

REGULAR MEETING NO. 21, TOWN OF GRAND ISLAND, NOVEMBER 15, 2004

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 15th of November 2004.

Present:	Richard W. Crawford	Councilman
	Daniel F. Robillard	Councilman
	Gary G. Roesch	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter Godfrey	Town Attorney

Excused:	Peter A. McMahon	Supervisor
	Mary S. Cooke	Councilwoman

Also Present:	Ray Dlugokinski	Highway Superintendent
	John Whitney	Town Engineer

Rev. David Nitkowski from New Apostolic Church gave the Invocation.
Deputy Supervisor Richard Crawford led the Pledge of Allegiance.
Deputy Supervisor Crawford 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: Richard Piccolo, 4144 East River Rd. Re: Weaver Property – East River and Edgewater.

APPROVAL OF MINUTES:

A motion was made by Councilman Roesch, seconded by Councilman Robillard, to approve the Minutes from Regular Meeting #20, November 1, 2004; Workshop #48, November 1, 2004.

APPROVED	Ayes	3	Crawford, Robillard, Roesch
	Noes	0	

PUBLIC HEARING: 8:00PM

Creation of Oakwood Estates at River Oaks, Section 3 Lighting District No. 42

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 creation of Oakwood Estates at River Oaks, Section 3 Lighting District No. 42.

Speakers in favor: None

Speakers opposed: None

A motion was made by Councilman Robillard, seconded by Councilman Roesch to approve the Creation of Oakwood Estates at River Oaks, Section 3 Lighting District No. 42.

APPROVED	Ayes	3	Crawford, Robillard, Roesch
	Noes	0	

Installation of Stop Sign on the southwest corner of Briarwood at River Oaks and No Outlet sign on Briarwood

The Public Hearing that was to be held at 8:00 P.M. for the purpose of hearing anyone who wanted to speak in favor of or in opposition of the proposed Installation of a Stop sign on the southwest corner of Briarwood at River Oaks and No Outlet sign on Briarwood is Tabled until December 6, 2004 because the Highway Superintendent has requested additional Stop signs in various locations around Grand Island. A Public Hearing will be held on December 6, 2004 to include all the sign requests.

REGULAR MEETING NO. 21, TOWN OF GRAND ISLAND, NOVEMBER 15, 2004
Proposed 2004 Job Drainage Program – Job D-33

A public hearing was held at 8:00 P.M. for purpose of hearing anyone who wanted to speak in favor of or in opposition of the proposed 2004 Job Drainage Program – Job D-33 which will replace approximately 90 lineal feet of deteriorated 24 inch diameter Storm Sewer outfall located at 7 Towerwood and clean and regrade the West Branch of Woods Creek from Bedell Road north approximately 1000 feet to remove trees, debris and cattails, which are restricting the flow of the creek. The total estimated construction cost is \$28,500.

Speakers in favor: Frank Burkhart, 1406 Ransom Road, Re: Extend regrading and cleanup to encompass area south of Ransom and Woods Creek.

Speakers opposed: None

A motion was made by Councilman Roesch, seconded by Councilman Robillard to approve the proposed 2004 Drainage Program – Job D-33.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

A motion was made by Councilman Roesch, seconded by Councilman Robillard to authorize the Town Engineer to publish a Legal Notice for bids on the proposed 2004 Drainage Program – Job D-33. Bids will be opened December 8, 2004 at 10:00a.m.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

CONSENT AGENDA:

1. County of Erie - Erie County Public Benefit Funding Request
2. County of Erie - Electronics Recycling Drop-Off Day, 12/11/04 ECC North Campus
3. NYS Environmental Facilities Corp. – Clean Water State Revolving Fund (CWSRF) Application. CWSRF Project No. C9-6653-03-000, Digesters, Clarifier & PS #7 Replacement
4. Patrick M. Gallivan – Information regarding Sheriff Gallivan’s position on the proposed budget cuts to the Erie County Sheriff’s Office
5. Golden Age Center – Vehicle Usage - October 2004
6. Golden Age Center – Facility Usage – October 2004
7. Building Permits – October 2004
8. Meeting Minutes – Zoning Board of Appeals – October 7, 2004
9. Phillips Lytle LLP – Seneca Nation, et al v. State of New York, et al. Enlargement of time to file petition for rehearing
10. NYS Legislative Commission on Rural Resources - A Survey of New York State Municipalities
11. Meeting Minutes – Board of Architectural Review – October 12, 2004
12. County of Erie – Certificate and Notice of Highway Closure
13. County of Erie – Erie County Public Benefit Funding Request
14. Meeting Minutes – Planning Board - October 12, 2004

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

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

**REGULAR MEETING NO. 21, TOWN OF GRAND ISLAND, NOVEMBER 15, 2004
COMMUNICATIONS – TOWN BOARD:**

SUPERVISOR McMAHON:

Veterans Park Drive – Seasonal Use

The Town's Safety Committee has recommended that the Town return Veterans Park Drive to seasonal use during the winter months. The Park Road is subject to significant snow drifting and poor visibility.

A motion was made by Councilman Roesch, seconded by Councilman Robillard to approve the request of the Traffic Safety Advisory Board and the Superintendent of Highways posting the driveway through Veterans Park Drive as limited to seasonal use and to be closed with no maintenance from December 1st through April 1st.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

Rezoning - 1282 Stony Point Road

A motion was made by Councilman Roesch, seconded by Councilman Robillard to Table the request of Russell Certo, 1282 Stony Point Road to rezone the property from R1-E to R-3.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

STOP-DWI 2004 Contract

A motion was made by Councilman Roesch, seconded by Councilman Robillard to authorize the Supervisor to sign the STOP-DWI 2004 Contract between Grand Island and the County of Erie.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

Erie County's Budget Crisis

Residents in the Town of Grand Island cannot afford to replace all of the service cuts, which are part of the County's worst case budget proposal. A long term or permanent solution involves Medicaid Reform by New York State. The short-term solution is a package of financial changes, which likely includes increases in property and sales taxes, along with reasonable and appropriate reductions in services.

A motion was made by Councilman Crawford, seconded by Councilman Roesch to call on the Erie County Executive and Erie County Legislature to work together in a bipartisan effort to agree on such a package to avoid shifting the burden to local governments.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

2005 Water & Sewer Rents - Set Public Hearing

A motion was made by Councilman Robillard, seconded by Councilman Roesch to set a Public Hearing for Monday, December 6, 2004 for the purpose of hearing anyone who wishes to comment in favor of or against the proposed 2005 Water & Sewer Rents.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

**REGULAR MEETING NO. 21, TOWN OF GRAND ISLAND, NOVEMBER 15, 2004
COMMUNICATIONS – OTHER OFFICIALS:**

TOWN CLERK – PATRICIA A. FRENTZEL:

Renewal of Special Use Permit – David Wunsch, 3072 Stony Point Rd.

A motion was made by Councilman Roesch, seconded by Councilman Robillard to renew the Special Use Permit for David Wunsch, 3072 Stony Point Road for keeping of up to 2 equine animals. The property has been inspected and it is unchanged.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

HIGHWAY SUPERINTENDENT – RAYMOND DLUGOKINSKI:

Request to Install Stop Signs

A motion was made by Councilman Roesch, seconded by Councilman Robillard to set a Public Hearing for Monday December 6, 2004 at 8:00pm for the purpose of hearing anyone who wishes to comment in favor of or against the proposed installation of a Stop sign at the southwest corner of Briarwood at River Oaks and install a No Outlet sign on Briarwood, a new Stop sign on the northwest corner of Sandra at Park Lane, a Stop sign at the southeast corner of Sandra at Laurie Lane, a Dead End sign on the west side of Park Lane at the intersection of Sandra and a Dead End sign at the end of Park Lane at the turn around.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

TOWN ENGINEER – JOHN WHITNEY:

Authorization for the Town Supervisor to sign MS4 Commitment Letter

A motion was made by Councilman Robillard, seconded by Councilman Roesch to authorize the Supervisor to sign the Cooperating MS4 Commitment Letter to affirm the Town's commitment to deliver work products detailed in the contract workplan with the Western New York Stormwater Coalition.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

Change Order No. 2 – Veterans Park Enhancement Project – Job No. M-66-03

A motion was made by Councilman Robillard, seconded by Councilman Roesch to approve Change Order No. 2, Veterans Park Enhancement Project – Job No. M-66-03. Due to complications with sub grade compaction for the packing lot, the contractor was advised to undercut a larger area than originally anticipated. The result of this added 1950 CY to Bid Item No. 2 of the contract.

The Town's Consulting Engineer on the project has reviewed the Change Order and recommends approval.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

PLANNING BOARD:

Park Place Subdivision - Phase VIII - Preliminary Plat Approval

The Planning Board recommends approval of the Preliminary Plat with site plan to be revised as marked, showing Lots 104 – 119, storm water facility, access to Whitehaven Rd., and all future development west of detention area shown as "Future Development" without the Loop Road.

