

Town of Grand Island – Regular Meeting #4

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 2nd of March, 2020.

Present:	John C. Whitney	Supervisor
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston Jr.	Councilman
	Thomas A. Digati	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 Bible Fellowship Center gave the Invocation.
Councilman Peter Marston, Jr. 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: JR Tripi, Sandy Nelson, Dave Reilly

PUBLIC HEARINGS:

Local Law Intro #1 of 2020 – Rezoning SBL #23.00-3-15, 2570 Grand Island Boulevard – NBD to CR

A Public Hearing was held on Monday, March 2, 2020 at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #1 of 2020 – Rezoning SBL #23.00-3-15, 2570 Grand Island Boulevard – NBD to CR.

Speakers: Michael Metzger, Sam Hunt

Supervisor John Whitney declared the Public Hearing will remain open.

Local Law Intro #2 of 2020 – Rezoning SBL #36.00-1-15, Grand Island Boulevard – NBD to CR

A Public Hearing was held on Monday, March 2, 2020 at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #2 of 2020 – Rezoning SBL #36.00-1-15, Grand Island Boulevard – NBD to CR.

Speakers: Michael Metzger

Supervisor John Whitney declared the Public Hearing will remain open.

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Local Law Intro #3 of 2020 – Rezoning SBL#23.00-3-6.11, 410 Lang Boulevard – M-1 to CR

A Public Hearing was held on Monday, March 2, 2020 at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #3 of 2020 – Rezoning SBL#23.00-3-6.11, 410 Lang Boulevard – M-1 to CR.

Speakers: Michael Metzger

Supervisor John Whitney declared the Public Hearing will remain open.

Local Law Intro #5 of 2020 – Historic Preservation Advisory Board – Creation of up to Two Alternate Positions

A Public Hearing was held on Monday, March 2, 2020 at 8:00p.m. for the purpose of hearing anyone who wants to comment on Local Law Intro #5 of 2020 – Historic Preservation Advisory Board – Creation of up to Two Alternate Positions.

Speakers: None

Supervisor John Whitney declared the Public Hearing will remain open.

MINUTES:

A motion was made by Councilman Marston, seconded by Councilwoman Baney to approve Minutes of Workshop Meeting 4, January 29, 2020, Minutes of Workshop Meeting #5, February 3, 2020, Minutes of Regular Meeting #3, February 3, 2020 and Minutes of Workshop Meeting #6, February 12, 2020.

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

CONSENT AGENDA:

1. New York State Department of Health – Project No. 18605 – WTP Filtration Expansion and Baseline Road Water Main Replacement – Town of Grand Island – Erie County
2. Erie County Department of Environment and Planning – Division of Planning and Economic Development – Community Development Block Grant Consortium
3. Golden Age Center – Facility Usage – January 2020
4. Building Permits Issued – January 2020
5. Meeting Minutes – Planning Board – January 13, 2020
6. Meeting Minutes – Board of Architectural Review – January 21, 2020

Meeting Minutes – Technology Advisory Board – December 12, 2019

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

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

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COMMUNICATIONS – TOWN BOARD:

SUPERVISOR JOHN C. WHITNEY:

Authorize Supervisor to Submit PO-17 – Senior Water Plant Operator – Part-time Position

A motion was made by Councilman Digati, seconded by Councilman Marston to authorize the Supervisor to submit a PO-17 for the creation of a Senior Water Plant Operator – Part-time position, due to an impending retirement transition and training.

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

Monthly Supervisor’s Report October 2019

The Supervisor reported Cash Balance-Operating A/C of \$2,047,372 on October 1, 2019
Total Receipts of \$5,800,789
Total Disbursements of \$4,374,846
Operating A/C Interest \$699
Operating A/C Balance \$3,473,983
Investment Interest \$14,705
Investment Balance \$10,348,622
Total Cash Balance as of October 31, 2019 \$13,822,606
No action by the Town Board.

