

Town of Grand Island – Regular Meeting #19

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 3rd of November 2025.

Present:	Peter J. Marston	Supervisor
	Thomas A. Digati	Councilman
	Daniel F. Kilmer	Councilman
	Jose A. Garcia	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Excused:	Christian J. Bahleda	Councilman
----------	----------------------	------------

Supervisor Peter J. Marston called the meeting to order at 8:00p.m.
Pastor Patty Cancilla 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.

<i>Speakers:</i>	None
------------------	------

PUBLIC HEARINGS:

2026 Town of Grand Island – Preliminary Budget

A Public Hearing was held on Monday, November 3, 2025, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on the 2026 Town of Grand Island Preliminary Budget.

<i>Speakers:</i>	Paula Sciuk
------------------	-------------

Supervisor Marston declared the Public Hearing closed.
A motion was made by Councilman Digati, seconded by Councilman Garcia to adopt the 2026 Preliminary Budget as the final 2026 Town of Grand Island Budget as follows:

General Fund Budget:

TOTAL APPROPRIATION AMOUNT:	\$12,741,280
AMOUNT TO BE RAISED BY TAXATION (levy):	\$2,335,135
ESTIMATED TAX RATE/THOUSAND:	\$0.671 31.63% DECREASE

Fire Protection Budget:

TOTAL APPROPRIATION AMOUNT	\$2,023,325
AMOUNT TO BE RAISED BY TAXATION (levy):	\$1,877,750
ESTIMATED TAX RATE/THOUSAND:	\$0.531 28.63% DECREASE

Highway Fund Budget:

TOTAL APPROPRIATION AMOUNT:	\$4,836,585
AMOUNT TO BE RAISED BY TAXATION (levy):	\$3,167,151
ESTIMATED TAX RATE/THOUSAND:	\$0.910 34.63% DECREASE

November 3, 2025 - 1

Town of Grand Island – Regular Meeting #19

Sewer District Fund Budget:

TOTAL APPROPRIATION AMOUNT:	\$5,439,330
AMOUNT TO BE RAISED BY TAXATION (levy):	\$1,636,684
ESTIMATED TAX RATE/1,000 (LAND VALUE ONLY):	\$3.720 33.87% DECREASE

Water District Fund Budget:

TOTAL APPROPRIATION AMOUNT:	\$5,156,877
AMOUNT TO BE RAISED BY TAXATION (levy):	\$1,511,065
ESTIMATED TAX RATE/1,000 (LAND VALUE ONLY):	\$2.534 17.62% DECREASE

Lighting District Budget:

TOTAL APPROPRIATION AMOUNT: (58 districts)	\$208,578
AMOUNT TO BE RAISED BY TAXATION (levy):	\$188,576 0.6% INCREASE
TAX RATE: VARIES BY DISTRICT	

Refuse & Garbage Budget:

TOTAL APPROPRIATION AMOUNT:	\$2,062,292
AMOUNT TO BE RAISED BY TAXATION (levy):	\$2,059,685
TAX RATE: FLAT RATE SINGLE FAMILY DWELLING	\$265 5.2% INCREASE

Debt Service Budget:

TOTAL APPROPRIATION AMOUNT:	\$86,588
TRANSFERS FROM OTHER FUNDS	\$0

APPROVED Ayes 3 Digati, Garcia, Marston
 Noes 1 Kilmer

Local Law Intro #3 of 2025 – Rezoning SBL #: 51.13-3-12.1, 1136 Baseline Road – R-1D to R-1A

A Public Hearing was held on Monday, November 3, 2025, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on Local Law Intro #3 of 2025 – Rezoning SBL #: 51.13-3-12.1, 1136 Baseline Road – R-1D to R-1A.

Speakers: None

Supervisor Marston declared the Public Hearing will remain open.

A motion was made by Councilman Garcia, seconded by Councilman Digati to reaffirm that the Public Hearing will remain open pending the review of the Planning Board.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Special Use Permit Application – Bible Fellowship Center, Inc., 1136 Baseline Road – Cemetery – Refer to Planning Board and Set Public Hearing

A Public Hearing was held on Monday, November 3, 2025, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on Special Use Permit Application – Bible Fellowship Center, Inc., 1136 Baseline Road – Cemetery.

Town of Grand Island – Regular Meeting #19

Speakers: Mark Gollwitzer, Steven Standard, Rob Davisson, Ieva Stalyga

Supervisor Marston declared the Public Hearing will remain open.

