

Town of Grand Island – Regular Meeting #15

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 20th of August, 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
	Peter C. Godfrey	Town Attorney

Supervisor Nathan D. McMurray called the meeting to order at 8:00p.m.
Melinda Evans from Island United Presbyterian 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: Jackie James Creedon, Paul Leuchner

PUBLIC HEARING:

Bond Resolution – Increase and Improvements of the Consolidated Sewer District – Tank Replacement

A Public Hearing was held on Monday, August 20, 2018 for the purpose of hearing anyone who wanted to comment on the proposed Bond Resolution – Increase and Improvements of the Consolidated Sewer District – Tank Replacement.

Speakers: None

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to adopt the following Resolution and Order after Public Hearing approving the Increase and Improvement of Facilities of the Consolidated Sewer District:

WHEREAS, the Town Board of the Town of Grand Island (herein called “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law, created the Town of Grand Island Consolidated Sewer District (the “District”); and

WHEREAS, the Town Board has directed GHD, competent engineers licensed in New York, to prepare a preliminary map, plan and report for a sewer system capital improvements project within the District; and

WHEREAS, such sewer system capital improvements project will generally consist of (but not be limited to), the replacement of the chemical bulk storage tanks at the Wastewater Treatment Plant, concrete repairs to the containment area and transfer pad, replacement of piping and various equipment including tank level sensing equipment and alarm stations, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the foregoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

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WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$460,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$460,000, offset by any federal, state, county and/or local funds received; and

WHEREAS, the Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (“SEQRA”) are required; and

WHEREAS, the Town Board issued an Order at its August 6, 2018 meeting calling for a public hearing to be held at the Town Hall, Grand Island, New York, on August 20, 2018 at 8:00 o’clock p.m. (prevailing time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing; and

WHEREAS, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, based on the information provided at the public hearing, as follows:

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$460,000; and it is hereby

DETERMINED, that the parcels and lots of the District shall be benefited by said increase and improvement of the facilities of the District; and it is hereby

DETERMINED, that all parcels and lots benefited by said increase and improvement of the facilities are included in the District; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of the Project shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$460,000, said amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town

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Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and it is hereby

FURTHER ORDERED, that within ten days after adoption of this Resolution and Order, the Town Clerk will record with the Clerk of the County of Erie a copy of this Resolution and Order, certified by said Town Clerk.

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

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

A Bond Resolution, dated August 20, 2018, of the Town Board of the Town of Grand Island, Erie County, New York (The "Town") authorizing a capital improvements project within the Town of Grand Island Consolidated Sewer District at an estimated maximum cost of \$460,000; and authorizing the issuance of Serial Bonds in an aggregate principal amount not to exceed \$460,000 of the Town, pursuant to the local Finance Law to finance said purpose, said amount to be offset by any Federal, State, County and/or local funds received; and delegating the power to issue Bond Anticipation Notes in anticipation of the sale of such bonds to the Town Supervisor.

WHEREAS, the Town Board of the Town of Grand Island, Erie County, New York (the "Town"), has established the Town of Grand Island Consolidated Sewer District (the "District"); and

WHEREAS, the Town Board has determined by resolution to undertake the construction of a certain capital improvements project within the District, such work to generally consist of (but not be limited to), the replacement of the chemical bulk storage tanks at the Wastewater Treatment Plant, concrete repairs to the containment area and transfer pad, replacement of piping and various equipment including tank level sensing equipment and alarm stations, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Project"); and

WHEREAS, the Town Board has determined to proceed with the Project; and

WHEREAS, the Town Board desires to issue obligations of the Town to finance the costs of the Project.

NOW THEREFORE, BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a sewer system capital improvements project within the District, such work to generally consist of (but not be limited to), the replacement of the chemical bulk storage tanks at the Wastewater Treatment Plant, concrete repairs to the containment area and transfer pad, replacement of piping and various equipment including tank level sensing equipment and alarm stations, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other

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improvements and costs incidental thereto and in connection with the financing thereof. The estimated maximum cost of said purpose is \$460,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$460,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvement is to be paid by the issuance of serial bonds and by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, the cost of the project shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing

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delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Town of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Town hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 12. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 13. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

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(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 14. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Town and designated as the official newspaper of the Town for such publication.

SECTION 15. This Resolution is effective immediately.

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

MINUTES:

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the Minutes of Workshop Meeting #23, August 6, 2018 and Minutes of Regular Meeting #14, August 6, 2018.

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

CONSENT AGENDA:

1. Meeting Minutes – Zoning Board of Appeals – July 5, 2018
2. Golden Age Center – Facility Usage – July 2018
3. Meeting Minutes – Planning Board – July 9, 2018

A motion was made by Councilwoman Kinney, seconded by Councilman Marston 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 Supporting Cease and Desist Order –Tonawanda Coke Corporation

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

WHEREAS, Tonawanda Coke Corporation, a major foundry coke manufacturer, has been convicted of numerous environmental violations in recent years; and

WHEREAS, on July 20, 2018 the New York State Department of Environmental Conservation (DEC) Commissioner issued a cease and desist order to Tonawanda Coke Corporation as a result of blatant and ongoing environmental violation that are impacting the health, welfare and quality of life of Grand Island residents as well as those living in other downwind communities; and

WHEREAS, Tonawanda Coke Corporation continues to operate the facility at all hours, filling the air with benzene—a chemical known to cause leukemia and lymphoma—and other pollutants that have the potential to harm surrounding communities;

NOW THEREFORE BE IT RESOLVED that the Town Board does hereby support the cease and desist order issued by the DEC Commissioner and further calls upon the Commissioner to take prompt and decisive action for the immediate cease and desist of operations and remediate the contaminated soils at the plant site and eliminate the sources of toxic runoff from that plant site that now enter the Niagara River.