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A motion was made by Councilman Roesch, seconded by Councilman Robillard to approve the Concept Plan only for Park Place Subdivision – Phase VIII. Nothing in this resolution is intended as a decision regarding the preliminary plat for future phases or the status of the Mid Island Parkway.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

Christine Weaver – Combine Property SBL # 25.05-2-9.2 Lot #15 (B-2) with Lots#16 and 17 (R1-B) and rezone all to R1-B

A motion was made by Councilman Robillard, seconded by Councilman Roesch to set a Public Hearing for Monday December 6, 2004 at 8:00pm for the purpose of hearing anyone who wishes to comment in favor of or against the proposed combining SBL # 25.05-2-9.2 Lot #15 (B-2) with Lots#16 and 17 (R1-B) and rezone all to R1-B.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

Christine Weaver – Abandon Paper Street - Park Avenue

A motion was made by Councilman Roesch, seconded by Councilman Robillard to refer to the Town Board the recommendation of the Planning Board to approve Christine Weaver’s request to move the Park Avenue paper street pending the determination of the rezoning request.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

P. Rotello d/b/a Wayside Nursery & Produce - Site Plan Approval - 2920 Grand Island Boulevard

A motion was made by Councilman Robillard, seconded by Councilman Roesch to accept the recommendation of the Planning Board and approve the Site Plan for P. Rotello d/b/a Wayside Nursery & Produce - Site Plan Approval - 2920 Grand Island Boulevard with the condition that sidewalks would be placed in the future, as required, if sidewalks are place on adjacent properties.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

COMMUNICATIONS – GENERAL;

Request for DEAF Child Sign on Love Road & West River Road

A motion was made by Councilman Roesch, seconded by Councilman Robillard to refer to the Erie County Highway, Traffic Safety Advisory Board and the NYS Department of Transportation the request for a DEAF Child sign on Love Road and West River Road.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

Thomas Burke – Resignation from Conservation Commission

A motion was made by Councilman Roesch, seconded by Councilman Robillard to accept with regret the letter from Thomas Burke resigning from the Conservation Commission and to send a certificate of appreciation from the Town of Grand Island.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

REGULAR MEETING NO. 21, TOWN OF GRAND ISLAND, NOVEMBER 15, 2004
Grand Crafts on the Island – Craft Show

A motion was made by Councilman Roesch, seconded by Councilman Robillard to approve the use of Town Common June 25-26, 2005. Whitehaven Road will remain open and the committee has authorization to use the Town Hall restroom facilities for its handicap patrons.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Roesch, seconded by Councilman Robillard to pay Vouchers #77586 – 77790:

General	\$ 70,517.21
Highway	\$ 24,396.66
Sewer	\$ 25,158.90
Water	\$ 854.98
Capital	\$216,530.35
Garbage	\$ 64,547.65
Fire	<u>\$172,687.50</u>

Total \$574,693.25

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

UNFINISHED BUSINESS:

Parks & Recreation Community Center

This item remains tabled. No action.

PRIVILEGE OF THE FLOOR:

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

Residents who spoke:

Frank Burkhardt, 1406 Ransom	Re: Cell Tower 423 Ransom Rd.
Kim Tetreault, 50 Blue Jay Lane	Re: Cell Tower 423 Ransom Rd.
Linda Brozek, 94 Bishops Gate	Re: Access between Bishops Gates and High School
Kristine Lavango, 2591 Love Rd.	Re: Cell Tower 423 Ransom Rd.
Erik Boron, 120 Bishops Gate	Re: Access between Bishops Gates and High School
David Goris, 1745 Fix Rd.	Re: Access between Bishops Gates and High School

FROM THE TOWN BOARD:

Councilman Roesch: Commented on government decision making processes.

Concerns of residents regarding Cell Tower on Ransom Road were addressed at Planning Board level. Councilman Roesch's concern regarding the access between Bishops Gates and High School is liability. Happy Thanksgiving.

Councilman Robillard: Happy Thanksgiving – High School Ladies Soccer Team will be going to the State Finals – Friday, November 19, 2004 – Good Luck! Happy Thanksgiving!

Deputy Supervisor Crawford: Happy Thanksgiving!

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ADJOURNMENT:

A motion was made by Councilman Roesch, seconded by Councilman Robillard to adjourn the meeting at 9:00p.m.

APPROVED Ayes 3 Crawford, Robillard, Roesch
Noes 0

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

Sue Ann Coughlin
Kyle Richard Dynko
Mary Anne Knab
Doris Teschemacher

Respectfully Submitted,

Patricia A. Frentzel
Town Clerk