

Town of Grand Island – Regular Meeting #7

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 15th of April, 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 Mike Chorey from CrossRiver Ministries gave the Invocation.
Councilwoman Beverly A. Kinney led the Pledge of Allegiance.

PROCLAMATIONS:

**Purple Heart Town
Grand Island Little League**

PUBLIC COMMENTS:

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

Speakers: Kira Mioducki

PUBLIC HEARING:

Local Law Intro #2 of 2019 – Amend Chapter 155 of the Town Code – Flood Damage Prevention

A Public Hearing was held on Monday, April 15, 2019 at 8:00p.m. to hear anyone that wanted to comment on Local Law Intro #2 of 2019 – Amend Chapter 155 of the Town Code – Flood Damage Prevention.

Speakers: None

Supervisor McMurray declared the Public Hearing closed.

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to adopt Local Law #1 of 2019 to amend Chapter 155 of the Town Code – Flood Damage Prevention as follows:

A Local Law Amending the Town of Grand Island Code Relating to Floodplains.

Be it hereby enacted by the Town Board of the Town of Grand Island as follows:

Section 1: The Town of Grand Island Town Code is hereby amended to add and amend language relating to floodplains to Chapter 155 of the Code, in order to comply with New York State requirements, and to read in its entirety as follows:

Chapter 155. Flood Damage Prevention

§ 155-1. Findings.

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The Town Board of the Town of Grand Island finds that the potential and/or actual damages from flooding and erosion may be a problem to the residents of the Town of Grand Island and that such damages may include: destruction or loss of private and public housing, damage to public facilities, both publicly and privately owned, and injury to and loss of human life. In order to minimize the threat of such damages and to achieve the purposes and objectives hereinafter set forth, this chapter is adopted.

§ 155-2. Purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Regulate uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- C. Control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters.
- D. Control filling, grading, dredging and other development which may increase erosion or flood damages.
- E. Regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.
- F. Qualify for and maintain participation in the National Flood Insurance Program.

§ 155-3. Objectives.

The objectives of this chapter are to:

- A. Protect human life and health.
- B. Minimize expenditure of public money for costly flood-control projects.
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- D. Minimize prolonged business interruptions.
- E. Minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard.
- F. Help maintain a stable tax base by providing for the sound use and development

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of areas of special flood hazard so as to minimize future flood-blight areas.

- G. Provide that developers are notified that property is in an area of special flood hazard.
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 155-4. Word usage and definitions.

- A. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meanings they have in common usage and to give this chapter its most reasonable application.
- B. As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY STRUCTURE

A structure used solely for parking (two-car detached garages or similar) or limited storage, represents a minimal investment of not more than 10 percent of the value of the primary structure, and may not be used for human habitation.

APPEAL

A request for a review of the local administrator's interpretation of any provision of this chapter or a request for a variance.

AREA OF SHALLOW FLOODING

A designated AO, AH or VO Zone on a community's Flood Insurance Rate Map (FIRM) with a one-percent or greater annual chance of flooding to an average annual depth of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD

The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. This area may be designated as Zone A, AE, AH, AO, A1-A30, A99, V, VO, VE or V1-V30. It is also commonly referred to as the "base floodplain" or "one-hundred-year floodplain." For purposes of this chapter, the term "special flood hazard area (SFHA)" is synonymous in meaning with the phrase "area of special flood hazard."

BASE FLOOD

The flood having a one-percent chance of being equaled or exceeded in any given year.

BASEMENT

That portion of a building having its floor subgrade (below ground level) on all sides.

BUILDING

See "structure."

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CELLAR

Has the same meaning as "basement."

CRAWL SPACE

An enclosed area beneath the lowest elevated floor, 18 inches or more in height, which is used to service the underside of the lowest floor. The elevation of the floor of this enclosed area, which may be of soil, gravel, concrete or other material, must be equal to or above the lowest adjacent exterior grade. The enclosed crawl space shall be properly vented to allow for the equalization of hydrostatic forces which would be experienced during periods of flooding.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING

- (1) A nonbasement building:
 - (a) Built, in the case of a building in Zones A1-A30, AE, A, A99, AO, AH, B, C, X or D, to have the top of the elevated floor or, in the case of a building in Zones V1-V30, VE or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers) or shear walls parallel to the flow of the water; and
 - (b) Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood.
- (2) In the case of Zones A1-A30, AE, A, A99, AO, AH, B, C, X or D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters.
- (3) In the case of Zones V1-V30, VE or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls that meet the federal standards.

FEDERAL EMERGENCY MANAGEMENT AGENCY

The federal agency that administers the National Flood Insurance Program.

FLOOD BOUNDARY AND FLOODWAY MAP (FBFM)

An official map of the community published by the Federal Emergency Management Agency as part of a riverine community's Flood Insurance

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Study. The FBFM delineates a regulatory floodway along watercourses studied in detail in the Flood Insurance Study.

FLOOD ELEVATION STUDY

An examination, evaluation and determination of the flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOOD HAZARD BOUNDARY MAP (FHBM)

An official map of a community issued by the Federal Emergency Management Agency where the boundaries of the areas of special flood hazard have been designated as Zone A but no flood elevations are provided.

FLOOD INSURANCE RATE MAP (FIRM)

An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY

See "flood elevation study."

FLOOD or FLOODING

- (1) A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (a) The overflow of inland or tidal waters.
 - (b) The unusual and rapid accumulation or runoff of surface waters from any source.

- (2) "Flood" or "flooding" also means the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in Subsection **(1)(a)** above.

FLOODPLAIN or FLOOD-PRONE AREA

Any land area susceptible to being inundated by water from any source. (See "flooding.")

FLOODPROOFING

Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

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FLOODWAY

See "regulatory floodway."

FUNCTIONALLY DEPENDENT USE

A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding and ship repair facilities. The term does not include long-term storage, manufacturing, sales or service facilities.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior, or directly by the Secretary of the Interior in states without approved programs.

LOCAL ADMINISTRATOR

The person appointed by the community to administer and implement this chapter by granting or denying development permits in accordance with its provisions. This person is the Town Engineer.

LOWEST FLOOR

Lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's "lowest floor," provided that such enclosure is not built

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so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term does not include a “recreational vehicle.”

MANUFACTURED HOME PARK OR SUBDIVISION

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL

For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum of 1988 (NAVD 88), or other datum to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

MOBILE HOME

See "manufactured home."

NEW CONSTRUCTION

Structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by the community, and includes any subsequent improvements to such structure.

ONE-HUNDRED-YEAR FLOOD or 100-YEAR FLOOD

See "base flood."

PRINCIPALLY ABOVE GROUND

At least 51% of the actual cash value of the structure, excluding land value, is above ground.

RECREATIONAL VEHICLE

A vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projections;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Not designed primarily for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

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REGULATORY FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height as determined by the Federal Emergency Management Agency in a Flood Insurance Study or by other agencies as provided in § 155-14B of this chapter.

START OF CONSTRUCTION

The date of permit issuance for new construction and substantial improvements to existing structures, provided that actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent construction does not include land preparation (such as clearing, excavation, grading, or filling), or the installation of streets or walkways, or excavation for a basement, footings, piers or foundations, or the erection of temporary forms, or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE

A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. The term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

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VARIANCE

A grant of relief from the requirements of this chapter which permits construction or use in a manner that would otherwise be prohibited by this chapter.

VIOLATION

The failure of a structure or other development to be fully compliant with the community's flood plain management regulations.

§ 155-5. Applicability.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the Town of Grand Island, Erie County.

§ 155-6. Basis for establishing areas of special flood hazard.

A. The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map Panel Numbers 36029C0010H, 36029C0020H, 36029C0028H, 36029C0029H, 36029C0033H, 36029C0036H, 36029C0037H, 36029C0038H, 36029C0039H, 36029C0041H, 36029C0042H, 36029C0043H, 36029C0044H, 36029C0160H, 36029C0177H, 36029C0180H, 36029C0181H, 36029C0183H, whose effective date is June 7, 2019, and any subsequent revisions to these map panels that do not affect areas under our community's jurisdiction.
- (2) A scientific and engineering report entitled "Flood Insurance Study, Erie County, New York (All Jurisdictions)" dated June 7, 2019.

B. The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and/or maps are on file at the office of the Town Engineer, located at Grand Island Town Hall, First Floor, 2255 Baseline Road, Grand Island, New York 14072.

§ 155-7. Interpretation and conflict with other laws.

- A. This chapter includes all revisions to the National Flood Insurance Program through October 27, 1997 and shall supersede all previous laws adopted for the purpose of flood damage prevention.
- B. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety and welfare. Whenever the requirements of this chapter are at variance

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with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that imposing the highest standards shall govern.

§ 155-8. Severability

The invalidity of any section or provision of this chapter shall not invalidate any other section or provision thereof.

§ 155-9. Penalties for offenses.

No structure in an area of special flood hazard shall hereafter be constructed, located, extended, converted or altered and no land shall be excavated or filled without full compliance with the terms of this chapter and any other applicable regulations. Any infraction of the provisions of this chapter by failure to comply with any of its requirements, including infractions of conditions and safeguards established in connection with conditions of the permit, shall constitute a violation. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined no more than \$250 or imprisoned for not more than 15 days, or both. Each day of noncompliance shall be considered a separate offense. Nothing herein contained shall prevent the Town of Grand Island from taking such other lawful action as necessary to prevent or remedy an infraction. Any structure found not compliant with the requirements of this chapter for which the developer and/or owner has not applied for and received an approved variance under §§ 155-22 and 155-23 will be declared noncompliant and notification sent to the Federal Emergency Management Agency.

§ 155-10. Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the Town of Grand Island, any officer or employee thereof or the Federal Emergency Management Agency for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

§ 155-11. Designation of local administrator.

The Town Engineer is hereby appointed local administrator to administer and implement this chapter by granting or denying floodplain development permits in accordance with its provisions.

§ 155-12. The floodplain development permit.

A. Purpose. A floodplain development permit is hereby established for all construction and other development to be undertaken in areas of special flood

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hazard in this community for the purpose of protecting its citizens from increased flood hazards and ensuring that new development is constructed in a manner that minimizes its exposure to flooding. It shall be unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate Map enumerated in § 155-6, without a valid floodplain development permit. Application for a permit shall be made on forms furnished by the local administrator and may include but not be limited to plans, in duplicate, drawn to scale and showing the nature, location, dimensions and elevations of the area in question, existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing.

- B. Fees. All applications for a floodplain development permit shall be accompanied by an application fee in accordance with the fee schedule of the Town of Grand Island. In addition, the applicant shall be responsible for reimbursing the Town of Grand Island for any additional costs necessary for review, inspection and approval of this project. The local administrator may require a deposit of no more than \$500 to cover these additional Costs.

§ 155-13. Permit application.

