

February 27, 2017

A Public Hearing and the Regular Town Board meeting of the Town of Wheatfield was held February 27, 2017 at 7:15 and 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 Robert Cliffe, Councilmen Larry Helwig, Gilbert Doucet, Arthur Gerbec, Randy Retzlaff, Town Attorney Matthew Brooks, and Town Clerk Kathleen Harrington-McDonell.

The Public Hearing was opened at 7:15 pm to discuss a Local Law granting partial tax exemption for people with limited income who are 65+ years of age. Supervisor Cliffe and Town Attorney Matthew Brooks gave an overview and indicated it has been eleven years since the last adjustment was made. No action was taken at this time and the Public Hearing closed at 7:19 pm.

PUBLIC INPUT

Comments regarding Quasar; Notice of Appeal

Niagara Landfill ó how many notice of claims have been filed with the town? Approximately 55 notice of claims have been received.

Moved by Councilman Helwig and seconded by Councilman Doucet to accept the minutes dated February 6, 2017 as presented.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Gerbec to approve the bill payment for voucher # 20170101 ó 20170233 in the amount of \$253,180.09 as follows:

General Fund	\$ 38,586.19
Highway	\$ 15,728.96
Water/Sewer	\$ 24,884.85
Fire	\$ 2,123.51
Capital/Lemke-Errick Cul	\$ 2,861.90
Capital/Jagow Pump	\$ 1,050.00
Capital/Clescent Pump	\$ 20,682.00
Refuse	\$ 71,308.80

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doucet to authorize the Highway Superintendent to accept bids for the auction items listed below:

Ford Backhoe	\$10,800
1995 Ford Plow Truck	\$13,800
2002 New Holland Tractor	\$13,100 (trade in value \$8,000)
1999 Ford Pick-up	\$2,950
1978 Ford Dump with 2002 Leaf Vacuum	\$3,350
1996 Stow Vibratory Tamper	\$480
US Hydraulic Mower	\$470

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Retzlaff as follows;

WHEREAS, the Wheatfield Town Board desires to complete a comprehensive town-wide inventory and assessment of trees located within the Wheatfield right-of-way along streets, municipal properties and parks at an estimated total project cost of approximately \$29,130;

February 27, 2017

WHEREAS, the Wheatfield Town Board has endorsed an application requesting \$29,130 for financial assistance through the Urban and Community Forestry Program (UCF) administered by the New York State Department of Environmental Conservation in the form of grant funding;

THEREFORE BE IT RESOLVED, that Mr. Robert B. Cliffe, as Supervisor of the Town of Wheatfield, is hereby authorized and directed to file an application to the New York State Department of Environmental Conservation's Urban and Community Forestry Program for funds in an amount not to exceed \$50,000, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Town of Wheatfield, New York for a comprehensive town-wide tree inventory and assessment.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet as follows;
WHEREAS, the Wheatfield Planning Board has received a complete application for the Custom Covers and Canvass Building Addition project at 2946 Niagara Falls Boulevard (SBL:162.16-1-21);

NOW, THEREFORE, BE IT RESOLVED, Pursuant to Part 617 6NYCRR, Article 8 of the Environmental Conservation Law (SEQRA), it is the intent of the Town of Wheatfield Town Board to declare itself SEQR Lead Agency and conduct a coordinated review of this project, and

RESOLVED, The Wheatfield Town Board requests that Wendel provide assistance in completing this coordinated review process.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Helwig to schedule a Public Hearing for the rezoning of 2946 Niagara Falls Boulevard (SBL:162.16-1-21) from part C-1 and Part R-1 to all C-1 on March 20 2017, at 7:15 pm.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Gerbec and seconded by Councilman Helwig as follows;

WHEREAS, Summit Outlet L.P., d/b/a Big Thunder Brewing Co. (the "Company") plans to create a brewery and restaurant in the Town of Wheatfield (the "Project"); and

WHEREAS, the Company has requested that the Town apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the cost of equipment to support the Project; and

