

## Town of Grand Island - Workshop Meeting #32

A workshop meeting of the Town Board of Grand Island, New York was held at the Town Hall, 2255 Baseline Road, Grand Island, NY at 6:15p.m. on the 15<sup>th</sup> of October, 2018.

Present:	James R. Sharpe	Deputy Supervisor
	Beverly A. Kinney	Councilwoman
	Michael H. Madigan	Councilman
	Jennifer L. Baney	Councilwoman
	Peter Marston, Jr.	Councilman
	Patricia A. Frentzel	Town Clerk
	Peter C. Godfrey	Town Attorney

Excused: Nathan D. McMurray Supervisor

Also Present: Richard W. Crawford Highway Superintendent

Deputy Supervisor James R. Sharpe called the meeting to order at 6:15p.m. in the absence of the Supervisor.

### **NEW ITEMS/AGENDA REVIEW:**

#### **General Discussion:**

**Do Not Pass on Shoulder” Signs along Grand Island Boulevard**

**Speed Limit on West River Road (Service Road)**

**Relocation of Thruway Authority Accident Investigation Site**

**Special Use Permit Renewal – Grand Island Solar LLC, 2411 Bedell Road – Community Solar Array Project**

**Special Use Permit Renewal – Grand Island Solar LLC, 126 Industrial Drive – Community Solar Array Project**

**Heron Pointe, Phase 2 – Whitehaven Road – Revised Site Plan**

a. **Correspondence – Traffic Safety Advisory Board**

**LWRP**

**West River Road Speed Limits**

**Meeting with New York State – Signage/Crosswalks**

### **EXECUTIVE SESSION:**

A motion was made by Councilwoman Baney, seconded by Councilman Marston to enter into Executive Session at 7:27p.m. for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person(s) employed by the Town and to obtain legal advice from the Town Attorney.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston

Noes 0

*Highway Superintendent Richard Crawford was present during Executive Session.*

*Highway Superintendent Richard Crawford left the meeting at 7:32p.m.*

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A motion was made by Councilwoman Marston, seconded by Councilwoman Baney to return to the Regular Workshop at 8:05p.m.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston

Noes 0

### **SEQR – River Oaks Marina, 101 Whitehaven Road – Site Plan Revision – Phase 1A - Office Building and Storage Yard**

A motion was made by Councilman Marston, seconded by Councilwoman Baney to re-affirm prior issuance of a Negative Declaration for River Oaks Marina - Site Plan Revision – Phase 1A - Office Building and Storage Yard.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston

Noes 0

### **Adopt Resolution Filing of Counterclaims Regarding Violations of Zoning Laws**

A motion was made by Councilwoman Baney, seconded by Councilman Madigan to adopt the following resolution regarding the filing of counterclaims against Glenn Wallace regarding violations of Zoning Laws:

**WHEREAS**, Glenn Wallace (“Wallace”) has commenced lawsuits in Erie County Supreme Court against the Town of Grand Island (“Town”) under Index Nos. 812472/2018 and 815776/2018 seeking, among other things, a declaratory judgment deeming Local Law No. 9 null and void and challenging certain determinations of the Town Zoning Board of Appeals (the “Actions”); and

**WHEREAS**, Wallace is a resident of the Town, residing at 917 North Colony Road and is the owner of 1900 East River Road and 2124 East River Road (collectively, the “Properties”); and

**WHEREAS**, the Town Zoning Law prohibits any short-term rentals in the Town; and

**WHEREAS**, Wallace continues to operate the Properties as short-term rentals and therefore has violated the Zoning Law; and

**WHEREAS**, the Town authorizes the filing and prosecution of counterclaims against Wallace in the Actions to abate and enjoin violations of the Zoning Law.

**NOW THEREFORE BE IT RESOLVED** by the Town Board of the Town of Grand Island that:

1. Filing and prosecution of counterclaims in the Actions on behalf of the Town to abate and enjoin Wallace’s violations of the Zoning Law is hereby approved and authorized.

2. This Resolution shall be effective immediately upon its adoption.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston

Noes 0

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### **ADJOURN:**

A motion was made by Councilwoman Baney, seconded by Councilwoman Kinney to adjourn at 8:06p.m.

APPROVED Ayes 4 Kinney, Madigan, Baney, Marston  
Noes 0

Respectfully submitted,

Patricia A. Frentzel  
Town Clerk