The applicant shall provide the following information as appropriate; additional information may be required on the permit application form:

- A. The proposed elevation, in relation to mean sea level, of the lowest floor (including basement or cellar) of any new or substantially improved structure to be located in Zones A1-A30, AE or AH or Zone A if base flood elevation data is available. Upon completion of the lowest floor, the permittee shall submit to the local administrator the as-built elevation, certified by a licensed professional engineer or surveyor.
- B. The proposed elevation, in relation to mean sea level, to which any new or substantially improved nonresidential structure will be floodproofed. Upon completion of the floodproofed portion of the structure, the permittee shall submit to the local administrator the as-built floodproofed elevation, certified by a professional engineer or surveyor.
- C. A certificate from a licensed professional engineer or architect that any utility floodproofing will meet the criteria in § 155-16C, Utilities.
- D. A certificate from a licensed professional engineer or architect that any nonresidential floodproofed structure will meet the floodproofing criteria in § 155-19, Nonresidential structures.
- E. A description of the extent to which any watercourse will be altered or relocated as a result of proposed development. Computations by a licensed professional engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. The applicant must submit any maps, computations or other material

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required by the Federal Emergency Management Agency (FEMA) to revise the documents enumerated in § 155-6, when notified by the local administrator, and must pay any fees or other costs assessed by FEMA for this purpose. The applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained.

- F. A technical analysis, by a licensed professional engineer, if required by the local administrator, which shows whether proposed development to be located in an area of special flood hazard may result in physical damage to any other property.
- G. In Zone A, when no base flood elevation data is available from other sources, base flood elevation data shall be provided by the permit applicant for subdivision proposals and other proposed developments (including proposals for manufactured home and recreational vehicle parks and subdivisions) that are greater than either 50 lots or five acres.

§ 155-14. Powers and duties of local administrator.

Duties of the local administrator shall include but not be limited to the following:

- A. Permit application review. The local administrator shall conduct the following permit application review before issuing a floodplain development permit:
 - (1) Review all applications for completeness, particularly with the requirements of § 155-13, Permit application, and for compliance with the provisions and standards of this chapter.
 - (2) Review subdivision and other proposed new development, including manufactured home parks, to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in an area of special flood hazard, all new construction and substantial improvements shall meet the applicable standards of §§ 155-15 through 155-21 and, in particular, § 155-15A, Subdivision proposals.
 - (3) Determine whether any proposed development in an area of special flood hazard may result in physical damage to any other property (e.g., stream bank erosion and increased flood velocities). The local administrator may require the applicant to submit additional technical analyses and data necessary to complete the determination. If the proposed development may result in physical damage to any other property or fails to meet the requirements of §§ 155-15 through 155-21, no permit shall be issued. The applicant may revise the application to include measures that mitigate or eliminate the adverse effects and resubmit the application.
 - (4) Determine that all necessary permits have been received from those governmental agencies from which approval is required by state or federal law.
- B. Use of other flood data.

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- (1) When the Federal Emergency Management Agency has designated areas of special flood hazard on the community's Flood Insurance Rate Map (FIRM) but has neither produced water surface elevation data (these areas are designated Zone A or V on the FIRM) nor identified a floodway, the local administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, including data developed pursuant to § **155- 13G**, as criteria for requiring that new construction, substantial improvements or other proposed development meet the requirements of this chapter.
 - (2) When base flood elevation data is not available, the local administrator may use flood information from any other authoritative source, such as historical data, to establish flood elevations within the areas of special flood hazard, for the purposes of this chapter.
 - (3) When an area of special flood hazard, base flood elevation, and/or floodway data are available from a Federal, State, or other authoritative source, but differ from the data in the documents enumerated in § **155-6**, the local administrator may reasonably utilize the other flood information to enforce more restrictive development standards.
- C. Alteration of watercourses. The local administrator shall:
- (1) Notify adjacent communities that may be affected and the New York State Department of Environmental Conservation prior to permitting any alteration or relocation of a watercourse and submit evidence of such notification to the Regional Administrator, Region II, Federal Emergency Management Agency.
 - (2) Determine that the permit holder has provided for maintenance within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- D. Construction stage. The local administrator shall:
- (1) In Zones A1-A30, AE and AH and also Zone A if base flood elevation data is available, upon placement of the lowest floor or completion of floodproofing of a new or substantially improved structure, obtain from the permit holder a certification of the as-built elevation of the lowest floor or floodproofed elevation in relation to mean sea level. The certificate shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by the same. For manufactured homes, the permit holder shall submit the certificate of elevation upon placement of the structure on the site. A certificate of elevation must also be submitted for a recreational vehicle if it remains on a site for 180 consecutive days or longer (unless it is fully licensed and ready for highway use).
 - (2) Any further work undertaken prior to submission and approval of the

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certification shall be at the permit holder's risk. The local administrator shall review all data submitted. Deficiencies detected shall be cause to issue a stop-work order for the project unless immediately corrected.

- E. Inspections. The local administrator and/or the developer's engineer or architect shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions and enable said inspector to certify, if requested, that the development is in compliance with the requirements of the floodplain development permit and/or any variance provisions.
- F. Stop-work orders.
 - (1) The local administrator shall issue or cause to be issued a stop-work order for any floodplain development found ongoing without a development permit. Disregard of a stop-work order shall subject the violator to the penalties described in § **155-9** of this chapter.
 - (2) The local administrator shall issue or cause to be issued a stop-work order for any floodplain development found noncompliant with the provisions of this chapter and/or the conditions of the development permit. Disregard of a stop-work order shall subject the violator to the penalties described in § **155-9** of this chapter.
- G. Certificate of compliance.
 - (1) In areas of special flood hazard, as determined by documents enumerated in § 155-6, it shall be unlawful to occupy or to permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of compliance has been issued by the local administrator stating that the building or land conforms to the requirements of this chapter.
 - (2) A certificate of compliance shall be issued by the local administrator upon satisfactory completion of all development in areas of special flood hazard.
 - (3) Issuance of the certificate shall be based upon the inspections conducted as prescribed in §**155-14(E)**, Inspections, and/or any certified elevations, hydraulic data, floodproofing, anchoring requirements or encroachment analyses which may have been required as a condition of the approved permit.
- H. Information to be retained. The local administrator shall retain and make available for inspection copies of the following:
 - (1) Floodplain development permits and certificates of compliance.
 - (2) Certificates of as-built lowest floor elevations of structures, required pursuant

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to **§155-14(D)(1)** and **(2)**, and whether or not the structures contain a basement.

- (3) Floodproofing certificates required pursuant to **§155-14(D)(1)** and whether or not the structures contain a basement.
- (4) Variances issued pursuant to §§ **155-22** and **155-23**.
- (5) Notices required under § **155-14C**, Alteration of watercourses.

§ 155-15. General construction standards.

The following standards apply to new development, including new and substantially improved structures, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in § 155-6:

A. Subdivision proposals. The following standards apply to all new subdivision proposals and other proposed development in areas of special flood hazard (including proposals for manufactured home and recreational vehicle parks and subdivisions):

- (1) Proposals shall be consistent with the need to minimize flood damage.
- (2) Public utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed so as to minimize flood damage.
- (3) Adequate drainage shall be provided to reduce exposure to flood damage.

B. Encroachments.

- (1) Within Zones A1-A30 and AE, on streams without a regulatory floodway, no new construction, substantial improvements or other development (including fill) shall be permitted unless:
 - (a) The applicant demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any location; or
 - (b) The Town of Grand Island agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM revision, FEMA approval is received and the applicant provides all necessary data, analyses and mapping and reimburses the Town of Grand Island for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the Town of Grand Island for all costs related to the final map revision.
- (2) On streams with a regulatory floodway, as shown on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map adopted in § **155-6**, no new construction, substantial improvements or other development in the floodway

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(including fill) shall be permitted unless:

- (a) A technical evaluation by a licensed professional engineer demonstrates through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that such an encroachment shall not result in any increase in flood levels during occurrence of the base flood; or
 - (b) The Town of Grand Island agrees to apply to the Federal Emergency Management Agency (FEMA) for a conditional FIRM and floodway revision, FEMA approval is received and the applicant provides all necessary data, analyses and mapping and reimburses the Town of Grand Island for all fees and other costs in relation to the application. The applicant must also provide all data, analyses and mapping and reimburse the Town of Grand Island for all costs related to the final map revisions.
- (3) In Zones A1-A30, AE and AH, and also Zone A if base flood elevation data is available, if any development is found to increase or decrease base flood elevations, the Town of Grand Island shall as soon as practicable, but not later than six months after the date such information becomes available, notify FEMA and the New York State Department of Environmental Conservation of the changes by submitting technical or scientific data in accordance with standard engineering practice.

§ 155-16. Standards for all structures.

The following standards apply to new development, including new and substantially improved structures, in the areas of special flood hazard shown in the Flood Insurance Rate Map designated in § 155-6.

- A. Anchoring. New structures and substantial improvement to structures in areas of special flood hazard shall be anchored to prevent flotation, collapse or lateral movement during the base flood. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- B. Construction materials and methods.
 - (1) New construction and substantial improvements to structures shall be constructed with materials and utility equipment resistant to flood damage.
 - (2) New construction and substantial improvements to structures shall be constructed using methods and practices that minimize flood damage.
 - (3) Enclosed areas.
 - (a) For enclosed areas below the lowest floor of a structure within Zones A1-A30, AE, AO, or A, new and substantially improved structures shall have fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a

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basement and which are subject to flooding designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a licensed professional engineer or architect or meet or exceed the following minimum criteria:

- [1] A minimum of two openings of each enclosed area having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - [2] The bottom of all such openings shall be no higher than one foot above the lowest adjacent finished grade; and
 - [3] Openings shall not be less than three inches in any direction.
- (b) Openings may be equipped with louvers, valves, screens or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters. Enclosed areas subgrade on all sides are considered basements and are not permitted.

C. Utilities.

- (1) New and replacement electrical equipment, heating, ventilating, air conditioning, plumbing connections, and other service equipment shall be located at least two feet above the base flood elevation, or at least three feet above the highest adjacent grade in a Zone A without an available base flood elevation, or be designed to prevent water from entering and accumulating within the components during a flood and to resist hydrostatic and hydrodynamic loads and stresses. Electrical wiring and outlets, switches, junction boxes and panels shall be elevated or designed to prevent water from entering and accumulating within the components unless they conform to the appropriate provisions of the electrical part of the Building Code of New York State or the Residential Code of New York State for location of such items in wet locations.
- (2) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters. Sanitary sewer and storm drainage systems for buildings that have openings below the base flood elevation shall be provided with automatic backflow valves or other automatic backflow devices that are installed in each discharge line passing through a building's exterior wall.
- (4) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

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§ 155-17. Storage Tanks.

- A. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement during conditions of the base flood.
- B. Aboveground tanks shall be:
 - (1) Anchored to prevent flotation, collapse or lateral movement during conditions of the base flood; or
 - (2) Installed at or above the base flood elevation as shown on the Flood Insurance Rate Map enumerated in § 155-6 plus two feet.

§ 155-18. Elevation of residential structures.

