

## MARCH 21, 2016

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A Public Hearing and the Regular Town Board meeting of the Town of Wheatfield was held March 21, 2016 at 7:00 pm at Wheatfield Town Hall, 2800 Church Road, North Tonawanda, County of Niagara and State of New York to audit bills and to conduct any other business coming before the Town Board.

PRESENT: Supervisor Robert Cliffe, Councilmen Larry Helwig, Gilbert Doucet, Arthur Gerbec, Randy Retzlaff, Town Attorney Matthew Brooks, and Town Clerk Kathleen Harrington-McDonell.

7:00 - pm The Public Hearing to discuss the New York State Block Grant application and Jacobs Ladder was opened. Robert Palka from Jacobs Ladder gave an overview. Discussion included company history, new facility, and potential jobs, repayment terms and conditions, and the overall process of the program. Public Hearing closed at 7:45 pm.

7:45 pm - Regular meeting called to order.

Supervisor Cliffe acknowledged Herbert Wienke who passed away at the age of 103.

Joshua Walter who is a student at Holy Ghost school presented his science project which studied the use of speeds signs and its impact on traffic. He did this project as a result of the tragic accident on Krueger Road causing a death.

### PUBLIC INPUT

None

Moved by Councilman Retzlaff and seconded by Councilman Doucet to accept the minutes dated March 7, 2016 as presented.

**This motion was CARRIED: AYES 5 – NAYS 0.**

Moved by Councilman Gerbec and seconded by Councilman Helwig to approve the bill payment for voucher # 201603266 20160430 in the amount of \$242,162.08 as follows:

General Fund	\$ 51,654.52
Highway	\$ 66,779.68
Water/Sewer	\$ 9,360.65
Special District/Fire	\$ 868.72
Refuse	\$ 71,369.02

Modified to include voucher #20160431 to CSX in the amount of \$14,960.00 - Capital Fund.  
Revised total bill payment \$257,122.08

**This motion was CARRIED: AYES 5 – NAYS 0.**

Moved by Councilman Helwig and seconded by Councilman Doucet to rebid the canopies at the Community Center with bids due by April 14, 2016 in the Town Clerk's Office. Bids will be opened at the April 18, 2016 Town Board Meeting.

Professional Engineering Proposals for the Niagara Sanitation Landfill Security Fencing were opened:

GHD	\$9,970
Wendel	\$6,800
Clark Patterson Lee	declined to submit

Moved by Councilman Gerbec and seconded by Councilman Retzlaff to modify the motion and authorize the purchase of one (1) 2016 Ford F250 pickup trucks under the Chautauqua County bid for the price of \$25,136.12. The new truck will replace a 1998 van. Said purchase amount would come from the Water and Sewer Department's 2016 budget.

**This motion was CARRIED: AYES 5 – NAYS 0.**

Moved by Supervisor Cliffe and seconded by Councilman Gerbec to declare an irregular shaped parcel on the west side of Inducon Corporate Drive, containing approximately .34 acres as unnecessary to the Town and surplus, and, thereafter, authorizing transfer of said parcel to the

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Niagara County Industrial Development Agency, which owns property immediately adjacent to the Town parcel. It is resolved that said parcel is of no value to the Town and only generates expense

and liability, and should be declared surplus, and the transfer to the Niagara County Industrial Development Agency is hereby authorized. Subject to Attorney and Water Department review to review any easements.

A description of the property to be transferred is as follows:

**PROPOSED LEGAL DESCRIPTION**

Town of Wheatfield to NCIDA

Inducon Park 0.34 Acres±

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Wheatfield, County of Niagara and State of New York, being part of Lot 49, Township 13, Range 8 of the Holland Land Company's Survey and according to a certain map of Inducon

Commerce Park prepared by Wendel Engineers, filed in the Niagara County Clerk's Office in Book 52 of Microfilmed Maps at Pages 5277 and 5278 on September 26, 1991, is known as part of subdivision Lot 5 on the west side of Inducon Corporate Drive, bounded and described as follows:

Commencing at a point in the north line of said Lot 49 distant 2354.87 feet (record), 2357.03 feet (measured) west of the northeast corner of Lot 49, as measured along the north line of Lot 49, said north line of Lot 49 also being the centerline of Lockport Road as a 66 feet wide highway;

thence southerly along the extension of the west line of Inducon Park Associates Inc. as recorded in Liber 2293 of Deeds at Page 53, a distance of 33 feet to a point in the south line of Lockport Road to the Principal Point Of Beginning;

thence continuing southerly along said west line of Inducon Park Associates Inc., a distance of 387.0 feet to a point;

thence easterly and perpendicular to the west line of Inducon Park Associates Inc., a distance of 132.9 feet to a point in the northeasterly line of Inducon Corporate Drive (66 feet wide);

thence northwesterly and along said northeasterly line of Inducon Corporate Drive, a distance of 171.9 feet to a point of curvature;

thence northerly and along the easterly line of Inducon Corporate Drive, along a curve to the right having a radius of 133.0 feet, an arc distance of 81.4 feet to a point of tangency;

thence northerly and along the easterly line of Inducon Corporate Drive, a distance of 169.9 feet to a point in the south line of Lockport Road;

thence westerly along said south line of Lockport Road, a distance of 10.0 feet to the point or place of beginning, containing 0.34 acres±

**This motion was CARRIED: AYES 5 - NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Helwig to accept the lowest quote from Valley Tire Co., Inc. for four (4) tires, 23.5R25 Michelin XHA2, for the Highway Department's John Deere 644 Loader. Said quote includes sandblast/paint wheels, dismount/mount and O-rings. The total cost of said quote is \$9,934.00. Said purchase amount would come from the Highway Department's 2016 budget. This quote was the lowest responsible bid of 5 separate quotes.

**This motion was CARRIED: AYES 5- NAYS 0.**

Moved by Councilman Helwig and seconded by Councilman Gerbec to authorize the Town Supervisor to enter into and execute a Preliminary Engineering Agreement between the Town and CSX Transportation, Inc. regarding CSX's engineering review of the proposed construction of Niagara River Waterfront Multi-Use Trail pedestrian bridge over CSXT lines. Together with entering into said Preliminary Engineering Agreement, this Motion also authorizes the payment of

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the CSXT estimated expenses which, pursuant to agreement, are reimbursable by the Town. Said estimated total reimbursable expenses for the project at this point are \$14,960.00.

If said amount of reimbursable expenses are not fully consumed by CSXT engineering, said additional amounts will be returned to the Town. Conversely, if engineering expenses exceed the anticipated amounts, additional amounts will be charged of the Town. This amount to be added to the bill payment.

**This motion was CARRIED: AYES 5 - NAYS 0.**

Moved by Councilman Gerbec and seconded by Councilman Retzlaff to submit an application to the New York State Office of Community Renewal for Community Development Block Grant funding to support the development of the facility at 6292 Walmore Road, Jacobs Ladder LLC.

**This motion was CARRIED: AYES 5 – NAYS 0.**

Moved by Supervisor Cliffe and seconded by Councilman Doucet to reschedule the April 18<sup>th</sup> Public Hearing to May 2, 2016 at 7:00 pm.

**This motion was CARRIED: AYES 5 – NAYS 0.**

Moved by Councilman Gerbec and seconded by Councilman Retzlaff to award the Niagara Sanitation Landfill Engineering for fencing proposal to Wendel who was the low bidder, subject to review by the Town Attorney.

**This motion was CARRIED: AYES 5 - NAYS 0.**

The next meeting is scheduled for April 4, 2016 at 7:30 pm with a Public Hearing at 7:00 pm to discuss the Agriculture Protection Plan.

Moved by Supervisor Cliffe and seconded by Councilman Helwig to adjourn at 8:40 pm.

**This motion was CARRIED: AYES 5 - NAYS 0.**

**Respectfully submitted,**

**Kathleen Harrington-McDonell  
Town Clerk**