

# Town of Grand Island – Regular Meeting #21

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 November 2024.

Present:	Peter J. Marston	Supervisor
	Thomas A. Digati	Councilman
	Christian J. Bahleda	Councilman
	Daniel F. Kilmer	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Supervisor Peter J. Marston called the meeting to order at 8:00p.m.  
Pastor Calvin VanderMey from Bible Fellowship Center gave the Invocation.  
Councilman Daniel F. Kilmer led the Pledge of Allegiance.

## **PROCLAMATION:**

Zonta International – 16 Days of Activism

## **PUBLIC COMMENTS:**

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

*Speakers:* None

## **MINUTES:**

A motion was made by Councilman Kilmer, seconded by Councilman Bahleda to approve Minutes of Workshop Meeting #43, November 4, 2024, and Minutes of Regular Meeting #20, November 4, 2024.

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

## **CONSENT AGENDA:**

1. Building Permits Issued – October 2024
2. New York State Department of Transportation – Speed Limit on Whitehaven Road, Webb Road, Baseline Road & Grand Island Boulevard
3. Zoning Board of Appeals – 2025 Application Deadlines and Meeting Dates
4. Meeting Minutes – Zoning Board of Appeals – October 3, 2024
5. Meeting Minutes – Planning Board – October 15, 2024
6. Meeting Minutes – Historic Preservation Advisory Board – October 16, 2024
7. Golden Age Center – Facility Usage – September 2024
8. Grand Island Police Department Calls for Service – October 2024

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

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

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## **COMMUNICATIONS – TOWN BOARD:**

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

#### **Resignations – Planning Board**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to accept the resignations of Timothy Worrall and Frank Greco from the Planning Board with regret. A certificate of appreciation will be sent to Mr. Worrall and Mr. Greco.

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

#### **Appointments – Planning Board**

A motion was made by Councilman Digati, seconded by Councilman Kilmer to appoint Amy Stockinger to the Planning Board to fill a vacancy ending December 31, 2029, and appoint Jenn Pusatier to fill a vacancy ending December 31, 2028.

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

### **COUNCILMAN – THOMAS A. DIGATI:**

#### **Appointment – Parks and Recreation Advisory Board**

A motion was made by Councilman Digati, seconded by Supervisor Marston to appoint Bonnie Albrecht as an Alternate on the Parks and Recreation Advisory Board with a term expiring December 31, 2025.

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

#### **Resignation – Economic Development Advisory Board**

A motion was made by Councilman Digati, seconded by Councilman Kilmer to accept the resignation of Dr. Martha Ludwig from the Economic Development Advisory Board with regret. A certificate of appreciation will be sent to Dr. Ludwig.

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

#### **Authorize Supervisor to Sign Memorandum of Understanding – Teamsters & AFSCME**

A motion was made by Councilman Digati, seconded by Supervisor Marston to authorize the Supervisor to sign the Memorandum of Understanding with Teamsters & AFSCME regarding grass maintenance and repair and maintenance of equipment.

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

#### **Parks Department Hire**

A motion was made by Councilman Digati, seconded by Councilman Kilmer to hire Michael Dollard as a Parks Maintenance Man II, effective November 19, 2024, at the Start Rate - \$21.40/hr., as per the Teamsters CBA.

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

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

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

#### **Envirosight Camera Inspection System**

Highway Superintendent Richard Crawford informed the Town Board that he has investigated different camera inspection systems to be used by Wastewater and Highway to diagnosis wastewater and storm sewer lines. This will reduce the need for outside contractors to perform this operation for us. Mr. Crawford recommends spending the sum of \$123,883.65 out of the Highway Fund Balance to pay for this item from Joe Johnson Equipment through the Sourcewell Contract #120721-EVS. The diagnostic ability of the ROVVER X will greatly enhance the ability to trouble shoot problems and perform general maintenance before they become emergency fixes. A motion was made by Supervisor Marston, seconded by Councilman Kilmer to authorize the Highway Superintendent to purchase the Envirosight Camera Inspection System – ROVVER X from Joe Johnson Equipment through Sourcewell Contract #120721-EVS in the amount of \$123,883.65.

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

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

### **Request Permission to Sell Surplus Equipment at Auction – Wastewater**

Town Engineer Robert Westfall requests permission to sell at an auction the following Town owned surplus equipment:

1. Toro Snowblower
2. Jacobsen Lawn Mower
3. Gravely Lawn Mower
4. Furnace
5. Polymer Cart
6. 2007 F-150
7. 100' Vactor jetter hose
8. Poulan Pro 2 in 1 Weed whip/pole saw

Sales will be facilitated by the Highway Department through the internet-based auction house - Auctions International Inc. or other as utilized by the Town for such matters.

A motion was made by Councilman Digati, seconded by Councilman Kilmer to authorize the Town owned surplus items to be sent to auction.

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

### **Award Bids – Water & Wastewater Chemical Bids**

Town Engineer Robert Westfall reported that on November 13, 2024, bids were opened for the purchase of chemicals for Municipal Water and Wastewater Treatment facilities.

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**Chemicals for Municipal Water & Wastewater Treatment Facilities - 2025**

Bidders	Chlorine	Ferrous Chloride	Hydrofluorosilicic Acid	Sodium Hypochlorite	Polyaluminum Chloride	Phosphorous Removal Floc.	Sludge Dewatering Polymer
Bison Laboratories, Inc.	NO BID	NO BID	NO BID	\$2.191/gallon	NO BID	NO BID	NO BID
Holland Company	NO BID	NO BID	NO BID	NO BID	\$1,300.00/wet ton PCH 101	NO BID	NO BID
JCI- Jones Chemicals Inc.	\$550.00/cyl	NO BID	NO BID	\$2.00/gal ** Sunny Sol 100 Plus	NO BID	NO BID	NO BID
Kemira Water Solutions	NO BID	\$1.256 / lb Fe Kemira PIX-201	NO BID	NO BID	\$968.00/ wet ton Kemira Stern PAC	NO BID	NO BID
Kuehne Chemical Co.	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Polydyne, Inc.	NO BID	NO BID	NO BID	NO BID	NO BID	\$1.28/lb Clarifloc A-240P	\$1.55/lb Clarifloc NE-2512
PVS Technologies	NO BID	\$1.80/lb Fe	NO BID	NO BID	NO BID	NO BID	NO BID
Slack Chemical Company	NO BID	NO BID	NO BID	\$2.699/gallon	NO BID	NO BID	NO BID
USALCO, LLC	NO BID	NO BID	NO BID	NO BID	\$870.00/wet ton DelPAC 2000	NO BID	NO BID
Univar Solutions USA	NO BID	NO BID	\$6.25/gal	\$2.97/gallon	NO BID	NO BID	NO BID

\*\* JCI Sodium Hypochlorite price only in effect until 3/31/2024. Will give 30 days notice of any rate change.

After careful review, it was recommended that the Town purchase chemicals from the supplier with the lowest price for the desired item.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to accept the recommendation of the Town Engineer, and authorize the Town purchase chemicals from the supplier with the lowest price for the desired item.

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

**CODE ENFORCEMENT OFFICE:**

**Request Permission to Sell Surplus Equipment at Auction**

Code Enforcement Officer Ronald Milks requests permission to sell at an auction the following Town owned surplus item:

- 2004 Chevrolet Express Van

Sales will be facilitated by the Highway Department through the internet-based auction house - Auctions International Inc. or other as utilized by the Town for such matters.

A motion was made by Councilman Kilmer, seconded by Councilman Bahleda to authorize the Town owned surplus item to be sent to auction.

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

**PLANNING BOARD:**

**Town Tavern, 2241 Grand Island Boulevard – SBL #: 37.01-2-29 – Site Plan Approval – Addition of an Accessory Structure**

This project is a Type II action, SEQR is not necessary.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to accept the recommendation of the Planning Board and approve the Site Plan for Town Tavern, 2241 Grand Island Boulevard – SBL #: 37.01-2-29 – Site Plan Approval – Addition of an Accessory Structure.

