

Town of Grand Island - Regular Meeting # 5

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 20th of March 2023.

Present:	John C. Whitney	Supervisor
	Peter J. Marston	Councilman
	Michael H. Madigan	Councilman
	Thomas A. Digati	Councilman
	Christian J. Bahleda	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor John C. Whitney called the meeting to order at 8:00p.m.
Pastor Mike Chorey from CrossRiver Ministries gave the Invocation.
Councilman Thomas A. Digati 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

PUBLIC HEARING:

Special Use Permit Application – Kelli Swagel, 2488A Grand Island Boulevard – Operate a Dog Training and Boarding Center, in an existing retail plaza, in the NBD (North Business District)

A Public Hearing was held on Monday, March 20, 2023, at 8:00p.m. for the purpose of hearing anyone who wants to comment on the Special Use Permit Application – Kelli Swagel, 2488A Grand Island Boulevard – Operate a Dog Training and Boarding Center, in an existing retail plaza, in the NBD (North Business District).

Speakers: None

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilman Digati to table the Special Use Permit Application – Kelli Swagel, 2488A Grand Island Boulevard – Operate a Dog Training and Boarding Center, in an existing retail plaza, in the NBD (North Business District).

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

Local Law Intro #1 of 2023 – Rezoning SBL #:38.11-2-6.11, Whitehaven Road – R-2/B1 to PDD - CANCELLED

The Public Hearing was cancelled at the request of the applicant.

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MINUTES:

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to approve Minutes of Workshop Meeting #6, March 6, 2023, and Minutes of Regular Meeting #4, March 6, 2023.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

CONSENT AGENDA:

1. Meeting Minutes – Zoning Board of Appeals – January 5, 2023
2. Meeting Minutes – Historic Preservation Advisory Board – February 15, 2023
3. Golden Age Center – Facility Usage – February 2023
4. JCI, Jones Chemicals Inc. – Sodium Hypochlorite Price Increase
5. Meeting Minutes – Board of Architectural Review – February 21, 2023
6. Meeting Minutes – Planning Board – January 9, 2023

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

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

COMMUNICATIONS – TOWN BOARD:

SUPERVISOR JOHN C. WHITNEY:

Appointment – Police Department – Patrol Officer

Supervisor John Whitney informed the Town Board that Rick Russo has been appointed as a Grand Island Police Officer, effective March 21, 2023, subject to the completion of the pre-employment paperwork.

No action by the Town Board.

Appointment – Police Department – School Resource Police Officer

Supervisor John Whitney informed the Town Board that Todd Faddoul has been appointed as a Grand Island Police Officer – School Resource Officer, effective March 21, 2023, subject to the completion of the pre-employment paperwork.

No action by the Town Board.

Special Event Permit – Soma Cura Wellness Center

A motion was made by Councilman Bahleda, seconded by Councilman Marston to approve the Special Event Permit for Soma Cura Wellness Center to host free yoga classes in Town Commons from May 15, 2023 – September 15, 2023. The Insurance Certificate is on file with the Town, and the schedules will be coordinated through the Supervisor's office and the Recreation Supervisor.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

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COUNCILMAN MICHAEL H. MADIGAN:

Amend Chapter 145 of the Town Code – Right to Farm Law – Set Public Hearing

A motion was made by Councilman Madigan, seconded by Councilman Digati to set a Public Hearing for Monday, April 3, 2023, at 8:00p.m. to hear anyone who wants to comment on amending Chapter 145 of the Town Code – Right to Farm Law.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

COUNCILMAN – PETER J. MARSTON:

Town of Grand Island Comprehensive Plan Review Board – Revisions to Town of Grand Island Design and Performance Standards

A motion was made by Councilman Marston, seconded by Councilman Madigan to refer the recommendations of the Town of Grand Island Comprehensive Plan Review Board – Revisions to Town of Grand Island Design and Performance Standards to all the Advisory Boards of the Town and Department Heads for review.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

COUNCILMAN CHRISTIAN BALED A:

Resignation – Technology Advisory Board

A motion was made by Councilman Bahleda, seconded by Councilman Marston to accept the resignation of Kristen Cascio from the Technology Advisory Board with regret. A certificate of appreciation will be sent to Ms. Cascio.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

COMMUNICATIONS – OTHER TOWN OFFICIALS:

DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:

Local Waterfront Revitalization Program Update – SEQRA Notice of Intent – Contract #T1000939 – Job # M-62-2018

Town Engineer Robert Westfall informed the Town Board that the updated Local Waterfront Revitalization Program (LWRP) Draft has been submitted to the New York State Department of State (NYS DOS). The grant requires the Town Board to accept the LWRP as an official draft document and pass the attached “SEQRA Notice of Intent to Serve as Lead Agency” Resolution to officially start the NYS DOS 60-day review.

A motion was made by Councilman Marston, seconded by Councilman Digati to adopt the following resolution:

Whereas, the Town Board has charged the Comprehensive Plan Review Board (Review Board, formerly known as the Long-Range Planning Committee) with the development of the Town of Grand Island Local Waterfront Revitalization Program (LWRP), which is intended to serve as the localized version of the State/Federal Coastal Management Program in accordance with the provisions of Executive Law, Article 42; and

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Whereas, the Review Board has worked with local planning consultants CPL to prepare a draft LWRP which has undergone preliminary review by NYS Department of State (DOS) and is ready for the required 60-day review by State, federal, and regional agencies pursuant to the provisions of Article 42 of the NYS Executive Law as part of the LWRP approval process; and

Whereas, the Town Board is required to accept the LWRP as an official draft document for the required 60-day review prior to which an environmental review of said draft is required; and

Whereas, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the Town Board intends to serve as Lead Agency for SEQRA review of this Type 1 Action and will determine if the proposed action will have a significant effect on the environment; and

Whereas, the Lead Agency will undertake a coordinated review of this proposed action.

Now, Therefore, Be It Resolved, that the Town Board hereby designates its intention to serve as Lead Agency for the proposed action and will circulate Lead Agency Notice along with Part 1 of the Long Form Environmental Assessment Form and any other supporting documentation to all Involved Agencies. These agencies shall be given 20 days from the mailing of the Lead Agency Notice to consent. Interested Agencies will be given notice, but not required to consent pursuant to 6 NYCRR Part 617.6.

The Draft LWRP for the Town of Grand Island 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 60-day review.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

Request Permission to Sell Equipment at Auction – Spring 2023

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to accept the recommendation of the Wastewater Department and grant permission to sell at auction the following town owned surplus equipment. Sales will be facilitated by the internet-based auction house, Auctions International Inc. These Items have been deemed as surplus and not needed.

1. Vertical File Cabinets
2. L-Shaped Desk
3. Horizontal File cabinets
4. Office Chairs
5. Bookshelves (2)
6. Ricoh Copier
7. Fax Machine
8. Air Compressor
9. Laboratory Ovens

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- 10. Wall Cabinets
- 11. Composite Samplers
- 12. Glassware
- 13. 7' Trailer – open
- 14. 17' Enclosed trailer

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

Authorize Supervisor to Enter into Agreement – Demand Response Program Participation – Wastewater Treatment Plant

Town Engineer Robert Westfall informed the Town the proposed agreement entails coordinating a shutdown of specific equipment under an energy conservation program. He has reviewed the program and noted that participation is possible and could align with the Town's needed downtime for maintenance of this equipment. As provided in the agreement, the Town will receive payments for the temporary suspension of the use of equipment, and in no way can participation result in any cost to the Town. A motion was made by Councilman Marston, seconded by Councilman Digati to authorize the Supervisor to enter into this agreement for participation with Rodan Energy Solutions as part of the New York State Demand Response Program, subject to the approval of the Town Attorney.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

TOWN ACCOUNTANT – KORIN FRANTZ: 2022 Budget Amendment/Transfers

A motion was made by Councilman Marston, seconded by Councilman Madigan to approve the following budget Transfers needed to balance funds for year ended December 31, 2022:

General:

DEPT	ACCOUNT NAME	ACCOUNT NUMBER	TRF NEEDED	FROM A/C	\$	FROM DIFFERENT DEPT	EXPLANATION
TOWN CLERK	PRESERVATION OF RECORDS	001.1410.0416	7,400.00	001.1410.0199	7,000.00	TOWN CLERK - PERSONAL	EXCEEDED BUDGET
				001.1410.0198	400.00	TOWN CLERK - PERSONAL	EXCEEDED BUDGET
LAW OFFICE	PROFESSIONAL SERVICES	001.1420.0409	66,000.00	001.1990.0475	20,740.00	CONTINGENCY	EXCEEDED BUDGET
				001.9060.0800	45,260.00	MEDICAL INSURANCE	EXCEEDED BUDGET
SHARED SERVICES	NETWORK ADMIN	001.1620.0458	23,000.00	001.9060.0800	23,000.00	MEDICAL INSURANCE	EXCEEDED BUDGET
SHARED SERVICES	REP/MAINT EQUIP	001.1620.0421	10,000.00	001.9060.0800	10,000.00	MEDICAL INSURANCE	EXCEEDED BUDGET
SHARED SERVICES	REP/MAINT GROUNDS	001.1620.0422	12,000.00	001.9060.0800	12,000.00	MEDICAL INSURANCE	EXCEEDED BUDGET
SHARED SERVICES	MINOR EQUIP	001.1620.0430	3,500.00	001.9730.0600	3,500.00	BANS - PRINCIPAL	EXCEEDED BUDGET
UNALLOCATED INSURANCE	FIRE & LIAB INSURANCE	001.1910.0446	9,151.00	001.9730.0700	8,200.00	BANS - INTEREST	EXCEEDED BUDGET
				001.9060.0800	951.00	MEDICAL INSURANCE	EXCEEDED BUDGET
UNCLASSIFIED	DEBT MANAGEMENT FEES	001.1989.0419	165.00	001.9730.0600	165.00	BANS - PRINCIPAL	EXCEEDED BUDGET
SUP HWY	PERSONAL SERVICES	001.5010.0110	675.00	001.5010.0404	675.00	SUP HWY - TRAVEL EXP	EXCEEDED BUDGET
SUP HIGHWAY GARAGE	UTILITIES	001.5132.0407	5,890.00	001.8560.0429	5,890.00	SUP HWY - TREE REMOVAL	EXCEEDED BUDGET
RECREATION	YOUTH - PERSONAL	001.7310.0102	150.00	001.7020.0100	150.00	REC - PERSONAL	EXCEEDED BUDGET
RECREATION	ADULT - GAME OFFICIALS	001.7620.0426	1,725.00	001.7020.0100	1,725.00	REC - PERSONAL	EXCEEDED BUDGET
LONG RANGE PLANNING	PROFESSIONAL SERVICES	001.8022.0409	1,134.00	001.9730.0600	1,134.00	BANS - PRINCIPAL	EXCEEDED BUDGET
EMPLOYEE BENEFITS	STATE RETIREMENT	001.9010.0800	48,529.00	001.9060.0800	48,529.00	MEDICAL INSURANCE	EXCEEDED BUDGET
			\$ 189,319.00		\$ 189,319.00		

Highway:

DEPT	ACCOUNT NAME	ACCOUNT NUMBER	TRF NEEDED	FROM A/C	\$	FROM DIFFERENT DEPT	EXPLANATION
GENERAL REPAIRS	ROAD WORK	002.5110.0428	12,000.00	002.5142.0442	12,000.00	SNOW - MAINT SUPPLIES	EXCEEDED BUDGET
MACHINERY	REP/MAIN EQUIP	002.5130.0421	10,000.00	002.5142.0442	10,000.00	SNOW - MAINT SUPPLIES	EXCEEDED BUDGET
MACHINERY	MINOR EQUIP	002.5130.0430	2,000.00	002.5130.0200	2,000.00	MACHINERY - EQUIP	EXCEEDED BUDGET
MISC (B&W)	REGULAR PAY	002.5140.0100	4,550.00	002.5130.0100	4,550.00	MACHINERY - PERSONAL	EXCEEDED BUDGET
SNOW REMOVAL	OVERTIME	002.5142.0102	15,000.00	002.5142.0442	15,000.00	SNOW - MAINT SUPPLIES	EXCEEDED BUDGET
			TOTALS		\$ 43,550.00		

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Sewer:

DEPT	ACCOUNT NAME	ACCOUNT NUMBER	TRF NEEDED	FROM A/C	\$	FROM DIFFERENT DEPT	EXPLANATION
O&M	UTILITIES	003.8130.0407	37,600.00	003.8130.0100	37,600.00	O&M- REGULAR PAY	EXCEEDED BUDGET
O&M	REP/MAIN EQUIP	003.8130.0421	40,810.00	003.8130.0100	20,000.00	O&M- REGULAR PAY	EXCEEDED BUDGET
				003.8130.102	20,810.00	O&M- OVERTIME	EXCEEDED BUDGET
O&M	MAINT OF LINES	003.8130.0424	3,400.00	003.8130.102	3,400.00	O&M- OVERTIME	EXCEEDED BUDGET
O&M	CHEMICALS	003.8130.0435	40,000.00	003.9060.0800	40,000.00	MEDICAL INSURANCE	EXCEEDED BUDGET
		TOTALS	121,810.00		121,810.00		

Water:

DEPT	ACCOUNT NAME	ACCOUNT NUMBER	TRF NEEDED	FROM A/C	\$	FROM DIFFERENT DEPT	EXPLANATION
SOS	UTILITIES	004.8320.0407	3,400.00	004.8320.0100	3,400.00	SOS - REGULAR PAY	EXCEEDED BUDGET
T&D	GAS & OIL	004.8340.0431	6,500.00	004.8340.0199	6,500.00	T&D - BUYBACKS	EXCEEDED BUDGET
BENEFITS	STATE RETIREMENT	004.9010.0800	3,000.00	004.9060.800	3,000.00	MEDICAL	EXCEEDED BUDGET
		TOTALS	\$ 12,900.00		\$ 12,900.00		

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the following Budget Amendments needed to balance funds for year ended December 31, 2022:

001-0001-9999 Appropriated Fund Balance – General Fund \$46,213
001-5410-0200 Increase Expenditure Appropriation – Sidewalks \$46,213
(Town Share of Sidewalk Project)

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

PLANNING BOARD:

Local Law Intro #8 of 2022 – Amend Chapters 295 and 407 of the Town Code – Roadside Farm Stands

A motion was made by Councilman Madigan, seconded by Councilman Digati to refer Local Law Intro #8 of 2022 – Amend Chapters 295 and 407 of the Town Code – Roadside Farm Stands to the Town Board.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

Final Plat Approval – Endres Estates Subdivision (Formerly 859-891 East River Road Subdivision) – 4 Lots

A motion was made by Councilman Bahleda, seconded by Councilman Madigan to accept the recommendation of the Planning Board and grant Final Plat Approval for Endres Estates Subdivision – 4 Lots and waive the sidewalk requirements for Endres Estates Subdivision – 4 Lots without prejudice to the requirement to install sidewalks in the future if so ordered by the Town in accordance with applicable law (with Deed Restrictions on each individual lot).

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

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REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Digati, seconded by Councilman Bahleda to pay

Vouchers #141112 - #141254

General	\$ 65,591.26
Highway	\$ 48,399.79
Sewer	\$ 31,310.59
Water	\$ 8,474.31
Capital	\$ 9,264.37
Lighting	\$ 2,750.05
Total	\$165,790.37

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
Noes 0

UNFINISHED BUSINESS:

Lang Boulevard Streetlights – LED Streetlight Conversion Project – Job # M-120-2019

Town Engineer Robert Westfall informed the Town Board that the Town’s consultant, Wendel recently received a quote from P&CG, the contractor doing the LED Conversion, to remove the remaining 15 non-functioning light poles and 24 concrete streetlight bases on Lang Blvd in the amount of \$24,231.00.

The streetlighting on Lang Blvd has been non-functioning for years. During that time, the Highway Department had to remove 9 poles that fell over or were damaged and unsafe. The bases were never removed and in some cases, there is now wiring sticking out of the bases. This quote will remove the remaining light poles and all the bases. There are funds available within the project contract, so no additional funds are required. Mr. Westfall has reviewed the proposal with Wendel and recommend the authorization of the removal of 15 light poles and 24 bases on Lang Blvd in the amount of \$24,231.00.

A motion was made by Councilman Digati, seconded by Councilman Marston to accept the recommendation of the Town Engineer and consultant and authorize the Supervisor to sign an agreement with P&CG in the amount of \$24,231.00.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
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 BOARD:

- Blood Drive – Grand Island Fire Company – Tuesday March 21st – 12:00p.m-5:00p.m.
- Boy Scout Spaghetti Dinner – Trinity Church – Saturday, March 25th
- Lion’s Club Spaghetti Dinner – Eilden’s Restaurant – Monday, April 24th

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ADJOURNMENT:

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to adjourn the meeting at 8:25p.m.

APPROVED Ayes 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

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

Joan Gasiorek	James Johnson
Helen Utz	Carl Schory
Johnnie Mae Mayo	Charles Burrows III
Carol Moore	Kenneth Radig
Rev. Judith Burrows	David Fields

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk