

Town of Grand Island – Regular Meeting #6

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 2nd of April, 2018.

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
	Daniel Spitzer	Town Attorney

Supervisor Nathan D. McMurray called the meeting to order at 8:00p.m.
Mr. Robert Tyrrell from Trinity United Methodist Church gave the Invocation.
Councilman Michael H. Madigan 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

MINUTES:

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to approve Minutes of Workshop Meeting #8, March 19, 2018, and Minutes of Regular Meeting #5, March 19, 2018.

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

CONSENT AGENDA:

1. Meeting Minutes – Long Range Planning Committee – January 10, 2018 & February 14, 2018
2. Meeting Minutes – Board of Architectural Review – February 20, 2018
3. Meeting Minutes – Conservation Advisory Board – February 22, 2018
4. Meeting Minutes – Parks and Recreation Advisory Board – February 26, 2018

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

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

COMMUNICATIONS – TOWN BOARD:

SUPERVISOR NATHAN D. McMURRAY:

Resolution Adopting Erie County “Dig Once” Policy

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

WHEREAS the Town of Grand Island recognizes the importance of developing modern infrastructure, and has done a feasibility study on broadband internet in Grand Island; and

WHEREAS the Erie County Broadband Committee released a white paper on the need for broadband in Erie County, and the Grand Island Technology Advisory Board has gone on record supporting broadband; and

WHEREAS the Town acknowledges the Erie County Legislature passed March 15, 2018 that adopts, and encourages all Erie County municipalities to also adopt, the county-wide “Dig Once” policy that specifies conduit for broadband internet will be installed during existing excavation to reduce costs and inconvenience;

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NOW THEREFORE BE IT RESOLVED that the Town Board adopts the “Dig Once” policy and directs the Town Engineer to oversee its implementation.

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

COUNCILMAN PETER MARSTON, JR.:

Changes to Current Subdivision Recreation Fees Schedule

A motion was made by Councilwoman Baney, seconded by Councilman Marston to change the Fee Schedule to reflect the following changes and additions:

RECREATION FEES – IN LIEU OF 10% LAND:

Major subdivision per lot	\$	500.00
Minor subdivision per lot	\$	500.00
<i>Multi-family residence per unit</i>	\$	750.00

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

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

Authorize Supervisor to Sign Professional Services Agreement – Towerwood/Bronson/South Parkway Waterline Replacement – M-220

A motion was made by Councilman Madigan, seconded by Councilman Marston to authorize the Supervisor to sign the Professional Services Agreement with Wendel in the amount of \$43,535.00 for the Towerwood/Bronson/South Parkway Waterline Replacement – M-220.

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

Hire Summer Helper – Water Department

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to approve the hire of Sean Steckelberg as a Part-time Laborer in the Water Department, effective April 9, 2018 at the pay rate of \$11.30/hr., subject to the completion of the necessary pre-employment paperwork. Effective May 1, 2018, Sean Steckelberg will move to Seasonal status at the same rate of pay.

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

TOWN ACCOUNTANT – PAMELA BARTON:

Refuse Fund Budget 2017

In the 2017 Budget year, the Refuse Budget was already adopted when the contract rate came through in December 2016. A 1% increase was budgeted, and the rate (tied to the CPI) came through at 1.9%. There is a \$10,675 shortfall of the 2017 budget in this Fund. This shortfall needs to be appropriated from the Refuse Fund Balance.

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the following budget amendment for the 2017 Refuse Budget:

Increase Expenditure a/c:	010.0010.0400	\$10,675
Refuse – Contractual Expense		
Increase Appropriation a/c:	010.0010.9999	\$10,675
Refuse – Appropriated Fund Balance		

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

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Budget Amendment – Court

The Grand Island Town Court was in receipt of a Justice Court (JCAP) NYS Grant for the court office for the 2017 Budget year. The grant check was received Feb 2017 in the amount of \$11,018. It was for the purpose of carpeting the court office area (\$3,518), and security features in the court office area (\$7,500). This grant went unused in the 2017 Budget year, and was returned to Fund Balance in the General Fund at 2017 year end. I am requesting those funds be appropriated to the 2018 Budget, along with an additional General Fund “Fund Balance” appropriation (\$2,740) to complete the Court Office area, and the upper conference room. We have a solid quote for the carpet work, in hand, at a total of \$6,250. Additionally, we are in receipt of the 2018 JCAP grant for \$27,201 which coupled with the \$7,500 will allow for the enhanced security features in the court office area. That money also needs appropriation to the 2018 Court Budget. A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to approve the following budget amendments for 2018:

Increase Appropriated Fund Balance	001.0001.9999	\$ 11,018
Increase Appropriated Fund Balance	001.0001.9999	2,740
Increase Appropriations		
Justice Court – Equipment	001.1110.0200	\$ 11,018
Shared Services-Equipment	001.1620.0200	2,740
Increase Revenue		
NYS Grants	001.0001.3007	\$ 27,201
Increase Appropriations		
Justice Court – Equipment	001.1110.0200	\$ 27,201

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

RECREATION SUPERVISOR – JOSEPH MENTER:

Status Change

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the status change of Amy Smith from Part-time to Seasonal, effective April 3, 2018.

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

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – Carol M. Merckel, 2324 East River Road – Keeping of 2 Agricultural Animals on 3 Acres

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to renew the Special Use Permit for Carol M. Merckel, 2324 East River Road for keeping of 2 Agricultural Animals on 3 acres. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Glen Wallace, 917 North Colony Road – Bed & Breakfast

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to renew the Special Use Permit for – Glen Wallace, 917 North Colony Road – Bed & Breakfast. The site has been inspected and it is unchanged.

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

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PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:

Seasonal Hires/Status Changes

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to approve the following hires, effective April 3, 2018, subject to the completion of the necessary pre-employment paperwork:

Jonathan Goc	Parks Crew Chief	Seasonal	\$13.25/hr.
Michael Dollard	Master Mower	Part-time	\$13.00/hr.
Sean Donovan	Parks Jr. Worker	Seasonal	\$11.30/hr.
Joseph Killian	Parks Sr. Worker	Part-time	\$13.00/hr.
APPROVED	Ayes 5	Kinney, Madigan, Baney, Marston, McMurray	
	Noes 0		

A motion was made by Councilman Marston, seconded by Councilman Madigan to table the remaining requests for hires and status changes.

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

GIPD OFFICER IN CHARGE – CHRISTOPHER SOLURI:

Police Hires

A motion was made by Councilwoman Baney, seconded by Councilman Marston to hire James Livesay, Francis McNamera, Michael Paternostro and Jason Sykes as Grand Island Police Officers, Part-time-B, effective April 3, 2018 Grade 6, \$19.10/hr., subject to the completion of the necessary background checks and pre-employment paperwork.

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

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to pay

Vouchers #123593 -123709

General	\$ 90,369.44
Highway	\$ 20,820.06
Sewer	\$ 18,135.12
Water	\$ 20,517.41
Capital	\$ 1,854.00
Total	\$151,696.03

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

UNFINISHED BUSINESS:

SEQR - Local Law Intro #1 of 2018 - Amend the Zoning Code of Grand Island to Regulate Truck Stops/Travel Plazas

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to adopt the following resolution issuing a Negative Declaration of Environmental significance for the Local Law amending the Town Zoning Code in relation to Truck Stops/Travel Plazas:

WHEREAS, the Town Board of the Town of Grand Island has considered the proposed amendment to the Town zoning Code regarding the regulation of Truck Stops/Travel Plazas in the Town of Grand Island, NY (the "Local Law"); and

WHEREAS, the rezoning is an Type I Action, and the Town Board is conducting its review of the Local Law pursuant to the State Environmental Quality Review Act (SEQRA); and

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WHEREAS, the Town Board has duly considered the Full Environmental Assessment Form, the proposed Local Law in its entirety, the comments at the public hearing, and the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination.

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

1. The Town Board declares that the proposed Local Law will not result in any large and important impacts, and therefore, the approval of the Local Law does not include the potential for any significant adverse environmental impacts. Accordingly, the Town Board issues the attached negative declaration under SEQRA for the Local Law.

