

January 22, 2018

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The Regular Town Board meeting of the Town of Wheatfield was held January 22, 2018 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: Supervisor Don MacSwan, Councilmen Larry Helwig, Gilbert Doucet, Randy Retzlaff, Curt Doktor, Town Attorney Matthew Brooks, and Town Clerk Kathleen Harrington-McDonell.

**PUBLIC INPUT**

A resident requested all speakers including Department Heads use the microphone  
What is the exact amount of notice of claims filed for the Nash Road Landfill, asked that it be available at the next meeting

Moved by Councilman Retzlaff and seconded by Councilman Helwig to approve the minutes of December 18, 2017 as presented.

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

Moved by Councilman Doktor and seconded by Supervisor MacSwan to accept the Re-organizational minutes of January 3, 2018 as presented.

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

Moved by Councilman Helwig and seconded by Councilman Doucet to approve the Bill Payment Minutes of January 8, 2018 as presented.

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

Moved by Councilman Doucet and seconded by Councilman Retzlaff to approve the bill payment for voucher # 20172517 ó 20172671 in the amount of \$1,629,227.55 as follows:

General Fund	\$ 95,083.15
Highway	\$ 61,552.66
Water/Sewer	\$ 172,875.82
Fire	\$1,223,325.62
Refuse	\$ 71,388.18
Trust & Agency	\$ 2,907.22
Pre-Paid	\$ 2,094.90

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

Moved by Councilman Helwig and seconded by Councilman Retzlaff to authorize Don MacSwan, Wheatfield Town Supervisor to approve and execute the following items necessary for switchover to voice over internet provider phone service provided through Univerge Blue and NEC, to wit:

1. Univerge Blue Quote No. Q28N1QA4J;
2. NEC Cloud SIP Trunking General Terms of Use Agreement; and
3. End User CPE Rental Agreement.

NOW, THEREFORE, be it

RESOLVED, that the Town approves and agrees to the aforementioned documents and approves the switchover to voice over internet phone services provided by Univerge Blue Business Cloud Services by NEC, Newcastle Communications, and authorizes Don MacSwan, Town Supervisor, to execute all necessary Agreements as approved by the Town Attorney, to proceed forward with said phone service.

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

Moved by Councilman Doucet and seconded by Councilman Helwig to approve and authorize the purchase of a 2006 Caterpillar Asphalt Paver in conjunction with the Towns of Wheatfield, Niagara, Porter and Lewiston, to be owned jointly by said municipalities in an effort of shared services. The Town of Wheatfield will be responsible for 25% of said purchase price, to wit: \$27,500.00, to be paid from the Highway Department's 2018 Budget. Additionally, this Motion

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authorizes the Town to enter into a Memorandum of Agreement between the Towns of Wheatfield,

Niagara, Porter and Lewiston, regarding the shared responsibilities for said paver, including maintenance, usage, storage, transportation, etc. Accordingly, this Motion authorizes the Town Supervisor to execute any documents necessary to complete this sale and to sign the Memorandum of Agreement between the respective Towns.

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

Moved by Councilman Retzlaff and seconded by Councilman Doktor to authorize the Wheatfield Lions Club to operate the Fairmount Park Snack Bar for the 2018 season, subject to the Niagara County Health Department rules.

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

Moved by Councilman Helwig and seconded by Supervisor MacSwan to authorize Water and Sewer Department Superintendent, Richard Donner, to carry over 22 hours of vacation time from 2017 to 2018 due to the fact that he was unable to take off and use said vacation time as he did not have a Deputy Superintendent for a portion of 2017, and also due to him having an employee out on Worker's Comp, which resulted in him being unable to take said time off in 2017.

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

Moved by Councilman Retzlaff and seconded by Councilman Doktor to amend the Town's Purchasing Policy to eliminate any minimum number of verbal quotes necessary for Town purchases not exceeding \$1,000.00.

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

Moved by Councilman Doucet and seconded by Councilman Helwig to transfer Laborer DL, Glenn Ammerman, from the Recreation Department to the Highway Department. There will be no title change and the employee will remain a Laborer DL at the same rate of pay. The date of said transfer will be retroactive to January 11, 2018.

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

Moved by Councilman Doktor and seconded by Councilman Retzlaff to appoint Daniel Joseph Guiher as a Town Constable for the year 2018.

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

Moved by Councilman Retzlaff and seconded by Councilman Doktor to re-appoint Bernie Rotella and Rotella Grants Management as the Town's 2018 Grant Writer and Grant Administrator pursuant a Professional Services Contract to be completed and reviewed by the Town Board and Town Attorney.

