

Town of Grand Island – Regular Meeting #8

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 2nd of May, 2011.

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

Supervisor Peter McMahon called the meeting to order at 8:00p.m.
Reverend Kevin Backus from Bible Presbyterian Church gave the Invocation.
Members of the Golden Age Center led the Pledge of Allegiance.

PROCLAMATION:

May – Older Americans Month

PUBLIC COMMENTS:

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

Speakers: None

PUBLIC HEARING:

**Local Law Intro #1 of 2011 – Rezoning – Portion of Whitehaven Farms PDD,
Whitehaven Road from R-2, C-R & PDD to C-R & PDD**

**A. Planning Board – Whitehaven Farms PDD, Whitehaven Road – Concept
Development Plan (Revised), Part of River Oaks**

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 #1 of 2011 a request to rezone 16 separate small pieces of property that are a portion of Whitehaven Farms PDD, Whitehaven Road from R-2, C-R & PDD to C-R & PDD.

Speakers in Favor: Al Hopkins

Speakers in Opposition: Dorothy Westhafer, Dave Gillen

Supervisor McMahon declared the Public Hearing closed.

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to table Local Law Intro #1 of 2011 a request to rezone 16 separate small pieces of property that are a portion of Whitehaven Farms PDD, Whitehaven Road from R-2, C-R & PDD to C-R & PDD.

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

APPROVAL OF MINUTES:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to approve Minutes of Workshop Meeting #29, April 18, 2011, Minutes of Regular Meeting #7, April 18, 2011, Minutes of Workshop Meeting #30, April 25, 2011.

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

Monday, May 2, 2011 - 1

Town of Grand Island – Regular Meeting #8

CONSENT AGENDA:

1. Meeting Minutes – Grand Island Memorial Library – January 13, 2011
 2. Meeting Minutes – Grand Island Memorial Library, Special Meetings – March 10, 2011 & March 28, 2011
 3. Meeting Minutes – Board of Architectural Review – March 15, 2011
 4. Meeting Minutes – Zoning Board of Appeals – March 3, 2011
- A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to approve the consent agenda as distributed.
- APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon
 Noes 0

COMMUNICATIONS –TOWN BOARD:

SUPERVISOR McMAHON:

Monthly Supervisor's Report – February 2011

The Supervisor reported a cash balance of \$726,032 on February 1, 2011

Total Receipts of \$6,324,096

Total Disbursements of \$6,382,632

Operating A/C Interest \$55

Operating A/C Balance \$667,551

Investment Interest \$4,525

Investment Balance \$10,789,910

Total Cash Balance as of February 28, 2011 \$11,457,461

No action required by Town Board.

Monthly Supervisor's Report – March 2011

The Supervisor reported a cash balance of \$667,550 on March 1, 2011

Total Receipts of \$1,093,056

Total Disbursements of \$1,399,985

Operating A/C Interest \$39

Operating A/C Balance \$360,659

Investment Interest \$4,386

Investment Balance \$10,228,216

Total Cash Balance as of March 31, 2011 \$10,588,875

No action required by Town Board.

Resolution – Erie County Legislature Redistricting

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke adopting the following resolution regarding the redistricting proposals which include Grand Island in a district with the City of Buffalo with copies to be sent to the committee and the Erie County Legislature:

WHEREAS, In accordance with a local law, approved by a majority of voters in Erie County on November 2, 2010, the Erie County Legislature will be reduced from fifteen members to eleven members effective January 1, 2012; and

WHEREAS, The responsibility for recommending the geographic boundaries of the districts, in the decennial reapportionment, rests with the Advisory Committee on Reapportionment with the final authority for reapportionment resting with the Erie County Legislature; and

Town of Grand Island – Regular Meeting #8

WHEREAS, The Advisory Committee currently has before it a number of proposals for geographic boundaries, which place the Town of Grand Island in a district with a portion of the City of Buffalo, thereby ignoring the State Constitutional constraints of contiguity and compactness which are explained in the Brennan Center for Justice New York Redistricting Memo of March 01, 2010; Now Therefore

