

## Town of Grand Island – Regular Meeting #17

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 19<sup>th</sup> of September, 2011.

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

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

Mr. Calvin VanderMey from Bible Fellowship Center gave the Invocation.

Councilman Richard Crawford led the Pledge of Allegiance.

### **PROCLAMATIONS:**

**CROP Walk – September 25, 2011**

**Nike Base Nature Trail Dedication**

**Honor Flight Veterans**

### **PUBLIC COMMENTS:**

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

*Speakers:* None

### **PUBLIC HEARING:**

**Final Plat Approval – New England Estates, Phase I**

**Planning Board – New England Estates, Phase I – 36 Lots – Final Plat Approval**

**A Public Hearing was held at 8:00p.m. for the purpose of hearing anyone who wants to comment in favor or in opposition to an application for Final Plat Approval – New England Estates, Phase I.**

*Speakers in Favor:* None

*Speakers in Opposition:* Will Tompkins

Supervisor McMahon declared the Public Hearing closed.

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to accept the recommendation of the Planning Board and grant Final Plat Approval for New England Estates, Phase I with the condition the parking area with access to Scenic Woods be completed as part of Phase I, require a sign designating the location of the parking lot and comments from Mr. Tompkins regarding traffic patterns be referred to the Traffic Safety Advisory Board for review.

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

### **APPROVAL OF MINUTES:**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to approve Minutes of Workshop Meeting #63, September 2, 2011, Minutes of Workshop Meeting #64, September 6, 2011, Minutes of Regular Meeting #16, September 6, 2011, and Minutes of Workshop Meeting #65, September 9, 2011.

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

**Monday, September 19, 2011 - 1**

# Town of Grand Island – Regular Meeting #17

## **CONSENT AGENDA:**

1. Building Permits Issued – August 2011
2. Meeting Minutes – Zoning Board of Appeals – August 4, 2011
3. Meeting Minutes – Grand Island Memorial Library Board of Trustees – July 14, 2011
4. Meeting Minutes – Joint Meeting – Grand Island Memorial Library Board of Trustees and Grand Island Town Board – August 8, 2011
5. Meeting Minutes – Planning Board – August 8, 2011

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

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

## **COMMUNICATIONS –TOWN BOARD:**

### **SUPERVISOR McMAHON:**

#### **Authorize Supervisor to Sign Memorandum of Agreement – Junior Sanitary Chemist**

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to authorize the Supervisor to sign a Memorandum of Agreement which adds the title of Junior Sanitary Chemist in the CSEA Collective Bargaining Unit Agreement.

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

### **COUNCILMAN GARY G. ROESCH:**

#### **Internet Service & Wireless Options – Nike Base Location - Revised**

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to table the correspondence regarding Internet Service & Wireless Options at the Nike Base location.

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

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

### **HIGHWAY SUPERINTENDENT – JAMES TOMKINS:**

#### **Inventory for Highway Department – Machinery, Tools & Equipment**

For Information Only. No Town Board action necessary.

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

#### **Bond Resolution – \$80,645 – Park Place/Whitehaven Farms Sewer Improvement Area – Set Public Hearing**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to adopt the following resolution setting a Public Hearing for Monday, October 3, 2011 at 8:00p.m. for a Bond Resolution in the amount of \$80,645 for Park Place/Whitehaven Farms Sewer Improvement Area:

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

WHEREAS, Metzger Civil Engineering, PLLC (the “Engineer”), competent engineers licensed in New York, has, pursuant to Article 12-C of the Town Law, prepared a preliminary map, plan and report for the construction of sewer improvements which will be constructed and known as the Park Place/Whitehaven Farms Sewer Improvement Area and which will benefit the District; and

WHEREAS, such sewer improvements will generally consist of the installation of approximately 1,235 lineal feet of 18-inch gravity sanitary sewer along Whitehaven

**Monday, September 19, 2011 - 2**

## Town of Grand Island – Regular Meeting #17

Road, the replacement of the existing manhole at the intersection of Whitehaven Road and Harvey Road, the routing of the existing 12-inch force main into the first manhole at Bonnywoods Crossing, and the abandonment of the existing force main, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto (collectively, the “Improvement”); and

WHEREAS, the Engineer has completed and filed with the Town Board such preliminary map, plan and report and such preliminary map, plan and report is available for public inspection in the Office of the Town Clerk; and

WHEREAS, the proposed Improvement will benefit the entire proposed Park Place/Whitehaven Farms Sewer Improvement Area, which area is outside of any incorporated villages; and

WHEREAS, the Engineer has estimated the maximum aggregate cost of the Improvement to be \$181,129; said cost to be financed by (1) the issuance of \$80,645 serial bonds of the Town (to be issued on behalf of the proposed Park Place/Whitehaven Farms Sewer Improvement Area) pursuant to this proceeding and (2) the issuance of \$100,484 serial bonds of the Town (to be issued on behalf of the District); and

