

Town of Grand Island - Regular Meeting #9

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 16th of May 2022.

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 Calvin VanderMey from Cornerstone Church gave the Invocation.
Councilman Peter J. Marston led the Pledge of Allegiance.

The Meeting was conducted via ZOOM and streamed live on the Town's website – www.grandislandny.us

PROCLAMATIONS:

Public Works Week – May 15-22, 2022

PUBLIC COMMENTS:

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

Speakers: None

PUBLIC HEARINGS:

Special Use Permit Application – Back Hills Farm Corp., 126 Industrial Drive – Allow Grazing Sheep on the Solar Site

A. Correspondence – Planning Board

A Public Hearing was held on Monday, May 16, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on a Special Use Permit Application – Back Hills Farm Corp., 126 Industrial Drive – Allow Grazing Sheep on the Solar Site.

Speakers: Dennis Bauman

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilman Madigan to accept the recommendation of the Planning Board and approve the Special Use Permit Application – Back Hills Farm Corp., 126 Industrial Drive – Allow Grazing Sheep on the Solar Site, allowing up to 10 sheep per acre for vegetation management.

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

Special Use Permit Application- Back Hills Farm Corp., 2411 Bedell Road – Allow Grazing Sheep on the Solar Site

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A. Correspondence – Planning Board

A Public Hearing was held on Monday, May 16, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on a Special Use Permit Application- Back Hills Farm Corp., 2411 Bedell Road – Allow Grazing Sheep on the Solar Site.

Speakers: Dennis Bauman

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilman Madigan to accept the recommendation of the Planning Board and approve the Special Use Permit Application – Back Hills Farm Corp., 2411 Bedell Road – Allow Grazing Sheep on the Solar Site, allowing up to 10 sheep per acre for vegetation management.

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

Grand Island Sunrise LLC, 871 Whitehaven Road – Type 3 Solar Generation Project

A Public Hearing was held on Monday, May 16, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Grand Island Sunrise LLC, 871 Whitehaven Road – Type 3 Solar Generation Project.

Speakers: Dan Leary, Jeff Palumbo, William Tuyn

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Bahleda, seconded by Councilman Madigan to table the Grand Island Sunrise LLC, 871 Whitehaven Road – Type 3 Solar Generation Project.

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

MINUTES:

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to approve Minutes of Workshop Meeting #12, May 2, 2022, and Minutes of Regular Meeting #8, May 2, 2022.

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

CONSENT AGENDA:

1. Building Permits Issued – April 30, 2022
2. Meeting Minutes – Zoning Board of Appeals – April 7, 2022
3. Golden Age Center – Facility Usage – March 2022
4. Meeting Minutes – Planning Board – April 11, 2022

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

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

COMMUNICATIONS –TOWN BOARD:

SUPERVISOR JOHN C. WHITNEY:

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Authorize Supervisor to Sign – Erie County 2022-2025 Intermunicipal Snow Removal and Ice Control Agreement

A motion was made by Councilman Digati, seconded by Councilman Madigan to authorize the Supervisor to sign the Intermunicipal Snow Removal & Ice Control Agreement with the County of Erie.

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

Chief Accountant – Approve PO-17

A motion was made by Councilman Bahleda, seconded by Councilman Marston to approve the PO-17 for the position of Chief Accountant for the Town of Grand Island.

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

Chief Accountant – Authorize Supervisor to Sign – Erie County New Position Duties Statement

A motion was made by Councilman Bahleda, seconded by Councilman Marston to authorize the Supervisor to sign the Erie County New Position Duties Statement for the title of Chief Accountant.

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

Oakwood Estates, Phase 4 – Waiver of Sidewalk Requirements

A motion was made by Councilman Digati, seconded by Councilman Madigan to direct the Town Accountant to return the deposits for sidewalks from the escrow funds to Mr. Christian Buerk, 3358 E. River and Mr. Travis Johnston, 3340 E. River without prejudice to the requirement to install sidewalks in the future if so ordered by the Town in accordance with applicable law.