Be It Resolved, That the Town Board, of the Town of Grand Island, hereby records its unanimous opposition to all of the existing redistricting proposals which include Grand Island in a district with the City of Buffalo, for the reasons stated and requests that the Advisory Committee on Reapportionment identify alternatives which meet the previously mentioned State Constitutional constraints; and

Be It Further Resolved, That this same Town Board also requests that the Erie County Legislature identify and consider only those alternatives that are consistent with the constraints of contiguity and compactness in the event that the Advisory Committee fails to do so.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN CLERK – PATRICIA A. FRENTZEL:

Fee Schedule Amendments

A motion was made by Councilman Crawford, seconded by Councilman Billica to amend the Fee Schedule to add Taxicab Licenses as follows:

Owner-Operator	\$60.00/year
Operator	\$60.00/year

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

HIGHWAY SUPERINTENDENT – JAMES TOMKINS:

Summer Hire

Highway Superintendent James Tomkins informed the Town Board that he has hired Robert Fraser as Seasonal Part-time help, effective May 2, 2011 at the rate of \$15.00 per hour. No action by the Town Board necessary.

DEPARTMENT OF ENGINEERING & WATER RESOURCES – JOHN WHITNEY:

1738 Grand Island Boulevard – Waive Site Plan Requirements – Modifications to Commercial Plaza

The Engineering Department received a proposal for 1738 Grand Island Blvd relating to changes to the existing plaza.

They include reconfiguration of interior space (no change of use) and the construction of a 329 +/- square foot covered patio on the building's exterior. The proposed patio will eliminate 3 parking spaces, but the documentation submitted by the applicant shows the parking requirement for the plaza remains compliant with the Town Code.

A motion was made by Councilman Crawford, seconded by Councilman Billica to accept the recommendation of the Town Engineer and waive the Site Plan requirements and grant revised Site Plan Approval for the project.

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

Town of Grand Island – Regular Meeting #8

Request Authorization to Advertise for Bids – WWTP Supervisory Control and Data Acquisition (SCADA) – Job #M-204

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to accept the recommendation of the Town Engineer to bid WWTP Supervisory Control and Data Acquisition (SCADA) – Job #M-204 and request the Town Attorney to prepare the Bond Authorization documents. The bid will be advertised on May 6, 2011 and receive bids at 10:00a.m. local time on May 25, 2011.

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

Water Treatment Plant Intake – Cleaning & Inspection

The Town Engineer reported that the Water Treatment Plant Intake requires cleaning and inspection annually. Quotes were requested from the three companies that perform that type of work and received the following:

Allen Marine Services	\$ 10,975.00
BIDCO Marine Group	\$ 10,999.00
Finger Lakes Industrial Contracting	\$ 14,900.00

After careful review of the quotes, the Town Engineer recommended Allen Marine to perform the intake cleaning and inspection in the amount of \$10,975.00.

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to accept the recommendation of the Town Engineer and authorize Allen Marine to perform the intake cleaning and inspection in the amount of \$10,975.00.

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

Hire Summer Helpers – Water and Wastewater Departments

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to accept the recommendation of the Town Engineer and appoint Patrick Gallagher at \$8.25/per hour and Erik Billica at \$8.50/per hour as Seasonal full-time employees for summer help in the Water Department and Andrew Donahue at \$8.25/per hour as Seasonal full-time for the Wastewater Department, effective May 3, 2011 subject to the completion of the necessary paperwork.

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

Quotes – Topsoil, Concrete & Water/Wastewater Repair Materials

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to table the decisions for Topsoil, Concrete and Water/Wastewater Repair Materials until some further information is obtained on one of the bidders.

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

Hire Full Time Position – Wastewater Treatment Plant Operator Assistant

A motion was made by Councilman Crawford, seconded by Councilman Roesch to accept the recommendation of the Town Engineer and appoint John M. Podlucky as a full-time Wastewater Treatment Plant Operator Assistant, effective May 3, 2011 at the starting rate of \$15.80 per hour subject to the completion of the required paperwork.