The following standards apply to new and substantially improved residential structures located in areas of special flood hazard, in addition to the requirements in § 155-15A, Subdivision proposals, and § 155-15B, Encroachments, and § 155-16, Standards for all structures.

- A. Within Zones A1-A30, AE and AH and also Zone A if base flood elevation data is available, new construction and substantial improvements shall have the lowest floor (including basement) elevated to or above two feet above the base flood elevation.
- B. Within Zone A, when no base flood elevation data is available, new and substantially improved structures shall have the lowest floor (including basement) elevated at least three feet above the highest adjacent grade.
- C. Within Zone AO, new and substantially improved structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's Flood Insurance Rate Map enumerated in § 155-6 plus two feet (at least three feet if no depth number is specified).
- D. Within Zones AH and AO, adequate drainage paths are required to guide floodwaters around and away from proposed structures on slopes.

§ 155-19. Nonresidential structures.

The following standards apply to new and substantially improved commercial, industrial and other nonresidential structures located in areas of special flood hazard, in addition to the requirements in § 155-15A, Subdivision proposals, and § 155-15B, Encroachments, and § 155-16, Standards for all structures.

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- A. Within Zones A1-A30, AE and AH and also Zone A, if base flood elevation data is available, new construction and substantial improvements of any nonresidential structure shall either:
- (1) Have the lowest floor, including basement or cellar, elevated to or above two feet above the base flood elevation; or
 - (2) Be floodproofed so that the structure is watertight below two feet above the base flood level, including attendant utility and sanitary facilities, with walls substantially impermeable to the passage of water. All structural components located below the base flood level must be capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
- B. Within Zone AO, new construction and substantial improvements of nonresidential structures shall:
- (1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM plus two feet (at least three feet if no depth number is specified); or
 - (2) Together with attendant utility and sanitary facilities, be completely floodproofed to that level to meet the floodproofing standard specified in Subsection **A(2)**.
- C. If the structure is to be floodproofed, a licensed professional engineer or architect shall develop and/or review structural design, specifications and plans for construction. A floodproofing certificate or other certification shall be provided to the local administrator that certifies that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of Subsection **A(2)**, including the specific elevation (in relation to mean sea level) to which the structure is to be floodproofed.
- D. Within Zones AH and AO, adequate drainage paths are required to guide floodwaters around and away from proposed structures on slopes.
- E. Within Zone A, when no base flood elevation data is available, the lowest floor (including basement) shall be elevated at least three feet above the highest adjacent grade.

§ 155-20. Manufactured homes and recreational vehicles.

The following standards, in addition to the standards in § 155-15, General standards, and § 155-16, Standards for all structures, apply, as indicated, in areas of special flood hazard to manufactured homes and to recreational vehicles which are located in areas of special flood hazard.

- A. Recreational vehicles.
1. Recreational vehicles placed on sites within Zones A1-A30, AE and AH shall

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either:

- a. Be on site fewer than 180 consecutive days;
 - b. Be fully licensed and ready for highway use; or
 - c. Meet the requirements for manufactured homes in Subsections **B**, **C** and **D**.
2. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect-type utilities and security devices and has no permanently attached additions.
- B. A manufactured home that is placed or substantially improved in Zones A1-A30, AE and AH shall be elevated on a permanent foundation such that the bottom of the frame of the manufactured home chassis is elevated to or above two feet above the base flood elevation and is securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- C. Within Zone A, when no base flood elevation data is available, new and substantially improved manufactured homes shall be elevated such that the bottom of the frame of the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and are securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement.
- D. Within Zone AO, the bottom of the frame of the manufactured home chassis shall be elevated above the highest adjacent grade at least as high as the depth number specified on the Flood Insurance Rate Map enumerated in § **155-6** plus two feet (at least three feet if no depth number is specified).
- E. Nothing in this section shall be read as allowing the placement of recreational vehicles or manufactured housing in areas not permitted by other provisions of the Town Code.

§ 155-21. Accessory structures including detached garages.

The following standards apply to new and substantially improved accessory structures, including detached garages, in the areas of special flood hazard shown on the Flood Insurance Rate Map designated in § 155-6.

- A. Within Zones A1-A30, AE, AO, AH, and A, accessory structures must meet the standards of § 155-16(A), Anchoring.
- B. Within Zones A1-A30, AE, and AH, and also Zone A if base flood elevation data are available, areas below two feet above the base flood elevation shall be constructed using methods and practices that minimize flood damage.
- C. Within Zones AO and Zone A, if base flood elevation data are not available, areas below three feet above the highest adjacent grade shall be constructed using methods and practices that minimize flood damage.

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- D. Structures must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of flood waters in accordance with § 155-16(B)(3).
- E. Utilities must meet the requirements of § 155-16(C), Utilities.

§ 155-22. Appeals board.

- A. The Zoning Board of Appeals as established by the Town of Grand Island shall hear and decide appeals and requests for variances from the requirements of this chapter.
- B. The Zoning Board of Appeals shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the local administrator in the enforcement or administration of this chapter.
- C. Those aggrieved by the decision of the Zoning Board of Appeals may appeal such decision to the Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.
- D. In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter and:
 - (1) The danger that materials may be swept onto other lands to the injury of others.
 - (2) The danger to life and property due to flooding or erosion damage.
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (4) The importance of the services provided by the proposed facility to the community.
 - (5) The necessity to the facility of a waterfront location, where applicable.
 - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
 - (7) The compatibility of the proposed use with existing and anticipated development.
 - (8) The relationship of the proposed use to the Comprehensive Plan and floodplain management program of that area.
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles.

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- (10) The costs to local governments and the dangers associated with conducting search-and-rescue operations during periods of flooding.
 - (11) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
 - (12) The costs of providing governmental services during and after flood conditions, including search-and-rescue operations and maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.
- E. Upon consideration of the factors of Subsection **D** and the purposes of this chapter, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purpose of this chapter.
 - F. The local administrator shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Emergency Management Agency upon request.

§ 155-23. Conditions for variances.

- A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the items in § 155-22D(1) through (12) have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- B. Variances may be issued for the repair or rehabilitation of historic structures upon determination that:
 - (1) The proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure.
 - (2) The variance is the minimum necessary to preserve the historic character and design of the structure.
- C. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that:
 - (1) The criteria of Subsections **A**, **D**, **E** and **F** of this section are met.
 - (2) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threat to public

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safety.

- D. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- E. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- F. Variances shall only be issued upon receiving written justification of:
 - (1) A showing of good and sufficient cause.
 - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety or extraordinary public expense; create nuisances; cause fraud on or victimization of the public; or conflict with existing chapters or ordinances.
- G. Notification.
 - (1) Any applicant to whom a variance is granted for a building with the lowest floor below the base flood elevation shall be given written notice over the signature of a community official that:
 - (a) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - (b) Such construction below the base flood level increases risks to life and property.
 - (2) Such notification shall be maintained with the record of all variance actions as required in § 155-14H of this chapter.

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

Local Law Intro #4 of 2019 – Amend Chapter 372 of the Town Code – Vehicles and Traffic

A Public Hearing was held on Monday, April 15, 2019 at 8:00p.m. to hear anyone that wanted to comment on Local Law Intro #4 of 2019 – Amend Chapter 372 of the Town Code – Vehicles and Traffic.

Speakers: None

Supervisor McMurray declared the Public Hearing closed.

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A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to adopt Local Law #2 of 2019 to amend Chapter 372 of the Town Code – Vehicles and Traffic as follows:

SECTION 1.

CHAPTER 372, Section 372-3, Paragraph A, subparagraph (13) is hereby amended to repeal subparagraphs (a)-(k) and (m)-(o) and to revise subparagraphs (l) and (p), as follows:

§ 372-3. No parking any time.

A. Except as otherwise provided by this section, all automobiles, cars or other vehicles shall be restricted and forbidden to park and/or stand in the manner following: [Amended 10- 19-1992 by L.L. No. 3-1992; 6-7-1993 by L.L. No. 1-1993; 6-7-1993 by L.L. No. 2- 1993]

. . .

(13) Between the hours of 7 a.m. to 4 p.m. on the days when school is in session at the Grand Island Central School District facility on Ransom Road.

(a) [Repealed];

(b) [Repealed];

(c) [Repealed];

(d) [Repealed];

(e) [Repealed];

(f) [Repealed];

(g) [Repealed];

(h) [Repealed];

(i) [Repealed];

(j) [Repealed];

(k) [Repealed];

(l) Tracey Lane, for 100' north and south of the intersection with Sandra Dr.;

(m) [Repealed];

(n) [Repealed];

(o) [Repealed];

(p) Bishop's Gate Road for 100' north and south of the pathway to the Grand Island Central School District property.

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SECTION 2.

This Local Law shall take effect and be enforced after its passage and filing with the Secretary of State.

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

Local Law Intro #3 of 2019 – Rezoning SBL #:64.15-2-53, 365 Elmwood Road – B-2 to R-2

A. Correspondence – Planning Board

A Public Hearing was held on Monday, April 15, 2019 at 8:00p.m. to hear anyone that wanted to comment on Local Law Intro #3 of 2019 – Rezoning SBL #64.15-2-53 – 365 Elmwood Road – B-2 to R-2.

Speakers: Robert Dee, John Bidell

Supervisor McMurray declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilman Madigan to refer Local Law Intro #3 of 2019 – Rezoning SBL #:64.15-2-53, 365 Elmwood Road – B-2 to R-2 to the Town Board and Town Attorney for review and recommendation.

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

Special Use Permit Application – Anne Fahning, 2012 East River Road – Bed & Breakfast

A. Correspondence – Planning Board

A Public Hearing was held on Monday, April 15, 2019 at 8:00p.m. to hear anyone that wanted to comment on a Special Use Permit Application – Anne Fahning, 2012 East River Road – Bed & Breakfast.

Speakers: Anne Fahning, Peggy Bauman, Bob Fahning

Supervisor McMurray declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilwoman Baney to refer the Special Use Permit Application – Anne Fahning, 2012 East River Road – Bed & Breakfast to the Town Board and Town Attorney for review and recommendation.

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

Special Use Permit Application – Jie Zhu, 2568 Oakfield Road – Bed & Breakfast

A. Correspondence – Planning Board

A Public Hearing was held on Monday, April 15, 2019 at 8:00p.m. to hear anyone that wanted to comment on a Special Use Permit Application – Jie Zhu, 2568 Oakfield Road – Bed & Breakfast.

Speakers: Liz Lutnick, Dr. Lutnick, Toxey Tribbey, Jie Zhur,
Sam Hunt, Theresa Rupert, Adria Ryan, Missy Bell
DeLaria, Don DeLaria

Supervisor McMurray declared the Public Hearing closed.

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A motion was made by Councilman Marston, seconded by Councilman Madigan to refer the Special Use Permit Application – Jie Zhu, 2568 Oakfield Road – Bed & Breakfast to the Town Board, Code Enforcement Office and Town Attorney for review and recommendation.

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

MINUTES:

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to approve Minutes of Workshop Meeting #13, April 1, 2019, Minutes of Regular Meeting #6, April 1, 2019 and Minutes of Workshop Meeting #14, April 5, 2019.

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

CONSENT AGENDA:

1. Building Permits Issued – March 2019
2. Meeting Minutes – Zoning Board of Appeals – March 7, 2019
3. Golden Age Center – Facility Usage – March 2019
4. Meeting Minutes – Planning Board – March 11, 2019

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

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

HIGHWAY SUPERINTENDENT – RICHARD W. CRAWFORD:

Request Permission to Sell Equipment at Auction

A motion was made by Councilman Marston, seconded by Councilwoman Baney to authorize the Highway Superintendent to send Town owned surplus equipment to auction.

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

DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT WESTFALL:

Award Bids – Topsoil, Concrete & Water/Wastewater Repair Materials

Town Engineer Robert Westfall reported that quotations were recently received for the purchase of Topsoil and Concrete for miscellaneous repairs and work done by the Town. Quotations were also received for the purchase of miscellaneous Water/Wastewater repair materials.

Topsoil

Leo Brenon Topsoil	\$ 21.95 / yard
F. Cimato Topsoil	\$ 25.50 / yard
JF Krantz Nursery	\$ 33.00 / yard

Concrete

Podlucky Construction	\$ 7.50/ sq ft for flat work
	\$ 50.00/lf for dish curb
	\$ 65.00/lf for upright curb

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A motion was made by Councilman Marston, seconded by Councilman Madigan to accept the recommendation of the Town Engineer and approve the quotes received for topsoil, and recommends the Town purchase topsoil from Leo Brenon Topsoil at \$21.95/yard, concrete recommendation: Podlucky Construction at \$7.50 /sq ft. for flat work concrete repairs, \$50.00/lf for dish curbs and \$65.00/lf for upright curb.

Water/Wastewater repair materials should be purchased from the supplier with the lowest price for the desired item per spreadsheet.

Repair Materials 2019 Price Quote

Item	Lock City Supply	EJP	K&S Supply
Repair Clamps			
6 x 8	45.12	No BID	55.05
6 x 10	61.27	"	71.13
6 x 12	72.27	"	75.43
6 x 16	87.65	"	92.70
6 x 24	153.06	"	156.35
8 x 8	50.00	"	53.79
8 x 10	69.00	"	69.21
8 x 12	80.00	"	78.84
8 x 16	97.00	"	90.13
8 x 24	168.75	"	164.87
10 x 8	65.36	"	67.74
10 x 10	89.96	"	
10 x 12	105.00	"	106.36
10 x 16	120.00	"	122.38
10 x 20	167.50	"	163.42
12 x 12	123.89	"	115.47
12 x 16	141.00	"	130.55
12 x 20	192.56	"	181.91
12 x 24	230.72	"	250.30
Fire Hydrants	2452.00	2000.00	2151.00
		American Flow	
Gate Valves			
6"	621.00	562.50	622.85
8"	990.00	885.75	975.35
C-900 PVC Pipe			
6"	4.25/ft	No BID	4.06/ft
8"	7.37/ft	"	7.05/ft
12"	15.60/ft	"	14.92/ft
Brass Fittings			
3/4" Corp	32.15	28.50	36.44
1" Corp	48.70	43.00	47.93

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3/4" Union	17.97	16.00	13.75
1" Union	19.60	18.25	15.73
3/4" Curb Stop	65.89	57.50(ball)	49.99
1" Curb Stop	98.96	86.25 (ball)	75.02
Copper			
3/4"	3.77/ft	2.80/ft	Call for pricing due to
1"	4.90/ft	3.65/ft	market fluctuation

** Pricing for all PVC piping and Copper Piping are not guaranteed - call for updated pricing

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

Public Improvement Permit – Grand Park Vue Subdivision, Phase VIII

A motion was made by Councilman Marston, seconded by Councilwoman Baney to approve the Public Improvement Permit for Grand Park Vue Subdivision, Phase VIII. The application has been reviewed, all fees have been paid.

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

RECREATION SUPERVISOR – JOSEPH MENTER:

Seasonal Hires

A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to approve the following Seasonal Hires, effective April 16, 2019, subject to the completion of the pre-employment paperwork:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>	<u>Status</u>
Tima Abdellatif	Recreation Attendant – Yr. 2 Aide	\$11.35/ hr.	Seasonal
Leah Jasek	Recreation Attendant – Yr. 2 Aide	\$11.35/ hr.	Seasonal
Natalie Kaminski	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.	Seasonal
Julia Lawley	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.	Seasonal
Anthony Stolfo	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.	Seasonal

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

PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:

Request Permission to Sell Equipment at Auction

A motion was made by Councilman Marston, seconded by Councilwoman Baney to authorize the Parks Maintenance Crew Chief to send Town owned surplus equipment to auction, subject to the list be distributed to all Department Heads and having first right of refusal for the items before auction.

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

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TOWN ACCOUNTANT – PAMELA BARTON:

Driving School

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to authorize the payment of \$23.00 (twenty-three dollars) per Town employee who participates in the six-hour Defensive Driving class during May 2019 and to allow employees to attend class during normal work hours.

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

TOWN ASSESSOR – JUDY M. TAFELSKI:

Branches of Niagara Campground – Request to Split/Merge Lot – SBL#:36.00-1-6.111

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the request to split and merge SBL #36.00-1-6.111, split off an 2.06 acre building lot on Whitehaven Road with 174.1 feet of frontage and 517 deep, and split off 23.17 acres to be merged with campground site, subject to filing of the proper paperwork being filed with the Erie County Clerk's office. Any rezoning requests have to be addressed with Code Enforcement Department.

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

St. Martin's-in-the-Fields Episcopal Church, 2587 Baseline Road – Request to Split Property – SBL #:24.17-1-2

A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to approve the request from St. Martin's-in-the-field to split off .77 acres from SBL #24.17-1-2 at 2587 Baseline Road, subject to the filing of the proper paperwork with the Erie County Clerk's office.

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

Derek Ostrom, 2514 Grand Island Boulevard – Request to Split Property – SBL #:24.03-1-40

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to approve the request of Derek Ostrom, 2514 Grand Island Boulevard – Request to Split Property – SBL #24.03-1-40, subject to the filing of the proper paperwork with the Erie County Clerk's office.

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

CODE ENFORCEMENT OFFICE:

Award Bid – Demolition and Cleanup – Unsafe Structure – 2041 Baseline Road

Code Enforcement Officer Ron Milks reported that on April 1, 2019 three bids were received for the demolition of the structure and cleanup of the parcel at 2041 Baseline Road:

Contractor	Bid
Sam Long Construction	\$22,450.00
Double D Construction	\$19,750.00
Empire Dismantlement	\$17,900.00

After careful review, Mr. Milks recommends the Town Board award the project to low bidder Empire Dismantlement in the amount of \$17,900.00

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A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to accept the recommendation of the Code Enforcement Officer and award the bid to Empire Dismantlement in the amount of \$17,900.00 for the demolition of the structure and cleanup of the parcel at 2041 Baseline Road.

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

Local Law Intro #8 of 2018 – Plumbing Code Change – Set Public Hearing

A motion was made by Councilman Marston, seconded by Councilwoman Baney to set a Public Hearing for Monday, May 6, 2019 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #8 of 2018 – Plumbing Code Change.

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

PLANNING BOARD:

Local Law Intro #1 of 2019 – Rezoning SBL #36.00-2-7, 2356 Whitehaven Road – CR to R-1A – Set Public Hearing

A motion was made by Councilwoman Baney, seconded by Councilman Marston to set a Public Hearing for Monday, May 6, 2019 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #1 of 2019 - Rezoning SBL #36.00-2-7, 2356 Whitehaven Road – CR to R-1A.

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

Grand Island Solar LLC, 126 Industrial Drive – Renewal of Expired Site Plan – Special Use Permit Renewal

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to accept the recommendation of the Planning Board to approve the Site Plan and renew the Special Use Permit for Grand Island Solar LLC, 126 Industrial Drive.

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

Life Storage, 1775 Baseline Road – Site Plan Approval – Storage Building

A motion was made by Councilwoman Baney, seconded by Councilman Marston to refer the Site Plan approval for Life Storage, 1775 Baseline Road for a storage building to the Town Board.

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

GOLDEN AGE CENTER:

Part-time Hire

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to approve the hire of Julie Cook as Part-time Recreation Attendant, effective April 22, 2019, Grade 2, Step A - \$15.73/hr., subject to the completion of the necessary pre-employment paperwork.

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

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Town of Grand Island – Regular Meeting #7

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to pay Vouchers #127354 - #127490

General	\$1,170,799.61
Highway	\$ 22,844.40
Sewer	\$ 15,159.65
Water	\$ 90,142.79
Trust & Agency	\$ 2,416.97
Capital	\$ 442,963.66
Garbage	\$ 121,696.45
Fire	<u>\$ 321,170.25</u>
Total	\$2,187,193.78

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

UNFINISHED BUSINESS:

Island Meadows – Section 3 (FKA Section 3a/3b) – Preliminary Plat/Proposed 22 Lot Subdivision

Remains Tabled

Appointment – Assistant to the Supervisor

Supervisor McMurray informed the Town Board that Jackie Ostertag has been appointed to the position of Assistant to the Supervisor – Accounting, at Non-Union, Grade 5, Step A, \$17.50/hr.

No Town Board action necessary.

Seasonal Hires/Status Changes

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to approve the following Seasonal and Part-time hires, subject to the completion of the necessary pre-employment paperwork:

Name	Title	Effective Date	Seasonal/Part Time	Rate of Pay
Sean Pufpaff	Parks Crew Chief	April 19 th , 2019	Seasonal	\$13.40
Nicholas Anzalone	Parks Junior Worker	April 19 th , 2019	Seasonal	\$12.00
Gary Roesch	Parks Sr Worker	April 16 th , 2019	Part time 19 hours	\$13.65
Joseph Killian	Parks Crew Chief	April 6 th , 2019*	Part time 19 hours	\$14.50
Joseph Killian JR	Parks Jr Worker	May 1 st , 2019	Seasonal	\$12.00
Steven Pufpaff	Parks Jr Worker	May 1 st , 2019	Seasonal	\$12.00
Thomas David Cecere	Parks Jr Worker	May 6 th , 2019	Seasonal	\$12.00
Arthur Meaney	Parks Jr Worker	May 6 th , 2019	Seasonal	\$12.00

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

PUBLIC COMMENTS:

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

Speakers:

Liz Lutnick

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FROM THE BOARD:

- Easter Egg Hunt – Miracle Field – Friday, April 19th 10:00a.m.
- Checkers and Snoozers Easter – Library – Friday April 19th
- New State Parks Docks
- Historical Maps
- National Night Out – Tuesday, August 6, 2019
- Purple Heart Town

ADJOURNMENT:

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to adjourn the meeting at 9:20p.m.

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

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

Gordon Williams
William Wade
Franklyn McKee
Bonnie Miller

Respectfully submitted,

Patricia A. Frentzel
Town Clerk