2. This resolution shall be effective immediately.

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

Local Law Intro #1 of 2018 - Amend the Zoning Code of Grand Island to Regulate Truck Stops/Travel Plazas

A. Correspondence – Planning Board

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to adopt Local Law #1 of 2018 as follows:

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

SECTION I. Chapter 407 of the Town of Grand Island Code (Zoning) is hereby amended as follows:

A. Section 407-10, Definitions, is amended to add the following definition

TRUCK STOP/TRAVEL PLAZA

A development oriented to the service of trucks, including the sale of fuel to truck drivers, and provision for support facilities for truck drivers. They may also be utilized by non-truck traffic and the interstate traveler. Business activities which are customarily accessory and clearly incidental and subordinate to the truck stop or travel plaza, may include but not be limited to: scales, truck wash, tire repair and sales, barber shop, restaurant with or without alcohol service, shower facility, convenience store, truckers lounge (for services such as television/exercise/internet access etc.), motel/hotel, laundry, chain rental, vehicle fuel and consumer propane bottle dispensing. The facility may allow for the temporary, daily, or overnight parking (excluding for the loading and unloading of cargo) of commercial motor vehicles which are en route to or from a destination along an interstate freeway system, for free or for a fee that may be independent of any other use on the premises. The term "truck" shall mean a commercial vehicle driven by a 'truck driver' who is required to have a Class "A" CDL (Commercial Driver's License) license or equivalent.

B. Section 407-10, Definitions, is amended to amend the following definitions to read in their entirety as follows:

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MOTOR VEHICLE REPAIR SHOP

A building or place of business where automobile repair service is rendered, and automotive supplies such as oil and greases, batteries, tires and/or accessories are supplied and dispensed directly to the public, at retail, but which does not include the sale of motor fuel. A Motor Vehicle Repair Shop as part of a Travel Plaza/Truck Stop is not permitted.

MOTOR VEHICLE SERVICE STATION

A building or place of business where motor fuel, oil and greases, batteries, tires and/or automobile accessories are supplied and dispensed directly to the public, at retail, and where minor repair service may be rendered. The definition includes any convenience or other retail store selling motor fuel to the public, but does not include any Truck Stop/Travel Plaza, nor may any Motor Vehicle Service Station include either a) truckers lounge (for services such as television/exercise/internet access etc.), b) motel/hotel, or c) laundry. No Motor Vehicle Service Station may exceed 5 acres in total size of the Lot

C. Section 407-160, Motor vehicle service stations and repair shops, is amended to amend the section to read in its entirety as follows:

§ 407-160 Motor vehicle service stations and repair shops

A. All motor vehicle service stations and repair shops shall be so arranged and all gasoline dispensers shall be so placed as to require all servicing on the premises and outside the public way; no gasoline dispenser shall be placed closer to any side property line than 50 feet.

B. No inoperative motor vehicles shall be kept on the premises of motor vehicle service stations and repair shops for longer than 30 days unless enclosed or fenced in an area not visible from off the property.

C. All waste material will be stored within a structure or enclosed within fencing so as not to be visible from off the property.

D. Motor vehicle service stations and repair shops do not include Truck Stop/Travel Plazas. In addition to the definition of Truck Stop/Travel Plaza in this Code, any Motor vehicle service station more than five acres in total size, on one or more adjacent parcels, is a Truck Stop/Travel Plazas. Truck Stop/Travel Plazas are not permitted in the Town of Grand Island.

SECTION II VALIDITY

The invalidity of a word, section, clause, paragraph, sentence, or part of provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

SECTION III EFFECTIVE DATE

This law shall take effect immediately, as provided by the law, upon filing with the Secretary of State.

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

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PUBLIC COMMENTS:

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

Speakers: Sharon Osgood

FROM THE BOARD:

- **Stay involved and informed**

ADJOURNMENT:

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to adjourn the meeting at 8:25p.m.

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

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

Howard Bennis	Jakob Jung
Catherine Glassman	Charles Romanchock
Theresa D'Angelo	David Wik
David Paskiewicz	Matthew Babisz
John Salvalzo	Beverly Reger
Jeanne Cooper	Lenore Boyko
Nina Fry	Thomas Lajos

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

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