

## Town of Grand Island – Regular Meeting #2

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 8:00 PM on the 18<sup>th</sup> of January 2005.

Present:	Peter A. McMahon	Supervisor
	Mary S. Cooke	Councilwoman
	Richard W. Crawford	Councilman
	Daniel F. Robillard	Councilman
	Gary G. Roesch	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter Godfrey	Town Attorney
Also Present:	John Whitney	Town Engineer

Reverend Abram Dueck from Whitehaven Road Baptist Church gave the Invocation.  
Councilman Richard Crawford led the Pledge of Allegiance.  
Supervisor McMahon called the meeting to order at 8:00PM.

### **PRIVILEGE OF THE FLOOR:**

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

Residents who spoke:

*Greg Farmer, 2725 Fix Road*

Re: In favor of Special Use Permit Renewal for Robert F. Mesmer at 2548 Love Road a Private Airport/Landing Strip

*Chuck Goris, 575 Alt Blvd.*

Re: Concerns regarding communication with Town Board for Special Use Permit Renewal for Robert F. Mesmer at 2548 Love Road for a Private Airport/Landing Strip

### **APPROVAL OF MINUTES:**

A motion was made by Councilman Robillard, seconded by Councilwoman Cooke to approve Minutes of Workshop Meeting #1, January 3, 2005, Minutes of Regular Meeting #1, January 3, 2005.

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

### **PUBLIC HEARING: 8:00PM**

#### **Installation of New Stop Signs - Blackmon & West Park Roads, Tracey & Park Lanes, Sawmill Run, Dolphin Drive & The Commons**

A public hearing was held at 8:00 P.M. for purpose of hearing anyone who wanted to make comments in favor of or in opposition of the proposed Installation of New Stop Signs - Blackmon & West Park Roads, Tracey & Park Lanes, Sawmill Run, Dolphin Drive & The Commons.

Residents who spoke in Favor: None

Residents in Opposition:

*James Blum, 433 Tracey Lane*

*Trisha Anderson, 86 Marlin Ct.*

*Carolyn Anderson, 86 Marlin Ct.*

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to refer the proposed Local Law Intro #1/2005 to the Town Board and the Traffic Safety Advisory Board for review.

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

## Town of Grand Island – Regular Meeting #2

### **CONSENT AGENDA:**

1. State of New York Public Service Commission – Proceeding on Motion of the Commission to Examine the Safety of Electric Transmission and Distribution Systems
2. Golden Age Center – Vehicle Usage – December 2004
3. Golden Age Center – Facility Usage – December 2004
4. New York State Thruway Authority, New York State Canal Corporation – 2004 Bridge Inspection Reports
5. John A. McCarthy, Zoning Officer – Activity Report - January 1, 2004 – December 31, 2004
6. State of New York Department of Transportation – Installation of Deaf Child Area Signs
7. County of Erie – Commission on the Status of Women – Survey
8. Building Permits – December 2004
9. Phillips Lytle LLP – Seneca Nation, et al v. State of New York, et al
10. Meeting Minutes – Grand Island Youth Board – January 6, 2005
11. Meeting Minutes – Board of Architectural Review – December 13, 2004
12. Meeting Minutes – Planning Board – December 13, 2004

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

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

### **COMMUNICATIONS – TOWN BOARD:**

#### **SUPERVISOR McMAHON:**

#### **December 2004 – Supervisors Report**

The Supervisor reported a cash balance of \$61,215 on December 1, 2004

Total Receipts of \$2,089,293

Total Disbursements of \$1,968,415

Operating A/C Balance \$182,249

Investment Interest \$4,719

Investment Balance \$2,635,243

Total Cash Balance as of December 31, 2004 \$2,817,492

No action required by Town Board.

#### **Network Services Contract**

A motion was made by Councilman Crawford, seconded by Councilman Robillard to authorize the Supervisor to sign a contract with Network Services Inc. for additional computer network administrative support and services. The contract provides support on as needed basis at a rate of \$60 per hour.

