

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: June 3 2019

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> Cornerstone Church	
III	<u>PLEDGE:</u> Councilwoman Jennifer L. Baney	
IV	<u>PUBLIC COMMENTS:</u> - AGENDA ITEMS ONLY	
V	<u>PUBLIC HEARINGS:</u> <ol style="list-style-type: none"> 1. Increase and Improvement of Facilities of the Consolidated Water District (SCADA Improvements – 2019) 2. Local Law Intro #5 of 2019 – Rezoning SBL #64.15-2-53, 365 Elmwood Road – B-2 to R-1E 3. Local Law Intro #6 of 2019 – Rezoning Portion of SBL #36.00-1-6.111 Niagara Falls Campground, LLC – M1 to CR 	
VI	<u>MINUTES:</u> <ol style="list-style-type: none"> 1. Approve Minutes of Regular Meeting #8, May 20, 2019 	
VII	<u>CONSENT AGENDA:</u> <ol style="list-style-type: none"> 1. Meeting Minutes – Citizen Corps Council – April 2, 2019 2. Meeting Minutes – Board of Architectural Review – April 16, 2019 <u>COMMUNICATIONS – TOWN BOARD:</u>	
VIII	<u>SUPERVISOR NATHAN D. McMURRAY:</u> <ol style="list-style-type: none"> 1. 75th Anniversary of D-Day Tolling 	
IX	<u>COUNCILWOMAN BEVERLY A. KINNEY:</u> <ol style="list-style-type: none"> 1. Authorize Supervisor to File Electronic Application – Consolidated Funding Application <u>COMMUNICATIONS – OTHER TOWN OFFICIALS:</u>	
X	<u>TOWN ATTORNEY – PETER GODFREY:</u> <ol style="list-style-type: none"> 1. CSEA Agreement 	

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	TITLE:	DISPOSITION:
XI	<u>DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:</u> 1. Resignation – Water Department – Maintenance Worker 2. Promotion – Water Department – Laborer 3. Appointment – Water Department – Caretaker 4. NYSDOT Grand Island Boulevard Accessibility Project – PIN 5762.27 A. Request Authorization to Advertise for Bids B. Authorize Supervisor to Sign Supplemental Agreement (SA#1) with NYSDOT 5. Spectrum Business – HSD Service Upgrade	
XII	<u>RECREATION SUPERVISOR – JOSEPH MENTER:</u> 1. Part-time Hires	
XIII	<u>REPORT OF THE AUDIT COMMITTEE:</u>	
XIV	<u>UNFINISHED BUSINESS:</u> 1. Special Use Permit Application – Jie Zhu, 2568 Oakfield Road – Bed & Breakfast	
XV	<u>PUBLIC COMMENTS:</u>	
XVI	<u>FROM THE BOARD:</u>	
XVII	<u>MEMORIAL ADJOURNMENT:</u> Jennifer Loder Dennis Keefe Ralph Hoover Chester Dulak Victor Podgorny Sandra Beckett Joyce Van Hattum	

A meeting of the Town Board of the Town of Grand Island, in the County of Erie, New York, was held at the Town Hall, in said Town, on June 3, 2019.

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

Increase and Improvement of Facilities of the Consolidated Water District, in the Town of Grand Island, in the County of Erie, New York, pursuant to Section 202-b of the Town Law.

-----X
**RESOLUTION AND ORDER
AFTER PUBLIC HEARING APPROVING
THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE CONSOLIDATED WATER DISTRICT**

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

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

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of a new Supervisory Control and Data Acquisition (SCADA) system and associated equipment at the Water Treatment Plant, cell tower, low lift pump station, Whitehaven tank and pump station and the Niagara meter pit, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "District Improvement"); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$265,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$265,000, offset by any federal, state, county and/or local funds received.

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

WHEREAS, the Town Board issued an Order at its May 20, 2019 meeting calling for a public hearing to be held at the Town Hall, Grand Island, New York, on June 3, 2019 at 8:00 o'clock p.m. (prevailing time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing; and

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

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

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$265,000; and it is hereby

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

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

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

FURTHER ORDERED, that the expense of the Project shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$265,000, said amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and it is hereby

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

DATED: June 3, 2019

TOWN BOARD OF THE
TOWN OF GRAND ISLAND

A BOND RESOLUTION, DATED JUNE 3, 2019, OF THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF GRAND ISLAND CONSOLIDATED WATER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$265,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$265,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

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

WHEREAS, the Town Board has determined, by resolution, to undertake a certain water system capital improvements project; and

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

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

NOW THEREFORE,

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

SECTION 1. The Town is hereby authorized to undertake a water system capital improvements project that will generally consist of (but not be limited to), the installation of a new Supervisory Control and Data Acquisition (SCADA) system and associated equipment at the Water Treatment Plant, cell tower, low lift pump station, Whitehaven tank and pump station and the Niagara meter pit, as well as other such improvements as more fully identified in (or contemplated by) a map, plan and report prepared in connection with such project, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (the "Project"). The estimated maximum cost of said purpose is \$265,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$265,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless

paid from other sources or charges, the cost of such improvement is to be paid by the issuance of serial bonds and by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

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

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

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

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing 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 determined that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

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

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

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

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

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

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

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

SECTION 15. This Resolution is effective immediately.

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.

**DRAFT
COPY**

Local Law Intro No. 5 of 2019
Local Law No. ____ of 2019

A Local Law Amending the
Official Map of the Town of Grand Island

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

Section I.

Rezoning. The official map of the Town of Grand Island is hereby amended so that the SBL #:64.15-2-53, at 365 Elmwood Road shall be and hereby is rezoned from B-2 to R-1E.

That property is more specifically 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 No. 5, according to a map filed in Erie County Clerk's Office under Cover No. 659 is known as the southerly 50 feet of Subdivision Lots Nos. 17 and 18, being 50 feet front and rear by 138 feet in depth, situate on the east side of Elmwood Road commencing 200 feet south of Ferry Road.

Section II. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

Local Law Intro No. 6 of 2019

Local Law No. ____ of 2019

A Local Law Amending the
Official Map of the Town of Grand Island

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

Section I.

Rezoning. The official map of the Town of Grand Island is hereby amended so that a portion of SBL #:36.00-1-6.111 shall be and hereby is rezoned from M1 to CR.

