

Town of Grand Island – Regular Meeting #19

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 16th of October, 2017.

Present:	Nathan D. McMurray	Supervisor
	Raymond A. Billica	Councilman
	Christopher K. Aronica	Councilman
	Beverly A. Kinney	Councilwoman
	Michael H. Madigan	Councilman
	Patricia A. Frentzel	Town Clerk
	Charles Malcomb	Town Attorney

Supervisor Nathan D. McMurray called the meeting to order at 8:00p.m.
Mr. Mike Piney from CrossRiver Ministries gave the Invocation.
Councilwoman Beverly Kinney 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:

Special Use Permit Application – Betsy Thomas, 2627 Love Road – Bed & Breakfast

A Public Hearing was held Tuesday, September 5, 2017 at 8:00p.m. for the purpose of hearing anyone who wants to comment on a Special Use Permit Application – Betsy Thomas, 2627 Love Road – Bed & Breakfast.

Speakers: Betsy Thomas

Supervisor McMurray declared the Public Hearing closed.

SEQR

Supervisor McMurray presented the SEQR – Short Form Environmental Assessment Forms for Betsy Thomas, 2627 Love Road for a Special Use Permit for a Bed and Breakfast. Mr. McMurray informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilman Madigan, seconded by Councilman Billica to issue a Negative Declaration for Betsy Thomas, 2627 Love Road for a Special Use Permit for a Bed and Breakfast.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

A motion was made by Councilwoman Kinney, seconded by Councilman Billica to grant conditional approval for a Special Use Permit for Betsy Thomas, 2627 Love Road for a Bed and Breakfast, subject to the approval of the Planning Board. The applicant has to file for a Bed and Breakfast license as well.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

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Local Law Intro #6 of 2017 – Sewer Rents for Farm Operations in County-adopted, State-certified Agricultural Districts

A Public Hearing was held Tuesday, September 5, 2017 at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #6 of 2017 – Sewer Rents for Farm Operations in County-adopted, State-certified Agricultural Districts.

Speakers: None

Supervisor McMurray declared the Public Hearing closed.

A motion was made by Councilman Billica, seconded by Councilman Madigan to adopt Local Law #3 of 2017 as follows:

Section 1: Chapter 281, Section 281-3(E) of the Town of Grand Island Code is hereby amended to read in its entirety as follows:

§ 281-3 Annual charges.

- A. Notwithstanding any other provision of law to the contrary, in-district and out-of-district charges shall not be based entirely upon the consumption volume of water on premises as follows:
 1. Where it can be clearly demonstrated, by separate water meter reading or by application of standard design and sewer volumes as established by the New York State Department of Environmental Conservation, that commercial properties with minimum annual consumption volumes of 500,000 gallons of water have at least 25% or more of the annual consumption volume of water not going into the sewer system. In such cases, the Town of Grand Island shall make the determination that, based on separate water meter reading or by application of said standard design sewer volumes, at least 25% of the annual consumption volume of water for the premises does not go into the sewer system, and the sewer charges shall then be based upon the volume of water determined to be going into the sewer system from the premises. Any meter required to be installed to make this determination shall be meters approved by the Town of Grand Island, and any cost for purchase, installation or maintenance of such meters shall be the responsibility of the user. Commercial properties wishing to obtain any adjustment to their sewer rents pursuant to this section shall pay the application fee and annual renewal fee in the amount(s) set forth in the Schedule of Fees adopted by Town Board resolution and filed in the office of the Town Clerk.
 2. Where it can be clearly demonstrated, by separate water meter reading, that farm operations within County-adopted, State-certified Agricultural Districts, have at least 25% or more of the annual consumption volume of water not going into the sewer system. In such cases, the Town of Grand Island shall make the determination that, based on separate water meter reading, at least 25% of the annual consumption volume of water for the premises does not go into the sewer system, and the sewer charges shall then be based upon the volume of water determined to be going into the sewer system from the premises. Any meter required to be installed to make this determination shall be meters approved by the Town of Grand Island, and any cost for purchase, installation, or maintenance of such meters shall be the responsibility of the user. Farm operations in County-adopted, State-certified Agricultural Districts wishing to obtain any

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adjustment to their sewer rents pursuant to this section shall pay the application fee and annual renewal fee in the amount(s) set forth in the Schedule of Fees adopted by Town Board resolution and filed in the office of the Town Clerk.

Section 2: Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

Local Law Intro #7 of 2017 – Require Elected Officials’ Deputies to File Annual Disclosure Statements, Pursuant to Chapter 48 of the Town of Grand Island Code

A Public Hearing was held Tuesday, September 5, 2017 at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #7 of 2017 – Require Elected Officials’ Deputies to File Annual Disclosure Statements, Pursuant to Chapter 48 of the Town of Grand Island Code.

Speakers: None

Supervisor McMurray declared the Public Hearing closed.

A motion was made by Councilman Billica, seconded by Councilman Madigan to adopt Local Law #4 of 2017 as follows:

Section 1: Chapter 48, Section 48-6(A) of the Town of Grand Island Code is hereby amended to read in its entirety as follows:

§ 48-6 Disclosure statement.

- B. All Town officials who are elected, all deputies of elected officials, including without limitation, the Deputy Town Supervisor, Deputy Highway Superintendent, Deputy Town Clerks, Clerk of the Justice Court, and Clerks to a Town Justice, all Town departments heads, the Chairperson of the Zoning Board of Appeals and the Chairperson of the Planning Board shall file with the Town Clerk, who for the purpose of this section shall also be deemed the Secretary of the Board of Ethics as hereinafter set forth, a signed, annual disclosure statement within 120 days of the effective date of this local law, within 30 days of taking office and no later than April 30 of each year thereafter. Within 30 days of any change in the information contained in his or her most recently filed statement, the public official shall file a signed amendment to the statement indicating the change.

Section 2: Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

MINUTES:

A motion was made by Councilwoman Kinney, seconded by Councilman Billica to approve Minutes of Workshop Meeting #26, October 2, 2017 and Minutes of Regular Meeting #18, October 2, 2017.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

CONSENT AGENDA:

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1. Building Permits Issued – September 2017
2. Meeting Minutes – Long Range Planning Committee – July 12, 2017
3. Meeting Minutes – Zoning Board of Appeals – September 7, 2017
4. Meeting Minutes – Planning Board – September 11, 2017

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

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

COMMUNICATIONS – TOWN BOARD:

SUPERVISOR NATHAN D. McMURRAY:

Approve School Resource Officer Agreement

A motion was made by Councilman Billica, seconded by Councilman Madigan to refer the School Resource Officer Agreement to the Town Board and the Officers in Charge and to table the matter.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

COMMUNICATIONS – OTHER TOWN OFFICIALS:

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

Change of Employment Status – Water Department

A motion was made by Councilman Billica, seconded by Councilman Aronica to approve the status change for Sean Steckelberg, Laborer from Seasonal to Part-time, effective October 17, 2017 at \$10.40/hr.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

Veteran's Park Power Upgrade – Job #M-66

The Town Engineer presented a proposal to supply a new primary electrical service to Veterans Park. Once the new primary electrical service is installed future upgrades to the concession stand, football press box building, batting cages and shelter can be planned.

The first part is for a single phase primary wire and two transformers from National Grid that will be purchased by the Town directly from National Grid for \$25,850.

The second part of the project involves the purchase and installation of the PVC conduit and pull boxes required for the protection of the new primary wire. The Town will purchase all necessary material needed for the installation of the conduit and will use Town forces for the installation with an estimated cost not to exceed \$5,500.

The third part of the project is the labor provided by High Energy Electric to supervise and help with the installation of the primary wire and transformers. High Energy Electric will also handle all permits and paperwork with National Grid and Underwriters (electrical inspection). High Energy Electric's fee is \$3,000.00.

A motion was made by Councilman Billica, seconded by Councilman Madigan to accept the recommendation of the Town Engineer and approve the installation of a new primary electrical service to Veterans Park in the amount of \$34,350.00

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

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Request Authorization to Advertise for Bids – Water Plant High Lift Pump Upgrade – Job #M-212-16

A motion was made by Councilman Billica, seconded by Councilwoman Kinney to authorize the Town Engineer to advertise for bids for the Water Plant High Lift Pump Upgrade – Job #M-212-16 on Friday, October 20, 2017 and to receive bids on Wednesday, November 8, 2017 at 10:00a.m. local time.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

TOWN ASSESSOR – JUDY M. TAFELSKI:

Richard Mata & Nancy B. Blundell – Request Permission to Split/Merge Property – SBL #51.15-3-27

A motion was made by Councilwoman Kinney, seconded by Councilman Aronica to refer the request of Richard Mata & Nancy B. Blundell to split/merge property – SBL #51.15-3-27 to the Planning Board for review and recommendation.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – Bryce & Robin Shipman, 2020 Fix Road – Bed & Breakfast

A motion was made by Councilman Aronica, seconded by Councilman Billica to renew the Special Use Permit for Bryce & Robin Shipman, 2020 Fix Road – Bed & Breakfast. The site has been inspected and there are no violations.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

Special Use Permit Renewal – WNY Towing by Marty’s, Inc., 1733 Baseline Road – Motor Vehicle Repair Shop

A motion was made by Councilman Billica, seconded by Councilman Aronica to renew the Special Use Permit for WNY Towing by Marty’s, Inc., 1733 Baseline Road – Motor Vehicle Repair Shop.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

Special Use Permit Renewal – Jennifer Tirone, 993 Whitehaven Road – Keeping of 4 Agricultural Animals on 5 Acres

A motion was made by Councilman Madigan, seconded by Councilman Aronica to renew the Special Use Permit for Jennifer Tirone, 993 Whitehaven Road – keeping of 4 agricultural animals on 5 acres.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

PLANNING BOARD:

Hidden Meadow Trail Apartments, Grand Island Boulevard – SBL #23.00-3-16.1 – Site Plan Approval - SEQR

Supervisor McMurray presented the SEQR – Short Form Environmental Assessment Forms for Hidden Meadow Trail Apartments, Grand Island Boulevard – SBL #23.00-3-16.1 – Site Plan Approval. Mr. McMurray informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilman Billica, seconded by Councilwoman Kinney to issue a Negative Declaration for Hidden Meadow Trail Apartments, Grand Island Boulevard – SBL #23.00-3-16.1 – Site Plan Approval.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

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Site Plan Approval – Hidden Meadow Trail Apartments, Grand Island Boulevard – SBL #23.00-3-16.1

A motion was made by Councilman Aronica, seconded by Councilman Billica to accept the recommendation of the Planning Board and approve the Site Plan for Hidden Meadow Trail Apartments, Grand Island Boulevard – SBL #23.00-3-16.1, 9 buildings with 40 units.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

Recreation Fees

A motion was made by Supervisor McMurray, seconded by Councilwoman Kinney to refer the matter of Recreation Fees to the Town Board, Town Attorney, Town Engineer, Parks & Recreation Advisory Board and the Economic Development Advisory Board for review and recommendation.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Madigan, seconded by Councilman Aronica to pay Vouchers #122107 -122227

General	\$ 50,172.16
Highway	\$113,126.96
Sewer	\$ 13,844.12
Water	\$ 97,414.46
Capital	\$234,370.53
Garbage	\$118,875.90
Fire	<u>\$297,655.00</u>
Total	\$925,459.13

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

UNFINISHED BUSINESS:

Bond Resolution – Increase and Improvement of Facilities of the Consolidated Water District – 2017

This item is to be removed from the agenda.

Authorize Supervisor to Sign Professional Services Agreement – Staley Road Waterline Replacement – Job No. M-225

A motion was made by Councilman Aronica, seconded by Councilman Billica to authorize the Supervisor to sign the Professional Services Agreement with Wendel for the Staley Road Waterline Replacement – Job No. M-225 in the amount of \$98,350.00.

APPROVED Ayes 4 Billica, Aronica, Kinney, McMurray
Abstain 1 Madigan

SUSPEND THE RULES:

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to Suspend the Rules to consider a request from Hunt Engineers, Architects, & Land Surveyors, PC Request for an approved Site Plan extension – Elderwood Grand Island – Independent Senior Housing.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

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Hunt Engineers, Architects, & Land Surveyors, PC Request for Approved Site Plan Extension – Elderwood Grand Island – Independent Senior Housing

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to grant an extension of the Approved Site Plan for Elderwood Grand Island – Independent Senior Housing for six months.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
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 BOARD:

- Prayers to the family of Buffalo Police Officer Craig Lehner
- October is Breast Cancer Awareness Month

ADJOURNMENT:

A motion was made by Councilman Billica, seconded by Councilman Aronica to adjourn the meeting at 8:50p.m.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

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

Mary McMillan	William Young
Julie Ann Lockett	Mary Dunbar-Daluisio
Michael Boland	Edward Plucinski
Buffalo Police Officer Craig Lehner	

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

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