WHEREAS, the Town has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

NOW, THEREFORE, BE IT ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, Grand Island, New York, on October 3, 2011, at 8:00 o'clock P.M. (Prevailing Time) to the establishment of the proposed Park Place/Whitehaven Farms Sewer Improvement Area and the construction of the improvement therein, 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 expense apportioned to the Park Place/Whitehaven Farms Sewer Improvement Area for such establishment of the Park Place/Whitehaven Farms Sewer Improvement Area shall be financed by the issuance of serial bonds of the Town in an amount not to exceed \$80,645, said amount to be offset by any federal, state, county and/or local funds, and unless paid from other sources or charges, the costs of said establishment shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Improvement Area, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the 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

### **Bond Resolution – \$100,484 – Increase and Improvements of Facilities of the Consolidated Sewer District – Set Public Hearing**

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to adopt the following resolution setting a Public Hearing for Monday, October 3, 2011 at

**Monday, September 19, 2011 - 3**

## **Town of Grand Island – Regular Meeting #17**

8:00p.m. for a Bond Resolution in the amount of \$100,484 for the Increase and Improvements of Facilities of the Consolidated Sewer District:

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

WHEREAS, Metzger Civil Engineering, PLLC (the “Engineer”), competent engineers licensed in New York, has, pursuant to Article 12-C of the Town Law, prepared a preliminary map, plan and report for the construction of sewer improvements which will be constructed and known as the Park Place/Whitehaven Farms Sewer Improvement Area and which will benefit the District; and

WHEREAS, such sewer improvements will generally consist of the installation of approximately 1,235 lineal feet of 18-inch gravity sanitary sewer along Whitehaven Road, the replacement of the existing manhole at the intersection of Whitehaven Road and Harvey Road, the routing of the existing 12-inch force main into the first manhole at Bonnywoods Crossing, and the abandonment of the existing force main, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto (collectively, the “Improvement”); and

WHEREAS, the Engineer has completed and filed with the Town Board such preliminary map, plan and report and such preliminary map, plan and report is available for public inspection in the Office of the Town Clerk; and

WHEREAS, the Engineer has estimated the maximum aggregate cost of the Improvement to be \$181,129; said cost to be financed by (1) the issuance of \$80,645 serial bonds of the Town (to be issued on behalf of the proposed Park Place/Whitehaven Farms Sewer Improvement Area) and (2) the issuance of \$100,484 serial bonds of the Town (to be issued on behalf of the District) pursuant to this proceeding; and

WHEREAS, the Town has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

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 October 3, 2011 at 8:00 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 expense apportioned to the District for such increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an amount not to exceed \$100,484, said amount to be offset by any federal, state, county and/or local funds, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided 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

**Monday, September 19, 2011 - 4**

## Town of Grand Island – Regular Meeting #17

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:**

#### **Appointment – Water Plant Operator Assistant**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to accept the recommendation of the Town Engineer and appoint Stephen J. Hinkle as Water Plant Operator Assistant at a start rate of \$15.80 per hour as shown in the ASME Contract to fill the existing position, effective September 20, 2011 subject to the completion of all the necessary paperwork and to the initial 6 month probationary period.

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

### **PLANNING BOARD:**

#### **Special Use Permit Application – WNY Towing by Marty's, Inc., 1733 Baseline Road – Motor Vehicle Repair Service**

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to accept the recommendation of the Planning Board and approve the Special Use Permit for WNY Towing by Marty's, Inc., 1733 Baseline Road – Motor Vehicle Repair Service contingent on the fence being at the height of 7' with a slatted front portion of the fence and gate.

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

#### **Turner's Port of Call, 997 East River Road – Site Plan Approval – Parking Lot**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to table the Site Plan Approval for Turner's Port of Call, 997 East River Road – for a Parking Lot pending the completion of a coordinated review and SEQR.

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 #102289 – 102412

General	\$ 33,488.52
Highway	\$ 872.02
Sewer	\$ 40,470.93
Water	\$ 7,826.81
Capital	\$149,810.01
Garbage	\$105,964.31
Fire	<u>\$248,905.75</u>
Total	\$587,338.35

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

**Monday, September 19, 2011 - 5**

# Town of Grand Island – Regular Meeting #17

## FROM THE TOWN BOARD:

**Councilwoman Cooke:** Reminded students to register to vote by October 14<sup>th</sup>

**Councilman Billica:** Happy Birthday to Supervisor

**Councilman Roesch:** Nike Base Nature Trail dedication

**Supervisor McMahon:** Welcome back students

## ADJOURNMENT:

A motion was made by Councilwoman Cooke, seconded by Councilman Billica to adjourn the meeting at 8:25p.m.

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

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

Valerie Swain  
Jon Cooke

Irene Lewien  
Richard Dunworth, Sr.

Respectfully submitted in the absence of the Town Clerk,

Betty Y. Lantz  
Deputy Town Clerk