

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
 James R. Sharpe - Deputy Supervisor

TOWN BOARD OF THE TOWN OF GRAND ISLAND

Grand Island Town Hall
 2255 Baseline Rd. — Grand Island, New York 14072

Date: July 2, 2018
 Time: 8:00 P.M.

HEARING IMPAIRED LISTENING
 DEVICES AVAILABLE ON REQUEST

In the event of a fire or other emergency, please follow the exit signs that are provided in this room and throughout Town Hall.

	TITLE:	DISPOSITION:
I	<u>ROLL CALL:</u> Town Clerk	
II	<u>INVOCATION:</u> Bible Fellowship Center	
III	<u>PLEDGE:</u> Councilwoman Jennifer L. Baney	
IV	<u>PROCLAMATIONS:</u> 1. Town Hall 50 th Anniversary 2. Paddles Up 2018	
V	<u>PUBLIC COMMENTS:</u> - AGENDA ITEMS ONLY	
VI	<u>PUBLIC HEARINGS:</u> 1. Local Law Intro #4 of 2018 – Cold War Veterans Exemption 2. Local Law Intro #5 of 2018 – Stop Signs – Harvey Road at its Intersection with Park Pace – TO BE RESCHEDULED	
VII	<u>MINUTES:</u> 1. Approve Minutes of Workshop Meeting #18, June 18, 2018 2. Approve Minutes of Regular Meeting #11, June 18, 2018 3. Approve Minutes of Workshop Meeting #19, June 20, 2018	
VIII	<u>CONSENT AGENDA:</u> 1. Meeting Minutes – Board of Architectural Review – May 15, 2018 2. Meeting Minutes – Conservation Advisory Board – May 24, 2018 3. Meeting Minutes - Technology Advisory Board – May 15, 2018 4. Meeting Minutes – Historic Preservation Advisory Board – May 18, 2018 <u>COMMUNICATIONS –TOWN BOARD:</u>	
IX	<u>COUNCILWOMAN BEVERLY A. KINNEY:</u> 1. Resignation – Parks and Recreation Advisory Board 2. Appointment – Parks and Recreation Advisory Board	
X	<u>COUNCILMAN MICHAEL H. MADIGAN:</u> 1. Local Law Intro #6 of 2018 – Amendment to Grand Island Solar Law – Set Public Hearing 2. New York State Welcome Center – Request for Out of District Access and Hookup to Sewer System – Set Public Hearing <u>COMMUNICATIONS – OTHER TOWN OFFICIALS:</u>	
XI	<u>TOWN ATTORNEY – PETER GODFREY:</u> 1. Bond Resolution – Reconstruction of and Construction of Improvements to Various Roads (2018)	

Nathan D. McMurray - Supervisor
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TOWN BOARD OF THE TOWN OF GRAND ISLAND

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Page 2
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	TITLE:	DISPOSITION:						
XII	<p><u>DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:</u></p> <p>1. Authorize Supervisor to Sign Audit Results – National Grid Street Light Audit – Job No. M-120</p> <p>2. Authorize Supervisor to Execute Release/Settlement – Sewer System Damage – National Grid – 2300 Block of Stony Point Road</p> <p>3. Authorize Supervisor to Sign Professional Services Agreement – Water System Improvement Project – Engineering Report with WIIA Grant Application – Job No. M-221</p> <p>4. Authorize Supervisor to Sign Professional Services Agreement – Community Center Upgrades – Additional Services for ADA Bathrooms & HVAC Design – Job No. M-213</p>							
XIII	<p><u>PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:</u></p> <p>1. Seasonal Hire</p>							
XIV	<p><u>CODE ENFORCEMENT OFFICE:</u></p> <p>1. Special Use Permit Application – Melissa & Walter Yanicki, 2332 Stony Point Road – Keeping of 2 Agricultural Animals on 3 Acres – Set Public Hearing</p> <p>2. Local Law Intro #7 of 2018 – Mining/Excavation Overlay – 2626 & 2640 Staley Road – Set Public Hearing</p>							
XV	<p><u>REPORT OF THE AUDIT COMMITTEE:</u></p>							
XVI	<p><u>UNFINISHED BUSINESS:</u></p> <p>1. Special Use Permit Application – SolarPark Energy LLC, 1611 Whitehaven Road – Solar Array Project</p> <p>A. Correspondence – SolarPark Energy LLC</p> <p>2. Authorizing Resolution – DEC Urban and Community Forestry Round 14 Grant Program – 2018 Request for Funding</p>							
XVII	<p><u>PUBLIC COMMENTS:</u></p>							
XVIII	<p><u>FROM THE BOARD:</u></p>							
XIX	<p><u>MEMORIAL ADJOURNMENT:</u></p> <table><tr><td>Margaret Hoffman</td><td>James Shanor</td></tr><tr><td>Margaret Deifenbach</td><td>Mary Jane Conschafter</td></tr><tr><td>Emilie Burk</td><td>Steven Meyer</td></tr></table>	Margaret Hoffman	James Shanor	Margaret Deifenbach	Mary Jane Conschafter	Emilie Burk	Steven Meyer	
Margaret Hoffman	James Shanor							
Margaret Deifenbach	Mary Jane Conschafter							
Emilie Burk	Steven Meyer							

TOWN HALL 50TH ANNIVERSARY

WHEREAS, during the early days of Grand Island, Town meetings were held once each spring at the Supervisor's home, and most officials and employees worked from their own homes or businesses; in 1873, the Town officials decided they needed a central location; and

WHEREAS, Supervisor H. B. Ransom purchased the land for the first Town Hall, and in 1875, the first Town Hall was built; the it was a central gathering place for parties, meetings, and dances; and

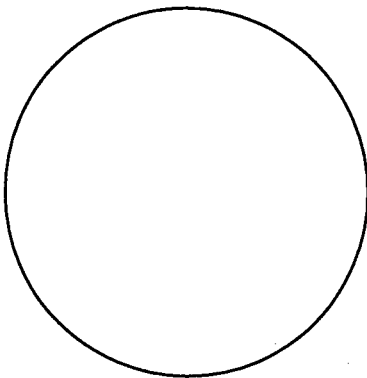
WHEREAS, to accommodate population growth of the early twentieth century, the Town officials decided to build a new Town Hall, located out on the current Town Commons; the distinctive cupola was used as a lookout during World War II, and though the second Town Hall was demolished to make room for the current building, the cupola was saved; and

WHEREAS, in the 1960s citizens and officials began to consider expanding the Town facilities yet again, which became a contentious issue until a majority voted in favor of the proposed plans, and the current Town Hall was erected in 1968; and

WHEREAS, 2018 is the 50th anniversary of this Town Hall, and the Supervisor's Office and the Historic Preservation Advisory Board plan to celebrate by commemorating the previous Town Hall; the historic cupola will be on display throughout the month of July;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Grand Island commemorates the 50th anniversary of the Grand Island Town Hall by designating July 7, 2018 the 50th birthday of Town Hall.

BE IT FURTHER RESOLVED that the Town Board hereby invites all residents to attend the birthday celebration at 1 p.m. on July 7, 2018 at Town Hall to enjoy a short presentation, display of historic photos, and light refreshments.



Nathan McMurray – Town Supervisor

Jennifer Baney – Councilwoman

Beverly Kinney – Councilwoman

Michael Madigan – Councilman

Peter Marston Jr. – Councilman

JULY 2, 2018

PADDLES UP 2018

WHEREAS, Paddles Up Niagara was founded in 2006 by Paul Leuchner, Grand Island resident and former Commissioner on the first Niagara River Greenway Commission; and

WHEREAS, the purpose of Paddles Up was to create a signature event for the Niagara River Greenway Commission that would draw people and attention to the Niagara River; and

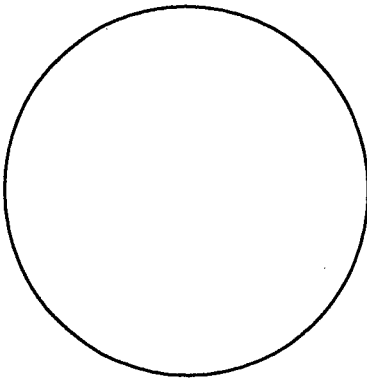
WHEREAS, Mr. Leuchner chaired the event for the first nine years before handing it over to the Grand Island Recreation Supervisor, Joe Menter, who chaired the event for the past three years; and

WHEREAS, Paddles Up has grown from 140 paddlers and 116 paddle craft in 2006 to over 300 paddlers and paddle craft in 2017; and

WHEREAS, The Niagara River Greenway Commission, NYS Office of Parks, Recreation and Historic Preservation, the Town of Grand Island, and the Buffalo Niagara Waterkeeper coordinate the event each year, with the financial support of Anchor Marine; and

WHEREAS, Paddles Up includes three different paddle events at Beaver Island State Park showcasing the natural beauty of Grand Island and the Niagara River, including the opportunity to view wetlands, heron rookery, and a bald eagle nesting area;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Grand Island encourages all residents to attend the 13th Annual Paddles Up Niagara on Saturday, July 28 2018 from 7 a.m. to 2 p.m.



Nathan McMurray – Town Supervisor

Jennifer Baney – Councilwoman

Beverly Kinney – Councilwoman

Michael Madigan – Councilman

Peter Marston Jr. – Councilman

JULY 2, 2018

**DRAFT
COPY**

TOWN OF GRAND ISLAND

LOCAL LAW INTRO NO. 4 - 2018

LOCAL LAW NO. _____ - 2018

A LOCAL LAW in relation to enacting an exemption from real property taxes for Cold War veterans as authorized by Section 458-b of the Real Property Tax Law.

WHEREAS, the state legislature has expanded the Cold War veteran's exemption by allowing municipalities to adopt local laws authorizing the elimination of the 10-year limitation period relating to such exemption for certain qualifying property;

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF GRAND ISLAND AS FOLLOWS that Section 337-18(C) shall be enacted as follows:

C. The exemption provided by § 337-18A of this article shall be granted for a period of 10 years, the commencement of such ten-year period being governed pursuant to this subsection. Where a qualified owner owns qualifying residential real property on the effective date of this article, such ten-year period shall commence with the Town of Grand Island's 2010 tax year. Where a qualified owner does not own qualifying residential real property on the effective date of this article, such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least 60 days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within 60 days after the date of purchase of residential property, such ten-year period shall be measured from the first assessment roll in which the exemption occurred. If, before the expiration of the such ten-year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to § 337-18A of this article for the unexpired portion of the ten-year exemption period. **However, notwithstanding the 10-year limitation period imposed by the foregoing provisions of this paragraph, this exemption shall apply to qualifying owners of qualifying property for as long as they remain qualifying owners, without regard to such 10-year limitation.**

This local law shall be effective immediately upon filing with the New York Secretary of State pursuant to the Municipal Home Rule Law.

TOWN OF GRAND ISLAND
NOTICE OF PUBLIC HEARING
REGARDING INSTALLATION
OF CERTAIN STOP SIGNS

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Grand Island will hold a public hearing at 8:00 p.m. on July 16, 2018, at Town Hall, 2255 Baseline Road, Grand Island, New York, to consider and possibly adopt a local law modifying Section 372-1 (A) of the Town Code of the Town of Grand Island regarding placement of "stop signs" in the Town of Grand Island at the intersection of Harvey Rd. east of Park Place and on Harvey Rd. west of Park Place. A copy of the proposed local law is on file and available with the clerk's office at Town Hall. At said time and place, all interested members of the public shall be heard.

Town Clerk

Town of Grand Island - Workshop Meeting 18

**DRAFT
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A workshop meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Road, Grand Island, NY at 6:00p.m. on the 18th of June, 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 6:00p.m.

NEW ITEMS/AGENDA REVIEW:

General Discussion:

Authorize Supervisor to Sign Letters of Support – 2018 Bark for Your Park Grant Program

Authorizing Resolution – Empire State Development – Restore New York Grant

NIKE Base Community Center Renovation Project

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to request the Engineering Department to prepare a bid-ready package (or make a recommendation for a professional services consultant to prepare) for the Nike Base Community Center project based on the Sample Project Budgetary Costs (scope of work) from American D-N-D with an Alternative #1 option - ADA bathrooms by the next Town Board meeting.

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

Veterans Park Pavilion

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to contact the architect for the pavilion at Veterans Park and inform them that if action is not taken within two weeks (prior to the next Town Board meeting), the Town will move forward with another firm to complete the project.

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

General Discussion:

Initiate Bidding Process for Audit Services for the Town

- **Certified Public Accounting Firm**

Town Owned Land on Park Place

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to prepare signs marking the designated green space for public use, and prohibiting clear cutting, dumping, storage including structures or storage buildings. In addition, letters will be sent to the residents of Park Place and adjacent East River Road properties with the above noted information.

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

Monday, June 18, 2018 - 1

Town of Grand Island - Workshop Meeting 18

SEQR – Greg Duxtater, 2939-2969 George Alt Boulevard – Site Plan Revision Approval – Warehouse/Office

Supervisor McMurray presented the SEQR – Short Form Environmental Assessment Forms for Greg Duxtater, 2939-2969 George Alt Boulevard – Site Plan Revision Approval – Warehouse/Office. 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 issue a Negative Declaration Greg Duxtater, 2939-2969 George Alt Boulevard – Site Plan Revision Approval – Warehouse/Office.

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

NYS Welcome Center

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize the Town Attorney and Councilman Marston to negotiate with NYS Thruway Authority representatives for a Water/Wastewater contract for the NYS Welcome Center to be ratified by the Town Board at a later date.

APPROVED Ayes 3 Kinney, Marston, McMurray
Noes 2 Madigan, Baney

General Discussion:

Schedule Meeting with Danforth – Energy Performance Presentation for Town Owned Buildings – Future Workshop

Email Communications – Should be informative, limited in conversation, no votes to be taken, any part/content of emails should not be put on social media

Behavior in Executive Session – Should be civil, respectful, no physical aggression

EXECUTIVE SESSION:

A motion was made by Councilman Marston, seconded by Councilwoman Baney to enter into Executive Session at 7:06p.m. for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person(s) employed by the Town and to obtain legal advice from the Town Attorney.

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

ADJOURN:

A motion was made by Councilman Madigan, seconded by Councilman Marston to return to the Regular Workshop and adjourn at 7:57p.m.

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

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

Monday, June 18, 2018 - 2

Town of Grand Island – Regular Meeting #11 **DRAFT COPY**

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 18th of June, 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.
Reverend Earle King Jr. from St. Martin-in-the-Fields 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

PUBLIC HEARING:

Special Use Permit Application – SolarPark Energy LLC, 1611 Whitehaven Road – Solar Array Project

A. Correspondence – Planning Board

B. SEQR

C. Special Use Permit Approval

A Public Hearing was held on Monday, June 18, 2018 at 8:00p.m. for the purpose of hearing anyone that wanted to comment on a Special Use Permit Application – SolarPark Energy LLC, 1611 Whitehaven Road – Solar Array Project.

Speakers: Robert Fraser, Tom Guzek, Dave Reilly, Kristin Savard,
Diane Evans, John Tripi, James Smith, Celia Scapone,
Maria Korhummel, John Gorton

Supervisor McMurray declared the Public Hearing closed.
No action taken by the Town Board. The item will remain on the Table as Unfinished Business.

MINUTES:

A motion was made by Councilman Madigan, seconded by Councilman Marston to approve Minutes of Workshop Meeting #17, June 4, 2018 and Minutes of Regular Meeting #10, June 4, 2018.

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

CONSENT AGENDA:

1. Building Permits Issued – May 2018
2. Golden Age Center – Facility Usage – May 2018
3. Meeting Minutes – Zoning Board of Appeals – May 3, 2018
4. Meeting Minutes – Conservation Advisory Board – March 22, 2018 & April 26, 2018
5. Meeting Minutes – Planning Board – May 14, 2018

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

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

Monday, June 18, 2018 - 1

Town of Grand Island – Regular Meeting #11

COMMUNICATIONS – TOWN BOARD:

SUPERVISOR NATHAN D. McMURRAY:

Authorizing Resolution – Empire State Development – Restore New York Grant

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to approve the ESD Restore New York Grant Contract Town of Grand Island – Grand Island Hotel RESTORE III Authorizing Resolution subject to the Town Attorney's development of a mirror agreement and approval by the Town Board as amended below:

WHEREAS, the Town of Grand Island has been approved by Empire State Development for a Restore New York Grant in the amount of \$1,000,000 that will be passed on to the Grand Island Hotel, LLC for the development and opening of the Holiday Inn Express located at 2761 Long Road, Grand Island; and

WHEREAS, the Town of Grand Island Town Attorney has reviewed and approved the Grant Disbursement Agreement with Empire State Development and will develop a mirror Disbursement Agreement with Grand Island Hotel, LLC in compliance with the disbursement criteria set forth in this agreement; and

NOW THEREFORE BE IT RESOLVED The Grand Island Town Board authorizes the Town Supervisor to sign, submit and execute the Contract with Empire State Development; and authorize the Town Attorney to develop a mirror agreement with Grand Island Hotel, LLC with final approval from the Town Board.

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

Authorize Supervisor to Sign Letters of Support – 2018 Bark for Your Park Grant Program

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to authorize the Supervisor to sign the letters of support of the 2018 Bark for Your Park Grant Program.

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

Authorizing Resolution – DEC Urban and Community Forestry Round 14 Grant Program – 2018 Request for Funding

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to table the Authorizing Resolution – DEC Urban and Community Forestry Round 14 Grant Program – 2018 Request for Funding.

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

COUNCILWOMAN BEVERLY A. KINNEY:

Appointment – Planning Board – Alternate

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to approve the appointment of Brad Bowman as Planning Board Alternate #2, with a term expiring December 31, 2018.

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

Monday, June 18, 2018 - 2

Town of Grand Island – Regular Meeting #11

COUNCILMAN MICHAEL H. MADIGAN:

RFQ/RFP for Professional Services – Certified Public Accounting Firm to Perform Annual Audits of the Town of Grand Island

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to submit a request for qualifications and quote for professional services to perform annual audits of the Town of Grand Island budget.

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

NIKE Base Community Center Renovation Project

**This item was originally addressed at the Regular Workshop #18 - June 18, 2018*

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to request the Engineering Department to prepare a bid-ready package (or make a recommendation for a professional services consultant to prepare) for the Nike Base Community Center project based on the Sample Project Budgetary Costs (scope of work) from American D-N-D with an Alternative #1 option – ADA compliant bathrooms by the next Town Board meeting.

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

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to amend the motion made in Regular Workshop #18 (included above) regarding the Nike Base Community Center Renovation Project to include an Alternative #2 option for HVAC in the bid-ready package.

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

COUNCILWOMAN JENNIFER L. BANEY:

Appointment – Traffic Safety Advisory Board

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to appoint Michael Beauchamp to the Traffic Safety Advisory Board to an unexpired term ending December 31, 2018.

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

Local Law Intro #5 of 2018 – Stop Signs – Harvey Road at its Intersection with Park Place – Set Public Hearing

A motion was made by Councilman Madigan, seconded by Councilman Marston to set a Public Hearing for Monday, July 2, 2018 for the purpose of hearing anyone who wants to comment on Local Law Intro #5 of 2018 – Stop Signs – Harvey Road at its Intersection with Park Place.

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

Town of Grand Island – Regular Meeting #11

COMMUNICATIONS – OTHER TOWN OFFICIALS:

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

Request Authorization to Advertise for Bids – Refuse and Garbage District No. 1 – Garbage/Recycle Collection and Disposal – Job No. M-67-2018

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to authorize the Town Engineer to advertise for bids on Friday, June 29, 2018 for Refuse and Garbage District No. 1 – Garbage/Recycle Collection and Disposal – Job No. M-67-2018 and to receive bids on Wednesday, July 25, 2018 at 10:00a.m. local time.

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

Request Authorization to Advertise for Bids – Scenic Woods/Bicentennial Park, Phase 1 – Trail Construction – Job No. M-176-2016

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to authorize the Town Engineer to advertise for bids for Scenic Woods/Bicentennial Park, Phase 1 – Trail Construction – Job No. M-176-2016 and to receive bids on Wednesday, July 25, 2018 at 10:00a.m. local time.

