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 19th of December 2022.

Present: John C. Whitney Supervisor

Michael H. Madigan Councilman
Peter J. Marston Councilman
Thomas A. Digati Councilman
Christian J. Bahleda Councilman

Karen M. Cooney Deputy Town Clerk Peter C. Godfrey Town Attorney

Supervisor John C. Whitney called the meeting to order at 8:00p.m. Deacon Michael 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.

Speakers: None

PUBLIC HEARINGS:

<u>Local Law Intro #8 of 2022 – Amend Chapters 295 & 407 of the Town Code – Roadside</u> Farm Stands

A Public Hearing was held on Monday, December 19, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on the Local Law Intro #8 of 2022 – Amend Chapters 295 & 407 of the Town Code – Roadside Farm Stands.

Speakers: None

Supervisor John Whitney declared the Public Hearing closed.

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

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

Noes 0

<u>Local Law Intro #9 of 2022 – Amend Chapter 351 of the Town Code Amending the Definition of "Tourists or Transients"</u>

A Public Hearing was held on Monday, December 19, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on the Local Law Intro #9 of 2022 – Amend Chapter 351 of the Town Code Amending the Definition of "Tourists or Transients".

Speakers: None

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Marston, seconded by Councilman Bahleda to refer Local Law Intro #9 of 2022 - Amend Chapter 351 of the Town Code Amending the Definition of "Tourists or Transients" to the Town Board.

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

Local Law Intro #10 of 2022 - Amend Chapter 101 of the Town Code - Animals - Dog **Impoundment Fees**

A Public Hearing was held on Monday, December 19, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on the Local Law Intro #10 of 2022 - Amend Chapter 101 of the Town Code – Animals – Dog Impoundment Fees.

Speakers: None

Supervisor John Whitney declared the Public Hearing closed.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to adopt Local Law #9 of 2022 Amend Chapter 101-6 (A) of the Town Code – Animals – Dog Impoundment Fees as follows:

Be it hereby enacted by the Town Board of the Town of Grand Island as follows:

Section 1. Section § 101-6(A) of the Town Code shall be amended in its entirety and replaced with the following provision:

Any dog, identified or unidentified, found to be at large and seized pursuant to the provision of this article shall be held and cared for and may be redeemed by the owner during the redemption period or disposed of pursuant to the provisions of § 118 of the Agriculture and Markets Law of the State of New York. The dog may be redeemed by the owner if the owner pays the established fee(s) as set forth in the Schedule of Fees adopted by Town Board resolution and filed in the office of the Town Clerk. A redemption fee will be charged to the owner of a licensed dog if held by the Dog Control Officer for more than 24 hours (overnight).

- **Section 2.** Severability Clause. If any part of this local law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this local law. The Town Board of the Town of Grand Island hereby declares that it would have passed this local law and each section and subsection thereof, irrespective of the fact that any one or more of these sections, subsections, sentences, clauses, or phrases may be declared unconstitutional or invalid.
- Section 3. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

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

MINUTES:

A motion was made by Councilman Madigan, seconded by Councilman Marston to approve Minutes of Workshop Meeting #31, December 5, 2022, and Minutes of Regular Meeting #21, December 5, 2022.

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

CONSENT AGENDA:

- 1. Meeting Minutes Zoning Board of Appeals November 3, 2022 & November 10, 2022
- 2. Building Permits Issued November 2022
- 3. Golden Age Center Facility Usage November 2022
- 4. Meeting Minutes Planning Board November 14, 2022

A motion was made by Councilman Madigan, 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:

Monthly Supervisor's Report – October 2022

The Supervisor reported Cash Balance-Operating A/C of \$3,162,188 on 1, 2022

Total Receipts of \$4,045,138

Total Disbursements of \$4,887,163

Operating A/C Interest \$3,830

Operating A/C Balance \$2,323,993

Investment Interest \$20,868

Investment Balance \$13,021,218

Total Cash Balance as of October 31, 2022, \$15,345,211

No action by the Town Board.

Monthly Supervisor's Report - November 2022

The Supervisor reported Cash Balance-Operating A/C of \$2,323,993 on 1, 2022

Total Receipts of \$1,269,141

Total Disbursements of \$1,666,662

Operating A/C Interest \$3,521

Operating A/C Balance \$1,929,993

Investment Interest \$23,561

Investment Balance \$12,361,814

Total Cash Balance as of November 30, 2022, \$14,291,807

No action by the Town Board.

COMMUNICATIONS – OTHER TOWN OFFICIALS:

Monday, December 19, 2022 - 3

Town of Grand Island – Regular Meeting #22 TOWN ATTORNEY – PETER GODFREY:

Updated Labor Agreements with Teamsters, AFSCME and CSEA Bargaining Units

A motion was made by Councilman Digati, seconded by Councilman Madigan to authorize the Supervisor to sign the new tentative Agreements with Teamsters, AFSCME and CSEA Bargaining Units, subject to the approval of the Town Attorney.

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

Noes 0

MOA - Memorandum of Agreement - CSEA

A motion was made by Councilman Digati, seconded by Councilman Marston to authorize the Supervisor to sign an (MOA) Memorandum of Agreement with the CSEA establishing the classification of Program Leader - Youth and to appoint Dominique Brennan in accordance with the MOA, Grade 4.5, effective with the first full pay period following the full execution of this MOA.

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

Noes 0

<u>DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:</u> <u>Appointment – Water Plant Operator Helper</u>

A motion was made by Councilman Madigan, seconded by Councilman Marston to accept the recommendation of the Town Engineer, and appoint Colin Gallagher Water Plant Operator Helper, effective January 9, 2023, \$30.38/hr. or at the pay rate of the AFSCME contract as amended.

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

Noes 0

CODE ENFORCEMENT OFFICER:

<u>Special Use Permit Renewal – Thomas Burke, 2285 West River Parkway – Bed &</u> Breakfast

A motion was made by Councilman Marston, seconded by Councilman Digati to renew the Special Use Permit for Thomas Burke, 2285 West River Parkway – Bed & Breakfast. 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:

Request Permission to Borrow – Ariens 1124 Pro Snowblower

A motion was made by Councilman Bahleda, seconded by Councilman Digati to approve the loan of an Ariens 1124 Pro Snowblower from Power Marston Equipment until a new one can be procured in 2023.

APPROVED Ayes 4 Madigan, Digati, Bahleda, Whitney

Noes 0

Abstain 1 Marston

TOWN ACCOUNTANT - KORIN FRANTZ:

Budget Amendment – General Fund – Franchise Fees

The 2022 Budget for Franchise Fees is \$225,000. To date, we have received over \$364,000 in Franchise Fee Revenue.

A motion was made by Councilman Digati, seconded by Councilman Madigan to approve the following transfers/budget amendments:

- Authorize the transfer of Franchise Fee Revenue funds to the IT Capital Reserve Fund in the amount of \$121,000
- Approve the following budget amendment for 2022:

Increase Revenue

General Fund – Franchise Fee Revenue 001.0001.1170 \$121,000

Increase Appropriations

General Fund -

Transfer to Other Funds-Capital Reserve 001.9901.0903 \$121,000

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

Noes 0

Budget Amendment/Transfer - Capital Reserve - IT Equipment

There is a current balance in the Capital Reserve IT Equipment Account of \$417,040. These funds are attributed to Franchise Fee revenue that exceeded the budget over the last five years. In 2022 we started a project to secure Town facilities. We used DSS Inc, and Lynx Technologies to begin this large project. A motion was made by Councilman Digati, seconded by Councilman Marston to approve the following budget amendment/transfer for 2022:

Decrease Cash – Capital Reserve	011.0011.0200	\$177,110
Decrease Capital Reserve IT Equip	011.0011.878.2300	\$177,110
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Increase Cash – General Fund	001.0001.0200	\$177,110
Decrease Equipment – Shared Services	001.1620.0200	\$177,100

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

Noes 0

PLANNING BOARD:

<u>Town of Grand Island Comprehensive Plan Review Board – Review of PDD Legislation</u>

A motion was made by Councilman Bahleda, seconded by Councilman Marston to table the recommendations of the Planning Board regarding the Town of Grand Island Comprehensive Plan Review Board – Review of PDD Legislation.

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

Noes 0

One Stop Carwash – 1766 Grand Island Blvd. – Site Plan – Expand/Modernize Existing Car Wash – SEQR

Supervisor Whitney presented the SEQR – Short Form Environmental Assessment Forms for One Stop Carwash – 1766 Grand Island Blvd. – Site Plan – Expand/Modernize Existing Car Wash. 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 issue a Negative Declaration for One Stop Carwash – 1766 Grand Island Blvd. – Site Plan – Expand/Modernize Existing Car Wash.

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

<u>One Stop Carwash – 1766 Grand Island Blvd. – Site Plan – Expand/Modernize Existing Car Wash</u>

A motion was made by Councilman Marston, seconded by Councilman Digati to accept the recommendation of the Planning Board, and approve the Site Plan for One Stop Carwash – 1766 Grand Island Blvd, subject to the conditions set by the Planning Board.

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 #140226 - #140398

General\$ 212,185.67Highway\$ 62,937.02Sewer\$ 91,257.00Water\$ 8,948.92Capital\$ 804,410.08Total\$1,179,738.69

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

Noes 0

UNFINISHED BUSINESS:

<u>Special Use Application – Kevin Bitikofer, 4410 & 4420 East River Road – Keeping of up to 3 Agricultural Animals on 9.85 Acres</u>

Remains Tabled.

PUBLIC COMMENTS:

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

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FROM THE BOARD:

- Happy Holidays!
- Golden Age Center Cookie Sale Update
- Blood Drive at the Grand Island Fire Hall December 27, 2022, from 12:00p.m. to 5:00p.m.
- Go Bills!

ADJOURNMENT:

A motion was made by Councilman Madigan, seconded by Councilman Marston to adjourn the meeting at 8:24p.m.

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

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

Lorraine O'Conner-DeRosa Janet Grimes Helen "Miss Helen" Tomkinson Josephine Malesky

Respectfully submitted in the absence of the Town Clerk,

Karen M. Cooney Deputy Town Clerk