

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: November 19, 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	<b><u>ROLL CALL:</u></b> Town Clerk	
II	<b><u>INVOCATION:</u></b> CrossRiver Ministries	
III	<b><u>PLEDGE:</u></b> Councilman Peter Marston, Jr. <b><u>PROCLAMATION:</u></b> 1. Light Up The Boulevard 2018	
IV	<b><u>PUBLIC COMMENTS:</u></b> - AGENDA ITEMS ONLY	
V	<b><u>PUBLIC HEARING:</u></b> 1. Create Lighting District #65 – Country Club Cottages Phase III	
VI	<b><u>MINUTES:</u></b> 1. Approve Minutes of Workshop Meeting #35, November 5, 2018 2. Approve Minutes of Regular Meeting #20, November 5, 2018 3. Approve Minutes of Workshop Meeting #36, November 8, 2018	
VII	<b><u>CONSENT AGENDA:</u></b> 1. Meeting Minutes – Conservation Advisory Board – September 27, 2018 2. Golden Age Center – Facility Usage – October 2018 3. Meeting Minutes – Zoning Board of Appeals – October 4, 2018 4. Meeting Minutes – Community Emergency Response Team (CERT) – October 2, 2018 5. Meeting Minutes – Planning Board – October 9, 2018 <b><u>COMMUNICATIONS –TOWN BOARD:</u></b>	
VIII	<b><u>SUPERVISOR NATHAN D. McMURRAY:</u></b> 1. Authorize Supervisor to Sign Proposal – Appraisal of Four Parcels 2. Agriculture and Farmland Planning Committee <b><u>COMMUNICATIONS – OTHER TOWN OFFICIALS:</u></b>	
IX	<b><u>DEPARTMENT OF ENGINEERING &amp; WATER RESOURCES – ROBERT H. WESTFALL:</u></b> 1. Change Order No. 1 – Scenic Woods Phase 1-1A Construction – Job No. M-176-2016 #C1000708	
X	<b><u>JUSTICE COURT – MARK J. FRENTZEL:</u></b> 1. Budget Transfer	
XI	<b><u>PLANNING BOARD:</u></b> 1. Armstrong Landscaping, 2354 Bedell Road – Site Plan Approval – Proposed Landscape/Nursery 2. Brick Oven Pizzeria & Pub, 2457 Grand Island Boulevard – Site Plan Approval – New Vestibule, Bathrooms, Patio, Bar Expansion	
XII	<b><u>REPORT OF THE AUDIT COMMITTEE:</u></b>	
XIII	<b><u>UNFINISHED BUSINESS:</u></b> 1. Local Law Intro #7 of 2018 – Mining/Excavation Overlay – 2626 & 2640 Staley Road A. Correspondence – Planning Board 2. Heron Pointe, Phase 2 – Whitehaven Road – Revised Site Plan A. Correspondence – Traffic Safety Advisory Board	
XIV	<b><u>PUBLIC COMMENTS:</u></b>	
XV	<b><u>FROM THE BOARD:</u></b>	
XVI	<b><u>MEMORIAL ADJOURNMENT:</u></b> Lorene Soares	

# LIGHT UP THE BOULEVARD 2018

WHEREAS on Saturday, November 17, 2012 the first Light Up the Boulevard Electric Parade and Festival for the Grand Island community was conceived by Francine McMahon, a Director of the Grand Island Chamber of Commerce; and

WHEREAS the Grand Island Parks & Recreation Department, Grand Island Town Board and many others worked together with the Chamber to make this special night happen; and

WHEREAS the Chamber held the second Annual Light Up the Boulevard Electric Parade and Festival on Saturday, November 23, 2013 with one goal in mind: to make it bigger and better; and

WHEREAS this event is now a family tradition for many Grand Island residents;

WHEREAS the Chamber invites all community members to participate in the seventh Annual Light Up the Boulevard Electric Parade and Festival on Saturday, December 1, 2018 from 2:00 PM – 8:00 PM; and

WHEREAS this year community businesses such as Momma De's and Mallwitz Lanes are participating in the festivities, and the Chamber has expanded the event to include more events and opportunities than ever;

NOW BE IT THEREFORE RESOLVED that the Town of Grand Island thanks the Chamber for their efforts and encourages all community members to participate in the seventh Annual Light Up the Boulevard Electric Parade and Festival.

NOVEMBER 19, 2018

\_\_\_\_\_  
Nathan McMurray — Town Supervisor

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Jennifer Baney — Councilwoman

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Beverly Kinney — Councilwoman

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Michael Madigan — Councilman

\_\_\_\_\_  
Peter Marston Jr. — Councilman

At a regular meeting of the Town Board of the Town of Grand Island in the County of Erie, New York, held at the Town Hall in said Town on November 19, 2018

PRESENT:  
Hon. Nathan D. McMurray, Supervisor  
Beverly A. Kinney, Councilmember  
Michael H. Madigan, Councilmember  
Jennifer L. Baney, Councilmember  
Peter Marston, Jr., Councilmember

-----X

In the Matter :  
  
of the :

**RESOLUTION AFTER PUBLIC  
HEARING CREATING  
COUNTRY CLUB COTTAGES  
PHASE III LIGHTING DISTRICT  
NO. 65**

Creation of Country Club Cottages Phase III  
Lighting District No. 65  
in the Town of Grand Island,  
in the County of Erie, New York  
Pursuant to Town Law Article 12 :

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WHEREAS, the Town Board of the Town of Grand Island (the "Town Board"), received a petition, signed and acknowledged in the manner required by law by sufficient number of property owners (the "Petition"), together with a map, plan and report for the creation of the Country Club Cottages Phase III Lighting District No. 65 in the Town of Grand Island (the "Lighting District"), the boundaries of the Lighting District are set forth below, and the improvements proposed or services provided consist of an electric street lighting system serving the Lighting District; and

WHEREAS, pursuant to an Order adopted by the Town Board on November 5, 2018, reciting the filing of the map, plan and report, the improvements proposed, the method of financing, the boundaries of the proposed creation and all other matters required to be stated by law, the Town Board held a duly noticed public hearing at the Town Hall, 2255 Baseline Road, Grand Island, New York at 8:00 p.m. on November 19, 2018, to consider the creation of the Lighting District, including the environmental significance, if any, thereof, and to hear all persons interested in the subject thereof, concerning the same, and for such other further action on the part of the Town Board, with relation to the proposed district.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF GRAND ISLAND as follows:

1. Establishment of the Lighting District will not have a significant adverse impact on the environment and therefore a Negative Declaration of Environmental Significance or other appropriate documentation has been issued for the creation of the Lighting District.

2. That the Petition is signed and acknowledged or proved or authenticated as required by law, and is otherwise sufficient.

3. That the notice of public hearing was duly published and posted as required by law, and is otherwise sufficient.

4. That all properties and property owners benefitted by the improvements are included in the Lighting District.

5. That all properties and property owners included in the Lighting District are benefitted thereby.

6. That it is in the public interest to create the Lighting District.

7. That in the opinion of the Town Board, none of the properties included in the Lighting District will be unduly burdened by the creation of the Lighting District.

8. That creation of the Lighting District as set forth in the map, plan and report is approved, that the performance of supplying electrical street lighting service be contracted for by the Town Board acting for and on behalf of the Lighting District for the illumination of streets or highways in the Lighting District pursuant to the provisions of New York Town Law § 198(6), with an estimated first year annual total charge not to exceed \$1,251.32 with an expected annual cost to the typical property in the proposed Lighting District (which typical property is a single family home) of approximately \$69.44, which said expense shall be levied and collected from the several lots and parcels of land within said Lighting District on a benefit basis in just proportion to the amount of benefit conferred upon the same, except as otherwise provided by law.

9. The boundaries of the proposed district are bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Grand Island, County of Erie and State of New York, being part of Lot 12 on said Island, bounded and described as follows:

Beginning at the south west corner of Lot 35 and a point on the east line of Country Club Drive as shown on Map filed in the Erie County Clerk's Office under Cover 3744, Country Club Cottages, Phase 3;

Thence along the east line of Country Club Drive, N 1°01'15" W a distance of 287.69 feet to a point;

Thence N 88°58'15" E a distance of 100.00 feet to a point;

Thence N 1°01'15" W a distance of 22.13 feet to a point;

Thence N 88°58'15" E a distance of 477.41 feet to a point;  
Thence S 19°53'12" E a distance of 184.83 feet to a point;  
Thence S 17°35'09" W a distance of 115.86 feet to a point;  
Thence S 1°01'15" E a distance of 94.61 feet to a point;  
Thence S 88°58'45" W a distance of 470.22 feet to a point;  
Thence N 1°01'15" W a distance of 69.41 feet to a point;  
Thence S 88°58'45" W a distance of 129.99 feet to the POINT OR PLACE OF  
BEGINNING.

The above described parcel contains  $\pm$  5.043 acres (219672 sq. ft.)

10. Within ten days after adoption the Town Clerk shall file one certified copy of this Resolution with the State Comptroller and record one certified copy of this Resolution in the Office of the Erie County Clerk.

11. This Resolution is effective immediately.

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

AYES:

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NOES:

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ABSENT:

The Resolution was declared adopted.

***Town of Grand Island - Workshop Meeting #35***

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 5<sup>th</sup> of November, 2018.

Present:	James R. Sharpe	Deputy 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
Excused:	Nathan D. McMurray	Supervisor
Also Present:	Ron Milks	Code Enforcement Officer

Deputy Supervisor James R. Sharpe called the meeting to order at 6:01p.m. in the absence of the Supervisor.

**NEW ITEMS:****General Discussion:****BAS Webinar – Michelle Lysack – Software Training for Engineering Module**

*Conservation Advisory Board Chair, Jeff Green joined the meeting at 6:24p.m.*

**Introduction of Tree Ordinance – Tree City USA Designation**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to refer the correspondence and Draft of Tree Ordinance developed by the Conservation Advisory Board to the Planning Board, Agricultural Plan Steering Committee, Economic Development Advisory Board, Parks & Recreation Advisory Board, Long Range Planning Committee, Code Enforcement Office, Town Engineer and the Town Attorney for review and recommendation.

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

*Conservation Advisory Board Chair, Jeff Green left the meeting at 6:48p.m.*

*Recreation Supervisor Joseph Menter joined the meeting at 6:48p.m.*

**2019 Budget - Youth Personal Services**

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to increase the Youth Personal Services budget for 2019 by \$10,000.

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

*Recreation Supervisor Joseph Menter left the meeting at 6:57p.m.*

**General Discussion:**

**Open Space Inventory Project**

**PubDocs Bulk Uploader**

**Status Change – Water Department**

**Creation of Lighting District #65**

**Spectrum Information & Survey**

- **Website Button**

**Introduction to Dark Sky Lighting Policy**

**Interviews for Advisory Board Vacancies – Councilwoman Kinney to set up**

**New Logo for Town/School for Upscale Clothing – Possible Student Contest**

***Monday, November 5, 2018 - 1***

## ***Town of Grand Island - Workshop Meeting #35***

### **Substitute Crossing Guard**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize interviews to be conducted with existing applicants to fill a Substitute Crossing Guard position needed for the Town.

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

### **Appointment – Conservation Advisory Board**

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to appoint James Czapla from an alternate position to a voting member of the Conservation Advisory Board to fill the vacancy created by Ron Rezebak. An appointment will be made at a future date to fill the alternate position.

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

### **EXECUTIVE SESSION:**

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to enter into Executive Session at 7:44p.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 4 Kinney, Madigan, Baney, Marston  
Noes 0

### **ADJOURN:**

A motion was made by Councilwoman Baney, seconded by Councilman Marston to adjourn at 8:03p.m.

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

Respectfully submitted,

Patricia A. Frentzel  
Town Clerk

# *Town of Grand Island – Regular Meeting #20* **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 5<sup>th</sup> of November, 2018.

Present:	James R. Sharpe	Deputy 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

Excused: Nathan D. McMurray Supervisor

Deputy Supervisor James R. Sharpe called the meeting to order at 8:00p.m. in the absence of the Supervisor.

Councilwoman Jennifer L. Baney gave the Invocation.

Councilwoman Jennifer L. Baney led the Pledge of Allegiance.

## **PROCLAMATION:**

**Zonta Club 60th Anniversary**

## **PUBLIC COMMENTS:**

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

Speakers: None

## **PUBLIC HEARINGS:**

### **Local Law Intro #9 of 2018 – Stop Sign – West Oakfield Road**

A Public Hearing was held on Monday, November 5, 2018 at 8:00p.m. for the purpose of hearing anyone who wanted to comment on Local Law Intro #9 of 2018 – Stop Sign – West Oakfield Road.

Speakers: None

Deputy Supervisor Sharpe declared the Public Hearing closed.

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to refer Local Law Intro #9 of 2018 – Stop sign for West Oakfield Road to the Town Board for further review with Highway Superintendent.

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

## **MINUTES:**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve Minutes of Workshop Meeting #32, October 15, 2018, Minutes of Regular Meeting #19, October 15, 2018, Minutes of Workshop Meeting #33, October 16, 2018 and Minutes of Workshop Meeting #34, October 22, 2018,

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

## **CONSENT AGENDA:**

1. Meeting Minutes – Board of Architectural Review – September 18, 2018
2. Meeting Minutes – Conservation Advisory Board – August 23, 2018
3. Golden Age Center – Facility Usage – September 2018
4. Building Permits Issued – October 2018

*Monday, November 5, 2018 - 1*



## ***Town of Grand Island – Regular Meeting #20***

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

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

### **COMMUNICATIONS –TOWN BOARD:**

#### **SUPERVISOR NATHAN D. McMURRAY:**

##### **Monthly Supervisor's Report July 2018**

The Supervisor reported Cash Balance-Operating A/C of \$2,717,585 on July 1, 2018

Total Receipts of \$2,349,279

Total Disbursements of \$2,394,389

Operating A/C Interest \$633

Operating A/C Balance \$2,673,108

Investment Interest \$11,670

Investment Balance \$14,189,866

Total Cash Balance as of July 31, 2018, 2018 \$16,862,974

No action by the Town Board.

##### **Monthly Supervisor's Report August 2018**

The Supervisor reported Cash Balance-Operating A/C of \$2,673,108 on August 1, 2018

Total Receipts of \$1,224,396

Total Disbursements of \$1,001,591

Operating A/C Interest \$712

Operating A/C Balance \$2,896,625

Investment Interest \$13,861

Investment Balance \$13,869,155

Total Cash Balance as of August 31, 2018, 2018 \$16,765,780

No action by the Town Board.

##### **Monthly Supervisor's Report September 2018**

The Supervisor reported Cash Balance-Operating A/C of \$2,896,625 on September 1, 2018

Total Receipts of \$884,939

Total Disbursements of \$910,254

Operating A/C Interest \$609

Operating A/C Balance \$2,871,920

Investment Interest \$13,492

Investment Balance \$13,579,617

Total Cash Balance as of September 30, 2018, 2018 \$16,451,537

No action by the Town Board.

#### **COUNCILWOMAN BEVERLY A. KINNEY:**

##### **Approve Policy for Professional Services**

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to refer the proposed Policy for Professional Services to Department Heads and to the Town's grant writers for review and recommendation.

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

***Monday, November 5, 2018 - 2***

## ***Town of Grand Island – Regular Meeting #20***

### **Authorize Supervisor to Sign Order Form – PubDocs Bulk Uploader**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize the Supervisor to sign the Project Authorization with General Code in the amount of \$250.00 for the PubDocs Module. This module will allow the uploading of non-Code documents to the Web for easy public access.

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

### **Lower Speed Limit – South, Central and North Business Districts**

#### **A. Correspondence – Economic Development Advisory Board**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to refer the correspondence from the Economic Development Advisory Board to the Traffic Safety Advisory Board and Long Range Planning Committee for review and recommendation.

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

### **COUNCILMAN MICHAEL H. MADIGAN:**

#### **Authorize Supervisor to Sign Agreement – Open Space Inventory Project**

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to authorize the Supervisor to sign the Open Space Inventory Project Agreement with the Western NY Land Conservancy for the Town of Grand Island in the amount of \$15,000.00.

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

### **COMMUNICATIONS – OTHER TOWN OFFICIALS:**

#### **TOWN ATTORNEY – PETER GODFREY:**

#### **Create Lighting District #65 – Country Club Cottages Phase III – Set Public Hearing**

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

WHEREAS, a petition has been filed with the Town Clerk, signed and acknowledged in the manner required by law by a sufficient number of property owners, together with a map, plan and report for the creation of the Country Club Cottages Phase III Lighting District No. 65; and

WHEREAS, the boundaries of the proposed district are as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Grand Island, County of Erie and State of New York, being part of Lot 12 on said Island, bounded and described as follows:

Beginning at the south west corner of Lot 35 and a point on the east line of Country Club Drive as shown on Map filed in the Erie County Clerk's Office under Cover 3744, Country Club Cottages, Phase 3;

Thence along the east line of Country Club Drive, N 1°01'15" W a distance of 287.69 feet to a point;

Thence N 88°58'15" E a distance of 100.00 feet to a point;

Thence N 1°01'15" W a distance of 22.13 feet to a point;

Thence N 88°58'15" E a distance of 477.41 feet to a point;

Thence S 19°53'12" E a distance of 184.83 feet to a point;

Thence S 17°35'09" W a distance of 115.86 feet to a point;

Thence S 1°01'15" E a distance of 94.61 feet to a point;

Thence S 88°58'45" W a distance of 470.22 feet to a point;

***Monday, November 5, 2018 - 3***

## *Town of Grand Island – Regular Meeting #20*

Thence N 1°01'15" W a distance of 69.41 feet to a point;  
Thence S 88°58'45" W a distance of 129.99 feet to the POINT OR PLACE OF  
BEGINNING.

The above described parcel contains ± 5.043 acres (219672 sq. ft.)

WHEREAS, the improvements proposed consist of an electric street lighting system serving such Lighting District; and

WHEREAS, the estimated annual expense of supplying of said electrical street lighting is approximately \$1,251.32, with an expected annual cost to the typical property in the proposed District of approximately \$69.44, which said expense shall be levied and collected from the several lots and parcels of land within such Lighting District on a benefit basis in just proportion to the amount of benefit conferred upon the same, except as otherwise provided by law.

NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of Grand Island will be held at the Town Hall, 2255 Baseline Road, Grand Island, New York, on Monday, November 19, 2018 at 8:00p.m. on said day, to consider creation of said district including the environmental significance thereof and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises; and

BE IT FURTHER ORDERED, that the map, plan and report referred to herein, including the explanation of how the cost to the typical property was determined, may be reviewed at the office of the Town Clerk, 2255 Baseline Road, Grand Island, New York, during normal business hours; and

BE IT FURTHER ORDERED, that the Town Clerk shall publish a copy of this Order at least once in the official newspaper of the Town, the first publication of which is to be not less than ten nor more than 20 days before the date set herein for the public hearing, and shall also cause a copy of this Order to be posted on the sign-board of the Town maintained pursuant to Town Law §30(6), not less than ten nor more than 20 days before the date set herein for the public hearing.

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

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

#### **Delinquent Water and Sewer Accounts for 2019 Taxroll**

A motion was made by Councilman Madigan, seconded by Councilman Marston to adopt the following resolution from the Department of Engineering & Water Resources Department Head, Robert Westfall as follows:

WHEREAS, the Department Head, Department of Engineering & Water Resources did notify consumers within the respective water and sewer districts on Grand Island by having the wording "IF NOT PAID BY OCTOBER 31, ARREARS WILL BE ON TAX ROLLS" printed on water bills sent out quarterly.