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

RECREATION SUPERVISOR – JOSEPH MENTER:

Seasonal Pay Rates

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to approve the following Seasonal Pay Rates, effective June 19, 2018:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>	<u>Status</u>
Brian Brennan	Rec. Attendant – Yr. 3 Instructor	\$13.25 / hr.	Seasonal
Taylor Cecere	Rec. Attendant – Yr. 3 Leader	\$11.30 / hr.	Seasonal
Benjamin Freedman	Rec. Attendant – Yr. 2 Leader	\$11.10 / hr.	Seasonal
Adam Heftka	Rec. Attendant – Yr. 3 Instructor	\$13.25 / hr.	Seasonal
Julie Klein	Rec. Attendant – Yr. 2 Leader	\$11.10 / hr.	Seasonal
Julia Lawley	Rec. Attendant – Yr. 2 Leader	\$11.10 / hr.	Seasonal
Gracie McNamara	Rec. Attendant – Yr. 2 Leader	\$11.10 / hr.	Seasonal
Molly Meka	Rec. Attendant – Yr. 3 WNYSI	\$16.30 / hr.	Seasonal
Christina Parsnick	Rec. Attendant – Yr. 3 WNYSI	\$16.30 / hr.	Seasonal
Michael Podgorny	Rec. Attendant – Yr. 1 Instructor	\$12.25 / hr.	Seasonal
Shannon Robillard	Rec. Attendant – Yr. 3 Leader	\$11.30 / hr.	Seasonal
Christopher Serra	Rec. Attendant – Yr. 3 Instructor	\$13.25 / hr.	Seasonal
Bonnie Stephens	Rec. Attendant – Yr. 3 WNYSI	\$16.30 / hr.	Seasonal
Laura Szczepankiewicz	Rec. Attendant – Yr. 3 WNYSI	\$16.30 / hr.	Seasonal
Stephanie Voyzey	Rec. Attendant – Yr. 3 WNYSI	\$16.30 / hr.	Seasonal
Jadon Wegrzyn	Rec. Attendant – Yr. 3 Instructor	\$13.25 / hr.	Seasonal
Scarlett Whitman	Rec. Attendant – Yr. 3 Leader	\$11.30 / hr.	Seasonal

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

TOWN ASSESSOR – JUDY M. TAFELSKI:

Local Law Intro #4 of 2018 – Cold War Veterans Exemption – Set Public Hearing

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to set a Public Hearing for Monday, July 2, 2018 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #4 of 2018 – Cold War Veterans Exemption.

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

Monday, June 18, 2018 - 4

Town of Grand Island – Regular Meeting #11

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – Gail Villani, 5302 East River Road – Keeping of 1 Agricultural Animal on 2.3 Acres

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to renew the Special Use Permit for Gail Villani, 5302 East River Road – Keeping of 1 Agricultural Animal on 2.3 Acres. The site has been inspected and it is unchanged.

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

Tower Permit Renewal – AT&T Mobility – 85 Carl Road

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to renew the Tower Permit for AT&T Mobility – 85 Carl Road. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Smith & Taylor LLC, 1693 Grand Island Boulevard – Used Car Sales

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to renew the Special Use Permit for Smith & Taylor LLC, 1693 Grand Island Boulevard – Used Car Sales. The site has been inspected and it is unchanged.

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

Application for Public Display of Fireworks – Martin's Fantasy Island, 2400 Grand Island Boulevard – June 30th through July 4th, 2018

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to approve the application for a public display of fireworks at Martin's Fantasy Island, 2400 Grand Island Boulevard from June 30th through July 4th, 2018.

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

PLANNING BOARD:

Greg Doxtater, 2939-2969 George Alt Boulevard – Site Plan Revision Approval – Warehouse/Office

A. Correspondence – Greg Doxtater – Request Waiver of Sidewalk Requirements

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to accept the recommendation of the Planning Board and grant Site Plan Approval for Greg Doxtater, 2939-2969 George Alt Boulevard – Warehouse/Office, subject to the Site Plan showing the location of a future dumpster and to waive the sidewalk requirements.

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

GOLDEN AGE CENTER:

Part-time Seasonal Hire

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to approve the request to hire Margaret Kowalik, Recreation Attendant, Seasonal, effective June 25, 2018 at the pay rate of Grade 1, Step A - \$10.40/hr., subject to the completion of the necessary pre-employment paperwork.

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

Town of Grand Island – Regular Meeting #11

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to pay Vouchers #124307 -124399

General	\$ 74,930.08
Highway	\$ 13,348.24
Sewer	\$ 1,693.60
Water	\$ 2,913.35
Capital	\$ 996,066.74
Total	\$1,088,952.01

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: Pat Akinbami, John Tripi, Dave Reilly

FROM THE BOARD:

- Welcome Center Water/Wastewater Plan
- Heron Pointe Concerns
- "Color Run"
- Free Solarize Grand Island Presentation – June 25th Buffalo Dog House
- KidBiz June 30th 10:00a.m.-3:00p.m.
- E-waste Pickup success; National Night Out – August 7th
- Hazardous Waste Drop Off – ECC – 9:00a.m.-2:00p.m. – August 11th
- Dog Park Fundraiser Success
- Rock Painting Party Success
- Community Center Upgrades
- Need for Master Plan

ADJOURNMENT:

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to adjourn the meeting at 9:14p.m.

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

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

Elizabeth Franckowiak-Geiser
Bertha Pellow

Carolyn Winter
James Linenfelter

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

Monday, June 18, 2018 - 6

Town of Grand Island - Workshop Meeting #19

**DRAFT
COPY**

A workshop meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Road, Grand Island, NY at 6:00p.m. on the 20th of June, 2018.

Present:	James Sharpe Beverly A. Kinney Michael H. Madigan Jennifer L. Baney Peter Marston, Jr. Betty Lantz	Deputy Supervisor Councilwoman Councilman Councilwoman Councilman Deputy Town Clerk
Excused:	Nathan D. McMurray	Supervisor
Also Present:	Joe Menter Dominique DeGregorio	Recreation Supervisor Recreation Attendant

Deputy Supervisor James Sharpe called the meeting to order at 6:05p.m. in the absence of the Supervisor.

NEW BUSINESS:

General Discussion:

Recreation Department Staff Coverage During Summer

Deputy Town Clerk Betty Lantz left the meeting at 6:15p.m.

Joe Menter and Dominique DeGregorio left the meeting at 6:30p.m.

Award Professional Services Contract – Western NY Land Conservancy – Open Space Inventory

Councilman Madigan reported that an RFQ for Professional Services was sent out on May 3, 2018 to the following potential service providers including:

- Benchmark Environmental Engineering and Sciences
- Sienna Environmental Technologies
- American Environmental Assessment
- Ecology and Environment Inc.
- The Western NY Land Conservancy

Mr. Madigan further reported that only one quote was received by the deadline of May 23, 2018 for an Open Space Inventory from The Western NY Land Conservancy. After careful review by the Conservation Advisory Board of the scope of work, the recommendation was to hire The Western NY Land Conservancy in the amount of \$15,000.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to accept the recommendation of the Conservation Advisory Board and authorize the Supervisor to sign an agreement for Professional Services with The Western NY Land Conservancy in the amount of \$15,000.00

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

Deputy Town Clerk Betty Lantz rejoined the meeting at 6:39p.m.

Town of Grand Island - Workshop Meeting #19

Authorizing Resolution – DEC Urban and Community Forestry Round 14 Grant Program – 2018 Request for Funding

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

WHEREAS, the Grand Island Town Board, in coordination with the Grand Island Conservation Advisory Board, desires to complete a comprehensive Town-wide inventory and assessment of trees located within the Grand Island right-of-way along streets and municipal properties;

WHEREAS, the Town of Grand Island will procure professional services to complete the comprehensive Town-wide Tree Inventory and Assessment and incorporate the reported data into a detailed Community Forestry Management Plan;

WHEREAS, the Grand Island Town Board has endorsed an application requesting the maximum amount of \$50,000 for financial assistance through the Urban and Community Forestry Program (UCF) administered by the New York State Department of Environmental Conservation in the form of grant funding;

WHEREAS, the Grand Island Town Board commits to providing the balance of funds necessary to complete the project within a 24-month period to ensure the timely implementation and completion of the proposed project;

THEREFORE BE IT RESOLVED, that Mr. Nathan McMurray, as Supervisor of the Town of Grand Island, is hereby authorized and directed to file an application to the New York State Department of Environmental Conservation's Urban and Community Forestry Program for funds in an amount not to exceed \$50,000, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Town of Grand Island, New York for a comprehensive town-wide tree inventory and assessment.

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

EXECUTIVE SESSION:

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to enter into Executive Session at 6:50p.m. for the purpose of discussing the negotiations with the NYS Thruway Authority and NYS Parks regarding the Welcome Center and Beaver Island Water/Wastewater contracts.

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

ADJOURN:

A motion was made by Councilwoman Baney, seconded by Councilman Marston to return to the Regular Workshop and adjourn at 6:58p.m.

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

Respectfully submitted in the absence of the Town Clerk,

Betty Lantz
Deputy Town Clerk

Wednesday, June 20, 2018 - 2

RECEIVED

BOARD OF ARCHITECTURAL REVIEW MEETING 0 AM 10: 50

Minutes: May 15, 2018
7:30 PM

TOWN CLERK
GRAND ISLAND N.Y.

MEMBERS PRESENT: P. Buchanan, J. Butler, K. Killian, A. Stockinger
D. Nardozi II – Alternate
P. Marston - Liaison

MEMBERS ABSENT: R. Szafran

OTHERS PRESENT: Mr. & Mrs. Lewis

MINUTES – Board of Architectural Review Meeting – 4/17/18
Received & Filed

MINUTES – Town Board Meetings – 4/2/18
Town Board Disposition – 4/16/18
Received & Filed

MINUTES – Planning Board Meeting – 3/12/18
Received & Filed

MINUTES – Zoning Board of Appeals Meeting – 4/5/18
Received & Filed

1. **MORDENO CONSTRUCTION CO. – 2115 East Oakfield Rd.**
Single Family Dwelling

It was moved by Killian – Stockinger to accept the elevation for a single family dwelling to be constructed at 2115 East Oakfield Road, provided approvals are granted by all other necessary Town Boards.

Roll Call: Ayes – Buchanan, Butler, Killian, Stockinger
Noes – None
Carried

2. J.F. DICKINSON CONSTRUCTION MGMT CO. – 1570 East River Rd.
Single Family Dwelling

A motion was made by Stockinger – Buchanan to accept the elevation for a single family dwelling to be constructed at 1570 East River Road. Approvals must be granted by all other necessary Town Boards.

Roll Call: Ayes – Buchanan, Butler, Killian, Stockinger
Noes – None
Carried

3. STICKL CONSTRUCTION CO. – 139 Country Club Dr.
Single Family Dwelling

The elevation for a single family dwelling to be constructed at 139 Country Club Dr. was reviewed and accepted by the Board. It was moved by Killian – Buchanan to accept the drawing. Approvals must be granted by all other necessary Town Boards.

Roll Call: Ayes – Buchanan, Butler, Killian, Stockinger
Noes – None
Carried

4. RYAN HOMES – 118 Stonebridge Rd.
Single Family Dwelling

After reviewing the elevation for a single family dwelling to be constructed at 118 Stonebridge Rd., it was moved by Stockinger – Killian to accept the drawing provided approvals are granted by all other necessary Town Boards.

Roll Call: Ayes – Buchanan, Butler, Killian, Stockinger
Noes – None
Carried

3.

5. TOTH CONSTRUCTION CO. – 2685 Love Rd.
Single Family Dwelling

It was moved by Killian – Buchanan to accept the elevation for a single family dwelling to be constructed at 2685 Love Road, however, it was suggested that it may have been an oversight, but the Board feels the second floor dormer would be more pleasing if it was centered over the front entrance door.

Approvals must be granted by all other necessary Town Boards.

Roll Call: Ayes – Buchanan, Butler, Killian, Stockinger
Noes – None
Carried

6. KERR INDUSTRIES – 2663 Love Rd.
Single Family Dwelling

A motion was made by Buchanan – Killian to accept the elevation for a single family dwelling to be constructed at 2663 Love Rd. Approvals must be granted by all other necessary Town Boards.

Roll Call: Ayes – Buchanan, Butler, Killian, Stockinger
Noes – None
Carried

Meeting Adjourned at 8:15 PM

Respectfully submitted,

John A. Butler, Chairman
Board of Architectural Review

Minutes prepared by Linda Koch, Recording Secretary

Conservation Advisory Board

Meeting Minutes

May 24, 2018

RECEIVED
2018 JUN 25 PM 3:30

Present: Jeff Green, Sue Tomkins, Ron Rezabek, Paul Yaeger, Sam Akinbami, Ed Standora, Diane Evans, Bob Wynne, Mike Madigan. **Excused:** Alice Gerard
Alternates, subject to approval by Town Board: Jim Czaplak and Tom Burke. **Guests:** Bob Eddy, Nicole Gerber, Bev Kinney, Jim Sharpe. Guest speakers, see below.
Meeting called to order at 7:03 pm by Jeff Green.

1. **Consent Agenda** - April minutes approved with two minor corrections. Motion to approve made by Bob, seconded by Ron. Carried 8 to 0. Jeff introduced, and welcomed to our board, Alternate 1, Jim Czaplak and Alternate 2, Tom Burke. They will have voting power when regular members are absent.
2. **Planning Update on Proposed Solar Park** - Thomas Guzek, from SolarPark Energy in Saratoga Springs, NY was introduced. His company will be developing the solar farm on 42 acres of privately-owned land north of Whitehaven Rd. Kristen Savard, from Advanced Design Group presented the plans and details of the project. The area is zoned R1 D, so a special use permit will be needed. The Planning Board reviewed the site plan at its last meeting and suggested a few changes. Don Wilson, a soil and water specialist was hired to flag the wetlands. They will be Army Corps compliant. A steel bridge will be built to cross over Woods Creek which runs through this property. They will not disturb vegetation 50 feet on either side of the centerline of the creek.

Solar panels will be titled. There will be 15 feet in between rows. They will plant pollinators there. A bio retention area will be established at northeast corner of south end of the property, discharging into Woods Creek. That will be checked once a year. The 6-ft high fence surrounding the panels will have locked gates at entrances and at the bridge. There will be one gravel road to access the property. They will not level the land. Baywa is a partner on this project. Their parent company is in Germany. This will be the largest solar project in NYS, capable of producing 5 MW of AC power. Power lines will run underground except for one row of poles along the gravel road.

We raised concerns that so many mature trees will be cut down on the northern piece of the property. Jeff, Sue and Diane walked the property recently and discovered a large, dense, mature forest there. We also raised the concern that the fencing will prohibit or greatly restrict wildlife travel throughout the wetland areas. For the sake of frogs, salamanders, and turtles we suggested some sort of piping/small culverts that could go under the fence in periodic locations to allow safe travel for these small animals.

3. Planning Update of Heron Pointe, Phase 2

Sean Hopkins, attorney, and Chris Wood engineer, joined us to present details of the project. 156 units will be built on 24 acres, adjacent to the previously-built units. None of them will be three stories. There will be Nineteen eight-unit buildings (two stories high) and one building with four units. Earth Dimensions will do the wetland delineation. A walking trail will be put in. There are proposed wetland retention areas. Exits will exist on Whitehaven and Grand Island Blvd. Question of traffic issues on GI Blvd. were raised. Landscaping was discussed.

4. **RFQ Update** - We have only received one response to the RFQ. It is from the WNY Land Conservancy. Jeff will open it after tonight.
5. **Town Board Report** - Mike reported that out of the four very good candidates, two have been invited to join the board as alternates: Jim Czapla and Tom Burke. They will be official members when the Town Board votes them in at the next TB meeting, on June 4.

The TB is exploring different vendors for street lighting. LED and solar lighting are being evaluated. We could see as much as a 20% reduction in purchase of power if we switch. Right now everything, including the poles, are rented from National Grid. The Town is also negotiating with Beaver Island State Park to increase their payment for sewers. Currently they pay 25% of the cost.

6. **Master Plan** - Diane reported that the new Master Plan is complete! (After two years of work.) She reported that Jim Sharpe gave an excellent explanation of the process at the public event on May 22, 7:00 pm at the High School. He gave an overview of the plan and comments were taken from the floor. Diane urged CAB members to read it over and make comments. The LRPC will be accepting comments until June 12, at 5:00 pm. Make comments at: mp@grand-island.ny.us. Names will be removed so the comments will appear anonymous when the LRPC meets later in June to go through all the comments. The LRPC will make adjustments to the plan, based on the comments received. The plan will go to the Town Board for approval. Diane added that Jim Sharpe plans to keep the LRPC together. They will meet periodically to monitor the progress of the action items of the Master Plan. Jim Sharpe confirmed this and spoke briefly of the plan and the process.

7. **Additional News/Announcements/ Comments**

With our guest speakers out of the room, members discussed the two presentations. We concluded that Jeff will draft a letter of advisement with our concerns about the SolarPark Energy project. This will be sent to the Planning Board and Town Board.

Diane announced events coming up for the Solarize Grand Island Campaign. Details can be found at www.solarizegrandisland.org. There is a bird walk on June 9,

8:30-10:30 am at Buckhorn Island State Park. A small group of birders met and decided we'd like to promote birding on Grand Island. This is our first public bird walk. Jajeane Rose-Burney, from the WNYLC was invited to lead the walk. It's the Town's 50th birthday this year!

Bob moved to adjourn the meeting at 9:15 pm. Ron, seconded. Carried, 8 to 0.

Respectfully submitted,
Diane Evans
Recording Secretary

Town of Grand Island Technology Advisory Board Meeting Minutes 5.15.2018

Called to order the regular meeting of the Cable & Communications Advisory Board at 7:00PM.

Roll Call (X=present)

a	Robert Christmann	X	Robin Kwiatek (Secretary)
a	Brian Chapin	X	Michael Lockett
a	Dennis Dahl*	X	Paul Roeder (Chair)
a	Jim Ehde*	a	Dan Shvimer (Vice Chair)
a	John Ferguson	a	Ron Stipp
X	Ethan Huber	X	James Watts

* Alternate

Liaison: Beverly Kinney

Motion by Paul Roeder, second by Ethan Huber to approve the minutes from February 2018. (carried 5-0)

Danforth Presentation

Energy performance contract - look at upgrades to save the community money - look for efficiencies, install new equipment - can save 30% annually through efficiencies. Community borrows money then pays back over time with the savings. New equipment would reduce maintenance costs.

Next step is preliminary review.

Broadband Network Project

Jim researched a company called Zayo Group that provides communications infrastructure services. He shared with them the broadband study and they are willing to come speak with us.

Membership

Bev has put calls out to those habitually absent

Security for town facilities

Currently Bev in the process of gathering information about what the buildings have and need. Any company proposals will come in front of our board.

Solar

June 11 from 6-8 at the Town cafe another solar presentation will be held.

Mike looked over the TW contract as Bev asked. The two of them will meet to go through the changes

Updates

KidBiz will be in June

Paddles Up in July

Next meeting June 19, 2018

***Motion by Ethan Huber, second by James Watts to adjourn at 8:55pm.
(carried 5-0)***

Historic Preservation Advisory Board

May 18, 2018

Present: Bill Koch, Sharon Nichols, Joe Macaluso, June Crawford, Jodi Robinson, Mike Madigan, Carolyn Doeber and guest Jim Sharpe.

Discussion led by Jim to review the upcoming plans for celebration of the 50th anniversary of the Town Hall to be held on Saturday, July 7. This would be a good date with extra crowds at Town Hall on Sunday, July 8 for the annual Grand Island Garden Walk. The Town Hall will be open for visitors. Display of historical pictures will be on display upstairs in the Town Hall. The historic cupola will be moved to the grounds of the Town Hall and placed on a concrete pad after June 5.

A sign will be placed on the cupola with appreciation to the Kelly family.

Special invitations will be extended to those who were involved in the dedication of the new Town Hall in 1969.

There will be a cake cutting ceremony at the event on July 7.

Jim said he planned to meet with Kevin Kelly and will encourage him to consider making the schoolhouse a landmark to enable him to apply for grants for restoration.

Old Business:

Minutes approved from the April meeting with motions by Sharon and June.

Bill reported that he had once again talked to Kevin about the contract and his response was, "We don't want to be responsible for restoration of the schoolhouse." This has been in progress for five years and June suggested that we could possibly approach Nicole Gerber about the schoolhouse on her property.

Jodi will send landmark status letters to Yensen, Leffler, Conboy and Smiths from Devern House. Also checking on 1541 Bedell Rd., home with recorded date 1856.

New Business:

Encourage attendance to the Master Plan meeting open to the public on May 22, 7:00 PM in the High School Auditorium. The book is on line mp@grand-island.ny.us in 8 sections, each has a different purpose.

June will talk to Fahim about laminating sign and pictures for placing on the cupola. Credit should be given to the Grand Island Historical Society and the Historic Preservation Advisory Board.

No further business. Meeting adjourned at 3:30 PM.
Next meeting, Friday, June 22 at 2:00 PM

Respectfully submitted,
Carolyn Doeber, Recording Secretary

RECEIVED
2018 JUN 21 PM 1:30

THE TOWN OF _____

BEVERLY A KINNEY
COUNCILWOMAN



RECEIVED

2010 JUN 26

PM 12:51

GRAND ISLAND

BASELINE ROAD

GRAND ISLAND

NEW YORK

14072-1710

OFFICE (716) 773-9600

FAX (716) 773-9618

Date: July 2, 2018

To: Town Board

From: Beverly A. Kinney Councilwoman

Re: Parks & Recreation Advisory Board Resignation

Please accept the Resignation of Alice Kozen with recognition for her service to the Town of Grand Island on the Parks and Recreation Advisory Board. She has served as the secretary for several years and has been a vital part of the Parks & Recreation Board. Alice's presence and participation will be missed.

THE TOWN OF _____

BEVERLY A KINNEY
COUNCILWOMAN



RECEIVED

JUN 26 PM 4:18

GRAND ISLAND

2255 BASELINE ROAD
GRAND ISLAND
NEW YORK
14072-1710
OFFICE (716) 773-9600
FAX (716) 773-9618

Date: July 2, 2018

To: Town Board

From: Beverly A. Kinney Councilwoman

Re: Parks & Recreation Advisory Board Appointment Member

Eric Soehnlein has been serving as th 1st. Alternate for the Parks & Recreation Advisory Board and we would like to recommend his appointment to fill the open position for member for the Parks & Recreation Advisory Board. His appointment will expire 12/31/18

THE TOWN OF

MIKE MADIGAN
COUNCILMAN



GRAND ISLAND

2255 BASELINE ROAD
GRAND ISLAND
NEW YORK
14072-1710
OFFICE (716) 773-9600
FAX (716) 773-9618

To: Pattie Frentzel

From: Mike Madigan

Subject: Motion to Conduct a Town Hearing on 16-July-2018 regarding the proposed amendment to the Grand Island Solar Facilities Regulation Law adding protections to Grand Island wetlands (**Local Law No. 1 of 2017**)

Date: 28-June-2018

I would like to make a motion to conduct a town hearing on the amendment to the Grand Island Solar Facilities Law (local law No. 1 of 2017), The amendment provides protections to Grand Island wetlands that can be impacted by Solar Facility installations (See attached – amendment to section E.2.iii).

Mike Madigan
Town Councilman

RECEIVED
2018 JUN 28 AM 8:34
TOWN OF
GRAND ISLAND N.Y.

Town of Grand Island
Local Law No. 1 of 2017
A Local Law to regulate Solar Energy Facilities in the Town

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

SECTION 1: Chapter 407 of the Town Code of the Town of Grand Island is amended to add the following section:

407- 165.1 Solar Energy Facilities

A. PURPOSE

1. This Article aims to promote the accommodation of solar energy systems and equipment and the provision for adequate sunlight and convenience of access necessary therefore, and to balance the potential impact on neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar energy systems without excess regulation. In particular, this legislation is intended to apply to free standing; ground mounted or pole mounted solar energy system installations based upon certain placement. This legislation is not intended to override agricultural exemptions that are currently in place.

B: DEFINITIONS

ALTERNATIVE ENERGY SYSTEMS: Structures, equipment, devices or construction techniques used for the production of heat, light, cooling, electricity or other forms of energy on site and may be attached to or separate from the principal structure.

BUILDING-INTERGRATED PHOTOVOLTAIC (BIPV): The incorporation of photovoltaic (PV) material into a building's envelope. Technologies include PV shingles or tiles, PV laminates, and PV glass. Examples of placement include vertical facades, semi-transparent skylights, awnings, fixed awnings, and roofs.

COLLECTIVE SOLAR: Installations of Solar Energy Systems that are owned collectively through a homeowner's association, "adopt-a-solar-panel" programs, or other similar arrangements.

GLARE: A continuous source of excessive brightness, relative to diffused lighting. This is not a direct reflection of the sun, but rather a reflection of the bright sky around the sun. Glare is significantly less intense than glint.

GLINT: A momentary flash of light that may be produced as a direct reflection of the sun on a solar collection system.

GROUND-MOUNTED SYSTEM: A solar energy system that is anchored to the ground and attached to a pole or similar mounting system, detached from any other structure.

MAJOR SOLAR COLLECTION SYSTEM or SOLAR FARM: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy to transfer to the public electric grid in order to sell electricity to or receive a credit from a public utility entity, but also may be for on-site use. Solar farm facilities consist of one or more freestanding GROUND-MOUNTED or ROOF-MOUNTED solar collector devices,

MINOR OR ACCESSORY SOLAR COLLECTION SYSTEM: A solar photovoltaic cell, panel, array, solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation or transfer of stored heat, secondary to the use of the premises for other lawful purposes, Minor solar collection systems may consist of BUILDING-INTERGRADED PHOTOVOLTAICS, GROUND-MOUNTED or ROOF-MOUNTED solar collector devices.

ROOF-MOUNTED SYSTEM: A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity for onsite or offsite consumption.

SOLAR ACCESS: Space that is open to the sun and clear of overhangs or shade. Structures constructed on private property will not infringe on the rights of adjacent properties.

SOLAR ENERGY EQUIPMENT and other accessory structures and buildings, including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

SOLAR ENERGY EQUIPMENT/SYSTEMS: Energy storage devices, material, hardware, or electrical equipment and conduit associated with the production of electrical energy.

SOLAR PANEL: A device capable of collecting and converting solar energy into electrical energy.

C: APPLICABILITY

1. The requirements of this section shall apply to all solar energy systems installed or modified after the effective date of this ordinance, excluding general maintenance and repair.
2. Solar energy system installations for which a valid building permit has been issued or, if no building permit is presently required, for which installation has commenced before the effective date of this local law shall not be required to meet the requirements herein.
3. All solar energy systems shall be designed, erected, and installed in accordance with all applicable codes, regulations and industry standards as referenced in the New York State Uniform Fire Prevention and Building Code Act and the Town Code.
4. Nothing contained in this provision shall be construed to prohibit "Collective Solar" installations or the sale of excess power through a "net billing" or "net metering" arrangement in accordance with New York State Public Service Law § 66-j or similar New York State or federal law or regulation.

5. All solar energy systems shall be designed, erected, and installed so as to prevent undue glare from failing on adjoining properties or creating traffic safety issues.

D: SOLAR COLLECTORS AND INSTALLATIONS FOR MINOR SYSTEMS

1. Roof-mounted systems are permitted as accessory uses in all zoning districts, subject to the following requirements:
 - a) The distance between the roof and highest edge of the system shall be in accordance with the New York State Uniform Fire Prevention and Building Code.
 - b) Rooftop and building-mounted solar collectors shall not obstruct solar access to adjacent properties.
2. Ground-mounted and freestanding solar collectors are permitted as accessory structures in all zoning districts, subject to the following requirements:
 - a) The location of the solar collectors meets all applicable setback requirements of the zone in which they are located.
 - b) The height of the solar collectors and any mounts shall not exceed the height restrictions of the zone when oriented at maximum tilt.
 - c) The solar collectors are located in a side or rear yard. If the side or rear yard is visible from adjacent properties and roads, there shall be a landscape buffer installed.
 - d) Ground-mounted and freestanding solar collectors shall not obstruct solar access to adjacent properties.
2. All solar collector installations must be performed in accordance with applicable electrical and building codes, the manufacturer's installation instructions, and industry standards, and prior to operation the electrical connections must be inspected by Code Enforcement Officer or by an appropriate electrical inspection person or agency, as determined by the Town. In addition, any connection to the public utility grid must be inspected by the appropriate public utility.
3. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Fire Prevention and Building Code when in use and when no longer used shall be disposed of in accordance with the laws and regulations of Erie County and other applicable laws and regulations.

E: MAJOR SOLAR SYSTEMS

1. **Major Solar Systems** are permitted through the issuance of a special use permit and site plan review in accordance with this Chapter in the M-1, M-2, R1-A, R1-B, R1-C, and R1-D Districts. The minimum lot size required is five acres in the M-1 and M-2 Districts, twenty-five acres in the R-1A District, and fifteen acres in the R1-B, R1-C, and R1-D Districts. In addition, Major Solar Systems must meet the criteria set forth below.

2. A **Major Solar System** may be permitted M-1, M-2, R1-A, R1-B, R1-C, and R1-D Districts when authorized by site plan review and special use permit from the Town Board subject to the following terms and conditions.
 - a) The total coverage on a lot, including freestanding solar panels, shall not exceed 80%.
 - b) Height and setback restrictions.
 - i. The maximum height for freestanding solar panels located on the ground or attached to a framework located on the ground shall not exceed 20 feet in height above the ground.
 - ii. The minimum setback from property lines shall be 25 feet, unless adjacent to residential neighbor.
 - iii. A landscaped buffer of trees, shrubs or bushes shall be provided around all equipment and solar collectors to provide screening from adjacent residential properties and roads.
 - c) Design standards.
 - i. Removal of trees and other existing vegetation should be minimized or offset with planting elsewhere on the property.
 - ii. Removal of any prime agricultural soil from the subject parcel is prohibited.
 - iii. Proposed major solar systems shall not negatively impact the viability of prime agricultural soils on-site.
 - iv. Roadways within the site shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.
 - v. All on-site utility and transmission lines shall, to the extent feasible, be placed underground.
 - vi. Solar collectors and other facilities shall be designed and located in order to minimize reflective glare and/or glint toward any inhabited buildings on adjacent properties and roads.
 - vii. All mechanical equipment, including any structure for batteries or storage cells, shall be enclosed by a minimum six-foot-high fence with a self-locking gate and provided with landscape screening.
 - viii. Major systems or solar farms shall not obstruct solar access to adjacent properties.
 - d) Signs.
 - i. A sign not to exceed eight square feet shall be displayed on or near the main access point and shall list the facility name, owner and phone number.
 - ii. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations not to exceed four square feet.
3. A piece of equipment meets the definition of oil-filled operational equipment at 40 CFR part 112.2 (e.g. transformers, capacitors and electrical switches) shall comply with the secondary containment procedures of that regulation.

F. SPECIAL USE PERMIT REQUIREMENTS

1. In addition to the other special use permit requirements of this Code, the following shall be provided to the Town
 - a) Verification of utility notification. Any foreseeable infrastructure upgrades shall be documented and submitted. Off-grid systems are exempt from this requirement.
 - b) Name, address, and contact information of the applicant, property owner(s), and agent submitting the project.
 - c) If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.
 - d) Site Plan: Site plan approval is required.
 - e) Blueprints signed by a Professional Engineer or Registered Architect of the solar installation showing the layout of the system.
 - f) Property Operation and Maintenance Plan: A property operation and maintenance plan is required, describing continuing photovoltaic maintenance and property upkeep, such as mowing, trimming, etc.

SECTION 2: SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Grand Island hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 3: REPEAL

All ordinances, local laws, and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 4: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

THE TOWN OF



GRAND ISLAND

MIKE MADIGAN
COUNCILMAN

2255 BASELINE ROAD
GRAND ISLAND
NEW YORK
14072-1710
OFFICE (716) 773-9600
FAX (716) 773-9618

To: Pattie Frentzel

From: Mike Madigan

Subject: Motion to Conduct a Town Hearing on 16-July-2018 regarding the NYS Welcome Center Request for out of district Access and Hookup to the Town of Grand Island Sewer System.

Date: 28-June-201

I would like to make a motion to conduct a town hearing on 16-July-2018 regarding the NYS Welcome Center Request for out of district Access and Hookup to the Town of Grand Island Sewer System.

Mike Madigan
Town Councilman

RECEIVED
2018 JUN 28 AM 8:34
GRAND ISLAND, NY

A BOND RESOLUTION, DATED JULY 2, 2018, OF THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, ERIE COUNTY, NEW YORK (THE "TOWN") (I) AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS WITHIN THE TOWN, AT AN ESTIMATED MAXIMUM COST OF \$1,060,000; (II) AMENDING A CERTAIN BOND RESOLUTION ADOPTED ON JUNE 5, 2017 AND AUTHORIZING THE APPLICATION OF \$260,000 OF OBLIGATIONS FROM SUCH BOND RESOLUTION FOR THE 2018 ROAD CAPITAL IMPROVEMENTS PROJECT (III) AUTHORIZING (A) THE USE OF \$125,000 FROM THE TOWN'S 2018 BUDGET AND (B) THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$675,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND (IV) 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, in the County of Erie, New York (the "Town") desired to undertake a highway reconstruction and resurfacing capital improvements project; and

WHEREAS, the Town is not expected to receive funds from Erie County or New York State for such project; and

WHEREAS, the Town has determined that it will amend a certain bond resolution adopted on June 5, 2017 to authorize the use of \$260,000 from such bond resolution for the 2018 road reconstruction project due to a downsizing of the 2017 project;

NOW THEREFOR,

BE IT RESOLVED, by the Town (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 the reconstruction of and construction of improvements to various roads within the Town, including all preliminary work and necessary equipment, materials and related site work and all preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof, as more fully identified in (or contemplated by) a report prepared by the Town Engineering Department (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$1,060,000.

SECTION 2. The Town Board (I) hereby amends a certain bond resolution adopted on June 5, 2017 for the purpose of authorizing the use of \$260,000 of obligations authorized by such

bond resolution for the 2018 road capital improvements project and (II) plans to finance the estimated maximum cost of the Purpose by: (a) the application of \$260,000 of obligations from such June 5, 2017 bond resolution, b) the use of \$125,000 from the Town's 2018 Budget and c) by the issuance of serial bonds in an aggregate principal amount not to exceed \$675,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, 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 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 89 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is five 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 such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution is not expected to 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 will 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, there will 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 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") is 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 such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

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

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

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

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. Except as set forth above, the certain bond resolution adopted on June 5, 2017 has not been amended and nothing in this resolution shall affect the validity of the original June 5, 2017 bond resolution, or any action taken thereunder and any such actions are hereby ratified.

SECTION 15. This resolution is subject to permissive referendum pursuant to Section 35.00(a) of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 16. If no petitions are filed in the permissive referendum period, 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 the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

* * *

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

The foregoing resolution was thereupon declared duly adopted.

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer



THE TOWN OF GRAND ISLAND

2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600, Ext. 635 Office
(716) 773-9618 Fax
E-mail: engineering@grand-island.ny.us

Town Board Agenda: July 2, 2018

June 27, 2018

To: Town Board

From: Robert H. Westfall, P.E.
Town Engineer

RE: National Grid Street Light Audit
Acceptance of Audit Results
Job No. M-120

Honorable Town Board:

National Grid performed a Street Light Audit for the Town of Grand Island's billing account #18552-9519. A copy of the audit is available in the Engineering Department for review.

Attached please find the National Grid letter listing the billing changes resulting from the audit. The audit results in an increase to our monthly facility charge bill of \$67.66.

We request authorization for the supervisor to sign the General Release accepting the audit results, the Form SL2 - Application for Service between the Town of Grand Island and National Grid and the Schedule SL2 reflecting the new inventory.

RHW/lld

RECEIVED

2018 JUN 19 AM 10:15

U.S. Mail – Return Receipt Requested

JUN 20 2018
GRAND ISLAND NY

June 12, 2018

Ms. Pattie Frentzel
Town Clerk
Town of Grand Island
2255 Baseline Rd
Grand Island, NY 14072

Re: Street Light Audit Results
Bill Account No. 18552-95109
(Reference No. 01710-56027, 00237-47143, 03950-39004, 04738-80107, 06338-79106, 06611-12009, 09410-74004, 00971-31003, 13776-83005, 20779-59009, 20972-71006, 30176-85007, 30410-80007, 30691-01009, 31584-08008, 40177-75025, 42378-56007, 47138-82103, 47338-82109, 47538-82105, 47738-82101, 47938-82107, 48138-82105, 48338-82101, 48370-17002, 48538-82107, 48579-09001, 48738-81106, 48738-82103, 48938-82109, 49138-82107, 49338-82103, 49538-82109, 49738-82105, 49938-82101, 50138-82100, 50338-82106, 50538-82102, 50738-82108, 57711-15000, 59250-68001, 59960-73007, 61938-79100, 62772-55004, 63576-97008, 63591-20000, 65410-16000, 67581-79025, 80371-57018, 87576-20007, 94978-93007, 97970-63005, 99338-81101)

Dear Ms. Frentzel:

Niagara Mohawk Power Corporation d/b/a National Grid (the "Company") recently completed an audit of its street lighting facilities to ensure the accuracy of the Company's billing records. As an outcome of the audit and in compliance with the provisions in the Company's P.S.C. No. 214 – Outdoor Lighting Tariff ("Lighting Tariff"), the Company identified inventory discrepancies associated with Town of Grand Island's above-referenced bill account, resulting in a monthly facility charge bill increase¹ of \$67.66. The audit inventory discrepancies are as follows:

Location Address	Facility Error	Facility Correction	Error Type	Bill Adjustment
10 Bluejay Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
29 Bluejay Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
42 Bluejay Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
57 Bluejay Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
82 Bluejay Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
87 Bluejay Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01

¹ The adjusted bill amount and/or any back-bill amount is calculated to the anticipated effective billing date and is consistent with the Lighting Tariff including the net facility amounts including energy distribution, as well as applicable interest.

111 Fernwood Ln	70W HPS Aspen Grove	100W HPS Traditional	Overbill	\$(2.94)
7 Riverview Dr	100W HPS Aspen Grove	100W HPS Traditional	Overbill	\$(4.29)
125 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
217-1 Winkler Dr	250W HPS Roadway	150W HPS Roadway	Overbill	\$(4.63)
141 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
156 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
178 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
179 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
188 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
1377 Majestic Woods	100W HPS Traditional	100W HPS Aspen Grove	Underbill	\$(4.29)
1352 Majestic Woods	100W HPS Traditional	100W HPS Aspen Grove	Underbill	\$(4.29)
1339 Majestic Woods	100W HPS Traditional	100W HPS Aspen Grove	Underbill	\$(4.29)
1324 Majestic Woods	100W HPS Traditional	100W HPS Aspen Grove	Underbill	\$(4.29)
1305 Majestic Woods	100W HPS Traditional	100W HPS Aspen Grove	Underbill	\$(4.29)
39 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
20 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
56 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
69 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
88 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
112 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
102 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
117 Park Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
66 Bluejay Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
109 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
110 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
125 Sandpiper Ln	100W HPS Traditional	100W HPS Coach	Underbill	\$2.01
3385 Love Rd	Was Not Billing	100W HPS Roadway	Underbill	\$9.83
2208 Baseline Rd	Was Not Billing	250W HPS Roadway	Underbill	\$16.97
2188 Baseline Rd	250W HPS Roadway	Does Not Exist	Overbill	\$(16.97)

In an effort to ensure Town of Grand Island has a complete and accurate copy of the street lighting records, the Company has enclosed a Form SL2, and Schedule SL2. The Company requests an authorized representative of Town of Grand Island review the enclosed documents, and indicate Town of Grand Island's acceptance of the audit results by signing and returning copies of the Form SL2 and Schedule SL2, as well as countersigning and returning the General Release included in this letter. These executed documents, in addition to an updated inventory record provided at the conclusion of this matter, will form the basis of Town of Grand Island's street lighting inventory for billing purposes going forward.² Subject to the conditions below, the Company also offers a limited one-time waiver of its right under the Lighting Tariff³ to back-bill for the service that was actually delivered, but for which charges were not previously assessed.

If, however, Town of Grand Island disputes the findings set forth in the enclosed documents, Town of Grand Island has **30 calendar days** from the date of this letter to provide the Company written notice of alleged discrepancies with the audit results. The Company will work to resolve any such issues within 60 calendar days of receiving Town of Grand Island's written notice. The adjusted billing amount for the above-referenced street lighting account will begin

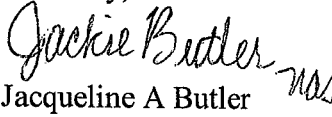
² Note that "failure to execute a Form 'SL2' shall not exempt the customer from paying all rates and charges provided [in the Lighting Tariff]", Leaf 26.

³ See Lighting Tariff, Leaf 9.2.1.

within 30 calendar days of resolving Town of Grand Island's discrepancies and execution of the Form SL2 and Schedule SL2 reflecting the agreed-upon inventory, as well as a general release substantially in the form of the General Release included at the end of this letter. If, after 30 calendar days from Town of Grand Island's notice, Town of Grand Island and the Company has not resolved any discrepancies, and Town of Grand Island has not responded from the executed updated Form Schedule SL2, Form SL and General Release, the Company's changes will automatically go into effect and revoke its waiver of back-billing associated with the audit results, and will seek recovery of such funds in accordance with the Lighting Tariff, once the disputed inventory discrepancies are resolved.

If you have any questions regarding the audit or the billing adjustment, please contact me at the phone number or email address listed at the bottom of this letter.

Sincerely,


Jacqueline A Butler

Enclosures



General Release

Town of Grand Island hereby accepts as true and accurate the enclosed billing inventory, Form SL2, and Schedule SL2 for street lighting bill account 18552-95109, reference number 01710-56027, 00237-47143, 03950-39004, 04738-80107, 06338-79106, 06611-12009, 09410-74004, 00971-31003, 13776-83005, 20779-59009, 20972-71006, 30176-85007, 30410-80007, 30691-01009, 31584-08008, 40177-75025, 42378-56007, 47138-82103, 47338-82109, 47538-82105, 47738-82101, 47938-82107, 48138-82105, 48338-82101, 48370-17002, 48538-82107, 48579-09001, 48738-81106, 48738-82103, 48938-82109, 49138-82107, 49338-82103, 49538-82109, 49738-82105, 49938-82101, 50138-82100, 50338-82106, 50538-82102, 50738-82108, 57711-15000, 59250-68001, 59960-73007, 61938-79100, 62772-55004, 63576-97008, 63591-20000, 65410-16000, 67581-79025, 80371-57018, 87576-20007, 94978-93007, 97970-63005, 99338-81101. Town of Grand Island further releases, remises, acquits and forever discharges the Company, its successors and assigns, representatives and agents, from any and all manner of claims, demands, damages, debts, liens, sums, costs, obligations, proceedings, causes of action, or suits, relating to billing, pricing, service or metering, whether in contract, tort, tariff, or otherwise, which it, its successors and assigns, now have or hereafter can, shall or may have arising in any way out of, or with respect to, the above-referenced street lighting bill account, or any matter related thereto, including those not yet ascertainable, if any, resulting therefrom at any time prior to and through and including June 12, 2018.

Town of Grand Island

By: _____

Name (print): _____

Title: _____

An Authorized Representative of Town of Grand Island

Date: _____

STATE OF NEW YORK

COUNTY OF _____

On the _____ day of _____ in the year _____ before me, the undersigned, a Notary Public in and for the State of New York, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID
P.S.C. NO. 214 ELECTRICITY - S.C. NO. 2
FORM "SL2" - APPLICATION FOR SERVICE

BY AND BETWEEN NIAGARA MOHAWK POWER CORPORATION AND

Town of Grand Island

(Applicant Name)

2255 Baseline Rd, Grand Island, NY 14072

(Mailing Address)

(hereinafter called "Applicant")

Island Mdws-Ph1-LD40, Park Place-Ph4-LD43, Island Mdws-Ph2-LD34, Island Park-LD27, Spicer Cr Twahs-LD30, Hidden Oaks-Ph1-LD35, Oakwood Est-Ph2-LD38, Waterford-Ph2-LD57, Park Vue-Ph6-LD63, Park Place-Ph5-LD46, Ransom Vill-Ph4-LD58, Majestic Wds-Ph2-LD53, Oakwood Est-Ph3-LD42, Ransom Vill-Ph4-LD37, Oakwood Est-Ph2-LD41, Waterford-Ph1-LD55, Waterford-Ph3-LD59, Foxcroft Est-LD1, Fernwood Gard-LD2, Dolphin Estates-LD3, Calvano-LD7, Center Terrace-LD8, Amberwood Est-LD9, Melrose Est-LD10, Park Place-Ph7-LD52, Timberlink-LD11, CountryClub-Ph1-LD60, River Oaks 1-LD28, River Oaks 2-LD12, Woodstream Mdw1-LD15, Riverview-LD16, Parkview Dr-LD17, Woodstream Mdw2-LD19, Pellamwood Ct-LD20, Ransom Vill-Ph2-LD21, Woodstream Mdw3-LD22, Lakeview Dr-LD24, Woodstream Mdw4-LD25, Forest Creek-LD26, Ransom Vill-Ph4-LD45, Park Place Ph1-LD33, Forest Creek Ct-LD31, General Lighting, Park Vue-Ph4-LD47, Hidden Oaks-Ph3-LD49, Park Place-Ph2-LD36, Majestic Wds-Ph1-LD39, CountryClub-Ph2-LD64, Hidden Oak-Ph2-LD48, Park Vue-Ph5-LD56, Park Place-Ph6-LD51, Park Vue-Ph7-LD63, Woodstream Mdw5-LD29

(Lighting District Reference)

01710-56027, 00237-47143, 03950-39004, 04738-80107, 06338-79106, 06611-12009, 09410-74004, 00971-31003, 13776-83005, 20779-59009, 20972-71006, 30176-85007, 30410-80007, 30691-01009, 31584-08008, 40177-75025, 42378-56007, 47138-82103, 47338-82109, 47538-82105, 47738-82101, 47938-82107, 48138-82105, 48338-82101, 48370-17002, 48538-82107, 48579-09001, 48738-81106, 48738-82103, 48938-82109, 49138-82107, 49338-82103, 49538-82109, 49738-82105, 49938-82101, 50138-82100, 50338-82106, 50538-82102, 50738-82108, 57711-15000, 59250-68001, 59960-73007, 61938-79100, 62772-55004, 63576-97008, 63591-20000, 65410-16000, 67581-79025, 80371-57018, 87576-20007, 94978-93007, 97970-63005, 99338-81101

(LD Reference No.)

Date: June 12, 2018

The Town of Grand Island of Erie County, New York, (hereinafter called "Applicant"), pursuant to the attached authorization dated (N/A), hereby applies to NIAGARA MOHAWK POWER CORPORATION (hereinafter called "Company"), to furnish, install, operate and maintain for Applicant an electric lighting system along the streets, roads, highways and/or other public places within the jurisdictional boundaries of such state, municipality or governmental authority that is a party to this agreement. Service to Applicant shall be through a single billing account.

Upon acceptance by Company, this application constitutes an agreement and contract for the furnishing of street lighting service in accordance with the terms and conditions set forth in Service Classification No. 2 of P.S.C. No. 214 Electricity as now on file with the Public Service Commission of the State of New York, or in accordance with the same as from time to time changed or amended and made effective in accordance with the rules of the Commission. This agreement and contract shall be effective for an initial period of one (1) year(s) from June 1, 2018 (Date) and hereafter until canceled by either party as provided for in Service Classification No. 2.

Applicant shall pay for the service as described in Schedule "SL2" dated June 1, 2018 appended hereto and made a part hereof for the facilities installed or to be installed at the effective date hereof, and, whenever the facilities installed to render the service are subsequently replaced, increased or decreased, as provided in Service Classification No. 2, Applicant shall pay for the service in accordance with the listing of the facilities set forth upon a revised Schedule "SL2", which shall at its effective date supersede Schedule "SL2" theretofore in effect. The rates and charges as set forth in the Tariff, as amended from time to time, shall apply to the facilities described and identified in Schedule "SL2".

Company shall secure compensation and pay or provide the same in the manner and to the extent provided for by applicable provisions of the Workmen's Compensation Law for the benefit of its employees, having employments within the provisions of the law and engaged in the performance of the agreement, on account of injuries arising out of or in the course of their employments and Company shall not assign, transfer, convey, sublet or otherwise dispose of the agreement or its right, title or interest therein, or its power to execute the same to any person, company or corporation without previous consent of Applicant; provided that a consolidation or merger in which Company participates shall not be deemed to be within the provisions of this paragraph.

The Company shall not, without the previous written consent of the officer, board or agency awarding this contract, assign, transfer, convey, sublet or otherwise dispose of its contract or its right, title or interest therein or its power to execute such contract to any other person or corporation except that consent is hereby given by the officer, board or agency awarding this contract to the Company to sublet from time to time the installation or maintenance of the facilities required, provided, however, that such consent shall in no way relieve the Company of any of its obligations to Applicant under the terms and provisions of this contract.

All previous agreements and contracts between the parties or their predecessors covering all or a portion of the services provided herein shall terminate on the effective date of this application, except that the obligation of Applicant to pay for services theretofore rendered under any such prior agreements and contracts shall survive. The effective date of this agreement shall be the date of party signing last in time.

ATTEST:

APPLICANT'S DULY AUTHORIZED REPRESENTATIVE

By:

(Signature)

(Signature)

(Print Name)

(Print Name)

(Title)

Date:

ACCEPTED: NIAGARA MOHAWK POWER CORPORATION

By:

(Signature)

Rachel Brennan

(Print Name)

Manager, Regional Account Services

(Title)

(Date)

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer



THE TOWN OF GRAND ISLAND
2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600 Ext. 235 Office
(716) 773-9618 Fax
E-mail: engineering@grand-island.ny.us
2018 JUN 28 10:15 AM
TOWN CLERK
GRAND ISLAND, N.Y.

T. B. Agenda: July 02, 2018

June 27, 2018

To: Town Board

From: Robert H. Westfall, P.E.
Town Engineer

RE: Release/Settlement
Sewer System Damage - National Grid
2300 Block of Stony Point

Honorable Town Board:

Attached please find a form of Release pertaining to a claim against National Grid related to damages to our system from their utility work. National Grid augured a new pole through our sewer along the 2300 block of Baseline Road. Our costs to fix the work totaled \$10,000.00, and we will receive payment once the attached release is executed.

The settlement amount of \$10,000.00 is correct, and represents the costs of repairs completed as invoiced to the Town by involved contractors.

We are requesting the Supervisor (or a designated official) to execute the Release, then allowing National Grid to provide payment.

RHW

Attachments

June 12, 2018

Mr. Chris Dann
Town of Grand Island
2255 Baseline Road
Grand Island, NY 14072

RE: Claim No. 5210-2017340392
Date of Incident: 10/13/2017

Dear Mr. Dann:

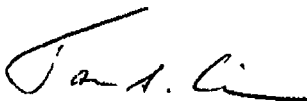
I enclose National Grid's Release in the amount of \$10,000.00, in full settlement of the town's claim for damages as a result of an incident to the town's sanitary sewer system which occurred in the 2300 block of Stoney Point Road, Grand Island, NY.

Kindly obtain the signature of an individual authorize to execute the Release of behalf of the Town and return to my attention.

The settlement funds have been approved and requested and will be forwarded to your attention upon our receipt of the attached executed documentation.

Thank you for your continued assistance throughout this matter.

Very truly yours,



Tammy A. Ciura
Senior Claims Representative

nationalgrid

RELEASE

KNOW YE ALL MEN BY THESE PRESENTS:

In consideration of the sum of Ten Thousand and 00/100 Dollars (\$10,000.00), the receipt and sufficiency of which is hereby acknowledged, The Town of Grand Island with its principal office located at 2255 Baseline Road, Grand Island, New York, a municipality existing under the State of New York, for itself and on behalf of its officers and employees, contractors or subcontractors, including any of its or their employees heirs, personal representatives, executors, administrators, successor and assigns, (collectively referred to herein as "the Parties") do hereby forever release, waive and discharge Niagara Mohawk Power Corp. doing business as National Grid, a corporation organized and existing under and by virtue of the laws of the State of New York, having its principal office in the City of Syracuse, County of Onondaga, State of New York, including its Parent, affiliates, successors and assigns "NATIONAL GRID", from any and all claims, causes of action, demands or threats thereof, including but not limited to attorney's fees, court costs, judgments or claims assessed, or any other assessment of whatsoever kind, which arise against said **NATIONAL GRID**, that the Parties now have, or may hereafter have, by reason of property damage to its sanitary sewer system located in the vicinity of the 2300 block of Stony Point Road, Grand Island, New York, discovered by the Parties on or about the 13th day of October, 2017, or for any cause, matter or liability whatsoever arising therefrom.

The undersigned expressly represents and warrants that (a) he or she is aware that this document is a release of liability, (b) that he or she has read it and understands its terms and consequences, (c) that he or she has full authority to execute this Release on behalf of the Parties, and (d) that he or she understands that this release is intended to be as broad and inclusive as permitted by the laws of the state of New York, and that if any portion of it is held invalid, the balance shall continue in full legal force and effect.

Dated: _____

TOWN OF GRAND ISLAND

By (Print Name) _____

Its (Print Title) _____

State of New York)

County of _____) ss.:

On the ____ day of _____ in the year 2018, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer



THE TOWN OF GRAND ISLAND

2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600, Ext. 635 Office
(716) 773-9618 Fax
E-mail: engineering@grand-island.ny.us

Town Board Agenda: July 2, 2018

June 28, 2018

To: Town Board

From: Robert Westfall, P.E.
Town Engineer

Re: Professional Services Agreement
Water System Improvement Project
Engineering Report and WIIA Grant Application
M-221

Honorable Town Board:

Attached, please find the proposal from Wendel for professional services for the above referenced project. Wendel will prepare the required Engineering Report and file the WIIA Grant Application on behalf of the Town of Grand Island. The funding for the professional services will come out of the Water budget.

We hereby request the Town Supervisor be authorized to sign the Professional Services Agreement.

RHW/ld
Attachment

RECEIVED
210 JUN 28 AM 10:58
60-4000-2-200-1-1



June 13, 2018

Mr. Robert Westfall, P.E.
Town Engineer
2255 Baseline Road
Grand Island, New York 14072

**SUBJECT: TOWN OF GRAND ISLAND
WATER SYSTEM CAPITAL IMPROVEMENT PROJECT
ENGINEERING REPORT AND WIIA GRANT APPLICATION
PROFESSIONAL ENGINEERING SERVICES PROPOSAL
Wendel Project No.: 2180-38**

Dear Mr. Westfall:

Wendel is pleased to submit this proposal for professional services associated with development of an Engineering Report and subsequent Water Infrastructure Improvement Act (WIIA) Grant application associated with the improvements at the Grand Island Water Treatment Plant (WTP) as determined in the Capital Improvement Plan (CIP). This proposal will set specific scope and fee parameters based on our understanding of the project services required.

It is our understanding the Town of Grand Island desires to implement improvements at their WTP based on phasing schedule developed in the CIP. The improvements generally consist of (but are not limited to): priority distribution system improvements (Parkway Crossing, Bronson Road, and Towerwood Road), addition of three new filters, and installation of miscellaneous waterline improvements.

A. SCOPE OF WORK:

The following represents our understanding of the scope of services required of Wendel for this project.

Engineering Report and Grant Application Services

- 1) Conduct a project kickoff meeting with the Town.
- 2) Perform site visits and investigate existing conditions.
- 3) Expand upon capital improvement plan and develop detailed basis of design including opinion of probable construction costs for the selected improvements.
- 4) Assist the Town with the preparation of SEQR/SERP application and documents necessary to meet the requirements of 6NYCRR, Part 617 State Environmental Quality Review and related documents necessary to comply with the NYS WIIA Grant.
- 5) Prepare a draft Engineering Report in a format acceptable to the NYSDOH and the NYSEFC and conduct a review meeting with the Town.
- 6) Update draft Engineering Report based on review meeting with the Town and prepare Engineering Report for submittal to NYSDOH/NYSEFC.



- 7) Revise Engineering Report based on comments received from NYSDOH/NYSEFC and submit final version to the Town and NYSDOH/NYSEFC.
- 8) Coordinate with the Town and their financial advisors as required during the financing and grant process.
- 9) Assist the Town with the preparation of documentation required for submittal as part of the WIIA Grant program.
- 10) Finalize basis of design including opinion of probable construction costs following review meeting with the Town.
- 11) Finalize economic pro-forma for project showing costs, grants, energy and O&M savings.
- 12) Develop preliminary construction schedule.

B. DELIVERABLES:

The following represents the anticipated deliverables from Wendel for the project. Each deliverable will consist of three hard copies and one electronic copy.

- 1) Final Report Stamped by a New York State Professional Engineer.

C. EXCLUSIONS:

The following services are excluded from this proposal

- 1) Any and all work not specifically included in the above "scope of work" is excluded.
- 2) Hazardous materials sampling and abatement design.
- 3) Architectural, Structural, Mechanical and Electrical engineering services are not included in this proposal, if it is determined that these services are required on the project, the services can be furnished upon a supplemental agreement.
- 4) Survey, soil borings, commissioning and construction testing are not included in this proposal, if it is determined that these services are required on the project, the services can be furnished upon a supplemental agreement.

D. ASSUMPTIONS:

- 1) Wendel personnel will have access to the site, Owner's personnel and information in support of existing condition investigations.
- 2) Environmental issues (including, but not limited to the presence of asbestos and lead) will be addressed by others.
- 3) All investigated improvements will be referenced from the Capital Improvement Plan, dated April 2018.

E. PROPOSED SCHEDULE:

Wendel is prepared to start work on this project immediately upon receipt of a notice to proceed.



F. FEES AND TERMS:

We propose completing the services outlined in this letter for a lump sum fee of Twenty-five Thousand Dollars (\$25,000.00). These fees include direct expenses such as first class mailing, local mileage and internal printing costs.

Fee Notes:

- 1) Should Wendel be required to perform additional services beyond those outlined above, Wendel shall be compensated on an hourly or fixed sum basis for a mutually agreed scope of services.

This proposal, the attached "Appendix A" (General Conditions of the Contract), and the attached NYSEFC Contract Requirements for Professional Service Contracts are intended to represent the entire contractual relationship. Please contact me if you have any questions. If this proposal and attached general conditions are acceptable to you, please indicate your acceptance by signing both originals and return one (1) executed original to our office.

Respectfully Submitted,

Wendel

Brian M. Sibiga, PE
Director of Wastewater Energy Services

Should Wendel's proposal be accepted, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture P.C., a New York State licensed architecture and engineering firm that is part of a consolidated group of Wendel Companies, will contract to undertake the work. Our letterhead and plans will still prominently say "Wendel" and we will refer to ourselves as Wendel throughout the project.

ACCEPTANCE / AUTHORIZATION:

Accepted this _____ day of _____, 20____

Print Name: _____

Signature: _____

Title: _____

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer



THE TOWN OF GRAND ISLAND

2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600, Ext. 635 Office
(716) 773-9618 Fax
E-mail: engineering@grand-island.ny.us

Town Board Agenda: July 2, 2018

June 28, 2018

To: Town Board

From: Robert Westfall, P.E.
Town Engineer

Re: Professional Services Agreement
Community Center Upgrades
Additional Services for ADA Bathrooms & HVAC design
M-213

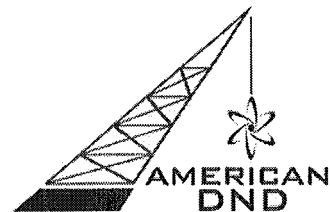
Honorable Town Board:

Attached, please find the proposed Professional Services Proposal for the above referenced project. The agreement is for the tasks listed in the Base Bid Scope of Work and the Alternate Scope of Work. Any tasks requested outside of either Scope of Work will be at the Unit Pricing rates.

The funding for consultant services is included in the State and Municipal Facilities Program (SAM) grant (Project ID# 6279).

We hereby request the Town Supervisor be authorized to sign the Professional Services Agreement with American DND.

LMD
Attachment



Demolition & Nuclear Decommissioning, Inc.

Demo - N - Disposal



PO Box 553
Grand Island, NY 14072

Phone: 716-699-5515
Fax: 716-773-5515

www.AmericanDND.com
Email: ADND@AmericanDND.com

6/27/18

Town of Grand Island
2255 Baseline Road
Grand Island, NY 14072

Attention: Ms. Lynn Dingey, Assistant Civil Engineer
716-773-9600 Ext. 626 ldingey@grand-island.ny.us

Reference: *Proposal for Asbestos Consulting, Asbestos Project Designer, RFP Development Services and A/E Services for Nike Base Community Center*

Dear Lynn,

Thank you for inviting ADND to submit a proposal for Professional Asbestos Consulting Services, Asbestos Project Designer, and Architect/Engineering (A/E) Services for the Town of Grand Island for the Renovation Project in the former Nike Base Community Center on Whitehaven Road.

This letter will attempt to provide a breakdown of the services which can be offered by ADND. Due to the extent of services available, and the uncertainties for the timeframe and exact scope of services desired by the Town of Grand Island, this proposal will be broken down into several functional aspects relating to the abatement project, and the subsequent renovation project. Please consider any and all aspects of this proposal to be completely negotiable and all items (including pricing) can be altered, negotiated or modified to fit the desires and needs of the Town of Grand Island.

In all instances for the tasks described below, ADND services will be limited to providing professional, experienced, technical assistance to the Town of Grand Island Engineering and Purchasing Departments. ADND's services will compliment and supplement the Town of Grand Island purchasing/procurement process but will be limited to technical obligations as may be required by the Regulations governing asbestos work and subsequent rebuilding/renovations. Additionally, ADND proposes to "*subcontract*" the Professional Architect/Engineering Services to a separate Professional Engineering (PE) company to fulfil the Building Code Compliance and A/E Services portion of this proposal.

The remainder of this proposal will outline the Scope, Design, Consulting, A/E Design and related functions proposed for the Community Center Renovation Project.

BASE BID – SOW

The Base Bid Design Scope of Work is to assist TOGI Engineering and Purchasing Departments with developing “bid-ready” plans and specifications for the tasks/items discussed in the Budgetary Bid Pricing Budget dated 6/1/18 (copy attached).