WHICH PREMISES ARE 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 65 of said Island, more particularly bounded and described as follows:

Beginning at a point in the south line of Lot 65, being 788.00 feet west of the east line of Lot 65 as measured along the south line of said Lot, also being the centerline of Whitehaven Road being 66.0 feet wide; Thence northerly, parallel with the east line of Lot 65, a distance of 550.00 feet to the True Point of Beginning; Thence continuing northerly, parallel with the east line of Lot 65, a distance of 2128.11 feet, to a point on the north line of Lot 65; Thence westerly along the north line of Lot 65, a distance of 474.10 feet, to a point on the northeast corner of lands conveyed to WGR Broadcasting Corporation by deed recorded in the Erie County Clerk's Office in Liber of 5280 of Deeds at Page 541; Thence southerly along the east line of said WGR Broadcasting Corporation, a distance of 2128.11 feet, to a point; Thence easterly, parallel to the north line of Lot 65, a distance of 474.10 feet, to the True Point of Beginning. Containing 23.16 acres of land, more or less.

Section II. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

Town of Grand Island – Regular Meeting #8

**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 20th of May, 2019.

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.
Trinity United Methodist Church gave the Invocation.
Councilman Michael H. Madigan led the Pledge of Allegiance.

PROCLAMATIONS:

Municipal Clerk's Week – 50th Anniversary
National Public Works Week

PUBLIC COMMENTS:

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

Speakers: Sam Hunt, Adria Ryan

MINUTES:

A motion was made by Councilman Marston, seconded by Councilwoman Baney to approve Minutes of Workshop Meeting #17, April 29, 2019, Minutes of Workshop Meeting #18, May 6, 2019 and Minutes of Regular Meeting #8, May 6, 2019.

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

CONSENT AGENDA:

1. Meeting Minutes – Zoning Board of Appeals – April 4, 2019
2. Meeting Minutes – Planning Board – April 8, 2019
3. Golden Age Center Facility Usage – April 2019

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

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

COMMUNICATIONS –TOWN BOARD:

SUPERVISOR NATHAN D. McMURRAY:

KidBiz – Event

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the permit for KidBiz Event for the Grand Island Chamber of Commerce Young Entrepreneur Program on June 29, 2019 from 10:00a.m. to 3:00p.m. on the Town Common property.

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

Monday, May 20, 2019 - 1

Town of Grand Island – Regular Meeting #8

Grand Island Fire Company – Length of Service Awards

As required per GML 219-a, the Town Board is required to review the list of firefighters who have qualified to receive their 2018 Service Award and approved the final certification. The list is also posted at the GI Fire Hall for at least 30 days for review by members.

A motion was made by Councilwoman Baney, seconded by Councilman Marston to submit the names to the Accounting Department and approve the payment for the 53 GIFC firefighters who have qualified to receive their 2018 Service Award.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN ATTORNEY – PETER GODFREY:

Increase and Improvement of Facilities of the Consolidated Water District (SCADA Improvements – 2019) – Set Public Hearing

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

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

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

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of a new Supervisory Control and Data Acquisition (SCADA) system and associated equipment at the Water Treatment Plant, cell tower, low lift pump station, Whitehaven tank and pump station and the Niagara meter pit, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$265,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$265,000, offset by any federal, state, county and/or local funds received.

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Grand Island will be held at the Town Hall, 2255 Baseline Road, Grand Island, New York, on Monday, June 3, 2019 at 8:00p.m. o'clock p.m. (prevailing Time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

Monday, May 20, 2019 - 2

Town of Grand Island – Regular Meeting #8

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$265,000, said amount to be offset by any federal, state, county and/or local funds received, and, unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

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

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

Agreement for Payment in Lieu of Taxes (PILOT) – Grand Island, LLC, 126 Industrial Drive –SBL# 23.00-1-17.111

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize the PILOT Agreement between GSPP Grand Island B, LLC and the Town of Grand Island for property at 126 Industrial Drive – SBL #23.00-1-17.111, subject to the approval of the Town Attorney. The one-time lump sum payment of \$11,349.75 will be applied to the Technology Fund.

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

DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT WESTFALL: Nike Base Community Center Improvements – Change Order #1 – Contract A & B – M-213

Town Engineer Robert Westfall reported that Change Order No.1 is for adds/deducts for the removal of the asbestos tile on the community center side of the building, the removal of all toilets and sinks and replacement with new and additional plumbing, heating and wall construction work discovered once the rooms were empty.

The total change to Contract A is \$25,100.00. The total change to Contract B is \$16,200.00. The bond amount is sufficient to cover the increases in the contract amount.

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve Change Order #1 with an increase of \$25,100.00 to Empire Dismantlement Corp's awarded contract amount and an increase of \$16,200.00 to Montante Construction's awarded contract amount.

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

Town of Grand Island – Regular Meeting #8

Nike Base Community Center Improvements – Construction Professional Services Agreement – M-213

A motion was made by Councilman Marston, seconded by Councilwoman Kinney to authorize the Supervisor to sign the Professional Services Agreement with American DND for construction services for the Nike Base Community Center Improvements.

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

Water Treatment Plant Intake Cleaning & Inspection

Town Engineer Robert Westfall reported that the Water Treatment Plant Intake requires cleaning and inspection annually. Quotes were requested from four companies that perform that type of work and he received the following:

Hunt Underwater Specialties, LLC	\$10,444.00
BIDCO Marine Group	\$10,490.00
Allen Marine	\$14,400.00

After careful review of the quotes, Mr. Westfall recommends the cleaning & inspection be awarded to Hunt Underwater Specialties, LLC in the amount of \$10,400.00.

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to accept the recommendation of the Town Engineer and authorize Hunt Underwater Specialties, LLC in the amount of \$10,400.00.

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

NYSDEC General SPDES Permit for Stormwater Discharges Annual Report for Public Comment

The New York State Department of Environmental Conservation (NYSDEC) requires regulated small Municipal Separate Storm Sewer Systems (MS4s) to obtain coverage under a State Pollutant Discharge Elimination System (SPDES) for the discharge of storm water from Town owned storm sewer systems. As part of the EPA requirements, the Draft Annual Report and the Stormwater Management Plan must be available for public comment. Copies of the reports will be on file at the Town Clerk's office, the Grand Island Memorial Library and at www.grandislandny.us beginning May 17th, 2019. Public comments on the Annual Report will be accepted until May 31st, 2019.

No action by the Town Board is necessary.

Hire Summer Helper – Water Department

A motion was made by Councilman Marston, seconded by Councilman Madigan to approve the hiring of Anthony J. Leone a Seasonal Water Laborer, \$11.60/hr., effective May 21, 2019, subject to the completion of the necessary pre employment paperwork.

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

CODE ENFORCEMENT OFFICE:

Local Law Intro #5 of 2019 – Rezoning SBL #64.15-2-53, 365 Elmwood Road – B-2 to R-1E – Set Public Hearing

A motion was made by Councilman Marston, seconded by Councilman Madigan to set a Public Hearing for Monday, June 3, 2019 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #5 of 2019 – Rezoning SBL #64.15-2-53, 365 Elmwood Road – B-2 to R-1E.

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

Monday, May 20, 2019 - 4

Town of Grand Island – Regular Meeting #8

Local Law Intro #6 of 2019 – Rezoning Portion of SBL #36.00-1-6.111 Niagara Falls Campground, LLC – M1 to CR – Set Public Hearing

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to set a Public Hearing for Monday, June 3, 2019 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #6 of 2019 – Rezoning Portion of SBL #36.00-1-6.111 Niagara Falls Campground, LLC – M1 to CR.

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

RECREATION SUPERVISOR – JOSEPH MENTER: **Summer Part-time Hires**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to approve the following Part-time hires, effective May 21, 2019, subject to the completion of the pre-employment paperwork.

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>
Jacob Corrao	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Adam Frosolone	Recreation Attendant – Yr. 1 Aide	11.10 / hr.
Gina Graham	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Joshua Hunt	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Katherine Kovacs	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Emily Cirincione Prawel	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Luke Rizzo	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Garrett Robinson	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Laura Schultz	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Bonnie Stephens	Recreation Attendant – Yr. 3 LG	\$13.90 / hr.
Susan Szczublewski	Recreation Attendant – Yr. 3 Program Inst.	\$22.45 / hr.
Quinn Volk	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Roger Wright	Recreation Attendant – Yr. 3 Program Inst.	\$ 22.45 / hr.
APPROVED Ayes 5	Kinney, Madigan, Baney, Marston, McMurray	
Noes 0		

Status Changes

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to approve the following employees from Part-time to Seasonal status, effective May 21, 2019 for a period of five months, after which they will return to part-time status:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>
Joseph Botticello	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Lexie Diaz	Recreation Attendant – Yr. 2 LG	\$13.65 / hr.
Sara Gorton	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Julie Klein	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Collin McMahon	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Frankie McNamara	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Gracie McNamara	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Jake Nowak	Recreation Attendant – Yr. 3 LG	\$13.90 / hr.
Christopher O'Connor	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Michael Podgorny	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Eliza Sarigiannis	Recreation Attendant – Yr. 2 LG	\$13.65 / hr.
Eric Scalise	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Laura Szczepankiewicz	Recreation Attendant – Yr. 3 LG	\$13.90 / hr.
Stephanie Voyzey	Recreation Attendant – Yr. 3 LG	\$13.90 / hr.
Jadon Wegrzyn	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
APPROVED Ayes 5	Kinney, Madigan, Baney, Marston, McMurray	
Noes 0		

Monday, May 20, 2019 - 5

Town of Grand Island – Regular Meeting #8

Summer Seasonal Hires

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to hire the following Seasonal employees, effective May 21, 2019, subject to the completion of the pre-employment paperwork:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>
Matthew Aronica	Recreation Attendant - Yr. 1 Aide	\$11.10 / hr.
Claire Brandon	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Brandon Bruner	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Lauren Chadwick	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Annaliese DiCarlo	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Thomas Fabiano	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.
Joseph Figliola	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Nathan Hunt	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Natalie Kaminski	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Justin Kozlowski	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Cassidy Jenson	Recreation Attendant – Yr. 1 LG	\$12.90 / hr.
Nathan Link	Recreation Attendant – Yr. 1 LG	\$12.90 / hr.
Tiffany Melendez	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Sean Murray	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.
Trevor Samplinski	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Christopher Serra	Recreation Attendant – Yr. 3 Aide	\$11.60 / hr.
Lydia Sweeney	Recreation Attendant – Yr. 2 Aide	\$11.35 / hr.

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

TOWN ASSESSOR – JUDY M. TAFELSKI:

Kathleen M. Lorentz, 2555 Staley Road – Request to Split Property – SBL #:36.00-3-12.11

A motion was made by Councilman Marston, seconded by Councilwoman Baney refer the request Kathleen M. Lorentz, 2555 Staley Road – Request to Split Property – SBL #:36.00-3-12.11 to the Planning Board for review and recommendation.

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

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to pay Vouchers #127667 - #127793

General	\$ 85,550.82
Highway	\$ 10,834.49
Sewer	\$ 17,272.98
Water	\$ 13,166.50
Trust & Agency	\$ 1,759.17
Capital	<u>\$235,772.37</u>
Total	\$364,356.33

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

UNFINISHED BUSINESS:

Special Use Permit Application – Jie Zhu, 2568 Oakfield Road – Bed & Breakfast

A. Correspondence – Planning Board

Remains Tabled

Monday, May 20, 2019 - 6

Town of Grand Island – Regular Meeting #8

PUBLIC COMMENTS:

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

Speakers:

Sam Hunt, Dan Drexilius

FROM THE BOARD:

- School Budget and Board of Education Vote – Tuesday, May 21st – Grand Island High School
- Garbage Service
- Advisory Board Vacancies
- DeGlopper Memorial Park
- Unified Basketball Game
- Thank you to Dan Drexilius

ADJOURNMENT:

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

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

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

Steven Toth

Dane Wood

Rita Madia

Jeannette Ray

Beverly Dally

Thomas Joseph Walsh

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

Monday, May 20, 2019 - 7

Grand Island Citizen Corps Council
02Apr2019

RECEIVED

2019 MAY 20 AM 11:58

TOWN CLERK
GRAND ISLAND, N.Y.

Call to Order at 1902

Pledge

Welcome and Introductions

Attendance: Stephen Stouter, Jennifer Berard, Jean Caprio, Jane Wynne, Pete Marston, Deb Spencer

GI CERT

-CERT Equipment and Supplies at NIKE Base need to be relocated due to building renovations. S. Stouter to handle

-Shelter Ops- Discussed designation of the NYS Welcome Center as a possible Emergency Shelter option on Grand Island. S. Stouter to send letter to Town Board requesting a memorandum of understanding.

-Grand Island Golden Age Center as Emergency Shelter- The GAC has been utilized as an Emergency Shelter in the past. Has there ever been an official MOU/Policy developed to designate the GAC as an official shelter. S. Stouter and P. Marston to investigate.

EMCOMM

-FCC License Upgrade- S. Stouter and E. Sharp are preparing for exams.

Medical- Measles Outbreaks in Washington State and NY State were discussed. Recent Hep A Case in Buffalo was discussed

Police-

Schools-

Seniors- CERT Class Discussion re: daytime CERT Class at GAC planning underway for possible Fall Class

Correspondence- None

Old Business- None

New Business- None

Good of the Organization- None

Adjournment at

7:45

Respectfully Submitted



Stephen M. Stouter

PB

BOARD OF ARCHITECTURAL REVIEW MEETING

Minutes: April 16, 2019
7:30 PM

MEMBERS PRESENT: P. Buchanan, J. Butler, A. Stockinger, R. Szafran

MEMBERS ABSENT: K. Killian
D. Nardozzi – Alternate
Pete Marston - Liaison

OTHERS PRESENT: Casxteriors, Inc.
Jonathan Morris
Jolyne Chadwick
R. Steffans

RECEIVED
2019 MAY 28 AM 10:22
TOWN CLERK
GRAND ISLAND, N.H.

MINUTES: Board of Architectural Review Meeting – 3/19/19
Received & Filed

MINUTES: Town Board Meetings – 3/4/19, 3/18/19
Town Board Disposition – 4/1/19
Received & Filed

MINUTES: Planning Board Meeting – 2/11/10
Received & Filed

MINUTES: Zoning Board of Appeals – 3/7/19
Received & Filed

1. **CASXTERIORS, INC. – 85 Winkler Dr.**
Addition

Mr. Castillo from Casxteriors appeared to discuss the elevation for an addition to be constructed at 85 Winkler Dr. The exterior will be constructed using white vinyl siding. A motion was made by Buchanan – Szafran to accept the drawing, provided approvals are granted by all other necessary Town Boards.

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

2.

2. R. STEFFANS – 1938 Huth Rd.
Second Story Addition

It was moved by Szafran – Stockinger to accept the elevation for a second story addition to be constructed at 1938 Huth Rd. Approvals must be granted by all other necessary Town Boards.

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

3. STICKL CONSTRUCTION CO. – 22 & 72 Country Club Ct.
Single Family Dwellings – 316 Havenwood Lane

After reviewing the elevations for single family dwellings to be constructed at 22 & 72 Country Club Ct. and 316 Havenwood Lane, a motion was made by Buchanan – Szafran to accept the drawings, provided approvals are granted by all other necessary Town Boards.

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

4. MORDENO CONSTRUCTION CO. – 3093 Third Ave.
Single Family Dwelling

A motion was made by Stockinger – Szafran to accept the elevation for a single family dwelling to be constructed at 3093 Third Ave., provided approvals are granted by all other necessary Town Boards.

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

5. RYAN HOMES – 147 Stonebridge Rd.
Single Family Dwellings - 392 Quarry Run

It was moved by Buchanan – Szafran to accept the elevations for single family dwellings to be constructed at 147 Stonebridge Rd. and 392 Quarry Run. Approvals must be granted by all other necessary Town Boards.

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

6. MARK HARSCH – 172 Sturbridge Lane
Garage Addition

Mrs. Harsch appeared to discuss the elevation for a garage addition to her home. After discussing the project with Mrs. Harsch, a motion was made by Szafran – Buchanan to accept the drawings. Approvals must be granted by all other necessary Town Boards.

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

7. DAVID HOMES – 3358 East River Rd.,
Single Family Dwellings - 34 Eagleview Dr.

A motion was made by Buchanan – Stockinger to accept the elevations for single family dwellings to be constructed at 3358 East River Rd. and 34 Eagleview Dr., provided approvals are granted by all other necessary Town Boards.

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

4.

8. J. MORRIS – 1554 Allenton Place
Addition

The elevations for this project were delivered to the Building Dept. after (Wednesday Afternoon) the deadline for submitting drawings for the agenda. However, the Board reviewed the elevation for a garage addition with Mr. Morris. A motion was made by Buchanan – Stockinger to accept the drawing, provided approvals are granted by all other necessary Town Boards.

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

Meeting adjourned at 8:40 PM

Respectfully submitted,

John A. Butler, Chairman
Board of Architectural Review

Minutes prepared by Linda Koch, Recording Secretary

RECEIVED

2019 MAY 30 AM 9:42

TOWN CLERK
GRAND ISLAND, N.Y.

MEMORANDUM

TO: Town Board
FROM: Supervisor Nathan McMurray
DATE: May 29, 2019
RE: Agenda item for 6/2/19 Town Board Meeting

SUBJECT: 75th Anniversary of D Day Tolling

The National Medal of Honor Museum is recognizing the 75th Anniversary of D-day and honoring the 13 American men who earned the Medal of Honor for serving so valiantly, bravely and heroically on that day. A simultaneous Bell Ceremony will take place for each of the 13 Medal of Honor recipients in each of their places of birth, including here on Grand Island, the hometown of Charles DeGlopper. At 2 p.m. on June 6, there will be a bell ceremony at Charles DeGlopper Memorial. The public is welcome to join in paying their respects and remembering Charles DeGlopper and the other fallen soldiers who gave their lives for our country.

This is for your information only. No action needed.

NDM/kp

THE TOWN OF _____

BEVERLY A KINNEY
COUNCILWOMAN



RECEIVED

19 MAY 29 AM 11:48

TOWN CLERK
GRAND ISLAND N.Y.

GRAND ISLAND

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

Date: June 3, 2019

To: Town Board

From: Beverly A. Kinney Councilwoman

Re: To file an electronic Consolidated Funding Application for Market Analysis Study by Town Clerk

Motion to approve resolution that Mr. Nathan McMurray, as Supervisor of the Town of Grand Island, is hereby authorized and directed to file an electronic Consolidated Funding Application for funds in accordance with the endorsement standards set forth by the New York State Regional Economic Development Councils, in an amount no less than 50% of the approved funding and, upon approval of said request, to enter into and execute a project agreement with the State for such financial assistance to the Town of Grand Island for the proposed Eco-tourism/Ag-tourism Market Analysis Study through the Empire State Development Program.

Not to exceed \$15,000 of the 50/50 split of \$30,000 for the study.

Town of Grand Island
AUTHORIZING RESOLUTION
06/03/2019

For the New York State Consolidated Funding Application

I, Patricia Frentzel, elected Clerk of the Town of Grand Island located at 2255 Baseline Road, Grand Island, NY 14072, a corporation subject to the Not-for-Profit Corporation Law of New York State and therefore qualified for tax exempt status under the Town of Grand Island, do hereby certify that the following resolution was adopted at a regular meeting of the Town of Grand Island held on June 3rd, 2019 and is incorporated in the original board minutes of the said meeting and that the said resolution has not been altered, amended, or revoked and is in full force and effect.

Resolved:

That Mr. Nathan McMurray, as Supervisor of the Town of Grand Island, is hereby authorized and directed to file an electronic Consolidated Funding Application for funds in accordance with the endorsement standards set forth by the New York State Regional Economic Development Councils, in an amount no less than 50% of the approved funding and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Grand Island for the proposed Ecotourism/Agritourism Market Analysis Study through the Empire State Development Program.

Patricia Frentzel, Town Clerk

Seal of Municipality

SETTLEMENT AGREEMENT

This Agreement is entered into by and between TOWN OF GRAND ISLAND ("Employer"), CIVIL SERVICE EMPLOYEES ASSOCIATION, TOWN OF GRAND ISLAND WHITE COLLAR UNIT, ERIE COUNTY LOCAL 815 ("Union"), and JOSEPH A. MENTER ("Grievant").

WHEREAS, the Union filed a Grievance dated January 31, 2017 involving the Grievant ("Grievance");

WHEREAS, the Employer denied the Grievance, and the Union demanded to arbitrate same;

WHEREAS, the Employer, the Union, and the Grievant have now determined that they wish to resolve the matters involved in the Grievance without resort to any further procedures of any kind, including a grievance/arbitration proceeding, further negotiations, unfair labor practice charges, or a proceeding in court;

NOW, THEREFORE, in consideration of the mutual promises set forth below Employer, the Union, and the Grievant agree as follows:

1. The Union and the Grievant hereby withdraw the Grievance and demand for arbitration with prejudice.

2. The Employer agrees to increase the Grievant's rate of compensation to the level of a Grade 9 under the relevant Collective Bargaining Agreement with an effective date of January 1, 2018. For the avoidance of doubt, the Parties agree that Grievant will be entitled to (a) the "Start Hourly" rate of \$29.76 for all hours worked during calendar year 2018 in accordance with the 2018 Salary and Wage Schedule; (b) the "Year 1 Hourly" rate of \$31.33 for all hours worked from January 1, 2019 to date; and (c) to future increases thereafter in accordance with the Collective Bargaining Agreement, *i.e.*, Year 2 rate in 2020, Year 3 rate in 2021. The Parties agree that the retroactive portion sum will pay to Grievant in a lump sum, less applicable taxes and withholdings, in accordance with the Employer's regular payroll practices no later than the second regular payday following the date on which this Settlement Agreement is fully executed by all parties.

3. The Employer, the Union, and the Grievant agree that the appropriate rate for the body of work the Grievant has performed and continues to perform shall be a Grade 9, and that Grievant will not have or accrue any claim for increased compensation or "out of title" work with respect to that body of work unless the Town Board expressly increases his compensation.

4. The Union and the Grievant hereby release and forever discharge the Employer from any and all claims, complaints, damages or other liability relating to the subject

matter of the Grievance, including but not limited to any claim the Grievant may have for "out of title" pay or other compensation under the relevant Collective Bargaining Agreement. The Union and the Grievant agree not to file any other grievance, cause of action, or other claim relating to the subject matter of the Grievance. The Grievant agrees that he was fully and fairly represented by the Union in relation to this matter.

5. This settlement is not an admission of liability on anyone's part and the Employer expressly denies any and all allegations of wrongdoing at issue in the Grievance.

6. The settlement is non-precedent setting and may not be used by any party in future negotiation, grievance, arbitration, or other proceeding of any kind.

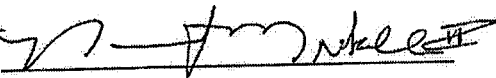
TOWN OF GRAND ISLAND

By _____

Dated _____

CIVIL SERVICE EMPLOYEES ASSOCIATION,
TOWN OF GRAND ISLAND WHITE COLLAR
UNIT, ERIE COUNTY LOCAL 815

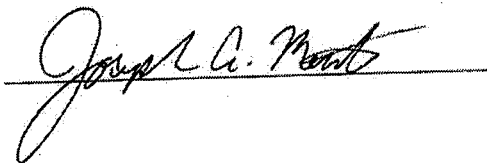
By



Dated

5/29/2019

JOSEPH A. MENTER



Dated

5-29-19

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal 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: June 2, 2019

May 23, 2019

To: Town Board

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

RE: Water Department – Maintenance Worker
David Whitney

Honorable Town Board:

I regret to inform you that David Whitney has decided to resign his position in the Water Department effective May 21, 2019.

RHW

C: T. Clerk
Accounting

RECEIVED
2019 MAY 28 PM 1:57
TOWN CLERK
GRAND ISLAND N.Y.

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal Engineer



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E-mail: engineering@grand-island.ny.us

Town Board Agenda: June 03, 2019

May 29, 2019

RECEIVED
2019 MAY 29 AM 11:39
TOWN CLERK
GRAND ISLAND, N.Y.

To: Town Board

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

RE: Employee Change of Work Classification
Water Department

Honorable Town Board:

I am hereby requesting the Town Board promote Colin Gallagher to the position of Laborer in the Water Department at the rate of \$17.88/hour as shown in the ASME Contract (Start).

I am requesting that the effective date of appointment be June 10, 2019.

RHW

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal Engineer



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E-mail: engineering@grand-island.ny.us

Town Board Agenda: June 03, 2019

May 29, 2019

RECEIVED
2019 MAY 29 AM 11:39
TOWN CLERK
GRAND ISLAND, NY

To: Town Board

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

RE: Appoint Caretaker for the Water Department

Honorable Town Board:

I am hereby requesting the Town Board appoint Justin Glose to the Water Department in the Caretaker position at the rate of \$16.64/hour as shown in the ASME Contract.

I am requesting that the effective date of appointment be June 10, 2019, subject to pre-employment screening and paperwork completion.

RHW

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal Engineer



THE TOWN OF GRAND ISLAND

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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: June 3, 2019

May 30, 2019

To: Town Board

From: Robert Westfall, P.E.
Town Engineer

RE: NYSDOT Grand Island Blvd. Accessibility Project
PIN 5762.27
Authorization to Advertise

Honorable Town Board:

We hereby request authorization to advertise the above referenced project for bids on Friday, June 14, 2019 and to receive bids on Wednesday, July 10, 2019 at 10:00 AM local time.

ld

RECEIVED
2019 MAY 30 AM 9:42
TOWN OF GRAND ISLAND

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal Engineer



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E-mail: engineering@grand-island.ny.us

Town Board Agenda: June 3, 2019

May 30, 2019

To: Town Board

From: Robert Westfall, P.E.
Town Engineer

Re: NYSDOT Grand Island Blvd. Accessibility Project
PIN 5762.27 Comptrollers Contract # D035733
Supplemental Agreement (SA#1) Authorization

Honorable Town Board:

Attached, please find a copy of the Resolution authorizing the agreement including Supplemental Agreement No. 1 with the New York State Department of Transportation for the Grand Island Blvd Accessibility Project that includes the installation of sidewalks on Grand Island Blvd from Webb Road to Fantasy Island.

