

Town of Grand Island – Regular Meeting #20

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 21st of November 2022.

Present:	John C. Whitney	Supervisor
	Michael H. Madigan	Councilman
	Peter J. Marston	Councilman
	Thomas A. Digati	Councilman
	Christian J. Bahleda	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 Michael H. Madigan led the Pledge of Allegiance.

PROCLAMATIONS:

- **16 Days of Activism Against Gender-Based Violence Campaign**

PUBLIC COMMENTS:

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

Speakers: Cherrish Beals, Dave Reilly*(via Zoom)

PUBLIC HEARINGS:

Local Law Intro #8 of 2022 – Amend Chapters 295 & 407 of the Town Code – Roadside Farm Stands – TO BE RESCHEDULED

Supervisor Whitney informed the Town Board that the Draft of the Local Law was not in final form within the legal time limits to hold the Public Hearing, therefore the Public Hearing needs to be rescheduled.

A motion was made by Councilman Madigan, seconded by Councilman Digati to set a Public Hearing for Monday, December 19, 2022, at 8:00p.m. to hear anyone who wants to comment on Local Law Intro #8 of 2022 – Amend Chapters 295 & 407 of the Town Code – Roadside Farm Stands.

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

MINUTES:

A motion was made by Councilman Marston, seconded by Councilman Bahleda to approve Minutes of Workshop Meeting #27, November 3, 2022, Minutes of Workshop Meeting #28, November 7, 2022, and Minutes of Regular Meeting #19, November 7, 2022.

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

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CONSENT AGENDA:

1. Meeting Minutes – Zoning Board of Appeals – October 6, 2022
2. Golden Age Center – Facility Usage – October 2022
3. Meeting Minutes – Board of Architectural Review – October 18, 2022
4. Meeting Minutes – Planning Board – October 11, 2022

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

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

COMMUNICATIONS –TOWN BOARD:

SUPERVISOR JOHN C. WHITNEY:

Sewer Rates – 2023 – Set Public Hearing

A motion was made by Councilman Marston, seconded by Councilman Bahleda to set a Public Hearing for Monday, December 5, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on the Sewer Rates for the Town of Grand Island for 2023.

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

COUNCILMAN MICHAEL H. MADIGAN:

Procurement of Goods and Services \$10,000 or Greater

A motion was made by Councilman Madigan, seconded by Supervisor Whitney to place a freeze on procurement of all goods and services that exceed \$10,000 or greater Townwide, effective immediately, that is not specifically budgeted for 2022, or have been previously approved by the Town Board.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN ATTORNEY – PETER GODFREY:

Adopt Resolution Authorizing Supervisor to Sign Agreement for Payment in Lieu of Taxes (PILOT) – Grand Island Sunrise, LLC, 871 Whitehaven Road – SBL #: 38.09-3-1

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to authorize the Supervisor to sign the Agreement for Payment in Lieu of Taxes (PILOT) – Grand Island Sunrise, LLC, 871 Whitehaven Road – SBL #: 38.09-3-1.

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

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

Award Bids – Water & Wastewater Chemical Bid

Town Engineer Robert Westfall reported that on November 16, 2022, 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 - 2023

Bid Opening: 11/16/2022 @10:00AM

Bidders	Chlorine	Ferrous Chloride	Hydrofluorosilicic Acid	Sodium Hypochlorite	Polyaluminum Chloride	Phosphorous Removal Floc.
Applied Specialties Inc.	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Bison Laboratories	NO BID	NO BID	NO BID	\$3.286/gallon	NO BID	NO BID
Gulbrandsen Technologies	NO BID	NO BID	NO BID	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
JCI- Jones Chemicals Inc.	\$550.00/cyl	NO BID	NO BID	\$2.2819/gal ** Sunny Sol 100 Plus	NO BID	NO BID
Kemira Water Solutions	NO BID	\$1.162 / lb Fe Kemira PIX-201	NO BID	NO BID	\$947.00/ wet ton Kermira Stern PAC	NO BID
Kuehne Chemical Co.	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Olin Chlor-Alkali Products	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
PVS Technologies	NO BID	\$1.64/lb Fe	NO BID	NO BID	NO BID	NO BID
Slack Chemicals Co	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
SNF Polydyne, Inc.	NO BID	NO BID	NO BID	NO BID	NO BID	\$1.28/lb Clarifloc A-210P
USALCO, LLC	NO BID	NO BID	NO BID	NO BID	\$600.00/wet ton DelPAC 2000	NO BID
Univar Solutions USA	NO BID	NO BID	\$4.00/gal	NO BID	NO BID	NO BID

** JCI Sodium Hypochlorite price only in effect until 3/31/2023. 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 Bahleda, seconded by Councilman Marston 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 5 Madigan, Marston, Digati, Bahleda, Whitney
 Noes 0

Authorize Supervisor to Sign Contract – 2023-2024 Wastewater Generator Maintenance & Emergency Service Contract

Town Engineer Robert Westfall reported that bids were received for the 2023-2024 Maintenance and Testing of the Town’s Wastewater Department’s Emergency Generators. The proposal calls for specific maintenance and load bank testing, as well as it has us as a priority customer with established rates for emergency service in the event of equipment failure and a required service call.

	<u>2023</u>	<u>2024</u>	<u>2 yr. total</u>
PENN Power Systems	\$ 7,905.00	\$ 7,905.00	\$15,820.00
Cummings, Inc.	\$10,431.76	\$10,431.76	\$20,863.52

After careful review, Mr. Westfall requests authorization for the Town Supervisor to sign the 2023-2024 contract (January 2023 – December 2024) for the 2022 Wastewater Generator Maintenance Contract and Emergency Service with PENN Power Systems in the amount of \$15,820.00.

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Authorize Supervisor to Sign Contract – 2023-2024 Wastewater Generator

Maintenance & Emergency Service Contract

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to accept the recommendation of the Town Engineer and authorize for the Town Supervisor to sign the 2023-2024 contract (January 2023 – December 2024) for the 2022 Wastewater Generator Maintenance Contract and Emergency Service with PENN Power Systems in the amount of \$15,820.00.

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

Award Bid – Storm Sewer Materials 2022

Town Engineer reported that on November 16, 2022, bids were received for the Storm Sewer Materials 2022 bid from Niagara Precast Inc., K & S Contractors Supply, Inc., and Chemung Supply Corp.

After careful review by the Highway and Engineering Departments, it is recommended to award the Storm Sewer Materials – 2022 to Niagara Precast Inc. in the amount of \$79,022.50.

A motion was made by Councilman Madigan, seconded by Councilman Digati to accept the recommendation of the Town Engineer and award the Storm Sewer Materials – 2022 to Niagara Precast Inc. in the amount of \$79,022.50.

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

Town Hall Concrete Repairs – Change Order No. 1 – Coating of Vestibules and Plaza Deck Benches – Job # M-59-2022

Change Order No.1 is for work not in the original scope and involves applying coatings to the upper and lower concrete vestibules and the concrete bench features on the upper entrance plaza deck. These elements were not in the original scope as they were not essential items for weatherproofing/building integrity but would be visually odd to be in an area where extensive improvements were undertaken, and these were not addressed. The application of coatings to these concrete structures will require a change order to the Garland DBS contract of \$8,580.00. The project is being funded by ARPA monies, and there are additional funds available in that source to cover this work. After careful review, Mr. Westfall recommends that Change Order No. 1 be approved with an increase of \$9,665.00 to Garland’s awarded contract amount.

A motion was made by Councilman Marston, seconded by Councilman Madigan to accept the recommendation of the Town Engineer and approve Change Order No. 1 – Coating of Vestibules and Plaza Deck Benches – Job # M-59-2022 to Garland/DBS, Inc.’s contract in the amount of \$9,665.00.

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

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RECREATION SUPERVISOR – JOSEPH MENTER:

Remove Employees from Payroll

A motion was made by Councilman Digati, seconded by Councilman Bahleda to direct the payroll department to remove the following employees from the payroll, effective November 22, 2022:

Ethan Hovey	Recreation Attendant	Last Day: November 9, 2022
Christian Kessler	Recreation Attendant	Last Day: September 28, 2022

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

Part-time Hires

A motion was made by Councilman Digati, seconded by Councilman Madigan to approve the following Part-time Hires, subject to the completion of the necessary pre-employment paperwork:

Trysten Cardin-Galeza	Recreation Attendant – Yr. 1 Aide	\$13.75/hr. Part-time
Tessa Lariviere	Recreation Attendant – Yr. 1 Aide	\$13.75/hr. Part-time

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

TOWN ACCOUNTANT – KORIN FRANTZ:

Budget Amendment – Police Department

Pinnacle Island, LLC. has donated funds for the benefit of the Town Police Department. A motion was made by Councilman Marston, seconded by Councilman Digati to approve the following budget amendment for 2022:

Increase Revenue a/c	001.0001.2709	Donations	\$2,000
Increase Appropriation	001.3120.0444	Police – Uniforms	\$2,000

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

Budget Amendment – Golden Age Center

A motion was made by Councilman Digati, seconded by Councilman Bahleda to approve the following budget amendment/transfer for 2022:

Decrease Cash – Trust & Agency Funds	005.0005.0200	Credit	\$105
Decrease Liability – MOW Donations	005.0005.0086	Debit	\$105
Increase Cash – General Fund	001.0001.0200	Debit	\$105
Increase Liability – MOW Donations	001.0001.0604	Credit	\$105

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

CODE ENFORCEMENT OFFICE:

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Sidewalk Installation – 3330 East River Road

A motion was made by Councilman Marston, seconded by Councilman Bahleda to waive the sidewalk requirements for 3330 East River Road without prejudice to the requirement to install sidewalks in the future if so ordered by the Town in accordance with applicable law and to direct the CEO to issue a Final Certificate of Occupancy, subject to the final walk-through.

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

Special Use Application – Kevin Bitikofer, 4410 & 4420 East River Road – Keeping of up to 3 Agricultural Animals on 9.85 Acres – Refer to Planning Board & Set Public Hearing

A motion was made by Councilman Madigan, seconded by Councilman Digati to set a Public Hearing for Monday, December 5, 2022, at 8:00p.m. for the purpose of hearing anyone who wants to comment on a Special Use Application – Kevin Bitikofer, 4410 & 4420 East River Road – Keeping of up to 3 Agricultural Animals on 9.85 Acres and refer the matter to the Planning Board for review and recommendation.

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

Special Use Permit Renewal – 1441 Ransom Road LLC, 1441 Ransom Road – Operate an Existing Mini-Mart with Gas Pumps

A motion was made by Councilman Marston, seconded by Councilman Digati to renew the Special Use Permit for 1441 Ransom Road LLC, 1441 Ransom Road – Operate an Existing Mini-Mart with Gas Pumps. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Redbush Meadow LLC, 2120 Alvin Road – Dog Kennel

A motion was made by Councilman Madigan, seconded by Councilman Marston to renew the Special Use Permit for Redbush Meadow LLC, 2120 Alvin Road – Dog Kennel. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Jennifer Tirone, 993 Whitehaven Road – Keeping of up to 4 Agricultural Animals on 5.9 Acres

A motion was made by Councilman Madigan, seconded by Councilman Bahleda to renew the Special Use Permit for Jennifer Tirone, 993 Whitehaven Road – Keeping of up to 4 Agricultural Animals on 5.9 Acres with the condition that the fifth horse that is currently on the property, (according to the Code Enforcement Officer), is removed by January 1, 2023.

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

TOWN ASSESSOR – JUDY M. TAFELSKI:

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2797 Grand Island Blvd LLC – Request to Split/Merge Property – 2769 Grand Island Boulevard, SBL #:23.00-2-9.2 and 2789 Grand Island Boulevard, SBL #:23.00-2-9.1

A motion was made by Councilman Marston, seconded by Councilman Digati to approve the request to split off the rear .38-acre portion of lot at 2769 Grand Island Boulevard, SBL # 23,00-2-9.2 and merge with 2789 Grand Island Boulevard, SBL #:23.00-2-9.1, subject to the filing of the necessary paperwork with the Erie County Clerk’s Office.

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

PLANNING BOARD:

Radisson Redevelopment – 100 Whitehaven Road – Detailed Plan

This matter was addressed at a meeting on November 16, 2022. There is no further action necessary. Received and filed.

REPORT OF THE AUDIT COMMITTEE:

A motion was made by Councilman Digati, seconded by Councilman Bahleda to pay Vouchers #139775 - #139966

General	\$189,796.35
Highway	\$ 40,192.23
Sewer	\$ 54,658.84
Water	\$ 22,112.75
Trust & Agency	\$ 1,000.00
Capital	\$411,517.56
Garbage	<u>\$136,733.62</u>
Total	\$856,011.35

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

UNFINISHED BUSINESS:

Special Use Permit Application – NYSOLAR LLC, SBL #:36.00-1-28 – Emery Farm, 2595 Whitehaven Road – Solar Energy Farm

Remains tabled.

Authorize Supervisor to Sign Maintenance Contract – GEOCOVE – GIS Services

A motion was made by Councilman Digati, seconded by Councilman Bahleda to authorize the Supervisor to sign a contract for the upgrade and services related to the Town’s GIS system with GEOCOVE in an amount not to exceed \$20,000.00.

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

Special Use Permit Renewal – Matthew & Cherrish Beals, 121 Amberwood Drive – Operate a 3 Bedroom Bed & Breakfast

Remains Tabled.

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PUBLIC COMMENTS:

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

Speakers: Highway Superintendent Richard Crawford

FROM THE BOARD:

- Happy Thanksgiving!
- Go Bills!
- Thanks to ALL staff who worked through snowstorm for snow removal
- Light up the Boulevard – Saturday, December 3, 2022, from 3:00-7:00p.m.

ADJOURNMENT:

A motion was made by Councilman Madigan, seconded by Councilman Marston to adjourn the meeting at 8:49p.m.

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

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

Ruth Englert	Carol Volk
Dennis Ringler	John Monkelban
Jean McCracken	Richard Panfil
Patricia Allen	Thomas Butler
Prem Bharadwaj	Christopher Gibney
Geraldine Elie	Patricia Gruber
Joseph DeRose	Branka “Bonnie” Sciuk
Richard Pyc	Mary Jane Pyc
Rosemary Whiting	Donald Barton
Joan Mayse	

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk

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