

# Town of Grand Island - Regular Meeting # 8

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 2<sup>nd</sup> 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
	Daniel Spitzer	Town Attorney

Supervisor John C. Whitney called the meeting to order at 8:00p.m.  
Pastor Matt Pfeil from Cornerstone Church gave the Invocation.  
Councilman Michael H. Madigan led the Pledge of Allegiance.

The Meeting was conducted via ZOOM and streamed live on the Town's website – [www.grandislandny.us](http://www.grandislandny.us)

## **PROCLAMATIONS:**

**Older Americans Month**

**Town Clerks Week – May 1-7, 2022**

## **PUBLIC COMMENTS:**

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

*Speakers:* Dave Henderson

## **PUBLIC HEARINGS:**

### **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**

A Public Hearing was held on Monday, May 2, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Southpointe PDD – Preliminary Plat for Subdivision Phases A, B, C, D, E.

*Speakers:* Doug Scheid

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## **Southpointe PDD – Proposed Detailed Plan**

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to table Southpointe PDD – Preliminary Plat for Subdivision Phases A, B, C, D, E.

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

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

A Public Hearing was held on Monday, May 2, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #1 of 2022 – Amend Chapter 407 of the Town Code – Accessory Uses and Structures.

*Speakers:* None

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilman Digati to table Local Law Intro #1 of 2022 – Amend Chapter 407 of the Town Code – Accessory Uses and Structures.

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

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

A Public Hearing was held on Monday, May 2, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #11 of 2021 – Rezoning Portion of SBL #38.11-2-6.11, Whitehaven Road – B-1 to R-2.

*Speakers:* Sean Hopkins, John Chin, Jennifer Chin

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to table Local Law Intro #11 of 2021 – Rezoning Portion of SBL #38.11-2-6.11, Whitehaven Road – B-1 to R-2.

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

## **MINUTES:**

A motion was made by Councilman Marston, seconded by Councilman Digati to approve Minutes of Workshop Meeting #11, April 18, 2022, and Minutes of Regular Meeting #7, April 18, 2022.

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

## **CONSENT AGENDA:**

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1. Meeting Minutes – Board of Architectural Review – March 15, 2022

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

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

### **COMMUNICATIONS –TOWN BOARD:**

#### **SUPERVISOR JOHN C. WHITNEY:**

##### **USDA Invasive Insect Survey – Request Permission to Survey/Trap for ECFF in Grand Island**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the request of the US Department of Agriculture’s European Cherry Fruit Fly (ECFF) Program to survey/trap for European Cherry Fruit Fly (ECFF) in select locations within Grand Island, some properties which may be on town-owned property.

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

##### **Authorize Supervisor to Sign – Special Event Permit Application, New York State Liquor Authority, Landlord Authorization Form – Say Cheese Pizza Co. – Town Commons – June 18, 2022**

A motion was made by Councilman Marston, seconded by Councilman Digati to approve the Special Event Permit/Land Authorization Form from the NYS Liquor Authority for Say Cheese Pizza Co. for the Taste of Relay 4 Life on June 18, 2022.

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

##### **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 for outdoor yoga classes in the Town Common from May 15, 2022 through September 15, 2022.

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

### **COUNCILMAN PETER J. MARSTON:**

#### **Appointment – Architectural Review Advisory Board**

A motion was made by Councilman Marston, seconded by Councilman Digati to appoint Robert Hirsch to the Board of Architectural Review Advisory Board as an Alternate, with a term expiring December 31, 2022.

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

### **COUNCILMAN – THOMAS A. DIGATI:**

#### **Website Department Banners**

A motion was made by Councilman Digati, seconded by Councilman Madigan to authorize an amount of up to \$1,500 for the purchase of 5 sets of banners for the Town Departments to use in the design of the new Town website, \$263 per set.

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

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

#### **TOWN ATTORNEY – PETER GODFREY:**

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## Long Road Distribution Facility, 2780 Long Road (Grand Island Commerce Center) – Authorize Supervisor to Hire Consultant to Review SEQR Documents

A motion was made by Councilman Digati, seconded by Councilman Bahleda to authorize the Supervisor to sign an agreement with CC Environment & Planning for the Consultant to Review documents pertaining to a Supplemental Environmental Impact Statement (SEIS) – Long Road Distribution Facility, 2780 Long Road (Grand Island Commerce Center) in an amount not to exceed \$22,500. The developer has an escrow account with the Town for the cost of the review.

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

## HIGHWAY SUPERINTENDENT – RICHARD W. CRAWFORD:

### Part-time Hires

Highway Superintendent Richard Crawford reported that the following have been hired for the Summer 2022:

Nathan Wallens - \$16.50/hr.

Lucas Tahara - \$16.25/hr.

Brady Haines - \$16.25/hr.

Robert Galvano – Highway Driver - \$18.70/hr.

Neil Stenzel – Highway Driver - \$19.70/hr.

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

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

### Award Bids – Topsoil & Concrete

Town Engineer Robert Westfall reported that quotations were recently received for the purchase of Topsoil and Concrete for miscellaneous repairs and work done by the Town.

#### Topsoil

Leo Brenon Topsoil	\$ 24.99 / yard
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#### Concrete

Bull's Concrete Construction	\$ 11.00/ sq ft for flat work
	\$ 11.40/ sq ft for flat work w/mesh
	\$ 68.50/lf for dish curb
	\$ 78.00/lf for upright curb

Podlucky Construction	\$ 12.50/ sq ft for flat work
	\$ 13.00/ sq ft for flat work w/mesh
	\$ 80.00/lf for dish curb
	\$110.00/lf for upright curb

The Town Engineer has reviewed the quotations and recommends the Town purchase topsoil from Leo Brenon Topsoil at \$24.99/ yard and use Bull's Concrete Construction at \$11.00/sq ft. for flat work concrete repairs, \$ 11.40/ sq ft for flat work w/mesh, \$68.50/lf for dish curbs and \$78.00/lf for upright curb. Water/Wastewater repair materials should be purchased from the supplier with the lowest price for the desired item.

### Award Bids – Topsoil & Concrete

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A motion was made by Councilman Marston, seconded by Councilman Digati accept the recommendation of the Town Engineer and approve the quotes received for topsoil and recommends the Town purchase topsoil from Leo Brenon Topsoil at \$24.99/ yard and use Bull's Concrete Construction at \$11.00/sq ft. for flat work concrete repairs, \$ 11.40/ sq ft for flat work w/mesh, \$68.50/lf for dish curbs and \$78.00/lf for upright curb. Water/Wastewater repair materials should be purchased from the supplier with the lowest price for the desired item.

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

### **Appointment – Laborer – Wastewater Department**

A motion was made by Councilman Bahleda, seconded by Councilman Marston to approve the appointment of Richard Nichols to the Wastewater Department, Laborer, \$18.98/hr., Start, as per the AFSMCE Contract, effective May 23, 2022, subject to the completion of the necessary pre-employment paperwork.

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

### **Summer Intern Hire**

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to approve the appointment of Tyler Haight as an Engineering Aide, Summer Intern, \$19.21/hr., effective May 16, 2022, subject to the completion of the necessary pre-employment paperwork.

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

### **Authorize Supervisor to Sign Professional Services Agreement Amendment – WTP Filter System Upgrade – Job # M-205-2021**

Town Engineer presented the Professional Services Agreement for the WTP Filter System Upgrade – Job # M-205-2021 to include a new fluoride system in the filter building. Professional services will include the Basis of Design, preliminary design and submission of the fluoride grant.

The existing fluoride system is at the end of its design life. If successful, the grant will allow us to include the fluoride system in the new filter building providing new tanks & piping with ground floor delivery opposed to delivery to the 3<sup>rd</sup> floor of the existing building.

A motion was made by Councilman Digati, seconded by Councilman Marston to authorize the Supervisor to sign the Professional Services Agreement with Wendel in an amount of \$57,795.00.

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

### **Town Hall HVAC – Change Order No. 2 – Job # M-69-2019**

Town Engineer Robert Westfall reported that he received 3 proposals that make up Change Order No. 2 to Greater Niagara Mechanical's contract for the above referenced

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project. All labor and materials necessary to relocate the existing sump pump disconnect for \$ 2,308.00. All labor and materials necessary to investigate the issue with the new HVAC unit and the existing fusible links for the fire dampers. Includes accessing all fire dampers in the system to verify fusible links were broken and replacement of all broken fusible links for \$12,534.00. All labor and materials necessary to replace the 32 control valves throughout the building and integration of the vavles with the new Siemen's Building Management System providing the Town with control of the boiler system in the building for \$47,451.00.

Mr. Westfall recommends that Change Order No. 2 be approved with an increase of \$62,302.00 to Greater Niagara Mechanical's awarded contract amount.

A motion was made by Councilman Digati, seconded by Councilman Marston to approve Change Order No. 2 for Town Hall HVAC – Job # M-69-2019 in the amount of \$62,302.00.

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

### **CODE ENFORCEMENT OFFICE:**

#### **Tower Permit Renewal – AT&T Mobility – 85 Carl Road**

A motion was made by Councilman Marston, seconded by Councilman Bahleda to renew the Tower Permit for AT & T Mobility – 85 Carl Road. The site has been inspected and it is unchanged.

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

### **PARKS MAINTENANCE CREW CHIEF – TOM CECERE:**

#### **Rate Changes/Title Changes/Status Changes/New Hires**

A motion was made by Councilman Digati, seconded by Councilman Marston to approve the following hires, rate changes and status changes as follows:

Change the hourly rate according to the 2022 adopted pay scale for the following employee (effective on their anniversary date), change title from Recreation Attendant to Laborer and to change status to seasonal 40hrs:

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>	<u>Status</u>	<u>Rate of Pay</u>
Raymond Billica	Laborer PT / Parks Mechanic	May 10 <sup>th</sup> , 2022	Part-Time	\$21.30
Raymond Billica	Laborer / Parks Mechanic	June 6 <sup>th</sup> , 2022	Seasonal	\$21.30

Change the status, rate and title (from Recreation Attendant to Laborer) of the following employee:

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>	<u>Status</u>	<u>Rate of Pay</u>
Michael Dollard	Laborer PT / Sr Crew Chief	May 16 <sup>th</sup> , 2022	Seasonal	\$17.45

Change the status of the following employee and the title from Recreation Attendant to Laborer :

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>	<u>Status</u>	<u>Rate of Pay</u>
David Williams	Laborer / Parks Mechanic	June 6 <sup>th</sup> , 2022	Seasonal	No Change

Hire the following employees 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>
Abbey Cole	Laborer /Gardener	June 20 <sup>th</sup> , 2022	Seasonal	\$15.25
Trenton Gondek	Laborer /Parks General Worker	May 13 <sup>th</sup> , 2022	Seasonal	\$15.00
Alec Konopczynski	Laborer /Parks General Worker	May 20 <sup>th</sup> , 2022	Seasonal	\$15.00

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

### **COMMUNICATIONS – GENERAL:**

#### **Block Party – Dave Amato, Stony Point Road – Sunday, July 3, 2022**

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A motion was made by Councilman Madigan, seconded by Councilman Marston to approve the Block Party and Street Closing Permit for Dave Amato – Stony Point Road from Elsie to Redway on July 3, 2022, from 12:00p.m. to 7:00p.m. with no rain date scheduled.

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 #138078 - #138195

General	\$ 46,381.34
Highway	\$ 10,075.43
Sewer	\$ 53,315.56
Water	\$ 9,908.94
Capital	\$393,813.65
Garbage	<u>\$136,733.62</u>
Total	\$650,228.54

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

### **UNFINISHED BUSINESS:**

#### **SEQR – Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision**

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for the Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision. 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 Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision.

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

#### **Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision**

##### **A. Correspondence – Planning Board**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to accept the recommendation of the Planning Board and approve the Preliminary Plat for Heritage Subdivision, End of Sawmill Run – 25 Lots, subject to the payment of the required recreation fee of \$500 per lot.

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

### **Time of Sales Infiltration Inspections**

Remains Tabled

#### **David Mazur, Long Road and Grand Island Boulevard, SBL #:11.00-1-8 – Site Plan**

##### **Approval – Multi-Tenant Commercial Facility**

Remains Tabled

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## **PUBLIC COMMENTS:**

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

Speakers: Dave Henderson, Nancy Killian, Richard Whitefield

## **FROM THE BOARD:**

Off Island Retail  
Kentucky Derby  
Mother's Day  
Golden Age Center – May 4<sup>th</sup> — Art Show

## **ADJOURNMENT:**

A motion was made by Councilman Marston, seconded by Councilman Madigan to adjourn the meeting at 8:55p.m.

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

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

John Shanor, Jr.	Grace Aswad
Eugene Hasselbeck	Louis Manzella
William Baetzhold	John Tripi, Jr.

Respectfully submitted,

Patricia Anderson Frentzel  
Town Clerk

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