Monthly Supervisor’s Report November 2019

The Supervisor reported Cash Balance-Operating A/C of \$3,473,983 on November 1, 2019
Total Receipts of \$977,596
Total Disbursements of \$1,113,135
Operating A/C Interest \$567
Operating A/C Balance \$3,339,011
Investment Interest \$11,532
Investment Balance \$10,002,536
Total Cash Balance as of November 30, 2019 \$13,341,548
No action by the Town Board.

Monthly Supervisor’s Report December 2019

The Supervisor reported Cash Balance-Operating A/C of \$3,339,011 on December 1, 2019
Total Receipts of \$2,185,492
Total Disbursements of \$2,048,181
Operating A/C Interest \$611
Operating A/C Balance \$3,476,933
Investment Interest \$10,082
Investment Balance \$8,766,645
Total Cash Balance as of December 31, 2019 \$12,243,578
No action by the Town Board.

Monthly Supervisor’s Report – January 2020

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The Supervisor reported Cash Balance-Operating A/C of \$3,476,933 on January 1, 2020

Total Receipts of \$1,751,380

Total Disbursements of \$1,797,926

Operating A/C Interest \$692

Operating A/C Balance \$3,431,080

Investment Interest \$9,524

Investment Balance \$8,078,797

Total Cash Balance as of January 31, 2020 \$11,509,877

No action by the Town Board.

COUNCILMAN – THOMAS A. DIGATI:

Resignation – Parks and Recreation Advisory Board

A motion was made by Councilman Digati, seconded by Councilwoman Baney to accept the resignation of Robin Shipman from the Parks and Recreation Advisory Board with regret. A certificate of appreciation will be sent to Mrs. Shipman. The term expires December 31, 2021.

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

Appointments – Town Prosecutors

A motion was made by Councilman Digati, seconded by Councilwoman Baney to table the appointment of Town Prosecutors.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

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

Authorize Supervisor to Sign Agreements – LED Street Light Conversion Project – Job # M-120-2019

A motion was made by Councilman Madigan, seconded by Councilman Digati to authorize the Supervisor to sign the Purchase & Sale Agreement and the Attachment Agreement provided by National Grid that are necessary for the conversion of the existing high pressure sodium streetlights to LED streetlights, subject to the approval of the Town Attorney.

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

Appointment – Water Plant Operator Trainee

A motion was made by Councilman Marston, seconded by Councilwoman Baney to appoint Stephen J. Hinkle as Water Plant Operator Trainee at the rate of \$28.62/hr., as per the AFSME Contract, effective March 30, 2020.

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

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Nike Base Community Center Improvements -Change Order No. 3 – Job # M-213

Change Order No. 3 is made up of the following 3 different items:

Addition of a slop sink on the Recreation side	\$5,440.00
Supply & install light in Recreation’s side hallway	\$1,815.00
Supply & install light in Community Center hallway	\$1,920.00

The total change to Contract B with Montante Construction is an increase of \$9,175.00
A motion was made by Councilman Madigan, seconded by Councilman Digati to accept the recommendation of the Town Engineer and approve Change Order No. 3 with Montante Construction in the amount of \$9,175.00

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

Amend Grant Budget – Grand Island Citizens Re-Organization Empowerment Grant – Contract #T00002GC

Town Engineer Robert Westfall reported that the above referenced grant was awarded to the Town for the consolidation of the 5 gas streetlight districts into 3 electric light districts, specifically for the creation of the new districts.

The property owners agreed to dissolve the gas light districts and work was done by the Town to begin creating the new districts. Unfortunately, 50% of the property owners were not willing to sign off on the creation of the new districts. Because of the project not following through to completion, the Department of State is asking we amend the budget to reflect the actual amount for legal fees (\$2,455,35). See attached for the amended grant budget & justification.

A motion was made by Councilman Marston, seconded by Councilman Madigan to authorize the Supervisor to sign the budget amendment for the Grand Island Citizens Re-Organization Empowerment Grant – Contract #T00002GC.

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

JUSTICE COURT – MARK S. NEMETH:

Appointment – Clerk to Town Justice

Town Justice Mark Nemeth informed the Town Board he has appointed Emily Rallo to the position of Clerk to Town Justice, effective March 25, 2020, at Grade 6.5, Step A at \$20.68/hr., subject to the completion of the pre-employment paperwork.

No Town Board action necessary.

TOWN ACCOUNTANT – PAMELA BARTON:

2019 Budget Transfers

A motion was made by Councilwoman Baney, seconded by Councilman Marston approve the following Budget Transfers needed to balance each fund in preparation for the year ended 12-21-19:

General:

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DEPT	ACCOUNT NAME	ACCOUNT NUMBER	TRF NEEDED	FROM A/C	\$	FROM DIFFERENT DEPT	EXPLANATION
SUPERVISOR	PERS SVCS-OT	001-1220-0100	7,000.00	001-1910-0446	7,000.00	UNALLOCATED INSURANCE	EXCEEDED BUDGET
LAW OFFICE	PROF SVCS	001-1420-0409	20,000.00	001-1910-0446	20,000.00	UNALLOCATED INSURANCE	EXCEEDED BUDGET
TRAFFIC CONTROL	REP & MAINT EQUIP	001-3310-0421	4,000.00	001-1440-0100	4,000.00	ENGINEERING-PERS SVCS	EXCEEDED BUDGET
POLICE	PERS SVCS	001-3120-0100	13,500.00	001-1990-0475			SRO
	EQUIPMENT	001-3120-0200	900.00	001-1990-0475	14,400.00	CONTINGENCY	POLICE CAR
HWY SUP - GARAGE	REP & MAINT BLDG & GR	001-5132-0422	1,000.00	001-1910-0446	1,000.00	UNALLOCATED INSURANCE	EXCEEDED BUDGET
RECREATION	PERS SVCS - COMP	001-7020-0131	5,700.00	001-1990-0475	8,500.00	CONTINGENCY	EXCEEDED BUDGET
	REP & MAINT BLDG & GR	001-7020-0422	4,300.00	001-1910-0446	1,500.00	UNALLOCATED INSURANCE	EXCEEDED BUDGET
EMPLOYEE BENEFITS	SOCIAL SECURITY	001-9030-0800	1,500.00	0001-9010-0800	1,500.00	NYS RETIREMENT	EXCEEDED BUDGET
			\$ 57,900.00		\$ 57,900.00		
					22,900.00	CONTINGENCY	

Highway:

DEPT	ACCOUNT NAME	ACCOUNT NUMBER	TRF NEEDED	FROM A/C	\$	FROM DIFFERENT DEPT	EXPLANATION
EMPLOYEE BENEFITS	SOCIAL SECURITY	002-9030-0800	1,355.00	002-9060-0800	1,355.00	EMP BENE-MEDICAL INS	EXCEEDED BUDGET
MACHINERY	PERS SVCS	002-5130-0102	1,100.00	002-5140-0102	1,100.00	MISC B&W- OT	EXCEEDED BUDGET
	REP & MAINT EQUIP	002-5130-0421	24,000.00	002-5130-0200	10,100.00	MACHINERY-EQUIP	EXCEEDED BUDGET
				002-5140-0431	14,000.00	MISC B&W- GAS & OIL	EXCEEDED BUDGET
		TOTALS	\$ 26,455.00		\$ 26,555.00		

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

Budget Amendment – Golden Age Center

The Town is in receipt of a donation from the Alzheimer’s Association in the amount of \$500. These funds are for the use at the Golden Age Center for supplies needed to run the Dementia Social Respite Program.

A motion was made by Councilman Marston, seconded by Councilwoman Baney to approve the following budget amendment/transfer for 2020:

Increase Revenue

Donations – Senior Citizens 001.0001.2708 \$500

Increase Appropriations

Golden Age Department Supplies 001.6772.0443 \$500

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

2020 Budget Amendment/Transfer – Justice Court

The Grand Island Town Court applied for a Justice Court (JCAP) NYS Grant for the 2019/2020 Budget year in the amount of \$19,643 for the purpose of finishing the wall system in the court office area. The grant amount approved and received in February 2020 totaled \$12,002.83. At the 2/3/2020 Town Board Meeting, the additional funds needed to complete the project were approved in the amount of \$7,640.17.

