

## **Town of Grand Island – Regular Meeting #20**

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 5<sup>th</sup> of November, 2018.

Present:	James R. Sharpe	Deputy 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

Excused:	Nathan D. McMurray	Supervisor
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Deputy Supervisor James R. Sharpe called the meeting to order at 8:00p.m. in the absence of the Supervisor.

Councilwoman Jennifer L. Baney gave the Invocation.

Councilwoman Jennifer L. Baney led the Pledge of Allegiance.

### **PROCLAMATION:**

**Zonta Club 60th Anniversary**

### **PUBLIC COMMENTS:**

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

Speakers:	None
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### **PUBLIC HEARINGS:**

#### **Local Law Intro #9 of 2018 – Stop Sign – West Oakfield Road**

A Public Hearing was held on Monday, November 5, 2018 at 8:00p.m. for the purpose of hearing anyone who wanted to comment on Local Law Intro #9 of 2018 – Stop Sign – West Oakfield Road.

Speakers:	None
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Deputy Supervisor Sharpe declared the Public Hearing closed.

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to refer Local Law Intro #9 of 2018 – Stop sign for West Oakfield Road to the Town Board for further review with Highway Superintendent.

APPROVED	Ayes	4	Kinney, Madigan, Baney, Marston
	Noes	0	

### **MINUTES:**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve Minutes of Workshop Meeting #32, October 15, 2018, Minutes of Regular Meeting #19, October 15, 2018, Minutes of Workshop Meeting #33, October 16, 2018 and Minutes of Workshop Meeting #34, October 22, 2018,

APPROVED	Ayes	4	Kinney, Madigan, Baney, Marston
	Noes	0	

### **CONSENT AGENDA:**

1. Meeting Minutes – Board of Architectural Review – September 18, 2018
2. Meeting Minutes – Conservation Advisory Board – August 23, 2018
3. Golden Age Center – Facility Usage – September 2018
4. Building Permits Issued – October 2018

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

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **COMMUNICATIONS –TOWN BOARD:**

#### **SUPERVISOR NATHAN D. McMURRAY:**

##### **Monthly Supervisor's Report July 2018**

The Supervisor reported Cash Balance-Operating A/C of \$2,717,585 on July 1, 2018

Total Receipts of \$2,349,279

Total Disbursements of \$2,394,389

Operating A/C Interest \$633

Operating A/C Balance \$2,673,108

Investment Interest \$11,670

Investment Balance \$14,189,866

Total Cash Balance as of July 31, 2018, 2018 \$16,862,974

No action by the Town Board.

##### **Monthly Supervisor's Report August 2018**

The Supervisor reported Cash Balance-Operating A/C of \$2,673,108 on August 1, 2018

Total Receipts of \$1,224,396

Total Disbursements of \$1,001,591

Operating A/C Interest \$712

Operating A/C Balance \$2,896,625

Investment Interest \$13,861

Investment Balance \$13,869,155

Total Cash Balance as of August 31, 2018, 2018 \$16,765,780

No action by the Town Board.

##### **Monthly Supervisor's Report September 2018**

The Supervisor reported Cash Balance-Operating A/C of \$2,896,625 on September 1, 2018

Total Receipts of \$884,939

Total Disbursements of \$910,254

Operating A/C Interest \$609

Operating A/C Balance \$2,871,920

Investment Interest \$13,492

Investment Balance \$13,579,617

Total Cash Balance as of September 30, 2018, 2018 \$16,451,537

No action by the Town Board.

#### **COUNCILWOMAN BEVERLY A. KINNEY:**

##### **Approve Policy for Professional Services**

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to refer the proposed Policy for Professional Services to Department Heads and to the Town's grant writers for review and recommendation.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

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### **Authorize Supervisor to Sign Order Form – PubDocs Bulk Uploader**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize the Supervisor to sign the Project Authorization with General Code in the amount of \$250.00 for the PubDocs Module. This module will allow the uploading of non-Code documents to the Web for easy public access.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **Lower Speed Limit – South, Central and North Business Districts**

#### **A. Correspondence – Economic Development Advisory Board**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to refer the correspondence from the Economic Development Advisory Board to the Traffic Safety Advisory Board and Long Range Planning Committee for review and recommendation.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **COUNCILMAN MICHAEL H. MADIGAN:**

#### **Authorize Supervisor to Sign Agreement – Open Space Inventory Project**

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to authorize the Supervisor to sign the Open Space Inventory Project Agreement with the Western NY Land Conservancy for the Town of Grand Island in the amount of \$15,000.00.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **COMMUNICATIONS – OTHER TOWN OFFICIALS:**

#### **TOWN ATTORNEY – PETER GODFREY:**

#### **Create Lighting District #65 – Country Club Cottages Phase III – Set Public Hearing**

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to adopt the following resolution to set a Public Hearing:

WHEREAS, a petition has been filed with the Town Clerk, signed and acknowledged in the manner required by law by a sufficient number of property owners, together with a map, plan and report for the creation of the Country Club Cottages Phase III Lighting District No. 65; and

WHEREAS, the boundaries of the proposed district are as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Grand Island, County of Erie and State of New York, being part of Lot 12 on said Island, bounded and described as follows:

Beginning at the south west corner of Lot 35 and a point on the east line of Country Club Drive as shown on Map filed in the Erie County Clerk's Office under Cover 3744, Country Club Cottages, Phase 3;

Thence along the east line of Country Club Drive, N 1°01'15" W a distance of 287.69 feet to a point;

Thence N 88°58'15" E a distance of 100.00 feet to a point;

Thence N 1°01'15" W a distance of 22.13 feet to a point;

Thence N 88°58'15" E a distance of 477.41 feet to a point;

Thence S 19°53'12" E a distance of 184.83 feet to a point;

Thence S 17°35'09" W a distance of 115.86 feet to a point;

Thence S 1°01'15" E a distance of 94.61 feet to a point;

Thence S 88°58'45" W a distance of 470.22 feet to a point;

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Thence N 1°01'15" W a distance of 69.41 feet to a point;  
Thence S 88°58'45" W a distance of 129.99 feet to the POINT OR PLACE OF BEGINNING.

The above described parcel contains ± 5.043 acres (219672 sq. ft.)

WHEREAS, the improvements proposed consist of an electric street lighting system serving such Lighting District; and

WHEREAS, the estimated annual expense of supplying of said electrical street lighting is approximately \$1,251.32, with an expected annual cost to the typical property in the proposed District of approximately \$69.44, which said expense shall be levied and collected from the several lots and parcels of land within such Lighting District on a benefit basis in just proportion to the amount of benefit conferred upon the same, except as otherwise provided by law.

NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of Grand Island will be held at the Town Hall, 2255 Baseline Road, Grand Island, New York, on Monday, November 19, 2018 at 8:00p.m. on said day, 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 and further action on the part of said Town Board, with relation to the premises; and

BE IT FURTHER ORDERED, that the map, plan and report referred to herein, including the explanation of how the cost to the typical property was determined, may be reviewed at the office of the Town Clerk, 2255 Baseline Road, Grand Island, New York, during normal business hours; and

BE IT FURTHER ORDERED, that the Town Clerk shall publish a copy of this Order at least once in the official newspaper of the Town, the first publication of which is to be not less than ten nor more than 20 days before the date set herein for the public hearing, and shall also cause a copy of this Order to be posted on the sign-board of the Town maintained pursuant to Town Law §30(6), not less than ten nor more than 20 days before the date set herein for the public hearing.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

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

#### **Delinquent Water and Sewer Accounts for 2019 Taxroll**

A motion was made by Councilman Madigan, seconded by Councilman Marston to adopt the following resolution from the Department of Engineering & Water Resources Department Head, Robert Westfall as follows:

WHEREAS, the Department Head, Department of Engineering & Water Resources did notify consumers within the respective water and sewer districts on Grand Island by having the wording "IF NOT PAID BY OCTOBER 31, ARREARS WILL BE ON TAX ROLLS" printed on water bills sent out quarterly.

