

Town of Grand Island – Regular Meeting #6

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 3rd of April, 2017.

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

| | | |
|----------|--------------------|------------|
| Excused: | Raymond A. Billica | Councilman |
|----------|--------------------|------------|

Supervisor Nathan D. McMurray called the meeting to order at 8:00p.m.
Pastor Arnie Guin from Whitehaven Road Baptist Church gave the Invocation.
Councilman Christopher K. Aronica 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: Keith Tripi

MINUTES:

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to approve Minutes of Workshop Meeting #8, March 6, 2017, Minutes of Workshop Meeting #9, March 20, 2017 and Minutes of Regular Meeting #5, March 20, 2017.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

CONSENT AGENDA:

1. Meeting Minutes – Board of Architectural Review – February 21, 2017

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

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

COMMUNICATIONS – TOWN BOARD:

SUPERVISOR NATHAN D. McMURRAY:

Authorizing Resolution – New York State Department of Agriculture and Markets Program for Grand Island Municipal Agricultural and Farmland Protection Plan

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

WHEREAS, the Town Board desires to continue the process of acquiring the funds to complete the Town of Grand Island Municipal Agricultural and Farmland Protection Plan.

WHEREAS, the Town Board desires to apply for financial assistance from the New York State Department of Agriculture and Markets Program, and

WHEREAS, the Town Board commits to providing the required \$1,667 in local matching funds in cash to ensure the timely implementation of the proposed project.

THEREFORE BE IT RESOLVED, that the Town Board authorizes and submits

Monday, April 3, 2017 - 1

Town of Grand Island – Regular Meeting #6

an application for the New York State Department of Agriculture and Markets Program for the Grand Island Municipal Agricultural and Farmland Protection Plan in the total project amount of \$33,333 and will request \$25,000 in grant funding.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the New York State Department of Agriculture and Markets Program application

RESOLVED, That Nathan McMurray, as Supervisor of the Town of Grand Island, is hereby authorized and directed to file an application for grant funds from New York State Department of Agriculture and Markets Program, in an amount of \$25,000 of the approved funding and upon approval of said request to enter into and execute a project agreement with the New York State Department of Agriculture and Markets Program for such financial assistance to the Town of Grand Island for the proposed of Grand Island Municipal Agricultural and Farmland Protection Plan.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

Approve Construction – Pavilion at Veterans Park

A motion was made by Councilman Aronica, seconded by Councilman Madigan to approve the construction of a pavilion at Veterans Park.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

COUNCILWOMAN BEVERLY A. KINNEY:

Resolution – Establishing Energy Benchmarking Requirements for Certain Municipal Buildings

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

WHEREAS, buildings are the single largest user of energy in the State of New York; the poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Town Board is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Town Board desires to use Building Energy Benchmarking, a process of measuring a building's energy use, tracking that use over time, and comparing performance to similar buildings, to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town Board; and

WHEREAS, as such the Town Board desires to establish procedure or guideline for Town staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted and imposed as active and affirmative financial internal control procedures of the Town;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

Monday, April 3, 2017 - 2

Town of Grand Island – Regular Meeting #6

§1. DEFINITIONS

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Commissioner” shall mean the head of the Department.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Town that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Town Clerk’s Office.

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than May 1 every year, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

Town of Grand Island – Regular Meeting #6

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1 each year for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Town Board including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

FURTHER RESOLVED, the Town Board, in regular session duly convened, does hereby authorize and direct the Town Supervisor to execute such other and additional documents as may be required for to perfect the resolutions herein;

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

COMMUNICATIONS – OTHER TOWN OFFICIALS:

Monday, April 3, 2017 - 4

Town of Grand Island – Regular Meeting #6

TOWN ATTORNEY – PETER GODFREY:

Local Law Intro #1 of 2017 – Agricultural Animals In County-adopted, State-certified Agricultural Districts

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to refer Local Law Intro #1 of 2017 – Agricultural Animals In County-adopted, State-certified Agricultural Districts to the Planning Board and to Erie County Planning and set a Public Hearing for Monday, April 17, 2017 at 8:00p.m. to hear anyone who wants to comment on the subject.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

DEPARTMENT OF ENGINEERING & WATER RESOURCES – JOHN WHITNEY:

Gun Creek PDD – Re-Approve Final Plat – Phase 1B

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to reapprove the Final Plat for Phase 1B of the Gun Creek Subdivision. The previously Negative Declaration under SEQR remains valid.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

RECREATION SUPERVISOR – JOSEPH MENTER:

Status Changes

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to approve the status change of Sharon Szafran from PT to Seasonal effective April 10, 2017 and Dominique DeGregorio from Pt to Seasonal effective April 24, 2017.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

Part-time Hires

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to approve the recommendation of the Recreation Supervisor and hire Cynthia Wynne as PT Recreation Attendant, Year 1 – Instructor, \$12.00/hr. and Julie Klein as PT Recreation Attendant, Year 1 – Aide, \$9.00/hr., effective April 4, 2017, subject to the completion of the necessary pre-employment paperwork.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:

Concession Stand Roof

Parks Crew Chief Thomas Dworak reported 3 written quotes were received for a shingled and metal roof for the Veterans Park concession stand. The quotes were reviewed by Engineering and the Parks Crew Chief and a metal roof was recommended. It was noted that additional plywood costs may apply, the contractor will not know until the tear off is complete.

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to accept the recommendation and award the contract to Blue Ox in an amount not to exceed \$22,813 for the metal roof subject to the review of the Engineering Department regarding the status and condition of the roof.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

Monday, April 3, 2017 - 5

Town of Grand Island – Regular Meeting #6

Seasonal Hires/Status Changes

A motion was made by Councilman Aronica, seconded by Councilman Madigan to accept the recommendation of the Recreation Supervisor and approve the following PT and Seasonal Hires for the Recreation Department:

| Name | Title | Effective Date | Seasonal/Part Time | Rate |
|-----------------|----------------------|------------------------------------|---------------------------|-------------|
| Michael Dollard | Parks Master Mower | April 4, 2017 | Part time 19 hours | \$12.00 |
| Michael Dollard | Parks Master Mower | April 17, 2017 | Status Change to Seasonal | \$12.00 |
| Joseph Killian | Parks Junior Worker | April 4, 2017 | Part time 19 hours | \$10.80 |
| Ryan Ayers | Parks Senior Worker | April 3, 2017 | Part time 19 hours | \$12.00 |
| Samuel Calao | Parks Junior Worker | April 3, 2017 | Part time 19 hours | \$10.80 |
| Samuel Calao | Parks Junior Worker | April 17, 2017 | Status Change to Seasonal | \$10.80 |
| Linda Tufillaro | Gardener | April 3, 2017 | Part time 19 hours | \$11.20 |
| Clifford Smith | Recreation Attendant | April 3, 2017 | Part time 19 hours | \$13.53 |
| APPROVED | Ayes 4 | Aronica, Kinney, Madigan, McMurray | | |
| | Noes 0 | | | |

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – Carol M. Merckel, 2324 East River Road – Keeping of 2 Agricultural Animals on 3 Acres

A motion was made by Councilman Aronica, seconded by Councilman Madigan to renew the Special Use Permit for Carol M. Merckel, 2324 East River Road for keeping of 2 agricultural animals on 3 acres. The site has been inspected and it is unchanged.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

Special Use Permit Renewal – Glen Wallace, 917 North Colony Road – Bed & Breakfast

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to renew the Special Use Permit for Glen Wallace, 917 North Colony Road for a Bed & Breakfast. It has been inspected and it is unchanged.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

Special Use Permit Application – Jonathan & Jennifer Conta, 2420 Love Road – Home Occupation, Embroidery, Silk Screening, Fabric & Sports Apparel – SEQR

Supervisor McMurray presented the SEQR – Short Form Environmental Assessment Forms for Jonathan & Jennifer Conta, 2420 Love Road for a home occupation – Embroidery, Silk Screening, Fabric & Sports Apparel. Mr. McMurray informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilwoman Kinney, seconded by Councilman Madigan to issue a Negative Declaration for Jonathan & Jennifer Conta, 2420 Love Road for a home occupation – Embroidery, Silk Screening, Fabric & Sports Apparel.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

Monday, April 3, 2017 - 6

Town of Grand Island – Regular Meeting #6

Approve Special Use Permit – Jonathan & Jennifer Conta, 2420 Love Road – Home Occupation, Embroidery, Silk Screening, Fabric & Sports Apparel

A motion was made by Councilman Madigan, seconded by Councilman Aronica to issue a Special Use Permit for Jonathan & Jennifer Conta, 2420 Love Road – Home Occupation, Embroidery, Silk Screening, Fabric & Sports Apparel.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

GOLDEN AGE CENTER – BARBARA GANNON:

Status Change

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to approve the status change of Tammy Violanti from Part-time to Seasonal, effective April 4, 2017 at the present rate of pay.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to pay Vouchers #120262 -120346

| | |
|---------|---------------|
| General | \$103,834.59 |
| Highway | \$ 39,491.14 |
| Sewer | \$ 1,225.38 |
| Water | \$ 5,999.07 |
| Capital | \$ 7.08 |
| Fire | \$ 297,655.00 |
| Total | \$ 448,212.26 |

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

SUSPEND THE RULES:

Veterans Park – LLB – Dugout Expansion/Construction

A motion was made by Councilman Aronica, seconded to Councilman Madigan to Suspend the Rules to consider the expansion/construction of the Little League Baseball dugouts.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

Expansion/Construction of Little League Baseball dugouts

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to authorize the expansion/construction of the Little League Baseball dugouts, subject to the approval of the Town Engineer & Parks Crew Chief

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
Noes 0

PUBLIC COMMENTS:

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

Speakers:

Sandra Nelson

FROM THE TOWN BOARD:

Spectrum/Charter Invoices – Errors/Corrections

Monday, April 3, 2017 - 7

Town of Grand Island – Regular Meeting #6

ADJOURNMENT:

A motion was made by Councilman Aronica, seconded by Councilwoman Kinney to adjourn the meeting at 8:34p.m.

APPROVED Ayes 4 Aronica, Kinney, Madigan, McMurray
 Noes 0

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

| | |
|-----------------|-------------------|
| Donald Wendel | Kenneth Schmidt |
| John O'Connor | Loretta Dickenson |
| Charles Conklin | Patricia Bachert |
| Bob Marcel | Chris Mongielo |
| Nancy Baker | William Vampotic |
| Beverly Dyet | Jacob Kreutz |
| Samantha Oriani | Paula Reger |

Respectfully submitted,

Patricia A. Frentzel
Town Clerk