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

Town of Grand Island – Regular Meeting #8

RECREATION DIRECTOR – LINDA TUFILLARO:

Summer Hire

A motion was made by Councilwoman Cooke, seconded by Councilman Crawford to accept the recommendation of the Recreation Director and approve the hiring of John Loos as Master Mower at \$10.50 per hour for five months, subject to the completion of the required paperwork.

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

CODE ENFORCEMENT OFFICER – DOUGLAS LEARMAN:

Expiration of Building Permit – Parkland Enterprises, Inc., Ransom & Stony Point Roads – Service Station & Convenience Store

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to refer the correspondence from the Code Enforcement Office regarding the expiration of the Building Permit – Parkland Enterprises, Inc., Ransom & Stony Point Roads – Service Station & Convenience Store to the Town Attorney for review and recommendation.

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

ZONING OFFICE:

Special Use Permit Renewal – Carol M. Merkel, 2324 East River Road – Keeping of 2 Agricultural Animals on 3 Acres

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to renew the Special Use Permit for Carol M. Merkel, 2324 East River Road for keeping of 2 Agricultural Animals on 3 Acres. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Jayne Schaber, 394 Ransom Road – Keeping of up to 4 Agricultural Animals on 5 Acres

A motion was made by Councilman Crawford, seconded by Councilman Billica to renew the Special Use Permit for Jayne Schaber, 394 Ransom Road for keeping of up to 4 Agricultural Animals on 5 Acres. The site has been inspected and it is unchanged.

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

COMMUNICATIONS – GENERAL:

Independent Oil & Gas Association of New York – Natural Gas Development in New York State

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to refer the correspondence from Independent Oil & Gas Association of New York – Natural Gas Development in New York State regarding hydraulic fracturing to the Town Board.

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

Town of Grand Island – Regular Meeting #8

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to pay Vouchers # 100942 – 101070

General	\$ 65,477.82
Highway	\$ 4,257.69
Sewer	\$ 19,117.81
Water	\$ 9,062.74
Capital	\$ 106,982.00
Lighting	<u>\$ 1,900.00</u>
Total	\$ 206,798.06

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

UNFINISHED BUSINESS:

Tower Permit Renewal – Crown Castle USA, Inc. – Bedell Road Bikepath

Remains Tabled.

Tower Permit Renewal – Crown Castle USA, Inc. – 3078 Staley Road

Remains Tabled.

Special Use Permit Application – Mary Beth and Jeffrey A. Smith, 2655 Fix Road – Commercial Horse Boarding Operation

Remains Tabled.

SUSPENSION OF RULES:

Local Law Intro #2 of 2011 – Amend Zoning Code – Set Public Hearing

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to Suspend the Rules to consider a setting a Public Hearing to Amend the Schedules in the Zoning Code for the Central, North and South Business Districts.

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

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to set a Public Hearing for Monday, May 16, 2011 at 8:00p.m. for the purpose of hearing from anyone who wants to comment in favor or in opposition to Local Law Intro #2 of 2011, amendments to Schedules in the Zoning Code for the Central, North and South Business Districts.

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

PUBLIC COMMENTS:

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

Speakers: None

FROM THE TOWN BOARD:

Councilwoman Cooke: Maintenance of trees: Vet's Park 5/15, Tower Park 6/4, Ed Ball Park 6/18.

Councilman Roesch: Resolution – Erie County Legislature Redistricting; Rotary Parkway Cleanup – Saturday, 8:30am-11:30am; VFW Mother's Day Hanging Baskets – Fri. & Sat

Monday, May 2, 2011 - 6

Town of Grand Island – Regular Meeting #8

ADJOURNMENT:

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adjourn the meeting at 8:43p.m.

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

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

Geraldine Schutt	Rosalyn Butler
Alice Harper	Anthony LaChiusa
Bret Lynch	Alice Symonds
Robert Kindred	Georgena Shores
Eleanor Zernickel	

Respectfully submitted,

Patricia A. Frentzel
Town Clerk