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

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COUNCILMAN MICHAEL H. MADIGAN:

Authorize Supervisor to Sign Agreement – New York Power Authority’s Master Cost Recovery Agreement (Master Services Agreement)

A motion was made by Councilman Madigan, seconded by Supervisor McMurray to refer the New York Power Authority’s Master Cost Recovery Agreement (Master Services Agreement) to the Town Board for further review.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN CLERK – PATRICIA A. FRENTZEL:

Regulation on Reporting for Elected or Appointed Officials

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to adopt the resolution in accordance to the new NYS requirements on the Regulations on Reporting for Elected or Appointed Officials, the Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

The resolution will then be posted on the Town’s website for a minimum of thirty days in accordance with the regulations. A certified copy of the resolution and an affidavit of posting shall be filed by the clerk of the governing board with the Office of the State Comptroller within 45 days of the adoption of the resolution.

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

TOWN ATTORNEY – PETER GODFREY:

Bond Resolution – Increase and Improvements of the Consolidated Water District – Water Treatment Plant and Waterline Improvements-2018 – Set Public Hearing

A motion was made by Council

WHEREAS, the Town Board of the Town of Grand Island (herein called “Town Board” and “Town”, respectively), in the County of Erie, New York, has, pursuant to Town Law, created the Town of Grand Island Consolidated Water District (the “District”); and

WHEREAS, the Town Board has directed Wendel, competent engineers licensed in New York, to prepare a map, plan and report for a water system capital improvements project within the District; and

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of additional filters at the Water Treatment Plant, construction of an addition to the Water Treatment Plant to accommodate the new filters, and the installation of approximately 11,600 linear feet of waterline along various roads in the Town including, but not limited to, Baseline Road, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$5,370,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$5,370,000, offset by any federal, state, county and/or local funds received.

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 September 4, 2018 at 8:00p.m. o’clock p.m. (prevailing Time) or shortly thereafter to consider said

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increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$5,370,000, said amount to be offset by any federal, state, county and/or local funds received, and, unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

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

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

Authorize Supervisor to Sign Easement – National Grid Easement (NMPC Work Request #24543224) – Veteran’s Park Power Upgrade M-66

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize the Supervisor to sign the National Grid Easement (NMPC work request #24543224) for the overhead and underground electric facilities at Veteran’s Park. The Easement is needed to move ahead with the project to install a new primary electrical service to Veteran’s Park that was approved in November 2017.

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

Scenic Woods & Bicentennial Park Phase 1-1A – M-176-2016:

Award Contract

Town Engineer Robert Westfall report that on July 25, 2018 three bids were received for the Scenic Woods & Bicentennial Park Phase 1-1A project as follows:

<u>Contractor</u>	<u>Bid</u>
LDC Construction Co., Inc.	\$542,200.00
Scott Lawn Yard, Inc.	\$567,000.00
Wayside Nursery	\$838,245.00

After careful review, Mr. Westfall recommends LDC Construction Co., Inc. be awarded the bid in the amount of \$542,200.00.

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to accept the recommendation of the Town Engineer and award the bid to LDC Construction Co., Inc. in the amount of \$542,200.00.

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

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Authorize Supervisor to Sign Agreement – Construction Services

The Engineering Department would like to hire Barton & Loguidice on a time and expense basis for construction services for the above referenced project. Construction Services may include but not be limited to: interpretation of design questions, reviewing shop drawings, responses to requests for information, stormwater inspections, site visits/inspections, project meetings, as-built plans, environmental support in regards to design changes effecting NYSDEC wetland permit or NWP, and preparing the All-Terrain Vehicle Control Plan for the NYSDEC permit. Construction services not to exceed \$30,000.00. The bonding authorization for the project is already in place. A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to accept the recommendation of the Town Engineer and authorize the Supervisor to sign the agreement with Barton & Loguidice for construction services in an amount not to exceed \$30,000.00.

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

Authorize Supervisor to Sign Professional Services Agreement – WWTP Chemical Bulk Storage Upgrade – M-227

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize the Supervisor to sign the Professional Services Agreement with GHD for the WWTP chemical storage upgrade – M-227 in the amount of \$62,700.00

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

PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK: Seasonal Hire/Status Change

A motion was made by Councilwoman Baney, seconded by Councilman Marston to hire Gary Roesch, Parks Senior Worker, effective September 27, 2018, Part-time, \$12.25/hr. and approve the status change of Joseph Killian from Part-time to Seasonal, effective August 29, 2018 at \$13.00/hr.

