

Town of Grand Island – Regular Meeting #3

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 7th of February, 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
	Peter C. Godfrey	Town Attorney

Supervisor McMahon called the meeting to order at 8:00p.m.

Reverend Gerard Haberstro from Harbor Lights Fellowship gave the Invocation.

Councilman Raymond Billica 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

APPROVAL OF MINUTES:

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to approve Minutes of Workshop Meeting #1, January 3, 2011, Minutes of Workshop Meeting #2, January 4, 2011, Minutes of Workshop Meeting #3, January 5, 2011, Minutes of Workshop Meeting #5, January 11, 2011, Minutes of Workshop Meeting #6, January 18, 2011, Minutes of Regular Meeting #2, January 18, 2011, Minutes of Workshop Meeting #7, January 19, 2011, Minutes of Workshop Meeting #8, January 20, 2011, Minutes of Workshop Meeting #9, January 25, 2011, Minutes of Workshop Meeting #10, January 26, 2011 and Minutes of Workshop Meeting #11, January 27, 2011.

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

CONSENT AGENDA:

1. Meeting Minutes – Commission for Conservation of the Environment – November 11, 2010
2. County of Erie, Department of Environment and Planning – Public Review of 2011 Annual Action Plan
3. Meeting Minutes – Grand Island Memorial Library – December 16, 2010
4. Meeting Minutes – Board of Architectural Review – December 21, 2010
5. Meeting Minutes – Long Range Planning Committee – November 18, 2010
6. County of Erie, County Executive – Community Development Block Grant Consortium
7. County of Erie, County Executive – Wastewater Treatment Plant Assistant (Non-Competitive)
8. County of Erie, Comptroller – Report on Mortgage Tax Collections
9. Golden Age Center – Vehicle Usage – January 2011
10. Golden Age Center – Facility Usage – January 2011
11. Building Permits Issued – January 2011

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12. New York State Division of Homeland Security and Emergency Services, Office of Emergency Management – FFY 10 Citizen Corps Grant Program

A motion was made by Councilwoman Cooke, 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:

Monthly Supervisor’s Report – December 2010

The Supervisor reported a cash balance of \$520,357 on December 1, 2010

Total Receipts of \$1,902,860

Total Disbursements of \$1,868,030

Operating A/C Interest \$66

Operating A/C Balance \$555,254

Investment Interest \$1,734

Investment Balance \$5,213,183

Total Cash Balance as of December 31, 2010 \$5,768,437

No action required by Town Board.

Monthly Supervisor’s Report – January 2011

The Supervisor reported a cash balance of \$555,254 on January 1, 2011

Total Receipts of \$2,841,540

Total Disbursements of \$2,670,830

Operating A/C Interest \$67

Operating A/C Balance \$726,031

Investment Interest \$1,568

Investment Balance \$6,186,049

Total Cash Balance as of January 31, 2011 \$6,912,080

No action required by Town Board.

Appointment – Planning Board

A motion was made by Councilwoman Cooke, seconded by Councilman Crawford to appoint Sandra Lare to the Planning Board for the balance of a term expiring December 31, 2012.

APPROVED Ayes 3 Cooke, Crawford, McMahon
Noes 2 Roesch, Billica

Appointment – Economic Development Advisory Board

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to appoint Bob Zielinski to the Economic Development Advisory Board for the balance of a term expiring December 31, 2011.

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

Appointment – Board of Assessment Review

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to table the appointment to the Board of Assessment Review pending additional interviews.

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

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Abandoned Mobil Station, 2333 Grand Island Blvd. – Set Evidentiary Hearing

A motion was made by Councilman Billica, seconded by Councilman Roesch to adopt the following resolution declaring the structure at 2333 Grand Island Blvd. unsafe and dangerous and ordering its repair or demolition and removal:

WHEREAS, the Zoning Officer of the Town of Grand Island has, along with other Town personnel, inspected the property at 2333 Grand Island Boulevard (Parcel Id. No.: 37.01-1-5) and determined that due to significant violations of the New York State Property Maintenance Code and the Town of Grand Island Zoning Code, that the building may be unsafe and/or dangerous; and

WHEREAS, the Town Board has reviewed the report of the Zoning Officer, specifically the notice of violation that was served upon the property which details the specific violations and the reasons for the existence of the dangerous condition of the property.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, hereby resolves as follows:

1. After considering the report the Town Board states that in its opinion the building is unsafe and dangerous and must be repaired, and if it cannot be safely repaired, it must be demolished and removed.

2. The Town Board further orders that a notice be served upon the persons responsible for the building, in accordance with § 8-23 of the Town Code, and containing the information acquired by § 8-23 (E) of the Town Code, including a statement that the Town shall commence securing and/or removing the property and bring it into a safe condition within 30 days of the service of the notice, to be completed within 60 days thereafter, unless good cause is shown why such time should be extended.

3. Further, said notice shall state that the Town Board shall hold a hearing at 8:00 p.m. at the Town Hall on March 7, 2011, which date is not less than 5 business days from the date of service of the notice, at which time the Board shall hear from the responsible parties why the Board should not move immediately with the repair and/or removal of the building and clean up of the property.

4. Further, said notice shall state that in the event of neglect or refusal to comply with this order to repair, secure, demolish and/or remove the building, the Town Board shall provide for its demolition and removal, and will assess all expenses thereof against the land on which the building is located, and the Board shall institute a special proceeding to collect the cost of demolition including expenses or shall levy and collect said expenses in the manner as provided by Article 15 in the Town Law for the levy and collection of a special ad valorem levy.