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

## Town of Grand Island – Regular Meeting #2

### **Set Public Hearing – Draft Local Waterfront Revitalization Program, Including the Draft Supplemental Generic Environmental Impact Statement**

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to set a public hearing for Monday, March 21, 2005 at 8:00pm for the purpose of hearing anyone who wishes to comment in favor of or against the proposed Draft Local Waterfront Revitalization Program as follows:

**WHEREAS**, the Town of Grand Island initiated preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State in accordance with the provisions of Executive Law, Article 42; and

**WHEREAS**, the Draft Local Waterfront Revitalization Program (LWRP) has been prepared under the guidance of the Town, with consultant planning services provided by URS; and

**WHEREAS**, the Town Board, as lead agency, has prepared a Supplemental Draft Generic Environmental Impact Statement (DSGEIS) concerning the action of adopting the LWRP in accordance with the requirements of the State Environmental Quality Review Act and Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law. The DSGEIS facilitates the task of conducting an updated review of the potential environmental impacts associated with the adoption of the Town of Grand Island Local Waterfront Revitalization Program (LWRP). The development of the LWRP has been a long process with the last directly related SEQRA action being the acceptance of a DGEIS on November 19, 1985. Since that time, significant work has been accomplished to develop planning documents to guide future development within the Town of Grand Island. This has included a Comprehensive Plan, The Town Center Master Plan, the Ferry Village Master Plan, and the Amended Zoning Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the Draft Local Waterfront Revitalization Program for the Town of Grand Island, which includes the Draft Supplemental Generic Environmental Impact Statement, is accepted by the Town Board as complete and ready for public review and shall be submitted to the New York State Department of State for its review by State, federal, and regional agencies pursuant to the provisions of Article 42 of the NYS Executive Law.

**BE IT ALSO RESOLVED**, that a public hearing on the Town's Draft LWRP and DSGEIS will be held on Monday, March 21, 2005 at 8:00P.M. in the Town Hall, 2255 Baseline Road. Copies of the Draft LWRP and DSGEIS are available for public examination at the Town Clerk's Office located at 2255 Baseline Road, Grand Island, NY 14072.

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

### **New York "Albany Can You Hear Us Now?" Resolution**

A motion was made by Councilman Crawford, seconded by Councilman Roesch to adopt the New York State "Albany Can You Hear Us Now?" resolution as follows:

**WHEREAS**, Throughout New York State, All levels of Government, including the State itself, along with most of the Counties, Cities, Towns and Villages have felt some financial impact from the rapidly rising costs of Medicaid; and

## **Town of Grand Island – Regular Meeting #2**

**WHEREAS**, without some form of relief, State and Local Governments will be forced to drastically increase taxes or cut essential services; and

**WHEREAS**, the financial benefits from Medicaid Reform will reach all levels of Government; now therefore

**BE IT RESOLVED**, that the Town Board of the Town of Grand Island hereby adds its collective voice to the lengthy list of others requesting that New York State enact substantive Medicaid Reform during the current legislative year; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be sent to Governor George Pataki, Senate Majority Leader Joseph Bruno, New York State Assembly Speaker Sheldon Silver, New York State Assembly Majority Leader Paul Tokasz, New York Senator Byron Brown and New York State Assemblyman Sam Hoyt.

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

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

#### **TOWN ENGINEER - JOHN WHITNEY:**

##### **Reapprove Map Cover – Fairway Greens Phase II – Cluster 17**

A motion was made by Councilman Roesch, seconded by Councilwoman Cooke to approve the final map cover for Fairway Greens Phase II – Cluster 17. The street that runs through center of White Oak Lane will now be renamed to White Oak Terrace.

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

##### **Parkland Enterprises – Ransom Estates Subdivision**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to refer the request of Parkland Enterprises for a waiver to the subdivision regulations to split the residentially zoned land away from the land zoned for business to the Planning Board for review and recommendation.

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

##### **Standard Paving and Drainage Details Sheet**

A motion was made by Councilman Roesch, seconded by Councilman Robillard to adopt the Standard Paving and Drainage Details, revised January 10, 2005 as the official Paving and Drainage Details for the Town of Grand Island.

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

##### **Grand Park Vue Estates – Section 4 – Building Permit Request**

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to authorize the Code Enforcement Officer to issue a building permit subject to the approval of the variance and that no Certificate of Occupancy is issued until the public improvements are completed.

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

## Town of Grand Island – Regular Meeting #2

### **PLANNING BOARD:**

#### **Glen Wallace – Bed & Breakfast, 917 North Colony – Special Use Permit Remains Tabled in Planning Board**

No action by the Town Board.

#### **Dr. Neil Migliore – Practice of Hypnotherapy – Special Use Permit Remains Tabled in Planning Board**

No action by the Town Board.

### **COMMUNICATIONS – GENERAL:**

#### **Grand Island American Legion Post 1346 – Veterans Cemetery – Town of Alabama**

A motion was made by Councilwoman Cooke, seconded by Councilman Robillard to refer the communication from the Grand Island American Legion Post 1346 regarding creating a Veterans Cemetery in the Town of Alabama to the Town Board for review.

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

#### **Thomas E. Ciminelli, Architect – Request to Split the Property - 1360 Baseline Road**

A motion was made by Councilwoman Cooke, seconded by Councilman Robillard to refer the communication of Thomas E. Ciminelli; a request to split the property at 1360 Baseline Road to the Planning Board for review and recommendation.

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

#### **Gross Shuman Brizdle & Gilfillan, P. C. – Petition to Establish a Lighting District for Ransom Village Subdivision Section 4D – Set Public Hearing**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to set a public hearing for Monday, February 7, 2005 at 8:00pm for the purpose of hearing anyone who wishes to comment in favor of or against proposed Lighting District #45 - Ransom Village Subdivision Section 4D.

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

#### **Arthur Giacalone, Attorney – Re: Glen Wallace – Bed & Breakfast, 917 North Colony – Special Use Permit**

A motion was made by Councilwoman Cooke, seconded by Councilman Robillard to refer the communication of Arthur Giacalone regarding Glen Wallace's application for a Special Use Permit to operate a Bed & Breakfast at 917 North Colony to the Town Board for review.

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

## Town of Grand Island – Regular Meeting #2

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

A motion was made by Councilwoman Cooke, seconded by Councilman Roesch to pay Vouchers #78231-78400:

General	\$ 49,178.70
Highway	\$ 46,440.99
Sewer	\$ 30,382.46
Water	\$ 77,287.09
Lighting	\$ 42.00
Garbage	\$ 62,082.65
Fire	<u>\$187,431.00</u>

Total \$452,844.89

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

### **UNFINISHED BUSINESS:**

#### **Parks & Recreation Community Center**

This item remains tabled. No action.

#### **Rezoning - 1282 Stony Point Road**

This item remains tabled. No action.

#### **Christine Weaver – East River Road – Rezone Vacant Lot on East River Road:**

##### **SBL# 25.05-2-9.2 from B-2 to R-1B**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to issue two negative declarations to abandon a portion of the paper street known as Park Avenue and rezoning two vacant lots on East River Road.

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

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to consent to the abandonment petition subject to the approval of the Highway Superintendent, conditioned on the receipt of easement, acceptable to the Town Attorney, Town Engineer which provides access to back lot owners, and further orders the Town Clerk and other Town Officials to execute necessary deeds and easements to carry out the resolution.

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

A motion was made by Councilman Robillard, seconded by Councilwoman Cooke to rezone the vacant lot on East River Road; SBL# 25.05-2-9.2 from B-2 to R-1B.

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

#### **Economic Development Advisory Board – Appointment**

A motion was made by Councilman Roesch, seconded by Councilman Robillard to appoint Lewis Rich, 4796 East River Road to the Economic Development Advisory Board for a three-year term expiring on December 31, 2007.

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

## Town of Grand Island – Regular Meeting #2

### **Special Use Permit Renewal – Robert F. Mesmer – 2548 Love Road – Private Airport/Landing Strip/Residential, Rural Area**

A motion was made by Councilman Crawford, seconded by Councilwoman Cooke to renew the Special Use Permit Renewal – Robert F. Mesmer – 2548 Love Road – Private Airport/Landing Strip/Residential, Rural Area.

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

### **PRIVILEGE OF THE FLOOR:**

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

Residents who spoke:

*James Blum*, 433 Tracey Lane

Re: Tax Bills

### **FROM THE TOWN BOARD:**

Supervisor McMahon – Any resident with questions regarding the renewal of the Special Use Permit issued to Robert Mesmer may address the Town Attorney and the Supervisor after the meeting.

### **ADJOURNMENT:**

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

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

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

James McIntyre Sutherland  
Louis Taylor  
Richard Grotz  
Lydia (Kerber) Tawil  
Joann Bindert  
Sharon (Pearson) Kubik  
Patricia (Gibbs) Nowak  
Rosemary Gasbarre

Respectfully Submitted,

Patricia A. Frentzel  
Town Clerk