the Planning Board for a two-year term expiring December 31, 2011.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointments – Traffic Safety Advisory Board

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to reappoint Frank DeSignore, Betty Harris and Christopher Pyc to the Traffic Safety Advisory Board for three-year terms expiring December 31, 2012 and to appoint Donald Batalaris to fill the remainder of a unexpired term ending December 31, 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Zoning Board of Appeals

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to reappoint Peter McKee to the Zoning Board of Appeals for a five-year term expiring on December 31, 2014 and as Chair of the Zoning Board of Appeals for a two-year term expiring December 31, 2011, also to reappoint Tim Phillips as an alternate to the Zoning Board of Appeals for a one-year term expiring December 31, 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Building Department Re-appointments

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to reappoint Douglas Learman as Code Enforcement Officer, Kevin Koch as Deputy Code Enforcement Officer and Michael Eisenhauer Code Enforcement Officer B Part-Time for the year 2010, for purposes of Chapter #8 of the Town Code.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Appointment – Town Historian

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to reappoint Teddy Linenfelser as Town Historian for the year 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

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Appointment – Commissioner of Police

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke appointing Supervisor Peter A. McMahon as the liaison and as the Police Commissioner of the Grand Island Police Department for the year 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Justice Court – Monthly Payment to New York State

A motion was made by Councilman Billica, seconded by Councilwoman Cooke authorizing the Court to send payment to the NYS Office of the Comptroller, Justice Court Fund, upon receipt of the monthly invoice from their office.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Utilities & Health Insurance Monthly Payment

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to authorize payments to the designated utility and health insurance companies upon receipt of the monthly statements.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

2010 Town Memberships

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke authorizing the Supervisor to renew the Town's membership with the following associations for the year 2010:

- The Association of Erie County Governments
- NYS Government Finance Officers Association
- State Association of Municipal Purchasing Officers (SAMPO)
- New York Planning Federation
- Association of Towns of New York State

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Authorize Attendance - Association of Towns Meeting

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to authorize attendance at the New York State Association of Towns Meeting in New York City by those Department Heads and/or elected officials with the necessary funds in their 2010 budget. The Supervisor is further authorized to cast one vote for the Town of Grand Island at the Association of Towns Meeting. Councilman Gary Roesch is hereby authorized as the alternate delegate.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Adopt Fee Schedule

A motion was made by Councilman Roesch, seconded by Councilman Billica to adopt the Fee Schedule for the year 2010 as follows:

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ASSESSOR

COMPUTERIZED ASSESSMENT DATA:

Up to 10,000 parcels	.05 per parcel
Over 10,000 parcels	.035 per parcel

BUILDING DEPARTMENT

BUILDING PERMIT FEES:

Floor area to be based on outside dimensions of the building.

Residential buildings. (D.U. = Dwelling Unit)

Floor area includes all habitable space-based on outside dimensions of overall structure - does not include cellar, non-habitable basement, non-habitable attic or carport. It does include an accessory garage.

SINGLE FAMILY DWELLING:

Up to 2,000 square feet	\$ 200.00
Over 2,000 square feet	\$ 300.00

TWO FAMILY DWELLINGS:

Per dwelling unit	\$ 250.00
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MULTIPLE DWELLINGS:

(3 or more D.U. per building)

For first 5 D.U.'s per D.U.	\$ 200.00
Next 10 (6-15)...per D.U.	\$ 100.00
For all additional D.U.'s	\$ 50.00

ACCESSORY BUILDINGS AND STRUCTURES:

Per square feet of floor area	\$ 0.10
Minimum	\$ 50.00

ADDITIONS, ALTERATIONS, RENOVATIONS:

Residential per square foot	\$ 0.15
Minimum fee for residential	\$ 100.00
Non-residential per square foot (first 1,500 square foot)	\$ 0.20
Non-residential per square foot (after 1,500 square foot)	\$ 0.05
Minimum fee for non-residential	\$ 100.00

AGRICULTURAL BUILDINGS:

Agricultural Building Permit	\$ 50.00
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NON-RESIDENTIAL BUILDINGS:

Up to 1,000 square feet	\$ 250.00
For additional square footage up to 10,000 per square foot	250.00+ .10/ft.
For additional square footage over 10,000 per square foot	250.00+ .05/ft.

