

February 10, 2020

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The Regular Town Board meeting of the Town of Wheatfield was held February 10, 2020 at 7:00 p.m. 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, Councilman Larry Helwig, Gilbert Doucet, Randy Retzlaff, Curt Doktor, Town Attorney Matthew Brooks, Town Clerk Kathleen Harrington-McDonell,

**PUBLIC INPUT** – Niagara County Farm Bureau supports Wheatfield Gardens and provided information relative to the operations and growing

Moved by Councilman Helwig and seconded by Councilman Retzlaff to accept the minutes of January 27, 2020 as presented.

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

Moved by Councilman Doucet and seconded by Councilman Doktor to approve the February 10, 2020 bill payment for voucher #20200002– 20200139 in the amount of \$1,442,758.61 - **Hold voucher #20200078 for additional information**

General Fund	\$ 54,323.24
Highway	\$ 33,220.39
Water/Sewer	\$ 23,807.88
Trust & Agency	\$ 10,911.86
Fire	\$1,282,150.00
Pre-paid	\$ 38,345.24

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

**Moved by** Councilman Doktor and seconded by Supervisor MacSwan to approve the Memorandum of Understanding with Whistling Straights LLC concerning the establishment of an escrow fund of cash or an irrevocable letter of credit towards future mitigation of potential traffic issues with the Whistling Straits Subdivision.

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

Moved by Councilman Doktor and seconded by Supervisor MacSwan to approve the updated construction plans for the Whistling Straits Subdivision. This approval is made with the following conditions noted in Wendel's approval recommendation letter dated February 6, 2020:

1. In order to avoid any confusion with previously approved drawings, the final updated set of plans must have some kind of identifier on each sheet clearly showing that it is a revised set, perhaps the text "UPDATED 10/11/19".
2. Prior to submitting PIP Applications, six (6) sets of drawings must be provided; 2-sets to Wendel, 1-set to the Stormwater Management Officer, 1-set to the Building Department, 1-set to the Town Highway Superintendent, and 1-set to the Town Water/Sewer Superintendent. Digital copies of the plans, in AutoCAD and PDF format, must also be provided to Wendel.
3. Prior to submitting PIP Applications, two (2) copies of the updated Stormwater Pollution Prevention Plan (SWPPP) must be provided; 1-copy to Wendel and 1-copy to the Stormwater Management Officer.
4. All applicable requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) must be complied with. Disturbance must be limited to less than 5-acres unless authorization is requested and received from the Town Stormwater Management Officer. Additional Stormwater Permit requirements will apply to this scenario.
5. A Conditional Letter of Map Revision based on Fill (CLOMR-F) was received from FEMA for removing from the floodplain a small portion of this property that is currently in the floodplain. Prior to final acceptance of PIP's, a final Letter of Map Revision based on Fill (LOMR-F) must be received from FEMA. This

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property must be filled properly, including compaction, as required by FEMA's Technical Bulletin 10-01. The developer/contractor must coordinate this filling

operation with the Town of Wheatfield Building Inspector, who will be required to sign a Community Acknowledgement Form after the property has been filled and the fill has been certified.

6. A Highway Work Permit must be secured from NYSDOT prior to any utility work within the State right-of-way (Ward Road - waterline bores, storm sewer, street lights, street signs, etc.).
7. All work in the Town right-of-way (Hoover Road) must be coordinated with the Town Highway Superintendent.
8. Locations of all signs (street signs and traffic control signs) must be finalized and all sign installation fees must be paid prior to sign installation by the Town/final acceptance.
9. Proposed street lighting must be coordinated with the Town and installed under the Town PIP process. The cost of all lights, poles and their installation must be paid for by the developer and a lighting district must be formed for the subdivision to cover operation and maintenance costs.

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

Moved by Councilman Helwig and seconded by Councilman Retzlaff to accept, with regret, the resignation of James R. Donner from the Highway Department effective February 22, 2020, and to express the Town of Wheatfield's appreciation to Mr. Donner for his dedicated service to the Town of Wheatfield.

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

Moved by Councilman Doktor and seconded by Councilman Helwig;

**WHEREAS**, the Town of Wheatfield secured a Community Development Block Grant to support the *Steaks of Buffalo, Inc.* project located at 3338 Niagara Falls Boulevard in the Town of Wheatfield; and

**WHEREAS**, the Town of Wheatfield is holding a hearing regarding this grant for the purpose of obtaining citizen views concerning any aspect of the project's implementation and any project outcomes;

**NOW, THEREFORE, BE IT RESOLVED**, that a Public Hearing be held regarding the *Steaks of Buffalo, Inc.* project at the Wheatfield Town Hall, 2800 Church Road, Town of Wheatfield, North Tonawanda, New York 14120, on March 9, 2020 at 7:00 p.m., or as soon as possible thereafter; and **BE IT FURTHER:**

**RESOLVED**, that the Clerk duly publish a notice of said Public Hearing in the official newspaper of the Town of Wheatfield at least eight (8) days prior to the scheduled hearing date.

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

Moved by Councilman Helwig and seconded by Supervisor MacSwan to authorize and approve changes to various sections of the Town of Wheatfield Personnel Manual as described on the attached modification sheet. Said modifications are effective as of the date of approval of this Motion.

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

Moved by Councilman Retzlaff and seconded by Councilman Doucet;

**WHEREAS**, the Niagara County Office for the Aging has used the Town of Wheatfield Community Center for many years as a site for its Office for the Aging Nutrition Program; and

**WHEREAS**, the Niagara County Office for the Aging has provided a proposed Agreement for the Town of Wheatfield Community Center site use for the program with a listing of the mutual obligations for each party in maintaining the program at the Town

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of Wheatfield facility; and

WHEREAS, the Town of Wheatfield is interested in having the Niagara County Office for the Aging maintain said program at the Community Center; and

WHEREAS, the proposed Agreement has been reviewed by the Town of Wheatfield Recreation Department and Town Attorney.

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Board of the Town of Wheatfield hereby authorizes Mike Ranalli, Director of the Town of Wheatfield Recreation Department to execute said Agreement on behalf of the Town of Wheatfield in order to allow this Nutrition Program to continue to be held at the Town of Wheatfield Community Center for the period of January 1, 2020 through December 31, 2022.

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

Moved by Councilman Retzlaff and seconded by Councilman Doktor to approve an Amendment to the 2020 Highway Fund budget to provide for the increase in the estimated revenue and budget appropriation for the proceeds from the sale of two old plow trucks to be used to purchase a salter as follows:

Highway Fund

Increase Estimated Revenues:

Account DA.0000.2665 Sale of Equipment	<u>\$ 20,000.00</u>
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Increase Appropriations:

Account DA.5130.0200 Machinery Equip	<u>\$ 20,000.00</u>
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**This motion was CARRIED: AYES 5 – NAYS 0.**

Moved by Councilman Doucet and seconded by Councilman Doktor;

Be It Resolved, that the Town Board does hereby approve and authorize the Town Highway Department to contract for the repair the Town of Wheatfield's current 1984 Sewer Jet pump on its Aquatech SJ-600E and to enter into contract with Lacey Heavy Equipment and Truck Center for an amount not to exceed \$9,525.00, for labor and materials, to provide and install a new pump and all necessary hoses and fittings. Said purchase authorization waives the Town's standard procurement policy as an Emergency purchase, as the current pump has failed and cannot be repaired due to its obsolescence, and is immediately needed by the Town.

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

Moved by Councilman Doucet and seconded by Supervisor MacSwan to update the Adams Fire roster as follows: REMOVE: Adam Fruck and Steve Gullo.

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

**PUBLIC INPUT** – comments/update on bike path

The next Town Board meeting is scheduled for February 24, 2020 at 7:00 pm

Respectfully submitted,

Kathleen Harrington-McDonell  
Town Clerk

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