

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 21st of August, 2017.

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

Supervisor Nathan D. McMurray called the meeting to order at 8:00p.m.
Pastor Calvin VanderMey from Bible Fellowship Center gave the Invocation.
Councilman Beverly A. Kinney led the Pledge of Allegiance.

**** All five matters regarding the Golden Age Center were completed at this time during the meeting**

PUBLIC COMMENTS:

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

<i>Speakers:</i>	Kathy Lechner, Rose Bugman, Frank Greco, Gail Williams, Michele Ninacs, Leslie Madigan, Kristen Casio, Deb Brennan, Tracy Schultz, Jim Sniadecki, Harry Korman, Dean Morakis, Colleen Martin, Bonnie Fitzgerald, Marybeth Bush, Bill Jenkins, Lee Cohen, Sandra Nelson
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PUBLIC HEARING:

Bond Resolution – Increase and Improvement of Facilities of the Consolidated Sewer District – 2017: Year 3 SSES Work

A Public Hearing was held Monday, August 21, 2017 at 8:00p.m. for the purpose of hearing anyone who wants to comment on a Bond Resolution to Increase and Improvement of Facilities of the Consolidated Sewer District – 2017: Year 3 SSES Work.

<i>Speakers:</i>	None
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Supervisor McMurray declared the Public Hearing closed.
A motion was made by Councilman Billica, seconded by Councilwoman Kinney to adopt the following resolution and Order after the Public Hearing approving the increase and improvement of facilities of the Town of Grand Island Consolidated Sewer District as follows:

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, in January of 2014, the Town Board directed GHD, competent engineers licensed in New York, to prepare a map, plan and report for a sewer system capital improvements project within the District; and

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WHEREAS, in March of 2014, the Town approved the original capital improvements project, through Town Law Section 202-b proceedings and other resolutions and adopted a bond resolution on March 17, 2014; and

WHEREAS, the Town has determined that the scope of such original capital project be increased to include additional investigation and analysis, as well as any other associated work; and

WHEREAS, the Town has directed GHD, competent engineers licensed in New York, to prepare a supplemental map, plan and report (dated July 2017) for such work; and

WHEREAS, such additional map, plan and report supplements a certain prior map, plan and report (dated January 2014) for the purposes of including such additional work; and

WHEREAS, such original map, plan and report (dated January 2014) and such supplemental map, plan and report (dated July 2017) are hereinafter collectively referred to as the “Project Map, Plan and Report”; and

WHEREAS, the estimated maximum cost of the project (including such supplemental work) and the amount of serial bonds authorized for such project remains the same; and

WHEREAS, such revised and expanded project will generally consist of improvements identified in the Sanitary Sewer Evaluation Survey (the “SSES”) for Year 3, such work to generally include, but not be limited to, the preparation and submission of a No Feasible Alternative (NFS) study to the New York State Department of Environmental Conservation (NYSDEC) as part of a mandatory permit renewal, as well as repairs along East Park Road, Red Jacket Road, Hennepin Road, Huth Road and Long Road consisting of the removal of direct inflow sources, the replacement of cured in place pipe lining of sewers, excavation and spot repairs, manhole lining and improvements, and manhole cover replacement, along with the inspection of various sewer mains in the Town along various roads, including, but not limited to, Grand Island Boulevard, South Parkway and Broadway using closed circuit television (CCTV) and cleaning of sewers, smoke testing of sewers, cleaning of sewers using a vacuum truck and dewatering siphon, disposal of grit and debris, dyed water testing of homes where downspout discharges are not readily visible, manhole inspections, review and summary of field work, identification of sanitary sewer rehabilitation and implementation schedule, design, bid and construction phase services, as well as other such improvements as more fully identified in (or contemplated by) such Project Map, Plan and Report referred to above and generally consistent with the Town’s SSES reports, 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 the Project Map, Plan and Report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be in an estimated maximum amount of \$2,900,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$2,900,000, such amount to be offset by any federal, state, county and/or local funds received; and

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WHEREAS, such Project Map, Plan and Report has not been modified (or supplemented) in any material respect other than as described above;

WHEREAS, the Town Board has determined that the District Improvement 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 7, 2017 meeting calling for a public hearing to be held at the Town Hall, Grand Island, New York, on August 21, 2017 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 \$2,900,000; 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 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 \$2,900,000, 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

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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 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

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

AN AMENDING AND RESTATING BOND RESOLUTION, DATED AUGUST 21, 2017, OF THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, ERIE COUNTY, NEW YORK (THE "TOWN"), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON MARCH 17, 2014, AND AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF GRAND ISLAND CONSOLIDATED SEWER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$2,900,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,900,000 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, on March 17, 2014, the Town Board of the Town of Grand Island, Erie County, New York (the "Town") adopted a certain bond resolution (the "Original Bond Resolution") entitled:

A BOND RESOLUTION, DATED MARCH 17, 2014, 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 \$2,900,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,900,000 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.

and

WHEREAS, the Town has previously issued bond anticipation notes pursuant to the Original Bond Resolution, but has not yet entered into permanent financing arrangements thereunder (i.e., the issuance of long-term serial bonds); and

WHEREAS, the Town has determined that the scope of such original capital project be increased to include additional investigation and analysis, as well as any other associated work in the Consolidated Sewer District (the "District"); and

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WHEREAS, the estimated maximum cost of the project and the amount of serial bonds authorized for such project remains the same; and

WHEREAS, the Town Board wishes to modify the Original Bond Resolution for the purposes of modifying the scope of the project to include additional investigation and analysis, as well as any other associated work; and

WHEREAS, the Town Board now wishes to amend and restate the Original Bond Resolution for the purpose identified above, and to make other modifications in the Original Bond Resolution as may be consistent with law; and

WHEREAS, the Original Bond Resolution is being modified to include additional improvements in the District as previously described, and is otherwise being reaffirmed and ratified in all other material respects; and

WHEREAS, the Town Board of the Town has determined to proceed with the capital improvements project; and

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Grand Island, in the County of Erie, New York (the "Town") (by the favorable vote of not less than two-thirds of all the members of the Town Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a capital improvements project within the District generally consisting of improvements identified in the Sanitary Sewer Evaluation Survey (the "SSES") for Year 3, such work to generally include, but not be limited to, the preparation and submission of a No Feasible Alternative (NFA) study to the New York State Department of Environmental Conservation (NYSDEC) as part of a mandatory permit renewal, as well as repairs along East Park Road, Red Jacket Road, Hennepin Road, Huth Road and Long Road consisting of the removal of direct inflow sources, the replacement of cured in place pipe lining of sewers, excavation and spot repairs, manhole lining and improvements, and manhole cover replacement, along with the inspection of various sewer mains in the Town along various roads, including, but not limited to, Grand Island Boulevard, South Parkway and Broadway using closed circuit television (CCTV) and cleaning of sewers, smoke testing of sewers, cleaning of sewers using a vacuum truck and dewatering siphon, disposal of grit and debris, dyed water testing of homes where downspout discharges are not readily visible, manhole inspections, review and summary of field work, identification of sanitary sewer rehabilitation and implementation schedule, design, bid and construction phase services, as well as other such improvements as more fully identified in (or contemplated by) such Project Map, Plan and Report prepared in connection with such project and generally consistent with the Town's SSES reports, 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 "Purpose"). The estimated maximum cost of the Purpose is \$2,900,000.

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 \$2,900,000 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

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assessment, levy and collection of 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 shall 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 the 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 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 such bonds or notes as the same shall 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 said 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 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.

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The Town then reasonably expects to reimburse any such expenditures (to the extent made on March 17, 2014 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 original declaration of its "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 said 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

(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 said Town and designated as the official newspaper of said Town for such publication.

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SECTION 15. Nothing in this amendment shall affect the validity of the original March 17, 2014 bond resolution or any action taken thereunder, and any said actions are hereby ratified.

SECTION 16. This Resolution is effective immediately.

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

MINUTES:

A motion was made by Councilman Aronica, seconded by Councilman Madigan to approve Minutes of Regular Meeting #14, August 7, 2017 and Minutes of Workshop Meeting #21, August 7, 2017.

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

CONSENT AGENDA:

1. Golden Age Center – Facility Usage – July 2017
2. Meeting Minutes – Zoning Board of Appeals – July 6, 2017
3. Meeting Minutes – Board of Architectural Review – July 18, 2017
4. Meeting Minutes – Technology Advisory Board – June 5, 2017

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

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

COMMUNICATIONS – TOWN BOARD:

SUPERVISOR NATHAN D. McMURRAY:

Request Authorization to Advertise – Full Time Recreation Attendant – Golden Age Center

A motion was made by Councilman Billica, seconded by Councilwoman Kinney to re-establish the Full-time Cook position in the Golden Age Center.

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

Part-time Hire – Town Engineer

A motion was made by Councilman Madigan, seconded by Councilman Billica to appoint John Whitney as Part-time Town Engineer, effective September 1, 2017, \$49.19/hr., subject to any necessary agreements between the Town and CSEA.

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

COUNCILMAN RAYMOND A. BILLICA:

Hire School Crossing Guard

A motion was made by Councilman Billica, seconded by Councilman Aronica to hire Susan Bridenbaker as a School Crossing Guard at the rate of \$21.52 per crossing, subject to the completion of all the necessary pre-employment paperwork.

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

COUNCILMAN MICHAEL H. MADIGAN:

Golden Age Center – Place a Hold on Van Fees

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A motion was made by Councilman Madigan, seconded by Councilman Billica to place a hold on the collection of all Golden Age van service user fees without any disruption to the on-going services provided. The current fee structure requires review by the Grand Island Town Board.

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

West River Greenway Connector Trail Bike Path (West River Multi-Use Path Project) – Request to Fulfill Agreement and Commitment Made With Town

A motion was made by Supervisor McMurray, seconded by Councilwoman Kinney to move forward in the spirit of the MOU that was prepared in June 2014 and all associated documentation on the West River Greenway Connector Trail Bike Path (West River Multi-Use Path Project).

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN CLERK – PATRICIA A. FRENTZEL:

LGRMIF Grant 2017-2018

Town Clerk, Patricia Frentzel informed the Town Board the Town of Grand Island has applied for and has been awarded a LGRMIF Grant in the amount of \$49,972.

This grant will allow the Town to effectively centralize all of the Town human resource and payroll records onto the Town's existing ApplicationXtender Document Manager Program. The first phase of this grant will be to transport the records to the vendor for scanning/destruction followed by staff training on the software, and final implementation of the application in early spring of 2018. The Town received the first payment from the State of New York and have received permission to move forward on the project.

This is for information purposes only. No Town Board action was necessary.

DEPARTMENT OF ENGINEERING & WATER RESOURCES – JOHN WHITNEY:

Gun Creek Subdivision – Phase 1 – Acceptance of Dedications

A motion was made by Councilwoman Kinney, seconded by Councilman Billica to accept the Dedicated Lands in Gun Creek Subdivision – Phase 1, subject to the approval of the Town Attorney and Town Engineer.

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

SEQR – 1290 Whitehaven Road – Cornerstone Church – Sports Field

Supervisor McMurray presented the SEQR – Short Form Environmental Assessment Forms for Cornerstone Church, 1290 Whitehaven Road for a sports field. 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 Billica to issue a Negative Declaration for Cornerstone Church, 1290 Whitehaven Road for a sports field.

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

Grading Permit – 1290 Whitehaven Road – Cornerstone Church – Sports Field

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A motion was made by Councilwoman Kinney, seconded by Councilman Billica to accept the recommendation of the Engineering and Code Enforcement Office and approve the Grading Permit for Cornerstone Church, 1290 Whitehaven Road for a Sports field.

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

TOWN ACCOUNTANT – PAMELA BARTON:

Local Law Intro #5 of 2017 – Override of Real Property Tax Cap – Set Public Hearing

A motion was made by Councilwoman Kinney, seconded by Councilman Billica to adopt the following resolution calling a Public Hearing for a proposed Local Law to override the tax levy limit:

WHEREAS, the Town Board of the Town of Grand Island has proposed a local law to permit an override of the limit on the amount of real property taxes that may be levied by the Town of Grand Island pursuant to General Municipal Law §3-c, and to allow the Town Board of the Town of Grand Island to adopt a budget for fiscal year 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c; and

WHEREAS, the Town Board of the Town of Grand Island has not yet determined whether it is necessary to adopt a budget that would require a tax levy in excess of the tax levy limit as defined by General Municipal Law §3-c, but is proposing the override as an exercise of local control over the Town’s finances and in order to provide the Town Board with the necessary flexibility should the adoption of the 2018 budget require a real property tax levy in excess of the tax levy limit, including as a result of the NYS DEC consent order placed upon the Town of Grand Island during 2010, which essentially constitutes an unfunded mandate and which has created unforeseen fiscal circumstances within the Sewer Fund; and

WHEREAS, the Town Board of the Town of Grand Island has determined that the adoption of the local law is a Type II Action and are therefore not subject to the requirements of the State Environmental Quality Review Act (“SEQRA”).

NOW, THEREFORE, BE IT RESOLVED, that a public hearing will be held by the Town Board of the Town of Grand Island on the 5th day of September, 2017, at 8:00 p.m., at the Town of Grand Island Town Hall, located at 2255 Baseline Road, Grand Island, New York, at which hearing parties and interested citizens shall have an opportunity to be heard on the adoption of a Local Law to override the tax levy limit established in General Municipal Law Section 3-c for the 2018 fiscal year budget; and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Grand Island shall be authorized and directed to publish public notice of said public hearing.

APPROVED Ayes 3 Billica, Kinney, McMurray
Noes 2 Aronica, Madigan

CODE ENFORCEMENT OFFICE:

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Special Use Permit Renewal – Pilgrim Associates, LLC, 1898 Whitehaven Road – Convenience Store & Fueling Station

A motion was made by Councilwoman Kinney, seconded by Councilman Aronica to renew the Special Use Permit for Pilgrim Associates, LLC, 1898 Whitehaven Road for a convenience store & fueling station. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Billica, Aronica, Kinney, Madigan, 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 Councilman Aronica, seconded by Councilman Billica to renew the Special Use Permit for John R. Simon Enterprises, Ltd., 2024 Grand Island Boulevard for a convenience store (modified space). The site has been inspected and it is unchanged.

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

PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:

Part-time Hire

A motion was made by Councilman Billica, seconded by Councilman Madigan to accept the recommendation of the Parks Crew Chief Thomas Dworak and hire Robert Arsenault as a Part-time Jr. Parks Worker, effective August 22, 2017, \$10.20/hr., subject to the completion of the necessary pre-employment paperwork.

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

Status Change

A motion was made by Councilman Billica, seconded by Councilman Aronica to accept the recommendation of the Parks Crew Chief Thomas Dworak and approve the status change of Joseph Killian as a Senior Parks Worker from PT to Seasonal, effective August 28, 2017 at the rate of pay of \$12.00/hr.

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

GOLDEN AGE CENTER:

Part-time Hires

A motion was made by Councilwoman Kinney, seconded by Councilman Aronica to accept the recommendation of the Golden Age Center and hire Molly Vigrass as a Part-time Van Driver, Grade 2, Step A - \$11.31/hr., effective August 28, 2017, subject to the completion of the necessary pre-employment paperwork.

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

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to accept the recommendation of the Golden Age Center and hire Suzanne Phillips, Kathryn Gilmore and Eric Meng as Part-time Recreation Attendants/Kitchen Aides, effective August 22, 2017. The rate of pay will be Grade 1.5, Step A - \$10.70/hr., subject to the completion of any necessary pre-employment paperwork.

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

REPORT OF THE AUDIT COMMITTEE:

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A motion was made by Councilman Madigan, seconded by Councilman Aronica to pay Vouchers #121570 -121650

General	\$112,200.00
Highway	\$ 355.37
Sewer	\$ 21,940.32
Water	\$ 9,686.56
Capital	\$ 75,221.25
Total	\$219,403.70

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

UNFINISHED BUSINESS:

Establish Pay Rate for Recreation Attendants Part-Time at Golden Age Center

A motion was made by Councilwoman Kinney, seconded by Supervisor McMurray to amend the Non-Union Salary Schedule to create Grade 1.5. The pay rate will be \$1.00 above the Grade 1 rate across the Steps. The only title in Grade 1.5 will be a Golden Age Recreation Attendant/Kitchen Aide.

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

SUSPEND THE RULES:

A motion was made by Supervisor McMurray, seconded by Councilwoman Kinney to Suspend the Rules to consider setting a Public Hearing for the Increase and Improvement of Facilities of the Town of Grand Island Consolidated Water District for the installation of approximately 9,350 linear feet of 12-inch PVC transmission water main along Staley Road.

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

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

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 approximately 9,350 linear feet of 12-inch PVC transmission water main along Staley Road in the Town and the transferring of water service to the new water main, 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 \$1,330,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$1,330,000, offset by any federal, state, county and/or local funds received.

Town of Grand Island – Regular Meeting #15

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 Tuesday, September 5, 2017 at 8:00p.m. 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 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 \$1,330,000, 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 Billica, Aronica, Kinney, Madigan, McMurray
Noes 0

PUBLIC COMMENTS:

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

Speakers: Frank Greco, Reg Schopp, Rose Bugman, John Hurd, John Williams, Linda Garrison, Kristen Casio, Deb Brennan, Judy Schorb, Tom Thompson, Valerie Funk, Ann Williams, Lee Cohen

FROM THE BOARD:

Cooperation, collaboration of Town Board Members

ADJOURNMENT:

A motion was made by Councilman Madigan, seconded by Councilman Billica to adjourn the meeting at 10:44p.m.

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

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

Joanne Lauria Richard Mock
Ronald Viavada Alma McTigue

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

Monday, August 21, 2017 - 13