Volume includes basement/cellar, sub-cellar (anything over 5 feet high). All volume based on overall outside dimensions.

REPAIRS, MISCELLANEOUS STRUCTURES, CHIMNEYS, SIDEWALKS, ETC.:

Repairs/renovations up to \$1,000 of cost	\$ 50.00
For each \$1,000 over \$1,000 cost	\$ 2.00
Maximum fee	\$ 250.00

SWIMMING POOLS:

Residential	\$ 50.00
Commercial	\$ 100.00

BUILDING DEMOLITION/REMOVAL:

One & two family dwelling	\$ 40.00
Accessory structures	\$ 25.00
All other structures	\$ 50.00

GRADING PERMIT:

Grading permit	\$ 50.00
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APPLICATION FOR CERTIFICATE OF OCCUPANCY:

Residential, single	\$ 50.00
All other residential	\$ 35.00
plus per unit	\$ 15.00
Accessory structures, pools, decks, fireplaces, etc.	\$ 25.00
Non-residential structures up to 10,000 square feet	\$ 50.00
Non-residential structures over 10,000 square feet	\$ 100.00
Non-residential structures - minor renovations/remodeling	\$ 25.00

ELECTRICAL & PLUMBING EXAM & LICENSING FEES:

Electrician license	\$ 75.00
Electrician examination fee	\$ 150.00
Electrician examination review fee	\$ 60.00
Electrician examination fee (special)**	\$ 150.00
In addition to the exam fee, the cost for any proctoring fees for special exams shall be divided equally among all the candidates that are scheduled for said exams.	
Journeyman Plumber examination fee license	\$ 50.00
Journeyman Plumber license examination fee	\$ 50.00
Journeyman Plumber Exam Fee (special)	\$ 75.00
Master Plumber license	\$ 75.00
Master Plumber examination fee	\$ 75.00
Master Plumber examination fee (special)	\$ 100.00

PLUMBING DEPARTMENT

PLUMBING FEES:

Fixture units - per fixture unit	\$5.00 per fixture - min \$50.00
Building drain	\$ 8.00
Building sewer lateral	\$ 8.00
New home construction - 1 bath	\$ 51.00
1 ½ baths	\$ 61.00
2 baths	\$ 66.00
2 ½ baths	\$ 76.00
3 baths	\$ 81.00
3 ½ baths	\$ 91.00
Water & sewer installation/repair	\$ 75.00
Conductor line installation/repair	\$ 50.00
Lawn sprinkler, backflow devices & misc. inspections	\$ 50.00
Re-inspection fee (Inspection failed twice)	\$ 50.00
Site drainage & fire protection line (up to 200 l.f.)	\$ 50.00
Site drainage & fire protection line (per 100 l.f. after initial 200 l.f.)	\$ 15.00

SEWER TAP FEES:

Single dwelling	\$ 450.00
Commercial, industrial	
Duplex, apartment, hotel, motel, nursing home	
Based on size of waterline serving building-per tap	
.75"	\$ 450.00
1"	\$ 450.00
1.5"	\$ 550.00
2"	\$ 550.00
over 2"	\$ 650.00
Recreational vehicle pump out station (one time tap-in fee)	\$ 450.00
Annual per boat slip charge	\$ 1.00

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WATER TAPS:

¾"	\$ 85.00
1"	\$ 95.00
1.5"	\$ 225.00
2"	\$ 350.00

WATER METERS:

M25 - ¾"	\$ 180.00
M40 - 1" Plastic	\$ 245.00
M70 - 1" Brass	\$ 265.00
M120 - 1 ½"	\$ 510.00
M170 - 2"	\$ 675.00

METER PART REPLACEMENT COSTS:

M25 - ¾" Bare Meter Less Register	\$ 50.00
Orion Transmitter for M25	\$ 130.00
M40 - 1" Bare Meter Less Register - Plastic	\$ 120.00
Orion Transmitter for M40	\$ 130.00
M70 - 1" Bare Meter Less Register - Brass	\$ 140.00
Orion Transmitter for M70	\$ 130.00
M120 - 1 ½" Bare Meter Less Register	\$ 375.00
Orion Transmitter for M120	\$ 140.00
M170 - 2" Bare Meter Less Register	\$ 540.00
Orion Transmitter for M170	\$ 140.00

