

Town of Grand Island – Regular Meeting #12

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 5th of July, 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
	Charles Malcomb	Town Attorney

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

Supervisor Peter McMahon gave the Invocation.

Councilwoman Mary Cooke led the Pledge of Allegiance.

PUBLIC COMMENTS:

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

Speakers: None

PUBLIC HEARINGS:

Establish School Speed Zone – Ransom Road (School District Area) -

CANCELLED

A motion was made by Councilman Billica, seconded by Councilman Crawford to adopt the following resolution requesting the Department of Transportation (DOT) to establish a School Speed Zone:

WHEREAS, Section 1622 of the New York State Vehicle and Traffic Law authorizes the New York State Department of Transportation (DOT) to establish maximum speed limits at which vehicles may proceed along Town highways, and

WHEREAS, the DOT may establish school speed limits at not less than twenty-five (25) miles per hour for a distance not to exceed one thousand three hundred twenty feet on a Town highway passing a school building, entrance or exit of a school abutting on a Town highway and

WHEREAS, Section 1622 provides for the DOT to establish school speed limits upon the request of the Commissioner of Public Works and the Town Board of a Town, and

WHEREAS, the Town Board is concerned about the safety of students entering and leaving Grand Island High School on Ransom Road, it is hereby

RESOLVED, that the Town of Grand Island requests that the DOT establish a school speed zone at twenty-five (25) miles per hour on the portion of Ransom Road abutting Grand Island High School, and it is further

RESOLVED, that the Town of Grand Island requests that the Erie County Commissioner of Public Works and the Erie County Traffic Engineer send a request to the DOT to establish a school speed zone along Ransom Road in the area abutting Grand Island High School, and it is further

RESOLVED, that the Town Clerk is hereby directed to send a certified copy of this Resolution to the DOT and the Erie County Commissioner of Public Works and the Erie County Traffic Engineer.

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

Tuesday, July 5, 2011 - 1

Town of Grand Island – Regular Meeting #12

APPROVAL OF MINUTES:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to approve Minutes of Workshop Meeting #40, June 17, 2011, Minutes of Workshop Meeting #41, June 20, 2011, Minutes of Workshop Meeting #42, June 20, 2011, Minutes of Workshop Meeting #43, June 20, 2011, Minutes of Regular Meeting #11, June 20, 2011, Minutes of Workshop Meeting #44, June 23, 2011 and Minutes of Workshop Meeting #45, June 28, 2011.

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

CONSENT AGENDA:

1. American Federation of State, County and Municipal Employees, AFL-CIO – Local #1783A, Minimum Dues Increase 2011
2. Meeting Minutes – Grand Island Traffic Safety Advisory Board – May 10, 2011 & June 7, 2011
3. United States Coast Guard Auxiliary – National Safe Boating Week, May 21-27, 2011
4. Meeting Minutes – Board of Architectural Review – May 17, 2011
5. Teamsters Local Union No. 264 – Notice of Intent to Amend the Present Collective Bargaining Agreement
6. Belmont Housing Resources for WNY – Section 8 Housing Choice Voucher (HCV) Program
7. State of New York, Department of Transportation – Culvert Replacement & Rehabilitation on Route 324 & I-190
8. County of Erie, Department of Environment and Planning – Final 2010 Comprehensive Annual Performance Report (CAPER)
9. Meeting Minutes – Parks and Recreation Advisory Board – January 24, February 28 & March 28, 2011
10. Meeting Minutes – Joint Meeting, Commission for Conservation of the Environment & Parks and Recreation Advisory Board - April 14, 2011

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

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

COMMUNICATIONS –TOWN BOARD:

SUPERVISOR McMAHON:

2011 Mileage Rate

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to set the Town's reimbursement rate at \$0.555 cents per mile as per the IRS effective July 1, 2011.

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

Town of Grand Island – Regular Meeting #12

COUNCILMAN RAYMOND A. BILLICA:

Request to Change Speed Limit – Alt Boulevard, Fix Road, Huth Road, Stony Point Road and West River Road

A motion was made by Councilman Billica, seconded by Councilman Crawford to refer the request of changing the speed limit on West River Road from Long Road to Bush Road to the Traffic Safety Advisory Board for further review and recommendation.

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

A motion was made by Councilman Billica, seconded by Councilman Crawford to adopt the following resolution requesting the change of speed limits on the following streets:

Whereas, the Traffic Safety Advisory Board has conducted a study of all speed limits on Grand Island and subsequently recommends the speed limit on Alt Blvd. from Fix Road to Love Road be changed to 45mph, Fix Road from Hidden Oaks Drive to West River be changed to 45mph, Huth Road from Baseline Road to Stony Point Road be changed to 35mph, and Stony Point Road from East River Road to Whitehaven Road be changed to 45mph and

Whereas, a request from the Town of Grand Island Town Board to NYS DOT to change the speed limit requires the Town to execute for TE-9a, and

Whereas, the form is then forwarded to the Commission of Public Works and Erie County Traffic Engineer for further consideration, now therefore be it

Resolved, that the Town Board authorizes the Town Clerk to execute form TE-9a and forward it to the Commission of Public Works and Erie County Traffic Engineer.

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

Request to Change Speed Limits – Various Areas

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to adopt the following resolution requesting change of speed limits on the following streets:

Whereas the Traffic Safety Advisory Board has conducted a study of all speed limits on Grand Island and subsequently recommends the speed limit in various areas to be 30 mph to coincide with other area speed limits of 30 mph, and

Whereas the following is a description of the areas: 1) Havenwood Drive, Settlers Row; 2) Pin Oak Circle, Berkshire Lane, Luther Lane, Buckhorn Court; 3) Morningside Drive, Woodcreek Lane; 4) North Lane, South Lane, Jen Court; 5) Rob Roy, Jeffery Drive, Gregory Place; 6) Homeland Drive, Colonial Drive, Driftwood Court; 7) Amy Drive, Sawmill Run, Independence Lane; 8) Cardinal Lane; 9) Sandpiper Lane, Bluejay Lane, Park Lane, Sandra Lane, Laurie Lane, Tracey Lane; 10) Bishops Gate, Windham Lane, Foxcroft Road, Sturbridge Lane; 11) Independence Lane, Continental Lane, Brandywine Drive; 12) Majestic Wood Drive; 13) River Oaks Drive, Hemlock Drive, Hazlewood Drive, Deerwood Lane, Lakeside Drive, Briarwood Lane; 14) Town Hall Terrace, Center Terrace; 15) Flannigan Lane; 16) Meadow Lane; 17) Sunset Drive; 18) Westwood Drive; 19) 1st Street, 2nd Street, 2nd, Avenue, 3rd Avenue; 20) 3rd Street; 21) 4th Street; 22) 6th Street; 23) Oakridge Drive; Countryside Lane, Hidden Oaks Drive; 24) Royal Oaks Court; 25) Riverview Drive; 26) Dolphin Drive, Marlin Drive, Marlin Court, The Commons; 27) Beaver Lane; 28) Melrose Road; 29) Bronson Road; 30) Towerwood Road; 31) Woodstock Lane, Fernwood Lane, Fairview Court, Parkview Drive; 32) Fareway Lane; 33) Country Cottage Lane, and

Town of Grand Island – Regular Meeting #12

Whereas a request from the Town of Grand Island Town Board to NYSDOT to change the speed limit requires the Town to execute form TE 10, and

Whereas the from is then forwarded to the Commissioner of Public Works and Erie County Traffic Engineer for further consideration, now therefore be it

Resolved that the Town Board authorizes the Town Clerk to execute form TE 10 and forward it to the Commissioner of Public Works and Erie County Traffic Engineer.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN ATTORNEY – PETER GODFREY:

Authorize Supervisor to Sign Contracts – Water/Wastewater Service – Beaver Island State Park

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to authorize the Supervisor to sign a contract with the Office of Parks, Recreation & Historic Preservation for water service to Beaver Island State Park at a cost of \$3.95/per 1,000 gallons and the contract for wastewater service to Beaver Island State Park at a cost of \$8.63/per 1,000 gallons.

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

Road Dedication – Waterford Park, Phase IV

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to adopt the following resolution in the matter of the acceptance and laying out of certain Town Highways in the Town of Grand Island to be known as Waterford Park, Phase IV:

WHEREAS, Upon submission of the annexed deed of dedication of Isle Landings, LLC, 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 WATERFORD PARK (Phase IV); 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 WATERFORD PARK (Phase IV), the Town highways to consist of 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 WATERFORD PARK (Phase IV), the Town Board hereby accepts the annexed deed of dedication, provided it is filed by the attorney for Isle Landing, LLC, 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 Superintendent 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 5 Cooke, Crawford, Roesch, Billica, McMahon
Noes 0

Tuesday, July 5, 2011 - 4

Town of Grand Island – Regular Meeting #12

DEPARTMENT OF ENGINEERING & WATER RESOURCES – JOHN WHITNEY: Request Authorization to Place Vehicles up for Auction – Water Department 2002 Chevrolet S-10 Pick Up Truck & Waste Water Department 2000 Ford F-150 Pick Up Truck

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to accept the Town Engineer's recommendation and authorize the auction of the Water Department 2002 Chevrolet S-10 Pick up Truck & Waste Water Department 2000 Ford F-150 Pick up Truck as requested subject to notifying other departments to find out if they are in need of either of the vehicles.

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

Street Light Proposal – Intersection of Baseline Road & Woodstock

A motion was made by Councilman Crawford, seconded by Councilman Billica to accept the recommendation of the Town Engineer and install a 100 watt high pressure sodium lamp and luminaire with a 6' mast arm on the existing pole at the corner of Baseline and Woodstock. The cost is \$98.76/year and would be added to the Town-wide lighting district.

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

Buffalo Sewer Authority – Inter Municipal Agreement

The Town Engineer reported to the Town Board that the Buffalo Sewer Authority no longer generates a discharge rate based on the conventional parameters such as BOS, TSS and phosphate but rather the actual operating cost for the treatment process. The revised rate per gallon charge of \$0.36 is in effect July 1, 2011 through June 30, 2012. To opt into the agreement the Town will need to pay the annual fee of \$100.00 for 2011-2012.

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to accept the recommendation of the Town Engineer and pay the \$100.00 annual fee and enter into the Municipal Agreement with the Buffalo Sewer Authority.

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

Award Contract – Forcemain Replacement – Pump Station 6 – M-201

Town Engineer John Whitney reported that on June 29, 2011, bids were received for Forcemain Replacement – Pump Station 2 – Job No. M-201 from the following:

Fairway Contracting	\$140,462.40
Milherst Construction	\$206,935.00
Kandey Company, Inc.	\$227,605.00

The Town Engineer reviewed the bids and recommended award to low bidder Fairway Contracting in the amount of \$140,462.40.

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to accept the recommendation of the Town Engineer and award the bid for Forcemain Replacement – Pump Station 2 – Job No. M-201 to Fairway Contracting in the amount of \$140,462.40.

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

Tuesday, July 5, 2011 - 5

Town of Grand Island – Regular Meeting #12

Proposed 2011 Highway Resurfacing Program

The Town Engineer submitted the Engineers Report at the request of the Highway Superintendent outlining the proposed highway projects that are in the Capital Improvement Plan and scheduled for resurfacing in 2011. The anticipated bonding is \$565,000 over a (5) five year period, consistent with the proposed Capital Improvement Plan for 2011.

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to accept the Town Engineer's Report and recommendation to refer the matter to the Town Attorney so bonding resolutions can be prepared.

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

RECREATION DIRECTOR – LINDA TUFILLARO:

Program Summer Hires

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to accept the recommendation of the Recreation Director and approve the hiring of Seth Carey and Luke Moyer, Part –Time Seasonal Recreation Attendants, at \$8.00 per hour, effective July 5, 2011, subject to the completion of all the necessary paperwork.

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

ZONING OFFICE:

Special Use Permit Renewal – Gail Villani, 5302 East River Road – Keeping of 1 Agricultural Animal

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to renew the Special Use Permit for Gail Villani, 5302 East River Road for keeping of 1 agricultural animal on 2.3 acres. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Sandy Beach Yacht Club, 1851 Winter Road – Parking Lot

A motion was made by Councilman Billica, seconded by Councilman Roesch to renew the Special Use Permit for the Sandy Beach Yacht Club, 1851 Winter Road for a parking lot. The site has been inspected and it is unchanged.

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

Special Use Permit Application – Christopher J. Taylor (Certified Auto Brokers, Inc.), 1693 Grand Island Boulevard – Used Car Sales

A motion was made by Councilman Crawford, seconded by Councilman Roesch to adopt the following resolution for the Special Use Permit for Christopher J. Taylor, 1693 Grand Island Blvd. for a Used Car Sales Business:

WHEREAS, the Town of Grand Island has received an application for a special use permit from Christopher J. Taylor to sell used cars at 1693 Grand Island Boulevard, Grand Island, New York 14072; and

WHEREAS, the Town Board held a public hearing on the proposed use; and

WHEREAS, the Town Board, after evaluating the environmental impacts, has issued a negative declaration of environmental significance.

Tuesday, July 5, 2011 - 6

Town of Grand Island – Regular Meeting #12

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

1. A special use permit is hereby issued to Christopher J. Taylor to sell used cars at 1693 Grand Island Boulevard, Grand Island, New York 14072.
2. The facility must obtain final site plan approval, which will include conditions recommended by the Planning Board and adopted by the Town Board, within 90 days of adoption of this resolution.

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

COMMUNICATIONS – GENERAL:

Amy E. Stewart – Strides for Stewart Road Race, September 11, 2011

A motion was made by Councilwoman Cooke, seconded by Councilman Crawford to authorize the use Veterans Park for “Strides for Stewart” Road Race to benefit Miracle League on September 11, 2011.

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

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to pay Vouchers # 101561 – 101708

General	\$ 21,154.25
Highway	\$ 61,990.90
Sewer	\$ 19,898.93
Water	\$ 22,960.62
Capital	<u>\$608,289.25</u>
Total	\$740,293.95

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) – Commercial Riding Stable

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adopt the following resolution granting a Special Use Permit for Mary Beth and Jeffrey A. Smith, 2655 Fix Road for a Commercial Riding Stable:

WHEREAS, the Town of Grand Island Town Board has received an application for a Commercial Riding Stable from Mary Beth Smith and Jeffrey A. Smith to be located at 2655 Fix Road, Grand Island, New York; and

WHEREAS, the Town allows commercial riding facilities, which incorporates the horse boarding facility requested by the Smiths, and therefore the Town Board has treated the application as one for a commercial riding facility; and

WHEREAS, the Town Board has held a public hearing on the proposed facility and after evaluating the environmental impacts, has issued a negative declaration of environmental significance.

Tuesday, July 5, 2011 - 7

Town of Grand Island – Regular Meeting #12

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

1. A special use permit was issued for a commercial riding stable at the above stated address.
 2. No more than 16 horses may be kept at the facility at any time, regardless of ownership of the horses.
 3. No buildings may be expanded or new buildings constructed on the site without an approved site plan and whatever else may be required by law.
 4. The facility shall provide adequate off-street parking either stone or grass equal to the number of horses which are not owned by the applicant or its successor.
 5. No public shows or events of any kind, commercial or otherwise may be held at the property nor shall any sales, auctions or other activities which would increase traffic to the property conducted at the site.
 6. No horses shall be allowed to leave the property, including use of public roads, unless the New York VTL Section 1219 (214) is adhered to.
 7. Nothing in this permit shall be read as authorizing the use by any rider of any property other than the subject property without the permission of a property owner.
 8. This resolution shall be effective immediately.
- 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:

Dan Olivieri

Re: Request to change speed limits on Alt Blvd. to 45mph – Speed limit already set at 45mph. Need to send TE-9a not necessary.

FROM THE TOWN BOARD:

Supervisor McMahon: Culvert replacement – Grand Island Blvd. in front of Town Hall approximately July 11- August 1st – Road Closures

ADJOURNMENT:

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adjourn the meeting at 8:26p.m.

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

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

Robert Jankowiak

Jeanne Smith-Fallon

Cecelia Armenia

Berneice Huff

Edward Arida

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

Tuesday, July 5, 2011 - 8