NOT APPROVED Ayes 1 Baney,
Noes 4 Kinney, Madigan, Marston, McMurray

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the status change of Joseph Killian from Part-time to Seasonal, effective August 29, 2018 at \$13.00/hr.

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

A motion was made by Councilman Madigan, seconded by Councilman Marston to refer the hire of a Parks Senior Worker to the Town Board for further discussion.

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

TOWN ACCOUNTANT – PAMELA BARTON: Budget Amendment

The Town is in receipt if a County Grant in the amount of \$500 for use at the Golden Age Center toward the purchase of media equipment for the Center.

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to approve the following budget amendment:

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Increase Grant Revenue		
Erie County Grants	001.0001.3006	\$500
Increase Appropriations		
Golden Age Equipment	001.6772.0430	\$500

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

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – National Fuel Gas Supply Corp., 1589 Stony Point Road – Natural Gas Regulator/Metering Station

A motion was made by Councilman Madigan, seconded by Councilman Marston to renew the Special Use Permit for National Fuel Gas Supply Corp., 1589 Stony Point Road for a Natural Gas Regulator/Metering Station. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – John R. Simon Enterprises, Ltd. – 2024 Grand Island Boulevard – Convenience Store (Modified Space)

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to renew the Special Use Permit for John R. Simon Enterprises, Ltd. – 2024 Grand Island Boulevard – Convenience Store (Modified Space). The site has been inspected and it is unchanged.

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

PLANNING BOARD:

Design & Performance Standards

A motion was made by Councilman Madigan, seconded by Councilman Marston to amend the Design and Performance Standards and change any reference of the Zoning Code from “Chapter 49” to “Chapter 407”, specifically Page 2, 2.2.1 Submission Requirements.

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

SEQR – Herb’N Garden Farms, 381 Lang Boulevard – Site Plan Approval – Hydroponic Greenhouse Nursery

Supervisor McMurray presented the SEQR – Short Form Environmental Assessment Forms for Herb’N Garden Farms, 381 Lang Boulevard for Site Plan approval for a Hydroponic Greenhouse Nursery. Mr. McMurray informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to issue a Negative Declaration for Herb’N Garden Farms, 381 Lang Boulevard for Site Plan Approval for a Hydroponic Greenhouse Nursery.

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

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Herb’N Garden Farms, 381 Lang Boulevard – Site Plan Approval – Hydroponic Greenhouse Nursery

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to accept the recommendation of the Planning Board and approve the Site Plan for Herb’N Garden Farms, 381 Lang Boulevard for a Hydroponic Greenhouse Nursery.

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

SEQR – David Mazur, 1780 Grand Island Boulevard – Site Plan Approval – Mini Plaza

Supervisor McMurray presented the SEQR – Short Form Environmental Assessment Forms for David Mazur, 1780 Grand Island Boulevard for Site Plan approval for a Mini Plaza. Mr. McMurray informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to issue a Negative Declaration for David Mazur, 1780 Grand Island Boulevard , Site Plan Approval for a Mini Plaza.

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

David Mazur, 1780 Grand Island Boulevard – Site Plan Approval – Mini Plaza

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to accept the recommendation of the Planning Board and approve the Site Plan for David Mazur, 1780 Grand Island Boulevard for a Mini Plaza, subject to the applicant being allowed to deviate from the Design and Performance Standards for landscaping along the Boulevard with a fence to be constructed along the southeast parking area in place of a berm, two additional River Birch trees to be planted along the Boulevard at the northern boundary as well as deviation from parking entrance island requirement and based on elevations previously submitted.

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 #124982 -125157

General	\$ 95,110.82
Highway	\$ 21,478.53
Sewer	\$ 5,888.81
Water	\$ 10,886.92
Capital	\$ 5,685.00
Garbage	<u>\$121,232.96</u>
Total	\$260,283.04

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

UNFINISHED BUSINESS:

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

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Authorize Supervisor to Sign Professional Services Agreement – NYSDOT Grand Island Boulevard Accessibility Project – Lighting/Sidewalk Project

A motion was made by Councilman Kinney, seconded by Councilwoman Baney to accept the recommendation of the Town Engineer and authorize the Supervisor to sign the Letter of Proposal from C&S Engineers to provide Professional Services relating to the design and installation of lighting elements on Grand Island Boulevard. This initiative is intended to be undertaken at the same time as the NYSDOT Accessibility Project, allowing for a single construction effort.

APPROVED Ayes 4 Kinney, Baney, Marston, McMurray
Noes 1 Madigan

PUBLIC COMMENTS:

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

Speakers: Jenn Pusatier, Nancy Killian

FROM THE BOARD:

- Budget/Tax Cap
- Workshops
- BBQ Battle – September 8th – www.grandislandbbq.com for details

ADJOURNMENT:

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to adjourn the meeting at 9:08p.m.

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

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

Ronald Rezabek	Dorothy Ginsburg
Su Pieri	Bernard Samland
Patrick Dinsmore	Jayne Ologge

Respectfully submitted,

Patricia A. Frentzel
Town Clerk