

Town of Grand Island – Regular Meeting #9

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 18th of May, 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.

Councilwoman Jennifer Baney gave the Invocation.

Councilman Thomas A. Digati led the Pledge of Allegiance.

*Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Town Board of Grand Island Workshop Meetings scheduled will be held electronically via the Town’s website link/You Tube Channel instead of a public meeting open for the public to attend in person. Members of the public may view the Town Board’s meetings by connecting to the You Tube Channel via the Town’s website: www.grandislandny.us.

*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: None*

PROCLAMATIONS:

Jennifer Menter and the Golden Age Center Staff

Mary Landel – 100th Birthday

MINUTES

A motion was made by Councilman Madigan, seconded by Councilman Digati to approve Minutes of Workshop Meeting #17, April 29, 2020, Minutes of Workshop #18, May 4, 2020, Minutes of Regular Meeting #8, May 4, 2020, and Minutes of Workshop Meeting #19, May 7, 2020.

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

Monday, May 18, 2020 - 1

Town of Grand Island – Regular Meeting #9

CONSENT AGENDA:

1. Meeting Minutes – Conservation Advisory Board – September 26, 2019 & October 24, 2019
2. Building Permits Issued – April 2020

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

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

COMMUNICATION – TOWN BOARD:

SUPERVISOR JOHN C. WHITNEY:

Resignation – Chief Water Plant Operator

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to accept the resignation of James Dlugokinski as Chief Water Plant Operator, effective June 13, 2020 with regret. A certificate of appreciation will be sent to Mr. Dlugokinski.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

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

NYSDEC General SPDES Permit for Stormwater Discharges Annual Report for Public Comment

The New York State Department of Environmental Conservation (NYSDEC) requires regulated small Municipal Separate Storm Sewer Systems (MS4s) to obtain coverage under a State Pollutant Discharge Elimination System (SPDES) for the discharge of storm water from Town owned storm sewer systems. As part of the EPA requirements, the Draft Annual Report and the Stormwater Management Plan must be available for public comment. Copies of the reports will be on the Town's website at:

www.grandislandny.us and the Town's Facebook page beginning May 1th, 2020. A hard copy can be requested by calling the Town. Public comments on the Annual Report will be accepted until May 29th, 2020.

No action by the Town Board is necessary.

2019 Annual Water Quality Report

The Town of Grand Island's 2019 Annual Water Quality Report is available on the Town's website/Engineering Department for review. A hard copy can be requested by calling the Town Engineer.

No Action by the Town Board is necessary.

Resolution to Accept Deed of Dedication for Sewer Pump Station – Holiday Inn Express Project

A motion was made by Councilman Marston, seconded by Councilman Madigan, to adopt the following Resolution to Accept Deed of Dedication for Sewer Pump Station – Holiday Inn Express Project, subject to the approval of the Town Attorney and Town Engineer:

Town of Grand Island – Regular Meeting #9

WHEREAS, Grand Island Hotels, LLC (“Grantor”) has constructed a Holiday Inn Express at 2761 Long Road (the Project), and

WHEREAS, application was made by Grand Island Hotels, LLC for the establishment of an extension of the Town of Grand Island sewer works system in the Town of Grand Island, County of Erie, and State of New York, to provide the Project with sewer service, which extension required the construction of a force main, sewer pump station, and a gravity collector sewer (herein collectively the “Sewer Works”); and

WHEREAS, to support the Project the Town entered into an Easement And Sewer Infrastructure Maintenance Agreement with Grand Island Commerce Center, Inc., the owner of approximately 207.4262 acres real property located at 0 Long Road, Grand Island, New York with a tax identification numbers of 23.00-1-26.1 and 23.00-1-50, upon which property a portion of the Sewer Works are installed;

WHEREAS, the Town requires the dedication of the Sewer Works to the Town, the Town Engineer has accepted and approved all construction of the Sewer Works, and Grand Island Hotels, LLC has posted a two-year maintenance bond for \$236,571.00; and

WHEREAS, Offer of Dedication of the Sewer Works, together with all easements, servitudes, licenses, and appurtenances related thereto has been made by the Grantor.

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Grand Island as follows:

1. The Offer of the Dedication of the Deed to the Sewer Works is accepted, and Town Board directs the Town Supervisor, Town Engineer, and Town Attorney to accept a quit claim deed accepting title thereto to be held by the Town in perpetuity.

2. This resolution is effective immediately.

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

PARKS MAINTENANCE CREW CHIEF – THOMAS DWORAK:

Seasonal Hire

A motion was made by Councilwoman Baney, seconded by Councilman Digati to approve the hiring of Arthur Meaney, Parks Sr. Worker, Seasonal, effective May 19, 2020, \$13.55/hr., subject to the completion of the pre employment paperwork, providing drug screening is waived for this hire only, and further resolved – no hires are to be scheduled to work until the State of Emergency ends or as authorized by the Town Supervisor.

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

REPORT OF THE AUDIT COMMITTEE:

Monday, May 18, 2020 - 3

Town of Grand Island – Regular Meeting #9

A motion was made by Councilwoman Baney, seconded by Councilman Digati to pay

Vouchers #131322 - #131401

General	\$315,716.73
Highway	\$40,716.57
Sewer	\$ 25,414.18
Water	\$ 7,092.22
Capital	\$345,764.14
Garbage	<u>\$126,803.79</u>
Total	\$861,507.63

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

UNFINISHED BUSINESS:

PUBLIC HEARINGS:

*All the meetings that are to be rescheduled will be held electronically via the Town's website link/You Tube Channel instead of a public meeting open for the public to attend in person. Members of the public may view the Town Board's meetings by connecting to the You Tube Channel via the Town's website: www.grandislandny.us. Members of the public may participate by dialing/logging into Zoom. ID/Passwords will be published.

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

A. Correspondence – Planning Board

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #1 of 2020 – Rezoning SBL #23.00-3-15, 2570 Grand Island Boulevard – NBD to CR to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

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

A. Correspondence – Planning Board

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #2 of 2020 – Rezoning SBL #36.00-1-15, Grand Island Boulevard – NBD to CR to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

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

A. Correspondence – Planning Board

Monday, May 18, 2020 - 4

Town of Grand Island – Regular Meeting #9

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #3 of 2020 – Rezoning SBL #23.00-3-6.11, 410 Lang Boulevard – M-1 to CR to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

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

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #5 of 2020 – Historic Preservation Advisory Board – Creation of up to Two Alternate Positions to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

Local Law Intro #6 of 2020 - A Local Law Amending Chapter 407 of The Town Code of The Town of Grand Island to Modify Incentive Zoning Provisions

- A. Correspondence – Planning Board**
- B. Resolution Issuing Negative Declaration & Negative Declaration with Parts 2 & 3 of the EAF**
- C. Resolution Adopting Local Law Intro No. 6 of 2020**

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #6 of 2020 - A Local Law Amending Chapter 407 of The Town Code of The Town of Grand Island to Modify Incentive Zoning Provisions to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

- A. Correspondence – Planning Board**

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #7 of 2020 – Rezoning SBL #51.00-1-1.1, Love Road – CR to M1 to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

- A. Correspondence – Planning Board**

Monday, May 18, 2020 - 5

Town of Grand Island – Regular Meeting #9

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #8 of 2020 – Rezoning SBL #51.10-1-42, Glen Avon – R-1B to M1 to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

A. Correspondence – Planning Board

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #9 of 2020 – Rezoning SBL #64.15-1-23, 1437 Ferry Road – B2 to R-1E to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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 Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1 to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

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 Councilwoman Baney to reschedule the Public Hearing for Local Law Intro #12 of 2019 – Rezoning SBL#36.00-2-7, 2356 Whitehaven Road – R-1A/B-1 to R-1A to May 28, 2020 at 7:00p.m. to hear anyone who wants to comment on the matter.

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

SUSPEND THE RULES:

Local Law Intro #12 of 2020 – Solar Law Amendments

A motion was made by Councilman Madigan, seconded by Councilman Digati to Suspend the Rules to consider a matter about Local Law Intro #12 of 2020 – Solar Law Amendments.

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

A motion was made by Councilman Madigan, seconded by Councilman Marston to refer Local Law Intro #12 of 2020 – Solar Law Amendments to the Conservation Advisory Board and Erie County Planning Board (239-M).

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

PUBLIC COMMENTS:

Monday, May 18, 2020 - 6

Town of Grand Island – Regular Meeting #9

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

Speakers: None *See above

FROM THE BOARD:

- Stay safe, stay home, practice social distancing, self-isolate as necessary, exercise precautions, wash your hands
- Thank you to first responders, postal workers, truckers, grocery store workers, restaurants, etc., support local businesses
- Thanks to GAC/Staff and Town Staff
- Orange Poppy Art Studio on Facebook
- Mask Give-away – Golden Age Center 9:00a.m.-4:00p.m. all week
- Grand Island Chamber of Commerce – Clean Up Grand Island – June 13th
- Food Distribution Truck – Friday, May 22, 2020 – Town Hall Parking Lot – 11:00a.m.-1:00p.m.
- Western New York entering Phase I of COVID -19 Re-Opening
- Continue to check Town’s website and FB for updated information

MEMORIAL ADJOURNMENT:

A motion was made by Councilman Marston, seconded by Councilman Digati to adjourn the meeting at 8:33p.m.

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

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

Gwen Kennedy	Josephine Barr
Marian Burns	Catherine Kaiser
Fayne Certo	Robert Waterson III
Elisabeth Ochs	Janet Cummins
Jeanne Anstett	

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk

Monday, May 18, 2020 - 7