**This motion was CARRIED: AYES 4 - NAYS 1 Councilman Helwig.**

Moved by Councilman Helwig and seconded by Councilman Doucet to appoint Arthur Kroening as a member to the Zoning Board of Appeals to fill Ken Retzlaff's unexpired term ending December 31, 2018.

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

Moved by Councilman Doucet and seconded by Councilman Retzlaff to approve the Town of Wheatfield's 2018 Holiday schedule as follows:

January 1	New Year's Day
January 15	Martin Luther King Day
February 19	President's Day
March 30	Good Friday
May 28	Memorial Day
July 4	Independence Day
September 3	Labor Day
October 8	Columbus Day
November 12	Veteran's Day
November 22	Thanksgiving Day
November 23	Day with Thanksgiving

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December 24	Christmas Eve
December 25	Christmas Day
TBD	Floating Holiday

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

Moved by Councilman Retzlaff and seconded by Councilman Doktor to appoint Supervisor Don MacSwan as delegate and Councilman Larry Helwig as alternate delegate to the New York State Association of Towns annual business meeting for 2018.

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

Moved by Councilman Doktor and seconded by Councilman Doucet to vacate the motion made on January 3, 2018 appointing Robert Leadersdorf as the Democratic Voting Machine Custodian for 2018, and to appoint in his stead, Gerald McCormick as the Democratic Voting Machine Custodian for 2018.

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

Moved by Councilman Helwig and seconded by Councilman Retzlaff to approve and adopt Version 2.0 of the Information Technology Security Policy for the Town of Wheatfield, which contains minor changes to the Policy previously approved on September 30, 2013.

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

Moved by Councilman Doucet and seconded by Councilman Doktor to appoint Councilman Larry Helwig as the Chief Information Officer (CIO) and Don Wallace as the Information Security Officer (ISO) for the Town of Wheatfield as referenced and as required in the Town of Wheatfield's Information Technology Security Policy.

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

Moved by Councilman Retzlaff and seconded by Councilman Helwig to accept and approve the sale of a 2006 Toro zero-turn mower at a bid price of \$1,375.00 as received on Auctions International. Said bid of \$1,375.00 is accepted and said sale may be completed.

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

Moved by Councilman Doktor and seconded by Councilman Doucet;

WHEREAS, the fines associated with the Town of Wheatfield parking violations is set by Resolution by the Wheatfield Town Board so as to allow periodic changes in the fee schedule; and

WHEREAS, the Town of Wheatfield has not changed its fine schedule associated with parking violations since the 1980's; and

WHEREAS, the Town of Wheatfield fee schedule is significantly lower than that of neighboring jurisdictions.

NOW, THEREFORE, BE IT:

RESOLVED, that the Town of Wheatfield fee schedule associated with Town Parking violations is amended and updated as follows:

No Parking	\$25.00
Overtime parking ó 2 a.m. to 6 a.m.	\$30.00
Blocking driveway or sidewalk	\$25.00
Less than 25 feet from crosswalk or traffic control device	\$25.00
Fire Hydrant ó less than 15 feet	\$50.00
Parking in fire lane	\$50.00
No Standing	\$25.00
Expired registration or inspection	\$30.00
(all of the above fines, if not paid within 72 hours -	\$85.00)
Handicap zone	\$100.00
(if not paid within 72 hours -	\$150.00).

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The Wheatfield Town Court will report all unpaid violations to the New York State DMV after 30 days from the date of violation; and be it additionally

RESOLVED, that the Town Constable Department is authorized to take all steps necessary to enforce and promulgate this new fine structure, including preparing updated Town parking violation tickets and fee schedules.

This Resolution and updated fee schedule is effective immediately.  
**This motion was CARRIED: AYES 5 – NAYS 0.**

Moved by Councilman Helwig and seconded by Councilman Retzlaff to advertise for applications, review applications received, and interview interested individuals to fill the position of Wheatfield Town Justice, which was left vacant by the death of Judge Mattio in December, 2017. (applications to close 30 days after advertised)

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

Moved by Councilman Doucet and seconded by Councilman Retzlaff to update Adams Fire Company roster as follows: ADD Aaron Binner and Adam Binner as members.

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

The next Regular Town Board Meeting is scheduled for February 5, 2018 at 7:30 pm

Moved by Councilman Retzlaff and seconded by Councilman Helwig to change the time of Regular Town Board Meetings from 7:30 pm to 7:00 pm.

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

**PUBLIC INPUT**

how is grant writer compensated ó fixed retainer  
update on Ag. & Markets and Quasar  
comment on non-resident fees for programs  
noted an error on information on the town website  
Ward Road drainage

Moved by Councilman Retzlaff and seconded by Councilman Helwig to adjourn at 8:21 pm.

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

Respectfully submitted,

Kathleen Harrington-McDonell  
Town Clerk