

August 6, 2018

2017 Audit Results were presented by Drescher & Malecki at 6:45 pm and the Regular Town Board meeting of the Town of Wheatfield was held August 6, 2018 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 Don MacSwan, Councilmen Larry Helwig, Gilbert Doucet, Randy Retzlaff, Curt Doktor, Town Attorney Matthew Brooks, and Town Clerk Kathleen Harrington-McDonell.

PUBLIC INPUT

Update on Quasar appeal/lawsuit
Comments regarding bike path
Legislator Godfrey update on Airbase and fiber optics

Moved by Councilman Helwig and seconded by Councilman Doucet to approve the minutes of July 2, 2018 as presented.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Helwig to approve the August 6, 2018 bill payment for voucher #20181454 – 20181542 in the amount of \$152,846.28 as follows:

General Fund	\$ 37,419.12
Highway	\$ 75,266.89
Water/Sewer	\$ 6,505.42
Trust & Agency	\$ 19,638.00
Refuse	\$ 108.88
Pre-paid	\$ 13,907.97

Moved by Councilman Doucet and seconded by Councilman Doktor to approve the July 23, 2018 bill payment for voucher # 20181314 – 20181448 in the amount of \$660,298.84 as follows:

General Fund	\$ 98,582.27
Highway	\$ 202,219.14
Water/Sewer	\$ 233,791.82
Trust & Agency	\$ 32,340.56
Fire	\$ 1,358.56
Refuse	\$ 71,970.15
Pre-Paid	\$ 17,598.10

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Supervisor MacSwan;

WHEREAS, Louis Anastasi has been a part-time employee with the Town of Wheatfield since April of 2017 in the Building Inspection Department, and

WHEREAS, Louis Anastasi has been made a full-time employee effective July 2, 2018; and

WHEREAS, throughout his over a year employment with the Town of Wheatfield, Louis Anastasi has been an effective employee in the Building Inspection Department and successfully has completed more than 180 days service with the Town.

NOW, THEREFORE, BE IT

RESOLVED, that the probationary period of 180 days, which would normally take effect on July 2, 2018 for Louis Anastasi is hereby waived due to his past service for the Town and exceptional past performance.

This motion was CARRIED: AYES 5 – NAYS 0.

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Moved by Supervisor MacSwan and seconded by Councilman Doucet to authorize the declaration of surplus property for the following items:

- (1) a 1970 Galion Grader Model T500;
- (2) a 1987 GMC 1 ton truck; and
- (3) a 1995 Ford 1 ton truck with lift gate,

and to authorize the Highway Department to place said items on Auctions International for sale, as they are surplus. Thereafter, upon receipt of bids for said surplus items, the Highway Department will be required to request authorization from the Town Board to accept said bids, if appropriate.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Supervisor MacSwan to authorize current employee, Ed McIvor, to become compensated for his leadership role in the Recreation Department, and placed in Part-Time Grade 3, with a starting rate of pay of \$12.59 per hour. This pay classification change is due to the fact that Ed McIvor has been increased duties to lead teams of employees, which is a leadership role in the Recreation Department.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Doktor to authorize and direct the Town of Wheatfield Planning Board to schedule and conduct additional meetings as necessary during the Summer months in order to accommodate the volume of Planning Board applications, which cyclically arise in the Summer, while also not exceeding the Planning Board's Administrative Rule of a maximum of four (4) applications per meeting.

This Resolution authorizes and directs the Chairman of the Town of Wheatfield Planning Board to schedule as many needed additional meetings per month in order to accommodate the volume of applicants and prevents an applicant from having to wait an excessive period of time in excess of one (1) month in order for their matters to be heard and reviewed by the Planning Board.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig;

WHEREAS, the Town Comprehensive Planning Implementation Task Forces have indicated the need for services of a secretary, who is not a group member, to take minutes at the Town Comprehensive Planning Implementation Task Force meetings, and to do other administrative work for the Town Comprehensive Planning Implementation Task Forces; and

WHEREAS, currently a Town Comprehensive Planning Implementation Task Force member is the group's secretary. This detracts from the member's participation at meetings, as a secretary is busy taking minutes and doing administrative work, while said individual's attention should rather be on the meeting's business; and

WHEREAS, the Town seeks to remove that duty from the Town Comprehensive Planning Implementation Task Force member, and assign that duty to Town Employee, Mary Beth Long, to be paid for said extra duties at her current hourly wage, with any necessary overtime expense.

NOW, THEREFORE, BE IT

RESOLVED, that Town Employee, Mary Beth Long, be assigned the duty of Town Comprehensive Planning Implementation Task Force secretary, a non-Town Comprehensive Planning Implementation Task Force member position, to be paid for said extra duties at her current hourly wage, with any necessary overtime expense, and any Town Comprehensive Planning Implementation Task Force members previously serving as secretary shall be relieved of said duties.

This motion was CARRIED: AYES 5 - NAYS 0.

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Moved by Supervisor MacSwan and seconded by Councilman Doucet to authorize the posting for the hiring of a laborer position in the Water and Sewer Department in lieu of a vacant truck driver position currently existing.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor;

WHEREAS, the Niagara River Greenway Trail has been a project that has been discussed within the Town of Wheatfield for several years; and

WHEREAS, a final plan in this matter has not come to complete fruition due to numerous issues, including cooperation with other local municipalities, funding and design; and

WHEREAS, the Niagara River Greenway Trail is a project of regional significance connecting existing trails within the City of Niagara Falls and the City of North Tonawanda, and thereafter, throughout the waterfront communities of all Western New York, and the State of New York; and

WHEREAS, the City of North Tonawanda, City of Niagara Falls and the Town of Wheatfield have come to a mutually beneficial understanding and prepared an Inter-Municipal Agreement regarding working together towards the final funding, design and construction of the remaining necessary section of said Greenway Trail through the Town of Wheatfield.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Wheatfield approves the Inter-Municipal Agreement with the City of North Tonawanda and the City of Niagara Falls regarding applying for funding and the design and construction of the connecting Greenway Trail between said cities and through the Town of Wheatfield.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Supervisor MacSwan;

WHEREAS, GHD Engineers, on behalf of the Town of Wheatfield, has inspected the public improvements constructed under a PIP for the Eagle Chase Subdivision Phase 2, and deemed the pavement and curbs, storm drainage, sanitary sewer, and waterline facilities have been completed with reasonable conformance with the Town of Wheatfield Standards Specifications and approved construction plans; and

WHEREAS, per GHD's letter recommending acceptance of the public improvements, all requirements of the SPDES General Permit for Stormwater Discharges for Construction Activity must be complied with during the construction of the individual home sites; and

WHEREAS, the performance guarantee in the form of a Maintenance Bond is accepted by the Town Attorney and will remain in effect until August 6, 2020.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wheatfield accepts the completed PIP improvements, including pavement and curbs, storm sewer, sanitary sewer, water lines, public utility easements, drainage easements, roadway dedication and Maintenance Bond for Eagle Chase Subdivision Phase 2, with the following conditions:

1. All outstanding right-of-way dedication paperwork must be reviewed and found acceptable by the Town Engineer and Town Attorney. The developer and their attorney will be responsible for filing the right-of-way

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dedication and must provide the Town Attorney with a filed copy of the documents prior to issuance of any building permits on Phase 2 lots;

2. Two (2) copies of the required Maintenance Bond are to be submitted to the Town Attorney for final review and acceptance; and

3. All requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity must be complied with during construction of the individual home sites.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Supervisor MacSwan;

WHEREAS, the Town Board wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to support the construction of a new facility for Pellicano’s Marketplace at 3328-3338 Niagara Falls Boulevard in the Town; and

WHEREAS, the Town is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby calls for a Public Hearing whereat all interested parties shall be heard regarding the CDBG program, the Town’s community development and economic development programs, and the proposed funding application. Such Public Hearing to be held at the Wheatfield Town Hall, 2800 Church Road, Wheatfield, New York 14120, at 6:30 on the 20th day of August, 2018.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Helwig to update the Adams Fire Co. roster as follows: ADD Joel Kohnke as a new member as of August 1, 2018.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Doktor to update the First Volunteer Fire Co. of Bergholz roster as follows: ADD Thomas Perry, Steve Harris, and Rachel Hamilton as Firefighters.

This motion was CARRIED: AYES 5 – NAYS 0.

There is a Public Hearing regarding a Community Development Block Grant application for Pellicano’s Marketplace scheduled for 6:30 pm August 20, 2018. The next Town Board meeting is scheduled for 7:00 pm September 10, 2018 at Town Hall, 2800 Church Road, N. Tonawanda, NY.

PUBLIC INPUT

Comment regarding bike path
Witmer Rd. drainage question

Moved by Supervisor MacSwan and seconded by Councilman Helwig to adjourn at 8:08 pm.

This motion was CARRIED AYES 5- NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk

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