

# 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 18<sup>th</sup> of March 2024.

Present: Peter J. Marston Supervisor  
Thomas A. Digati Councilman  
Christian J. Bahleda Councilman  
Patricia A. Frentzel Town Clerk  
Kristin L. Ochs Deputy Town Clerk  
Peter C. Godfrey Town Attorney

Excused: Daniel F. Kilmer Councilman

Supervisor Peter J. Marston called the meeting to order at 8:00p.m.  
Pastor Calvin VanderMey from Bible Fellowship Center gave the Invocation.  
Councilman Christian J. Bahleda 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:**

### **Granger Residence and Recreational Pond, Staley Road – Re-approve Site Plan**

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

A Public Hearing was held on Monday, March 18, 2024, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on the Granger Residence and Recreational Pond, Staley Road – Re-approve Site Plan.

*Speakers:* Jim Daigler, Jim Carlson, Kristin Savard, Alice Carlson

Supervisor Marston declared that the Public Hearing is closed.  
A motion was made by Councilman Bahleda, seconded by Councilman Digati to refer the Granger Residence and Recreational Pond, Staley Road – Re-approve Site Plan and correspondence from the Planning Board to the Town Board.

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

### **Local Law Intro #6 of 2023 – Amend Chapter 407, the Zoning Code of the Town of Grand Island, Regarding Allowable Uses in the M-1 District**

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

A Public Hearing was held on Monday, March 18, 2024, at 8:00p.m. for the purpose of hearing anyone who wanted to comment on Local Law Intro #6 of 2023 – Amend Chapter 407, the Zoning Code of the Town of Grand Island, Regarding Allowable Uses in the M-1 District.

*Speakers:* Cathy Rayhill, Liz Lutnick, Dave Reilly

**Monday, March 18, 2024 - 1**

## Town of Grand Island – Regular Meeting #5

Supervisor Marston declared that the Public Hearing is closed.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to refer Local Law Intro #6 of 2023 – Amend Chapter 407, the Zoning Code of the Town of Grand Island, Regarding Allowable Uses in the M-1 District and the correspondence from the Planning Board to the Town Board and authorize the Supervisor to arrange a meeting with Erie County Planning to discuss the matter.

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

### **Local Law Intro #9 of 2023 – Rezoning SBL #24.15-3-8.1, Ransom Road – B-3 to R-1D and R3 and B1 for Proposed Housing Project**

A Public Hearing was held on Monday, March 18, 2024, at 8:00p.m. for the purpose of hearing anyone who wanted to comment Local Law Intro #9 of 2023 – Rezoning SBL #24.15-3-8.1, Ransom Road – B-3 to R-1D and R3 and B1 for Proposed Housing Project.

*Speakers:*

Sean Hopkins, Barbara & Kurt Schassar, Cathy Rayhill, Liz Lutnick, Richard Karpie, Patricia Burg, Jim Daigler, Frank Burkhart, Joan Arki, Kim Tetreault, Bev Kinney

Supervisor Marston declared that the Public Hearing is closed.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to refer Local Law Intro #9 of 2023 – Rezoning SBL #24.15-3-8.1, Ransom Road – B-3 to R-1D and R3 and B1 for Proposed Housing Project to the Town Board.

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

### **MINUTES:**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve Minutes of Workshop Meeting #9, February 28, 2024, Minutes of Workshop Meeting #10, March 4, 2024, Minutes of Regular Meeting #4, March 4, 2024, and Minutes of Workshop Meeting #11, March 7, 2024.

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

### **CONSENT AGENDA:**

1. Building Permits Issued – February 2024
2. Meeting Minutes – Zoning Board of Appeals – February 1, 2024
3. Meeting Minutes -Planning Board – February 12, 2024

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

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

**Monday, March 18, 2024 - 2**

# Town of Grand Island – Regular Meeting #5

## **COMMUNICATIONS – TOWN BOARD:**

### **SUPERVISOR – PETER J. MARSTON:**

#### **Grand Island Police Department Calls for Service – February 2024**

For information only. No action by the Town Board.

#### **Appointment – Agricultural Advisory Board**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to appoint Phillip Miano to the vacant alternate position on the Agricultural Advisory Board with a term that expires December 31, 2024.

APPROVED    Ayes    3            Digati, Bahleda, Marston  
                      Noes    0

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

### **HIGHWAY SUPERINTENDENT – RICHARD W. CRAWFORD:**

#### **NYS Vehicle Marketplace Mini Bid 140024 Results**

Highway Superintendent Richard Crawford reported that per the Town’s procurement policy, four mini-bids were received for two Ford F-250’s for the Highway Department:

C.Basil Ford	PC68991	\$95,364.76
Van Bortal FORD	PC68953	\$95,707.08
Towne Auto Group	PC69216	\$97,65.30
Nielsen Ford	PC68943	\$99,594.00

After careful review and specifications under the NYS Office of General Services centralized contract for vehicles, Mr. Crawford awarded the low bidder Basil Ford of Cheektowaga delivery of two (2) – 2024 Ford F-250 regular cab pick-up trucks in the amount of \$95,364.76 each.

For information only. No action by the Town Board.