A motion was made by Councilman Garcia, seconded by Councilman Kilmer to reaffirm that the Public Hearing will remain open pending the review of the Planning Board.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Local Law Intro #4 of 2025 – Amend Chapter 407-165.1 of the Town Code – Solar Energy Facilities

A Public Hearing was held on Monday, November 3, 2025, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on Local Law Intro #4 of 2025 – Amend Chapter 407-165.1 of the Town Code – Solar Energy Facilities.

Speakers: Bob Davis, Cathy Rayhill, Paula Sciuk

Supervisor Marston declared the Public Hearing will remain open.

A motion was made by Councilman Garcia, seconded by Councilman Kilmer to reaffirm that the Public Hearing will remain open pending the review of the Planning Board.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Local Law Intro #5 of 2025 – Battery Energy Storage Systems Law

A Public Hearing was held on Monday, November 3, 2025, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on Local Law Intro #5 of 2025 – Battery Energy Storage Systems Law.

Speakers: Jim Daigler, Bob Davis, Cathy Rayhill

Supervisor Marston declared the Public Hearing will remain open.

A motion was made by Councilman Garcia, seconded by Councilman Kilmer to reaffirm that the Public Hearing will remain open pending the review of the Planning Board.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

MINUTES:

A motion was made by Councilman Garcia, seconded by Councilman Kilmer to approve Minutes of Workshop Meeting #27, October 14, 2025, Minutes of Workshop Meeting #28, October 15, 2025, Minutes of Workshop Meeting #29, October 20, 2025, Minutes of Regular Meeting #18, October 20, 2025, and Minutes of Workshop Meeting #30, October 21, 2025.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

CONSENT AGENDA:

November 3, 2025 - 3

Town of Grand Island – Regular Meeting #19

1. Meeting Minutes – Board of Architectural Review – September 16, 2025
2. Meeting Minutes – Traffic Safety Advisory Board – September 9, 2025
3. New York State Agriculture and Markets – Municipal Shelter Inspection Report – October 15, 2025
4. New York State Agriculture and Markets – Dog Control Officer Inspection Report – October 15, 2025
5. Meeting Minutes – Planning Board – October 14, 2025

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

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

COMMUNICATIONS – TOWN BOARD:

SUPERVISOR – PETER J. MARSTON:

Amendment to Extend Recreation Grant

A motion was made by Councilman Garcia, seconded by Councilman Kilmer to authorize the Supervisor to sign an Amendment to the Intermunicipal Agreement with Erie County, dated November 17, 2023, for the Time of Performance section to allow for the completion of the Scope of Work for the Parks, Recreation and Open Space Master Plan.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Appointments – Grand Island Police Department

Supervisor Marston announced to the Town Board that the following have been appointed as Grand Island Police Officers, effective October 29, 2025, subject to the completion of the necessary pre-employment paperwork:

Edwin Alvarez
Darrell Borkenhagen
David Cieply

No action by the Town Board.

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN ATTORNEY – PETER GODFREY:

Amending and Restating Bond Resolution for a Capital Improvements Project Consisting of the Reconstruction of and Construction of Improvements – Veterans Park (Drainage and Accessibility Improvements 2025)

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

AN AMENDING AND RESTATING BOND RESOLUTION, DATED NOVEMBER 3, 2025, OF THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, ERIE COUNTY, NEW YORK (THE "TOWN"), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON AUGUST 5, 2024, AND AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VETERANS PARK, PRIMARILY DRAINAGE AND ACCESSIBILITY IMPROVEMENTS, AT AN ESTIMATED MAXIMUM COST OF \$1,300,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,300,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT

Town of Grand Island – Regular Meeting #19

TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, on August 5, 2024, the Town Board of the Town of Grand Island, Erie County, New York (the “Town”) adopted a certain bond resolution (the “Original Bond Resolution”) entitled:

A BOND RESOLUTION, DATED AUGUST 5, 2024, OF THE TOWN BOARD OF THE TOWN OF GRAND ISLAND, ERIE COUNTY, NEW YORK (THE “TOWN”) AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VETERANS PARK, PRIMARILY DRAINAGE AND ACCESSIBILITY IMPROVEMENTS, AT AN ESTIMATED MAXIMUM COST OF \$1,150,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,150,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR; and

WHEREAS, due to a modification to the scope of the project and an increase in the cost of materials, labor and equipment the Original Bond Resolution has increased above the estimated maximum cost as provided in the Original Bond Resolution; and