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

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## **Southpointe Subdivision – Final Plat Approval – Subdivision A through Subdivision E**

A motion was made by Supervisor Marston, seconded by Councilman Digati to accept the recommendation of the Planning Board and Grant Final Plat Approval for Subdivisions A (40 lots), B (44 lots), and D (19 lots), filing of a deed for a single lot for Subdivision E, and filing of a deed for single parcel for the balance of the lands under Subdivision C with following conditions:

1. Restoration of the previously constructed recreational path with improvements as necessary to minimize future drainage and wash-out concerns.
2. Maintain the path going forward until such time as the HOA for Subdivision C is in place with a responsible party.
3. Payment of Recreation Fees for 103 lots (Subdivisions A, B, and D). Future fees will be assessed with future development.
4. Per the approved development plans, replace/redirect pump station 7 to the Southpointe Project.
5. Eliminate and remove the pump station 7 overflow station and associated piping and appurtenances.
6. Obtain Coverage and comply with the EPA/DEC/Town Stormwater Regulations, including establishing entities responsible for post construction measures.
7. Comply with Section §407-190 Fees, for PIP Approvals.
8. The letter of May 28, 2024, and supporting information discussing the sanitary sewer improvements as identified in the development plans shall satisfy the Developer’s required participation in the I/I Reduction program for the Southpointe Development per the Approved Development Concept Plan.
9. Future Approvals will be needed for Subdivisions C & E.
10. Applicants need to provide the Town with proposed names for the new roads for Subdivision A (single road) and Subdivision B (multiple roads) that will be on the Map Cover.
11. Refer final project to the Traffic Safety Advisory Committee.

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

## **Draft of Code Changes – Town Code 407-144 and 407-145**

The Agriculture Advisory Board met with the Planning Board and discussed proposed changes to the Town Code Sections: 407-144 and 407-145.

A motion was made by Councilman Kilmer, seconded by Councilman Bahleda to refer the proposed Zoning Code changes to the Town Attorney to draft a Local Law and discuss at the next Workshop meeting.

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

# Town of Grand Island – Regular Meeting #21

## TOWN ACCOUNTANT – KORIN FRANTZ:

### Budget Amendment – Erie County Grants

In 2023, Erie County provided two grants to the Town of Grand Island in the amounts of \$7,000 and \$2,500. These funds will be used to cover the cost of a consultant for the Historic Preservation Advisory Board, and a community survey for the Police Department, respectively.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the budget amendment for 2024:

Increase Revenue a/c	001.0001.9999	Appropriated Fund Balance	\$9,500
Increase Appropriation	001.1010.0409	Town Board – Prof Serv.	\$2,500
Increase Appropriation	001.7521.0409	Historic Pres – Prof Serv.	\$7,000

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

### Budget Amendment – General Fund – Franchise Fees

The 2024 Budget for Franchise Fees is \$265,000. To date we have received over \$319,000 in Franchise Fee Revenue. A request is to transfer \$54,000 of the excess Franchise Fee funds received in 2024 from the General Fund to the IT Capital Reserve Fund.

A motion was made by Councilman Kilmer, seconded by Councilman Digati to approve two (2) actions as follows:

- Authorize the transfer of Franchise Fee Revenue funds to the IT Capital Reserve Fund in the amount of \$54,000
- Approve the following budget amendment for 2024:

Increase Revenue:  
    General Fund-Franchise Fee Revenue            001.0001.1170            \$54,000

Increase Appropriations:  
    General Fund:  
    Transfer to Other Funds-Capital Reserve        001.9901.0903            \$54,000

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

### Budget Amendment/Transfer – Capital Reserve – IT Equipment

There is a current balance in the Capital Reserve IT Equipment Account of \$436,930. These funds are attributed to Franchise Fee revenue that exceeded the budget over the last seven years. In 2022 we started a project to secure Town facilities. The Town used DSS Inc. and Lynx Technologies to begin this large project. A request is to transfer \$73,906 from the Capital Reserve – IT Equipment to General Fund to cover these expenses.

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A motion was made by Councilman Digati, seconded by Councilman Bahleda to approval the following budget amendment/transfer for 2024:

Decrease Cash – Capital Reserve	011.0011.0200	Credit	\$73,906
Decrease Capital Reserve IT Equip	011.0011.878.2300	Debit	\$73,906
Increase Cash – General Fund	001.0001.0200	Debit	\$73,906
Decrease Equipment – Shared Services	001.1620.0200	Credit	\$73,906

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

### Budget Amendment – General Fund – ARPA Funds

In August of 2022, the Town of Grand Island was in receipt of the remaining ARPA funds in the amount of \$1,098,458 (\$2,196,916.48 grand total). To date, the Town spent \$2,134,851.37. The remaining funds are set in a liability account in the General Fund until approvals are made.

Previously, the Board had agreed to the following projects:

Waste Water Switch/Wi-Fi	\$ 61,986.46
Water Break Van	\$ 51,368.42
Waste Water Break Van	\$ 51,368.42
Water Truck (Partial Payment)	\$ 12,897.84
Golden Age AC Replacement	\$ 17,217.00
Waste Water Seal Coating (Plant/ Pamp Stations)	\$ 12,305.00
<b>Total</b>	<b>\$207,143.14</b>

The grand total expenditures from ARPA funds this year is \$207,144.98. All these projects are acceptable under the guidelines. A series of approvals are required to transfer/appropriate/amend funds and budgets.

A motion was made by Councilman Bahleda, seconded by Councilman Digati to approve the following transfer/appropriate/amend funds and budgets:

<b>#1 Transfer \$165,493.82 from the General Fund to other Funds (journal entries)</b>				
G/L Account	Fund	Description	Debit	Credit
001.0001.0688	General Fund	Other Liabilities	\$207,143.14	
001.0001.4089	General Fund	Federal Aid-Other		\$207,143.14
MOVE FUNDS FROM LIABILITY TO REVENUE				
001.0001.0205	General Fund	Cash		\$144,105.13
001.9901.0903	General Fund	Transfer to Other Funds	\$ 79,838.87	
TRANSFER CASH TO SEWER FUND				
001.9901.0903	General Fund	Transfer to Other Funds	\$ 64,266.26	
TRANSFER CASH TO WATER FUND				

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003.0003.0205 Sewer Fund	Cash	\$ 79,838.87
003.0003.5031 Sewer Fund	Transfer from Other Funds	\$ 79,838.87
ACCEPT CASH FROM GENERAL FUND		
004.0004.0205 Water Fund	Cash	\$64,266.26
004.0004.5031 Water Fund	Transfer from Other Funds	\$64,266.26
ACCEPT CASH FROM GENERAL FUND		

<b>#2 Amend General Fund Budget</b>		
001.0001.4089 General Fund Revenue	Increase - Federal Aid-Other	\$207,143.14
001.9901.0903 General Fund Expense	Increase - Transfer to Other Funds	\$144,105.13
001.1620.0200 General Fund Expense	Increase – Equip. Shared Services	\$ 45,821.01
001.7710.0422 General Fund Expense	Increase – Rep/Main Bldgs. Golden Age	\$ 17,217.00

<b>#3 Amend Sewer Fund Budget</b>		
003.0003.5031 Sewer Fund Revenue	Increase -Transfer from Other Funds	\$79,838.87
003.8130.0422 Sewer Fund Expense	Increase – Sewer O&M Rep/Main Bldgs.	\$28,470.45
003.8130.0200 Sewer Fund Expense	Increase – Sewer O&M Equip	\$51,368.42

<b>#4 Amend Water Fund Budget</b>		
004.0004.5031 Water Fund Revenue	Increase -Transfer from Other Funds	\$64,266.26
004.8340.0200 Water Fund Expense	Increase – Water T&D Equip	\$64,266.26

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

**Temporary Employee Hire**

A motion was made by Councilman Digati, seconded by Councilman Kilmer to hire Regina Tedesco as a Temporary Part-time employee in the Accounting Department, effective November 18, 2024, at a pay rate not to exceed Grade 7, Non-union.

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

**REPORT OF THE AUDIT COMMITTEE:**

A motion was made by Councilman Bahleda, seconded by Councilman Kilmer to pay Vouchers #147090 - #147199

General	\$182,949.08
Highway	\$ 9,387.98
Sewer	\$ 42,223.32
Water	\$ 50,534.83
Trust & Agency	\$ 25.00
Capital	<u>\$ 69,554.38</u>
Total	\$354,674.59

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

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## UNFINISHED BUSINESS:

### Pinnacle Island, LLC, 1821 Whitehaven Road – Site Plan Approval – Office/Storage Building – SEQR

Supervisor Marston presented the SEQR – Short Form Environmental Assessment Forms for Pinnacle Island, LLC, 1821 Whitehaven Road – Site Plan Approval – Office/Storage Building. Mr. Marston informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilman Digati, seconded by Councilman Bahleda to issue a Negative Declaration for Pinnacle Island, LLC, 1821 Whitehaven Road – Site Plan Approval – Office/Storage Building.

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

### Pinnacle Island, LLC, 1821 Whitehaven Road – Site Plan Approval – Office/Storage Building

A motion was made by Councilman Digati, seconded by Supervisor Marston to accept the recommendation of the Planning Board and grant Site Plan Approval for Pinnacle Island, LLC, 1821 Whitehaven Road – Office/Storage Building, subject to the conditions by Planning Board, Code Enforcement and Engineering Department.

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

### 2408 Bedell Road – Site Plan Modification

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

Project is an Unlisted Action, no further SEQR action necessary.

A motion was made by Councilman Kilmer, seconded by Councilman Bahleda to approve the Site Plan Modifications for 2408 Bedell Road, subject to the subject to the conditions by Planning Board, Code Enforcement and Engineering Department.

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

## SUSPEND THE RULES:

A motion was made by Supervisor Marston, seconded by Councilman Digati to Suspend the Rules to consider the following approvals:

- Natural Resource Inventory (NRI) – Authorize Supervisor to Sign Agreement
- Special Event Permit – Light Up the Boulevard
- Special Event Permit – Santa Meet & Greet

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

### Natural Resource Inventory (NRI) – Authorize Supervisor to Sign Agreement

A motion was made by Supervisor Marston, seconded by Councilman Kilmer to authorize the Supervisor to sign the Natural Resource Inventory (NRI) Agreement with Robbyn Drake Consulting in the amount of \$23,406, subject to the approval of the Town Attorney.

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

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**Special Event Permit – Light Up the Boulevard**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the Special Event Permit for the Chamber of Commerce’s Light Up the Boulevard, Saturday, December 7, 2024. The Supervisor’s office will complete the necessary paperwork for the road closures.

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

**Special Event Permit – Santa Meet & Greet**

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the Special Event Permit for Maria Conta on behalf of Sound Wave DJ & Photos for a Santa Meet & Greet on Sunday, December 8 and 15, 2024 in the Town Gazebo.

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

**PUBLIC COMMENTS:**

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

Speakers:    Paula Sciuk, Kelly Gast

**FROM THE BOARD:**

- Go Bills!
- Happy Thanksgiving!
- 16 Days of Activism
- Light Up the Boulevard
- Turkey Trot
- Congratulations to Councilman Elect Jose Garcia

**ADJOURNMENT:**

A motion was made by Councilman Bahleda, seconded by Councilman Kilmer to adjourn the meeting at 8:53p.m.

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

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

Barbara Korman	James “Ed” Fitzgerald III
Terrence Bender	Florence Gibson
Dr. Edward Rayhill	

Respectfully submitted,

Patricia Anderson Frentzel  
Town Clerk