

19 January 2016

TO: Honorable members of the Erie County Legislature

RE: Response to 15Comm.25D-8 regarding inclusion in agricultural district of viable agricultural land at 1101 Ransom Road owned by Mansard LLC

Erie County Commissioner of Health Gale Burstein filed with the Legislature a letter dated December 7, 2015 which they have identified as Comm. 25D-8, regarding modifications to Erie County Agricultural District 17. The letter makes several allegations of serious public health concern regarding a longstanding farm operation of good repute on Grand Island. The Town of Grand Island and the Grand Island Central School District looked into the allegations, and found them to be untrue.

Burstein stated that, "1101 Ransom Road has long been a source of repeat violations of the Erie County Sanitary Code, for consistent and serious violations of Article IX, Section 1.15." Attorney Danielle Rysedorph from the New York State Department of Health confirmed by certification dated September 1, 2015 that Erie County Sanitary Code Article IX section 1.15 captioned rodent control, was not filed as a public record with them pursuant to Public Health Law §347. Since that section of the Sanitary Code was not filed with the State, as a matter of law it is not effective, and there can be no "violations" of it.

Burstein next stated that, "Ongoing large scale ground feeding of pigeons at this property has led to a rodent infestation of this property and neighboring residential housing..." Town Supervisor Nathan McMurray resides near the subject property, and has no rodent infestation at his property. Neighboring residential housing adjacent to 1101 Ransom Road was canvassed and the residents of 17 individual properties attested in the attached form that "No rodent infestation exists at the property listed below that I occupy or own."

Burstein also stated that, "birds consistently strike school buses transporting children to Grand Island Senior High School located directly across the street, scattering their remains around the property and creating a safety risk for students." James Rozler, Director of Facilities for the Grand Island Central School District, who oversees both the transportation and buildings & grounds departments, stated in the attached letter dated December 23, 2015:

"First, the District is unaware of any Bird vs. Bus incidents. As I am sure you can imagine, we do from time to time strike birds but nothing consistent at any location.

Second, we are also unaware of any bird carcasses on our property at 1100 Ransom Rd. due to the above.

Finally, the District is extremely proactive with regards to pest control at all of our facilities. To date we are unaware of any rodent issues."

On January 14, 2016, County Health Department Spokesman Benjamin Swanekamp offered to Energy and Environment committee legislators Ted Morton and Kevin Hardwick to withdraw his commissioner's discredited letter.

We believe these facts should resolve the issue to which they relate.

Keith Tripi  
Counsel for Mansard LLC

Grand Island Central School District  
District Office

Administration

Teresa Lawrence, Ph.D.  
Superintendent of Schools

Karen Cuddy-Miller  
Assistant Superintendent for  
Curriculum and Instruction

Robert McDow  
Assistant Superintendent of School  
Business and Finance

Cheryl M. Cardone  
Director Pupil Personnel Services

James V. Rozler II  
Director of Facilities III



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December 23, 2015

Mr. Tripi  
1101 Ransom Road  
Grand Island, NY 14072

Dear Mr. Tripi:

Thank you for the opportunity to meet you and discuss some concerns. I wanted to follow up and address them in writing.

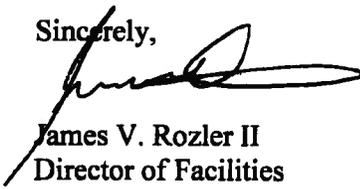
First, the District is unaware of any Bird vs. Bus incidents. As I am sure you can imagine, we do from time to time strike birds but nothing consistent at any location.

Second, we are also unaware of any bird carcasses on our property at 1100 Ransom Rd. due to the above.

Finally, the District is extremely proactive with regards to pest control at all of our facilities. To date we are unaware of any rodent issues.

I, again, thank you and wish you a Happy Holiday season.

Sincerely,

  
James V. Rozler II  
Director of Facilities

No rodent infestation exists at the property listed below that I occupy or own:

Address	Date	Name	Signature
1101 Ransom	12/26/15	MANSARD LLC	Heidi Frazier ATTORNEY FOR OWNER
1071 Ransom Rd	12/26/15	Andrew Bard	[Signature]
1181 Ransom Rd	12/26/15	Mike Ziehm	[Signature]
1141 Ransom Left	12/26/15	Sean Hurley	[Signature]
116 Brandywine Dr.	12/26/15	Dan Tobey	[Signature]
74 Brandywine Dr.	12/26/15	Cody Schutze	[Signature]
11612 Ransom Rd.	12/26/15	ANDREW WELLS CAUGHTON	[Signature]
1065 Ransom	12/26/15	Ken Carter	[Signature]
1059 Ransom	12/26	Jim Beatty	[Signature]

**No rodent infestation exists at the property listed below that I occupy or own:**

Address	Date	Name	Signature
22 Brandywine Rd Pott	Jan 6, 2016	Olive Burch	OLIVE BURCH
112 Brandywine Drive	01-06-2016	Chano Sharp	Chano Sharp
1091 Ransom Rd Gould Island NY 11072	01-06-2016	Astrid M. Lopez	Astrid M. Lopez
45 BRANDYWINE FRANCIS M. GUAGLIANO	12 JAN 16	FRANK GUAGLIANO	FRANCIS M. GUAGLIANO
85 Brandywine	12 Jan 16	Ashley Northrup	Ashley Northrup
90 BRANDYWINE	1/13/15	Carol + Forest	Carol + Forest
10 Brandywine	1/13/15	William M. M... ..	William M. M... ..
40 Brandywine	1/13/15	Hilary W. Hillary	Hilary W. Hillary