

## Town of Grand Island – Regular Meeting #12

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 1<sup>st</sup> of July, 2019.

Present:	Nathan D. McMurray	Supervisor
	Beverly A. Kinney	Councilwoman
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston Jr.	Councilman
	Karen M. Cooney	Deputy Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor Nathan D. McMurray called the meeting to order at 8:00p.m.  
Reverend Kevin Backus from Bible Presbyterian Church gave the Invocation.  
Councilwoman Beverly A. Kinney led the Pledge of Allegiance.

### **PROCLAMATION:** **Civic Dedication Recognition**

### **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 Councilwoman Baney, seconded by Councilwoman Kinney to approve Minutes of Workshop Meeting #24, June 17, 2019, Minutes of Regular Meeting #11, June 17, 2019 and Minutes of Workshop Meeting #25, June 19, 2019.  
APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray  
Noes 0

### **CONSENT AGENDA:**

1. Meeting Minutes – Board of Architectural Review – May 21, 2019  
A motion was made by Councilman Marston, seconded by Councilwoman Kinney to approve the consent agenda as distributed.  
APPROVED Ayes 5 Kinney, Madigan, Baney, Marston, McMurray  
Noes 0

### **COMMUNICATIONS –TOWN BOARD:**

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

#### **Authorize Supervisor to Sign Resolution – Erie County Smart Growth Fund and Erie County Community Development Block Grant Program – Combine Elevator Grant Awards**

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

WHEREAS the Town of Grand Island was awarded \$89,000 through the 2015 Erie County Smart Growth Fund and \$100,000 through the 2018-2019 Erie County Community Development Block Grant Program, and

WHEREAS the Grand Island Town Board desires to combine both grant awards into one contract for the Elevator Installation at Town Hall;

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NOW THEREFORE BE IT RESOLVED that Nathan McMurray, as Supervisor of the Town of Grand Island, is hereby authorized to execute a contract with Erie County for \$189,000 in Community Development Block Grant funding for the elevator installation at Town Hall.

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

### **Authorize Supervisor to Sign Resolution – Apply for Water Quality Improvement Project**

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

WHEREAS the Environmental Conservation Law (“ECL”) authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW THEREFORE BE IT RESOLVED that Nathan McMurray, as Supervisor and the Town of Grand Island, is hereby authorized to act in behalf of the Municipality’s governing body in all matters related to State assistance under ECL Articles 17,51 and 56 and/or any applicable federal grant provisions and is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality’s governing body in all matters related to the Project and to State Assistance; that the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project’s field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation.

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

### **Authorize Supervisor to Sign – Legislative Earmarks Contract with Erie County – Senior Services**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to authorize the Supervisor to sign the Town of Grand Island Legislative Earmarks contract with Erie County to receive funds for Senior Services.

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

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

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

#### **Authorize Supervisor to Sign Letter of Intent – Western New York Stormwater Coalition: MS4 GIS Coordination Project**

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to authorize the Supervisor to sign the Letter of Intent to participate in the Western NY Stormwater Coalition: MS4 GIS Coordination Project being funded through a grant from NYSDEC.

There is no financial obligation to the Town. All work is being coordinated by Erie County Department of Environment and Planning on behalf of the WNYRSWC.

The implementation of the project will help the Town of Grand Island meet EPA Phase II stormwater requirements.

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

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## Wastewater Treatment Plant Operator Trainee

A motion was made by Councilman Madigan, seconded by Councilman Marston to hire John A. Frentzel, Wastewater Treatment Plant Operator Trainee in the Waste Water Department at the Start Rate of \$21,56/hour as shown in the AFSCME Contract, effective July 8, 2018 with a mutually agreed upon start date, subject to the completion of the necessary pre employment paperwork.

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

## TOWN ACCOUNTANT – PAMELA BARTON:

### 2018 Audited Financial Statements

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to accept the 2018 Audited Financial Statements for the Town of Grand Island prepared by Bonadio & Co., LLP dated June 4, 2019. A copy will be maintained on file in the Town Clerk's office.

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

### 2018 Agreed Upon Procedures (AUP)

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to accept the 2018 Agreed Upon Procedures (AUP) for the Town of Grand Island's Justice Court and Town Clerk Departments prepared by Bonadio & Co., LLP dated June 4, 2019. A copy will be maintained on file in the Town Clerk's office.

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

## Budget Amendment – General Fund – Celebrations

The Town is in receipt of a \$12,000 donation from Solarpark Energy LLC, to be used expressly for expenses for the various activities being held during the Paddles Up event, July 27, 2019.

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

Increase Revenue:

General Fund – Revenue		
Donations – Celebration	001.0001.2703	\$12,000

Increase Appropriations:

General Fund – Expenditures		
Celebrations – Special Events	001.7550.0462	\$12,000

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

## CODE ENFORCEMENT OFFICE:

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

A motion was made by Councilman Marston, seconded by Councilwoman Baney to renew the Special Use Permit for Gail Villani, 5302 East River Road – Keeping of 1 Agricultural Animal on 2.3 acres. The site has been inspected and there are no animals currently on the site.

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

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### **Special Use Permit Renewal – Pilgrim Associates, LLC, 1898 Whitehaven Road – Convenience Store & Fueling Station**

A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to renew the Special Use Permit for Pilgrim Associates, LLC, 1898 Whitehaven Road – Convenience Store & Fueling Station. The site has been inspected and there are no changes.

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

### **TOWN ASSESSOR – JUDY M. TAFELSKI:**

#### **Sally Johnson, 1522 Ferry Road – Request to Split Property – SBL #:64.15-2-39**

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to approve the request of Sally Johnson, 1522 Ferry Road to split of SBL #64.15-2-39 to create a separate building lot facing Orchard Road. The property is a Mason Lodge that has been converted to a single family residence. The new property line would be cutting through a parking lot. A three (3) foot strip of pavement is required to be removed on either side of the property line. The request of 100'x140' split has been reduced to 90'x140' per the Code Enforcement Department. The split is approved subject to a \$500 Recreation Fee and the filing of the necessary paperwork with the Erie County Clerk's office.

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

### **JUSTICE COURT – MARIA C. BURNS:**

#### **Re-appointment – Marriage Officer**

A motion was made by Councilman Madigan, seconded by Councilwoman Kinney to reappoint Maria Burns as a Marriage Officer for the Town of Grand Island, for a four-year term, effective September 2, 2019.

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

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

A motion was made by Councilwoman Kinney, seconded by Councilwoman Baney to pay Vouchers #128068 - #128256

General	\$ 70,431.89
Highway	\$ 20,066.74
Sewer	\$ 23,794.65
Water	\$ 17,494.62
Trust & Agency	\$ 1,862.06
Capital	\$ 26,126.45
Garbage	\$ 196.00
Total	\$159,972.41

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

### **UNFINISHED BUSINESS:**

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

##### **A. SEQR**

Remains tabled.

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

### A. SEQR

Remains tabled.

## Grand Island Secure Storage, 1730 Baseline Road – Site Plan Approval – Proposed Expansion

Remains Tabled.

## Thermo Fisher Scientific, 3175 Staley Road – Site Plan Approval – Truck Driveway, Grading and Cold Storage Building

A motion was made by Councilwoman Kinney, seconded by Councilman Marston to accept the recommendation of the Planning Board and grant Site Plan approval for Thermo Fisher Scientific, 3175 Staley Road for a truck driveway, grading and cold storage building.

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

### PUBLIC COMMENTS:

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

Speakers: Dan Drexilius

### FROM THE BOARD:

- Happy and Safe 4<sup>th</sup> of July
- Paddles Up Event – July 27<sup>th</sup>

### ADJOURNMENT:

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to adjourn the meeting at 8:28p.m.

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

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

David Fleischman	Richard Whiting
Morgan Petri	Paul Drainville
Rev. Eldon Snyder	Nancy Landroche
Rodney Raham	

Respectfully submitted in the absence of the Town Clerk,

Karen M. Cooney  
Deputy Town Clerk

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