

April 5, 2021

A presentation from the Wheatfield Enhancement Group and the Regular Town Board meeting of the Town of Wheatfield was held April 5, 2021 at 6:45 and 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, Curt Doktor, and Town Clerk Kathleen Harrington-McDonell

EXCUSED: Councilman Randy Retzlaff and Town Attorney Matthew Brooks

A presentation from the Wheatfield Enhancement Group opened at 6:45 pm. Councilman Doktor presented a proposal for Niagara Falls Boulevard Branding and Beautification. Requested approval for Town of Wheatfield signage project at the corner of Niagara Falls Blvd. and Nash Road. Project cost not to exceed \$16,000. There was some discussion and the presentation closed at 6:55 pm.

The Regular Town Board Meeting opened at 7:00 pm.

PUBLIC INPUT

Moved by Supervisor MacSwan and seconded by Councilman Helwig to authorize the Wheatfield Enhancement Volunteers (WEV) to proceed with the proposed Town of Wheatfield Signage project at 3258 Niagara Falls Blvd. for the purpose of community enrichment pending Dept. of Transportation Permit approval. Project to be paid from the existing 2021 WEV budget for an amount not to exceed \$16,000*

(* includes 15% over anticipated project costs).

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doucet to accept the minutes of March 15, 2021 as presented.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Doktor to approve the April 5, 2021 bill payment for voucher #20210348 – 20210462 in the amount of \$202,174.21.

General Fund	\$105,411.34
Highway	\$ 23,077.41
Water/Sewer	\$ 56,628.69
Fire	\$ 1,221.00
Refuse	\$ 420.98
Lighting	\$ 113.65
Pre-paid	\$ 15,301.14

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig;

WHEREAS, the Wheatfield Town Code contains and specifies the local laws, and ordinances of the Town of Wheatfield; and

Flood Law SEQR

WHEREAS, the Town has drafted a Flood Damage Prevention Law and that draft law was presented to the Town Board, and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, the Wheatfield Town Board has conducted a coordinated environmental review of these Code revisions and has established itself as SEQR Lead Agency and has received no objections to acting as Lead Agency; and

WHEREAS, a public hearing was held regarding these Code amendments on March 15, 2021; and

WHEREAS, pursuant to Municipal Home Rule, the Town Board is proposing to adopt these revisions by enacting text amendments to the Code of the Town of Wheatfield.

April 5, 2021

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The Wheatfield Town Board, in accordance with the State Environmental Quality

Review Act (SEQRA) has determined that the proposed amendments to the Town Code (see attached copy) of the Town of Wheatfield will not adversely affect the natural resources of the State and/or the health, safety, and welfare of the public and is consistent with social and economic considerations and, therefore, issues the attached SEQRA Negative Declaration in accordance with Section 617.7 of the SEQRA regulations; and **BE IT FURTHER RESOLVED THAT**, the Supervisor is authorized to sign the Full Environmental Assessment Form (FEAF Parts 1, 2 & 3), which will act as the Negative Declaration, and that the required notifications be completed.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Doktor;

WHEREAS, the Wheatfield Town Code contains and specifies the local laws, and ordinances of the Town of Wheatfield; and

WHEREAS, the Town of Wheatfield, working with the NYSDEC has drafted a Flood Damage Prevention Law and that draft law was presented to the Town Board; and

WHEREAS, a public hearing was held regarding this new law on March 15, 2021, and no adverse comments were received; and

WHEREAS, these Code amendments were referred to Niagara County in accordance with New York State GML 239; and

WHEREAS, the Wheatfield Town Board, acting as SEQR Lead Agency has issued a SEQR Negative Declaration; and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law as follows:

Be it enacted by the Town Board of the Town of Wheatfield, New York, that the Wheatfield Town Board amends Chapter 101 of the Wheatfield Town Code as illustrated in the attached copy.

NOW THEREFORE BE IT RESOLVED, that the Wheatfield Town Board adopts Local Law # 2-2021 of the Code of the Town of Wheatfield, Chapter 101, to provide for the revision of the Town Code as referenced above.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor to authorize Wendel to provide Planning assistance with the Town’s Solar Law Update in accordance with their proposal letter dated April 1, 2021, for a time and expense estimated fee range of \$5,500 to \$7,500.

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doucet and seconded by Supervisor MacSwan to approve and authorize the Town Supervisor, Highway Superintendent and Councilmen to sign the 2021 Highway Law §284 Agreement for the expenditure of highway monies within the Town of Wheatfield as presented at the April 5, 2021., Town Board Meeting. Said agreement is subject to alteration and can be increased or decreased.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig; Resolution to authorize Town of Wheatfield Supervisor Don MacSwan to execute a Letter of Intent to Option real property for lease for Town owned property commonly

Adopt
Flood Law

Wendel assist
Town Solar Law

Hwy 284
agreement

Lease Witmer Rd.
dump for solar
farm

April 5, 2021

known as the Witmer Road dump for the development of a community solar farm with Atlas Renewables subject to Town Attorney approval.

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Doucet;

Resolution to adopt an Order reciting that the Town of Wheatfield was presented with a Petition to create a lighting district for the Brookfield subdivision containing the boundaries of the proposed district, the lighting improvements proposed and the estimated cost of the proposed district to the typical property contained therein.

Public Hearing to establish Brookfield lighting district

And further resolving the Town of Wheatfield to schedule a Public Hearing on the proposed lighting district for May 3, 2021 at 7:00pm at the Wheatfield Town Hall, 2800 Church Road, North Tonawanda, New York, and authorizing the Town Clerk to properly publish and post Notice of said Public hearing between 10 – 20 days before May 3, 2021.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Doktor and seconded by Supervisor MacSwan to approve purchase of a shooting simulator by the Constable Department at a cost up to \$2,000.

This motion was CARRIED: AYES 4 – NAYS 0.

Constables shooting simulator

Moved by Councilman Doucet and seconded by Councilman Helwig to update the St. Johnsburg Vol Fire Co. roster as follows: REMOVE Michael Doktor

This motion was CARRIED: AYES 4 - NAYS 0.

The next meeting is scheduled for April 19, 2021 at 7:00 pm at Wheatfield Town Hall

Moved by Supervisor MacSwan and seconded by Councilman Helwig to adjourn at 7:41 pm.

This motion was CARRIED: AYES 4 - NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk