

# Town of Grand Island – Regular Meeting #21

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 November, 2011.

Present:	Peter A. McMahon	Supervisor
	Mary S. Cooke	Councilwoman
	Richard W. Crawford	Councilman
	Gary G. Roesch	Councilman
	Raymond A. Billica	Councilman
	Patricia A. Frentzel	Town Clerk
	Daniel Spitzer	Town Attorney

Supervisor Peter McMahon called the meeting to order at 8:00p.m.  
Reverend Earle King from St. Martin-in-the-Fields Episcopal Church gave the Invocation.  
Councilman Richard Crawford led the Pledge of Allegiance.

## **PROCLAMATIONS:**

**Eagle Scout – Spencer-John Zukic**

## **PUBLIC COMMENTS:**

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

*Speakers:* None

## **APPROVAL OF MINUTES:**

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to approve Minutes of Workshop Meeting #75, November 7, 2011, Minutes of Regular Meeting #20, November 7, 2011, Minutes of Workshop Meeting #76, November 10, 2011, Minutes of Workshop Meeting #77, November 10, 2011, and Minutes of Workshop Meeting #78, November 14, 2011.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

## **CONSENT AGENDA:**

1. Building Permits Issued – October 2011
2. Meeting Minutes – Zoning Board of Appeals – October 6, 2011
3. New York State Energy Research and Development Authority – Cleaner, Greener Communities Regional Sustainability Planning Program Request for Proposals (RFP 2391)
4. Meeting Minutes – Commission for Conservation of the Environment – September 8, 2011
5. Meeting Minutes – Board of Architectural Review – October 18, 2011
6. Meeting Minutes – Planning Board – October 11, 2011

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

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

## **COMMUNICATIONS –TOWN BOARD:**

### **SUPERVISOR McMAHON:**

#### **Appointment – Part-time Code Enforcement Officer (Zoning Officer)**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to appoint Jackie McGinty to the position of Code Enforcement Officer – (Zoning Officer), part-time at Grade 6, effective January 1, 2012.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

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## COMMUNICATIONS – OTHER TOWN OFFICIALS:

### TOWN ATTORNEY – PETER GODFREY:

#### Create Lighting District #62 – Grand Park Vue Phase VI – Set Public Hearing

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to adopt the following resolution setting a Public Hearing on Monday, December 5, 2011 at 8:00p.m. for the purpose of hearing anyone who wanted to make comments in favor or in opposition to proposed Lighting District #62:

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 VI Lighting District No. 62; 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, State of New York, being part of lot 113 and more particularly described on 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 northeast corner of Lot 66 as shown on Map filed in the Erie County Clerk's Office under Cover 3403;

Thence N 88°14'06" E a distance of 950.07 feet to the north west corner of lands conveyed to Town of Grand Island by deed filed in the Erie County Clerk's Office in Liber 8354 of deeds at page 323;

Thence S 1°06'27" E along the west line of lands conveyed to the Town of Grand Island a distance of 490.04 feet to a point;

Thence S 88°14'06" W a distance of 363.08 feet to a point;

Thence N 1°45'54" W a distance of 65.00 feet to a point;

Thence S 88°14'06" W a distance of 182.00 feet to a point;

Thence N 23°33'59" W a distance of 16.16 feet to a point;

Thence S 88°14'06" W a distance of 416.68 feet to a point on the east line of Lot 69 as shown on Map filed in the Erie County Clerk's Office under Cover 3403;

Thence N 1°25'47" W along the east line of Lot 69 and 68 a distance of 180.00 feet to the north east corner of Lot 68, said north east corner being a point on the south line of Havenwood Lane;

Thence N 88°14'06" E along the south line of Havenwood Lane a distance of 133.26 feet to a point;

Thence N 1°45'54" W a distance of 70.00 feet to a point on the north line of Havenwood Lane;

Thence S 88°14'06" W along the north line of Havenwood Lane a distance of 111.00 feet to the southeast corner of said Lot 66;

Thence N 1°45'54" W along the east line of said Lot 66 a distance of 160.00 feet and the POINT OF BEGINNING.

The above described parcel contains ± 9.567 acres (416751.3 sq. ft.)

WHEREAS, the improvements proposed consist of an electric street lighting system serving said Grand Park Vue Phase VI, and

WHEREAS, the estimated annual expense of supplying of said electrical street lighting is \$1,732.78, with an expected annual cost to the typical property in the proposed District of \$64.74, 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.

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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 December 5, 2011 at 8:00 p.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 twenty 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 twenty days before the date set herein for the public hearing.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

### **DEPARTMENT OF ENGINEERING & WATER RESOURCES – JOHN WHITNEY: Fisherman's Landing Project – Change Order #2**

Town Engineer John Whitney reported Change Order #2 for the above reference project has been submitted by Thomann Asphalt in the amount of \$ 12,012.36 for the following:

- Labor & materials to cut an additional 50ft of sheet pile not shown on the drawings to 2ft below finished grade in the amount of \$3,202.75.
- Additional labor & materials to cut sheet pile below new sanitary sewer in the amount of \$1,345.50.
- Additional stone excavation & stone work at lower bio remediation area to be able to properly install seawall retaining straps in the amount of \$3,500.04.
- Additional cost of project sign and labor & material to install sign in the amount of \$3,964.07.

The Town Engineer has reviewed the request, along with our consultant, Scheid Architectural, and recommends approval of Change Order #2 in the amount of \$12,012.36. The funds are available within the original project budget.

A motion was made by Councilman Billica, seconded by Councilwoman Cooke to accept the recommendation of the Town Engineer and approve Change Order No. 2 – Fisherman's Landing Project in the amount of \$12,012.36.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

### **RECREATION DIRECTOR – LINDA TUFILLARO: Part-time Status Change**

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to approve the change of status of Terry Wendel from Part-time Seasonal Recreation Attendant to Part-time (19 hours/per week), effective December 6, 2011.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

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## **ZONING OFFICE:**

### **Special Use Permit Renewal – Judith Schneider, 1952 Harvey Road – Keeping of 3 Agricultural Animals**

A motion was made by Councilman Crawford, seconded by Councilman Billica to renew the Special Use Permit for Judith Schneider, 1952 Harvey Road for keeping of 3 Agricultural Animals on 6.02 acres. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

### **Special Use Permit Renewal – Richard Benz, 828 East River Road – Keeping of 3 Agricultural Animals**

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to renew the Special Use Permit for Richard Benz, 828 East River Road for keeping of 3 Agricultural Animals on 4 acres. The site has been inspected and it is unchanged.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

## **PLANNING BOARD:**

### **Verizon Cell Tower – Long Road**

A motion was made by Councilman Roesch, seconded by Councilman Crawford to accept the recommendation of the Planning Board and approve the Site Plan change for a chain link fence with barbed wire for the Verizon Cell Tower located on Long Road.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

### **David Michael Bruno, 2878 East River Road – Request to Split Property**

A motion was made by Councilwoman Cooke, seconded by Councilman Crawford to accept the recommendation of the Planning Board and approve the request of David Michael Bruno, to take 17.6' from 2878 East River Road and add the same to 2860 East River Road, subject to the filing of the necessary paperwork with the Erie County Clerk's office.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

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

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to pay Vouchers #102861 – 102999

General	\$ 51,482.68
Highway	\$ 592.13
Sewer	\$ 25,082.39
Water	\$ 16,339.07
Capital	\$291,777.62
Garbage	<u>\$105,964.31</u>
Total	\$491,238.20

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

## **PUBLIC COMMENTS:**

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

Speakers: None

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## **FROM THE TOWN BOARD:**

**All:** Happy Thanksgiving!

**Councilman Crawford:** Community Service Work Available– Wednesday, November 23<sup>rd</sup> at 9:00a.m. – Kelly’s Country Store

**Councilman Roesch:** Legislator Kevin Hardwick – Roundtable Discussion – Saturday, December 3<sup>rd</sup> – 10:30am – GI Library – Re: 2012 County Budget

## **ADJOURNMENT:**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to adjourn the meeting at 8:15p.m.

APPROVED Ayes 5 Cooke, Crawford, Roesch, Billica, McMahon  
Noes 0

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

**Myrna Boerschig**

**Sonia Steckelberg**

**Joseph Samrany**

**Kevin Prosser**

**Richard Vanthoff**

**Francis Englert III**

**Marion Mancuso**

Respectfully submitted,

Patricia A. Frentzel  
Town Clerk