TESTING WATER METERS:

¾"	\$ 55.00
1"	\$ 55.00
1.5"	\$ 110.00
2"	\$ 125.00

*over 2" at prevailing rates to have it done by a private company

Charge for disconnection of abandoned water services	\$ 600.00
Charge for temporary meter	
A) charge for use	\$ 45.00
B) deposit (refundable) - normal meter charge	

MISCELLANEOUS CHARGES:

Disconnect old service - water only	\$ 600.00
Disconnect old service - with sewer	\$ 900.00
Sprinkler system annual stand-by fee	\$ 150.00
Inspection fee	\$ 75.00
Turn water on or off	\$ 35.00
Fee to use a fire hydrant (plus cost of the water used)	\$ 80.00
Fee to pump out a meter pit to obtain a meter reading	\$ 80.00
Fee to set a water meter during non-working hours	\$ 100.00

ZONING

RECLASSIFICATION: (rezoning)

Application for rezoning: (based on acreage)	
Per acre for each of the first two acres or part of an acre	\$ 100.00
For each additional acre or part of an acre over the first two	\$ 50.00

VARIANCE/ZONING BOARD OF APPEALS:

Application fee	\$ 100.00
Application for determination or interpretation from Zoning Board of Appeals	\$ 60.00

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SPECIAL USE PERMIT APPLICATION FEE:

Initial	\$ 100.00
Renewal	\$ 20.00

CELLULAR TOWER PERMIT

Initial	\$ 100.00
Renewal	\$ 20.00

PERMANENT SIGN PERMIT:

Per square feet of sign face area, each side	\$ 1.00
Minimum fee	\$ 50.00

TEMPORARY SIGN PERMIT:

Application fee for each 30-day period	\$ 100.00
(\$75.00 refundable if removed in 30 days - total fee forfeited after 30 days)	

A) Waive fee for churches, schools, charitable or non-profit organizations, and individuals applying for personal messages (ex. Happy Birthday, Welcome Home, Congratulations, etc.)

B) Maximum time of two weeks

C) Require permit to be filed and adhere to present setback requirements (55' from center line of road)

AGRICULTURAL ANIMAL PERMIT

Initial Application	\$ 100.00
Yearly Renewal	\$ 20.00

ENGINEERING

APPLICATION FOR SITE PLAN REVIEW:

1.0 acre or less	\$ 60.00
1.1 - 2.0 acres	\$ 120.00
2.1 - 5.0 acres	\$ 120.00
plus per acre over 2 acres	\$ 25.00
5.1 - 10.0 acres	\$ 240.00
plus per acre over 5 acres	\$ 15.00
10.1 acres or more	\$ 300.00
plus per acres over 10 acres	\$ 10.00

ENGINEERING PLANS AND SPECIFICATIONS:

Varies

MAPS

XEROX COPIES

Map 24" x 36"		\$ 3.00
Tax map	1"=120'	\$ 3.00
Island map	1"=1000'	\$ 6.00
Island map	1"=2000'	\$ 3.00
Topographic map	1"=100'	\$ 3.00
Mylar 24" x 36"		\$ 10.00
Others	per square foot	\$ 0.50

HEWLETT PACKARD PLOTS

Color Plots		
24 x 36		\$ 6.00
36 x 48		\$ 12.00
<u>Aerial Photos</u>		
Black & White		
Per square foot		\$ 2.00
24" x 36"		\$ 12.00
36" x 48"		\$ 24.00
Color		
Per square foot		\$ 3.00

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24" x 36"		\$ 18.00
36" x 48"		\$ 36.00

PUBLIC IMPROVEMENT PERMITS:

\$0	to	\$10,000				
\$10,000	to	\$20,000	\$600, plus			6%
\$20,000	to	\$30,000	\$1,100, plus			5% over \$10,000
\$30,000	to	\$40,000	\$1,500, plus			4% over \$20,000
\$40,000	to	\$50,000	\$1,800, plus			3% over \$30,000
\$50,000	to	\$60,000	\$2,000, plus			2% over \$40,000
\$60,000	to	\$70,000	\$2,150, plus			1.5% over \$50,000
\$70,000	to	\$80,000	\$2,250, plus			1.0% over \$60,000
\$80,000	to	\$90,000	\$2,330, plus			0.8% over \$70,000
\$90,000	to	\$100,000	\$2,400, plus			0.7% over \$80,000
	over	\$100,00				0.5% over \$90,000
						2.50%

RECREATION FEES - IN LIEU OF 10% LAND:

Major subdivision per lot	\$ 500.00
Minor subdivision per lot	\$ 500.00
Multi-family residence per unit	\$ 100.00

SUBDIVISION FEES:

Preliminary application	\$ 200.00
Final Plat - per lot for major subdivision (4 lots or more)	\$ 50.00
Minor subdivision (less than 4 lots)	\$ 100.00

STORM WATER POLLUTION PREVENTION PLAN

For Single-Phase Residential & Commercial Development Projects ("Scheme A"):

0-5 Acres:	\$ 500.00
5-10 Acres: \$500.00 + \$350.00 = \$850.00	\$ 850.00
10 + Acres: \$850.00 + \$300.00 for each additional 5 acres	

For Multi-Phase Residential & Commercial Development Projects ("Scheme B"):

1. When the entire project is first being reviewed and approved by the municipality, use Scheme A above to determine an initial fee based on the entire acreage of the project to be developed in several phases.
2. Add \$500.00 for each subsequent phase after the 1st initial phase, to be collected at the beginning of each subsequent phase.

TOWN CLERK

BOOKS: (printed by outside firms - cost determined by printing cost)

Town Code Book	Varies
Zoning Ordinance	\$ 20.00
Zoning Map	\$ 5.00

CAMPSITE TRAILER LICENSE:

(or \$2.00 per camp unit)	Minimum \$ 100.00
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DEATH CERTIFICATES

Certified Copies	\$ 10.00
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DOG IMPOUNDMENT FEES AND REDEMPTION:

1)	First impoundment - for the first 24 hours	\$ 25.00
	each additional 24 hours or part	\$ 15.00
2)	Second impoundment - for the first 24 hours	\$ 50.00
	each additional 24 hours or part	\$ 15.00
3)	Third impoundment - for the first 24 hours	\$ 75.00
	each additional 24 hours or part	\$ 30.00

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DOG LICENSES:

Local fee	(Citizens 65 years & older exempt from local fee by Town Board Resolution)	\$ 5.00
Local fee (added to purebred licenses as follows:)		
Purebred license (1-10 dogs)		\$ 5.00
Purebred license (11-25 dogs)		\$ 5.00
Purebred license (26 or more dogs)		\$ 5.00

FOIL REQUESTS:

Per page	(up to 9"x14")	\$ 0.25
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PEDDLING & SOLICITING:

Peddler or Solicitor - Individual		\$ 60.00
	after July 1 st	\$ 30.00
Company - Up to Two Employees		\$ 100.00
	after July 1 st	\$ 50.00
Town Sponsored Special Events		
	Per Employee - Must apply 5 business days prior to event.	\$ 10.00

MACHINE COPIES OF ORDINANCES OR LOCAL LAWS

Per page - not to exceed \$4.00		\$ 0.50
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MARRIAGE LICENSES:

Certified copies		\$ 10.00
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MOTEL LICENSE:

Capacity of not more than 5 units		\$ 20.00
Capacity of not more than 10 units		\$ 30.00
Capacity of not more than 20 units		\$ 40.00
Capacity of more than 20 units		\$ 50.00

MUNICIPAL SOLID WASTE COLLECTOR: LICENSING FEE

Application for a business		\$ 200.00
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PASSPORT PHOTOS

\$ 7.00

RECYCLE BINS

\$ 7.00

MACHINE COPIES

\$ 0.50

COMMUNITY CENTER

Per Special Use: Shows, Clinics, Lessons, etc.		\$ 20.00
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GAZEBO:

One Time Use		\$ 20.00
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NON -RESIDENT FEES FOR SPORTS REGISTRATIONS AND TEAMS:

Fee for each non-resident athlete on roster		\$ 10.00
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NON-RESIDENT USE OF RECREATION FACILITIES:

Per Special Use: Clinics, Shows, camps, etc.		\$ 50.00
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CONCESSION STAND AT VETERANS PARK:

Daily Usage		\$ 15.00
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The interpretation, application and enforcement of the provisions of this fee schedule are the minimum requirements necessary for the protection of the health, safety and general welfare of the Town of Grand Island.

