

Town of Grand Island – Regular Meeting #2

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 22nd of January, 2019.

Present:	Nathan D. McMurray	Supervisor
	Beverly A. Kinney	Councilwoman
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston Jr.	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor Nathan D. McMurray called the meeting to order at 8:00p.m.
Pastor Michael Pfeil from Cornerstone Church gave the Invocation.
Councilman Peter Marston, Jr. 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 HEARING:

Proposed Designation of School #5 and Town Cupola as an Historic Building/Entity

A Public Hearing was held on Tuesday, January 22, 2019 at 8:00p.m. for the purpose of hearing anyone who wants to comment on the proposed designation of School #5 and the Town Cupola as an historic building/entity.

Speakers: Bill Koch

Supervisor McMurray declared the Public Hearing closed.
A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to give School #5 and the Town Hall Cupola located at 3121 Grand Island Boulevard Landmark Status.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

MINUTES:

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to approve Minutes of Workshop Meeting #1, January 7, 2019, Minutes of Regular Meeting #1, January 7, 2019 and Minutes of Workshop Meeting 2, January 9, 2019.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

CONSENT AGENDA:

1. Building Permits Issued – November 2018
2. Golden Age Center – Facility Usage – November 2018
3. Meeting Minutes – Zoning Board of Appeals – November 1, 2018

A motion was made by Councilman Marston, seconded by Councilman Madigan to approve the consent agenda as distributed.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

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COMMUNICATIONS –TOWN BOARD:

SUPERVISOR NATHAN D. McMURRAY:

NewCastle Phone System

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to purchase an InGate SIParator with 10 SIP Trunk Sessions (POTS converter) in the amount of \$2,500 to further enhance our phone system that is scheduled to be deployed on February 4, 2019. The funds are to be paid out of the Technology Trust.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

Appointments – Zoning Board of Appeals, Planning Board, Conservation Advisory Board, Architectural Review Board and Technology Oversight Committee

The following items concern appointments or reappointments, which were omitted during the Reorganization meeting, to the Town of Grand Island Advisory Boards for terms as specified.

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to:

- Reappoint to the Zoning Board of Appeals:
John Braddell for a five year term, expiring December 31, 2023
- Reappoint to the Planning Board:
Brad Bowman for a one-year term, as an alternate, expiring December 31, 2019.
- Reappoint to the Conservation Advisory Board:
Tom Burke for a one-year term, as an alternate, expiring December 31, 2019.
- Reappoint to the Architectural Review Board:
David Nardoizzi II for a one-year term, as an alternate, expiring December 31, 2019.
- Reappoint to the Parks and Recreation Advisory Board
James Szakacs for a five-year term, expiring December 31, 2023.
- Reappoint to the Technology Oversight Committee
Judy Schmidt for a one-year term, expiring December 31, 2019
Jen Peresie for a one-year term, expiring December 31, 2019
Bob Zielinski for a one-year term, expiring December 31, 2019
Ron Stipp for a one-year term, expiring December 31, 2019

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

Resolution Regarding Insurance Claim

A motion was made by Councilman Madigan, seconded by Councilman Marston to adopt the following resolution:

The Town Board has become aware of the theft of certain Town funds. The issue was discovered following the Town's analysis of accounts used for the Town's Golden Age Center programs. At the direction of the Town Board, the Town Accountant and attorneys for the Town, have been working cooperatively with the Erie County District Attorney's office to review the transaction history regarding bank accounts utilized for the Golden Age Center programs for the period from 2011 to 2017. As a result of this investigation, the Town determined that it had suffered a loss of approximately \$116,000. A former employee in the Town's Golden Age program, who the Town believes to be responsible for the loss, has repaid the Town a small sum of money towards the mishandled funds leaving a balance of approximately \$110,000. The Town maintains insurance against such losses and reported this matter to its insurance carrier. The Town's insurance carrier recently notified the Town that it will provide coverage for the entire loss less a modest deductible upon receipt of an appropriate Release and

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Assignment agreement. The anticipated insurance proceeds will be in the amount of \$109,421.22. The Town Board has implemented certain financial management protocols to address this type of risk and is committed to ensuring that such events do not occur anywhere in Town government.

The District Attorney's Office remains actively engaged on this matter, and consequently, the Town will refrain from further comment at this time to avoid prejudicing any potential criminal prosecution.

At this time, a motion is in order to authorize the Town Supervisor to sign the required release forms to obtain these insurance proceeds.

NOW THEREFORE, BE IT HEREBY RESOLVED, the Town Board hereby authorizes the Town Supervisor to sign the necessary Release and Assignment forms required by the Town's insurer as a condition of receipt of the insurance benefits in relation to the theft of funds from the Town's Golden Age Center programs;

AND BE IT FURTHER RESOLVED, that upon receipt of the insurance proceeds referenced above, the Town Accountant will separately account for such funds to facilitate their application towards funding future programs of the Town's Golden Age Center in a manner to be determined by the Town Board.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

COUNCILMAN MICHAEL H. MADIGAN: **Resolution Reaffirming Support of the Second Amendment**

A motion was made by Councilwoman Baney, seconded by Councilman Marston to adopt the following resolution:

WHEREAS, the Town Board of the Town of Grand Island, New York has expressed its opposition to New York States infringement on an individual's 2nd Amendment "right of the people to keep and bear arms," and

WHEREAS, the Town Board Resolution dated March 4, 2013 unanimously opposing the NY SAFE Act is an example of the Town's support of our 2nd Amendment rights, and

WHEREAS, this Grand Island Town Board will continue to oppose any infringement on the 2nd Amendment such as, but not limited to, long-gun registration, social media and search engine history background checks, requiring gun owners to purchase insurance for each gun legally owned, and/or restrictions that otherwise impair the civil liberties of lawful gun owners; and

WHEREAS, any gun legislation that infringes on our 2nd Amendment rights, the Town Board opposes;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Grand Island goes on record reaffirming our support of the 2nd Amendment which states:

"Well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

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AND BE IT FURTHER RESOLVED, that the Clerk shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senator Chris Jacobs, Speaker of the New York State Assembly Carl Heastie, Assembly Majority Leader Crystal D. Peoples, Assemblyman Angelo J. Morinello, the Clerk of the Erie County Legislature (for distribution), Legislator Kevin R. Hardwick and others as deemed necessary and appropriate.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

Authorize Supervisor to Sign – Energy Services Program Master Cost Recovery Agreement

A motion was made by Councilwoman Kinney, seconded by Supervisor McMurray to table the Energy Services Program Master Cost Recovery Agreement.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

COMMUNICATIONS – OTHER TOWN OFFICIALS:

HIGHWAY SUPERINTENDENT – RICHARD W. CRAWFORD:

NYS Highway Law – Section 284 Agreement - 2019

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to authorize the Highway Superintendent to spend the money in the 2019 Highway Budget on general road maintenance and drainage. The agreement will be amended when the Town Board appropriates money for and approves the 2019 Paving Program.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:

Appointment – Caretaker – Water Department

A motion was made by Councilman Marston, seconded by Councilwoman Baney to appoint Collin Gallagher, Caretaker in the Water Department, \$16.46/hr., AFSCME contract, effective February 4, 2019, subject to the completion of the necessary pre-employment paper work.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

TOWN ASSESSOR – JUDY M. TAFELSKI:

Grievance Day – 2019 Tax Roll

A motion was made by Councilwoman Baney, seconded by Councilman Marston to accept the recommendation of the Assessor and set Grievance Day for the 2019 tax roll on Wednesday, May 29, 2019.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

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REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to pay Vouchers #126492 - #126615

General	\$253,437.03
Highway	\$ 63,116.34
Sewer	\$ 79,883.74
Water	\$131,333.56
Trust & Agency	\$ 1,345.00
Capital	\$ 47,975.00
Total	\$577,090.67

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

UNFINISHED BUSINESS:

Heron Pointe, Phase 2 – Whitehaven Road – Revised Site Plan

A. Correspondence – Traffic Safety Advisory Board

Remains Tabled.

PUBLIC COMMENTS:

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

Speakers: Rose Bugman, Hank Cushing, Richard Crawford

ADJOURNMENT:

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to adjourn the meeting at 9:39p.m.

APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray
Noes 0

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

Lindy Allen	Eleanor Swain
Raymond Balzer	Suzanne Volante

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

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