

For the Record – GI Supervisor Breached ethics and likely the law – harmed town

On July 20th 2016 New York State Parks presented the Parkway closure plan (Option 3) that they claimed was “Strongly supported by the Town of Grand Island”.

This claim of “Strong” Town support (Town Board support), as per NYS Parks Director Mark Thomas, was based on “communication received multiple times in 2016 from the Town Supervisor that the Grand Island **Town Board fully** supported Option 3 and the Parkway closure.” Refer to: Parks meeting minutes on August 5, 2016 that was fully edited and approved by Mark Thomas prior to release.

In order for the Supervisor to make such a claim regarding “Full Support by the Town” “on multiple occasions, such a claim would require the Town Board to have unanimously passed a motion supporting the Parkway closure option 3. Such a vote would require a pre-announced open public meeting on this topic prior to such a decision - as per open meetings law.

Mark Thomas stated that our GI Supervisor’s claim of “Full support” by the Town Board **was a major factor in identification of the closure of the Parkway, Option 3, as the preferred plan by both the town and State.**

The Supervisor apparently broke the open meetings law and did breach ethics by misrepresenting the town and claiming the town had taken a position that it in fact it had never taken.

This misrepresentation, multiple times and over a number of months, prior to July 20th, may have done irreparable harm by setting in motion planning and decisions by NYS Parks associated with the Parkway Closure that may have never been initiated otherwise - actions that may not be easily reversed or altered.

Compounding, an already serious situation, the Supervisor on August 5th published an article in the Dispatch misleading (lying) to the public regarding a May 2nd workshop meeting. This article was written after the Supervisor was aware that I was meeting with the State Parks regarding my critical concern that the Supervisor may have been misrepresenting the town – his article attempted to manufacture a cover story for him and what he communicated falsely to the NYS Parks representatives.

The Supervisor was unaware that the May 2nd meeting was recorded. The below transcript includes an exchange where it was revealed that NY State Parks requested earlier this year that our Supervisor not share with the residents that the Parkway Closure was seriously being considered.

The Supervisors article stated:

- “I took this plan back to the board months ago”. “Not one of them protested. Not a peep, in fact I remember smiles.”

The following are excerpts from the only meeting where this topic was discussed on May 2nd. There was no publicly posted agenda and Ray, Chris and I had no clue any such discussion was going to occur (we were broad sided) – we had no time to prepare for this discussion. By the end of this recorded and transcribed conversation on May 2nd it was apparent that Chris, Ray and I would not vote to support Option 3 and Nate committed to fight against us.

It must be noted that Chris, Ray and I thought this was just one of the Supervisor's crazy ideas and had no idea that this was going to be characterized as the preferred option by anyone. If you read the full transcript/listen to the full recording you will better understand why – it was downplayed throughout by the Supervisor as his idea and it was emphasized this was just one of three plans and we believed Option 1 and 2 were still the top options.

The following are excerpts from that recorded meeting that are chronological, but due to length, sections have been removed. Does this sound like anything close to the full support of the Board for the Parkway closure that the Supervisor falsely and unethically conveyed to Mark Thomas/NYS Parks "multiple times" since January? Does it sound like we were silent, not a peep, happy and smiling as the Supervisor falsely and unethically claims?

I personally was mad at one point during the May 2nd exchange regarding a request to withhold information from the public.

The Supervisor unethically misleads the public in his August 5th Dispatch article and again misrepresented the Town – a unethical and repeated pattern for this Supervisor.

Transcript excerpts:

Mike: If I was living along the side street there, not the parkway, but the service road, I would be really against having that traffic all go in front of my house!

Nate: So let me say a couple of things about the parkway. They said...the parkway. We can go by passing a motion or we can go by statistics.

Chris: They didn't tell that to the public when they had the meeting. The Parkway Closure was not one of the options.

Nate: Well the reason why is that, now, they're going to.

Chris: There was two plans submitted down at the Nike Base and the community was invited. They actually had two meetings where the community went in and looked at all the plans. That wasn't one of them!

Nate: It'll be harder to get places 30 miles per hour, but it turns that area around, it will transform the area. The property values will go up.

RAY: Maybe I'm reading this wrong. I thought you meant they were going to close the parkway to construct the bike path and then open the parkway. **I don't want to be there for that meeting!**

Mike: **I don't either**

Chris: **That's for sure!**

NATE Hey, you guys can blame it on me. I'll tell you what.

Mike: **Bev if you called the west river folks - I would be shocked shocked if they supported;**

Nate: They are not pushing anything; they are going to propose three plans. This is the best plan from a logical perspective.

Mike: For the state to save money!

Mike: I don't mean to be skeptical, but that's an 8 or 10 mile, I don't know how many miles that is a long distance. I don't see a lot of bikes going down that road!

Nate: Oh you are crazy your

Mike: I don't see a lot of bikes going down that road

Mike: So the overlooks will be closed to cars then?

Cyndi: You need to make it clear, Angela Berti - doesn't want you talking about the specifics of the plans yet.

Nate: Because they are going to propose 3 plans. This is the plan Nate McMurray likes, and if the people on West River hate me, they are going to love me in ten years.

Mike: **Sorry who said that - who said they don't want?!**

Cyndy: Angela Berti from State Parks the head of this.

Mike: To me that's not, that's inexcusable behavior, if they are making a plan, the public should be notified!

Nate: No you are totally misunderstanding

Cyndy: Wait wait wait Its a presentation

Mike: But a presentation is a fully thought out plan. I think they should be getting input right from the right from the start...!!

Mike: This is a new plan new plan they have not seen, this is a new plan.

Nate: They have 3 plans; we are going to go through the whole process over again. We are basically restarting the process. They have 3 plans, what she is saying is that Angela is the one saying which plan she likes best, but this is the plan that I like best.

Mike: I do not have the same vision apparently!

Nate: Well he well he...you can fight us but we are going to win

Mike: I'm going to

Ray and Chris: I'm opposed,

Mike: I'm with you!

-End of transcript-

As you can see from this exchange the Board members were not silent and we were not happy and the Supervisor early on in the conversation said the state requested a motion by the Board for this proposal. By the end of the conversation it was clear that the Board would reject/not vote for closure. The Supervisor did not put forth his motion and the board did not support closure as this May 2nd meeting recording documents. The Supervisor misrepresented the town to NYS Parks “multiple times” and breached ethical behavior in the months leading up to the July 20th Public hearing and possibly broke the law in the process.