This Base Bid SOW includes developing asbestos abatement plans and specifications, along with preparation and submission of a New York State Department of Labor Site Specific Variance (SSV), as well as providing Professional Architect/Engineering (A/E) Design Services for the subsequent rebuilding/renovation work as described in the 6/1/18 Budgetary Estimate.

ADND is prepared to perform these Engineering/Design Services on a lump sum basis which shall further include the following specific tasks and functions:

- Utilize existing Asbestos Inspection/Survey Reports to develop the S.O.W.
- Base Bid SOW to be designed according to 6/1/18 Budgetary Task Pricing SOW (attached).
- Provide certified, senior, principal, Asbestos Project Design Professional with over 30 years' experience in performing asbestos project design, layout, and planning for any asbestos removal project.
- Provide Professional A/E Services (Senior PE and Qualified Architect/Draftsman) for Code Compliance and Specifications for rebuild/ renovation work as described in the 6/1/18 document attached.
- Prepare, design, write, submit, and obtain a Site-Specific Variance (SSV) from NYS-ICR 56 provisions.
- Prepare a Base Bid, Asbestos Abatement Scope of Work appropriate for inclusion in an RFP to Contractors.
- Prepare a Base Bid, Renovation/Rebuild Scope of Work appropriate for inclusion in an RFP to Contractors.
- Provide “Bid-Ready” Project Specifications for use by Engineering and Purchasing Departments for inclusion into RFP for public bidding.
- Present a list of qualified Contractors for consideration and bidding purposes.
- Participate in bid walk with prospective Contractors.
- Review bids submitted by Contractors.
- Review Contractor Qualifications.
- Provide 3rd party opinion for award.

ALTERNATE SOW

Alternate Option #1 = ADA Compliant Bathroom

The Engineering/Design Alternate Option #1 includes providing "bid-ready" plans, specifications and a single drawing for a single ADA Compliant, Unisex Bathroom which would be located in one of the existing men's or women's bathroom spaces.

- For clarification and pricing purposes, the Engineering/Design SOW includes a single unisex bathroom utilizing existing infrastructure and utilities in the existing spaces. If a separate ADA Compliant Bathroom is required for the men's room and separately for the women's room, or if it is to be located in another area or location within the building, then additional costs would apply.

Alternate Option #2 = Air Conditioning Bid Ready Package

This Alternate Option #2 is to prepare a "bid-ready" plans and specifications with two drawings to illustrate the installation of two (2) each rooftop air conditioning units, or two (2) each existing window mounted air conditioning units. Each of the air conditioning units would include a single return air register/grill and two (2) approximately 12' long supply air distribution ducts with diffusers. These units would service the existing Community space area.

- For clarification purposes, the Base Bid would include design plans and specifications for handling the existing hot water radiant heating system and does not address any air conditioning or air handling units. This Alternate Option #2 is to install separate air conditioning/air handling units that would service only the general Community space area.

If additional designs, combination units, or other modifications would be required then additional alternate pricing would apply.

(This space intentionally left blank.)

LUMP SUM PRICING

The following items provide lump sum prices for the Base Bid and Alternate Optional Bids described above. These are broken down for evaluation purposes only. Lump sum pricing is based on the fact a single order would be placed for the items described above with alternate option pricing applicable only if selected and directed to be performed by the Town of Grand Island.

Base Bid Lump Sum Pricing

Ref.	Task Description	Lump Sum Price
1.1	Prepare and obtain SSV from NYS-DOL	\$1,350.00
1.2	Prepare Plans & Specs for Asbestos Abatement Work	\$5,000.00
1.3	Subcontracted A/E prepare Plans & Specs for Rebuild/Renovation Work	\$8,000.00
1.4	Provide recommended list of Contractors, Bidder's Site Walk with Q&A during bid process, review Contractor price submissions, provide recommendations for award.	\$3,000.00
	<i>SUBTOTAL</i>	<i>\$17,350.00</i>
	Alternate Option #1 = Provide Plans & Specs for ADA Compliant Bathroom (1)	\$2,750.00
	Alternate Option #2 = Two (2) each AC Rooftop or Window Mounted Units Provide Plans & Specifications	\$4,500.00
	<i>SUBTOTAL ALTERNATE OPTIONS =</i>	<i>\$7,250.00</i>
	<u>SUMMARY:</u>	
	<i>Base Bid Subtotal =</i>	<i>\$17,350.00</i>
	<i>Alternate Option Prices =</i>	<i>\$7,250.00</i>
	<i>Lump Sum Grand Total (Base Bid and Alternates)</i> <i>(Twenty four thousand six hundred dollars and 00/100 cents)</i>	<i>\$24,600.00</i>

UNIT PRICING

For work requested to be performed outside of the Lump Sum Scope of work described above, the following are unit prices which can be used to apply for any additional work.

TABLE 1
Cost Per Hour for Professional Consulting or A/E Services:

Discipline	Regular Time	Over Time
Asbestos Project Designer (Senior Principal, 30 years' experience)	\$78.50/hr.	\$110./hr.
NYS – Professional Engineer (Senior Architect/Engineer)	\$125.00/hr.	\$165.00/hr.
Professional Architect/Senior Draftsman	\$90.00/hr.	\$120.00/hr.
Typist/Report Preparation	\$30./hr.	NA

The above labor rates include all wages, payroll burden, taxes, overhead and profit.

Any 3rd Party Subcontracted Services = Cost + 10% Mark Up

Regular Time = Monday thru Friday up to 8 hours per day working between the hours of 7:00 a.m. and 5:00 p.m.

Over Time = Monday thru Friday all hours over 8 hours per day, and any hours worked between 5:00 p.m. and 7:00 a.m.

Double Time = Any/all hours worked on Sundays and/or Holidays.

SUMMARY

Attached for your review and reference are copies of ADND's Asbestos Contractors License, Certifications of personnel, Insurances, and 3rd party A/E resume for John Schenne, PE.

The above prices are considered valid through December 31st, 2018. The above prices do not include sales and/or use taxes and if applicable would be to your account. This proposal is valid for your acceptance within 60 days of the date written above.

Thank you for your consideration of ADND and your review of this proposal. Please do not hesitate to call if you have any questions or require additional information.

Very truly yours,

Bill Schaab
President

Email: BSchaab@AmericanDND.com
Cell: 716-984-7566

Enclosures: License
Certifications
Insurance Certificate
Resume = J. Schenne
Proposed Consulting Agreement

TOWN OF GRAND ISLAND
PARKS DEPARTMENT
1881 BEDELL ROAD
GRAND ISLAND, NY 14072



RECEIVED

2018 JUN 28 AM 10:55

TOWN OF GRAND ISLAND
GRAND ISLAND, NY

To: Supervisor Nathan McMurray & Town Board Members
From: Tom Dworak, Parks Department Crew Chief
RE: Seasonal Hire
Date: July 2, 2018

Items for Agenda: Monday July 2, 2018

1. The Parks Department requests permission to hire the following employees subject to the completion of the necessary pre-employment paperwork:

Name	Title	Effective Date	Seasonal/Part Time	Rate of Pay
Samuel Colao	Parks Sr Worker	July 3, 2018	Part Time 19 hours	\$12.25

ZONING DEPARTMENT

William Shaw
Code Enforcement Officer
716-773-9600, Ext. 625

Rhonda Tollner
Zoning Clerk
716-773-9600, Ext. 610



THE TOWN OF GRAND ISLAND

2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600, Office Ext. 637
(716) 773-9618 Fax

RECEIVED
JUN 25 AM 8:55

TOWN CLERK
GRAND ISLAND N.Y.

DATE: June 18, 2018

FROM: Rhonda Tollner, Zoning Clerk

TO: Town Board

RE: Special Use Permit Application
2332 Stony Point Road
SBL # 37.01-3-16

An application for a Special Use Permit has been filed by Melissa and Walter Yanicki to keep 2 agricultural animals on their property. The property is zoned R1D. Agricultural animals are a permitted use only in a R1A District. Please place this item on the agenda for the next Town Board meeting to set a public hearing and refer to the Planning Board.

Please find enclosed the following:

1. Special Use Application
2. Survey
3. Site plan for barn and animal waste
4. SEQR Form

**TOWN OF GRAND ISLAND
APPLICATION TO THE TOWN BOARD FOR
SPECIAL USE PERMIT UNDER CHAPTER 407-115 OF THE TOWN CODE**

ZBA-2018-026

Note to Applicant: In completing the question #1, please refer to the list of Special Uses in Schedule IV of Chapter 407 of the Town Code.

In completing question #1, if applicable, please specify the precise nature of the proposed special use as, for example, the exact number of animals to be kept, the number of dogs to be maintained in a kennel, or the type of home occupation, agricultural use or commercial recreational use being proposed.

1. What is the Special Use being requested (See Schedule IV):

Requests a Special Use Permit for agricultural animals to house 2 Horses on a 3 acre parcel in a R1D zoned district.

2. Name, Address, Phone number of Applicant: Walter and Melissa Yanicki, 2332 Stony Point Rd . Grand Island, 14072,
Address of Special Use Location: 2332 Stony Point Rd

3. If you are not the owner of the real property where the Special Use is to be maintained, please state the owner's name, address, and phone number: Walter and Melissa Yanicki, 2332 Stony Point Rd , Grand Island, NY 14072,

4. If you are not the owner of the real property where the Special Use is to be maintained, please state what legal or equitable interest you have in said real property (e.g. option to buy, lessee/tenant): owner

5. Present Use of Premises: residential

6. Present Zoning Classification of premises: R1D Number of Acres:3 Lot size: 100 x 1273

7. Attached to this Application is the following: ☒ Survey ☒ Site Plan ☒ for the keeping of, agricultural animals, a feeding and watering plan for said animals and a waste management plan including how and where said animal waste is to be disposed of.

I affirm that the above information is true and accurate to the best of my knowledge

Signature of Applicant: Melissa Yanicki

The intentional making of a false statement or misrepresentation in completing this application is a misdemeanor.

Non refundable fee

Received by: Blantz

TOWN CLERK

Date: 6/18/18

Note: The procedure for this application is as follows: Application will be placed on a Town Board Agenda and a public hearing will be set on this application. At the public hearing you will have an opportunity to speak in favor of this application. Your application will then be referred to the Planning Board for more specific review. The Planning Board will forward a recommendation to the Town Board. After reviewing the Planning Boards report, the Town Board will give final approval or disapproval or establish conditions upon this special use. Please contact the Town Clerk to determine the date of your public hearing. You will NOT be notified by the Town as to the date of the public hearing or Planning Board and Town Board meetings. Please call the Town Clerk's office if you are not sure when your application will be on their respective agendas. A special use permit is renewable yearly after Town Board approval and payment of a non-refundable filing fee (see current annual fee schedule). The special use authorized by the Town Board shall be by its terms limited by the issuance of a building permit within three months after approval by the Town Board, and in the event that said permit is not secured within the said three month period, the special use authorization shall expire and become null and void. A permit shall automatically expire after three years if the entire structure for which such permit was granted has not completed according to filed plans.

PAID
TOWN CLERK
Town of Grand Island

JUN 18 2018

Patricia A. Frentzel

Blantz
Cash
\$100

PLACE: <u>Town of Grand Island, Erie Co., N.Y.</u>	
SCALE: <u>1" = 40'</u>	Cover <u> </u> Sublot <u> </u>
DATE: <u>August 24, 1959</u>	T. <u> </u> R. <u> </u> LOT: <u>69</u>
JOB No. <u>252</u>	

ZONING BOARD OF APPEALS



THE TOWN OF GRAND ISLAND

2255 Baseline Road
Grand Island, New York 14072-1710
(716) 773-9600 Office
(716) 773-9618 Fax

DATE: June 27, 2018
FROM: William Shaw, Code Enforcement Officer
TO: Town Board
RE: Reclassification (rezone)
2626 & 2640 Staley Road
SBL # 50.02-3-4 & 50.02-3-3

RECEIVED
2018 JUN 28 AM 9:28
STALEY ROAD

Dear Town Board Members:

An application for a rezoning has been filed by Advanced Design Group (Agent) to rezone two parcels with a ME mining/excavation overlay for the construction of a +/- 1.9 acre pond for personal recreational use. Please add this item to your Agenda for referral to the Town Board to set a public hearing date.

Please find enclosed the following:

1. A Reclassification Application
2. County Referral
3. SEQR Form
4. Site Plan Layout
5. Grading, Drainage, and Erosion Control Plan

\$200 + \$150
(Site Plan) (Zoning)

FEE SCHEDULE (Based on Project Acreage):

1.0 acres or less	\$100.00
1.1 - 2.0 acres	\$200.00
2.1 - 5.0 acres	\$200.00
plus per acre over 2 acres	\$50.00
5.1 - 10.0 acres	\$350.00
plus per acre over 5 acres	\$25.00
10.1 acres or more	\$475.00
plus per acre over 10 acres	\$25.00

Reserved for The Town Clerk

PAID
TOWN CLERK
Town of Grand Island
JUN 27 2018
Patricia A. Frentzel
Pd \$200 -
Vitalck
NOV

**TOWN OF GRAND ISLAND
SITE PLAN APPLICATION FOR
EXCAVATION / GRADING ACTIVITIES
UNDER TOWN CODE CHAPTERS 15 AND 49**

Site Address Lots 2 & 3 of Calidote Forest State Rd. Date 6-27-18

Name of Applicant Granger Development Phone No. (850) 434-7500 Fax No. _____

Address 120 East Main Street Suite D Pensacola FL 32502

Proposed Project Construction of a 1.9+/- acre pond for recreational use

Site Acreage 62.3 Project Acreage 5.0+/- Nonrefundable Fee Amount (see Fee Schedule) _____

If you do not own the real property where the project will occur:

Name of Owner Same Phone No. of Owner _____

Address of Owner _____

Legal or equitable interest you have in the property: Owner

Present use of premises: ☒ vacant ☐ occupied as follows: Approved Single Family Lot

Present zoning classification of premises R1-A Is Rezoning Required ☒ yes ☐ no

Has Rezoning Application been filed ☒ yes ☐ no If yes, what classification Mining/Excavation (ME)

Are any Zoning Variances needed ☐ yes ☒ no If yes, list _____

EXCAVATION / FILLING / GRADING

What is the purpose of the excavation, filling and/or grading? Construction of a privately owned, 1.9+/- acre pond for recreational use.

Is this an expansion of an existing pond or mine? ☐ yes ☒ no If yes, current size _____

Proposed size of mine or pond: Surface Area (SF) 1.9 acres (+/-) Volume (cy) 32,450 c.y.

Amount of fill to be placed & graded (cy) 5,000 c.y. Total Property Size 62.3 ac.

RECEIVED

JUN 27 2018



TOWN OF GRAND ISLAND RECLASSIFICATION TO ZONING MAP OF THE TOWN OF GRAND ISLAND, NY

* Proposed Zoning R-1A to M/E

06/27/2018
Date of Application

Town Board
Town of Grand Island
Grand Island, NY
Attention: Building Inspector and Town Clerk

Sirs:

Pursuant to the requirements of the Town of Grand Island, the undersigned petitioner hereby makes application for an amendment or change in the official Zoning Map concerning certain premises in the Town as follows:

* Complete 1 thru 5 in quadruplicate for each separate described 'part' of zoning of contiguous property.

1. (A) Name and address of petitioner: Brokerage Services Granger Development & 120 E Main Ste D Pensacola FL, 32502

(B) Name and address of owner(s) of premises: Brokerage Services Granger Development & 120 E Main Ste D Pensacola, FL 32502

(C) If the petitioner is not the owner, what is his interest in the proposed zoning change?

(D) If you are not the owner, please attach a copy of your purchase offer or option and a signed authorization by the owner permitting you to submit this petition.

2. (A) Street address of premises: 2626 Staley Rd Tax Map # 50.02-3-4

3. (A) Present use of premises: vacant

(B) Present Zoning Classification: R-1A Proposed Classification: M/E

(C) Proposed use of premises: residential

(D) Proposed use is unique because: excavation of pond

4. (A) Submit a valid, stamped property survey of the proposed premises which represents the proposed/existing structures on the property.

5. Dated 6-27-18 2018

Christine S. Savard (agent)
Signature of Petitioner

AN INTENTIONAL FALSE STATEMENT OR MISREPRESENTATION IN COMPLETING THIS DOCUMENT IS A MISDEMEANOR.

NOTE: The procedure for this application is as follows: Your application will be placed on a Town Board agenda and a public hearing will be set on this application. At the public hearing you will have the opportunity to speak in favor of this application. your application will then be referred to the Planning Board for more specific review. The Planning Board will forward a recommendation to the Town Board. After reviewing the Planning Board's report, the Town Board will give final approval or disapproval or establish conditions upon this amendment to the Zoning Map. Please contact the Town Clerk to determine the date of your public hearing. You will NOT be notified by the Town as to the date of Public hearing or Planning Board and Town Board meetings. Please call the Town Clerk's Office if you are not sure when the application will be on their respective agendas.



TOWN OF GRAND ISLAND RECLASSIFICATION TO ZONING MAP OF THE TOWN OF GRAND ISLAND, NY

* Proposed Zoning R-1A to M/E

06/27/2018

Date of Application

Town Board
Town of Grand Island
Grand Island, NY
Attention: Building Inspector and Town Clerk

PAID
TOWN CLERK
Town of Grand Island

JUN 27 2018

Patricia A. Frentzel

Blantz
ASO
✓/C

Sirs:

Pursuant to the requirements of the Town of Grand Island, the undersigned petitioner hereby makes application for an amendment or change in the official Zoning Map concerning certain premises in the Town as follows:

* Complete 1 thru 5 in quadruplicate for each separate described 'part' of zoning of contiguous property.

1. (A) Name and address of petitioner: Brokerage Services Granger Development & 120 E Main Ste D Pensacola FL, 32502

(B) Name and address of owner(s) of premises: Brokerage Services Granger Development & 120 E Main Ste D Pensacola, FL 32502

(C) If the petitioner is not the owner, what is his interest in the proposed zoning change? owner

(D) If you are not the owner, please attach a copy of your purchase offer or option and a signed authorization by the owner permitting you to submit this petition.

2. (A) Street address of premises: 2640 Staley Rd Tax Map # 50.02-3-3

3. (A) Present use of premises: vacant

(B) Present Zoning Classification: R-1A Proposed Classification: M/E

(C) Proposed use of premises: residential

(D) Proposed use is unique because: excavation of pond

4. (A) Submit a valid, stamped property survey of the proposed premises which represents the proposed/existing structures on the property.

5. Dated 6-27-18 2018

Stephen Seward (agent)
Signature of Petitioner

AN INTENTIONAL FALSE STATEMENT OR MISREPRESENTATION IN COMPLETING THIS DOCUMENT IS A MISDEMEANOR.

NOTE: The procedure for this application is as follows: Your application will be placed on a Town Board agenda and a public hearing will be set on this application. At the public hearing you will have the opportunity to speak in favor of this application. your application will then be referred to the Planning Board for more specific review. The Planning Board will forward a recommendation to the Town Board. After reviewing the Planning Board's report, the Town Board will give final approval or disapproval or establish conditions upon this amendment to the Zoning Map. Please contact the Town Clerk to determine the date of your public hearing. You will NOT be notified by the Town as to the date of Public hearing or Planning Board and Town Board meetings. Please call the Town Clerk's Office if you are not sure when the application will be on their respective agendas.

Voucher Detail Report Parameters

Report ID:		Posted	
Report By:			
Year:	2018	To:	2018
Period:	1	To:	12
Date Range:	Pay Due Date	Range:	07/02/2018
Sort By:	Voucher Number	Range:	124414
Vendor Type.:		To:	
Vendor Code.:		To:	
Batch No.:		To:	
Check ID:		To:	
Entered By:		To:	
Include:	All		
User Defined:	** JULY 2 AUDIT **		
Print Certification:	No	Certification Option:	Voucher B
Cash Totals:	Yes, no Page Break	Fund Totals:	Yes, with Page Break
Account Table:			
Alt. Sort Table:			

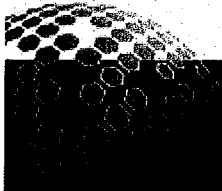
To:	07/02/2018
To:	124578
Print Vendor Name 2:	No
Print Vendor Address:	No
Condense Report:	N
Print Vch Dist Detail:	Yes
Print Quotes:	No
Print Multi Inv Detail:	Yes
Use Alt Fund:	No

Voucher No.		Stub- Description	Req. No.	Req. Date	Vendor Code	Vendor Name		Ordered By	Fisc Year	Check ID	Voucher Amt.	Pay Due	Approved																																																																																																																														
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RECEIVED

2018 JUN 27 PM 1:25

TOWN CLERK
GRAND ISLAND N.Y.



