

John C. Whitney - Supervisor  
 Michael H. Madigan - Councilman  
 Jennifer L. Baney - Councilwoman  
 Peter Marston, Jr. - Councilman  
 Thomas A. Digati - Councilman  
 Patricia A. Frentzel - Town Clerk  
 Peter C. Godfrey - Town Attorney

## TOWN BOARD OF THE TOWN OF GRAND ISLAND

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

Date: February 3, 2020

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> Cornerstone Church	
III	<b><u>PLEDGE:</u></b> Councilwoman Jennifer L. Baney	
IV	<b><u>PUBLIC COMMENTS:</u></b> - AGENDA ITEMS ONLY	
V	<b><u>PUBLIC HEARINGS:</u></b> 1. Create Lighting District #66 – Grand Park Vue Phase VIII 2. Local Law Intro #13 of 2019-Amend the Zoning Code Regarding Principal Uses on the Same Lot 3. Local Law Intro #4 of 2020 – Aggressive Solicitation Law	
VI	<b><u>MINUTES:</u></b> 1. Approve Minutes of Workshop Meeting #3, January 21, 2020 2. Approve Minutes of Regular Meeting #2, January 21, 2020	
VII	<b><u>CONSENT AGENDA:</u></b> 1. Meeting Minutes – Historic Preservation Advisory Board – November 15, 2019, December 20, 2019 & January 17, 2020 2. Meeting Minutes – Board of Architectural Review – December 17, 2019 <b><u>COMMUNICATIONS –TOWN BOARD:</u></b>	
VIII	<b><u>COUNCILWOMAN JENNIFER L. BANEY:</u></b> 1. Traffic Safety Advisory Board – Southpointe Residential Development Project <b><u>COMMUNICATIONS – OTHER TOWN OFFICIALS:</u></b>	
IX	<b><u>DEPARTMENT OF ENGINEERING &amp; WATER RESOURCES – ROBERT H. WESTFALL:</u></b> 1. Request Authorization to Advertise for Bids – Towerwood/Bronson/South Parkway Waterline Replacement – Job # M-220 2. Request Authorization to Advertise for Bids – Water System SCADA Project – Job # M-230 3. Request Permission to Advertise for Laborer Positions – Water and Wastewater Departments 4. Award Bid – Highway Garage Roof Replacement – Job # M-28-2019	
X	<b><u>JUSTICE COURT – MARK J. FRENTZEL &amp; MARK S. NEMETH:</u></b> 1. JCAP Grant – Request for Additional Funds	

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	TITLE:	DISPOSITION:
XI	<b><u>TOWN ASSESSOR – JUDY M. TAFELSKI:</u></b> 1. Authorize Supervisor to Submit PO-17 – Real Property Appraiser	
XII	<b><u>REPORT OF THE AUDIT COMMITTEE:</u></b>	
XIII	<b><u>PUBLIC COMMENTS:</u></b>	
XIV	<b><u>FROM THE BOARD:</u></b>	
XV	<b><u>MEMORIAL ADJOURNMENT:</u></b>  Thomas Slaiman                      Arnold Colbert Angela Parisi                        Charles Markarian, Jr. Richard Green                       Stephen Fleming Kenneth Brodie                      Elizabeth Brie Tiffany Hayes                        Joan Pax	

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 February 3, 2020

PRESENT:

Hon. John C. Whitney, Supervisor  
Michael H. Madigan, Councilmember  
Jennifer L. Baney, Councilmember  
Peter Marston, Jr., Councilmember  
Thomas A. Digati, Councilmember

-----X

In the Matter :  
of the :

**RESOLUTION AFTER PUBLIC  
HEARING CREATING  
GRAND PARK VUE  
PHASE VIII LIGHTING  
DISTRICT NO. 66**

Creation of Grand Park Vue Phase VIII  
Lighting District No. 66  
in the Town of Grand Island,  
in the County of Erie, New York  
Pursuant to Town Law Article 12 :

-----X

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 Grand Park Vue Phase VIII Lighting District No. 66 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 January 21, 2020, 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 February 3, 2020, 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. The Establishment of the Lighting District is an approval related to the Grand Park Vue subdivision approval; the Town Board has previously determined that this action will not have a significant adverse impact on the environment and therefore a Negative Declaration of Environmental Significance was issued. The Town Board hereby determines that there have been no project changes, changes in circumstances, or new information that would warrant rescission or amendment of the Negative Declaration.

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 \$1,004.01 with an expected annual cost to the typical property in the proposed Lighting District (which typical property is a single family home) of approximately \$77.23, 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 Lot 113 of said Island, bounded and described as follows:

Beginning at the south east corner of Lot 118 as shown on Map filed in the Erie County Clerk's Office under Cover N-37801, said point also being a point on the west line Castlewood Court;

Thence along the west line of Castlewood Court, S 1°45'54" E a distance of 70.00 feet to the north east corner of Lot 106 as shown on above mentioned Map;

Thence S 88°14'06" W a distance of 283.96 feet to a point of curve;

Thence along an arc 50.59 feet to the left, having a radius of 70.00 feet, the chord of which is S 67°31'49" W for a distance of 49.50 feet to a point of reverse curve;

Thence along an arc 321.09 feet to the right, having a radius of 70.00 feet, the chord of which is N 1°45'54" W for a distance of 105.00 feet to a point of reverse curve;

Thence along an arc 50.59 feet to the left, having a radius of 70.00 feet, the chord of which is S 71°03'37" E for a distance of 49.50 feet to a point of tangency;

Thence N 88°14'06" E a distance of 283.96 feet to the POINT OR PLACE OF BEGINNING.

The above described parcel contains  $\pm$  0.856 acres (37297 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:

NOES:

ABSENT:

The Resolution was declared adopted.

1/23/2020

**TOWN OF GRAND ISLAND, NEW YORK  
PROPOSED LOCAL LAW NO. \_\_ OF 2020**

**DRAFT  
COPY**

A Local Law Amending the Town of Grand Island Zoning Code Regarding Principal Uses on  
the Same Lot

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

**Section 1:** Section 407-10 of the Town of Grand Island Code is hereby amended by replacing the definition of USE, PRINCIPAL, to read in its entirety as follows:

**USE, PRINCIPAL**

The primary function of a site, building or facility.

**Section 2:** Section 407-167.3 of the Town of Grand Island Code is hereby added, to read in its entirety as follows:

**§ 407-167.3 Multiple Uses.**

**A.** Multiple principal uses on one lot is prohibited in all zoning districts with exceptions as follows:

- (1) In the Town Center Districts (NBD, CBD, and SBD), M-1 Light Industrial and Research District, and M-2 Industrial District, multiple principal uses are permitted.
- (2) In B-1 General Business District, B-2 Waterfront Business District, and B-3 Hamlet Business District, multiple principal uses are permitted only with the issuance of a special use permit through the process set forth in Article XXV, Special Use Permits.

**B.** Substantive requirements for lots containing more than one principal use.

- (1) All substantive requirements set forth in the Code are applicable except as otherwise indicated herein.
- (2) **Parking.** Determining minimum parking on a lot containing multiple principal uses shall begin with a baseline of 150% of the parking required of the most intensive use, where intensive refers the use with the highest number of parking spaces required. Then, from that baseline, the figure shall be adjusted either up or down based upon the characteristics and needs of the specific site and uses, as recommended by the Planning Board and approved by the Town Board. Determining the appropriate number of parking spaces shall be based upon the specific characteristics of the uses on the site.

- (3) Signage. The aggregate area of all signs on the lot may not exceed 125% of the maximum area of signage otherwise permitted by Chapter 295 of the Code. All other requirements of this Chapter are applicable as written.

**Section 3. Severability Clause.** If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Grand Island hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.

**Section 3. Effective Date.** This local law shall be effective immediately upon filing with the New York Secretary of State.

**DRAFT  
COPY**

*1/28/2020*

**TOWN OF GRAND ISLAND, NEW YORK**  
**Local Law Intro No. 4 of 2020**  
**Local Law No. \_\_\_\_ of 2020**

**A LOCAL LAW REGULATING CERTAIN TYPES  
OF PANHANDLING ON PUBLIC PROPERTY**

Be it hereby enacted by the Town Board of the Town of Grand Island, a local law as follows:

**SECTION I. ENACTMENT OF CHAPTER 297, "SOLICITATION", OF THE TOWN  
CODE**

Be it hereby enacted by the Town Board of the Town of Grand Island that a new section of the Town Code, numbered Chapter 297, titled "Solicitation" shall be added as follows:

**§ 297-1: LEGISLATIVE INTENT**

The Town Board finds that legislation is necessary in order to protect persons from threatening, intimidating or harassing behavior, to keep public places safe and attractive for use by all members of the community and to maintain and preserve public places where all of the community can interact in a peaceful manner. This legislation is also intended to provide for the free flow of pedestrian and vehicular traffic on streets and sidewalks in the Town of Grand Island, to promote tourism and business and preserve the quality of life. The Town Board finds that aggressive acts associated with solicitation tend to interfere with the free flow of pedestrian and vehicular traffic and intimidate persons in public places, and can lead to disruption and disorder in public places. Aggressive acts can also cause persons to avoid public places and lead to declining patronage of commercial establishments and tourism. The Town Board further finds that solicitation in certain public places is inconsistent with the use of those places, is inherently intimidating, targets persons who are captive audiences or constitutes an invasion of privacy as persons are not able to simply move on if they do not wish to speak to the person soliciting. Solicitation in proximity to bank entrances or check-cashing businesses or automated teller machines is inherently intimidating and should be restricted. This legislation is intended to promote the health, safety and welfare of the citizens and visitors to the Town of Grand Island.

**§ 297-2: DEFINITIONS**

For the purposes of this chapter, the following terms shall have the following meanings:

**A. AGGRESSIVE MANNER**

1. Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation, or approaching within arm's length of the person, except with the person's consent; or
2. Following the person being solicited, if that conduct is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession, or is intended to or is



reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation; or

3. Continuing to solicit within five feet of the person being solicited after the person has made a negative response, if continuing the solicitation is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession, or is intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation; or
4. Intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation; or
5. Intentionally or recklessly using words intended to or likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession, or intended or likely to intimidate the person into responding affirmatively to the solicitation; or
6. Approaching the person being solicited in a manner that is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession or intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation.

B. AUTOMATED TELLER MACHINE: A device, linked to a financial institution's account records, which is able to carry out transactions, including but not limited to account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.

C. AUTOMATED TELLER MACHINE FACILITY: The area comprised of one or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.

D. BANKING ORGANIZATION: All banks, trust companies, private bankers, savings banks, industrial banks, safe deposit companies, savings and loan associations, credit unions and investment companies as defined in § 2 of the New York State Banking Law.

E. LICENSED CASHIER OF CHECKS: Any individual, partnership, unincorporated association or corporation duly licensed by the New York State Superintendent of Banks to engage in business pursuant to the provisions of Article IX-A of the New York State Banking Law.

F. PARKING AREA: An off-street area used for the temporary storage of self-propelled vehicles and available for public use, whether free, for compensation or as an accommodation for clients or customers. Parking areas shall also include parking garages, parking ramps, and municipal parking lots.

G. PUBLIC PLACE: Any area or building owned, leased, operated or controlled by or on behalf of any government, municipality, public authority or public corporation in the Town of Grand Island that is generally accessible by the public, including but not limited to any street, including the sidewalk portion thereof, bridge, tunnel, park, playground, recreation area, path, trail, cemetery, school, or school grounds, building, facility, driveway, parking area, and the doorways and entrances to buildings and dwellings.

H. SOLICIT: Shall include, without limitation, the spoken, written, or printed word or such other acts or bodily gestures as are conducted in furtherance of the purposes of immediately obtaining money or any other thing of value.

### **§ 297-3: PROHIBITED CONDUCT**

- A. No person shall solicit in an aggressive manner in a public place.
- B. No person shall solicit in an aggressive manner in a parking area as defined in this chapter.
- C. No person shall solicit within 20 feet of an automated teller machine or an entrance or exit of an automated teller machine facility during the time the automated teller machine is available for customers' use; or within 20 feet of an entrance or exit to a banking organization or a licensed casher of checks during its business hours.
- D. No person shall solicit when either the person soliciting or the person being solicited is in a bus shelter or at a bus stop.
- E. No person on a sidewalk or alongside a roadway shall solicit from any occupant of a motor vehicle that is on a street or other public place.

### **§ 297-4: PENALTIES FOR OFFENSES**

A violation of this chapter shall be classified as a "violation" as that term is defined in the Penal Law. A person convicted of violating this chapter shall be fined not less than \$25 nor more than \$250 and, in addition for a second conviction within 12 months of a preceding conviction, may be imprisoned for a term not longer than 15 days. In lieu of a fine, the court may impose an appropriate alternative sentence; provided, however, that an alternative sentence shall not be an unconditional discharge.

### **SECTION II. SEVERABILITY**

If any clause, sentence, paragraph, or part of this chapter or application thereof to any person or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof or the application thereof to other persons and circumstances, but shall be confined in its operation to the clause, sentence, paragraph or part thereof and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

### **SECTION III. AUTHORITY**

This Local Law is adopted pursuant to the authority vested in the Town pursuant to the Constitution of the State of New York, the New York State Municipal Home Rule Law, and the New York State Town Law, Article 9, Section 130.

### **SECTION IV. EFFECTIVE DATE**

This law shall take effect immediately upon filing with the Secretary of State.

## *Town of Grand Island - Workshop Meeting #3*

**DRAFT  
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A workshop meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Road, Grand Island, NY at 6:30p.m. on the 21<sup>st</sup> of January, 2020.

Present:	John C. Whitney	Supervisor
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston, Jr.	Councilman
	Thomas A. Digati	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor John C. Whitney called the meeting to order at 6:30p.m.

### **Economic Development Advisory Board – Presentation of the Grand Island Marketing Video**

A four part video presentation was made by the EDAB created by Brand Landers.

A motion was made by Councilman Marston, seconded by Councilwoman Baney to give the EDAB permission to share the videos for promoting Grand Island with the Grand Island Chamber of Commerce, on social media sites, the Town's website, hotels, campsites, NYS Welcome Center and any other such place in the interest of the Town of Grand Island for marketing purposes.

APPROVED    Ayes    5        Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

A motion was made by Councilman Marston, seconded by Councilman Madigan to authorize the final payment of \$5,180.00 to Brand Landers for the production of the Grand Island Marketing Video

APPROVED    Ayes    5        Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

### **General Discussion:**

**Market Analysis Grant** – A \$30,000 grant application with \$15,000 Town share match was awarded toward the implementation of the Master Plan. EDAB members will send all the paperwork regarding the grant to the Town Board for review.

**Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1**

**Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1/B-1 to R-1A**

**WNYLC: GI Open Space Inventory Review – Schedule Town Board Workshop – January 29<sup>th</sup> 11:00a.m.**

**Local Law Intro #9 of 2019 Tree Ordinance Law** – Planning Board recommendations: Need input to include Town Departments and professionals; Clear cutting and reforestation needs to be addressed; Tree City Certification; First Step: Develop a Tree Advisory Committee

**Local Law Intro #13 of 2019-Amend the Zoning Code Regarding Principal Uses on the Same Lot** – Proposed changes to be incorporated into Draft Law for consideration at Public Hearing on Monday, February 3, 2020.

*Tuesday, January 21, 2020 - 1*

## *Town of Grand Island - Workshop Meeting #3*

### **Wastewater Treatment Plant Retirement – Request to post for Laborer Position**

A motion was made by Councilman Madigan, seconded by Councilman Marston to authorize the Town Engineer to post a Laborer position, Start Rate per the AFSME contract.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

### **EXECUTIVE SESSION:**

A motion was made by Councilman Digati, seconded by Councilwoman Baney to enter into Executive Session at 7:25p.m. for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person(s) employed by the Town and to obtain legal advice from the Town Attorney.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

*Assessor Judy Tafelski was present during Executive Session*  
*Assessor Judy Tafelski left the meeting at 7:34p.m.*

A motion was made by Councilman Marston, seconded by Councilman Digati to return to the Regular Workshop at 7:56p.m.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

### **Resolution Issuing Decision on Special Use Permit for Short Term Rental Use of 2012 East River Road, Grand Island, New York**

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to adopt the following resolution Issuing Decision on Special Use Permit for Short Term Rental Use of 2012 East River Road, Grand Island, New York:

**WHEREAS**, Anne Fahning (the "Applicant") applied for a special use permit to operate 2012 E. River Road, Grand Island, New York (the "Property"), owned by Applicant and her husband, as a short-term rental facility in the form of a bed-and-breakfast ("B&B") (the "Application") pursuant to §§ 407-115, 407-28, and 351-6 of the Town of Grand Island Code (the "Town Code"); and

**WHEREAS**, the administrative record in this matter contains several documents submitted to the Town, including the Application as well as documents and filings related to the New York State Supreme Court, Erie County matter entitled *Anne Fahning v. the Town Board of the Town of Grand Island, New York and the Town of Grand Island, New York*, Index. No, 808594/2019, originally filed on July 11, 2019 (the "2019 Lawsuit"); and

**WHEREAS**, the Town Board passed Local Law No. 9 of 2015, which prohibits short-term rentals in the Town with limited exceptions and created a sunset provision to

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### *Town of Grand Island - Workshop Meeting #3*

phase out existing short-term rental uses in the Town, including Applicant's Property; and

**WHEREAS**, Local Law No. 9 of 2015 specifically exempts B&Bs from prohibitions because the Town Board found that "the presence of the owner works to mitigate some of the impacts resulting from transient rental (e.g., debris, loud parties, use of the property for improper purposes);" and

**WHEREAS**, Local Law No. 9 of 2015 was the source of prior litigation between the Town and the Applicant and her husband regarding Applicant's ability to extend the use of the Property for short-term rentals (*Robert Fahning et al v. Zoning Board of Appeals of the Town of Grand Island, New York et al.*, Index No. 801542/2017, or the "2017 Lawsuit"); and

**WHEREAS**, the 2017 Litigation was resolved via a Consent Order and Judgment that was signed by the parties, ordered by Hon. John F. O'Donnell, and filed on October 16, 2017, which allowed Applicant to use the Property for short-term rentals through April 15, 2019, and unequivocally states that after April 15, 2019, "Petitioners [Applicant and her husband] shall be prohibited from utilizing the Property for short-term rentals, as defined in the Town of Grand Island Code, as amended by the Local Law [No. 9 of 2015];" and

**WHEREAS**, despite the foregoing, Applicant submitted an application to use the Property as a B&B, which is a short-term rental use as defined by the Town Code at § 407-10; and

**WHEREAS**, the Town Board referred the Application to the Town of Grand Island Planning Board ("Planning Board") as required by Town Code § 407-115; and

**WHEREAS**, the Planning Board issued a memorandum recommending denial of this Application based on the Consent Order resolving the 2017 Litigation, because a B&B is a short-term rental use, and because the Consent Order prohibits use of the Property as a short-term rental, the special use permit should be denied; and

**WHEREAS**, the Applicant provided on the Special Use Permit Application dated March 19, 2019 that Applicant's home address is "2186 East River Rd, Grand Island, NY 14072;" and

**WHEREAS**, a B&B is defined in Town Code § 407-10 as "An owner-occupied private single-family dwelling customarily used as a residence which regularly or seasonally offers overnight accommodations in not more than five bedrooms to not more than 10 tourists or transients, which includes one off-street parking space (not located in the required front yard) for each bedroom;" and

**WHEREAS**, "owner-occupied" is defined in MacMillan Dictionary as "a house that is . . . lived in by the person who owns it," and similarly by Miriam Webster as "lived in

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### *Town of Grand Island - Workshop Meeting #3*

by the person who owns it," and "owner occupant" is defined by Black's Law Dictionary as a "property owner who resides within his or her own property;"

**NOW THEREFORE BE IT RESOLVED** by the Town Board of the Town of Grand Island that the Application is hereby DENIED for the following reasons:

1. The recitals set forth above are incorporated herein by reference and are made a part of this decision.
2. The Consent Order that settled the 2017 litigation gave Applicant extra time to operate the Property as a short-term rental in exchange for terminating such use after a date certain. The Consent Order specifically demonstrates an agreement by the Applicant not to use the Property for short term rental use (of which B&Bs are a type, pursuant to the Code provisions referenced above) after April 15, 2019. In relevant part, the Consent Order reads, "After April 15, 2019, Petitioners shall be prohibited from utilizing the Property for short-term rentals, as defined in the Town of Grand Island Code, as amended by the Local Law [No. 9 of 2015]." Because a B&B is a short-term rental establishment pursuant to the Town Code, Applicant is prohibited from using the Property for short-term rentals of any variety by the terms of the Consent Order and the Special Use Permit Application must be denied.
3. In addition to the clear prohibition in the Consent Order, to which both the Applicant and the Town are bound, B&B usage is specifically defined as an owner-operated short-term rental facility customarily used as a residence. The Town Board hereby finds that the requirements for owner-operator status are not met by the Applicant, who does not reside at the Property but, as revealed in the 2019 Litigation, merely plans to stay at the Property for evenings when any guests are booked to stay there. As noted above, it was specifically and explicitly intended by the Town Board in Local Law No. 9 of 2015 that B&Bs be permitted to operate only where owner-operators reside at the property to be rented, because the Town Board found that such an arrangement is most likely to mitigate certain adverse impacts and community concerns related to short-term rental properties. The Applicant does not customarily use the Property as her residence, and therefore the Application does not meet the requirements of a B&B and the Special Use Permit must be denied. The Town Board has reviewed and considered information submitted by the Applicant with respect to efforts to change her residence. The Board finds those not to be credible. The Application admits her residence is at 2186 East River Road. She lives there with her husband. The Property is located 0.4 miles away from her residence. The Property has been set up and configured for rental of the entire dwelling, and the Applicant has used it as such. Moreover, the Applicant has continued to offer the Property for rent in violation of the Consent Order and the Town of Grand Island Code. As recently as October 31, 2019, the Applicant has offered her home for rent on HomeAway. The rental offers all 5 bedrooms for rent, indicating that the Applicant has not alerted guests that she intends to be present during stays. In addition, there are reviews posted to HomeAway where guests have stayed in violation of the Consent Order and the Town of Grand Island Code. Stays have been ongoing through September and October 2019.

## *Town of Grand Island - Workshop Meeting #3*

4. The factors set forth above are not meant to be exhaustive and the Town Board refers to the full contents of the record in support of its determination.

5. This resolution is effective immediately.

APPROVED    Ayes    5        Madigan, Baney, Marston, Digati, Whitney  
                  Noes    0

### **Parks Maintenance Worker II**

A motion was made by Councilman Digati, seconded by Councilwoman Baney to appoint Steven Mrzygut as a Parks Maintenance Worker II, effective January 22, 2020, Part-time – Non-Union, \$18.29/hr., subject to the approval of the Town Attorney.

APPROVED    Ayes    5        Madigan, Baney, Marston, Digati, Whitney  
                  Noes    0

### **ADJOURN:**

A motion was made by Councilman Digati, seconded by Councilman Madigan to adjourn at 7:59p.m.

APPROVED    Ayes    5        Madigan, Baney, Marston, Digati, Whitney  
                  Noes    0

Respectfully submitted,

Patricia Anderson Frentzel  
Town Clerk

*Tuesday, January 21, 2020 - 5*



## ***Town of Grand Island – Regular Meeting #2***

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 21<sup>st</sup> of January, 2020.

**DRAFT  
COPY**

Present:	John C. Whitney	Supervisor
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston Jr.	Councilman
	Thomas A. Digati	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor John C. Whitney called the meeting to order at 8:00p.m.  
Pastor Kevin Slough from Trinity United Methodist Church gave the Invocation.  
Councilman Michael H. Madigan led the Pledge of Allegiance.

### **PUBLIC COMMENTS:**

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

*Speakers:* None

### **MINUTES:**

A motion was made by Councilman Marston, seconded by Councilwoman Baney to approve Minutes of Workshop Meeting #1, January 6, 2020 and Minutes of Regular Meeting #1, January 6, 2020 and Workshop #2, January 14, 2020.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

### **CONSENT AGENDA:**

1. Building Permits Issued – December 2019
2. Golden Age Center – Yearly Attendance Report – 2019
3. Golden Age Center – Facility Usage – December 2019
4. Meeting Minutes – Zoning Board of Appeals – December 5, 2019
5. Meeting Minutes – Planning Board – December 9, 2019
6. 2020 Schedule of Planning Board Meetings
7. Meeting Minutes – Technology Advisory Board – November 11, 2019
8. Building Department – Yearly Summary Report

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

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

***Tuesday, January 21, 2020 - 1***

## ***Town of Grand Island – Regular Meeting #2***

### **COMMUNICATIONS – TOWN BOARD:**

#### **COUNCILMAN – THOMAS A. DIGATI:**

##### **Local Law Intro #4 of 2020 – Aggressive Solicitation Law – Set Public Hearing**

A motion was made by Councilman Digati, seconded by Councilwoman Baney to set a Public Hearing for Monday, February 3, 2020 at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #4 of 2020 – Aggressive Solicitation Law.

APPROVED

Ayes 5 Madigan, Baney, Marston, Digati, Whitney  
Noes 0

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

#### **TOWN CLERK – PATRICIA ANDERSON FRENTZEL:**

##### **Appointment**

A motion was made by Councilman Madigan, seconded by Councilman Marston to refer the matter to the Town Board.

APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney  
Noes 0

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

#### **Create Lighting District #66 – Grand Park Vue Phase VIII – Set Public Hearing**

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

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 Grand Park Vue Phase VIII Lighting District No. 66; 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 Lot 113 of said Island, bounded and described as follows:

Beginning at the south east corner of Lot 118 as shown on Map filed in the Erie County Clerk's Office under Cover N-37801, said point also being a point on the west line Castlewood Court;

Thence along the west line of Castlewood Court, S 1°45'54" E a distance of 70.00 feet to the north east corner of Lot 106 as shown on above mentioned Map;

Thence S 88°14'06" W a distance of 283.96 feet to a point of curve;

Thence along an arc 50.59 feet to the left, having a radius of 70.00 feet, the chord of which is S 67°31'49" W for a distance of 49.50 feet to a point of reverse curve;

Thence along an arc 321.09 feet to the right, having a radius of 70.00 feet, the chord of which is N 1°45'54" W for a distance of 105.00 feet to a point of reverse curve;

Thence along an arc 50.59 feet to the left, having a radius of 70.00 feet, the chord of which is S 71°03'37" E for a distance of 49.50 feet to a point of tangency;

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## ***Town of Grand Island – Regular Meeting #2***

Thence N 88°14'06" E a distance of 283.96 feet to the POINT OR PLACE OF BEGINNING.

The above described parcel contains ± 0.856 acres (37297 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 \$1,004.01, with an expected annual cost to the typical property in the proposed District of approximately \$77.23, 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, February 3, 2020 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   5           Madigan, Baney, Marston, Digati, Whitney  
              Noes   0

### **Amending and Restating Bond Resolution – Roof Replacement Project – Highway Garage (Project M-28-2019)**

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

AN AMENDING AND RESTATING BOND RESOLUTION, DATED JANUARY 21, 2020, OF THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, ERIE COUNTY, NEW YORK (THE "TOWN"), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON AUGUST 5, 2019, AND AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF VARIOUS

***Tuesday, January 21, 2020 - 3***

## *Town of Grand Island – Regular Meeting #2*

IMPROVEMENTS TO THE HIGHWAY GARAGE BUILDING IN THE TOWN (PRIMARILY ROOF RECONSTRUCTION), AT AN ESTIMATED MAXIMUM COST OF \$600,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$600,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, on August 5, 2019, the Town Board of the Town of Grand Island, Erie County, New York (the "Town") adopted a certain bond resolution (the "Original Bond Resolution") entitled:

A BOND RESOLUTION, DATED AUGUST 5, 2019, OF THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF VARIOUS IMPROVEMENTS TO THE HIGHWAY GARAGE BUILDING IN THE TOWN (PRIMARILY ROOF RECONSTRUCTION) AT AN ESTIMATED MAXIMUM COST OF \$275,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$275,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

and

WHEREAS, the Town Board wishes to modify the Original Bond Resolution for the primary purpose of modifying the scope of the project and to make other modifications to the Original Bond Resolution as may be consistent with the project plan and the law; and

WHEREAS, the Town Board wishes to modify the Original Bond Resolution for the primary purposes of increasing: a) the estimated maximum cost of the project from \$275,000 to \$600,000 due to the need for additional and more extensive asbestos remediation work and b) the amount of serial bonds authorized to be issued from \$275,000 to \$600,000, and to make other modifications to the Original Bond Resolution as may be consistent with law; and

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

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## *Town of Grand Island – Regular Meeting #2*

WHEREAS, the Town Board now wishes to amend and restate (in its entirety) the original August 5, 2019 Bond Resolution for the reasons identified above, and to make other determinations to the Original Bond Resolution as may be consistent with law; and

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

NOW THEREFORE,

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

SECTION 1. The Town is hereby authorized to undertake a capital improvements project generally consisting of the reconstruction of and construction of improvements to the Highway Garage Building in the Town including, but not limited to, the removal and disposal of the existing roof containing asbestos and the installation of a new roof including vapor barrier, insulation, drains, gutters and decking, as well as other such improvements as more fully identified in (or contemplated by) a report prepared by the Town Engineering Department, including all preliminary work and necessary equipment, materials and related site work and all preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$600,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$600,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 12(a)(2) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, will mature no later than five years from the date of original issuance of such bonds or notes.

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

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## ***Town of Grand Island – Regular Meeting #2***

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after August 5, 2019 or within 60 days prior to the earlier of (a) August 5, 2019 or (b) the date of any earlier expression by the Town of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Town's original declaration of its "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to

***Tuesday, January 21, 2020 - 6***

## *Town of Grand Island – Regular Meeting #2*

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 has determined that the purpose 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 such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or  
(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or
2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 15. Nothing in this amendment shall affect the validity of the original August 5, 2019 bond resolution, or any action taken thereunder and any such actions are hereby ratified.

SECTION 16. This resolution is effective immediately.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

*Tuesday, January 21, 2020 - 7*

## ***Town of Grand Island – Regular Meeting #2***

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

#### **Award Bid – Traffic Signal Inspection & Emergency Services Contract**

Town Engineer Robert Westfall reported that on December 27, 2019, one bid was received on the Traffic Signal and Emergency Service Contract. Requests for prices went sent to four (4) firms.

<u>Bidder Name</u>	<u>Bid Price (First year/Second year)</u>
J.J. Emergency Electric	\$ 1,600.00 / \$1,600.00

After careful review of the bid, Mr. Westfall requests that the contract be awarded to the sole bidder J.J. Emergency Electric for two years in the amount of \$1,600.00 for the first year and the \$1,600.00 for the second year.

A motion was made by Councilwoman Baney, seconded by Councilman Marston to accept the recommendation of the Town Engineer and authorize the Supervisor to sign the Traffic Signal Inspection & Emergency Services Contract with J.J. Emergency Electric for two years (1-1-2020 to 12-31-2021) for the annual inspection and emergency service on Town owned traffic signals in the amount of \$1,600.00 for the first year and \$1,600.00 for the second year.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                      Noes    0

#### **Retirement – Sewer Maintenance Worker**

A motion was made by Councilman Marston, seconded by Councilman Madigan to accept the letter of retirement from Richard Bartosiewicz, effective January 11, 2020 as a Sewer Maintenance Worker with regret. Mr. Bartosiewicz has served the Town for 41 years. A certificate of appreciation will be sent to Mr. Bartosiewicz.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                      Noes    0

#### **Authorize Posting of Vacancy in Wastewater Department – Request to post for Laborer Position**

A motion was made by Councilman Madigan, seconded by Councilman Marston to authorize the Town Engineer to post a Laborer position, Start Rate per the AFSME contract.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                      Noes    0

#### **Authorize Supervisor to Sign Agreement – Grand Island-Baseline Road Accessible Sidewalk – PIN 5763.46, Comptrollers Contract #D036485, M-229**

Town Engineer Robert Westfall reported to the Town Board that the proposal from CHA Consulting for design services related to the above mentioned project satisfactorily addresses the scope of work necessary for preliminary and final design services required for a NYS DOT project.

A motion was made by Councilman Digati, seconded by Councilwoman Baney to authorize the Supervisor to sign the agreement with CHA Consulting in an amount not to exceed \$65,000, subject to the approval of the Town Attorney.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                      Noes    0

***Tuesday, January 21, 2020 - 8***



## ***Town of Grand Island – Regular Meeting #2***

**TOWN ASSESSOR – JUDY M. TAFELSKI:**

### **Resolution Requesting Town Board Support – Amend the Real Property Tax Law Regarding STAR Tax Savings**

A motion was made by Councilman Marston, seconded by Councilman Madigan to adopt the following resolution in support of an amendment to the Real Property Tax Law Regarding STAR Tax Savings:

WHEREAS, the current STAR real property tax savings may be less than the amount of the STAR real property tax savings from the prior year and has no floor value, and

WHEREAS, the New York State Legislature is considering legislation amending Subparagraph (i) of Paragraph (a) of Subdivision 2 of Section 1306-a of the Real Property Tax Law, as amended by Section 1 of Part LL of Chapter 59 of the Laws of 2019 to add language in relation to providing that the amount of a STAR real property tax savings may not be less than the amount of the STAR real property tax saving from the previous year, which will create a floor for the STAR program, and

WHEREAS, the establishment of such legislation would create a floor that protects low income individuals and those on fixed incomes to ensure they receive, at a minimum, the same STAR real property tax savings in the following year, and

WHEREAS, the New York State Assessor's Association supports this Bill,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Grand Island that the Real Property Tax Law be amended to provide that the amount of a STAR real property tax savings not be less than the amount of the STAR real property tax savings from the prior year and hereby supports the New York State Bill, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to forward a copy of said resolution to the following:

Governor Andrew Cuomo  
Assemblyman Angelo Morinello  
Senator Chris Jacobs

APPROVED    Ayes    5        Madigan, Baney, Marston, Digati, Whitney  
                  Noes    0

### **Part-time Hire**

A motion was made by Councilman Marston, seconded by Councilman Digati to appoint Emily Halifax, Non-union Part-time Clerk Typist, Grade 4, Step A, effective February 3, 2020, subject to the completion of the necessary pre-employment paperwork.

APPROVED    Ayes    5        Madigan, Baney, Marston, Digati, Whitney  
                  Noes    0

***Tuesday, January 21, 2020 - 9***

## ***Town of Grand Island – Regular Meeting #2***

### **CODE ENFORCEMENT OFFICE:**

#### **Permanent CEO Position**

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to appoint Kasey Morgan to the permanent position of Full-time Code Enforcement Officer (B), effective January 21, 2020, pay rate consistent with the CSEA union contract, with appropriate years of service adjustment.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

#### **Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1**

A motion was made by Councilman Marston, seconded by Councilman Digati to refer Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1 to the Planning Board for review and recommendation.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

#### **Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1/B-1 to R-1A**

A motion was made by Councilman Marston, seconded by Councilman Digati to refer Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1/B-1 to R-1A to the Planning Board for review and recommendation.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

#### **Request Permission to Advertise – Full-time Code Enforcement Officer**

A motion was made by Councilman Madigan, seconded by Councilman Digati to authorize the Code Enforcement Officer Ron Milks to advertise for a Full-time Code Enforcement Officer due to the anticipation of an employee retirement.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

#### **Special Use Permit Renewal – Thomas Burkman, 800 Kirkwood Drive – Bed & Breakfast**

A motion was made by Councilman Marston, seconded by Councilman Madigan to renew the Special Use Permit for Thomas Burkman, 800 Kirkwood Drive – Bed & Breakfast. The site has been inspected and it is unchanged.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

***Tuesday, January 21, 2020 - 10***

*Tuesday, January 21, 2020 - 11*

## *Town of Grand Island - Regular Meeting #2*

### **ADJOURNMENT:**

A motion was made by Councilwoman Baney, seconded by Councilman Digati to adjourn the meeting at 8:47p.m.

APPROVED    Ayes    5            Madigan, Baney, Marston, Digati, Whitney  
                     Noes    0

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

Patricia Curtin	Nicholas LaMonte
William Grunzweig, Sr.	Joseph Waschensky, Sr.

Respectfully submitted,

Patricia Anderson Frentzel  
Town Clerk

*Tuesday, January 21, 2020 - 12*

**Historic Preservation Advisory Board**

**November 15, 2019**

RECEIVED

2020 JAN 17 AM 10:54

TOWN CLERK  
GRAND ISLAND N.Y.