Supplemental Agreement #1 (SA#1) extends the contract end date to 12/31/2021 and authorizes the release of the remaining \$920,000 in Federal funding for the project. The Town's share of \$260,000 remains the same.

We are hereby requesting the Town Supervisor be authorized to sign the supplemental agreement (SA#1) with the New York State Department of Transportation for the above referenced project.

ld

Attachments

RECEIVED
2019 MAY 30 AM 10:31
TOWN CLERK
GRAND ISLAND, NY

Authorizing the implementation, and funding in the first instance 100% of the Federal-Aid eligible costs, of a Transportation Federal-Aid project, to fully fund the local share of Federal-Aid eligible and ineligible projects costs, and appropriating funds therefore

WHEREAS, a Project to install ADA compliant sidewalks on Route 324 Grand Island Blvd from Webb Road to Martin's Fantasy Island, known as the Town of Grand Island Blvd Sidewalk Accessibility Project, PIN 5762.27, (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal funds; and

WHEREAS, the Town of Grand Island desires to advance the Project by making a commitment of 100% of the Non-Federal share of the Federal Aid eligible costs and any required Local costs of the Design, Construction & Construction Inspection phase of the project, PIN 5762.27.

NOW, THEREFORE, the Town Board of the Town of Grand Island, duly convened does hereby

RESOLVE, that the Town Board of the Town of Grand Island hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board of the Town of Grand Island hereby authorizes the Town of Grand Island to pay in the first instance 100% of the Federal and Non-Federal (Local) shares of the cost of the Design, Construction & Construction Inspection phase of the Project or portions thereof, and it is further

RESOLVED, that the sum of \$260,000 is hereby appropriated or appropriated from the 2017 capital budget and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the amount required to pay 100% of the full Federal and Non-Federal shares of the cost of the project's Design, Construction & Construction Inspection phase exceeds \$260,000, the current cost of this project phase, the Town of Grand Island shall convene its Board as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Supervisor of the Town of Grand Island be and hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Town of Grand Island with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of the Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to the necessary Agreement & Supplemental Agreement No. 1 in connection with the Project, and it is further

RESOLVED, this resolution shall take effect immediately.

Sponsor: **Town of Grand Island**PIN: **5762.27** BIN: **N/A**Comptroller's Contract No. **D035733**Supplemental Agreement No. **1**Date Prepared: **5/24/2019** By: **PAK**

Initials

Press F1 for instructions in the blank fields:

SUPPLEMENTAL AGREEMENT No. 1 to D035733 (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and

Town of Grand Island (the Sponsor)Acting by and through the **Supervisor**with its office at **Grand Island Town Hall, 2255 Baseline Road, Grand Island, NY 14072.**

This amends the existing Agreement between the parties in the following respects only (check applicable categories):

☒ Amends a previously adopted Schedule A by (check as applicable):☐ amending a project description☒ amending the contract end date☒ amending the scheduled funding by:☒ adding additional funding (check and enter the # phase(s) as applicable):☒ adding phase **3** which covers eligible costs incurred on/after **1 / 2019**☐ adding phase _____ which covers eligible costs incurred on/after **1 /**☐ increasing funding for a project phase(s)☐ adding a pin extension☐ change from Non-Marchiselli to Marchiselli☒ deleting/reducing funding for a project phase(s)☐ other (_____)☒ Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)☐ Amends a previously adopted Agreement by adding Appendix 2-S – Iran Divestment Act:☐ Amends the text of the Agreement as follows (insert text below):

Sponsor: **Town of Grand Island**PIN: **5762.27** BIN: **N/A**Comptroller's Contract No. **D035733**Supplemental Agreement No. **1**Date Prepared: **5/24/2019** By: **PAK**

Initials

Press F1 for instructions in the blank fields:

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

SPONSOR:

SPONSOR ATTORNEY:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

STATE OF NEW YORK

)ss.:

COUNTY OF **ERIE**

On this _____ day of _____, 20____ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; (except New York City) that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution which was duly adopted on _____ and which a certified copy is attached and made a part hereof; and that he/she signed his/her name thereto by like order.

Notary Public**APPROVED FOR NYSDOT:****APPROVED AS TO FORM:****STATE OF NEW YORK ATTORNEY GENERAL**

BY: _____

For Commissioner of Transportation

Agency Certification: In addition to the acceptance of this contract I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

By: _____

Assistant Attorney General

Date: _____

COMPTROLLER'S APPROVAL:

By: _____

For the New York State Comptroller
Pursuant to State Finance Law '112

SCHEDULE A

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 5762.27

OSC Municipal Contract #: D035733 **Contract Start Date:** 7/17/2017 (mm/dd/yyyy) **Contract End Date:** 12/31/2021 (mm/dd/yyyy)
☒ Check, if date changed from the last Schedule A

Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 1

Agreement Type: ☒ Locally Administered Municipality/Sponsor (Contract Payee): Town of Grand Island
 Other Municipality/Sponsor (if applicable):

☐ State Administered List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.

<input type="checkbox"/> Municipality:	% of Cost share
<input type="checkbox"/> Municipality:	% of Cost share
<input type="checkbox"/> Municipality:	% of Cost share

Authorized Project Phase(s) to which this Schedule applies: ☒ PE/Design ☐ ROW Incidentals
☐ ROW Acquisition ☒ Construction/CI/CS

Work Type: BIKE/PED./FACILITIES **County (If different from Municipality):** Erie

Marchiselli Eligible ☐ Yes ☒ No (Check, if Project Description has changed from last Schedule A): ☐

Project Description: Installation of ADA compliant sidewalks on Route 324, Grand Island Blvd, from Webb Rd to Martin's Fantasy Island, in the Town of Grand Island, Erie County; TAP-CMAQ 2016 award.

Marchiselli Allocations Approved FOR ALL PHASES All totals will calculate automatically.