5. This resolution shall be effective immediately.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN ATTORNEY – PETER GODFREY:

Bond Resolution – \$350,000 Increase and Improvements of Facilities of the Consolidated Sewer District (Wastewater Pump Station No. 6) – Set Public Hearing

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adopt the following resolution calling for a public hearing for the Bond Resolution – \$350,000 Increase and Improvements of Facilities of the Consolidated Sewer District (Wastewater Pump Station No. 6):

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

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directed the Town of Grand Island Engineering Department, competent engineers licensed in New York, to prepare a map, plan and report for the District's sewer system improvements that include certain capital improvements at Pump Station 6 and the installation of approximately 1,760 lineal feet of 8-inch PVC pressure pipe, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto (collectively, the "District Improvement"); and pursuant to the direction of the Town the Engineer has completed and filed with the Town Board such map, plan and report for said increase and improvement of facilities of the District and has estimated the total cost thereof to be a maximum amount of \$350,000; said cost to be financed by the issuance of serial bonds of the Town in the amount of \$350,000, offset by any federal, state, county and/or local funds received.

NOW, THEREFORE, BE IT ORDERED that a meeting of the Town Board of the Town of Grand Island will be held at the Town Hall, 2255 Baseline Road, Grand Island, New York, on March 7, 2011 at 8:00p.m. o'clock p.m. (prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

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

DEPARTMENT OF ENGINEERING & WATER RESOURCES – JOHN WHITNEY: Street Light Upgrade Proposal – Kaegebein School Skating Pond - Broadway

A motion was made by Councilman Crawford, seconded by Councilman Billica to accept the recommendation of the Town Engineer and approve the upgrade of the street light on the existing pole at the Kaegebein School Skating Pond – Broadway with a 450 watt high pressure sodium floodlight/lamp and the cost to be added to the general street lighting account. In addition, the Town Engineer will submit a Temporary Facility Discontinuance request to have the light turned off from April 1st – October 31st every year. The Town would continue to be billed the monthly luminaire charge but would not be billed for any energy usage those months.

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

Appointment – Wastewater Treatment Plant Operator-Trainee

A motion was made by Councilman Roesch, seconded by Councilman Billica to accept the recommendation of the Town Engineer and appoint Kenneth Kinderman as Wastewater Treatment Plant Operator – Trainee at the Start Rate of \$19.14/hour as per the AFSME Contract to fill the existing position effective February 21, 2011.

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

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Request Authorization to Advertise for Bids – Fisherman’s Landing, Job #M-191

A motion was made by Councilwoman Cooke, seconded by Councilman Crawford to authorize the Town Engineer to advertise for Fisherman’s Landing, Job #M-191 on Friday, February 25, 2011 and to receive bids on Wednesday, March 16, 2011 at 10:00a.m.

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

Final Plat Approval – Waterford Park, Phase 4 – Set Public Hearing

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to set a Public Hearing for Monday, March 7, 2011 at 8:00p.m. for the purpose of hearing from anyone who wants to comment in favor or in opposition to Final Plat Approval for Waterford Park, Phase 4.

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

RECREATION DIRECTOR – LINDA TUFILLARO:

Winter/Spring Part-Time Hires

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to approve the following part-time hires for youth and adult programs effective February 8th no more than 19 hours per week through April 2011 subject to the completion of the required paperwork:

Dave Thompson	\$7.80 per hour	Molly Hyland	\$8.00 per hour
Peter Pitts	\$9.06 per hour	Liam Dodd	\$8.00 per hour
Kelsey Mash	\$8.00 per hour		

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

ZONING OFFICE:

Tower Permit Renewal – Crown Castle USA, Inc. – Bedell Road Bikepath

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to table the Tower Permit Renewal for Crown Castle USA, Inc. at the Bedell Road Bikepath and refer the renewal request to the Town Attorney and Town Engineer.

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

Tower Permit Renewal – Crown Castle USA, Inc. – 3078 Staley Road

A motion was made by Councilman Crawford, seconded by Councilman Roesch to table the Tower Permit Renewal for Crown Castle USA, Inc. at 3078 Staley Road and refer the renewal request to the Town Attorney and Town Engineer.

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 #10093 –10275

General \$ 75,408.22

Highway \$ 90,477.62

Sewer \$ 22,276.10

Water \$ 25,466.29

Capital \$137,815.14

Total \$351,443.37

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

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UNFINISHED BUSINESS:

Local Law Intro #2 of 2009 - Rezoning of Business Districts

Remains Tabled.

SUSPENSION OF RULES:

Create Position of Wastewater Treatment Plant – Assistant

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to Suspend the Rules to consider creating the position of Wastewater Treatment Plant Assistant.

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

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to create the position of Wastewater Treatment Plant Assistant according to the PO-17 and job description from Erie County Office of Personnel.

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

FROM THE TOWN BOARD:

Thanks to Highway Department on keeping roads cleaned and salted.

Next Town Board Meeting – March 7, 2011 at 8:00p.m.

ADJOURNMENT:

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adjourn the meeting at 8:21p.m.

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

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

Barbara VanTassell	Eric Roloff
Ronald Meyer	Jean Hoover
Eva Ognibene	George Bowman III
Patricia Less	Connie Gibbons
Robert Jensen	Richard Meyer
Carol Keenan	Lawrence Gill
George Walk	Franklin Mesmer
Jane Cutting	

Respectfully submitted,

Patricia A. Frentzel
Town Clerk

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