SOLARPARK ENERGY
Your Community Solar Energy Supplier

SolarPark™ Energy LLC

63 Putnam St. Suite 202
Saratoga Springs, NY 12866
518-636-4038
www.solarparkenergy.com

June 25th 2018

Town Board of
The Town of Grand Island
Attn: Pattie Frentzel, Grand Island Town Clerk

Ladies and Gentlemen of the Town Board;

In response to the comments presented by residents of Grand Island regarding the proposed Community Solar Project to be located at 1611 Whitehaven Rd, SolarPark Energy has reviewed these comments and placed them into 4 specific Categories.

We would like to respond to each of the categories listed above. SolarPark energy and our partners have done an extensive work to assure that our project would be as minimally invasive as possible.

- 1) Concern of impact on tree removal, building in Wetlands, wildlife access to Woods Creek and cutoff of wildlife habitats. Provide improved blockage of the site from Whitehaven Rd.
 - a. TREE REMOVAL: Mature trees that will need to be removed will be replaced by new tree plantings in a location the Town deems will be best suited for these plantings. Most importantly, the project, by reducing the use of fossil fuels will provide the equivalent carbon sequestration of 8,160 acres of U.S. Forests for 1 year or 179,543 tree seeding grown for 10 years.

- b. **BUILDING IN WETLANDS:** We are meeting all requirements as set forth by the USACOE relative to the regulatory permits required to construct this project. As evidenced by the attached letter from Wilson Environmental Technologies, we are obtaining the approvals as required under Sect. 404 of the Clean Water Act. The project area contains no NYSDEC wetlands. However, we are following requirements set forth in NYSDEC Article 15 regarding a minimum setback from Woods Creek. The project design, as per the NYSDEC, provides a 50' distance or setback from the stream bed. The bridge that is being erected for service of the panels in the northern portion of the project will be constructed to assure there is no impedance to water flow and will have clearances on both side of the stream to assure no impact on the wetlands plants or wildlife habitats along the stream banks
 - c. **WILDLIFE ACCESS:** It is our intent, after receiving input from the CAB to provide openings in the perimeter fence to allow for wildlife migration to enter and exit the array areas within the fencing. Following the May 24, 2018 CAB meeting, our team contacted the NYSDEC to identify solutions for the CAB's concerns. NYSDER recommended that one-foot (1 ft.) sections of 12" PVC pipe could be used to provide migration corridors through the fence. The final project drawings will include these migration tunnels through the fence at various points on the fence perimeter based on NYSDEC recommendations.
 - d. **POLLINATOR PLANTINGS:** Providing wildflower-rich habitat is the most significant action we can take to support pollinators. Native plants, which are adapted to local soil and climates, and are usually the best sources of nectar and pollen for native pollinators. Incorporating native wildflowers, shrubs and trees into the landscape between the rows of panels will promote local biological diversity and provide shelter and food for a diversity of wildlife. The regional guidelines for these pollinator corridors were developed in collaboration with the USDA and the NYSDEC.
 - e. **SCREENING:** After project review by the Town Planning Board, it was requested that we plant additional trees on the South Eastern perimeter of the project in order to provide additional blockage to Whitehaven Road. Based on their recommendation, we believe the design changes made by our Civil Engineers, will provide adequate screening of the project to residents living on the Whitehaven side of the project.
- 2) **Proof that project will produce solar energy of the amount proposed in the climate of Western New York**

SOLAR PRODUCTION OUTPUT: Our solar energy project output is calculated using metrics developed by the National Renewable Energy Laboratory. The Kwh projected by the NREL are utilized by our project financiers to assure that projects meet the financial revenue expectations required to meet their investment standards. While Western New York has significant snow fall amounts and many overcast days, the myth that New York doesn't get enough sun to make solar worthwhile is totally incorrect. In fact, New York is one of

America's top 10 solar states. Most parts of the state can produce at least 4 kilowatt hours per square meter per day, which is about the same solar power as you'd make in places further south, including most of Pennsylvania and even some parts of West Virginia. And New York gets much more sun than Germany, which is one of the top solar nations in the world.

3) Effect on property values for homes located near to the proposed site

PROPERTY VALUATIONS: Development of Community Solar in the United States is in its infancy. In New York State, there are a limited amount of Community Solar projects completed. There is no data available from any sources that we have examined to determine the impact of solar projects on surrounding property valuations in New York State. We would like to provide a study completed by Kirkland Associates for ESA Renewables for a large scale solar project in North Carolina. At the time the study was completed, there were a substantial amount of community and utility scale solar projects completed in North Carolina. This impact study, which is attached to this response, may offer the board the best validation we have of the impact of a solar project of this size on the property values of homes in close proximity to our project.

4) Financial Stability of the company which will own and operate the proposed project.

FINANCIAL STABILITY: SolarPark Energy and our development partner BayWa, r.e offer significant financial stability to assure that the project will be completed, maintained and operated. BayWa r.e. is a leading global renewable energy developer, service supplier, wholesaler and energy solutions provider. They have operations throughout Europe, North America and Asia-Pacific, and are strategically investing in new and emerging markets. BayWa r.e has the financial backing of BayWa AG, a EUR 16 billion business established for over 90 years. Currently, BayWa has projects in 20 countries with 2000Mgw installed worldwide and is managing over 5000Mgw of production around the globe. As a requirement of our lease agreement with the owners of the property, we are required to maintain a bond to assure that the project, if it is determined to no longer be useful, the property must be returned to its original state. The amount of the bond is based on a third party determination of the costs associated with removal of the equipment and the return of the land to its previous state. The bond must be renewed annually with proof provided to the Town Engineering department of its existence.

If you need any further information regarding our responses above or if we can assist you in gaining a better understanding of the approvals process with NYSDEC or ACOE, please feel free to give me a call.

Thomas J. Guzek
Managing General Partner

Respectfully Submitted

Solar panels drive down property values.

Just the opposite, actually. In communities across North Carolina, clean energy projects like solar are increasing property value which benefits landowners and expands the local tax base. For example, many farmers with solar installed on their land now have a sense of economic security because of the steady stream of income they receive from solar lease payments. Analysis from the survey data in the source below shows that there has been no impact on sale price for residential, agricultural, or vacant residential land that adjoins the existing solar farms included in the study

Center for Energy Education

460 Airport Road

Roanoke Rapids, NC 27870

Phone: (252) 541-3004

Mail: mozine.lowe@center4ee.org

The study is attached.



Kirkland Appraisals, LLC

Richard C. Kirkland, Jr., MAI
9408 Northfield Court
Raleigh, North Carolina 27603
Phone (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

February 12, 2016

Ms. Jessica Galloza
ESA Renewables, LLC
4150 St. Johns Parkway, Suite 1000
Sanford, F32771

RE: Oakwood Solar Impact Study

Dear Ms. Galloza:

At your request, I have considered the likely impact of solar farms proposed to be constructed on 53.74 acres of land located at 6517 US Highway 70, in Mebane, North Carolina. Specifically, I have been asked to give my professional opinion on whether the proposed solar farm will "maintain or enhance adjoining or contiguous property values" and whether "the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located."

To form an opinion on these issues, I have researched and visited existing and proposed solar farms in North Carolina, researched articles through the Appraisal Institute and other studies, and discussed the likely impact with other real estate professionals. I have not been asked to assign any value to any specific property.

This letter is a limited report of a real property appraisal consulting assignment and subject to the limiting conditions attached to this letter. My client is ESA Renewables, LLC, represented to me by Ms. Jessica Galloza. My findings support the Conditional/Special Use Permit application. The effective date of this consultation is February 12, 2016.

Proposed Use Description

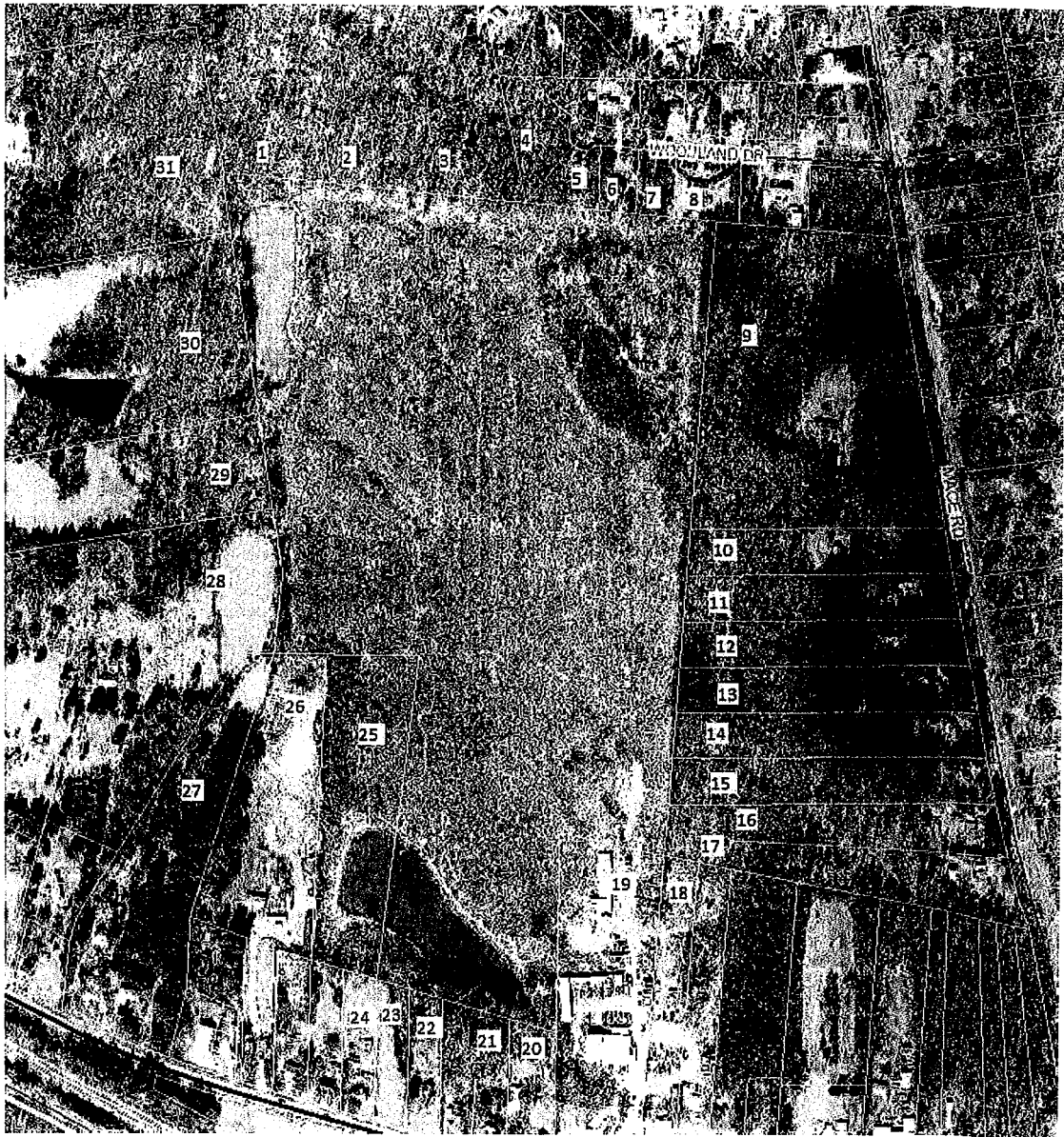
The proposed solar farm will be constructed on 53.74 acres of land located at 6517 US Highway 70, in Mebane, North Carolina.

Adjoining land is primarily residential low density and agricultural uses, which is common for solar farms as detailed later in this report. The solar farm will consist of fixed solar panels that will generate no noise, no odor, and less traffic than a residential subdivision. The panels will be less than 15 feet in height and located behind a chain link fence.

I have considered adjoining uses and included a map to identify each parcel's location. The breakdown of those uses by acreage and number of parcels is summarized below.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	71.98%	96.77%
Agricultural	28.02%	3.23%
Total	100.00%	100.00%

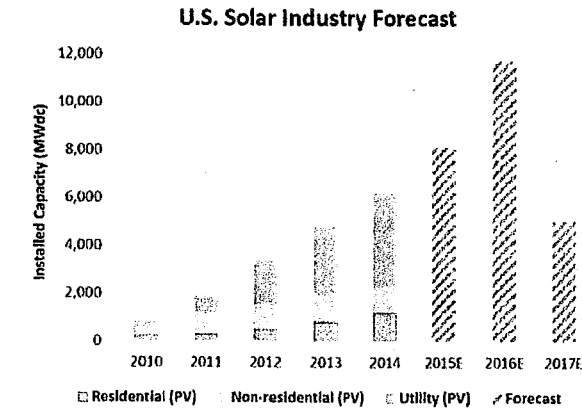


Surrounding Uses

#	MAP ID	Owner	GIS Data		% Adjoining	% Adjoining	Distance in Feet:
			Acres	Present Use	Acres	Parcels	Home to Panels
1	9825948348	Curtis	52.66	Agricultural	28.02%	3.23%	N/A
2	9835037821	Beaver HOA	6.30	Residential	3.35%	3.23%	N/A
3	9835130411	Curtis	2.71	Residential	1.44%	3.23%	N/A
4	9835131231	Ivey	1.02	Residential	0.54%	3.23%	460
5	9835132079	Ivey	0.59	Residential	0.31%	3.23%	N/A
6	9835134009	Ivey	0.48	Residential	0.26%	3.23%	590
7	9835135019	Ivey	0.47	Residential	0.25%	3.23%	N/A
8	9835136180	James	0.82	Residential	0.44%	3.23%	790
9	9835129681	Rhodes	12.33	Residential	6.56%	3.23%	730
10	9835220129	Gilmore	2.29	Residential	1.22%	3.23%	605
11	9835210959	Morgan	2.40	Residential	1.28%	3.23%	835
12	9835210868	Lawson	2.50	Residential	1.33%	3.23%	830
13	9835210575	Foster	2.61	Residential	1.39%	3.23%	855
14	9835210672	Douglas	2.66	Residential	1.42%	3.23%	920
15	9835210582	Riley	2.84	Residential	1.51%	3.23%	1010
16	9835210367	Cordero	2.49	Residential	1.32%	3.23%	1020
17	9835212233	Seifts	3.16	Residential	1.68%	3.23%	1090
18	9835105787	Mace	2.20	Residential	1.17%	3.23%	N/A
19	9835103858	Mace	5.17	Residential	2.75%	3.23%	715
20	9835101614	Hobbey	1.31	Residential	0.70%	3.23%	970
21	9835009723	Murdock	1.34	Residential	0.71%	3.23%	930
22	9835007790	Horne	0.92	Residential	0.49%	3.23%	950
23	9835007703	Mace	0.89	Residential	0.47%	3.23%	N/A
24	9835006716	Ellis	0.90	Residential	0.48%	3.23%	1030
25	9835016318	Mace	4.81	Residential	2.56%	3.23%	N/A
26	9835013165	Najera	5.81	Residential	3.09%	3.23%	710
27	9835011302	Herbert	6.35	Residential	3.38%	3.23%	1250
28	9825918836	Southard	14.82	Residential	7.88%	3.23%	805
29	9825924159	Adams	12.84	Residential	6.83%	3.23%	1950
30	9825926712	Hoover	19.05	Residential	10.13%	3.23%	1165
31	9825937298	Tsiapera	13.23	Residential	7.04%	3.23%	1200
Total			187.970		100.00%	100.00%	931

I. Overview of Solar Farms Development in North Carolina

Across the nation the number of solar installations has dramatically increased over the last few years as changes in technology and the economy made these solar farms more feasible. The charts below show how this market has grown and is expected to continue to grow from 2010 to 2017, the drop off in 2017 is expected due to the expiration of tax credits for solar installations. The U.S. Solar Market Insight Reports for 2010 and 2011 which is put out by the Solar Energy Industries Association note that 2010 was a "breakout" year for solar energy. The continued boom of solar power is shown in the steady growth. North Carolina was ranked as having the second most active photovoltaic installed capacity in 2014.

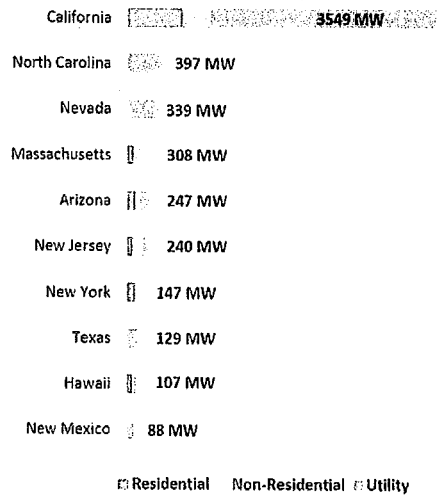


© 2015

GTM RESEARCH

SEIA

2014 Solar PV Installed Capacity



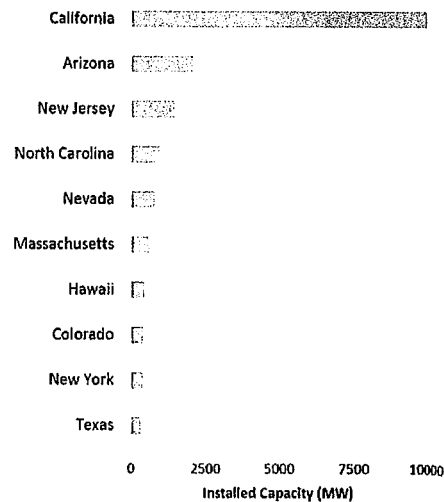
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Cumulative Solar Electric Capacity



GTM RESEARCH

SEIA

As shown in the charts above, North Carolina ranked second in installed solar energy in 2014. North Carolina ranked fifth in cumulative installed solar energy in the United States.

II. Market Analysis of the Impact on Value from Solar Farms

I have researched a number of solar farms in North Carolina to determine the impact of these facilities on the value of adjoining property. I have provided a breakdown of the adjoining uses to show what adjoining uses are typical for solar farms and what uses would likely be considered consistent with a solar farm use. This breakdown is included in the Harmony of Use section of this report.

I also conducted a series of matched pair analyses. A matched pair analysis considers two similar properties with only one difference of note to determine whether or not that difference has any impact on value. Within the appraisal profession, matched pair analysis is a well-recognized method of measuring impact on value. In this case, I have considered residential properties adjoining a solar farm versus similar residential properties that do not adjoin a solar farm. I have also considered matched pairs of vacant residential and agricultural land.

As outlined in the discussion of each matched pair, I concluded from the data and my analysis that there has been no impact on sale price for residential, agricultural, or vacant residential land that adjoins the existing solar farms included in my study.

1. Matched Pair – AM Best Solar Farm, Goldsboro, NC

This solar farm adjoins Spring Garden Subdivision which had new homes and lots available for new construction during the approval and construction of the solar farm. The recent home sales have ranged from \$200,000 to \$250,000. This subdivision sold out the last homes in late 2014. The solar farm is clearly visible particularly along the north end of this street where there is only a thin line of trees separating the solar farm from the single-family homes.

Homes backing up to the solar farm are selling at the same price for the same floor plan as the homes that do not back up to the solar farm in this subdivision. According to the builder, the solar farm has been a complete non-factor. Not only do the sales show no difference in the price paid for the various homes adjoining the solar farm versus not adjoining the solar farm, but there are actually more recent sales along the solar farm than not. There is no impact on the sellout rate, or time to sell for the homes adjoining the solar farm.

I spoke with a number of owners who adjoin the solar farm and none of them expressed any concern over the solar farm impacting their property value.

The data presented on the following page shows multiple homes that have sold in 2013 and 2014 adjoining the solar farm at prices similar to those not along the solar farm. These series of sales indicate that the solar farm has no impact on the adjoining residential use.

The homes that were marketed at Spring Garden are shown below.



Americana
SqFt 3,194
Bed / Bath
3 / 3.5

Price: \$237,900

[View Now »](#)



Washington
SqFt 3,292
Bed / Bath
4 / 3.5

Price: \$244,900

[View Now »](#)



Presidential
SqFt 3,400
Bed / Bath
5 / 3.5

Price: \$247,900

[View Now »](#)



Kennedy
SqFt 3,494
Bed / Bath
5 / 3

Price: \$249,900

[View Now »](#)



Virginia
SqFt 3,449
Bed / Bath
5 / 3

Price: \$259,900

[View Now »](#)

AM Best Solar Farm, Goldsboro, NC**Matched Pairs**

As of Date: 9/3/2014

Adjoining Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600195570	Helm	0.76	Sep-13	\$250,000	2013	3,292	\$75.94	2 Story
3600195361	Leak	1.49	Sep-13	\$260,000	2013	3,652	\$71.19	2 Story
3600199891	McBrayer	2.24	Jul-14	\$250,000	2014	3,292	\$75.94	2 Story
3600198632	Foresman	1.13	Aug-14	\$253,000	2014	3,400	\$74.41	2 Story
3600196656	Hinson	0.75	Dec-13	\$255,000	2013	3,453	\$73.85	2 Story
	Average	1.27		\$253,600	2013.4	3,418	\$74.27	
	Median	1.13		\$253,000	2013	3,400	\$74.41	

Adjoining Sales After Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
0	Feddersen	1.56	Feb-13	\$247,000	2012	3,427	\$72.07	Ranch
0	Gentry	1.42	Apr-13	\$245,000	2013	3,400	\$72.06	2 Story
	Average	1.49		\$246,000	2012.5	3,414	\$72.07	
	Median	1.49		\$246,000	2012.5	3,414	\$72.07	

Adjoining Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600183905	Carter	1.57	Dec-12	\$240,000	2012	3,347	\$71.71	1.5 Story
3600193097	Kelly	1.61	Sep-12	\$198,000	2012	2,532	\$78.20	2 Story
3600194189	Hadwan	1.55	Nov-12	\$240,000	2012	3,433	\$69.91	1.5 Story
	Average	1.59		\$219,000	2012	2,940	\$74.95	
	Median	1.59		\$219,000	2012	2,940	\$74.95	

Nearby Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600193710	Barnes	1.12	Oct-13	\$248,000	2013	3,400	\$72.94	2 Story
3601105180	Nackley	0.95	Dec-13	\$253,000	2013	3,400	\$74.41	2 Story
3600192528	Mattheis	1.12	Oct-13	\$238,000	2013	3,194	\$74.51	2 Story
3600198928	Beckman	0.93	Mar-14	\$250,000	2014	3,292	\$75.94	2 Story
3600196965	Hough	0.81	Jun-14	\$224,000	2014	2,434	\$92.03	2 Story
3600193914	Preskitt	0.67	Jun-14	\$242,000	2014	2,825	\$85.66	2 Story
3600194813	Bordner	0.91	Apr-14	\$258,000	2014	3,511	\$73.48	2 Story
3601104147	Shaffer	0.73	Apr-14	\$255,000	2014	3,453	\$73.85	2 Story
	Average	0.91		\$246,000	2013.625	3,189	\$77.85	
	Median	0.92		\$249,000	2014	3,346	\$74.46	

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600191437	Thomas	1.12	Sep-12	\$225,000	2012	3,276	\$68.68	2 Story
3600087968	Lilley	1.15	Jan-13	\$238,000	2012	3,421	\$69.57	1.5 Story
3600087654	Burke	1.26	Sep-12	\$240,000	2012	3,543	\$67.74	2 Story
3600088796	Hobbs	0.73	Sep-12	\$228,000	2012	3,254	\$70.07	2 Story
	Average	1.07		\$232,750	2012	3,374	\$69.01	
	Median	1.14		\$233,000	2012	3,349	\$69.13	

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	\$253,600	\$253,000	\$246,000	\$249,000
Year Built	2013	2013	2014	2014
Size	3,418	3,400	3,189	3,346
Price/SF	\$74.27	\$74.41	\$77.85	\$74.46

Percentage Differences

Median Price	-2%
Median Size	-2%
Median Price/SF	0%

I note that 2308 Granville Drive sold again in November 2015 for \$267,500, or \$7,500 more than when it was purchased new from the builder two years earlier (Tax ID 3600195361, Owner: Leak). The neighborhood is clearly showing appreciation for homes adjoining the solar farm.

The Median Price is the best indicator to follow in any analysis as it avoids outlying samples that would otherwise skew the results. The median sizes and median prices are all consistent throughout the sales both before and after the solar farm whether you look at sites adjoining or nearby to the solar farm. The average for the homes nearby the solar farm shows a smaller building size and a higher price per square foot. This reflects a common occurrence in real estate where the price per square foot goes up as the size goes down. This is similar to the discount you see in any market where there is a discount for buying larger volumes. So when you buy a 2 liter coke you pay less per ounce than if you buy a 16 oz. coke. So even comparing averages the indication is for no impact, but I rely on the median rates as the most reliable indication for any such analysis.

AM Best Solar Farm, Goldsboro, NC



View of home in Spring Garden with solar farm located through the trees and panels – photo taken on 9/23/15.



View from vacant lot at Spring Garden with solar farm panels visible through trees taken in the winter of 2014 prior to home construction. This is the same lot as the photo above.

2. Matched Pair – White Cross Solar Farm, Chapel Hill, NC

A new solar farm was built at 2159 White Cross Road in Chapel Hill, Orange County in 2013. After construction, the owner of the underlying land sold the balance of the tract not encumbered by the solar farm in July 2013 for \$265,000 for 47.20 acres, or \$5,606 per acre. This land adjoins the solar farm to the south and was clear cut of timber around 10 years ago. I compared this purchase to a nearby transfer of 59.09 acres of timber land just south along White Cross Road that sold in November 2010 for \$361,000, or \$6,109 per acre. After purchase, this land was divided into three mini farm tracts of 12 to 20 acres each. These rates are very similar and the difference in price per acre is attributed to the timber value and not any impact of the solar farm.

Type	TAX ID	Owner	Acres	Date	Price	\$/Acre	Notes	Conf By
Adjoins Solar	9748336770	Haggerty	47.20	Jul-13	\$265,000	\$5,614	Clear cut	Betty Cross, broker
Not Near Solar	9747184527	Purcell	59.09	Nov-10	\$361,000	\$6,109	Wooded	Dickie Andrews, broker

The difference in price is attributed to the trees on the older sale.

No impact noted for the adjacency to a solar farm according to the broker.

I looked at a number of other nearby land sales without proximity to a solar farm for this matched pair, but this land sale required the least allowance for differences in size, utility and location.

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	\$5,614	\$5,614	\$6,109	\$6,109
Adjustment for Timber	\$500	\$500		
Adjusted	\$6,114	\$6,114	\$6,109	\$6,109
Tract Size	47.20	47.20	59.09	59.09

Percentage Differences

Median Price Per Acre	0%
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This matched pair again supports the conclusion that adjacency to a solar farm has no impact on adjoining residential/agricultural land.

3. Matched Pair – Wagstaff Farm, Roxboro, NC

This solar farm is located at the northeast corner of a 594-acre farm with approximately 30 acres of solar farm area. This solar farm was approved and constructed in 2013.

After approval, 18.82 acres were sold out of the parent tract to an adjoining owner to the south. This sale was at a similar price to nearby land to the east that sold in the same time from for the same price per acre as shown below.

Type	TAX ID	Owner	Acres	Present Use	Date Sold	Price	\$/AC
Adjoins Solar	0918-17-11-7960	Piedmont	18.82	Agricultural	8/19/2013	\$164,000	\$8,714
Not Near Solar	0918-00-75-9812 et al	Blackwell	14.88	Agricultural	12/27/2013	\$130,000	\$8,739

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	\$8,714	\$8,714	\$8,739	\$8,739
Tract Size	18.82	18.82	14.88	14.88

Percentage Differences

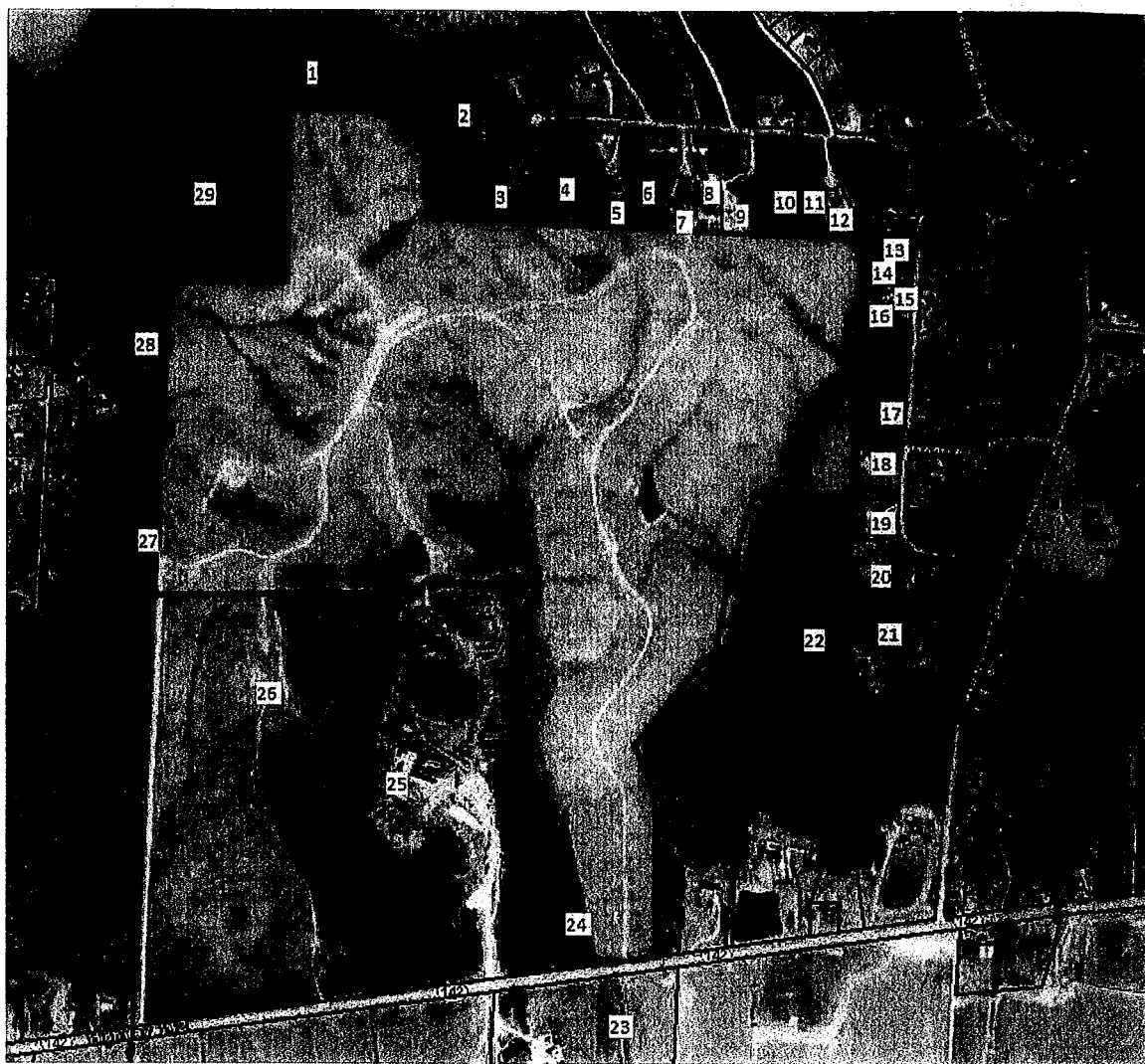
Median Price Per Acre 0%

This matched pair again supports the conclusion that adjacency to a solar farm has no impact on adjoining residential/agricultural land.

4. Matched Pair – Mulberry, Selmer, TN

This solar farm adjoins two subdivisions with Central Hills having a mix of existing and new construction homes. Lots in this development have been marketed for \$15,000 each with discounts offered for multiple lots being used for a single home site. I spoke with the agent with Rhonda Wheeler and Becky Hearnberger with United County Farm & Home Realty who noted that they have seen no impact on lot or home sales due to the solar farm in this community.

I have included a map below as well as data on recent sales activity on lots that adjoin the solar farm or are near the solar farm in this subdivision both before and after the announced plan for this solar farm facility. I note that using the same method I used to breakdown the adjoining uses at the subject property I show that the predominant adjoining uses are residential and agricultural, which is consistent with the location of most solar farms.



Adjoining Use Breakdown

	Acreage	Parcels
Commercial	3.40%	0.034
Residential	12.84%	79.31%
Agri/Res	10.39%	3.45%
Agricultural	73.37%	13.79%
Total	100.00%	100.00%

From the above map, I identified four recent sales of homes that occurred adjoining the solar farm both before and after the announcement of the solar farm. I have adjusted each of these for differences in size and age in order to compare these sales among themselves. As shown below after adjustment, the median value is \$130,776 and the sales prices are consistent with one outlier which is also the least comparable home considered. The close grouping and the similar price per point overall as well as the similar price per square foot both before and after the solar farm.

Matched Pairs

#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	\$/GBA	Style	Parking
6&7	0900 A 011.00	Henson	Jul-14	\$130,000	2.65	2007	1,511	\$86.04	1 Story	2 Garage
12	0900 A 003.00	Amerson	Aug-12	\$130,000	1.20	2011	1,586	\$81.97	1 Story	2 Garage
15	099C A 003.00	Smallwood	May-12	\$149,900	1.00	2002	1,596	\$93.92	1 Story	4 Garage
16	099C A 002.00	Hessing	Jun-15	\$130,000	1.00	1999	1,782	\$72.95	1 Story	2 Garage
		Average		\$134,975	1.46	2005	1,619	\$83.72		
		Median		\$130,000	1.10	2005	1,591	\$84.00		

Adjustments*

#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
6&7	0900 A 011.00	Henson	Jul-14	\$130,000	-\$7,500	\$2,600	\$6,453	\$0	\$0	\$131,553
12	0900 A 003.00	Amerson	Aug-12	\$130,000	\$0	\$0	\$0	\$0	\$0	\$130,000
15	099C A 003.00	Smallwood	May-12	\$149,900	\$0	\$6,746	-\$939	\$0	-\$15,000	\$140,706
16	099C A 002.00	Hessing	Jun-15	\$130,000	\$0	\$7,800	-\$14,299	\$0	\$0	\$123,501
		Average		\$134,975	-\$1,875	\$4,286	-\$2,196	\$0	-\$3,750	\$131,440
		Median		\$130,000	\$0	\$4,673	-\$470	\$0	\$0	\$130,776

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

I also considered a number of similar home sales nearby that were both before and after the solar farm was announced as shown below. These homes are generally newer in construction and include a number of larger homes but show a very similar price point per square foot.

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	\$/GBA	Style	Parking
099B A 019	Durrance	Sep-12	\$165,000	1.00	2012	2,079	\$79.37	1 Story	2 Garage
099B A 021	Berryman	Apr-12	\$212,000	2.73	2007	2,045	\$103.67	1 Story	2 Garage
0900 A 060	Nichols	Feb-13	\$165,000	1.03	2012	1,966	\$83.93	1 Story	2 Garage
	Average		\$180,667	1.59	2010	2,030	\$88.99		
	Median		\$165,000	1.03	2012	2,045	\$83.93		

Nearby Sales After Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	\$/GBA	Style	Parking
090N A 040	Carrithers	Mar-15	\$120,000	1.00	2010	1,626	\$73.80	1 Story	2 Garage
099C A 043	Cherry	Feb-15	\$148,900	2.34	2008	1,585	\$93.94	1 Story	2 Garage
	Average		\$134,450	1.67	2009	1,606	\$83.87		
	Median		\$134,450	1.67	2009	1,606	\$83.87		

I then adjusted these nearby sales using the same criteria as the adjoining sales to derive the following breakdown of adjusted values based on a 2011 year built 1,586 square foot home. The adjusted values are consistent with a median rate of \$128,665, which is actually lower than the values for the homes that back up to the solar farm.

Nearby Sales Adjusted

Nearby Sales Adjusted				Adjustments*						
TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total	
099B A 019	Durrance	Sep-12	\$165,000	\$0	-\$825	-\$39,127	\$0	\$0	\$125,048	
099B A 021	Berryman	Apr-12	\$212,000	-\$7,500	\$4,240	-\$47,583	\$0	\$0	\$161,157	
090O A 060	Nichols	Feb-13	\$165,000	\$0	-\$825	-\$31,892	\$0	\$0	\$132,283	
090N A 040	Carrithers	Mar-15	\$120,000	\$0	\$600	-\$2,952	\$0	\$0	\$117,648	
099C A 043	Cherry	Feb-15	\$148,900	-\$7,500	\$2,234	\$94	\$0	\$0	\$143,727	
	Average	✓	\$165,500	✓	-\$1,875	\$798	-\$30,389	✓	\$0	\$134,034
	Median	✓	\$165,000	✓	\$0	-\$113	-\$35,510	✓	\$0	\$128,665

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

If you consider just the 2015 nearby sales, the range is \$117,648 to \$143,727 with a median of \$130,688. If you consider the recent adjoining sales the range is \$123,501 to \$131,553 with a median of \$127,527.

This difference is less than 3% in the median and well below the standard deviation in the sales. The entire range of the adjoining sales prices is overlapped by the range from the nearby sales. These are consistent data sets and summarized below.

Matched Pair Summary

	Adjoins Solar Farm		Nearby After Solar Farm	
	Average	Median	Average	Median
Sales Price	\$134,975	\$130,000	\$134,450	\$134,450
Year Built	2005	2005	2009	2009
Size	1,619	1,591	1,606	1,606
Price/SF	\$83.72	\$84.00	\$83.87	\$83.87

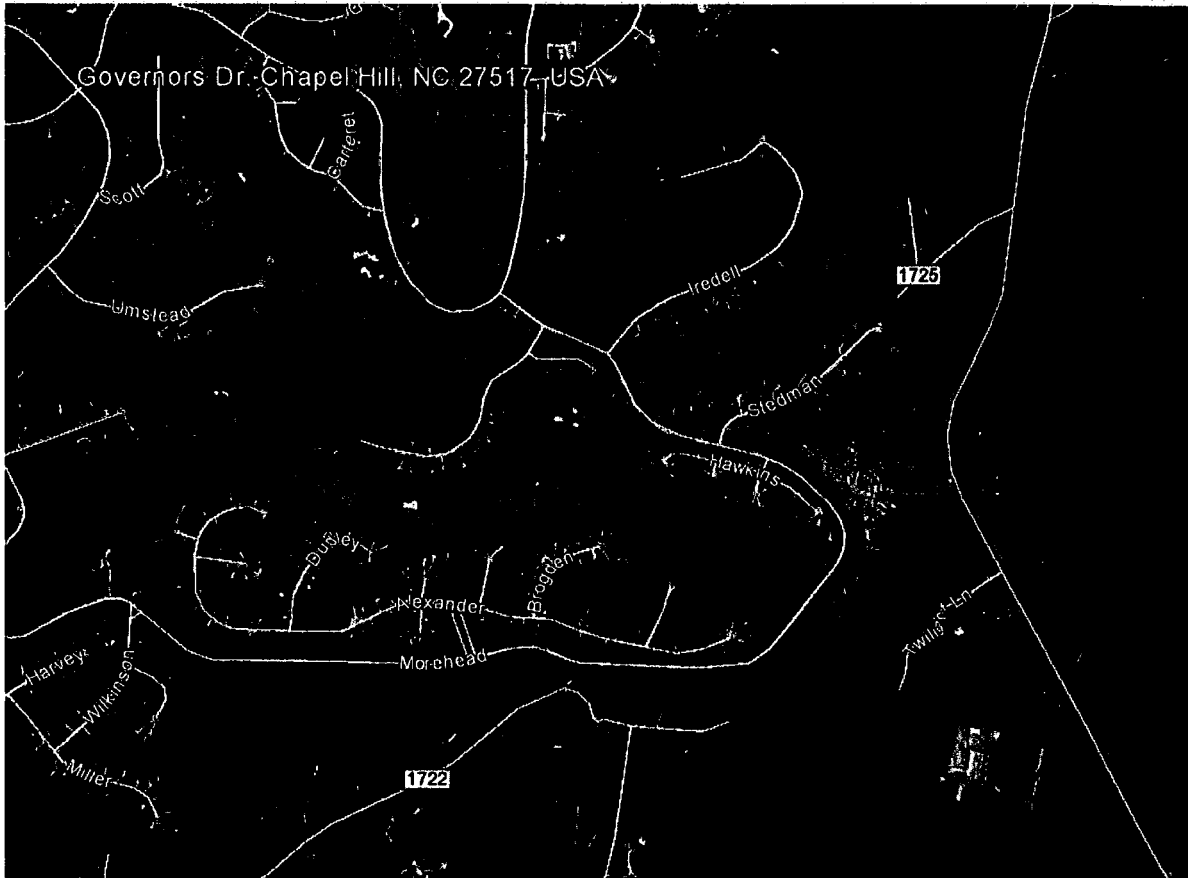
Percentage Differences

Median Price	3%
Median Size	1%
Median Price/SF	0%

Based on the data presented above, I find that the price per square foot for finished homes are not being impacted negatively by the presence of the solar farm. The difference in pricing in homes in the neighborhood is accounted for by differences in size, building age, and lot size. The median price for a home after those factors are adjusted for are consistent throughout this subdivision and show no impact due to the proximity of the solar farm. This is consistent with the comments from the broker I spoke with for this subdivision as well.

III. Harmony of Use/Compatability

I have visited over 170 solar farms and sites on which solar farms are proposed in North Carolina to determine what uses are compatible with a solar farm. The data I have collected and provide in this report strongly supports the compatibility of solar farms with adjoining agricultural and residential uses. While I have focused on adjoining uses, I note that there are many examples of solar farms being located within a quarter mile of residential developments, including such notable developments as Governor's Club in Chapel Hill, which has a solar farm within a quarter mile as you can see on the following aerial map. Governor's Club is a gated golf community with homes selling for \$300,000 to over \$2 million.



The subdivisions included in the matched pair analysis also show an acceptance of residential uses adjoining solar farms as a harmonious use.

Beyond these anecdotal references, I have quantified the adjoining uses for a number of solar farm comparables to derive a breakdown of the adjoining uses for each solar farm. The chart below shows the breakdown of adjoining or abutting uses by total acreage. While most of these solar farms were located in North Carolina, the breakdown of adjoining uses is very similar to that shown for Oregon as shown earlier in this report.

Percentage By Adjoining Acreage

Total Solar Farms Reviewed		173							
	Res	Ag	Res/AG	Park	Sub	Comm	Ind	All Res Uses	All Comm Uses
Average	13%	57%	22%	1%	0%	0%	5%	94%	5%
Median	6%	63%	7%	0%	0%	0%	0%	100%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.

I have also included a breakdown of each solar farm by number of adjoining parcels rather than acreage. Using both factors provides a more complete picture of the neighboring properties.

Percentage By Total Number of Adjoining Parcels

Total Solar Farms Reviewed		173							
	Res	Ag	Res/AG	Park	Sub	Comm	Ind	All Res Uses	All Comm Uses
Average	58%	27%	9%	0%	0%	2%	4%	94%	5%
Median	63%	25%	4%	0%	0%	0%	0%	100%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.

Both of the above charts show a marked residential and agricultural adjoining use for most solar farms. Every single solar farm considered included an adjoining residential use except for one, which included an adjoining residential/agricultural use. These comparable solar farms clearly support a compatibility with adjoining residential uses along with agricultural uses.

IV. Specific Factors on Harmony of Use

I have completed a number of Impact Studies related to a variety of uses and I have found that the most common areas for impact on adjoining values typically follow the following hierarchy with descending levels of potential impact. I will discuss each of these categories and how they relate to a solar farm.

1. Hazardous material
2. Odor
3. Noise
4. Traffic
5. Stigma
6. Appearance

1. Hazardous material

The solar farm presents no potential hazardous waste byproduct as part of normal operation. Any fertilizer, weed control, vehicular traffic, or construction will be significantly less than typically applied in a residential development or even most agricultural uses.

The various solar farms that I have inspected and identified in the addenda have no known pending environmental impacts associated with the development and operation.

2. Odor

The various solar farms that I have inspected produced no noticeable odor.

3. Noise

These are passive solar panels with no associated noise beyond a barely audible sound during daylight hours. The transformer reportedly has a hum similar to a fluorescent light in an office building that can only be heard in close proximity to this transformer and the buffers on the property are sufficient to make emitted sounds inaudible from the adjoining properties. No sound is emitted from the facility at night.

The various solar farms that I have inspected were inaudible from the roadways. I heard nothing on any of these sites associated with the solar farm.

4. Traffic

The solar farm will have no onsite employee's or staff. The site requires only minimal maintenance. Relative to other potential uses of the site (such as a residential subdivision), the additional traffic generated by a solar farm use on this site is insignificant.

5. Stigma

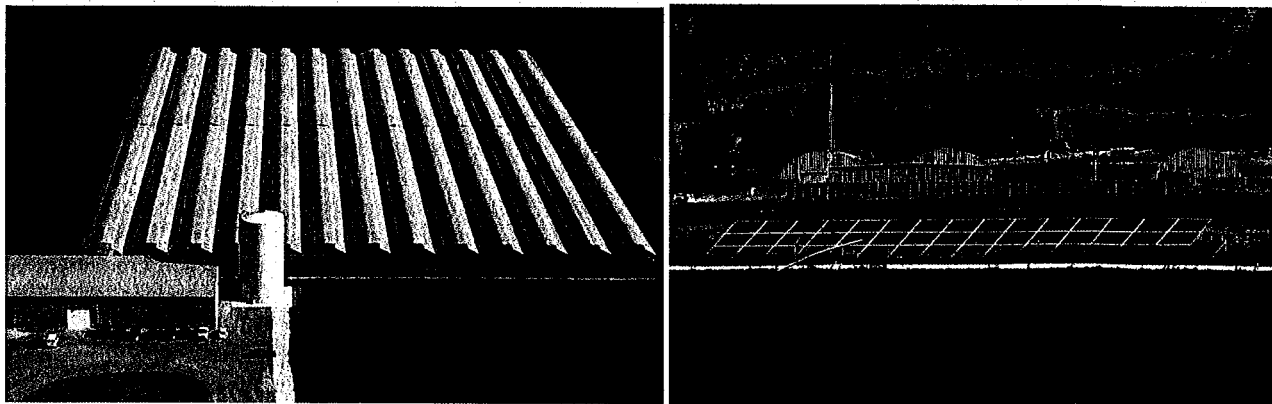
There is no stigma associated with solar farms and solar farms and people generally respond favorably towards such a use. While an individual may express concerns about proximity to a solar farm, there is no specific stigma associated with a solar farm. Stigma generally refers to things such as adult establishments, prisons, rehabilitation facilities, and so forth.

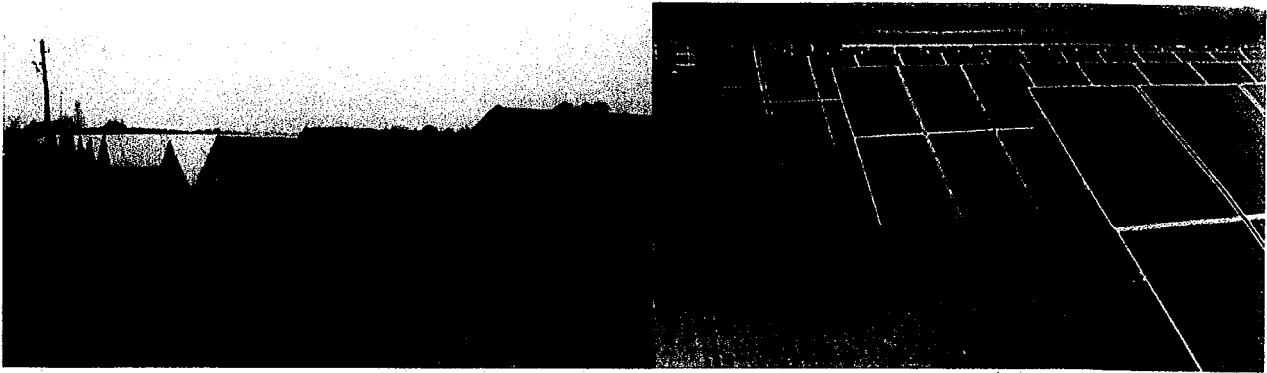
Solar panels have no associated stigma and in smaller collections are found in yards and roofs in many residential communities. Solar panels on a roof are often cited as an enhancement to the property in marketing brochures.

I see no basis for an impact from stigma due to a solar farm.

6. Appearance

Larger solar farms using fixed panels are a passive use of the land that is considered in keeping with a rural/residential area. As shown below, solar farms are comparable to larger greenhouses. This is not surprising given that a greenhouse is essentially another method for collecting passive solar energy. The greenhouse use is well received in residential/rural areas and has a similar visual impact as a solar farm.





The fixed solar panels are all less than 15 feet high, which means that the visual impact of the solar panels will be similar in height to a typical greenhouse and lower than a single story residential dwelling. Were the subject property developed with single family housing, it would have a much greater visual impact on the surrounding area given that a two-story home with attic could be three to four times as high as these proposed panels. The panels will be located behind a chain link fence.

7. Conclusion

On the basis of the factors described above, it is my professional opinion that the proposed solar farm will be in harmony with the area in which it is to be developed. The breakdown of adjoining uses is similar to the other solar farms tracked.

V. Market Commentary

I have surveyed a number of builders, developers and investors regarding solar farms over the last year. I have received favorable feedback from a variety of sources; below are excerpts from my conversations with different clients or other real estate professionals.

I spoke with Betty Cross with Keller Williams Realty in Chapel Hill, who sold the tract of land adjoining the White Cross Road solar farm. She indicated that the solar farm was not considered a negative factor in marketing the property and that it had no impact on the final price paid for the land.

I spoke with Lynn Hayes a broker with Berkshire Hathaway who sold a home at the entrance to Pickards Mountain where the home exits onto the Pickard Mountain Eco Institute's small solar farm. This property is located in rural Orange County west of Chapel Hill. This home closed in January 2014 for \$735,000. According to Ms. Hayes the buyer was excited to be living near the Eco Institute and considered the solar farm to be a positive sign for the area. There are currently a number of 10 acre plus lots in Pickards Meadow behind this house with lots on the market for \$200,000 to \$250,000.

A new solar farm was built on Zion Church Road, Hickory at the Two Lines Solar Farm on the Punch property. After construction of the solar farm in 2013, an adjoining tract of land with 88.18 acres sold for \$250,000, or \$2,835 per acre. This was a highly irregular tract of land with significant tree cover between it and the solar farm. I have compared this to a current listing of 20.39 acres of land that is located southeast just a little ways from this solar farm. This land is on the market for \$69,000, or \$3,428 per acre. Generally, a smaller tract of land would be listed for more per acre. Considering a size adjustment of 5% per doubling in size, and a 10% discount for the likely drop in the closed price off of the asking price, I derive an indicated value per acre of the smaller tract of \$2,777 per acre. This is very similar to the recently closed sale adjoining the solar farm, which further supports the matched pair analysis earlier in this report.

Rex Vick with Windjam Developers has a subdivision in Chatham County off Mt. Gilead Church Road known as The Hamptons. Home prices in The Hamptons start at \$600,000 with homes over \$1,000,000. Mr. Vick expressed interest in the possibility of including a solar farm section to the development as a possible additional marketing tool for the project.

Mr. Eddie Bacon, out of Apex North Carolina, has inherited a sizeable amount of family and agricultural land, and he has expressed interest in using a solar farm as a method of preserving the land for his children and grandchildren while still deriving a useful income from the property. He believes that solar panels would not in any way diminish the value for this adjoining land.

I spoke with Carolyn Craig, a Realtor in Kinston, North Carolina who is familiar with the Strata Solar Farms in the area. She noted that a solar farm in the area would be positive: "A solar farm is color coordinated and looks nice." "A solar farm is better than a turkey farm," which is allowed in that area. She would not expect a solar farm will have any impact on adjoining home prices in the area.

Mr. Michael Edwards, a broker and developer in Raleigh, indicated that a passive solar farm would be a great enhancement to adjoining property: "You never know what might be put on that land next door. There is no noise with a solar farm like there is with a new subdivision."

These are just excerpts I've noted in my conversations with different clients or other real estate participants that provided other thoughts on the subject that seemed applicable.

VI. Conclusion

The matched pair analysis shows no impact in home values due to the adjacency to the solar farm as well as no impact to adjacent vacant residential or agricultural land. The criteria for making downward adjustments on property values such as appearance, noise, odor, and traffic all indicate that a solar farm is a compatible use for rural/residential transition areas.

Similar solar farms have been approved adjoining agricultural uses, schools and residential developments. Industrial uses rarely absorb negative impacts from adjoining uses. The adjoining residential uses to other solar farms have included single family homes up to \$260,000 on lots as small as 0.74 acres. The solar farm at the Pickards Mountain Eco Institute adjoins a home that sold in January 2014 for \$735,000 and in proximity to lots being sold for \$200,000 to \$250,000 for homes over a million dollars.

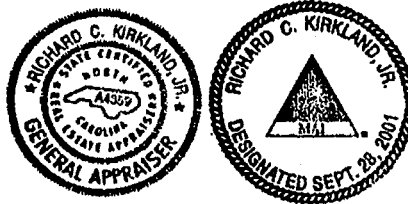
Based on the data and analysis in this report, it is my professional opinion that the solar farm proposed at the subject property will maintain or enhance the value of adjoining or abutting property and that the proposed use is in harmony with the area in which it is located.

If you have any further questions please call me any time.

Sincerely,



Richard C. Kirkland, Jr., MAI
State Certified General Appraiser



Limiting Conditions and Assumptions

Acceptance of and/or use of this report constitutes acceptance of the following limiting conditions and assumptions; these can only be modified by written documents executed by both parties.

- ❖ The basic limitation of this and any appraisal is that the appraisal is an opinion of value, and is, therefore, not a guarantee that the property would sell at exactly the appraised value. The market price may differ from the market value, depending upon the motivation and knowledge of the buyer and/or seller, and may, therefore, be higher or lower than the market value. The market value, as defined herein, is an opinion of the probable price that is obtainable in a market free of abnormal influences.
- ❖ I do not assume any responsibility for the legal description provided or for matters pertaining to legal or title considerations. I assume that the title to the property is good and marketable unless otherwise stated.
- ❖ I am appraising the property as though free and clear of any and all liens or encumbrances unless otherwise stated.
- ❖ I assume that the property is under responsible ownership and competent property management.
- ❖ I believe the information furnished by others is reliable, but I give no warranty for its accuracy.
- ❖ I have made no survey or engineering study of the property and assume no responsibility for such matters. All engineering studies prepared by others are assumed to be correct. The plot plans, surveys, sketches and any other illustrative material in this report are included only to help the reader visualize the property. The illustrative material should not be considered to be scaled accurately for size.
- ❖ I assume that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. I take no responsibility for such conditions or for obtaining the engineering studies that may be required to discover them.
- ❖ I assume that the property is in full compliance with all applicable federal, state, and local laws, including environmental regulations, unless the lack of compliance is stated, described, and considered in this appraisal report.
- ❖ I assume that the property conforms to all applicable zoning and use regulations and restrictions unless nonconformity has been identified, described and considered in this appraisal report.
- ❖ I assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
- ❖ I assume that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in this report.
- ❖ I am not qualified to detect the presence of floodplain or wetlands. Any information presented in this report related to these characteristics is for this analysis only. The presence of floodplain or wetlands may affect the value of the property. If the presence of floodplain or wetlands is suspected the property owner would be advised to seek professional engineering assistance.
- ❖ For this appraisal, I assume that no hazardous substances or conditions are present in or on the property. Such substances or conditions could include but are not limited to asbestos, urea-formaldehyde foam insulation, polychlorinated biphenyls (PCBs), petroleum leakage or underground storage tanks, electromagnetic fields, or agricultural chemicals. I have no knowledge of any such materials or conditions unless otherwise stated. I make no claim of technical knowledge with regard to testing for or identifying such hazardous materials or conditions. The presence of such materials, substances or conditions could affect the value of the property. However, the values estimated in this report are predicated on the assumption that there are no such materials or conditions in, on or in close enough proximity to the property to cause a loss in value. The client is urged to retain an expert in this field, if desired.
- ❖ Unless otherwise stated in this report the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the

Americans with Disabilities Act (effective 1/26/92). The presence of architectural and/or communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.

- ❖ Any allocation of the total value estimated in this report between the land and the improvements applies only under the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- ❖ Possession of this report, or a copy thereof, does not carry with it the right of publication.
- ❖ I have no obligation, by reason of this appraisal, to give further consultation or testimony or to be in attendance in court with reference to the property in question unless further arrangements have been made regarding compensation to Kirkland Appraisals, LLC.
- ❖ Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of Kirkland Appraisals, LLC, and then only with proper qualifications.
- ❖ Any value estimates provided in this report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in the report.
- ❖ Any income and expenses estimated in this report are for the purposes of this analysis only and should not be considered predictions of future operating results.
- ❖ This report is not intended to include an estimate of any personal property contained in or on the property, unless otherwise stated.
- ❖ This report is subject to the Code of Professional Ethics of the Appraisal Institute and complies with the requirements of the State of North Carolina for State Certified General Appraisers. This report is subject to the certification, definitions, and assumptions and limiting conditions set forth herein.
- ❖ The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, our interpretation of the guidelines and recommendations set forth in the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).
- ❖ This is a Real Property Appraisal Consulting Assignment.

Certification – Richard C. Kirkland, Jr., MAI

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;
3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results;
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal;
7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;
8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
10. I have not made a personal inspection of the property that is the subject of this report, and;
11. No one provided significant real property appraisal assistance to the person signing this certification.
12. As of the date of this report I have completed the requirements of the continuing education program of the Appraisal Institute;
13. I have not appraised this property within the last three years.

Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the Appraisal Institute and the National Association of Realtors.

Neither all nor any part of the contents of this appraisal report shall be disseminated to the public through advertising media, public relations media, news media, or any other public means of communications without the prior written consent and approval of the undersigned.




Richard C. Kirkland, Jr., MAI
State Certified General Appraiser



Kirkland Appraisals, LLC

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9408 Northfield Court
Raleigh, North Carolina 27603
Mobile (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

PROFESSIONAL EXPERIENCE

Kirkland Appraisals, LLC , Raleigh, N.C. Commercial appraiser	2003 – Present
Hester & Company , Raleigh, N.C. Commercial appraiser	1996 – 2003

PROFESSIONAL AFFILIATIONS

MAI (Member, Appraisal Institute) designation #11796	2001
NC State Certified General Appraiser # A4359	1999
VA State Certified General Appraiser # 4001017291	
OR State Certified General Appraiser # C001204	
SC State Certified General Appraiser # 6209	

EDUCATION

Bachelor of Arts in English , University of North Carolina, Chapel Hill	1993
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CONTINUING EDUCATION

Uniform Standards of Professional Appraisal Practice Update	2016
Forecasting Revenue	2015
Wind Turbine Effect on Value	2015
Supervisor/Trainee Class	2015
Business Practices and Ethics	2014
Subdivision Valuation	2014
Uniform Standards of Professional Appraisal Practice Update	2014
Introduction to Vineyard and Winery Valuation	2013
Appraising Rural Residential Properties	2012
Uniform Standards of Professional Appraisal Practice Update	2012
Supervisors/Trainees	2011
Rates and Ratios: Making sense of GIMs, OARs, and DCFs	2011
Advanced Internet Search Strategies	2011
Analyzing Distressed Real Estate	2011
Uniform Standards of Professional Appraisal Practice Update	2011
Business Practices and Ethics	2011
Appraisal Curriculum Overview (2 Days – General)	2009
Appraisal Review - General	2009
Uniform Standards of Professional Appraisal Practice Update	2008
Subdivision Valuation: A Comprehensive Guide	2008
Office Building Valuation: A Contemporary Perspective	2008
Valuation of Detrimental Conditions in Real Estate	2007
The Appraisal of Small Subdivisions	2007
Uniform Standards of Professional Appraisal Practice Update	2006
Evaluating Commercial Construction	2005

Conservation Easements	2005
Uniform Standards of Professional Appraisal Practice Update	2004
Condemnation Appraising	2004
Land Valuation Adjustment Procedures	2004
Supporting Capitalization Rates	2004
Uniform Standards of Professional Appraisal Practice, C	2002
Wells and Septic Systems and Wastewater Irrigation Systems	2002
Appraisals 2002	2002
Analyzing Commercial Lease Clauses	2002
Conservation Easements	2000
Preparation for Litigation	2000
Appraisal of Nonconforming Uses	2000
Advanced Applications	2000
Highest and Best Use and Market Analysis	1999
Advanced Sales Comparison and Cost Approaches	1999
Advanced Income Capitalization	1998
Valuation of Detrimental Conditions in Real Estate	1999
Report Writing and Valuation Analysis	1999
Property Tax Values and Appeals	1997
Uniform Standards of Professional Appraisal Practice, A & B	1997
Basic Income Capitalization	1996

Town of Grand Island
2255 Baseline Road
Grand Island, New York 14072

Department of Environmental Conservation
Urban and Community Forestry Round 14 Grant Program
2018 Request for Funding

Authorizing Resolution:

WHEREAS, the Grand Island Town Board, in coordination with the Grand Island Conservation Advisory Board, desires to complete a comprehensive Town-wide inventory and assessment of trees located within the Grand Island right-of-way along streets and municipal properties;

WHEREAS, the Town of Grand Island will procure professional services to complete the comprehensive Town-wide Tree Inventory and Assessment and incorporate the reported data into a detailed Community Forestry Management Plan;

WHEREAS, the Grand Island Town Board has endorsed an application requesting an amount not to exceed the maximum available grant funds of \$50,000 for financial assistance through Round 14 of the Urban and Community Forestry Program (UCF) administered by the New York State Department of Environmental Conservation in the form of grant funding;

THEREFORE BE IT RESOLVED, that Mr. Nathan McMurray, as Supervisor of the Town of Grand Island, is hereby authorized and directed to file an application to the New York State Department of Environmental Conservation's Urban and Community Forestry Program for funds in an amount not to exceed \$50,000 for a comprehensive town-wide tree inventory and assessment.