Now therefore, be it resolved that the following approximate amount be applied to the Taxroll of 2019:

Water	\$ 260,148.64
Sewer	\$ 357,487.53
O/D Sewer	\$ 831.27
Meters	\$ 4,165.00
Misc.	\$ 235.00
Grand Total	\$ 622,867.44

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Be it further resolved, that the Town Clerk is hereby directed to accept no payments of such delinquent accounts after the said last day of October 2018.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **Status Change – Water Department**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to post the position of Water Maintenance Employee as directed by the Union Contract and to refer the status change to the Town Board for further review.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **Authorize Supervisor to Sign Professional Services Agreement – Community Center Upgrades – M-213**

A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to authorize the Supervisor to sign the revised Professional Services Agreement with American DND for an additional \$20,750 for the Community Center Upgrades – Job M-213.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **Award Bid – Staley Road Waterline Reconstruction – M-225**

Town Engineer reported that on October 24, 2018, bids were received for the Staley Road Waterline Reconstruction project.

<u>Contractor</u>	<u>Bid</u>
Fairway Contracting	\$ 818,433.80
716 Site Contracting	971,291.00
DJM Contracting	1,010,364.00
Mal-Wal Construction	1,108,995.75
Milherst Construction	1,133,595.25
E&R General Construction	1,184,115.00
CATCO	1,297,999.00
Pinto Construction Services	1,298,353.00
Sergi Construction	1,305,618.00
New Frontier Excavating & Paving	1,392,050.00
Mark Cerone	1,589,998.00

After careful review with the Town's consultant, Wendel has reviewed the bids and recommends award to Fairway Contracting in the amount of \$ 818,433.80.

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to accept the recommendation of the Town Engineer and award the bid to Fairway Contracting in the amount of \$818,433.80.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **CODE ENFORCEMENT OFFICE:**

#### **Special Use Permit Renewal – Alan Lemanski & Michael Rosenberg, 1559 East River Road – Bed & Breakfast**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to renew the Special Use Permit for Alan Lemanski & Michael Rosenberg, 1559 East River Road – Bed & Breakfast. The site has been inspected and it is unchanged.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

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### **Tower Permit Renewal – Crown Castle – 318 Baseline Road**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to renew the Tower Permit for Crown Castle – 318 Baseline Road. The site has been inspected, it is secure and unchanged.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:**

#### **Status Change**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the status change of David Williams, Parks Mechanic from Part-time to Seasonal, effective November 7, 2018. The rate of pay is \$17.90/hr.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **REPORT OF THE AUDIT COMMITTEE:**

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to pay Vouchers #125673 - #125881

General	\$ 78,134.98
Highway	\$221,226.69
Sewer	\$ 29,036.31
Water	\$ 41,318.58
Capital	<u>\$294,737.39</u>
Total	\$664,453.95

APPROVED Ayes 3 Kinney, Madigan, Baney  
Noes 0  
Abstain 1 Marston

### **UNFINISHED BUSINESS:**

#### **Local Law Intro #7 of 2018 – Mining/Excavation Overlay – 2626 & 2640 Staley Road**

Remains Tabled.

#### **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: Chris McCleary

### **FROM THE BOARD:**

Election Day – Tuesday, November 6, 2018 – Please Vote!

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### **ADJOURNMENT:**

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

APPROVED   Ayes   4           Kinney, Madigan, Baney, Marston  
                  Noes   0

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

Dennis Patti	Brian Schorb
Edward Lewis	Thomas Finn
Julie Ann Neville	Barbara Dus
David Anstett	Roger Thaler
Mary McClive	Gerald Langgood
Richard Kaczmarek	Elizabeth Smith

Respectfully submitted,

Patricia A. Frentzel  
Town Clerk

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