The fees established reflect the administration costs of processing such permits and will be subject to review by the Town as needed.

WATER/WASTEWATER DEPARTMENT

FINAL STATEMENT FOR ATTORNEY - PROPERTY CLOSING

Per Statement		\$ 5.00
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RENTS RELIEVED

Water Rents Relieved		\$ 7.50
Sewer Rents Relieved		\$ 7.50

POLICE DEPARTMENT

SERVICE OF EVICTION NOTICES

\$ 119.00

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
 Noes 0

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Legal Representation for the Town of Grand Island

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to appoint the law firm of HodgsonRuss LLP, Peter C. Godfrey, Esq. of Counsel, shall be and hereby is appointed as attorneys for the Town of Grand Island for the year 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Designate Harassment Complaint Officers

Human Relations Policy #4 requires the designation of two Harassment Complaint Officers.

A motion was made Councilwoman Cooke, seconded by Councilman Billica designating Town Attorney Peter C. Godfrey and Payroll Clerk Diane Y. Nesbitt as Harassment Complaint Officers for 2010.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Investment Policy

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch adopting the following Investment Policy for 2010:

This policy applies to all of the Town's money, which is available for investment on its own behalf.

The objectives of the Town's investments are:

- a) to conform with all applicable legal requirements
- b) to safeguard principal
- c) to provide sufficient liquidity to meet operating requirements
- d) to obtain a reasonable rate of return

Responsibility for administering the investment program is delegated to the Town Accountant, who shall maintain a record of investments, including descriptions and amounts, transaction dates, earnings and any other pertinent information. Investments shall be those, which a prudent person would make under prevailing circumstances in the best interests of the Town. They shall be made after solicitation of at least three bids.

Funds may be invested in:

- a) Certificates of deposit placed in a commercial bank authorized to do business in New York State
- b) Obligations of New York State
- c) Obligations of the United States Government
- d) Obligations of agencies of the United States Government if principal and interest are guaranteed by the Federal Government
- e) Repurchase agreements involving obligations of the United States or its agencies
- f) Time deposits and demand deposits in a commercial bank authorized to do business in New York State

Repurchase agreements must be subject to a Master Repurchase Contract and are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers. Investments may be made directly with an authorized trading partner or by using an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Town Board.

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Certificates of deposit and time deposits, in excess of amounts insured by the Federal Deposit Insurance Act, shall be secured by obligations of: The United States or its agencies, if principal and interest are guaranteed by the United States; New York State; municipal corporations and school districts of the state.

The Town shall annually designate depositories for the Town's funds. Such depositories shall be commercial banks authorized to do business in New York State. Each authorized bank shall execute a security agreement, which will

provide that collateral is pledged for the Town's deposits. The collateral may be held by the depository bank or by another bank, but in either case a custodial agreement must be executed to acknowledge that the pledged collateral is held by that bank as agent of and custodian for the Town.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Procurement Policy

A motion was made by Councilwoman Cooke, seconded by Councilman Billica adopting the following Procurement Policy for 2010:

WHEREAS, Section 104-b of the General Municipal Law procedures governing all procurement of goods and services not subject to the bidding requirements of GML, S103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement; NOW, THEREFORE, be it

RESOLVED: That the Town of Grand Island does hereby adopt the following procurement policies and procedures:

- GUIDELINE 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, S103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.
- GUIDELINE 2. All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$35,000 shall be formally bid pursuant to GML, S103.
- GUIDELINE 3. All estimated purchases of:
- Less than \$10,000 but greater than \$5,000 require a written Request For Proposal sent to at least 3 vendors and written/faxed quotes received from at least 2 of the vendors, with a good faith effort to obtain a written/faxed response from all solicited vendors. (see guideline 5)
 - Less than \$5,000 but greater than \$3,000 require an oral request for the goods to be given to at least 2 vendors and oral/faxed quotes received from at least 1 vendor with

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a good faith effort to obtain an oral/faxed response from all solicited vendors. (see guideline 5)

- Less than \$3,000 but greater than \$250.00 are left to the discretion of the purchaser.