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input type="checkbox"/>	Cumulative total for all prior SFYs	\$0.00	\$0.00	\$0.00	\$ 0.00
<input type="checkbox"/>	Current SFY	\$0.00	\$0.00	\$0.00	\$ 0.00
Authorized Allocations to Date		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding	Total Costs	FEDERAL Participating Share	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

NYSDOT/State-Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
5762.27.121	Current	CMAQ	\$150,000.00	\$120,000.00	\$0.00	\$30,000.00
	Old	CMAQ	\$	\$120,000.00	\$0.00	\$30,000.00
5762.27.221	Current	CMAQ	\$ 0.00	\$0.00	\$0.00	\$0.00
	Old	CMAQ	\$	\$4,000.00	\$0.00	\$1,000.00
5762.27.321	Current	CMAQ	\$1,150,000.00	\$920,000.00	\$0.00	\$230,000.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$1,300,000.00	\$1,040,000.00	\$ 0.00	\$260,000.00

C. Local Deposit(s) from Section A:	\$ 0.00
Additional Local Deposit(s)	\$
Total Local Deposit(s)	\$ 0.00

D. Total Project Costs All totals will calculate automatically.				
Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total OTHER STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
\$1,040,000.00	\$ 0.00	\$ 0.00	\$260,000.00	\$1,300,000.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Paul A. Kozlowski</u> Phone No: <u>716-847-3233</u>
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See Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYSDOT/State-Local Agreement – Schedule A

Footnotes: (See LPB's website for link to sample footnotes)

- **ADDITIONAL PROJECT DESCRIPTION:** This project will install sidewalk on the north and south sides of NY Route 324, Grand Island Blvd, from Webb Rd to Martin's Fantasy Island, in the Town of Grand Island, Erie County. This work will provide an ADA accessible 5 ft wide sidewalk connection for pedestrian to safely travel along Route 324, Grand Island Blvd.
- **FUND SOURCE:** The Preliminary Engineering (Design I-VI) phase and Construction/Construction Inspection phases: Page 2, Section B, Shares .121 and .321 are CMAQ Funds, @ 80% Federal Aid matched with 20% Local funds.

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SCHEDULE B

SCHEDULE B: Phases, Sub-phase/Tasks, and Allocation of Responsibility

Instructions: Identify the responsibility for each applicable Sub-phase task by entering X in either the *NYSDOT* column to allocate the task to State labor forces or a State Contract, or in the *Sponsor* column indicating non-State labor forces or a locally administered contract.

A1. Preliminary Engineering ("PE") Phase

<u>Phase/Sub-phase/Task</u>	Responsibility: <u>NYSDOT</u>	<u>Sponsor</u>
1. <u>Scoping</u> : Prepare and distribute all required project reports, including an Expanded Project Proposal (EPP) or Scoping Summary Memorandum (SSM), as appropriate.	<input type="checkbox"/>	<input type="checkbox"/>
2. Perform data collection and analysis for design, including traffic counts and forecasts, accident data, Smart Growth checklist, land use and development analysis and forecasts.	<input type="checkbox"/>	<input type="checkbox"/>
3. Smart Growth Attestation (NYSDOT ONLY).	<input type="checkbox"/>	<input type="checkbox"/>
4. <u>Preliminary Design</u> : Prepare and distribute Design Report/Design Approval Document (DAD), including environmental analysis/assessments, and other reports required to demonstrate the completion of specific design sub-phases or tasks and/or to secure the approval/authorization to proceed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Review and Circulate all project reports, plans, and other project data to obtain the necessary review, approval, and/or other input and actions required of other NYSDOT units and external agencies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Obtain aerial photography and photogrammetric mapping.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Perform all surveys for mapping and design.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. <u>Detailed Design</u> : Perform all project design, including preparation of plan sheets, cross-sections, profiles, detail sheets, specialty items, shop drawings, and other items required in accordance with the Highway Design Manual, including all Highway Design, including pavement evaluations, including taking and analyzing cores; design of Pavement mixes and applications procedures; preparation of bridge site data package, if necessary, and all Structural Design, including hydraulic analyses, if necessary, foundation design, and all design of highway appurtenances and systems [e.g., Signals, Intelligent Transportation System (ITS) facilities], and maintenance protection of traffic plans. Federal Railroad Administration (FRA) criteria will apply to rail work.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Perform landscape design (including erosion control).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Design environmental mitigation, where appropriate, in connection with: Noise readings, projections, air quality monitoring, emissions projections, hazardous waste, asbestos, determination of need of cultural resources survey.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Phase/Sub-phase/TaskResponsibility: **NYSDOT** **Sponsor**

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| 11. Prepare demolition contracts, utility relocation plans/contracts, and any other plans and/or contract documents required to advance, separate, any portions of the project which may be more appropriately progressed separately and independently. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Compile PS&E package, including all plans, proposals, specifications, estimates, notes, special contract requirements, and any other contract documents necessary to advance the project to construction. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Conduct any required soils and other geological investigations. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Obtain utility information, including identifying the locations and types of utilities within the project area, the ownership of these utilities, and prepare utility relocations plans and agreements, including completion of Form HC-140, titled Preliminary Utility Work Agreement. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Determine the need and apply for any required permits, including U.S. Coast Guard, U.S. Army Corps of Engineers, Wetlands (including identification and delineation of wetlands), SPDES, NYSDOT Highway Work Permits, and any permits or other approvals required to comply with local laws, such as zoning ordinances, historic districts, tax assessment and special districts. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Prepare and execute any required agreements, including: <ul style="list-style-type: none">- Railroad force account- Maintenance agreements for sidewalks, lighting, signals, betterments- Betterment Agreements- Utility Work Agreements for any necessary Utility Relocations of Privately owned Utilities | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. Provide overall supervision/oversight of design to assure conformity with Federal and State design standards or conditions, including final approval of PS&E (Contract Bid Documents) by NYSDOT. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

A2. Right-of-Way (ROW) Incidentals**Phase/Sub-phase/Task**Responsibility: **NYSDOT** **Sponsor**

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|--|--------------------------|--------------------------|
| 1. Prepare ARM or other mapping, showing preliminary taking lines. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. ROW mapping and any necessary ROW relocation plans. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Obtain abstracts of title and certify those having an interest in ROW to be acquired. | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Secure Appraisals. | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Perform Appraisal Review and establish an amount representing just compensation. | <input type="checkbox"/> | <input type="checkbox"/> |

Phase/Sub-phase/TaskResponsibility: **NYSDOT** **Sponsor**

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|---|--------------------------|--------------------------|
| 6. Determination of exemption from public hearing that is otherwise required by the Eminent Domain Procedure Law, including <i>de minimis</i> determination, as may be applicable. If NYSDOT is responsible for acquiring the right-of-way, this determination may be performed by NYSDOT only if NYSDOT is responsible for the Preliminary Engineering Phase under Phase A1 of this Schedule B. | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Conduct any public hearings and/or informational meetings as may be required by the Eminent Domain Procedures Law, including the provision of stenographic services, preparation and distribution of transcripts, and response to issues raised at such meetings. | <input type="checkbox"/> | <input type="checkbox"/> |

B. Right-of-Way (ROW) Acquisition**Phase/Sub-phase/Task**Responsibility: **NYSDOT** **Sponsor**

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|---|--------------------------|--------------------------|
| 1. Perform all Right-of-Way (ROW) Acquisition work, including negotiations with property owners, acquisition of properties and accompanying legal work, payments to and/or deposits on behalf of property owners; Prepare, publish, and pay for any required legal notices; and all other actions necessary to secure title to, possession of, and entry to required properties. If NYSDOT is to acquire property, including property described as an uneconomic remainder, on behalf of the Municipality/Sponsor, the Municipality/Sponsor agrees to accept and take title to any and all permanent property rights so acquired which form a part of the completed Project. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Provide required relocation assistance, including payment of moving expenses, replacement supplements, mortgage interest differentials, closing costs, mortgage prepayment fees. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Conduct eminent domain proceedings, court and any other legal actions required to acquire properties. | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Monitor all ROW Acquisition work and activities, including review and processing of payments of property owners. | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Provide official certification that all right-of-way required for the construction has been acquired in compliance with applicable Federal, State or Local requirements and is available for use and/or making projections of when such property(ies) will be available if such properties are not in hand at the time of contract award. | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Conduct any property management activities, including establishment and collecting rents, building maintenance and repairs, and any other activities necessary to sustain properties and/or tenants until the sites are vacated, demolished, or otherwise used for the construction project. | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Subsequent to completion of the Project, conduct ongoing property management activities in a manner consistent with applicable Federal, State and Local requirements including, as applicable, the development of any ancillary uses, establishment and collection of rent, property maintenance and any other related activities. | <input type="checkbox"/> | <input type="checkbox"/> |

C. Construction, Construction Support (C/S) and Construction Inspection (C/I) Phase

<u>Phase/Sub-phase/Task</u>	<u>Responsibility: NYSDOT Sponsor</u>	
1. Advertise contract lettings and distribute contract documents to prospective bidders.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conduct all contract lettings, including receipt, opening, and analysis of bids, evaluation/certification of bidders, notification of rejected bids/bidders, and awarding of the construction contract(s).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Receive and process bid deposits and verify any bidder's insurance and bond coverage that may be required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compile and submit Contract Award Documentation Package.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Review/approve any proposed subcontractors, vendors, or suppliers.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Conduct and control all construction activities in accordance with the plans and proposal for the project. Maintain accurate, up-to-date project records and files, including all diaries and logs, to provide a detailed chronology of project construction activities. Procure or provide all materials, supplies and labor for the performance of the work on the project, and insure that the proper materials, equipment, human resources, methods and procedures are used.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7a. For non-NHS or non-State Highway System Projects: Test and accept materials, including review and approval for any requests for substitutions.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7b. For NHS or State Highway System Projects: Inspection and approval of materials such as bituminous concrete, Portland cement concrete, structural steel, concrete structural elements and/or their components to be used in a federal aid project will be performed by, and according to the requirements of NYSDOT. The Municipality/Sponsor shall make or require provision for such materials inspection in any contract or subcontract that includes materials that are subject to inspection and approval in accordance with the applicable NYSDOT design and construction standards associated with the federal aid project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7c. For projects that fall under both 7a and 7b above, check boxes for each.		
8. Design and/or re-design the project or any portion of the project that may be required because of conditions encountered during construction.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Administer construction contract, including the review and approval of all contractor requests for payment, orders-on-contract, force account work, extensions of time, exceptions to the plans and specifications, substitutions or equivalents, and special specifications.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Review and approve all shop drawings, fabrication details, and other details of structural work.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Administer all construction contract claims, disputes or litigation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Phase/Sub-phase/Task

Responsibility: NYSDOT Sponsor

12. Perform final inspection of the complete work to determine and verify final quantities, prices, and compliance with plans specifications, and such other construction engineering supervision and inspection work necessary to conform to Municipal, State and FHWA requirements, including the final acceptance of the project by NYSDOT. ☐ ☒
13. Pursuant to Federal Regulation 49 CFR 18.42(e)(1) The awarding agency and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of grantees and subgrantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts. ☐ ☒

DEPARTMENT OF ENGINEERING
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.
Town Engineer

LYNN M. DINGEY
Asst. Civil Engineer

CHRISTOPHER M. DANN
Assistant Municipal 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: June 3, 2019

May 30, 2019

To: Town Board

From: Robert Westfall, P.E.
Town Engineer

RE: Spectrum Business – HSD Service Upgrade

Honorable Town Board

Our telecommunications services at 7 of our facilities (3500 Baseline, 318 Baseline, 1600 Whitehaven, 1820 Whitehaven, 1856 Whitehaven, 3278 Whitehaven and 1881 Bedell Rd) are provided by Spectrum Business. Currently, the Town is operating at the previous speeds that were offered by Time Warner, either 10x1, 15x2 or 35x5 depending on the location, that are no longer adequate for efficient day to day operations.

Spectrum Business has proposed upgrading all 7 locations to 100x10 HSD Broadband service with all necessary static IP's for \$1,527.91/month and an installation charge of \$99.00 at each site requiring a site visit and equipment upgrade.

We are requesting permission to have the Supervisor sign a new agreement with Spectrum Business to provide upgraded 100 x 10 HSD service at all 7 facilities with necessary static IP's.

ld

RECREATION DEPARTMENT
3278 WHITEHAVEN ROAD
GRAND ISLAND, NY 14072
(716) 773-9680 – Office
(716) 465-8370 – Cell
recreation@grand-island.ny.us



THE TOWN OF GRAND ISLAND
Joseph A. Menter
Recreation Supervisor

To: Supervisor McMurray and Town Board Members
From: Joseph A. Menter – Recreation Supervisor
Re: Recreation Department Hires – Part Time
Date: May 29, 2019

ITEM FOR AGENDA: June 3, 2019

I request permission the hire the following people effective June 4, 2019, subject to completion of the necessary pre-employment paperwork:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>	<u>Status</u>
Lucas Kruse	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.	Part Time
Evan Linenfelser	Recreation Attendant – Yr. 1 Aide	\$11.10 / hr.	Part Time

Sincerely,


Joseph A. Menter

RECEIVED
2019 MAY 29 PM 1:32
TOWN OF GRAND ISLAND