**Present:** Joe Macaluso, Sharon Nichols, Jodi Robinson, June Crawford, Shirley Luther and Carolyn Doebert.

Joe called the meeting to order at 2:06 PM

Minutes from October meeting reviewed and accepted with motion by Shirley and seconded by Sharon.

Sharon reported that Lois Koch has given all of Bill's files to HPAB and given to Jodi For review. Mary Cooke has the CD's for review.

Decision made to move 5 of our display boxes from the upper storage area at Town Hall to new allocated space on the main floor.

Sharon will look for storage boxes for our displays.

Jodi reported she has historic plaques for schoolhouse and cupola and CCC Camp. Yensen not available for plaque presentation until after hunting season December Or January.

Letter read from Mark Mistretta in regard to GIHS obtaining back half of the RiverLea farmhouse stating state will be renting to park employee, therefore society will once again have to find solution for acquiring downstairs bathroom.

Jennifer Walkowski NYS HP Program Analyst requests definition of the appropriate boundry around River Lea in accordance with our application for Landmark status. Will discuss further at GIHS Board meeting.

Joe expressed his concern about keeping RiverLea and Preservation separate.

As Historic Preservation members, we can not make decisions for the Historical Society.

June made the motion that Jodi be the Liason between the Historical Society and Historic Preservation. Seconded by Joe.

June reported that she and Joe, Sharon, and Shirley recently met to discuss and compile numerous lists of historic properties. Many sites reviewed by the board with dates and owners clarified.

Joe made the motion that our board get a subscription to Buffalo Niagara Local and State Publication. Seconded by Jodi. It will be sent to June.

No further business. Motion to adjourn by Joe and seconded by June at 3:40 PM  
Next meeting: December 20 at 2 PM

Respectfully submitted,  
Carolyn Doebert, Recording Secretary

Historic Preservation Advisory Board

December 20, 2019

Present: Joe Macaluso, Sharon Nichols, Jodi Robinson, June Crawford, Mike Madigan  
And Carolyn Doebert.

Joe called the meeting to order at 2 PM. Minutes from the November meeting were  
Approved as read with motion by June and seconded by Sharon.

Mike reminded Jodi and Carolyn that their terms on the board expire and if they  
Wish to seek another term, they must send an e-mail to John Whitney,  
Town Supervisor for re-appointment status.  
Posting to fill Bill Koch's term will be in January.  
Our HPAB will interview applicants.

Mike reported that he had contacted Bernie Rotella and Peter Godfrey regarding  
Grant applications and Bernie said there may be funding available.

Clarifications made regarding HPAB involvement in decisions about River Lea due  
To location on State property.

Sharon reported that Lois Koch has a few more items that may be of interest to our  
Board. She will inquire about possibility of barn photos still in Bill's camera.

Jodi reported that all our storage bins have been moved to the vault area and  
Suggested we meet one hour earlier than our scheduled time next month to sort  
And organize.

Meeting with Mark Mistretta scheduled for January 10, 12:30 at River Lea in regard  
To proposed first floor bathroom. Board members are encouraged to attend.  
June reported that she had spoken to Kevin Cobella about putting historic sites on  
Town planning maps.  
Joe moved discussion be continued at next meeting.  
June will pay for Buffalo Niagara subscription and then get reimbursed.

Discussed software for our pictures documentation. RiverLea looking into Past  
Perfect program which could be shared with HPAB. Who is qualified or has time for  
This project???

Educational monies are available for the purchase of this software.

HPAB 2020 budget approved in the amount of \$1000.

Any further business postponed to January meeting scheduled for Friday, January 17  
At 1:00 PM. Meeting adjourned at 2:45 PM with motions by Jodi and Sharon.

Respectfully submitted,  
Carolyn Doebert, Recording Secretary

Historic Preservation Advisory Board

January 17, 2020

RECEIVED

2020 JAN 21 AM 8:40

TOWN CLERK  
GRAND ISLAND, N.Y.

Attending: Joe Macaluso, Sharon Nichols, Shirley Luther, Mike Madigan, Jodi Robinson, Carolyn Doeber and guest Mary Cooke.

Joe called the meeting to order at 2 PM.

Minutes from the December 20 meeting approved with motion by Shirley and seconded By Sharon.

June Crawford will be filling Bill Koch's term on our board expiring in 2022.

Mary will be our new board member as a representative of the Historical Society. This

Appointment was made at the GHHS January Board meeting and recorded in the Society minutes.

Joe and Shirley's term expire in 2020. Sharon 2021.

Jodi and Carolyn begin renewed terms effective 2020.

Mike will check on alternate members.

Mike had not heard from Peter Godfrey on Grant information.

Sharon gave brief review on recent meeting of GHHS Board and HPAB at River Lea with

Mark Mistretta, State Parks Western Director.

No State money available for funding downstairs bathroom. Will have future meeting with SHIPO to decide on possible bathroom location.

Complete report in GHHS minutes.

Jodi reported that she had gone through box of pictures and sorted duplicates. Will

File at River Lea. Barn photos never located.

Mary took CD dated 2009 and identified many of the photos.

Also video of the ferries dated 1930.

Old Business: Confirmed that Kellys will not put any funding into restoration of the

Cupola or schoolhouse after Sharon and Mike met with Kevin Kelly after Joe received Estimate for repairs.

Will pursue Grant funding if Peter Godfrey feels we are eligible. Mike will follow up with Bernie Rotella on how to proceed with this project.

There still has not been a formal dedication of the historical plaque.

Discussed Offermann property plaque which must be funded by the State. We have all the Information needed to complete other than "Offermann Printing Co." verification.

Carlo Piech(NY State Parks) had contacted Jodi in the past for historical information.

Jodi will contact and ask for his help and if he can't help us, who can??

No New Business. Meeting adjourned at 3 PM with motion by Sharon and seconded by Shirley.

Respectfully submitted,

Carolyn Doeber, Recording Secretary



TB

**BOARD OF ARCHITECTURAL REVIEW MEETING**

**Minutes: December 17, 2019**  
**7:30 PM**

**MEMBERS PRESENT:** B. Buchanan, J. Butler, R. Szafran

**MEMBERS ABSENT:** A. Stockinger  
D. Nardozzi - Alternate

**TOWN BOARD LIAISON:** P. Marston

Board of Architectural Review Meeting Dates Approved

**MINUTES:** Board of Architectural Review Meeting – 11/19/19  
Received & Filed

**MINUTES:** Town Board Meetings – 11/4/19, 11/18/19  
Town Board Disposition – 12/2/19  
Received & Filed

**MINUTES:** Planning Board Meeting – 10/15/19  
Received & Filed

**MINUTES:** Zoning Board of Appeals Meeting – 10/3/19  
Received & Filed

1. STICKL CONSTRUCTION CO. – 404 Havenwood Lane  
Single Family Dwellings – 105 Country Club Dr.

It was moved by Buchanan – Szafran to accept the elevations for single family dwellings to be constructed at 404 Havenwood Lane and 105 Country Club Ct., provided approvals are granted by all other necessary Town Boards.

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

2020 JAN 22 AM 9:32

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TOWN CLERK  
GRAND ISLAND N.Y.

2. ELLEGE CONSTRUCTION CO. – 1935 Ferry Rd.  
Single Family Dwelling

After reviewing the elevations for a single family dwelling to be constructed at 1935 Ferry Rd., 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, Szafran  
Noes – None  
Carried

3. MARC Gagme – 5183 East River Rd.  
Single Family Dwelling

The elevations for a single family dwelling to be constructed at 5183 East River Road were reviewed. A motion was made by Szafran – Buchanan to accept the drawings, provided approvals are granted by all other necessary Town Boards.

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

Meeting Adjourned at 7:50 PM.

Respectfully submitted.

John A. Butler, Chairman  
Board of Architectural Review

Minutes prepared by Linda Koch, Recording Secretary



January 23, 2020

TO: Grand Island Town Board

RE: South Point Residential Development project

TSAB Meeting 01/14/2020

This correspondence is to respond to the letter on January 8, 2020 from SRF regarding comments we made during our review of the submitted Traffic Impact Study (TIS).

The during our January 14, 2020 Traffic Safety Advisory Board (TSAB) meeting we reviewed each of the original nine topics and offer the following.

- 1) Current traffic counts in the new traffic study.

**Response from SRF:** Updated traffic counts will be collected as part of the TIS update.

**TSAB Response:** This is acceptable.

- 2) Areas of Love Road, Glen Avon, Carl Road and Grand Island Village (duplex complex) must be evaluated.

**Response from SRF:** Intersections along these roadways were included in the original 2017 TIS. Based upon this comment and related to Grand Island Village, the existing intersection of Love Road/Blackmon Road may be added for analysis to the updated TIS.

**TSAB Response:** This is acceptable.

- 3) Evaluate traffic mitigation measures that could be employed.

**Response from SRF:** Should the anticipated traffic result in impacts that required mitigation, same will be discussed.

**TSAB Response:** This is acceptable.

- 4) Suitability of roads to handle more traffic and increased activity, pedestrian safety and accessibility to South Point with anticipated traffic increases. Specifically, to include, but not be limited to, the condition of Glen Avon Road.

RECEIVED  
2020 JAN 24 PM 12:15  
TOWN CLERK  
GRAND ISLAND, NY

January 23, 2020

**Response from SRF:** the traffic study addresses the suitability of roads to handle additional traffic. However, SRF will inquire with the jurisdictions responsible for maintaining the referenced roadways to determine their feasibility (i.e. weight rating, pavement conditions) to handle increase traffic loads.

**TSAB Response:** This is acceptable.

5) Residential subdivision roads usage.

**Response from SRF:** The figures associated with the updated TIS will illustrate, in part, the estimated trip distribution pattern associated with the proposed project and subsequent usage of adjacent streets.

**TSAB Response:** This is acceptable.

6) Former report of 2017 made current and expanded peak hours 7:15 – 8:15 a.m. and 4:30 to 5:30 p.m. Traffic Safety is asking that additional peak hours also include 6:00 - 9:00 a.m. and 3:00 to 6:00 p.m.

**Response from SRF:** The original 2017 TIS surveyed the peak periods of 7:00-9:00 AM and 4:00-6:00 PM. Generally, the peak hours calculated in that report occurred between 7:00-8:00 AM and 4:45-5:45 PM. For the purposes of the 2017 TIS, the actual peaks at each intersection were used to provide a conservative, worst-case scenario when adding project related traffic. Therefore, we feel that the peak periods used in the previous study should be used in the updated TIS.

**TSAB Response:** This is acceptable.

7) Impact of South and North Grand Island bridges at peak hours and all roads to I-190 from Parkway.

**Response from SRF:** We request further clarification about this item. However; SRF Associates can request assistance from the GBNRTC and their regional travel demand model to assess the potential impacts from the proposed project at a regional level. Generally speaking, approximately 50,000-70,000 vehicles per day travel along I-190 and on the Grand Island Bridge. The additional trips generated from this development will not likely have a significant adverse impact to interstate highway operations.

**TSAB Response:** On page 1, Table 1, EXISTING HIGHWAY SYSTEM, we would like to see the inclusion of the I-190 in this table. We have concerns with your statement "The additional trips generated from this development will not likely have a significant adverse impact to interstate highway operations". We would like clarification "will not likely". It is our understanding that the I-190 is up to 72,000 vehicles per day.

Re: Proposed South Point Residential Project  
Response to the January 8, 2020 SRF letter

January 23, 2020

8) Request all EST. AADT numbers used should be current data from 2016 not 2011, 2013, and 2014.

**Response from SRF:** The comment is acknowledged. We will obtain the most recent available AADT data from agencies, such as the New York State Department of Transportation and Greater Buffalo-Niagara Regional Transportation Council.

**TSAB Response:** This is acceptable.

9) Address regional traffic issues identified by GBNRTC, the Thruway Authority and the Department of Transportation.

**Response from SRF:** We request further clarification about this item. Known traffic issues identified by said agencies can be summarized, if available. However, the developer should not be explicitly responsible for mitigating such regional traffic issues; only the impacts, if any, anticipated from the proposed development.

**TSAB Response:** We are asking you to contact their agencies to see if they are aware of anything that may impact your project.

We, the Traffic Safety Advisory Board are advising the Town Board to request a status change update, noting any changes and evaluate all the components as a part of the study. This request is so the Traffic Safety Advisory Board can adapt a resolution regarding safety, scope and comments as a result of the study.

If you have any comments or questions concerning this material, or require additional information, please contact us.

Very truly yours,



Eric Thomsen,  
TSAB Co-Chair

for Chuck Grunzweig,  
TSAB Chairman ([chuckgrunz@gmail.com](mailto:chuckgrunz@gmail.com) or 716-570-1488)

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

Town Board Agenda: February 3, 2020

January 29, 2020

To: Town Board

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

RE: Towerwood/Bronson/South Parkway Waterline Replacement  
Job # M-220

Honorable Town Board:

We hereby request authorization to advertise the above referenced project for bids on Friday, February 7, 2020 and to receive bids on Wednesday, March 4, 2020 at 10:00 AM local time.

lmd

RECEIVED  
2020 JAN 29 PM 3:03  
TOWN OF GRAND ISLAND NY

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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Town Board Agenda: February 3, 2020

January 29, 2020

To: Town Board

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

RE: Water System SCADA Project  
Job # M-230

Honorable Town Board:

We hereby request authorization to advertise the above referenced project for bids on Friday, February 7, 2020 and to receive bids on Wednesday, March 4, 2020 at 10:30 AM local time.

lmd

RECEIVED  
2020 JAN 29 PM 3:03  
TOWN CLERK  
GRAND ISLAND, NY

DEPARTMENT OF ENGINEERING  
& WATER RESOURCES

ROBERT H. WESTFALL, P.E.  
*Town Engineer*

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*Asst. Civil Engineer*

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Town Board Agenda: February 03, 2020

January 30, 2020

To: Town Board

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

Ref: Advertise for Laborer Positions  
Water and Wastewater Departments

Honorable Town Board:

I am hereby requesting approval publically advertise the following positions:

Laborer:

Water Department (internal posting to close 2/13/2020)

Waste Water Department (internal posting closes 2/5/2020)

We are currently in the process of posting these positions internally per Union Requirements, but with an extended period to the next Town Board meeting, I would like to be able to advertise as soon as possible if no existing eligible employee bids on the position. Staffing shortages are needing expedience in identifying candidates, and filling these positions.

The position are in this year's budgets.

RHW

C: T. Clerk

RECEIVED  
2020 JAN 30 AM 9:42  
TOWN CLERK  
GRAND ISLAND, NY



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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(716) 773-9600, Ext. 635 Office  
(716) 773-9618 Fax  
E-mail: [engineering@grand-island.ny.us](mailto:engineering@grand-island.ny.us)

Town Board Agenda: February 3, 2020

January 30, 2020

To: Town Board

From: Robert H. Westfall, PE   
Town Engineer

RE: Highway Garage Roof Replacement  
M 28-2019- Award Contract

RECEIVED  
2020 JAN 30 AM 9:27  
TOWN OF GRAND ISLAND, N.Y.

Honorable Town Board:

Bids were opened on November 27, 2019 by The Garland Company for the Removal and Replacement of the Highway Garage Roof (M 28-2019) with the following results:

Grove Roofing Services	\$435,706.00
Progressive Roofing, Inc.	\$446,037.00
Jameson Roofing Co., Inc.	\$450,442.00
Elmer W Davis, Inc.	\$517,323.00

We are hereby requesting the Removal and Replacement of the Highway Garage Roof be awarded to The Garland Company/Grove Roofing Services in the amount of \$435,706.00.

RHW

Justice Court



The Town of Grand Island

Town Justices:  
MARK J. FRENTZEL  
MARK S. NEMETH

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

January 29, 2020

To: Grand Island Town Board

From: Hon. Mark J. Frentzel, Hon. Mark S. Nemeth

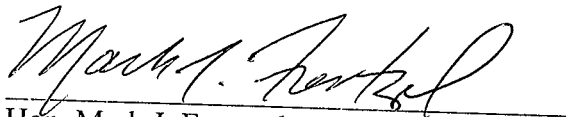
Re: Court Wall

On October 9, 2019 application was made with the NYS Office of Justice Court Support for a JCAP Grant (Justice Court Assistance Program). The purpose of the application was to obtain funds to complete the inner wall construction of the court offices. We are in need of a ceiling height wall to close off the Chief Clerk's office. Although we are all court employees at times not everyone is privy to all conversations being held in the court offices. Confidentiality is of utmost importance in a judicial setting.

The amount requested through the JCAP program was \$19,643.00. On Monday January 27, 2020 we received word from the NYS Unified Court System that we have been awarded the amount of \$12,002.83. The sum is not sufficient to complete the project. Therefore we are humbly asking the town board to provide the balance needed in the amount of \$7,640.17.

Please note that time is of the essence. The JCAP funds must be used within 180 days as required by the Office of Justice Court Support. If the funds are not utilized they must be returned to the NYS Office of Justice Court Support.

Thank you for your consideration.

  
Hon. Mark J. Frentzel

  
Hon. Mark S. Nemeth

STATE OF NEW YORK  
**UNIFIED COURT SYSTEM**  
92 Franklin Street  
Third Floor  
Buffalo, NY 14202-3902  
(716) 845-2505

**RECEIVED**

**JAN 27 2020**

GRAND ISLAND COURT

**Lawrence K. Marks**  
Chief Administrative Judge

**Paula L. Feroletto**  
Eighth District Administrative Judge

**Vito C. Caruso**  
Deputy Chief Administrative Judge  
Courts Outside New York City

January 21, 2020

Mrs. Maureen Lewis  
Grand Island Town Court  
2255 Baseline Road  
Grand Island, NY 14072

Dear Mrs. Lewis:

We are pleased to advise you the Grand Island Town Court has been awarded a grant under the 2019-20 cycle of the Justice Court Assistance Program (JCAP).

JCAP was established by the New York State Legislature in 1999, at the request of the Unified Court System, to help provide our State's town and village courts with the resources and equipment necessary to fulfill their critical role in our justice system. Under the Court System's Action Plan for the Justice Courts, JCAP has been expanded, both in the level of funding and the scope of the projects funded.

The Grand Island Town Court is one of 278 courts receiving JCAP funding this year. Details regarding your award are set forth on the enclosed 2019-20 Justice Court Assistance Program Award Reconciliation Report. Funds will be sent on or before April 1, 2020 to your municipality via direct deposit or check and must be spent within 180 days. If the amount you spend purchasing the items(s) approved on the enclosed JCAP Reconciliation Report is less than the amount awarded, leftover funds are not to be used to offset the cost of another grant item awarded at a set monetary amount. Please contact the Office of Justice Court Support at 800-232-0630 for further direction. The Reconciliation Report, along with paid receipts that certify total amount spent, are required to be returned to the Office of Justice Court Support via fax: (518) 471-4807 or e-mail: [jcap@nycourts.gov](mailto:jcap@nycourts.gov).

Paula L. Feroletto  
Eighth District Administrative Judge

M. William Boller  
Supervising Judge

cc: Hon. Gerald J. Whalen, Presiding Justice Appellate Division  
Hon. Vito C. Caruso, Deputy Chief Administrative Judge  
Courts Outside New York City

# 2019-20 Justice Court Assistance Program Award Reconciliation Report

Please fax this Report along with paid receipts to the dedicated JCAP Fax Number 518-471-4807, email jcap@nycourts.gov or mail to: Office of Justice Court Support, 187 Wolf Road, Suite 103, Albany, N.Y.12205

**In the space provided below, please sign and indicate the exact amount spent**

**\*Funds to be spent within 180 days of receipt**

**Grand Island Town Court, Erie County**

**District: 8**

Item Category	Item Name	Approved Quantity	Item Approved Total
Construction	Court Off Remodel Materials		\$12002.83
Total Amount of Grant			\$12,002.83

## SPECIAL NOTE REGARDING AWARD DISBURSEMENTS:

Your Town Supervisor or Village Mayor should receive a check for the amount of the grant or the grant amount will be sent via direct deposit to your municipality. All grant recipients are reminded that, as required by law, funds received hereunder may not be used for purposes other than the purchase of the item(s) set forth on the enclosed award form or used to offset the cost of another grant item awarded at a set monetary amount. Also, as stipulated in the municipal certification accompanying the application for your grant, "any goods and/or services purchased with any Justice Court Assistance Program funds shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures."

\*Please submit paid receipts indicating funds were spent on approved items along with this Reconciliation Report within 180 days from receipt. Remember to save your receipts for at least three years for audit and review purposes. **If the amount you spend purchasing the item(s) approved on this Report is less than the amount awarded, leftover funds are not to be used to offset the cost of another grant item.** Please contact OJCS at 800-232-0630 for further direction.

**Total Amount Spent:** \_\_\_\_\_

**By signing this form, I affirm that all the above approved items were purchased.**

**Date:** \_\_\_\_\_ **Print Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

## FOR OJCS USE ONLY

Application #	4699	Attachments	_____
Vendor ID#	1000004052	Approval Date	_____
Voucher#	_____	Grant Amt	_____
Submit Date	_____	Final Approval	_____
AO Date	_____		
DN/SP	_____		
Business Unit	_____		

ASSESSOR'S OFFICE

JUDY M. TAFELSKI  
*Assessor*  
*Ext. 648*

JACQUELINE A. MCGINTY  
*Assistant to Assessor*  
*Ext. 651*



THE TOWN OF GRAND ISLAND

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

MEMO

TO: Hon. TOWN BOARD

FROM: Judy M. Tafelski, Assessor

DATE: January 23, 2020

RE: Request PO 17, Real Property Appraiser

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Request the Town Board to authorize the Supervisor to request PO 17, title of Real Property Appraiser.

RECEIVED  
2020 JAN 23 AM 9:58  
TOWN CLERK  
GRAND ISLAND NY