## **TOWN ATTORNEY – PETER GODFREY:**

### **Authorize Supervisor to Execute – Servient Land and Road Use Consent Agreement**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to adopt the following resolution authorizing the Supervisor to execute the Servient Land and Road Use Consent Agreement with RNM Project3, LLC:

WHEREAS, on or about January 22, 2018, a Sublease Agreement was made between BY RNM Project3, LLC and the Town of Grand Island related to a parcel of land and improvements, including a solar array, located in the Town of Batavia, Genesee County, New York (the “Property”), and

WHEREAS, Oak Orchard Solar 3, LLC is developing a solar array project adjacent to the Property and requires access to the first 114.01 feet of the access road on the Property, and

WHEREAS, Oak Orchard Solar 3, LLC and RNM Project3, LLC wish to enter into a Land and Road Use Consent Agreement, , and

**Monday, March 18, 2024 - 3**

# Town of Grand Island – Regular Meeting #5

WHEREAS, as a subtenant, the Town of Grand Island must consent to said Land and Road Use Consent Agreement for it to become effective, and

NOW, THEREFORE, the Town Council resolves to authorize the Supervisor to execute the Land and Road Use Consent Agreement, or such revised version which does not substantially alter the terms thereof,

AND THEREFORE, the Town Clerk is hereby directed to enter this resolution in the minutes of this meeting.

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

## **CODE ENFORCEMENT OFFICE:**

### **Special Use Permit Renewal – Glenn Wallace, 917 North Colony Road – Bed & Breakfast**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to renew the Special Use Permit for Glenn Wallace, 917 North Colony Road – Bed & Breakfast. The site has been inspected and it is unchanged.

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

### **Special Use Permit Renewal – Allyson Gracie, 4776 East River Road – Home Occupation – Acupuncture**

A motion was made by Councilman Bahleda, seconded by Councilman Digati to renew the Special Use Permit for Allyson Gracie, 4776 East River Road – Home Occupation – Acupuncture. The site has been inspected and it is unchanged.

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

## **REPORT OF THE AUDIT COMMITTEE:**

A motion was made by Councilman Bahleda, seconded by Councilman Digati to pay Vouchers #144673 - #144813

General	\$122,368.73
Highway	\$ 12,020.17
Sewer	\$ 88,472.68
Water	\$ 74,030.95
Capital	\$ 25,889.16
Lighting	<u>\$ 2,109.35</u>
Total	\$324,891.04

APPROVED Ayes 3 Digati, Bahleda, Marston  
Noes 0

**Monday, March 18, 2024 - 4**

# Town of Grand Island – Regular Meeting #5

## UNFINISHED BUSINESS:

### Pay Correction

A motion was made by Councilman Digati, seconded by Councilman Bahleda to move Natalie Grunzweig from CSEA Grade 5, Year 2 to Grade 5, Year 3, \$25.76 per hour, retroactive to when the promotion was effective.

APPROVED    Ayes    3            Digati, Bahleda, Marston  
                  Noes    0

### Golfside (Golfview) Development Rezoning, Local Law Intro #1 of 2023 – Rezoning SBL #38.11-2-6.11, Whitehaven Road – R-2/B1 to PDD & Concept Development Plan

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

#### **B. Correspondence – Hopkins Sorgi & McCarthy PLLC**

A motion was made by Supervisor Marston, seconded by Councilman Digati to set a new Public Hearing for Monday, April 1, 2024, at 8:00p.m. to hear anyone who wants to comment on the revised plans for Golfside (Golfview) Development Rezoning, Local Law Intro #1 of 2023 – Rezoning SBL #38.11-2-6.11, Whitehaven Road – R-2/B1 to PDD & Concept Development Plan.

APPROVED    Ayes    3            Digati, Bahleda, Marston  
                  Noes    0

### Rivertown Development – Detailed Plan Submission- Phase 1

A motion was made by Councilman Bahleda, seconded by Councilman Digati to set a Public Hearing for Monday, April 1, 2024, at 8:00p.m. to hear anyone who wants to comment on the Rivertown Development – Detailed Plan Submission- Phase 1.

APPROVED    Ayes    3            Digati, Bahleda, Marston  
                  Noes    0

## PUBLIC COMMENTS:

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

Speakers:

Hank Cushing, Paul Koppmann, Dave Reilly, Wayne West, Cathy Rayhill, Liz Lutnick, Katherine Hastings, Bev Kinney, June Egeland, Sherri Kern, Frank Burkhart, Joan Meegan, Jennifer Chin, James Sharpe

## FROM THE BOARD:

- Development on Grand Island
- M-1 Law
- Golfside (Golfview) Development Rezoning

## ADJOURNMENT:

**Monday, March 18, 2024 - 5**

## **Town of Grand Island – Regular Meeting #5**

A motion was made by Supervisor Marston, seconded by Councilman Digati to adjourn the meeting at 10:31p.m.

APPROVED    Ayes    3            Digati, Bahleda, Marston  
                  Noes    0

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

Milton Sutter	Ronald Golonka
Lorraine Pickel	Roberta Lorence
Patricia Fitzgerald	

Respectfully submitted,

Patricia Anderson Frentzel  
Town Clerk

**Monday, March 18, 2024 - 6**