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 21<sup>st</sup> of March 2022.

Present: Peter J. Marston Deputy Supervisor

Michael H. Madigan

Thomas A. Digati

Christian J. Bahleda

Patricia A. Frentzel

Peter C. Godfrey

Councilman

Town Clerk

Town Attorney

Excused: John C. Whitney Supervisor

Deputy Supervisor Peter J. Marston called the meeting to order at 8:00p.m. Minister Patty Cancilla from CrossRiver Ministries gave the Invocation. Deputy Supervisor Peter J. Marston led the Pledge of Allegiance.

The Meeting was conducted via ZOOM and streamed live on the Town's website – www.grandislandny.us

#### **PUBLIC COMMENTS:**

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

Speakers: David Henderson

#### **PUBLIC HEARING:**

# <u>Amend Preliminary Plat – Island Meadows Subdivision, Phase 3 (Subdivision #4.3)</u>

### A. Correspondence – Planning Board

A Public Hearing was held on Monday, March 21, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on Panepinto Minor Subdivision (Subdivision #115), Whitehaven Road, West of Alvin Road – Preliminary Plat/3 Lot Subdivision.

Speakers: Jeff Palumbo, Lisa Thorpe, Jon Geis

Deputy Supervisor Peter Marston declared the Public Hearing closed.

# <u>Amend Preliminary Plat – Island Meadows Subdivision, Phase 3 (Subdivision #4.3)</u> <u>Re-affirm SEQR</u>

A motion was made by Councilman Digati, seconded by Councilman Madigan to reaffirm the SEQR Negative Declaration from 2004.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

# <u>Amend Preliminary Plat – Island Meadows Subdivision, Phase 3 (Subdivision #4.3)</u> <u>Preliminary Plat Approval</u>

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 Island Meadows Subdivision, Phase 3 (Subdivision #4.3) and refer the comments from the Public Hearing to the Town Engineer.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

# <u>Amend Preliminary Plat – Island Meadows Subdivision, Phase 3 (Subdivision #4.3)</u> Final Plat Approval

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the Final Plat for Island Meadows Subdivision, Phase 3 (Subdivision #4.3), subject to the payment for the additional (2) two lots - \$25/per lot.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

#### **MINUTES:**

A motion was made by Councilman Digati, seconded by Councilman Madigan to approve the Minutes of Regular Meeting #4, March 7, 2022.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

#### **CONSENT AGENDA:**

- 1. Meeting Minutes Zoning Board of Appeals February 3, 2022
- 2. Meeting Minutes Board of Architectural Review February 15, 2022
- 3. Meeting Minutes Technology Advisory Board January 20, 2022
- 4. Meeting Minutes Planning Board February 14, 2022

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

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

#### **COMMUNICATIONS -TOWN BOARD:**

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

#### Support of NYS Senate Bill S7602 - The Donor Conceived Person Protection Act

A motion was made by Councilman Madigan, seconded by Councilman Digati to adopt the resolution in support of NYS Senate Bill S7602 – The Donor Conceived Person Protection Act as follows:

Whereas, the Grand Island Town Board acknowledges the importance of parents and donor-conceived persons knowing the medical, educational and criminal felony conviction history of individuals who have donated reproductive tissue to a reproductive tissue bank for the purposes of an artificial insemination or assisted reproductive technology procedure and disseminating this history information to a recipient and donor-conceived person upon request, if any; and,

Whereas, the Grand Island Town Board further acknowledges knowing the medical, educational and criminal felony conviction history of a donor will provide recipients with the necessary information to make informed decisions regarding the process of artificial insemination or assisted reproductive technology procedure and for donor conceived persons to obtain essential medical information, which may reveal any genetic or mental health disorders; and,

Whereas, the Grand Island Town Board finds that reproductive tissue banks, including semen banks, oocyte donation programs and embryo banks have a duty to collect and verify medical, educational and criminal felony conviction history information provided by donors on donors self-reported medical, educational and criminal felony conviction histories and during the donor screening processes and to keep detailed records of such for use by recipients and donor-conceived persons, if any, prior to a procedure and in the future,

Therefore, be it resolved, the Grand Island Town Board fully supports the passage of NYS Senate Bill S7602, sponsored by Senator Patrick M. Gallivan, and supports further efforts to insure both parents and donor conceived persons have access to verified medical, educational, and criminal felony conviction histories for all donors.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

#### <u>Crossing Guard Position – Resignation</u>

A motion was made by Councilman Madigan, seconded by Councilman Digati to accept the resignation of Tami Currie as Crossing Guard, effective February 8, 2022, with regret. A certificate of appreciation will be sent to Ms. Currie.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

## <u>Crossing Guard Position – New Hire</u>

A motion was made by Councilman Digati, seconded by Councilman Marston to appoint Kathy Bates as a Substitute Crossing Guard, effective Tuesday, March 22, 2022, at \$23.48 per crossing, subject to the completion of the necessary pre-employment paperwork.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

#### **COUNCILMAN PETER MARSTON:**

## <u>Appointment – Planning Board</u> Alternate

A motion was made by Councilman Bahleda, seconded by Councilman Digati to appoint Amy Stockinger to the Planning Board as an Alternate with a term expiring December 31, 2022.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

#### <u>Appointment – Economic Development Advisory</u> Board Alternate

A motion was made by Councilman Bahleda, seconded by Councilman Digati to appoint Cheryl Chamberlain to the Economic Development Advisory Board as an Alternate with a term expiring December 31, 2022.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda Noes 0

## **COUNCILMAN CHRISTIAN BALEDA:**

## Appointments – Technology Advisory Board

A motion was made by Councilman Bahleda, seconded by Councilman Madigan to appoint John T. Gerbec and Michael Stockinger, Jr. to the Technology Advisory Board for terms to expire December 31, 2026, and to appoint Ed Matrak for a term expiring December 31, 2027.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

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

# <u>DEPARTMENT OF ENGINEERING & WATER RESOURCES – ROBERT H. WESTFALL:</u> Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision

- A. Refer to Planning Board and Set Public Hearing
- B. Declare Intent to be Lead Agency Under SEQR

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to declare the Town Board's intent to be Lead Agency under SEQR for Heritage Subdivision, End of Sawmill Run - Preliminary Plat/25 Lot Subdivision, to refer the matter to the Planning Board and Town Attorney to draft a Resolution to call for a Public Hearing.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

#### **Award Bid – Wastewater Treatment Plant Polymer**

Town Engineer reported that on March 16, 2022, bids were received for the purchase of polymer for phosphorous removal to the Town of Grand Island Wastewater Plant.

SNF Polydyne, Inc. \$1.25/pound

A motion was made by Councilman Madigan, seconded by Councilman Digati to accept the recommendation of the Town Engineer and award the contract with SNF Polydyne to supply polymer for phosphorous removal to the Grand Island Wastewater Plant for \$1.25/pound.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

## **PLANNING BOARD:**

- 1. <u>Southpointe PDD, Love Road and Baseline Road Preliminary Plat Subdivision</u> "A"/40 Lot Subdivision
- 2. <u>Southpointe PDD, Carl Road at Beaver Island Parkway Preliminary Plat Subdivision "B"/44 Lot Subdivision</u>
- 3. Southpointe PDD, Glen Avon and Staley Road Preliminary Plat Subdivision "C"/1 Lot Subdivision
- 4. <u>Southpointe PDD, Staley Road (Frontage) Preliminary Plat Subdivision "D"/19</u> Lot Subdivision
- 5. <u>Southpointe PDD, Baseline Road South of Staley Road Preliminary Plat –</u> Subdivision "E"/1 Lot Subdivision

A motion was made by Councilman Digati, seconded by Councilman Bahleda to refer the matter to the Town Attorney to draft a Resolution to call for a Public Hearing at the next Town Board meeting.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Monday, March 21, 2022 - 4

Noes 0

# <u>Thermo Fisher Scientific, 3175 Staley Road – Site Plan Approval – Northwest Parking</u> Lot and Access Drive

A motion was made by Councilman Digati, seconded by Councilman Bahleda to table the Thermo Fisher Scientific, 3175 Staley Road – Site Plan Approval – Northwest Parking Lot and Access Drive.

APPROVED Ayes 3 Marston, Digati, Bahleda

Noes 0 Abstain 1

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

A motion was made by Councilman Digati, seconded by Councilman Bahleda to pay Vouchers #137720 - #137848

General\$ 38,225.93Highway\$ 9,130.06Sewer\$ 45,220.90Water\$ 37,247.49Capital\$ 32,775.00Total\$162,599.38

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

#### **UNFINISHED BUSINESS:**

### Adopt Resolution - Erie County Hazard Mitigation Plan Update

A motion was made by Councilman Digati, seconded by Councilman Bahleda to adopt a Resolution adopting the Erie County Hazard Mitigation Plan Update as follows: WHEREAS, The Town of Grand Island, with the assistance from Tetra Tech, has gathered information and prepared the Erie County Hazard Mitigation Plan; and

WHEREAS, the Erie County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, The Town of Grand Island is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, The Town of Grand Island have reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by the Town Board that the Town of Grand Island adopts the Erie County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions in the Plan.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

## Authorize Supervisor to Sign Quote – Software Upgrade for Departments

A motion was made by Councilman Bahleda, seconded by Councilman Marston to refer the request for software upgrades for departments to the Town Board for further review.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

#### **SUSPEND THE RULES:**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to Suspend the Rule to consider Authorizing the Supervisor to sign a Sanitary Sewer and Water Line Lease Agreement for Whitehaven Properties, LLC.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

# <u>Authorize Supervisor to Sign Sanitary Sewer and Water Line Lease Agreement for Whitehaven Properties, LLC</u>

A motion was made by Councilman Bahleda, seconded by Councilman Madigan to authorize the Supervisor to sign a Sanitary Sewer and Water Line Lease Agreement for Whitehaven Properties, LLC.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

### **PUBLIC COMMENTS:**

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

Speakers: David Henderson; Richard Crawford; Joan Sponn;

Nancy Killian; Andre Ovando; James Sponn; Christa

Regal; Eric Bowser; Michelle Ovando

#### FROM THE BOARD:

- Lions Club Spaghetti Dinner April 25<sup>th</sup> Knights of Columbus
- Arbor Day April 30<sup>th</sup> Details TBD

#### **ADJOURNMENT:**

A motion was made by Councilman Digati, seconded by Councilman Madigan to adjourn the meeting at 9:08p.m.

APPROVED Ayes 4 Madigan, Marston, Digati, Bahleda

Noes 0

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

Richard Schmitz II Dorothy Herbst
James Forton Dorothy Click
Christina Young Rosemary Dzierba
Mary Zerilli Ann DiBenedetto
Dale Janowsky Peter Kuehne, Sr.
Mary Martello William Pendergast, Jr.

Respectfully submitted,

Patricia Anderson Frentzel Town Clerk