

## February 22, 2016

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The Regular Town Board meeting of the Town of Wheatfield was held February 22, 2016 at 7:30 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:** Councilmen Larry Helwig, Gilbert Doucet, Arthur Gerbec, Randy Retzlaff, Town Attorney Matthew Brooks, and Town Clerk Kathleen Harrington-McDonell.

**EXCUSED:** Supervisor Robert Cliffe,

### **PUBLIC INPUT**

Quasar

Landfill

Senator Ortt announced State funds were secured for fencing at the Nash Road landfill

Library

Ag Focus Group

OCR Grant/Jacobs Ladder

Moved by Councilman Helwig and seconded by Councilman Doucet to schedule a Public Hearing March 21, 2016 at 7:00 pm to discuss potential submission of a Block Grant to support Jacobs Ladder manufacturing facility.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Weaver Subdivision request to hold until landfill remediation is complete

Airbase ó tanker planes returned

Niagara County high speed broadband update

Pilot Agreement for Aero Apartments

Moved by Councilman Retzlaff and seconded by Councilman Gerbec to accept the minutes dated February 8, 2016 as presented.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Gerbec and seconded by Councilman Retzlaff to approve the bill payment for voucher # 201601006 20160195 in the amount of \$124,623.75 as follows:

General Fund	\$30,181.92
Highway	\$ 6,442.96
Water/Sewer	\$13,384.67
Special District/Fire	\$ 2,283.54
Refuse	\$71,115.38

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Gerbec and seconded by Councilman Retzlaff to reimburse John Cleary for damages to his 2012 Hyundai Sonata, and necessary rental expense, in the amount of \$500.00 for his deductible and \$164.47 for his rental expense, for a total of \$664.47, resulting from damages caused by a Wheatfield Town snowplow part that fell off a truck and eventually caused said damages. Said reimbursement payment would be contingent upon Mr. Cleary signing a General Release in favor of the Town for any other causes of action, and return the snow plow part.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Retzlaff to schedule a Public Hearing regarding discussion and review of the Agriculture Protection Plan compiled by the Town. Said Public Hearing is scheduled for April 4, 2016, at 7:00 p.m.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Helwig to agree to assist the Frontier Volunteer Fire Company with a commitment, as requested in said Fire Company's letter to the Town dated February 14, 2016. Said commitment would be subject to entering into an Agreement with the Frontier Volunteer Fire Company for said assistance prior to the 2017 Convention. Accordingly, upon the condition of entering into a Usage Agreement, the Town of Wheatfield would agree to assist 2017 Convention in the form of use of the Town grounds at the Town Hall, buildings and infrastructure. **This motion was CARRIED: AYES 4 – NAYS 0.**

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Moved by Councilman Retzlaff and seconded by Councilman Helwig to authorize the implementation of an on-line system for the processing of water bills and payments, which will allow the on-line bill payment by check or credit card that would automatically post the payment to the accounts of customers when payment is made. This Resolution authorizes the implementation of said system, and authorizes the Supervisor to enter into any Agreements necessary for said implementation subject to Town Attorney review. It was understood that the final cost for said system has not yet been finalized, and would be subject to final review or negotiation. Amended with a rate of 2.75% with a \$3.00 minimum transaction fee for credit card processing.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Gerbec to modify Town Attorney position of independent contractor to one-half time Town employee, effective March 1, 2016, pursuant to written proposal at the same rate of pay, together with agreement for additional litigation matters above and beyond part-time hours, also together with provisions for attorney coverage from Town Attorney's firm of Jones, Hogan & Brooks, LLP at no additional charge. Said position is one-half time, non-competitive.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Gerbec and seconded by Councilman Retzlaff to authorize the Town to issue a request for proposals from Wendel Engineers, GHD, Hatch MacDonald, and Clark Patterson Lee Engineers for professional services with regard to the design of a security fence and associated signage, including the bid specification process, for the property known as the Niagara Sanitation Landfill Site, in the Town of Wheatfield.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Helwig and seconded by Councilman Doucet;

IT IS RESOLVED, to grant the State of New York authority to perform the adjustment (protection and support for relocation of street light) for the Town of Wheatfield during construction, and agreement to maintain facilities adjusted via the State-let Contract regarding the reconstruction and widening of U.S. Route 62, Niagara Falls Boulevard from Sy Road to Bergholz Creek in the Town of Wheatfield, Niagara County, and to further authorize the Supervisor to sign said Agreement. Project Identification Number 5308.30.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Helwig and seconded by Councilman Retzlaff to authorize the Town to enter into a contract and authorize the Supervisor to sign the associated agreements (Proposal and Acceptance) to accept the construction bid dated February 15, 2016 by MK Mikelly Construction for renovations to the Wheatfield Town Court offices. The contract includes prevailing wage for a total amount, including materials and labor, of \$10,975.36. Said construction is to occur during the week of March 27, 2016 to April 3, 2016. Said proposal from MK Mikelly Construction is the lowest responsible bid calculated with the prevailing wage. Payment for said contract is to be from the 2016 Wheatfield Town Court budget line. The Building Inspector to oversee the project.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Gerbec and seconded by Councilman Retzlaff;

IT IS RESOLVED, to grant the State of New York authority to perform the adjustment (protection and support for adjustment of sanitary sewer line and manhole elevation) for the Town of Wheatfield during construction, and agreeing to maintain facilities adjusted via the State-let Contract regarding the reconstruction and widening of U.S. Route 62, Niagara Falls Boulevard from Sy Road to Bergholz Creek in the Town of Wheatfield, Niagara County, and to further authorize the Supervisor to sign said Agreement. Project Identification Number 5308.30.

**This motion was CARRIED: AYES 4 - NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Retzlaff to adopt the Part Time position of Deputy Building Inspector.

**This motion was CARRIED: AYES 4 – NAYS 0.**

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Moved by Councilman Retzlaff and seconded by Councilman Doucet to post and publish this position immediately in accordance with relevant laws.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Retzlaff and seconded by Councilman Helwig to recognize administrative payroll changes regarding employee classification and/or wages.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Helwig to update Adams Fire Co. roster as follows: **ADD** as active members: Zachary Campbell, David Mangus, and Andrew Gullo who were sworn in February 3, 2016.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Retzlaff to update St. Johnsburg Volunteer Fire co. roster as follows: **REMOVE** the following individuals: Nicholas Couch and Jack Misner resigned and William Zwolski, Cody Baio, and Chris Evans expelled.

**This motion was CARRIED: AYES 4 – NAYS 0.**

The next Town Board meeting is scheduled for March 7, 2016 at 7:30 pm at Town Hall.

**PUBLIC INPUT**

Pipeline - land purchased?

Fence at Nash Road landfill

Moved by Councilman Retzlaff and seconded by Councilman Gerbec to adjourn at 8:48 pm.

**This motion was CARRIED: AYES 4 – NAYS 0.**

Respectfully submitted,

Kathleen Harrington-McDonell  
Town Clerk