



## MOTIONS

**From: Wendel**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to authorize Wendel to provide professional design services for the Witmer Road Subdivision in accordance with their proposal letter dated May 17, 2018, for a total estimated fee of **\$12,500**.

**From: Wendel**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

**WHEREAS**, the Wheatfield Town Code contains and specifies the local laws, and ordinances of the Town of Wheatfield, and it has been determined that the Town Code needs amending due to the need for procedural improvements for modification to parking requirements; and

**WHEREAS**, the Town has prepared draft language to amend the Town Code, Chapter 200, Zoning; and

**WHEREAS**, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Wheatfield Town Board has conducted an environmental review of this revised Code, and

**WHEREAS**, the Town has identified that there are no other Permitting or Approval agencies for this action, and

**WHEREAS**, a public hearing was held regarding these Code amendments on May 21, 2018, and comments were received, and

**WHEREAS**, pursuant to Municipal Home Rule Law, the Town Board is proposing to adopt this Zoning Code amendment by enacting a Local Law.

**NOW, THEREFORE BE IT RESOLVED**, the Wheatfield Town Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the proposed amendment of the Town Code, Chapter 200, Zoning, will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and therefore issues the attached SEQR Negative Declaration in accordance with Section 617.7 of the SEQR regulations, and

**BE IT FURTHER RESOLVED THAT**, the Supervisor is authorized to sign the Environmental Assessment Form (EAF), which will act as the Negative Declaration.

**From: Wendel**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

**WHEREAS**, the Wheatfield Town Code contains and specifies the local laws, and ordinances of the Town of Wheatfield, and it has been determined that the Town Code needs amending due to the need for procedural improvements for modification to parking requirements; and

**WHEREAS**, the Town has prepared draft language to amend the existing section of the Zoning Chapter of the Wheatfield Town Code; and

**WHEREAS**, the Town Board held the required public hearing on May 21, 2018, and received public comment; and

**WHEREAS**, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law, as follows:

Be it enacted by the Town Board of the Town of Wheatfield, New York, that the Wheatfield Town Board amends the Wheatfield Town Code as follows:

Chapter 200 – Zoning,  
Article VIII – Off-Street Parking, Loading and Stacking,  
Section 200-59 – Modification of Requirements

– Amend Section 200-59, paragraph A as follows:

A. Variations. The Planning Board may vary the parking, stacking and loading requirements of this article when it finds that, due to the nature of the particular use, the enumerated requirements will not be adequate or where the strict application of the requirements will result in excess amount of facilities related to the particular use.

**WHEREAS**, the Town Board has issued a Negative Declaration in accordance with SEQR requirements.

**NOW THEREFORE BE IT RESOLVED**, that the Wheatfield Town Board amends the Code of the Town of Wheatfield Chapter 200 entitled “Zoning” to provide for the revision of the Town Code as referenced above.

**From: Water & Sewer Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to authorize the Water & Sewer Department to create an additional MEO position for the Water & Sewer Department.

**From: Water & Sewer Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to appoint Water & Sewer Department employee, Robert Feightner, to the newly-created MEO position within the Water & Sewer Department.

**From: Water & Sewer Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

WHEREAS, due to the cost increases to the Water & Sewer Department for water meters, brass, copper, as well as the costs of increased labor and fuel costs, the Water & Sewer Department seeks to increase certain rates; and

WHEREAS, certain water fees have not been increased since 2014, and certain sewer fees have not been increased since 2007.

NOW, THEREFORE, BE IT:

RESOLVED, that the following Water & Sewer Department fees are increased as follows:

	<u>Meter Fees</u>		<u>New Fees</u>
	<u>Old Fees</u>		<u>New Fees</u>
3/4"	\$200.00		\$230.00
1"	\$320.00		\$350.00
1 1/2"	\$540.00		\$660.00
2"	\$675.00		\$860.00;

and it is further

RESOLVED, that the Town of Wheatfield water application fee is increased from currently \$175.00 to \$200.00, downspout and gutter inspection fees that are now currently \$25.00 to be increased to \$30.00; and it is further

RESOLVED, that Water/Sewer Compliance Inspections currently at \$30.00 be increased to \$50.00; and it is further

RESOLVED, that sewer tap fees are to be increased from the current amount of \$600.00 to \$750.00; and it is further

RESOLVED, that the cost of hydrant markers shall be increased from the current amount of \$25.00 to \$30.00.

**From: Town Attorney**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

WHEREAS, an application has been duly made to the Board of the Town of Wheatfield, County of Niagara, New York, by Time Warner Cable Northeast LLC, I/k/a Charter Communications, a limited liability company organized and existing in good

standing under the laws of the State of Delaware, doing business at 2604 Seneca Avenue, Niagara Falls, New York 14305, for the approval of a renewal agreement for Time Warner Cable's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission; and

WHEREAS, the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Police Act of 1984, as amended, and certain Court rulings; and

WHEREAS, a Public Hearing was held in the Town of Wheatfield, New York, on May 21, 2018 at 7:00 p.m., and notice of the hearing was published in the Niagara Gazette and Niagara Wheatfield Tribune on April 26, 2018.

NOW, THEREFORE, the Board of the Town of Wheatfield finds that:

1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law;
2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

NOW, THEREFORE, BE IT:

RESOLVED, that the Board of the Town of Wheatfield hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the Town of Wheatfield for fifteen (15) years commencing with the date of approval by the Public Service Commission, and expiring fifteen (15) years hence; and be it further

RESOLVED, that the Board of the Town of Wheatfield hereby confirms acceptance of this Franchise Renewal Agreement.

**From: Highway Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to hire David Werley, Jr., as a seasonal employee with a start date of June 18, 2018, at a rate of pay and terms pursuant to Job Specifications of the Highway Department's seasonal help and pending approval of Human Resources and a Niagara County criminal background check.

**From: Town Board**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to authorize the Town of Wheatfield to issue payment in the amount of \$500.00 to Ronald Hyland for damages sustained to his pickup truck on January 8, 2018. By making said payment, the Town does not acknowledge any liability in this matter and the issuance of said \$500.00 deductible payment is conditioned upon receipt by the Town of a General Release signed by Mr. Hyland of any further claims against the Town.

**From: Budget Director**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

BE IT RESOLVED, that this Town Board does hereby approve the following 2018 budget transfer for the General Fund as follows:

<u>Account No.:</u>	<u>Description</u>	<u>From</u>	<u>To</u>
A.3120.0200	Police & Constable Equip	\$3,000	
A.3120.0400	Police & Constable Contr		\$3,000

**From: Budget Director**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to approve an amendment of the 2018 Sewer Fund budget to provide the estimated revenue and budget appropriation for the grant from the Dormitory Authority State of New York (DASNY) to provide funds to pay for a portion of the purchase and installation of generators at the sewer lift stations as follows:

Sewer Fund:

Increase Estimated Revenues:		
Account G.0000.3990 State Aid-	Sewer Capital Project	<u>\$200,000</u>
Increase Appropriations:		
Account G.8120.0202 Lift Stations	Generators	<u>\$200,000</u>

**From: Water & Sewer Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to authorize the Water & Sewer Department to correct a billing error on Account No. 8750-000. This adjustment is to correct an overcharge on said account that was created by a billing error, and as such, the bill needs to be adjusted downward in the amount of \$45,791.42. Accordingly, this Resolution authorizes the Water & Sewer Department to correct said billing error with a reduction to said account in the amount of \$45,791.42.

**From: Recreation Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to hire John Tover, Sydney Crangle, Kelsey Lachowski, LaMarr Rountree and Riley Muldoon, who are all new employees, as Summer Camp staff, at a rate of pay and terms pursuant to Job Specifications of the Recreation Department's seasonal help, and pending approval of Human Resources and Niagara County criminal background check.

**From: Recreation Department and Town Attorney**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to hire Michael Richbart as the Tennis Instructor for the Town's Tennis Camp that will run for the Summer of 2018. Mr. Richbart is a returning employee. Said hiring is subject to the wage and job specifications for said position, and said hiring is contingent upon final review by the Town's Human Resources Department and a Niagara County Sheriff's Department criminal background check.

**From: Recreation Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to approve the purchase of one (1) rock climbing wall and two (2) "C" Spring Riders from Miracle Recreation Equipment Co. on the NASPO Value Point Master Contract #6485 Parks and Recreation Equipment and Related Services, New York State Contract PC67836 for a total of \$5,360.00. These three (3) pieces of equipment to be placed inside the playground area at Mario Park.

**From: Recreation Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**  
to hire Jonah Krull as a Summer help grounds keep. Said hiring is subject to the rate of pay and terms pursuant to Job Specifications of the Recreation Department's seasonal help, and pending approval of Human Resources and Niagara County criminal background check.