WHEREAS, due to a modification to the scope of the project and the increase in the cost of the project, the Town Board wishes to modify the Original Bond Resolution for the primary purposes of increasing: a) the estimated maximum cost of the project from \$1,150,000 to \$1,300,000 and b) the amount of serial bonds authorized to be issued from \$1,150,000 to \$1,300,000, and to make other modifications to the Original Bond Resolution as may be consistent with law; and

WHEREAS, the Original Bond Resolution is being modified to expand the scope of the project as previously described, and is otherwise being reaffirmed and ratified in all other material respects; and

WHEREAS, the Town Board now wishes to amend and restate (in its entirety) the Original Bond Resolution for the reasons identified above, and to make other modifications to the Original Bond Resolution as may be consistent with law and the Original Bond Resolution is otherwise being reaffirmed and ratified in all other material respects; and

WHEREAS, the Town has previously issued bond anticipation notes pursuant to the Original Bond Resolution, but has not yet entered into permanent financing arrangements thereunder (i.e., the issuance of long-term serial bonds); and

NOW THEREFORE, BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

November 3, 2025 - 5

Town of Grand Island – Regular Meeting #19

SECTION 1. The Town is hereby authorized to undertake a capital improvements project consisting of the reconstruction of and construction of improvements at Veterans Park, primarily drainage and accessibility improvements to the park's Little League and soccer fields, such work to generally consist of (but not be limited to), the installation of approximately 6,000 linear feet of storm sewer to improvement drainage and the construction of approximately 5,000 linear feet of asphalt path to provide ADA accessibility, installation of bollards along with various landscaping and the installation of new sod to various fields, as well as other such improvements as more fully identified in (or contemplated by) a report prepared by the Town Engineering Department, including all preliminary work and necessary equipment, materials and related site work and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The amended estimated maximum cost of the Purpose is \$1,300,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$1,300,000 of the Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 19(c) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, will mature no later than five years from the date of original issuance of such bonds or notes.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

Town of Grand Island – Regular Meeting #19

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. To the extent not previously authorized, the temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary

Town of Grand Island – Regular Meeting #19

to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 14. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 15. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 16. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 17. Nothing in this amendment shall affect the validity of the original August 5, 2024, bond resolution, or any action taken thereunder and any such actions are hereby ratified.

SECTION 18. This resolution is effective immediately.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:
Delinquent Water and Sewer Accounts for 2026 Taxroll

Town of Grand Island – Regular Meeting #19

A motion was made by Councilman Garcia, seconded by Councilman Digati to adopt the following resolution regarding the Delinquent Water and Sewer Accounts for 2026 Tax Roll:

WHEREAS, the Department Head, Department of Engineering and Water Resources did notify consumers within the respective water and sewer districts on Grand Island by having the wording, “IF NOT PAID BY OCTOBER 31, ARREARS WILL BE ON TAX ROLLS” printed on water bills sent out quarterly.

Now, therefore, be it resolved that the following approximate amount be applied to the Tax roll of 2026:

Water	\$ 235,062.00
Sewer	\$ 297,723.25
Out of District Sewer	\$ 844.97
Meters	\$ 33,940.55
Misc. Charges	\$ 156.96
Omitted Taxes	<u>\$ 14,150.00</u>
Grand Total	\$ 581,877.73

Be it further resolved that the Town Clerk is hereby directed to accept no payments of such delinquent accounts after the said last day of October 2025.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Award Contract – Veterans Park Inclusive Access Project – Job #: M-66-2021

Town Engineer Robert Westfall reported that bids were opened on October 22, 2025, for the Veterans Park Inclusive Access Project – Job #: M-66-2021, with the following results:

Milherst Construction, Inc.	\$ 2,060,905.00
Wayside Nursery, Inc.	\$ 1,922,684.00
Anastasi Trucking & Paving Co.	\$ 1,571,723.50
American Paving & Excavating, Inc.	\$ 1,496,181.00
Louis Del Prince & Sons, Inc.	\$ 1,348,400.00
L. J. Quigliano II, Inc.	\$ 1,232,906.89

After careful review and discussion of the bid and the project with the Contractor, Mr. Westfall hereby requests the Veteran’s Park Inclusive Access Project (M-66-2021) be awarded to L. J. Quigliano, II, Inc. in the amount of \$ 1,232,906.89. The financing is in place for this project by prior action.

A motion was made by Councilman Kilmer, seconded by Councilman Digati to accept the recommendation of the Town Engineer and award the Veteran’s Park Inclusive Access Project (M-66-2021) be awarded to L. J. Quigliano, II, Inc. in the amount of \$1,232,906.89.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

November 3, 2025 - 9

Town of Grand Island – Regular Meeting #19

Adopt Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract – Large Culvert Program

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

WHEREAS, the New York State Department of Transportation (hereinafter referred to as "NYSDOT") is undertaking a capital project identified as:

LARGE CULVERT PROGRAM – NORTH; SFY 25/26
NY RTE 324, 425, 953R, TOWNS OF LEWISTON (TUSCARORA NATION INDIAN
TERRITORY), GRAND ISLAND AND WHEATFIELD
ERIE AND NIAGARA COUNTIES
PIN 5814.79, D265641

(hereinafter referred to as "Project"); and

WHEREAS, pursuant to Section 10, Subdivision 24, of the State Highway Law, the NYSDOT will include as part of the above-mentioned Project adjustment to municipal facilities as shown on the contract plans, meeting the requirements of the owner, and

WHEREAS, the Board on the behalf of the Town of Grand Island in Erie County (hereinafter referred to as "Town") wishes to enact a resolution concerning proposed adjustments of the Town's facilities within the right-of-way of NY 324 (Grand Island Blvd) within the geographical jurisdiction of the Town of Grand Island, and

WHEREAS, the adjustments to the Town's facilities as shown on the contract plans relating to the Project are relocation of water line, and

WHEREAS, the adjustment of the above-mentioned facilities will be done at the expense of the NYSDOT, and

WHEREAS, the service life of the facilities adjusted by NYSDOT will not be extended, and

NOW, THEREFORE,

1. BE IT RESOLVED: that the Town does approve the adjustment to the facilities as shown in the Project plans and to be performed by NYSDOT and
2. BE IT FURTHER RESOLVED: that the Town will operate, maintain or cause to be maintained the adjusted facilities at the Town's expense and
3. BE IT FURTHER RESOLVED: that Peter Marston, Town Supervisor, has the authority to sign, with the concurrence of the Town, all documentation that may become necessary as a result of proposed adjustments as it relates to the Town; and

Town of Grand Island – Regular Meeting #19

4. BE IT FURTHER RESOLVED: that the Clerk of the Town is hereby directed to transmit two (2) certified copies of the foregoing resolution to NYSDOT through:
Regional Utility Unit
NYSDOT – Region 5
100 Seneca Street
Buffalo, New York 14203.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

REPORT OF THE AUDIT COMMITTEE:

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

Vouchers #150598 - #150712

General \$113,514.43

Highway \$ 12,135.09

Sewer \$ 63,864.12

Water \$ 18,337.31

Capital \$ 14,894.85

Lighting \$ 752.50

Garbage \$160,697.68

Total \$384,195.98

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

UNFINISHED BUSINESS:

Gun Creek Subdivision, Site Plan Modification – Phase V:

A motion was made by Supervisor Marston, seconded by Councilman Garcia to note that there is no change to the SEQR determination for the project and approve the Site Plan modifications for Gun Creek Subdivision subject to the following conditions and also subject to the filing of the modified Site Plan satisfactory to the Town Engineer:

- Eliminate the future wood chipped walking path.
- Eliminate the pond fountain.
- Eliminate the sidewalk along our new street on the West side that connects to Park Lane.
- Add two drop down walks on each side of Park Lane near the Park.
- The developers of the project will contribute \$20,000.00 to the Grand Island Parks Department.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Gun Creek Subdivision – Road Dedication

A motion was made by Councilman Garcia, seconded by Councilman Digati to adopt the Resolution and Consent of the Town Board upon submission of the annexed deed of dedication of Gun Creek LLC, dedicating and releasing the necessary lands for a proposed town highway as set forth in the annexed legal description in the Town of

Town of Grand Island – Regular Meeting #19

Grand Island, County of Erie, State of New York, to be known as part of Park Lane; now therefore, it is

RESOLVED that, in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent is given that the Highway Superintendent of the Town of Grand Island make an Order accepting and laying out the aforesaid town highway to be known as part of Park Lane, the Town highway to consist of the lands described in the deed of dedication, subject to the approvals of the Town Engineer and the attorneys for the Town, and it is further

RESOLVED that, subject to the approvals of the Town Engineer and the attorneys for the Town and the Order of the Highway Superintendent laying out the aforesaid town highway to be known part of Park Lane, the Town Board hereby accepts the annexed deed of dedication, provided it is filed by the attorney for Gun Creek LLC, or its representative, in the Erie County Clerk's office and the attorneys for the Town are provided with a certified copy thereof documenting such satisfactory filing. The Order is further subject to the approval of the Town Attorney and Town Engineer with the conditions noted in the modified Site Plan must be fulfilled prior to any approval for the Road Dedication.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Gun Creek Subdivision – Accept Easement

A motion was made by Supervisor Marston, seconded by Councilman Digati to adopt the resolution accepting Public Drainage Easements and Sanitary Sewer Easements for Gun Creek Subdivision – Phase V as follows:

WHEREAS, Gun Creek LLC, has offered for dedication lands for a proposed town highway to be known as part of Park Lane; and

WHEREAS, the plans submitted by Gun Creek LLC in connection with such proposed town highways include public drainage easements and sanitary sewer easements in favor of the Town of Grand Island; and

WHEREAS, Gun Creek LLC, has offered such easements to the Town of Grand Island;

NOW, THEREFORE, BE IT RESOLVED, subject to the approval of the Town Engineer and the attorneys for the Town, the Town Board does hereby accept from Gun Creek LLC, the owner of Gun Creek Subdivision, Phase V, the Sanitary Sewer Line Easement Agreement, or significantly in the form of the Sanitary Sewer Line Easement Agreement, provided it is filed by the attorney for Gun Creek LLC, or its representative, in the Erie County Clerk's office and the attorneys for the Town are provided with a certified copy thereof documenting such satisfactory filing;

AND BE IT FURTHER RESOLVED, that subject to the approval of the Town Engineer and the attorneys for the Town, the Town Board does hereby accept from Gun Creek LLC, the owner of Gun Creek Subdivision, Phase V, the Public Drainage Easement Agreement, or significantly in the form of the Public Drainage Easement Agreement,

Town of Grand Island – Regular Meeting #19

provided it is filed by the attorney for Gun Creek LLC, or its representative, in the Erie County Clerk's office and the attorneys for the Town provided with a certified copy thereof documenting such satisfactory filing.

AND BE IT FURTHER RESOLVED, that, subject to the approval of the attorneys for the Town, the Supervisor is authorized and directed to execute said easements.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

SUSPEND THE RULES:

A motion was made by Supervisor Marston, seconded by Councilman Kilmer to Suspend the Rules to consider a Resolution rejecting the (FSEIS)Final Supplemental Environmental Impact Statement Draft for the 2780 Long Road (Warehouse Project) and 0 Bedell Road.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

Resolution rejecting the (FSEIS)Final Supplemental Environmental Impact Statement Draft for the 2780 Long Road (Warehouse Project) and 0 Bedell Road

A motion was made by Councilman Digati, seconded by Councilman Garcia to adopt the following Resolution:

Whereas the Town of Grand Island received an application from Grand Island Commerce Center, Inc. (the "Applicant") for a warehouse and distribution facility at 2780 Long Road and 0 Bedell Road (the "Project"); and

Whereas, the Town Board of the Town of Grand Island ("Town Board") has, acting as lead agency under the State Environmental Quality Review Act ("SEQRA") been conducting an environmental review of the proposed project, and

Whereas, the Town Board has received from the Applicant a draft Final Supplemental Environmental Impact Statement ("FSEIS"), and

Whereas, the draft FSEIS has been reviewed by the independent consultants and Town staff and found to be deficient.

Now therefore be it resolved by the Town Board of the Town of Grand Island as follows

1. For the reasons stated in the September 30, 2025, letter from CHA, the draft FSEIS is hereby rejected as deficient.
2. The Applicant shall be notified by mailing of a copy of this Resolution and the CHA letter, which is incorporated herein.
3. This resolution is effective immediately.

Passed and adopted by the Town Board of the Town of Grand Island on the 3rd day of November 2025.

November 3, 2025 - 13

Town of Grand Island – Regular Meeting #19

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

PUBLIC COMMENTS:

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

Speakers: Steven Standard, Calvin VanderMey, Paul Bliss, Eli Hazzan, Paula Sciuk, Chris Dann, Jim Daigler, Dan Olivieri, Jenn Pusatier, Sherri Kern

FROM THE BOARD:

- Election Day – Tuesday, November 4th 6:00a.m.-9:00p.m.
- Go Bills!

ADJOURNMENT:

A motion was made by Councilman Garcia, seconded by Councilman Kilmer to adjourn the meeting at 9:20p.m.

APPROVED Ayes 4 Digati, Kilmer, Garcia, Marston
 Noes 0

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

Edward Krawczyk

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk