

Town of Grand Island – Regular Meeting #18

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 5th of October, 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.

*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 the Town of Grand Island’s meetings will be held electronically via the Town’s website link/You Tube Channel. Members of the public may attend the meeting, or 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 in the courtroom, 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: Via ZOOM – Nicole Gerber, Dave Reilly, Patrick Brown,
Cathy Rayhill
In person – Barbara Berry

PUBLIC HEARING:

Community Development Block Grant – 2021

A Public Hearing was held on Monday, October 5, 2020 at 8:00p.m. to hear anyone who wanted to comment on possible Community Development Block Grant projects for 2021.

Speakers: None

Supervisor Whitney declared the Public Hearing closed.

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to adopt the following resolution:

WHEREAS, the Town of Grand Island seeks to participate in the 2021-2022 Erie County Community Development Block Grant Program, and

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WHEREAS, the Town of Grand Island held a public hearing for comments on proposed projects for the year 2021 on October 5, 2020, and

WHEREAS, a few projects were brought up and the Town Board has agreed to submit one grant application for CDBG for the year 2021 and one application for CDBG-CV for the year 2021.

THEREFORE, be it resolved as follows:

The Grand Island Town Board authorizes the Town Supervisor to sign, submit and execute a contract(s) with the Erie County Community Development Block Grant (CDBG) Program for the following projects by priority not to exceed \$150,000.00:

1. Golden Age Center & Nike Base Park Facilities: Construction of ADA-accessible pavilion.
2. Installation of ADA-accessible sidewalks in Grandyle Village area of Town.
3. Golden Age Center & Nike Base Park Facilities: Reconstruction/resurfacing of existing Tennis Courts.
4. Golden Age Center & Nike Base Park Facilities: Recreation Office/Senior Programming building improvements.

And, The Town of Grand Island Town Board authorizes the Town Supervisor to sign, submit and execute a contract(s) with Erie County Community Development Block Grant – Cares Act fund (CDBG-CV) Program for the following projects by priority not to exceed \$200,000.00:

1. Installation of Splash Pad at Tower Park (Duplex area of Town)

This resolution shall take effect immediately.

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

MINUTES

A motion was made by Councilman Digati, seconded by Councilman Madigan to approve Minutes of Workshop Meeting #37, September 21, 2020 and Minutes of Regular Meeting #17, September 21, 2020.

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

CONSENT AGENDA:

1. Meeting Minutes – Technology Advisory Board – August 20, 2020
2. Meeting Minutes – Conservation Advisory Board – August 27, 2020
3. Building Permits Issued – September 2020
4. Golden Age Center – Facility Usage – September 2020

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

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

COMMUNICATIONS –TOWN BOARD:

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COUNCILMAN PETER MARSTON, JR.:

Resignation – Economic Development Advisory Board

A motion was made by Councilman Marston, seconded by Councilwoman Baney to accept the resignation of Alyssa Quarentello from the Economic Development Advisory Board with regret. A certificate of appreciation will be sent to Ms. Quarentello.

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

Appointment – Economic Development Advisory Board

A motion was made by Councilman Marston, seconded by Councilman Madigan to appoint Drew Quigley to the vacant position on the Economic Development Advisory Board with a term expiring December 31, 2022.

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

Appointments – Economic Development Advisory Board

A motion was made by Councilman Marston, seconded by Councilman Digati to appoint Gary Roesch and Jennifer Pusatier as Alternates on the Economic Development Advisory Board with both terms expiring December 31, 2020.

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

COMMUNICATIONS – OTHER TOWN OFFICIALS:

TOWN CLERK – PATRICIA ANDERSON FRENTZEL:

Early Voting/Absentee Voting

Town Clerk Patricia Anderson Frentzel reported on the Early Voting Locations in Erie County and absentee ballot information.

For information purposes only. No Town Board Action.

JUSTICE COURT:

Grant Application – 2020 New York State Unified Court System – Justice Court Assistance Program

The Grand Island Town Court is in the process of applying for a JCAP (Justice Court Assistance Program Grant) with regard to enclosing the Town Hall 2nd floor conference room. This request is being made as there is insufficient space for court night attorney/client conversations, Attorney of the Day attorney/defendant conversations as well as an appropriate space for our Domestic Violence advocate to speak with victims on court nights.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to adopt the following resolution:

WHEREAS, the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local Justice Court's with needed security equipment, court facility construction/renovation and furniture.

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WHEREAS, the funding available under the State of New York Unified Court System would facilitate local efforts in upgrading the Town’s Justice Court.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Grand Island is hereby authorized and directed to file an application with the Justice Court Assistance Program not to exceed the amount of \$30,000.00 in grant funding.

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

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

Authorize Supervisor to Sign Professional Services Agreement – WWTP

Improvements/Sludge Dewatering – Job # M-231

A motion was made by Councilman Digati, seconded by Councilman Marston to authorize the Supervisor to sign the Professional Services Agreement with GHD for the WWTP Improvements/Sludge Dewatering – Job # M-231 in the amount of \$204,700.

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

Award Bid – Grand Island Town Hall Elevator Addition – Job # M-69-2018

Town Engineer Robert Westfall reported that on September 23, 2020, the following bids were received for the Grand Island Town Hall Elevator Addition:

Peak Construction Group, LLC	\$336,000.00
Concept Construction Corp.	\$337,000.00
RP Oak Hill Building Co., Inc.	\$382,000.00
Rodriguez Construction Group	\$398,244.00
Sicoli Construction Services, Inc.	\$437,800.00

After careful review of the proposals, Mr. Westfall recommended award to Peak Construction, LLC in the amount of \$336,000. After further review the Town Board was informed that Peak Construction did not meet the specification requirements for bidding, therefore it is recommended to reject the bid from Peak Construction, LLC and award the Concept Construction Corp. in the amount of \$337,000.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to accept the recommendation of the Town Engineer and reject the bid from Peak Construction, LLC and award the bid for the Grand Island Town Hall Elevator Addition – Job # M-69-2018 to Concept Construction, Corp. in the amount of \$337,000.

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

TOWN ACCOUNTANT – PAMELA BARTON:

2020 Budget Amendment

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The Town Court applied for a Justice Court (JCAP) NYS Grant for the 2020/2021 Budget year in the amount of \$599.86 for the purpose of providing PPE for the use with Court services.

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

Increase Revenue			
NYS Grants	001.0001.3007		\$600.00

Increase Appropriations			
Justice Court – Dept. Supplies	001.1110.0443		\$600.00

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

Budget Amendment – General Fund – Sidewalks

The town is in receipt of the three (3) checks for \$194,201.71, \$246,806.82 and \$377,600.58 from a NYS DOT grant, for the purpose of defraying the cost of the GI Boulevard Project.

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

Increase Revenue			
General Fund – Revenue			
NYS Grants	001.0001.3007		\$818,609

Increase Appropriations			
General Fund – Expenditures			
Sidewalks – Equipment	001.5410.0200		\$818,609

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

Budget Amendment

Recently, a resident kindly donated funds to the Town for the benefit of the Police and Court Services. Both the Court Office and Police agreed the funds would be welcomed to defray the cost of a bullet proof vest for an officer. The Town greatly appreciates this generous donation.

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

Increase Revenue A/C	001.0001.2709	Donations	\$400
Increase Appropriation	001.3120.0444	Police-Uniforms	\$400

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

CODE ENFORCEMENT OFFICE:

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Special Use Permit Renewal – Carol M. Merckel, 2324 East River Road – Keeping of 2 Agricultural Animals on 3 Acres

Town Code §407-117 A. (4) states a special use permit shall expire, where no structure is involved, or if the lot shall not have been put into use for which the permit was granted, within 12 months after the date of issue of such permit.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to accept the recommendation of the Code Enforcement Office and deny the renewal of the Special Use Permit for Carol M. Merckel, 2324 East River Road – Keeping of 2 Agricultural Animals on 3 Acres.

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

Special Use Permit Renewal – National Fuel Gas Supply Corp., 1589 Stony Point Road – Natural Gas Regulator/Metering Station

A motion was made by Councilman Digati, seconded by Councilman Madigan to renew the Special Use Permit for National Fuel Gas Supply Corp., 1589 Stony Point Road – Natural Gas Regulator/Metering Station. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – T. Duffy MacGuire, 3062 Whitehaven Road – Bed & Breakfast

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to renew the Special Use Permit for T. Duffy MacGuire, 3062 Whitehaven Road – Bed & Breakfast. The site has been inspected and it is unchanged.

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

Tower Permit Renewal – Crown Castle – 318 Baseline Road

A motion was made by Councilman Digati, seconded by Councilman Marston to renew the Tower Permit for Crown Castle – 318 Baseline Road. The site has been inspected and it is unchanged.

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

Tower Permit Renewal – AT&T Mobility – 85 Carl Road

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to renew the Tower Permit for AT&T Mobility – 85 Carl Road. The site has been inspected and it is unchanged.

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

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

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A motion was made by Councilman Madigan, seconded by Councilman Digati to renew the Special Use Permit for Jennifer Tirone, 993 Whitehaven Road – Keeping of up to 4 Agricultural Animals on 5.9 Acres. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – WNY Towing by Marty’s, Inc., 1733 Baseline Road – Motor Vehicle Repair Shop

A motion was made by Councilman Marston, seconded by Councilwoman Baney to renew the Special Use Permit for WNY Towing by Marty’s, Inc., 1733 Baseline Road – Motor Vehicle Repair Shop. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Speedway #9881, 1898 Whitehaven Road – Convenience Store & Fueling Station

A motion was made by Councilman Madigan, seconded by Councilman Digati to renew the Special Use Permit for Speedway #9881, 1898 Whitehaven Road – Convenience Store & Fueling Station. The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Speedway #9882, 2024 Grand Island Boulevard – Convenience Store (Modified Space)

A motion was made by Councilman Digati, seconded by Councilwoman Baney to renew the Special Use Permit for Speedway #9882, 2024 Grand Island Boulevard – Convenience Store (Modified Space). The site has been inspected and it is unchanged.

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

Special Use Permit Renewal – Jeffrey D. Matthews, 2389 Whitehaven Road – Operate Motor Vehicle Repair Service M2 Zone

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to renew the Special Use Permit for Jeffrey D. Matthews, 2389 Whitehaven Road – Operate Motor Vehicle Repair Service M-2 Zone. The site has been inspected and it is unchanged.

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

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Vouchers #132565 - #132685

General	\$128,605.23
Highway	\$ 54,156.29
Sewer	\$ 24,099.97
Water	\$ 18,544.10
Capital	<u>\$299,996.05</u>
Total	\$525,401.64

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

UNFINISHED BUSINESS:

Southpointe PDD – Development Concept Plan – Revised

- A. Resolution Issuing a Negative Declaration for the Second Revised Plan for the Associated Grand Island LLC Adult Lifestyle Planned Unit Development at Southpointe**
- B. Resolution to Approve Revised Development Concept Plan of Associated Grand Island LLC for the Adult Lifestyle Planned Unit Development at Southpointe**
- C. Establishment of the Southpointe Extension to the Consolidated Sewer District (2020)**

A motion was made by Councilman Digati, seconded by Councilman Marston to discuss the possible approval of a Resolution Issuing a Negative Declaration for the Second Revised Plan for the Associated Grand Island LLC Adult Lifestyle Planned Unit Development at Southpointe.

MOTION WITHDRAWN.

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to table the Resolution Issuing a Negative Declaration for the Second Revised Plan for the Associated Grand Island LLC Adult Lifestyle Planned Unit Development at Southpointe. Subsequently, items B. and C. are not able to move forward, pending SEQR.

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

A motion was made by Councilman Madigan, seconded by Councilman Digati to set an Informational Meeting regarding the Southpointe PDD – Revised Development Concept Plan on Monday, October 19, 2020 at 8:00p.m. The developer will be asked to make a presentation and be prepared to answer questions submitted in advance from the public and questions from the Town Board. Comments/questions can be submitted no later than Wednesday, October 15, 2020 at noon to: publiccomments@grand-island.ny.us.

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

Special Use Permit Renewal – Grand Island Development, LLC – 1611 Whitehaven Road – Solar Array Project

Remains Tabled.

SEQR – Local Law Intro #11 of 2019 – Rezoning SBL #36.00-2-8.1, Alvin Road – B-1/R-1A to B-1 & 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 Councilwoman Baney, seconded by Councilman Digati to adopt the following resolution:

WHEREAS, application were received by the Town of Grand Island for rezoning Alvin Road (SBL#36.00-2-8.1 as described in further detail in Local Law No. 11) from B-1/R-1A to B-1; rezoning of 2356 Whitehaven Road, Grand Island, N.Y. (SBL# 36.00-2-7 as described in further detail in Local Law No. 12) from R-1A/B-1 to R-1A, Special Use Permit for Solar System and Site Plan Review for Solar System, and

WHEREAS, the proposed actions involve the adoption of amendments to the Town of Grand Island’s zoning ordinance, a special use permit and site plan and are therefore actions under Article 8 of the New York State Environmental Conservation Law – the State Environmental Quality Review Act (“SEQR”); and

WHEREAS, Holdco LLC BayWa r.e. Development and Land Holdco LLC BayWa r.e. Development (“Applicants”) have applied to the Town of Grand Island (“Town”) for a Special Use Permit and Site Plan Review for a solar energy system on the above listed properties, and

WHEREAS, the proposed action is a Type I, and

WHEREAS, the Town Board issued a Notice of Intent to be Lead Agency in order to have a coordinated review, and no other agency has objected to the Town assuming Lead Agency, and the time for such comment or objection has passed, and

WHEREAS, the Town Board of the Town of Grand Island, in performing the lead agency function in accordance with SEQR (i) thoroughly reviewed the Long Form Environmental Assessment Form (the “Long EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review and public comments, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed actions may have a significant adverse impact on the environment, including the criteria in 6 NYCRR §617.7 (c), and (iii) completed the Long EAF, Part II:

WHEREAS, the Town Board of the Town of Grand Island has identified the relevant areas of environmental concern and has taken a hard look at each of the identified areas as required by “SEQRA”. The Town Board of the Town of Grand Island compared the proposed Action with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Action will not have a significant adverse impact on the environment.

APPROVED	Ayes	3	Marston, Digati, Whitney
	Noes	2	Madigan, Baney

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 Digati, seconded by Councilman Marston to adopt Local Law #12 of 2020 as follows:

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Be it hereby enacted by the Town Board of the Town of Grand Island as follows:

Section I.

Rezoning. The official map of the Town of Grand Island is hereby amended so that SBL #:36.00-2-8.1, Alvin Road, shall be and hereby is rezoned from B-1/R-1A to B-1.

WHICH PREMISES ARE DESCRIBED AS FOLLOWS:

All that tract or parcel of land situate in the Town of Grand Island, County of Erie, and the State of New York, being part of Lot No. 58 on said Island, bounded and described as follows:

BEGINNING at a point on the southwesterly line of Alvin Road (66 feet wide), as Appropriated by the state of New York as described in a deed filed in the Erie County Clerk's office in Uber 5600 page 491 Map 954 Page 954, a distance of 627.49 feet southeasterly from the intersection of the Lands Appropriated for New York State Thruway as described in a deed filed in the Erie County Clerk's office in Uber 5670, Page 356, Map 893, Parcel 893 which last mentioned line, being also the south Right Of Way line of Whitehaven Road, said point also being the northeast corner of lands deeded to Eugene J. Ryshkus Jr. and Christine Borland-Ryshkus in Liber 11031, page 7388.

Thence southwesterly along the Northerly line of said Ryshkus lands at an interior angel of 90°01'55" a distance of 219.19 feet to a point;

Thence southerly along the west line of said Ryshkus lands at an interior angel of 233°18'43" a distance of 140.01 feet to a point;

Thence Westerly at an interior angle of 89°19'08" a distance of 421.66 feet to a point; Thence northerly at an interior angle of 90°00'00" a distance of 263.10 feet to a point;

Thence northeasterly at an interior angle of 127°20'14" a distance of 478.46 feet to a point on the southwesterly line of Alvin Road as Appropriated;

Thence southerly along the southwesterly line of Alvin Road at an interior angel of 90°00'03" a distance of 352.48 feet to the POINT OR PLACE OF BEGINNING.

The above described parcel contains 4.769 acres more or less.

Section II. Effective Date. This local law shall be effective immediately

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upon filing with the New York Secretary of State.

APPROVED	Ayes	3	Marston, Digati, Whitney
	Noes	2	Madigan, Baney

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

A. Correspondence – Planning Board – Site Plan Approval

A motion was made by Councilman Digati, seconded by Councilman Marston to adopt Local Law #13 of 2020 as follows:

Section I.

Rezoning. The official map of the Town of Grand Island is hereby amended so that SBL #:36.00-2-7, 2356 Whitehaven Road, shall be and hereby is rezoned from R-1A/B-1 to R-1A.

WHICH PREMISES ARE DESCRIBED AS FOLLOWS:

All that tract or parcel of land situate in the Town of Grand Island, County of Erie, and the State of New York, being part of Lot No. 58 on said Island, bounded and described as follows:

Beginning at a point on the north line of lot 58 being also the center line of Whitehaven Road (66' Wide), also known as the northwest corner of lands conveyed to John Kaiser and Matilda Kaiser, his wife by Lottie Schieb by a deed recorded in the Erie County Clerk's office in Uber 1338 page 415;

Thence easterly along the north line of Lot 58 being also the center line of Whitehaven Road a distance of 622.47 feet to the west line of Lands Appropriated for New York State Thruway and recorded in the Erie County Clerk's office in the Uber 5670, page 356, Map 893, Parcel 893;

Thence southerly along said lands Appropriated for the New York State Thruway a distance of 33.00 feet to a point in the southerly right of way line of Whitehaven Road;

Thence easterly along the south Right Of Way line of Whitehaven Road and the Lands Appropriated for New York State Thruway 92.56 feet more or less to a point on the southwesterly line of Alvin Road (66 feet wide), as Appropriated by the state of New York as described in a deed filed in the Erie County's office in Uber 5600 page 491 Map 954 Page 954;

Thence southeasterly along the southwesterly line of Alvin Road as Appropriated a distance of 275.00 feet to a point;

Thence southwesterly at an exterior angle of 90°00'00" a distance of 478.46 feet to a point; Thence southerly at an exterior angle of 127°20'14" a distance of 263.10 feet to a point;

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Thence easterly at right angles to the previous course a distance of 421.66 feet to a point on the westerly line of lands deeded to Eugene J. Ryshkus Jr. and Christine Borland-Ryshkus in Uber 11031, page 7388;

Thence southerly along the west line of said Ryshkus lands at an interior angel of 90°40'52" a distance of 197.95 feet to a point;

Thence southeasterly along the southerly line of said Ryshkus lands, parallel with Alvin Road, at an interior angel of 216°35'27" a distance of 696.28 feet to a point in the east line of Lot 58;

Thence southerly along the east line of Lot 58 at an interior angel of 143°26'37" a distance of 1099.69 feet more or less to the southeast corner of Lot 58;

Thence westerly along the south line of Lot 58 at an interior angel of 90°14'36" a distance of 1328.23 feet more or less to the west line of lands conveyed to John Kaiser and Matilda Kaiser, his wife, by Lottie Schieb by deed recorded in the Erie County Clerk's Office in Uber 1338 page 415;

Thence northerly along said west line of said Kaiser Lands at an interior angle of 89°45'16" a distance of 2667.46 feet to the POINT OR PLACE OF BEGINNING.

The above described parcel contains 64.217 acres more or less, including a portion of the Right of Way of Whitehaven Road.

Section II. Effective Date. This local law shall be effective immediately upon filing with the New York Secretary of State.

APPROVED	Ayes	3	Marston, Digati, Whitney
	Noes	2	Madigan, Baney

Special Use Permit Application – BayWa R.E., 2356 Whitehaven Road – Solar Array Project

A. Correspondence – Planning Board – Special Use Permit

A motion was made by Councilman Marston, seconded by Councilman Digati to accept the recommendation of the Planning Board and approve the Special Use Permit for BayWa R.E., 2356 Whitehaven Road – Solar Array Project, subject to the rezoning.

APPROVED	Ayes	3	Marston, Digati, Whitney
	Noes	2	Madigan, Baney

Create Town of Grand Island Agricultural Advisory Board

A. Correspondence – Planning Board

Remains Tabled.

Award Bid – Town Hall Gazebo – Job # M-69-19

Town Engineer Robert Westfall originally reported that bids were opened on September 2, 2020 in the Engineering Office for the construction of the Town Hall Gazebo Structure (M 66-19.2) with the following results:

Kodiak Construction	no bid
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Toth Construction \$ 34,000.00

Pinto Construction \$ 86,388.00

The item had been tabled pending the permission of students from the high school BOCES program be allowed to build the shelter at no-cost to the Town with materials that were already purchased and in storage. Due to COVID-19 restrictions on the students, the project cannot be done by students. The Town Engineer has recommended the Town move forward with the project and award the bid to Toth Construction in the amount of \$34,000.

A motion was made by Councilman Madigan, seconded by Councilman Marston to accept the recommendation of the Town Engineer and award the bid for the Town Hall Gazebo Job #M-69-19 in the amount of \$34,000.

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

SEQR – Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan

Approval/Master Plan

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan Approval/Master Plan. Mr. Whitney informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilman Madigan, seconded by Councilman Marston to issue a Negative Declaration for Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan Approval/Master Plan.

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

Certified Auto Brokers, 1693 Grand Island Boulevard – Site Plan Approval/Master Plan

A motion was made by Councilman Marston, seconded by Councilwoman Baney to accept the recommendation of the Planning Board and approve the Site Plan Approval/Master Plan for Certified Auto Brokers, 1693 Grand Island Boulevard.

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

SEQR – Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan

Supervisor John Whitney presented the SEQR – Short Form Environmental Assessment Forms for Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan. Mr. Whitney informed the Town Board that the proposed action will not result in any significant adverse environmental impact.

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to issue a Negative Declaration for Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan.

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

Hugill Storage, Inc., 2612 Bedell Road – Site Plan Approval/Master Plan

A motion was made by Councilman Digati, seconded by Councilwoman Baney to accept the recommendation of the Planning Board and approve the Site Plan Approval/Master Plan for Hugill Storage, Inc., 2612 Bedell Road, subject to the developer including a screened fence or landscaping along the north side of the property, on Bedell Road,

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such as 6' pines trees or slates in the fence. The Site Plan needs to be updated and drainage need to satisfy the Engineering Department.

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

SUSPEND THE RULES:

A motion was made by Councilman Digati, seconded by Councilman Madigan to Suspend the Rules to consider authorizing the Supervisor to sign a contract for the Whitehaven Road Sanitary Sewer Improvements and an emergency contract for the Whitehaven Road Water Storage Tank Emergency Repairs.

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

Authorize Supervisor to Sign Contract – Whitehaven Road Sanitary Sewer Improvements

A motion was made by Councilman Madigan, seconded by Councilwoman Baney to authorize the Supervisor to sign Professional Services Agreement with GHD for design services for the Whitehaven Road Sanitary Sewer Improvements in the amount of \$26,300.

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

Emergency Contract – Whitehaven Road Water Storage Tank Emergency Repairs

A motion was made by Councilman Madigan, seconded by Councilman Digati to schedule a Town Board Workshop for Wednesday, October 7, 2020 at 9:30a.m. to discuss possible contract options for emergency repairs.

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

PUBLIC COMMENTS:

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

Speakers: In Person – Calvin VanderMey
Via ZOOM – Maureen Phillips

FROM THE BOARD:

- Town Board/Advisory Board – Public will be allowed to come to meetings with COVID-19 restrictions
- Halloween Hours – Saturday, October 31, 2020 – 4:00p.m.-8:00p.m.
- Communication

Monday, October 5, 2020 - 14

Town of Grand Island – Regular Meeting #18

- Town Board Voting
- Major Projects
- Grant request for Splash Pad in Duplex area

MEMORIAL ADJOURNMENT:

A motion was made by Councilman Digati, seconded by Councilman Madigan to adjourn the meeting at 9:55p.m.

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

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

Michael Dinsmore Barbara Nowakowski
Judy Link

Respectfully submitted,

Patricia Anderson Frentzel
Town Clerk