A motion was made by Councilman Digati, seconded by Councilman Marston to approve the following budget amendment/transfer for 2020:

Decrease Appropriations

Contingency 001.1990.0475 \$ 7,640.17

Increase Revenue

NYS Grants 001.0001.3007 \$12,002.83

Increase Appropriations

Justice Court – Equipment 001.1110.0200 \$19,643.00

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

Budget Amendment – General Fund – Sidewalks

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The Town of Grand Island is in receipt of a check for \$116,478.10 in a NYS DOT grant, for the purpose of defraying the costs of the Grand Island Boulevard Sidewalk Project. A motion was made by Councilman Martson, seconded by Councilwoman Baney to approve the following budget amendment for 2020:

Increase Revenue:

General Fund – Revenue		
NYS Grants	001.0001.3007	\$116,478

Increase Appropriations

General Fund – Expenditures		
Sidewalks – Equipment	001-5410-0200	\$116,478

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

Budget Amendment – LED Light Replacement Project – Grand Island Library

The Town of Grand Island is in receipt of a grant from Erie County in the amount of \$7,475 for the purpose of the LED light replacement project at the Grand Island Library. A motion was made by Councilwoman Baney, seconded by Councilman Digati to approve the following budget amendment for 2020:

Increase Revenue

Erie County Grants	001.0001.3006	\$7,475
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Increase Appropriation

Library – Equipment	001.7410.0200	\$7,475
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APPROVED Ayes 5 Madigan, Baney, Marston, Digati, Whitney
 Noes 0

CODE ENFORCEMENT OFFICE:

Special Use Permit Renewal – Thomas Burke, 2285 West River Parkway – Bed & Breakfast

A motion was made by Councilman Digati, seconded by Councilwoman Baney 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, Baney, Marston, Digati, Whitney
 Noes 0

Local Law Intro #7 of 2020 – Rezoning SBL #51.00-1-1.1, Love Road – CR to M1 – Set Public Hearing and Refer to the Planning Board

A motion was made by Councilman Marston, seconded by Councilman Digati to set a Public Hearing for Monday, March 16, 2020 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #7 of 2020 – Rezoning SBL #51.00-1-1.1, Love Road – CR to M1 – and refer the matter to the Planning Board.

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

Local Law Intro #8 of 2020 – Rezoning SBL #51.10-1-42, Glen Avon – R-1B to M1 – Set Public Hearing and Refer to the Planning Board

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A motion was made by Councilman Marston, seconded by Councilman Digati to set a Public Hearing for Monday, March 16, 2020 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #8 of 2020 – Rezoning SBL #51.10-1-42, Glen Avon – R-1B to M1 – and refer the matter to the Planning Board.

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

Local Law Intro #9 of 2020 – Rezoning SBL #64.15-1-23, 1437 Ferry Road – B2 to R-1E – Set Public Hearing and Refer to the Planning Board

A motion was made by Councilman Marston, seconded by Councilman Digati to set a Public Hearing for Monday, March 16, 2020 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #9 of 2020 – Rezoning SBL #64.15-1-23, 1437 Ferry Road – B2 to R-1E – and refer the matter to the Planning Board

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

PLANNING BOARD:

Local Law Intro #8 of 2019 – Amend Chapter 407 of the Zoning Code Regarding “Dark Sky” Lighting Guidelines

A motion was made by Councilman Marston, seconded by Councilman Digati to accept the recommendations of the Planning Board regarding Amending Chapter 407 of the Zoning Code Regarding “Dark Sky” Lighting Guidelines.

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

Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1

A motion was made by Councilman Madigan, seconded by Councilman Marston to table Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1.

NOT APPROVED Ayes 2 Madigan, Baney
 Noes 3 Marston, Digati, Whitney

A motion was made by Councilman Marston, seconded by Councilman Digati to set a Public Hearing for Monday, March 16, 2020 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1.

APPROVED Ayes 4 Baney, Marston, Digati, Whitney
 Noes 1 Madigan

Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1A/B-1 to R-1A

A motion was made by Councilman Madigan, seconded by Councilman Marston to table Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1A/B-1 to R-1A.

NOT APPROVED Ayes 2 Madigan, Baney
 Noes 3 Marston, Digati, Whitney

Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1A/B-1 to R-1A

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A motion was made by Councilman Marston, seconded by Councilman Digati to set a Public Hearing for Monday, March 16, 2020 at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1A/B-1 to R-1A.

APPROVED Ayes 4 Baney, Marston, Digati, Whitney
 Noes 1 Madigan

Special Use Permit Application – BayWa R.E. Development, 2356 Whitehaven Road – Solar Project – Set Public Hearing and Refer to the Planning Board

A motion was made by Councilman Digati, seconded by Councilman Madigan to table the Special Use Permit Application – BayWa R.E. Development, 2356 Whitehaven Road – Solar Project, subject to the payment of Recreation Fees.

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

Island Meadows Subdivision – Final Phase, 22 Lots – Final Plat Approval (FKA-Island Meadows 3A/3B)

A motion was made by Councilwoman Baney, seconded by Councilman Marston to grant Final Plat Approval for Island Meadows Subdivision – Final Phase, 22 Lots – Final Plat Approval (FKA-Island Meadows 3A/3B).

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

Local Law Intro #12 of 2020 – Solar Law Amendments – Set Public Hearing

A motion was made by Councilman Marston, seconded by Councilwoman Baney to refer Local Law Intro #12 of 2020 – Solar Law Amendments to the Town Board.

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

GOLDEN AGE CENTER – JENNIFER R. MENTER:

Request Permission to Advertise– Recreation Attendant

A motion was made by Councilman Marston, seconded by Councilman Digati to approve the request to advertise for a Recreation Attendant position in anticipation of retirement and for the purposes of training.

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

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilwoman Baney, seconded by Councilman Digati to pay Vouchers #130655 - #130850

General \$122,973.66

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Highway	\$	75,856.50	
Sewer	\$	67,229.31	
Water	\$	26,124.07	
Trust & Agency	\$	2,587.04	
Capital	\$	202,789.88	
Fire	\$	<u>22.74</u>	
Total	\$	497,583.20	
APPROVED	Ayes	4	Madigan, Baney, Digati, Whitney
	Noes	0	
	Abstain	1	Marston

PUBLIC COMMENTS:

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

Speakers: Dave Reilly, JR Tripi, Sam Hunt, Kristine Savard,
Sandy Nelson, Rose Bugman, Hal Pierce, Wendy
Peters, Nancy Killian

FROM THE BOARD:

- Boy Scouts Pack #630 – Spaghetti Dinner – St. Stephen’s – Sunday, March 22, 2020
Noon to 6p.m. – Take Out Available
- Project Olive – Continue to reach out to Town Board with concerns & questions
- Fantasy Island closing

MEMORIAL MOMENT OF SILENCE:

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

Allan Craddock	Joel Morris	George Fries
Matthew Biondi	Eugene Corey	Daniel Buckley
George Andross	Virginia Mariani	Maureen Corrao
Rosemarie Shelp	Elgie Kightlinger, Jr.	Arleene Lettiere
		Bruce Burns

EXECUTIVE SESSION:

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to enter into Executive Session at 9:56p.m. for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person(s) employed by the Town and to obtain legal advice from the Town Attorney.

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

A motion was made by Councilman Digati, seconded by Councilman Madigan to return to the Regular Meeting 10:21p.m.

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

SCHEDULE WORKSHOP:

A Town Board Workshop was scheduled for Friday, March 6, 2020 at 9:00a.m. for the purpose of discussing Solar Law amendments.

ADJOURNMENT:

A motion was made by Councilman Digati, seconded by Councilwoman Baney to adjourn the meeting at 10:25p.m.

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

Noes 0

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk

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