All estimated public works contracts of:

- Less than \$35,000 but greater than \$10,000 require a written Request For Proposal to be sent to at least 3 contractors and written/faxed proposal received from at least 2 contractors, with a good faith effort to obtain a written/faxed response from all solicited contractors. (see guideline 5)

- Less than \$10,000 but greater than \$3,000 require a written Request For Proposal to be sent to at least 2 contractors and a written/faxed proposal received from at least 1 contractor, with a good faith effort to obtain a written/faxed response from all solicited contractors. (see guideline 5)

- Less than \$3,000 but greater than \$500 are left to the discretion of the purchaser.

All written Request for Proposal shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

GUIDELINE 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall be documented and filed with the record supporting the procurement.

GUIDELINE 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

GUIDELINE 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services;
- b) Emergencies;
- c) Sole source situations;
- d) Goods purchased from agencies for the blind or
- e) severely handicapped;
- f) Goods purchased from correctional facilities;

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- g) Goods purchased from another governmental agency;
- h) Goods purchased at auction;
- i) Goods purchased for less than \$250.00;
- j) Public works contracts for less than \$500.00;
- k) Purchases pursuant to State or County bid.

GUIDELINE 7.

This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

APPROVED Ayes 4
Noes 0

Cooke, Roesch, Billica, McMahon

Appoint Deputy Disaster Coordinator

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke appointing Gregory Butcher as Deputy Disaster Coordinator 2010.

APPROVED Ayes 4
Noes 0

Cooke, Roesch, Billica, McMahon

Workers' Compensation Representatives

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to appoint the following personnel to represent the Town at Upstate NY Municipal Workers' Compensation Plan Director's meetings for the year 2010:

Director	Peter A. McMahon
Alternate Director	Pamela J. Barton
Facilitator	Joseph P. Donlon

APPROVED Ayes 4
Noes 0

Cooke, Roesch, Billica, McMahon

COMMUNICATIONS – OTHER TOWN OFFICIALS:

HIGHWAY SUPERINTENDENT – JAMES B. TOMKINS:

Appointment of Deputy Highway Superintendent

Highway Superintendent James Tomkins informed the Town Board of the following appointment:

Joseph P. Donlon

Deputy Highway Superintendent

This is for information only, no action by the Town Board.

TOWN ATTORNEY – PETER GODFREY:

Road Dedication – Park Lane

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adopt the following resolution laying out of certain Town Highways in the Town of Grand Island to be known as Park Lane (Ransom Village Phase 4E):

WHEREAS, Upon submission of the annexed deed of dedication of RANSOM ROAD ASSOCIATES INC., dedicating and releasing the necessary lands for proposed town highways as set forth in the annexed legal description in the Town of Grand Island, County of Erie, State of New York, to be known as PARK LANE; now therefore, it is

RESOLVED that, in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent is given that the Highway Superintendent of the Town of Grand Island make an Order accepting and laying out the aforesaid town highways to be known as PARK LANE, the Town highways to consist of

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the lands described in the deed of dedication, subject to the approvals of the Town Engineer, Highway Superintendent, and the attorneys for the Town, and it is further

RESOLVED that, subject to the approvals of the Town Engineer and the attorneys for the Town and the Order of the Highway Superintendent laying out the aforesaid town highways to be known as PARK LANE, the Town Board hereby accepts the annexed deed of dedication, provided it is filed by the attorney for RANSOM ROAD ASSOCIATES INC., or their representative, in the Erie County Clerk's office and the attorneys for the Town are provided with a certified copy thereof documenting such satisfactory filing, and it is further

RESOLVED that, the Town Supervisor and Town Clerk are hereby authorized to execute such documents and enter into such agreements as are necessary or appropriate to accepting and laying out the aforesaid town highways.

APPROVED Ayes 4 Cooke, Roesch, Billica, McMahon
Noes 0

Councilman Richard Crawford joined the meeting at 8:37p.m.

Adopt Resolution Accepting Storm Sewer and Drainage Easements

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to adopt the following resolution accepting the Storm Sewer and Drainage Easements

WHEREAS, RANSOM ROAD ASSOCIATES INC. has offered for dedication lands for proposed town highways to be known as PARK LANE, and the plans submitted by RANSOM ROAD ASSOCIATES INC. in connection with such proposed town highways include storm sewer and drainage easements in favor of the Town of Grand Island, and RANSOM ROAD ASSOCIATES INC. has offered storm sewer and drainage easements to the Town of Grand Island; now therefore, it is

RESOLVED, that subject to the approvals of the Town Engineer, Highway Superintendent, and the attorneys for the Town, the Town Board does hereby accept from RANSOM ROAD ASSOCIATES INC., the owner of the RANSOM VILLAGE Subdivision, the Storm Sewer and Drainage Easements as shown by the plans submitted to the Town, provided the easements are filed by the attorney for RANSOM ROAD ASSOCIATES INC., or their representative, in the Erie County Clerk's office and the attorneys for the Town are provided with a certified copy thereof documenting such satisfactory filing, and it is further

RESOLVED that, the Town Supervisor and Town Clerk are hereby authorized to execute such documents and enter into such agreements as are necessary or appropriate to accepting and laying out the aforesaid easements.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon
Noes 0

DEPARTMENT OF ENGINEERING & WATER RESOURCES - JOHN WHITNEY: Waterline Improvement Project – Job No. M-195

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to authorize the Town Engineer to advertise for bids on Friday, January 8, 2010 for the Waterline Improvement Project – Job No. M-195 and to receive bids on Wednesday January 27, 2010 at 10:00a.m. local time.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon
Noes 0

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REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to pay Vouchers #96462 – 96542

General	\$ 35,733.92
Highway	\$ 24,016.57
Sewer	\$ 25,432.50
Water	\$ 10,567.24
Capital	<u>\$ 2,738.00</u>
Total	\$ 98,488.23

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon
Noes 0

UNFINISHED BUSINESS:

Local Law Intro #4 of 2009 – 6th Street Mining Overlay District

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adopt Local Law #2 of 2010 creating a Mining/Excavation Overlay District for the Yensan property as follows:

Section 1: The official map of the Town of Grand Island is hereby to create a Mining/Excavation Overlay District on the Yensan Property located at First Avenue and Sixth Street, approximately 160 feet north of First Avenue, off of Whitehaven Road in the Town of Grand Island, Erie County, and as more specifically shown on Exhibit A as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Grand Island, County of Erie, State of New York, being part of Lot Nos. 63,64, 85 and 86, Township 12, Range 9 bounded and described as follows:

BEGINNING at a point in the present north line of First Avenue where it intersects the centerline of Sixth Street, said point being 160 feet northerly from the original north line of First Avenue; thence westerly parallel to the original north line of First Avenue a distance of 230.0 feet to a point; thence northerly at an angle of 80.0 degrees a distance of 544.6 feet to a point; thence easterly at an angle of 114.4 degrees for a distance of 425.2 feet to a point; thence southerly at an angle of 75.6 degrees for a distance of 642.1 feet to a point; thence westerly at right angles a distance of 276.0 feet to the point or place of beginning.

Section 2: This Local Law shall be effective upon filing with the Secretary of State in accordance with the Municipal Home Rule Law.

The motion included approving the Site Plan for the same as follows:

WHEREAS, the Town of Grand Island has received an application for mining to be conducted on the Yensan Property, located at First Avenue and Sixth Street, approximately 160 feet north of First Avenue, off Whitehaven Road in the Town of Grand Island, Erie County; and

WHEREAS, the Department of Environmental Conservation, acting as Lead Agency under the State Environmental Quality Review Act has performed a coordinated review and issued a Negative Declaration for the proposed mine and creation of a pond.

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Grand Island as follows:

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1. Local Law No. 2 2010, creating the Mining/Excavation Overlay District for the Yensan Property, incorporated into this Resolution, is approved.

2. The site plan for the Yensan Mine is approved subject to the following conditions.

- a. There shall be no use of Sixth Street by any trucks serving the mine and pond in any manner.
- b. In accordance with the Negative Declaration, mining operations will be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday.
- c. Truck traffic from the mine site may leave only by way of the Niagara Falls Campground property road, which road connects directly with Whitehaven Road. No truck traffic may use Town roads without modification of this Site Plan Approval.

3. This Resolution shall be effective upon the deposit of \$20,000 with the Town pursuant to an escrow agreement satisfactory to the attorneys for the Town.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon
Noes 0

Double-D Construction, Bedell Road – Site Plan Approval/Contractor’s Yard

A. Doug Learman, Code Enforcement Officer – Contractor’s Yard

Remains Tabled

PRIVILEGE OF THE FLOOR:

This is an opportunity for residents to comment on any matter regarding Town government on any subject.

Speakers: None

SUSPENSION OF RULES:

A motion was made by Councilman Roesch, seconded by Councilman Crawford to suspend the rules to consider the Supervisor’s Appointments for the year 2010.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon
Noes 0

Supervisor’s Appointments & Committees

Supervisor McMahon informed the Town Board that the following will serve on the

Audit Committee:

Chair	Mary S. Cooke
Councilman	Gary G. Roesch

Supervisor McMahon informed the Town Board that the following will serve on the

Citizen Corps Council:

Dorothy Bitner
Frank Brusino Gregory Butcher
Hank Carroll
James T. Glass
Stephen Stouter, Vice Chair
Dan McMahon – Ex-officio

Town of Grand Island – Regular Meeting #1

Supervisor McMahon informed the Town Board that the following liaison appointments have been made for the year 2010:

Liaisons to Advisory Boards:

Economic Development	Gary G. Roesch
Environmental Conservation	Mary S. Cooke
Human Rights Commission	Mary S. Cooke
Cable/Communications Committee	Gary G. Roesch
Traffic Safety Advisory Board	Raymond A. Billica
Library Trustees	Richard W. Crawford
Architectural Review Board	Raymond A. Billica
Planning Board	Gary G. Roesch
Parks & Recreation	Richard W. Crawford
Historical Preservation	Mary S. Cooke
Golden Age Club	Gary G. Roesch
Long Range Planning Committee	Peter A. McMahon
Safety Committee	Gary G. Roesch
Citizen Corps Council	Richard W. Crawford

Supervisor McMahon informed the Town Board that the following will serve on the

Personnel Committee:

Peter A. McMahon
Richard W. Crawford

Supervisor McMahon informed the Town Board that the following will serve on the

Sidewalk & Bikepath Committee:

Chair	Peter McMahon
Town Engineer	John Whitney
Traffic Safety Advisory Board	
Councilwoman	Mary S. Cooke
Highway Superintendent	James B. Tomkins
Planning Board	Frank Sturniolo
Recreation Director	Linda Tuffiaro

Supervisor McMahon informed the Town Board that the following will serve on the

Special Districts Committee:

Chair	Peter A. McMahon
Councilwoman	Mary S. Cooke
Town Engineer	John Whitney
Water Department:	
Sr. Plant Operator	Brian Pettitt
Working Crew Chief	Don Hoover
Wastewater Department:	
Sr. Plant Operator	Ian James
Working Crew Chief	Mike Braun

FROM THE TOWN BOARD:

All: Welcome Councilman Raymond Billica – Happy New Year!

Monday, January 5, 2009 - 25

Town of Grand Island – Regular Meeting #1

ADJOURNMENT:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to adjourn the meeting at 8:45p.m.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon
 Noes 0

A moment of silence was observed in memory of the following:

Robert Shoemaker
William Drozdowsky
Thomas Tyson
William Wood
James Kish
Joanne Carr
Elaine Bellinger
Joyce (Webb) Beland
Rose Agro
Sue Ann (Solomon) Gardner

Respectfully submitted,

Patricia A. Frentzel
Town Clerk