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

COUNCILMAN PETER J. MARSTON:

Resignation – Board of Architectural Review

A motion was made by Councilman Marston, seconded by Councilman Digati to accept the resignation of Amy Stockinger from the Board of Architectural Review Advisory Board with regret. A certificate of appreciation will be sent to Ms. Stockinger.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

HIGHWAY SUPERINTENDENT – RICHARD W. CRAWFORD:

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Part-time Hires

Highway Superintendent Richard Crawford reported that the following have been hired for the Summer 2022, subject to the completion of the necessary pre-employment paperwork:

Bo Schuerholz – Seasonal \$16.25/hr.

This is for information only. No Town Board action was taken.

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

CODE ENFORCEMENT OFFICE:

NYSDEC General SPDES Permit for Stormwater Discharges Annual Report for Public Comment

The New York State Department of Environmental Conservation (NYSDEC) requires regulated small Municipal Separate Storm Sewer Systems (MS4s) to obtain coverage under a State Pollutant Discharge Elimination System (SPDES) for the discharge of storm water from Town owned storm sewer systems. As part of the EPA requirements, the Draft Annual Report and the Stormwater Management Plan must be available for public comment. Copies of the reports will be on the Town's website at:

www.grandislandny.us and the Town's Facebook page beginning May 17th, 2022. A hard copy can be requested by calling the Town. Public comments on the Annual Report will be accepted until May 30th, 2022.

No action by the Town Board is necessary.

2021 Annual Water Quality Report

The Town of Grand Island's 2021 Annual Water Quality Report will be available at the following URL on May 17th, 2022:

www.grandislandny.us/departments/engineering_department/water_quality_reports.php. A hard copy of the report is available in the Grand Island Engineering Department or upon request from Robert Westfall, Town Engineer, by calling (716) 773-9600 x 629 or emailing rwestfall@grand-island.ny.us. No action by the Town Board is necessary.

SSES Work Year 9 – Change Order #2 – Job # M-198-2020

Town Engineer Robert Westfall reported that Change Order No.2 is to supply manpower and materials to remove a previously installed defective epoxy finish and prep two manholes for spray lining and chimney seals.

The total change to the contract is \$10,000.00, bringing the contract total to \$1,289,955.00. There are sufficient funds in the project's bond authorization to pay for Change Order No 2. The Town's Engineering Consultant, GHD has reviewed Change Order No. 2 and recommends it be approved with an increase of \$10,000.00 to USI's awarded contract.

A motion was made by Councilman Marston, seconded by Councilman Madigan to accept the recommendation of the Town Engineer, and approve Change Order No. 2 in the amount of \$10,000.00.

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

Award Contract – Water Garage Rehabilitation – Job # M-239

Town Engineer Robert Westfall reported under the Master Intergovernmental Cooperative Purchasing Agreement, and piggybacking provisions for contracts through

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US Communities (MICPA # PW1925), bids were opened on November 08, 2021, by The Garland Company for the Water Department Garage Rehabilitation (M-239), with the following results:

Roof Restoration:

Jameson Roofing	\$199,883
Neth and Son	no bid (unavailable)
Blue Ox Roofing	no bid (unavailable)
Grove Roofing	no bid (unavailable)
Elmer W. Davis, Inc.	no bid (unavailable)

Wall Panel System:

RMG Custom Metal	\$249,829
Jameson Roofing Co, Inc.	\$261,776
Arrow Sheet Metal Works, LLC	\$272,502
JR Buffalo	no bid (unavailable)

After careful review, Mr. Westfall hereby requests the Water Garage Rehabilitation Projects M-239 be awarded to The Garland Company/Jameson Roofing/RMG Custom Metal in the amount of \$471,376. The financing is in place for this project by prior action.

A motion was made by Councilman Digati, seconded by Councilman Marston to accept the recommendation of the Town Engineer, and award the Water Garage Rehabilitation Projects M-239 to The Garland Company/Jameson Roofing/RMG Custom Metal in the amount of \$471,376. The financing is in place for this project by prior action.

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

RECREATION SUPERVISOR – JOSEPH MENTER:

Part-Time Hires

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to approve the following hires:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>	<u>Status</u>
Anna Bartlo	Recreation Attendant – Yr. 1 WNYSI	\$18.70 / hr.	Part Time
Brandon Farquharson	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Part Time
Michael Podgorny	Recreation Attendant - Yr. 3 Instructor	\$17.05 / hr.	Part Time
Eliza Sarigiannis	Recreation Attendant – Yr. 3 WNYSI	\$19.70 / hr.	Part Time
Ela Sorel	Recreation Attendant – Yr. 3 WNYSI	\$19.70 / hr.	Part Time
Susan Szczublewski	Recreation Attendant – Yr. 3 Program Instr.	\$23.90 / hr.	Part Time
Roger Wright	Recreation Attendant – Yr. 3 Program Instr.	\$23.90 / hr.	Part Time

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

Seasonal Hires

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A motion was made by Councilman Madigan, seconded by Councilman Digati to approve the following hires, subject to the completion of the necessary pre-employment paperwork:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>	<u>Status</u>
Raj Arumugam	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Joseph Botticello	Recreation Attendant – Yr. 3 Leader	\$14.50 / hr.	Seasonal
Kyler Butcher	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Samuel Fabiano	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Thomas Fabiano	Recreation Attendant – Yr. 3 Aide	\$14.25 / hr.	Seasonal
Ethan Hovey	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Joshua Hunt	Recreation Attendant – Yr. 3 Leader	\$14.50 / hr.	Seasonal
Tom Lockett	Recreation Attendant – Yr. 3 Aide	\$14.25 / hr.	Seasonal
Dominic Loss	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Michael Loss	Recreation Attendant – Yr. 2 WNYSI	\$19.21 / hr.	Seasonal
Hannah Martinez	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Collin McMahon	Recreation Attendant – Yr. 3 Instructor	\$17.05 / hr.	Seasonal
Alana Miano	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Sean Murray	Recreation Attendant – Yr. 3 Leader	\$14.50 / hr.	Seasonal
Megan Pinzel	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Ryan Pinzel	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Megan Reynolds	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
David Schnell	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Anthony Surace	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
John Paul Szczublewski	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Grace Tabone	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
Rayna Wallens	Recreation Attendant – Yr. 1 Aide	\$13.75 / hr.	Seasonal
APPROVED	Ayes 5	Madigan, Marston, Digati, Bahleda, Whitney	
	Noes 0		

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Status Changes/Rate Changes

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the following status/rate changes:

<u>Name</u>	<u>Title</u>	<u>Rate of Pay</u>	<u>Status</u>
Tima Abdellatif	Recreation Attendant – Yr. 2 Instructor	\$16.70 / hr.	Seasonal
Eva Ahne	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Sophia Black	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Brian Brennan	Recreation Attendant – Yr. 3 Instructor	\$17.05 / hr.	Seasonal
Emily Cirincione-Prawel	Recreation Attendant – Yr. 1 Instructor	\$16.50 / hr.	Seasonal
Lexi Diaz	Recreation Attendant – Yr. 3 WNYSI	\$19.70 / hr.	Part Time
Sheila Forbes	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Sean Graham	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Christian Kessler	Recreation Attendant – Yr. 1 Instructor	\$16.50 / hr.	Seasonal
Patrick Lepine	Recreation Attendant – Yr. 1 WNYSI	\$18.70 / hr.	Part Time
Phillip Lepine	Recreation Attendant – Yr. 1 WNYSI	\$18.70 / hr.	Part Time
Michael Logar	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Madisyn Martino	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Elizabeth Mitchell	Recreation Attendant – Yr. 1 Instructor	\$16.50 / hr.	Seasonal
Avery Mondoux	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Dylan Murray	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Jake Nowak	Recreation Attendant – Yr. 3 WNYSI	\$19.70 / hr.	Seasonal
Luke Rizzo	Recreation Attendant – Yr. 3 Aide	\$14.25 / hr.	Seasonal
Rebecca Schultz	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Tereska Sorel	Recreation Attendant – Yr. 2 Aide	\$14.00 / hr.	Seasonal
Alex Szczepankiewicz	Recreation Attendant – Yr. 1 WNYSI	\$18.70 / hr.	Part Time

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

PARKS MAINTENANCE CREW CHIEF – TOM CECERE:

New Hires

A motion was made by Councilman Marston, seconded by Councilman Madigan to approve the following hires, subject to the completion of the necessary pre-employment paperwork:

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>	<u>Part Time</u>	<u>Rate of Pay</u>
Joseph Christiano	Laborer/Parks General Worker	May 16 th , 2022	SEASONAL	\$15.00
Mitchell Fusillo	Laborer/Parks General Worker	May 16 th , 2022	SEASONAL	\$15.00
Conner Raine	Laborer/Parks General Worker	May 16 th , 2022	SEASONAL	\$15.00

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

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Digati, seconded by Councilman Bahleda to pay Vouchers #138212 - #138330

General	\$365,400.87
Highway	\$108,770.14
Sewer	\$ 38,627.05
Water	\$ 12,489.87
Capital	<u>\$ 1,725.00</u>
Total	\$527,012.93

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

UNFINISHED BUSINESS:

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Time of Sales Infiltration Inspections

Remains Tabled.

SEQR – David Mazur, Long Road and Grand Island Boulevard, SBL #11.00-1-8 – Site Plan Approval – Multi-Tenant Commercial Facility

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for David Mazur, Long Road and Grand Island Boulevard, SBL #11.00-1-8 – Site Plan Approval – Multi-Tenant Commercial Facility. Mr. Whitney informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilman Madigan, seconded by Councilman Marston to issue a Negative Declaration for David Mazur, Long Road and Grand Island Boulevard, SBL #11.00-1-8 – Site Plan Approval – Multi-Tenant Commercial Facility.

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

David Mazur, Long Road and Grand Island Boulevard, SBL #11.00-1-8 – Site Plan Approval – Multi-Tenant Commercial Facility

A motion was made by Councilman Digati, seconded by Councilman Madigan to accept the recommendation of the Planning Board and approve the Site Plan for David Mazur, Long Road and Grand Island Boulevard, SBL #11.00-1-8 – Multi-Tenant Commercial Facility, subject to the elimination of the six parking spaces to maintain the 66' setback from the property line.

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

Southpointe PDD – Proposed Detailed Plan

1. Southpointe PDD, Love Road and Baseline Road – Preliminary Plat – Subdivision “A”/40 Lot Subdivision
2. Southpointe PDD, Carl Road at Beaver Island Parkway – Preliminary Plat – Subdivision “B”/44 Lot Subdivision
3. Southpointe PDD, Glen Avon and Staley Road – Preliminary Plat – Subdivision “C”/1 Lot Subdivision
4. Southpointe PDD, Staley Road (Frontage) – Preliminary Plat – Subdivision “D”/19 Lot Subdivision
5. Southpointe PDD, Baseline Road South of Staley Road – Preliminary Plat – Subdivision “E”/1 Lot Subdivision

Remains Tabled.

Local Law Intro #1 of 2022 – Amend Chapter 407 of the Town Code – Accessory Uses and Structures

Remains Tabled.

Local Law Intro #11 of 2021 – Rezoning Portion of SBL #38.11-2-6.11, Whitehaven Road – B-1 to R-2

A. Correspondence – Long Range Planning Committee

Remains Tabled.

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SUSPEND THE RULES:

Open Meetings Law – Local Law Intro #2 of 2022 – Set Public Hearing

A motion was made by Councilman Marston, seconded by Councilman Digati to Suspend the Rules to consider setting a Public Hearing for Local Law Intro #2 of 2022 – Open Meetings Law.

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

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to set a Public Hearing for Monday, June 6, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Open Meetings Law – Local Law Intro #2 of 2022.

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:

Jen Pusatier, Jason Kulaszewski – Presentation of Environmental Management Council Award for Excellence for Natural Trails on Grand Island

FROM THE BOARD:

- Mass Shooting in Buffalo
- School Budget/Board Vote – May 17th
- Memorial Day Services
- Relay for Life – June 17th
- Lawn Mower Races – June 18th

ADJOURNMENT:

A motion was made by Councilman Bahleda, seconded by Councilman Madigan to adjourn the meeting at 9:06p.m.

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

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

Diana Hoffmeister	John Hess
Marlyn Euler	Rena Fraser
Denise Link	Donald Gardner

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk

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