Now therefore, be it resolved that the following approximate amount be applied to the Taxroll of 2019:

Water	\$ 260,148.64
Sewer	\$ 357,487.53
O/D Sewer	\$ 831.27
Meters	\$ 4,165.00
Misc.	\$ 235.00
Grand Total	\$ 622,867.44

*Monday, November 5, 2018 - 4*

## ***Town of Grand Island – Regular Meeting #20***

Be it further resolved, that the Town Clerk is hereby directed to accept no payments of such delinquent accounts after the said last day of October 2018.

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

### **Status Change – Water Department**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to post the position of Water Maintenance Employee as directed by the Union Contract and to refer the status change to the Town Board for further review.

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

### **Authorize Supervisor to Sign Professional Services Agreement – Community Center Upgrades – M-213**

A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to authorize the Supervisor to sign the revised Professional Services Agreement with American DND for an additional \$20,750 for the Community Center Upgrades – Job M-213.

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

### **Award Bid – Staley Road Waterline Reconstruction – M-225**

Town Engineer reported that on October 24, 2018, bids were received for the Staley Road Waterline Reconstruction project.

<u>Contractor</u>	<u>Bid</u>
Fairway Contracting	\$ 818,433.80
716 Site Contracting	971,291.00
DJM Contracting	1,010,364.00
Mal-Wal Construction	1,108,995.75
Milherst Construction	1,133,595.25
E&R General Construction	1,184,115.00
CATCO	1,297,999.00
Pinto Construction Services	1,298,353.00
Sergi Construction	1,305,618.00
New Frontier Excavating & Paving	1,392,050.00
Mark Cerone	1,589,998.00

After careful review with the Town's consultant, Wendel has reviewed the bids and recommends award to Fairway Contracting in the amount of \$ 818,433.80.

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to accept the recommendation of the Town Engineer and award the bid to Fairway Contracting in the amount of \$818,433.80.

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

### **CODE ENFORCEMENT OFFICE:**

#### **Special Use Permit Renewal – Alan Lemanski & Michael Rosenberg, 1559 East River Road – Bed & Breakfast**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to renew the Special Use Permit for Alan Lemanski & Michael Rosenberg, 1559 East River Road – Bed & Breakfast. The site has been inspected and it is unchanged.

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

***Monday, November 5, 2018 - 5***

## ***Town of Grand Island – Regular Meeting #20***

### **Tower Permit Renewal – Crown Castle – 318 Baseline Road**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to renew the Tower Permit for Crown Castle – 318 Baseline Road. The site has been inspected, it is secure and unchanged.

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

### **PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:**

#### **Status Change**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the status change of David Williams, Parks Mechanic from Part-time to Seasonal, effective November 7, 2018. The rate of pay is \$17.90/hr.

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

### **REPORT OF THE AUDIT COMMITTEE:**

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to pay Vouchers #125673 - #125881

General	\$ 78,134.98
Highway	\$221,226.69
Sewer	\$ 29,036.31
Water	\$ 41,318.58
Capital	<u>\$294,737.39</u>
Total	\$664,453.95

APPROVED Ayes 3 Kinney, Madigan, Baney  
Noes 0  
Abstain 1 Marston

### **UNFINISHED BUSINESS:**

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

Remains Tabled.

### **Heron Pointe, Phase 2 – Whitehaven Road – Revised Site Plan**

#### **A. Correspondence – Traffic Safety Advisory Board**

Remains Tabled.

### **PUBLIC COMMENTS:**

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

Speakers: Chris McCleary

### **FROM THE BOARD:**

Election Day – Tuesday, November 6, 2018 – Please Vote!

***Monday, November 5, 2018 - 6***

## *Town of Grand Island – Regular Meeting #20*

### **ADJOURNMENT:**

A motion was made by Councilwoman Baney, seconded by Councilman Marston to adjourn the meeting at 8:45p.m.

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

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

Dennis Patti	Brian Schorb
Edward Lewis	Thomas Finn
Julie Ann Neville	Barbara Dus
David Anstett	Roger Thaler
Mary McClive	Gerald Langgood
Richard Kaczmarek	Elizabeth Smith

Respectfully submitted,

Patricia A. Frentzel  
Town Clerk

*Monday, November 5, 2018 - 7*

# *Town of Grand Island - Workshop Meeting #36*

**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 7:00p.m. on the 8<sup>th</sup> of November, 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

Supervisor Nathan D. McMurray called the meeting to order at 7:00p.m.

## **PUBLIC HEARINGS:**

### **2019 Town of Grand Island Preliminary Budget**

A Public Hearing was held on Thursday, November 8, 2018 at 7:00p.m. for the purpose of hearing anyone who wants to comment on the proposed 2019 Town of Grand Island budget.

Speakers: None

Supervisor McMurray closed the Public Hearing.

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to adopt the 2019 Town of Grand Island Budget as follows:

#### **GENERAL FUND BUDGET:**

TOTAL APPROPRIATION AMOUNT:	\$8,433,611
AMOUNT TO BE RAISED BY TAXATION (levy):	\$2,060,455
ESTIMATED TAX RATE/THOUSAND:	\$1.204

#### **FIRE PROTECTION BUDGET:**

TOTAL APPROPRIATION AMOUNT	\$1,454,433
AMOUNT TO BE RAISED BY TAXATION (levy):	\$1,378,393
ESTIMATED TAX RATE/THOUSAND:	\$ .778

#### **HIGHWAY FUND BUDGET:**

TOTAL APPROPRIATION AMOUNT:	\$3,520,508
AMOUNT TO BE RAISED BY TAXATION (levy):	\$2,829,806
ESTIMATED TAX RATE/THOUSAND:	\$1.653

#### **SEWER DISTRICT FUND BUDGET:**

TOTAL APPROPRIATION AMOUNT:	\$4,496,432
AMOUNT TO BE RAISED BY TAXATION (levy):	\$1,592,637
ESTIMATED TAX RATE/1,000 (LAND VALUE ONLY):	\$6.308

#### **WATER FUND BUDGET:**

TOTAL APPROPRIATION AMOUNT:	\$3,256,463
AMOUNT TO BE RAISED BY TAXATION (levy):	\$710,584
ESTIMATED TAX RATE/1,000 (LAND VALUE ONLY):	\$1.995

#### **LIGHTING DISTRICT BUDGET:**

TOTAL APPROPRIATION AMOUNT: (53 districts)	\$212,948
AMOUNT TO BE RAISED BY TAXATION (levy):	\$198,428
TAX RATE: VARIES BY DISTRICT	

*Thursday, November 8, 2018 - 1*

## ***Town of Grand Island - Workshop Meeting #36***

### **REFUSE & GARBAGE BUDGET:**

TOTAL APPROPRIATION AMOUNT:	\$1,460,962
AMOUNT TO BE RAISED BY TAXATION (levy):	\$1,459,458
TAX RATE: FLAT RATE SINGLE FAMILY DWELLING	\$198

### **DEBT SERVICE BUDGET:**

TOTAL APPROPRIATION AMOUNT:	\$513,473
TRANSFERS FROM OTHER FUNDS	\$472,473

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

### **ADJOURN:**

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to adjourn at 7:04p.m.

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

Respectfully submitted,

Patricia A. Frentzel  
Town Clerk

***Thursday, November 8, 2018 - 2***



Conservation Advisory Board of Grand Island  
Meeting Minutes for September 27, 2018

2018 NOV -5 PM 2: 31

Members present: Paul Yaeger, Jeff Green, Sam Akinbami, Diane Evans, Jim Czapla, Alice Gerard, liaison Mike Madigan. Excused: Ed Standora, Sue Tomkins, Tom Burke (alternate), Bob Wynne. Guest: Bev Kinney, Bob Eddy.

Jeff Green called meeting to order at 7:08 pm. All agreed to begin with number 4 on the agenda - contract status with Western New York Land Conservancy.

4. WNYLC contract agreement: Bev and Mike, Town council members, encouraged us to make sure we get out of the contract agreement what we want, as stated in our RFQ/RFP. We want a completed document/report at the end of the process, similar to the one prepared for East Aurora. Also, "areas of ecological significance" less than 10 acres, addressed in the contract will refer to wetlands primarily. It was agreed that a phone conference with Rachel Chrostowski, Nancy Smith, Mike Madigan, Jeff Green and Diane Evans be arranged early next week to iron out these items.

We also discussed the \$150,000 grant the WNYLC is working under to survey private lands on Grand Island. We need to have a member of our board and our liaison to sit on that working committee.

Mike stated that the Parkland Development Fund does exist. It has \$118,000 in it. Board approval is needed for any of the money to be spent on projects.

1. Consent Agenda: Minutes from the August meeting were approved with spelling errors corrected. Diane moved, Sam seconded. Carried 6 to 0.
2. Tree Board Subcommittee - Diane suggested we think about how to select members for this committee of 5 people. We do not have to wait for a Tree ordinance to be passed to get started with this.
3. Future Meeting Dates: Because our 4th Thursday of the month meeting dates conflict with upcoming holidays, we decided to hold our meetings

on November 29 and December 20. Jeff will let Emily Wynne know to put the dates on the calendar and reserve a meeting space.

4. See above.
5. Tree Ordinance - Discussion about revisions. We decided to change the wording of the "permits required" section of the document (p. 5) Jeff will send us the revision to comment on before the next meeting. We also want to agree on a definition of clear-cutting. A vote on the revisions will take place at the next meeting. Jeff prefers that the completed ordinance go to the Town Board before being sent to any other advisory boards. This should occur at a workshop meeting of the Town Board, with some time to explain our changes. A cover letter will be prepared by Jeff to accompany the ordinance.
6. Town Board Report - Mike Madigan  
Mike will ask the Town Board to approve Jim Czapla as a new voting member of our board, due to the death of Ron Rezabek. We now have an opening for a new alternate. Jeff asked that we consider what we want in a new member.

Mike reported that a professional appraisal will be conducted of our current Town Hall premises and that of Cannon Design to compare the two properties. The two buildings are about the same age.

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Bids are going out soon for the renovations at the Community Center/  
Golden Age Center.

Budget talks are going on right now for 2019.

Alice moved to adjourn meeting at 9:07 pm. Sam seconded. Carried 6 to 0.

Respectfully submitted,  
Diane Evans  
Secretary

**JENNIFER R. MENTER**

*Recreation Supervisor -  
Senior Citizen*



**THE TOWN OF GRAND ISLAND**

**Golden Age Center**

3278 Whitehaven Road  
Grand Island, NY 14072  
(716) 773-9682 & (716) 773-9683  
goldenage@grand-island.ny.us

November 2, 2018

TO: Town of Grand Island Town Board

FROM: Jennifer R. Menter, Recreation Supervisor – Senior Citizen

RE: Usage of the Golden Age Center Facility for October 2018

Please see the Activity Participation Totals below for the month of October 2018 at the Golden Age Center:

**Monthly Events & Special Events**

<u>Walmart Trip (twice per month):</u>	12
<u>Oktoberfest Birthday Lunch with entertainment from Vintage Wine:</u>	30
<u>Discussion with Dr. Graham, Superintendent of the GI Central School District:</u>	15
<u>Members' Coffee:</u>	40
<u>Brain Games:</u>	21
<u>Boston/Cape Ann/Salem extended trip social and meeting:</u>	45
<u>Boston/Cape Ann/Salem extended trip:</u>	45
<u>Travel Club meeting:</u>	32
<u>Dementia Caregiver Support Group:</u>	2
<u>Social Support Group for individuals with dementia &amp; Alzheimer's Disease:</u>	12
<u>Town Time with Supervisor McMurray:</u>	69
<u>United Health Care &amp; Aetna:</u>	10
<u>Fidelis Care:</u>	5
<u>55 Alive AARP Safe Driving Class:</u>	17
<u>Design Your Own Fall Leaf Print Shirt with Joy Mesmer:</u>	10
<u>Presentation on Fat Facts: What You Need To Know with BCBS of WNY:</u>	20
<u>BINGO Bonanza:</u>	24
<u>Setting up for Holiday Happenings:</u>	15
<u>Holiday Happenings:</u>	300
<u>Halloween Party:</u>	48
<u>Flu Shot Clinic &amp; Shingles Shot Clinic with Walgreens:</u>	30
<u>University Express presentation: Yearning to Breathe Free: The Statue of Liberty</u>	18
<u>University Express presentation: Political Civility</u>	15
<u>University Express presentation: America the Beautiful: Landscapes in Art</u>	18
<u>University Express presentation: Meal Planning for One or Two</u>	25
<u>University Express presentation: Buffalo Shipwrecks</u>	43
<u>University Express presentation: The Death of Fossil Fuels</u>	16
<u>Opening of the West River Shoreline Trail Ceremony:</u>	5
<u>BPO Coffee Concert:</u>	30
<u>Tour of Grand Island:</u>	8

## Weekly programming:

<u>BINGO Bonanza: (Tuesday afternoons &amp; Thurs. AM)</u>	81
<u>Fun with French:</u>	38
<u>Anything Craft Classes:</u>	67
<u>Book Club:</u>	23
<u>Computer Club with Molly:</u>	32
<u>Card Games (including NEW GAMES Euchre, Pinochle, Solitaire &amp; Poker):</u>	102
<u>Poker:</u>	26
<u>Dominoes:</u>	12
<u>Billiards:</u>	61
<u>Chess:</u>	17
<u>Exercise Programs (5 different programs: Arthritic Chair Exercise, Tai Chi, Trim Time, Beginner Line Dancing, Advanced Line Dancing, Total Body Workout):</u>	398
<u>Coups for Troops:</u>	42
<u>Artists' Haven:</u>	16
<u>Mahjongg:</u>	12
<u>Chess:</u>	16
<u>Golden Age Center Chorus:</u>	60
<u>Crafting for a Cause:</u>	16
<u>Rummikub:</u>	3
<u>Golf:</u>	4
<u>Walking Club with Erin:</u>	12

## Monthly Meetings & Lunches:

<u>Birthday Lunch:</u>	46
<u>Executive Board Meeting:</u>	15
<u>General Meeting:</u>	52

## Daily Activities & Usage:

<u>Lunches:</u>	760
<u>Meals on Wheels:</u>	368
<u>Van &amp; Bus Transportation:</u>	661

<u>Days OPEN:</u>	24
<u>Total Monthly Attendance:</u>	3944

Respectfully submitted,

*Jennifer R Menter*

Jennifer R Menter  
Recreation Supervisor – Senior Citizen

**\*\*TOWN OF GRAND ISLAND\*\*  
ZONING BOARD OF APPEALS**

RECEIVED  
2018 NOV -6 PM 4:27

TOWN CLERK  
GRAND ISLAND, N.C.

**MINUTES  
October 4, 2018**

**MEMBERS PRESENT:** Chairman Marion Fabiano, Betty Harris, Bob Mesmer, and Tim Phillips

**MEMBERS ABSENT:** John Braddell and Alternate Dan Drexelius

**OTHERS PRESENT:** William Shaw, Code Enforcement Officer  
Rhonda Tollner, Zoning Clerk

Chairperson, Marion Fabiano opened the meeting at 7:00 p.m. and introduced the members of the Zoning Board of Appeals and explained the process.

**NEW BUSINESS:**

**1) 5367 East River Road – Charles Morrell**

The property is zoned R1C and the lot is 63 ft. wide. The applicant is proposing to demolish the existing dwelling and construct a new single family dwelling. Schedule 1 set the required side yard setback at 12'. The new dwelling will encroach into both side yards of the lot. The west side will encroach 9 ft. from the lot line making a 3 ft. side yard setback variance necessary for the west side of the dwelling and the East side will encroach 7 ft., into the setback making it necessary for a 5 foot side yard setback variance for the East side of the dwelling.

Appearing before the Board was Charles Morrell who resides at 48 Bonnywoods Crossing. Mr. Morrell stated they were originally going to use the existing footprint of the house but upon further investigation decided the foundation could not be salvaged. The current single family dwelling will be demolished and the new build will use the same side yard setbacks as the original house but will be in line on the riverside with adjacent homes.

Speaker George Beckett who resides at 5395 East River Road is in favor of new single family dwelling.

Speaker Robert Weaver, previous owner of parcel, is in favor of a new single family dwelling.

A **motion** was made by Mesmer / Harris to close the public hearing.  
Approved

A **motion** was made by Mesmer / Phillips to **GRANT** the request for a 3 ft. side yard setback variance for the West (left) side of the single family dwelling at 5367 East River Road.

A **motion** was made by Mesmer / Phillips to **GRANT** the request for a 5 ft. side yard setback variance for the East (right) side of the single family dwelling at 5367 East River Road.

**Roll Call:**

**Ayes:** Fabiano, Harris, Mesmer, Phillips

**Noes:** None

**Carried**

**Rationale:**

1. This action was taken because the requested variance will not produce an undesirable change in the character of the neighborhood
2. This action is taken because it will follow the existing building side line and it is in general conformity with the neighborhood

**2) 793 Colony Road – Donald Portik**

This property is zoned R-1D. Applicants are requesting a variance for a 8 ft. on a 12 ft. gazebo that had been constructed several years ago on the river side of the property. The Town Code Section 407- 18C4 states: Riverside accessory uses and structures on shoreline lots such as pools or other structures, less than four feet high, and which do not obstruct the views of the Niagara River, may be placed in the rear yard of a shoreline lot in accordance with the regulations for placement of accessory structures and uses. Fences in the rear yards of shoreline lots shall not be opaque and shall not exceed four feet in height. This subsection, limiting accessory uses and structures, applies to shoreline lots and does not apply to the portion of riverside lots, if any, not adjacent to the Niagara River; making it necessary for a 8 foot height variance for a shoreline lot.

Appearing before the Board was Donald and Joan Portik. They were seeking a variance for a gazebo that has been on their property for years but was never properly documented. The Portik's are just requesting to make the existing gazebo compliant with today's code.

A **motion** was made by Mesmer / Harris to close the public hearing. All in favor.

A **motion** was made by Mesmer / Harris to **GRANT** the request for an 8 ft. height variance for a gazebo at 793 Colony Road.

**Roll Call:**

**Ayes:** Fabiano, Harris, Mesmer, Phillips

**Noes:** None

**Carried**

**Rationale:**

1. This action was taken because it brings an existing structure in to compliance with Town Codes
2. This action was taken because the variance request was minimal

**3) 541 Baseline Road – John Sobol**

This property is zoned R1C. Applicant is requesting to construct 24 ft. x 36 ft. (864 sf.) storage building. The Applicant has 516 sf. of existing garage space. Section 407-31 of the Zoning Code set the maximum garage space at 1200 sf., making it necessary for a 180 sf. garage space variance.

Appearing before the Board was Mr. John Sobol. He explained to the Board he has an existing garage but would like to build this detached storage building to store his antique cars, tractor and yard equipment. The building will be vinyl sided like his house and there will not be a driveway at this time.

A **motion** was made by Mesmer / Phillips to close the public hearing.

Approved

---

A **motion** was made by Phillip / Mesmer to **GRANT** the request for a 180 sq. ft. garage space variance for a 24' x 36' storage building at 541 Baseline Road.

**Roll Call:**

**Ayes:** Mesmer, Harris, Fabiano, Phillips

**Noes:** None

**Carried**

**Rationale:**

1. This action was taken because the Board recognizes the need for storage
2. This action was taken because is a minimal amount over what is allowed

**4) 5465 East River Road – Shawn Fitzgibbons**

This property is zoned R1C. Applicant is proposing to construct a new 22 ft. x 39 ft. (858 sf.) detached garage. The Applicant has 420 sf. of existing garage space. Section 407-31 of the Town Code sets the maximum garage space at 1200 sf. making a 78 sf. garage space variance necessary.

Appearing before the Board was Mark Thompson representing the Fitzgibbons and their request for garage space. Mr. Thompson showed the Board a plot plan of the location of the garage. The garage will be used to store Mr. Fitzgibbons boat, trailer and truck.

A **motion** was made by Mesmer / Harris to close the public hearing. Approved

A **motion** was made by Mesmer / Harris to **GRANT** the request for 78 sq. ft. garage space variance to construct a 22' x 39' detached garage at 5465 East River Road.

**Roll Call:**

**Ayes:** Phillips, Harris, Mesmer, Fabiano

**Noes:** None

**Carried**

**Rationale:**

1. This action was taken because the Board recognizes the need for storage
2. This action is taken because the requested variance will not create a detriment to nearby properties

**5) 2100 Baseline Road – St. Stephens Church**

The property is zoned CBD. Applicant is requesting to construct an 18 ft. x 32 ft. storage building. The Applicant has one existing storage building. Section 407-60 of the Town Code allows one accessory structure, making it necessary for a variance for one additional accessory structure.

Appearing before the Board was Mr. Frank Burkhart. He explained that the old coal bunker that the church used for storage flooded last year destroying all the props and materials they use to put on their seasonal plays.

A **motion** was made by Mesmer / Harris to close the public hearing. Approved

A **motion** was made by Mesmer / Phillips to **GRANT** the request for an additional 18' x 32' accessory structure on the lot of St. Stephens Church at 2100 Baseline Road.

**Roll Call:**

**Ayes:** Fabiano, Mesmer, Phillips, Harris

**Noes:** None

**Carried**



**Rationale:**

1. This action was taken because the variance request will not have an adverse effect on the neighborhood
2. This action was taken because the board recognizes the need to store the materials needed for replacement storage

**6) 101 Heron Pointe Parkway**

This property is zoned CBD. The applicant is proposing to construct multifamily residential development with 6 units per acre. Section 407-59B(7)b of the Town Zoning Code requires no less than 9 units per acre, making it necessary for a variance for 3 units less per acre .

Appearing before the Board was Attorney Sean Hopkins on behalf of Heron Pointe LLC. Mr. Hopkins said this request came about after many meetings with the neighbors in the area, requesting to have more green space up front and less building coverage. Mr. Hopkins said they could still comply with the code of units per acre if the apartments rose upward to 3 and 4 stories but didn't feel that type of development would fit the island.

A **motion** was made by Mesmer / Harris to close the public hearing. Approved

A **motion** was made by Mesmer / Phillips to **GRANT** the request for a 3 less units per acre than the 9 units required per acre for a residential subdivision in the CBD at Heron Pointe Parkway.

**Roll Call:**

**Ayes:** Fabiano, Mesmer, Phillips, Harris

**Noes:** Noes

**Carried**

**Rationale:**

1. This action was taken because it was a good compromise to satisfy both the neighbors of the development and the developer
2. This action was taken because the variance amount was minimal

**7) 3013 Staley Road – Mary and Bryant Pfalzer**

This property is zoned R1A. The applicant is proposing to construct a 60 ft. x 120 ft. x 27 ft. high private riding area. Town Code Section 407-142E states: In residential and business districts, the height of accessory buildings and uses shall not exceed 18 feet. In manufacturing districts, accessory buildings shall comply with height regulations for principal building and accessory uses shall not exceed 18 feet, making it necessary for a 9 foot height variance.

Appearing before the Board was Ms. Mary Pfalzer. She explained to the Board that she wishes to have this indoor area to have an all season riding and

training facility. There will be no commercial use or public horse shows. This property is in the ag district.

A **motion** was made by Mesmer / Harris to close the public hearing. Approved

A **motion** was made by Mesmer / Harris to **GRANT** the request for a 9 ft. height variance to construct a personal horse riding/training arena behind their residence at 3013 Staley Road.

**Roll Call:**

**Ayes:** Mesmer, Harris, Fabiano, Phillips

**Noes:** None

**Carried**

**Rationale:**

1. This action was taken to accommodate for the snow loads on a large building
2. This action is taken because the proposed variance will not have an adverse effect on the environment or neighborhood

**CORRESPONDANCE:**

- 1) A letter was received from Brian McMaster for an extension to the two variances granted for the property located at 1718 Broadway on October, 5, 2017, for a 10 ft. front yard setback variance from Crescent Rd. for an addition to single family dwelling, and a 10 ft. front yard setback variance from Crescent Rd. for a detached garage.

A **motion** was made by Mesmer / Phillips to GRANT a six month extension to the aforementioned variances for 1718 Broadway.

**Roll Call:**

**Ayes:** Fabiano, Mesmer, Harris, Phillips

**Noes:** None

**Carried**

- 2) A letter was received from James Maloney requesting an extension for the following variances granted on April 5, 2018 for the property located at 101 Whitehaven Road:  
(For identification purposes, the building farthest North will be building I, and the building farthest south will be building II.)

Building I and II will both be located 10 ft. from the West lot line. Schedule I requires the minimum side yard setback to be 20 ft. requiring a 10 ft. side yard setback variance on the west side of both buildings.

Also, building I will be located 10 ft. from the North property line. Schedule I requires a 20 ft. side yard setback requiring a 10 ft. side yard setback variance on the North side of building I.

Building II will be located 10 ft. from the South property line. Schedule I requires 20 ft. requiring a 10 ft. side yard setback variance on the South side of building II.

A discussion took place concerning the number of variances previously granted and violations regarding this property that were not resolved and the fact that nothing has been built over the course of many years. Mr. Maloney said they had removed the jet ski office and were ready to build. Based on the fact that a year would assure that they would not need any more variance extensions and would not come back for the same variances. A year extension to the variances would be in order. The Board realizes this is a unique situation.

A **motion** was made by Mesmer/ Fabiano to **GRANT** a one year extension to the aforementioned variances for 101 Whitehaven Road.

**Roll Call:**

**Ayes:** Mesmer, Harris, Fabiano, Phillips

**Noes:** None

**Carried**

**OLD BUSINESS:**

**1) 4738 East River Road – Katherine Lunick**

This property is zoned R1C. The applicant requests a height variance to roof a boat hoist on East River Road. After appearing before the Board last month the applicants requested a **TABLE** for their request for a height variance.

A letter was received from Mr. and Mrs. Lunick asking to **TABLE** their request for a height variance again this month.

A **motion** was made by Mesmer / Phillips to **TABLE** the request for a height variance to roof a boat hoist at 4738 East River Road.

**Roll Call:**

**Ayes:** Mesmer, Harris, Phillips, Fabiano

**Noes:** None

**Carried**

A **motion** was made by Harris / Mesmer to Approve the September 6, 2018, ZBA Minutes as written.

**Roll Call:**

**Ayes:** Fabiano, Harris, Mesmer, Phillips

**Noes:** None

**Carried**

**OTHER MINUTES RECEIVED:**

**Board of Architectural Review Minutes** –August 21, 2018

**Planning Board Agenda** –September 10, 2018

**Planning Board Minutes**-August 13, 2018

**Town Board Agenda** –Regular Meeting #16, Sept 4, 2018, Regular Meeting #17, Sept 17, 2018

**Town Board Minutes** –Regular Meeting #15, August 20, 2018, Regular Meeting #16, Sept. 4, 2018

**Town Board Workshop Meeting-  
Long Range Planning Committee –**

A motion was made by Harris / Mesmer to adjourn the meeting at 8:00 p.m.  
Minutes prepared by Rhonda Tollner, Zoning Clerk.

Grand Island Citizen Corps Council  
02Oct2018  
Minutes

Approved  
11/13/18

CERT

Meeting called to order at 1902

Pledge

Welcome and Introductions

Attendance

Stephen Stouter (Chair), Mike Duff, John Titta, Rich Kaczmarek, Eric Sharpe, Jennifer Berard, Jane Wynne, Jean Caprio, Pete Marston, Jim Sharpe

GI CERT-

Report support of Thunder Over Niagara Air Show 19Jun2018- provided Moulage and Drill Support for large scale Mass Casualty Incident Drill at the Niagara Falls Air Reserve Station. Final count 55 victims from Boy Scouts, Erie County SMART, Tonawanda CERT, GI CERT.

Report support of Town of Tonawanda Active Shooter Training 5-12 Victims moulaged over the course of 5 days of training

CERT Space at NIKE Base- Identified need to clear out CERT closet and store room for upcoming revovation of space. Stouter to coordinate with Pete Marston and Town Rec.

EMCOMM-

Portable Radio Kits- discussed current distribution of kits.

Base Station Update- Grand Island Fire Company reported to Stouter that tower antenna at Fire Headquarters failed and was deemed not repairable. After discussion with GIFCO Head Dispatcher, it was decided to remove Base Station from GI Fire Dispatch. Alternate locations were discussed.

FCC License Upgrade- Stouter announced intention to upgrade from Tech to General. Eric Sharpe expressed interest in obtaining Tech License. Mike Duff to order AARL Study Guides.

CERT Members supported various events throughout the summer including Ride for Roswell, Tour de Cure, Summer Sizzler, etc.

John Titta reminds interested members that the Niagara Radio Club is always looking for new members and meets the first Wednesday of the month at 7:00PM at the Venture Forthe building, 3900 Packard Road, Niagara Falls, NY.

Medical- Hepatitis A Cheektowaga, NY Update (see attached)

Police-

Car security issues discussed. Theft from unlocked cars reported Island wide. Vandalism reported at Kaegbein. Encourage all residents to lock their vehicles, use appropriate security measures (motion sensor lights, security cams, etc.) and report suspicious activities.

Schools- Supported Active Shooter Drill at GI Senior HS providing moulage and coaching for 8 Victims.

Seniors-

Winter Preparedness Talk at Senior Center Class to be scheduled by Stouter and Koch.

CERT Class Discussion re: daytime CERT Class at GAC- Stouter to contact Jen Mentor to determine interest, and report back at November Meeting.

Correspondence- None

Old Business- None

New Business-

GIFCo Fire Prevention Open House- GI CERT to set up informational table and Amateur Radio Station. Eric Sharpe states ARC would be willing to set up an informational table and bring an Emergency Response Unit if available.

Light Up the Boulevard Parade Saturday 01Dec2018 4:30 – 8:00 PM

National Alert Test 03Oct2018 2:18 PM

Good of the Organization-

Next Meeting Tuesday 13Nov2018 at 1900 at GI Town Hall

Adjournment

Attachment:

Four new cases of Hepatitis A stemming from a local pizzeria mark the latest in a significant increase of the virus in Erie County. Officials are recommending any resident without a complete series of Hepatitis A vaccinations get fully immunized.

A cook at Doino's Pizzeria Bar and Grille at 2709 Harlem Road in Cheektowaga was diagnosed with a confirmed case of Hepatitis A in mid-August.

"This individual had been infected and was contagious at the time that they were working at the restaurant," said Erie County Executive Mark Poloncarz on Monday afternoon.

Three other individuals with confirmed cases are believed to have contracted the virus through food that was handled by the cook.

The four new cases of Hepatitis A make for a total of 20 identified in Erie County so far this year, signifying a sharp rise from the average two to four cases identified annually between 2015 and 2017. In February, cases were confirmed in a food service worker employed at a restaurant and a senior living facility in the county, and in a client of the Buffalo City Mission. The cost of rush vaccinations and staffing at vaccination clinics put the Health Department \$74,000 over budget by the middle of the year, and legislators asked for a transfer of funds from the Department of Social Services to cover the cost.

Health Commissioner Dr. Gale Burstein said it is believed that the 20 cases are "the tip of the iceberg," with potential for more cases in the community with mild or non-typical Hepatitis A symptoms.

"Just to put it in framework, Hepatitis A is a highly contagious liver infection caused by the Hepatitis A virus. It can range from no symptoms at all to a mild illness lasting a few weeks to a severe illness lasting several months. Although it's very rare, Hepatitis A can cause death in some people," said Burstein.

Due to rise in cases, the county is recommending that any residents who have not been fully immunized with the Hepatitis A vaccine series do so by visiting a primary care provider, health care office, or clinic. The vaccine is not available at pharmacies.

Anyone who ate dine-in or take-out food from Doino's between August 20 and September 3 is advised to monitor themselves and their families for symptoms for 50 days since consuming the food.

Symptoms of Hepatitis A can include fever, fatigue, loss of appetite, nausea, vomiting, abdominal pain, dark urine, clay-colored stools, joint pain, and jaundice (yellowing of the skin and eyes).

More information is available at the Erie County Health Department website.[xdz](#)

**PLANNING BOARD MEETING**  
**MINUTES: OCTOBER 9, 2018**

RECEIVED

2018 NOV 15 AM 9:40

**MEMBERS PRESENT:** Bruno, Duchscherer, Greco, Lare, Starzynski, Stessing  
Alternate members – Bowman, Worrall

TOWN CLERK  
GRAND ISLAND N.Y.

**MEMBERS ABSENT:** Bidell

**OTHERS PRESENT:** Councilpersons Kinney, Marston, Robert Westfall, Town Engineer, Ronald Milks,  
Code Enforcement Officer and Those Listed Herein.

Chairman Bruno opened the meeting at 7:00 P.M.

In the absence of Mr. Bidell, Mr. Worrall will be a voting member at this meeting.

**MINUTES:** Planning Board Meeting – September 10, 2018

It was moved by Stessing – Lare to **APPROVE** the minutes as submitted.

Roll Call: Ayes – Stessing, Lare, Bruno, Duchscherer, Greco, Starzynski, Worrall  
Noes – None  
Carried

**VOUCHER:** Arlene Ehde, Recording Secretary - \$155.10

It was moved by Duchscherer – Starzynski to **APPROVE** the voucher for payment.

Roll Call: Ayes – Duchscherer, Starzynski, Bruno, Greco, Lare, Stessing, Worrall  
Noes – None  
Carried

**REFERRALS**

1. FROM: Town Engineer  
RE: **ISLAND MEADOWS – PHASE 3**  
**SKETCH PLAN SUBMISSION – PROPOSED 18 LOT SUBDIVISION**

Richard Haight P.E., Advanced Design Group appeared with a sketch plan for Phase 3 of the Island Meadows Subdivision.

He explained that there has been a wetland re-delineation of the property. They are proposing 18 lots. Sixteen off the 950' roadway with a cul-de-sac, one on Stony Point Rd and one at the "T" at the end of Regency Dr. The land was re-delineated because their original delineation expired.

Originally there were significantly more lots. They have had to work around the wetlands. They wanted more lots on Stony Point Rd. but the wetlands only allow one.



There are State and Federal wetlands on the property. The property lines will extend through the wetlands.

This is a R-1D zoning district with a minimum of 90' lot width.

The proposed ponds will stay wet and the property lines will extend through the ponds. They will be the responsibility of the owners.

A portion of the proposed road has a minor impact on the wetlands.

After measuring Lot #16, when constructing a house, there would be a side yard but no rear yard.

On Lot #1 there is enough room for a driveway.

Lot #18 will need a variance because it is on a turn-around. It doesn't meet frontage requirements. Extending the "T" to the north was discussed. It was suggested to sketch some ideas with the Highway Department for this lot.

The Board suggested showing a footprint of a house on the proposed lots.

The gravel road shown on the plan was once a driveway to a house.

No action at this time. For information only.

2. FROM: Town Board

RE: LOCAL LAW NO. 1 OF 2017

LOCAL LAW TO REGULATE SOLAR ENERGY FACILITIES – REVISION

The revision to Local Law No. 1 of 2017 was reviewed.

Councilwoman Kinney informed the Board of Mr. Spitzer's comments made on October 1<sup>st</sup> regarding the revision.

In discussing the Local Law, Mr. Greco commented that E: Major Solar Systems 2. b) ii. the wording is misleading. The setback could be anything.

It was moved by Starzynski – Stessing that per Counsel's recommendation, the law, as written, and approved July 1, 2017, remain in place without change, and the Planning Board refers it back to the Town Board for their action.

Roll Call: Ayes – Starzynski, Stessing, Bruno, Duchscherer, Greco, Lare, Worrall

Noes – None

Carried

**COMMUNICATIONS – OTHER OFFICIALS**

1. FROM: Ronald Milks, Code Enforcement Officer  
RE: RIVER OAKS MARINA – 101 WHITEHAVEN RD.  
Received and filed. Refer to #1 under UNFINISHED BUSINESS.
2. FROM: Town Board  
RE: MINUTES – August 20, September 4, 2018  
Received and filed.
3. FROM: Board of Architectural Review  
RE: MINUTES – August 21, 2018  
Received and filed.
4. FROM: Zoning Board of Appeals  
RE: MINUTES – August 2, 2018  
Received and filed.

**COMMUNICATIONS – OTHERS**

None

**UNFINISHED BUSINESS**

1. FROM: Town Engineer  
RE: RIVER OAKS MARINA – 101 WHITEHAVEN RD.  
SITE PLAN REVISION – PHASE 1A – OFFICE BUILDING AND STORAGE YARD

Jim Maloney and Gregory Chase, Project Manager, appeared with a Site Plan revision for Phase 1A at the River Oaks Marina, 101 Whitehaven Rd. to allow the construction of an office building.

Mr. Chase commented that they received Site Plan Approval by the Town Board on March 5, 2018. There are no changes except they want to add a 16'x24' office building on the east side of the property, by the river.

He stated that they met with Ron Milks and Bob Westfall and they feel everything has been addressed.

They filed the Coastal Zone Assessment Form. Mr. Westfall stated that the form helps evaluate the project. They comply with the Local Waterfront Revitalization Program.

Mr. Milks stated that the plan he had did not reflect all the items required. Previous site plan did not show items the most recent site plan did show.

A memo dated, September 27<sup>th</sup>, that Mr. Milks sent to the Planning Board listed items which should be required to process the application. A copy of the memo was sent to Mr. Maloney.

Mr. Westfall stated that the last 4 bullet points in the memo have been addressed.

Mr. Maloney stated that they will roll back the sidewalk to a paved area and hash marks will be added for the loading zone. He said they have an agreement with the Town Board to remove the trailer by December 1<sup>st</sup>. They need the proposed building for their office.

Mr. Milks stated that the handicapped spot is not shown and a stamped site plan is required.

The requested elevation for the proposed building was submitted.

It was moved by Duchscherer – Stessing to recommend **APPROVAL** of Phase 1A providing they connect the handicapped spot to the Phase 1A building, add sidewalk and include all recommendations for approval given on February 13<sup>th</sup> by the Planning Board and subsequent comments from the Town Board when granting approval on March 5, 2018.

Roll Call: Ayes – Duchscherer, Stessing, Bruno, Greco, Lare, Starzynski, Worrall  
Noes – None  
Carried

2. FROM: Town Engineer/Town Board  
RE: SONNY GRANGER – 2626 & 2640 STALEY RD.  
SITE PLAN APPROVAL – 1.9+/- ACRE POND AND  
LOCAL LAW INTRO #7 OF 2018 – MINING/EXCAVATION OVERLAY

To remain on the TABLE.

3. FROM: Town Engineer  
RE: HERON POINTE – PHASE 2 – WHITEHAVEN RD.  
REVISED SITE PLAN

Sean Hopkins, Esq., Hopkins Sorgi & Romanowski PLLC, and Anthony and Dick Cutaia appeared with a revised Site Plan for Phase 2 of Heron Pointe on Whitehaven Rd.

Mr. Hopkins stated that after the September 6<sup>th</sup> meeting with the neighbors they -

- Eliminated 12 units.
- Added landscaping and pedestrian access.
- Moved a driveway. No lights will shine into a single family home.
- They are back 507' from Whitehaven Rd. It will remain as permanent open space.
- They are adding a dense row of evergreen trees in Phase 1, at the request of neighbors.
- Updated lighting plan along the driveway. Lighting will not spill over to the properties.
- They will continue the blue siding on the proposed buildings.
- The trail has been extended.

They have answered all the concerns of the neighbors with this site plan.

A variance was granted by the Zoning Board of Appeals, at their October 4<sup>th</sup> meeting, to allow less density than permitted in the Central Business District. No less than 9 units or more than 16 units per acre are required. This project is at 6 units per acre.

Erie County Public Works is in agreement with the traffic impact study.

In a communication from Edward Rutkowski, DOT, it stated that a left hand turn lane should be constructed on Grand Island Blvd., if there is adequate width. Applicant will communicate with the DOT. If it is needed and if it will fit, they will construct it.

Since the last meeting, they have –

- Added a striped pedestrian walkway.
- Eliminated access aisles between buildings #9 and #10.
- Added 2 striped pedestrian walkways in Phase 1.
- Added additional sidewalks in Phase 1 to get people to the Club House.

Utilities and roads will be privately owned. There will be an agreement with the Town to repair any water breaks, at the applicant's expense.

When questioned, Mr. Cutaia stated that if speed bumps are needed, they will construct them.

It was moved by Stessing – Starzynski to recommend **APPROVAL** of the Site Plan as shown on the most recent copy, dated October 8<sup>th</sup>, including all previous elevations and drawings for landscaping and utilities and contingent on -

- Rec fees are paid in lieu of land.
- Town Board waives the entrance island on Whitehaven Rd.
- Reciprocal access easement, between Phase 1 and Phase 2, is recorded in the Erie County Clerk's office.
- Final Engineering approval.

Roll Call: Ayes – Stessing, Starzynski, Bruno, Duchscherer, Greco, Lare, Worrall  
Noes – None  
Carried

4. FROM: Planning Board Committee Report

RE: PROJECT SUBMISSION/REVIEW REQUIREMENTS/CHECK LIST

To remain on the TABLE.

**NEW BUSINESS**

It was moved by Bruno – Starzynski to add the following to the agenda for an informal discussion:

**1. MATT ARMSTRONG – BEDELL RD.**

Roll Call: Ayes – Bruno, Starzynski, Duchscherer, Greco, Lare, Stessing, Worrall  
Noes – None  
Carried

Matt Armstrong appeared to discuss his plans for property he purchased on Bedell Road, which is zoned M-1. He is proposing to –

- Construct a building, approximately 3,200 sf, a portion of which will be used as his office.
- Fence in the rear of the property to store his work vehicles. He owns a dump truck, pick-up truck and a Bobcat, the heaviest of his equipment. The plows will be parked in the building.
- Use storage bins to the rear of the property for mulch, river rock, etc.
- Use an area for flowers, trees, shrubs, for retail sales and for his use. He wants to be able to store and sell.

He currently has a landscaping business where he does lawn maintenance, landscaping, retaining walls, etc.

The Board discussed principal uses in M-1, M-2 and B-1 zoning districts and accessory uses in M-1. This appears to be more of a nursery than a landscaping business. M-1 allows principal uses allowed in the B-1 district. A nursery is allowed in a B-1 district. Also discussed was outdoor storage and a contractor's yard.

This is a small site, 120'x270', which limits what Mr. Armstrong can do with it. The lot size does not meet M-1 requirements. However, it was noted that this is an existing lot of record.

It was suggested that Mr. Armstrong return with a definitive plan, trying to avoid the need for any variances.

No action at this time.

It was moved by Stessing – Worrall to **ADJOURN** at 8:55 PM.

Roll Call: Ayes – Stessing, Worrall, Bruno, Duchscherer, Greco, Lare, Starzynski  
Noes – None  
Carried

Respectfully submitted,

Arlene Ehde  
Recording Secretary



OFFICE OF THE TOWN SUPERVISOR  
NATHAN D. McMURRAY

## MEMORANDUM

TO: Town Board  
FROM: Supervisor Nathan McMurray  
DATE: November 14, 2018  
RE: Agenda for 11/19/18 Town Board Meeting

SUBJECT: Appraisal of Four Parcels

WHEREAS, the Town Board advertised for bids from qualified individuals or companies for an appraisal of four parcels within the Town of Grand Island:

Town Hall  
2255 Baseline Rd, Grand Island, NY 14072  
SBL 37.01-2-25

CannonDesign  
2170 Whitehaven Rd, Grand Island, NY 14072  
SBL 36.00-2-11.121

Vacant Land Site  
1959 Whitehaven Rd, Grand Island, NY 14072  
SBL 37.01-2-24

Vacant Land Site  
2170 Whitehaven Rd, Grand Island, NY 14072  
SBL 36.00-2-11

WHEREAS, we received three proposals:

Emminger, Newton, Pigeon Magyar, Inc.....	\$2,900 (restricted) or \$5,700 (complete)
GAR Associates.....	\$3,800
KLW Appraisal Group.....	\$5,900

WHEREAS, Emminger, Newton, Pigeon Magyar, Inc is the lowest bidder;

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor to sign the proposal from Emminger, Newton, Pigeon Magyar, Inc for a \$2,900 restricted appraisal of the four above-mentioned parcels.

NDM



60 Lakefront Blvd, Suite 120

Buffalo, NY 14202

Ph. 716.685.0500

Fax: 716.558.2825

Email: [enpm@enpmappraisers.com](mailto:enpm@enpmappraisers.com)

Website: [enpmappraisers.com](http://enpmappraisers.com)

October 31, 2018

**VIA US MAIL**

Hon. Nathan McMurray, Supervisor  
Town of Grand Island  
2255 Baseline Road  
Grand Island, NY 14072

Re: Appraisal Proposal:  
Restricted Use and Complete Appraisal

1. Cannon Design Bldg. Site  
2170 Whitehaven Road, Grand Island, NY  
S.B.L. # 36.00-2-11.121
2. Cannon Design Vacant Land Site  
2170 Whitehaven Road, Grand Island, NY  
S.B.L. # 37.01-2-11.11
3. Town Hall  
2255 Baseline Road, Grand Island, NY  
S.B.L. # 37.01-2-25 and
4. Vacant Land  
1959 Whitehaven Road, Grand Island, NY  
S.B.L. # 37.01-2-24

Dear Supervisor McMurray,

Thank you for the opportunity to submit this proposal to you. Emminger, Newton, Pigeon & Magyar, Inc. (ENPM) is well qualified to perform an appraisal of the above-captioned properties based upon our experience in appraising similar parcels in the Town of Grand Island and throughout Western New York over the past 30+ years.

Hon. Nathan McMurray, Supervisor

October 31, 2018

Page 2

Our reports will be prepared in conformance to the Uniform Standards of Professional Appraisal Practice (USPAP). The reports will consider all of the applicable approaches to value for the subject type. Our proposal includes a fee for both a Restricted and a Complete Appraisal scenario.

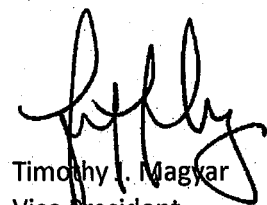
Cost of Services:                      \$2,900 – Restricted Appraisal  
   \$5,700 – Complete Appraisal

Completion Date:                      Four (4) weeks from when ENPM receives written authorization to proceed.

Below, I have provided an acknowledgement which can serve as authorization to proceed assuming the outline of services meets with your understanding and requirements.

After reviewing this proposal, if you have any questions please do not hesitate to contact me at your convenience. I thank you for considering our firm for this assignment and look forward to hearing from you in the near future.

Respectfully submitted,  
**EMMINGER, NEWTON, PIGEON & MAGYAR, INC.**



Timothy J. Magyar  
Vice President

Bids: grand island/cannon design town hall\_09122018

**ACKNOWLEDGEMENT**

The undersigned hereby agrees to engage the real estate appraisal services of Emminger, Newton, Pigeon & Magyar, Inc. in accord with the scope of services outlined above.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Nathan McMurray  
as Supervisor for the Town of Grand Island





OFFICE OF THE TOWN SUPERVISOR  
NATHAN D. McMURRAY

## MEMORANDUM

TO: Town Board  
FROM: Supervisor Nathan McMurray  
DATE: November 14, 2018  
RE: Agenda for 11/19/18 Town Board Meeting

### SUBJECT: Agriculture and Farmland Planning Committee

The members of the Agriculture Plan Steering Committee put many hours into obtaining a grant to write the Agriculture and Farmland Protection Plan for Grand Island. The funding has been secured, and a planner has been selected and approved.

This committee is now working with New York State Department of Agriculture and Markets to implement the Agriculture and Farmland Protection Plan, and to address other pertinent topics.

During these meetings, a specific and more inclusive committee has been configured. From this point forward, the Agriculture Plan Steering Committee will be known as the Agriculture and Farmland Planning Committee, and the members will be as follows:

Sheila Daminski, Chairman  
Jim Sharpe, Vice-Chairman  
Tom Thompson  
Chris Beyer  
Dana Albert  
Jenn Pusatier  
Kevin Colosimo  
Elias Redden  
Wendy Salvati, Planner  
Jeff Kehoe, NYS Ag and Market planner and liaison;  
Beverly Kinney and Pete Marston Jr., Town Board co-liaisons

This is for information only, and does not require action by the Town Board.

NDM

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](mailto:engineering@grand-island.ny.us)

T. B. Agenda: October 15, 2018

October 11, 2018

To: Town Board

From: Robert Westfall, PE   
Town Engineer

RE: Change Order No. 1  
Scenic Woods Phase I-IA Construction  
Job No. M-176-2016 #C1000708

RECEIVED  
2018 NOV 14 PM 1:00  
TOWN ENGINEER  
ROBERT WESTFALL

Honorable Town Board:

LDC Construction has requested the completion date of the above referenced contract be extended to May 31, 2019.

It was suggested by our wetland consultant, Wilson Environmental Technologies, that planting of the wetland permit required vernal pools would best be done in the spring. Construction of the vernal pools needs to be completed prior to completion of the trail to avoid damage to the new trail with construction equipment. The contractor felt that the paving of the new parking lot along with the required shrubs & plantings would also best be done in the spring.

After reviewing the request, the Engineering Department agrees and recommends the Town Board extend the completion date to May 31, 2019.

LMD

Justice Court



The Town of Grand Island

Town Justices:  
SYBIL E. KENNEDY  
MARK J. FRENTZEL  
Court Clerk  
MARIA C. BURNS

2255 BASELINE ROAD  
GRAND ISLAND, NEW YORK 14072  
(716) 773-9600 EXT. 650  
FAX: (716) 775-3527

TO: Town Board  
FROM: Mark J. Frentzel/Sybil E. Kennedy  
DATE: 11/14/18  
RE: Budget Transfer- 11/19/18 Agenda

Our Grand Island Town Court was in receipt of a Justice Court (JCAP) NYS Grant for the Court Office for the 2018 Budget year. The grant check was received in the amount of \$27,201. Some of those funds were utilized to enhance the security in the front area of the Court Offices. The balance of the funds remaining of \$17,400 is not sufficient to complete the privacy/security of the Clerk's Office area. An additional \$16,800 is necessary to complete the project to avoid the risk of losing those funds.

To do this in 2 phases will cost an additional \$1,500-\$2,000 to reorder and deliver.

Your approval is requested for the following budget transfer for 2018:

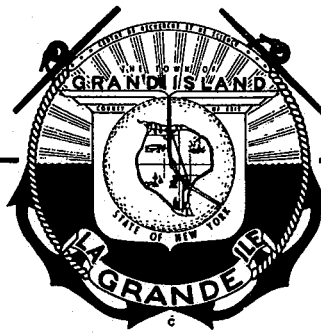
Increase Appropriations

Justice Court-Equipment	001-1110-0200	\$16,800
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Decrease Appropriations

Contingency	001-1990-0475	\$16,800
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*Mark J. Frentzel* 11/14/18



2255 BASELINE ROAD  
GRAND ISLAND, NEW YORK 14072  
(716) 773-9600

FOR TOWN BOARD AGENDA: November 19, 2018

**MEMO**

**TO:** Town Board  
**FROM:** Planning Board  
**DATE:** November 14, 2018  
**RE:** ARMSTRONG LANDSCAPING – 2354 BEDELL ROAD  
SITE PLAN APPROVAL – PROPOSED LANDSCAPE/NURSERY

RECEIVED  
TOWN BOARD  
GRAND ISLAND, NY  
NOV 15 AM 9:40

Matthew Armstrong appeared at the November 13<sup>th</sup> Planning Board Meeting with a Site Plan for a proposed landscape business/nursery.

Mr. Armstrong is proposing a 3,200 sf building which will contain equipment and a small office space. There will be a shop in the middle of the building away from the houses.

He received a rear yard setback variance for the bins and a side yard setback variance on the east side of the building, at the November meeting of the Zoning Board of Appeals. The bins in the rear yard will be used for mulch, soil, rocks, plants, etc.

The 4 parking spaces are shown within the front yard setback. Mr. Armstrong stated that he will move them in front of the building. However, there was a discussion regarding the parking spaces in front of the garage doors. There are 3 garage doors and one man door to the rear of the building. There will be one employee on site. He has 4-5 employees. Two employees have company vehicles. He can have 4 designated spots to the rear of the building for his employees. Parking areas have to be paved.

It was moved by Bruno – Greco to recommend **APPROVAL** of the Site Plan providing:

- Front parking spaces are moved across the front of the building. One handicapped space is required. Parking spaces to be paved.
- Add 4 paved designated parking spaces to the rear of the building.
- Extend fence on the east side of the building to the Northeast corner.
- Remove front garage door next to the man door and change to a window.

The Board notes that outdoor storage is not to exceed 20% of the site.

Roll Call: Ayes – Bruno, Greco, Bidell, Lare, Starzynski, Worrall  
Noes – Duchscherer  
Carried

David Bruno  
Chairman

/ae



NOV 15 AM 9:40 2255 BASELINE ROAD  
GRAND ISLAND, NEW YORK 14072  
(716) 773-9600

FOR TOWN BOARD AGENDA: November 19, 2018

**MEMO**

**TO:** Town Board  
**FROM:** Planning Board  
**DATE:** November 14, 2018  
**RE:** BRICK OVEN PIZZERIA & PUB – 2457 GRAND ISLAND BLVD.  
SITE PLAN APPROVAL – NEW VESTIBULE, BATHROOMS, PATIO, BAR EXPANSION

Mike Wylke and Bryan Barrett appeared at the November 13<sup>th</sup> Planning Board Meeting with plans for an expansion to the Brick Oven Pizzeria & Pub at 2457 Grand Island Blvd.

They are proposing to add onto the bar area, add additional bathrooms, a new entry vestibule and enclose a patio area. Realignment of some parking was shown. Forty-eight parking spaces are shown on the drawing. Mr. Wylke stated that they have a legal agreement with the plaza for additional parking. Agreement is on file in the Building Department. The diagonal parking spaces have a length of 20'. Twenty-one feet is required. Handicapped spaces should be near the doors. Three handicapped spaces are shown. Making the #7 parking spot into a handicapped space was discussed.

There are over 500' to the nearest residential structure.

Mr. Westfall stated that there is no problem with storm water management.

This project does not qualify for the Design and Performance Standards for landscaping.

It was moved by Duchscherer – Greco to recommend **APPROVAL** of the Site Plan with the following:

- Redo the chart on the Site Plan showing existing parking and the additional spaces in the agreement with the plaza.
- Increase length of parking stalls to 21'.
- Add a handicapped space.
- Add a light pole at the entrance to illuminate the entry way.
- Waive Design and Performance Standards because addition rounds off to 25%.

Roll Call: Ayes – Duchscherer, Greco, Bidell, Bruno, Lare, Starzynski, Worrall  
Noes – None  
Carried

David Bruno  
Chairman

/ae



2255 BASELINE ROAD  
GRAND ISLAND, NEW YORK 14072  
(716) 773-9600

FOR TOWN BOARD AGENDA: November 19, 2018

**MEMO**

**TO:** Town Board

**FROM:** Planning Board

**DATE:** November 14, 2018

**RE:** SONNY GRANGER – 2626 & 2640 STALEY RD.  
SITE PLAN APPROVAL – 2+/- ACRE POND AND  
LOCAL LAW INTRO #7 OF 2018 – MINING/EXCAVATION OVERLAY

Kristin L. Savard, PE, owner/President, Advanced Design Group appeared at the November 13<sup>th</sup> Planning Board Meeting to discuss the Site Plan and the Mining/Excavation Overlay.

She explained that originally their plan was to locate the pond between Lots 2 and 3. They are now planning to merge the two lots. They will amend the map cover with the County to reflect the merge. No variances will be required.

The Army Corps denied the proposed wetland mitigation bank. There is an invasive plant species, Buckthorn, which would be too cost prohibitive to control.

Within the next month or so they will submit building plans for the house and obtain approval to build the pond. Mr. Granger's in-laws will live in the house. Construction of the pond will probably start in the Spring.

There will be approximately 36,000 cubic yards of material, or 3,600 truckloads removed from the site. They will try to time the construction with other projects on the Island. Mr. Granger is not selling the soil. There will be an exchange of goods or services. Dick Crawford, Highway Superintendent, will require some bonding.

By receiving a Mining/Excavation Overlay, you are allowed to excavate more than 1/3 of an acre. The proposed pond is less than 1.9 acres.

Mr. Starzynski stated that creating a Mining Overlay is fundamentally making a local law. He is not in favor of this proposal because it is not of any benefit to Grand Island, environmentally or commercially.

All recent ponds were discussed. The requirements for the pond on Sixth Street should be followed, including the \$20,000 escrow agreement and constructing a house before the pond.

RECEIVED  
21 NOV 15 AM 9:40  
TOWN CLERK  
GRAND ISLAND, NY

Ms. Savard stated that Mr. Granger would be willing to put up the \$20,000 to keep things moving.

Mr. Westfall and Ms. Savard commented that at a recent meeting, Town Attorney Charles Malcomb stated that the Mining Overlay is the principal use. However, this Board is not aware of the interpretation.

It was moved by Bidell – Duchscherer to recommend **APPROVAL** of the Site Plan as submitted for the Mining/Excavation Overlay District with the proviso that the Certificate of Occupancy for the house is in place before the pond is finished. There should be coordination with the Highway Superintendent prior to pond construction.

Roll Call: Ayes – Bidell, Duchscherer, Bruno, Greco, Lare, Worrall  
Noes – Starzynski  
Carried

David Bruno  
Chairman

/ae