WHEREAS, the Wheatfield Local Development Corporation (the "WLDC") is assisting in the facilitation of the Project and has requested that the Town provide the OCR funding to the WLDC as a grant for the purpose of making a deferred loan and a term loan to the Company; and

WHEREAS, the Project will result in substantial benefit to the Town of Wheatfield in the form of an estimated 54 new employment positions; and

WHEREAS, the Town has held a Public Hearing to obtain citizens' views regarding the CDBG Program as administered by OCR and the Project;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor is hereby authorized to submit a grant application on behalf of the Town of Wheatfield in the approximate value of \$750,000.00 to the OCR to support the Project; and **BE IT FURTHER**

RESOLVED, that the Town Supervisor is hereby authorized to execute a grant agreement

February 27, 2017

between the Town and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the WLDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the Town Attorney; and BE IT FURTHER

RESOLVED, that the Town Supervisor is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Gerbec and seconded by Supervisor Cliffe to authorize expenditure of \$7,500.00 representing the Town of Wheatfield's share to commence a study by GAR Associates to prepare a report on purchase and development rights surrounding the Niagara Air Base in order to protect the liability of the Niagara Air Base.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Supervisor Cliffe and seconded by Councilman Helwig to authorize the expenditure by the Highway Department of the replacement of the old heater units in the older part of the Highway Department building with new radiant tube heaters pursuant to the quote from Greater Niagara Mechanical in the amount of \$17,780.00, which represents the lowest responsible quote solicited and received for this work. Said expenditure will be paid from the Highway Department's 2017 Budget.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Supervisor Cliffe and seconded by Councilman Helwig to authorize the Town to reimburse John Peffer of 2533 River Road for improvements made to the sewer grinder pit to remove the in-flow of storm water. The Town has previously done said work for other properties along River Road at a higher expense, and the invoice for this work in the amount of \$3,100.00 is a very reasonable amount, and was work the Town would otherwise had to have contracted for at a higher price. Accordingly, the Town authorizes the reimbursement to Mr. Peffer at 2533 River Road in the amount of \$3,100.00 from the Sewer and Water Department's 2017 Budget.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Gerbec and seconded by Supervisor Cliffe to approve Local Law #2 for the year 2017 amending prior Town Code Section 173-5 as to increase the income levels for the real property tax exemption for persons 65 years of age or older, from a base of \$21,000.00 to \$28,499.99; a summary of which follows:

Pursuant to sec. 467 of the Real Property Tax Law of the State of New York, real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife, or by siblings, one of whom is 65 years of age or over, shall be exempt from taxation to the extent as provided in the following schedule:

The exemption is:	If the income is:
50%	Less than \$21,000.00
45%	\$21,000.00 to \$21,999.99
40%	\$22,000.00 to \$22,999.99
35%	\$23,000.00 to \$23,999.99
30%	\$24,000.00 to \$24,899.99
25%	\$24,900.00 to \$25,799.99
20%	\$25,800.00 to \$26,699.99
15%	\$26,700.00 to \$27,599.99
10%	\$27,600.00 to \$28,499.99

This motion was CARRIED: AYES 5 – NAYS 0.

February 27, 2017

Moved by Councilman Helwig and seconded by Councilman Doucet to approve/extend the Pitney Bowes postage meter contract at a cost of \$55.88 per month and a five year contract.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Gerbec to update the First Volunteer Fire Co. of Bergholz, Inc. Fire roster as follows: ADD Michael Mt. Pleasant to membership.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Supervisor Cliffe and seconded by Councilman Gerbec to send a letter to St. Peter's school requesting lot be plowed at 6:00 am (not 4:00 am) in an effort to be good neighbors.

This motion was CARRIED: AYES 5 –NAYS 0.

The next scheduled Town Board meeting is March 6, 2017 at 7:30 pm at Town Hall.

PUBLIC INPUT

Comment on the River Trail to confirm that we have not incurred expense other than engineering

Discussion process of OCR Grants

Moved by Councilman Gerbec and seconded by Councilman Helwig to adjourn at 8:36 pm.

This motion was CARRIED: AYES 5 - NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk