

April 15, 2019

The Regular Town Board meeting of the Town of Wheatfield was held April 15, 2019 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

Niagara Community Action Organization gave a Fair Housing presentation at 7:00 p.m.

The Regular Town Board Meeting opened at 7:08 p.m.

PUBLIC INPUT

Question if a Brewing Company was opening in Bergholz – nothing formal has been submitted

Moved by Councilman Retzlaff and seconded by Councilman Helwig to approve the minutes of April 1, 2019, 2019 as presented.

This motion was CARRIED: AYES 4 – NAYS 0 - ABSTAIN 1 Councilman Doucet

Moved by Councilman Doucet and seconded by Councilman Helwig to approve the April 15, 2019 bill payment for voucher #20190467 – 20190574 in the amount of \$682,499.05 as follows:

General Fund	\$145,465.07
Highway	\$ 25,917.05
Water/Sewer	\$191,469.64
Fire	\$ 171.00
Trust & Agency	\$ 7,705.36
Refuse	\$287,055.76
Lighting	\$ 178.97
Pre-paid	\$ 153.85

Hold voucher #20190519 for additional information

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Helwig and seconded by Supervisor MacSwan;

BE IT RESOLVED:

That this Town Board does hereby approve the following 2018 year-end budget transfers in order to balance out appropriation expense accounts at year-end.

<u>Account No.</u>	<u>Description</u>	<u>From</u>	<u>To</u>
A.1110.0200	Justices Equip	\$ 340	
A.1110.0400	Justices Contr		\$ 340
A.1220.0400	Supervisor Contr	930	
A.1220.0100	Supervisor Pers		930
A.1345.0400	Purchasing Contr	130	
A.1345.0100	Purchasing Pers		130
A.1420.0400	Attorney Contr	380	
A.1420.0100	Attorney Pers		380
A.1430.0100	Human Resources Pers	11,800	
A.1440.0400	Engineer Contr		11,800
A.1620.0200	Buildings Equip	1,420	
A.1620.0400	Buildings Contr		1,420

Budget transfers

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A.1670.0400	Central Print & Mail Contr	120	
A.1680.0100	Central Data Process Pers		120
A.3120.0400	Police & Constable Contr	1,800	
A.3120.0100	Police & Constable Pers		1,800
A.3610.0400	Plumbing Board Contr	480	
A.3610.0100	Plumbing Board Pers		480
A.3630.0100	Electrical Insp Pers	3,210	
A.3620.0100	Fire Inspection Pers		3,210
A.9040.0800	Workers Compensation	10,500	
A.3650.0100	Building Inspector Pers		10,500
A.3650.0200	Building Inspector Equip	1,440	
A.3650.0400	Building Inspector Contr		1,440
A.5010.0400	Supt. of Highways Contr	3,160	
A.5010.0100	Supt. of Highways Pers		3,160
A.7110.0100	Parks Pers	350	
A.7020.0100	Recreation Admin Pers		350
A.7510.0400	Historian Contr	140	
A.7510.0100	Historian Pers		140
A.7620.0100	Community Center Pers	2,080	
A.7620.0400	Community Center Contr		2,080
A.8010.0400	Zoning Contr	90	
A.8010.0100	Zoning Pers		90
A.8020.0400	Planning Contr	2,580	
A.8020.0100	Planning Pers		450
A.8025.0100	Task Force Pers		20
A.8025.0400	Task Force Contr		2,110
A.8160.0400	Witmer Rd Remedial Maint	10,000	
A.9060.0800	Medical Insurance	26,000	
A.8090.0400	Environmental Control Contr		36,000
A.9030.0800	Social Security	1,530	
A.8510.0400	Community Beautification		1,260
A.9055.0800	Disability Insurance		270
F.8310.0200	Water Administration Equip	580	
F.8310.0100	Water Administration Pers		580
G.8110.0200	Sewer Administration Equip	1,200	
G.1380.0400	Fiscal Agent Fees Contr		800
G.8110.0100	Sewer Administration Pers		400
G.9040.0800	Workers Compensation	1,000	
G.9060.0800	Medical Insurance		<u>1,000</u>
	Totals	<u>\$ 81,260</u>	<u>\$81,260</u>

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Doucet;

**NEGATIVE DECLARATION RESOLUTION
SMALL CELL TELECOMMUNICATIONS FACILITIES LAW**

small cell
telecommunications
Neg Dec

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

WHEREAS, the Town of Wheatfield has observed an increase in discussions and potential applications for new Telecommunication's Facilities ("micro-cells") within the region and currently the Town of Wheatfield has regulations that do not address the changing technology related to these facilities, and

WHEREAS, the Town has drafted a new Small Cell Telecommunications Facilities Law (Article XVIA) and that draft law has been presented to the Town Board, and

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WHEREAS, a public hearing was held regarding this Code amendment on 4/1/19 and comments were received; 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.

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 Code of the Town of Wheatfield (specifically adding a new Small Cell Telecommunications Facilities Article), 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 Environmental Assessment Form (EAF), which will act as the Negative Declaration.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor;

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

Small cell Telecommuni- cations Local Law
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WHEREAS, the Town of Wheatfield has observed an increase in discussions and potential applications for new Telecommunication’s Facilities (“micro-cells”)

within the region and currently the Town of Wheatfield has regulations that do not address the changing technology related to these facilities, and

WHEREAS, the Town has drafted a new Small Cell Telecommunications Facilities Law (Article XVIA) and that draft law has been presented to the Town Board, and

WHEREAS, a public hearing was held regarding this Code amendment on 4/1/19 and comments were received; and

WHEREAS, these Code amendments were referred to the Niagara County Planning Board in accordance with New York State GML 239 and have received a favorable recommendation; and

WHEREAS, based on comments received, the Town has revised the proposed law amendment in response to comments; 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 the Code of the Town of Wheatfield by adding a new Article to the Zoning Code; Article XVIA “Small Cell Telecommunications Facilities” as illustrated in the attached copy.

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NOW THEREFORE BE IT RESOLVED that the Wheatfield Town Board amends the Code of the Town of Wheatfield, Chapter 200 entitled “Zoning” to provide for the revision of the Town Code as referenced above.

This motion was CARRIED: AEYS 5 – NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Doucet to hire Olivia Tober, Maddi Walters, Tess Walters, Riley Muldoon, Maria Bergey, Kelsey Lachowski, Lisa Finn, Nicole Guldin, Lindsay Kancar and Christopher Dyer, as seasonal help, Summer Camp staff, for the Parks & Recreation Department at the rate of pay and terms pursuant to Job Specifications of the Parks & Recreation Department’s seasonal help and pending approval of Human Resources and a Niagara County criminal background check.

Seasonal
help
Recreation

This motion was CARRIED: AYES 5 – NAYS 0.

The following motion was tabled;

to authorize and approve Wheatfield Town Supervisor, Don MacSwan, to execute on behalf of the Town of Wheatfield, the Energy Service Program Authorization to proceed forward with the turn-key street light project LED street lighting with the New York Power Authority. Said Authorization will allow the New York Power Authority to proceed with the full turn-key solution of the LED street lighting project, which includes the final design report, the conducting of bids for materials and installation, labor, the provision of construction management, and the commission of the final project.

TABLED
LED street
lighting with
NYS Power
Authority

Moved by Supervisor MacSwan and seconded by Councilman Doucet to approve and authorize the modification of the pay grade for the Water and Sewer Department Superintendent on the Department Head wage table from current Grade F to Grade I effective April 15, 2019.

Modify pay
grade Dept.
Head wage
scale/
Water/Sewer

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Helwig to authorize change of pay grade for Chief Constable position, to Grade 6 from Grade 4 on the Part-time wage table, effective April 15, 2019

Chief Constable
pay grade

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Retzlaff to authorize change of pay grade for all Constable positions, except Chief Constable, to grade 5 from grade 4 on the Part-time wage table, effective April 15, 2019.

Constable
pay grade

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Retzlaff that effective immediately all backup for the town’s bill pay vouchers to include invoices, purchase orders, packing slips, etc. must be scanned and attached to the voucher in the KVS Enterprise program by the person entering the voucher into the program.

scan records and
follow NYS
records retention
and disposition
schedule

In addition the town will take an inventory of various records and begin to scan any eligible records using the New York State Records Retention and Disposition Schedule MI-1. All departments will be required to follow the MI-1 schedule.

This motion was CARRIED: AYES 5 - NAYS 0.

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Moved by Supervisor MacSwan and seconded by Councilman Doktor to advertise for three (3) Constable positions subject to Civil Service requirements.

This motion was CARRIED: AYES 5 – NAYS 0.

Advertise for Constable positions

Moved by Supervisor MacSwan and seconded by Councilman Helwig to combine the War Memorial Group and the Helicopter Restoration Group into one and to appoint Tom Kontak as the lead person for the combined Group.

This motion was CARRIED: AYES 5 - NAYS 0.

Combine War Memorial and Helicopter Restoration groups

The next meeting is scheduled for May 6, 2019 as follows: 6:30 pm Aflac presentation, 6:45 pm Sanborn Library, 7:00 pm Public Hearing on Local Law amending duties of the Constable Department, and the Regular Town Board meeting.

PUBLIC INPUT

Will there be a maintenance plan with new street lights?

Rain barrels and compost bins for sale from WNY Stormwater Coalition
see website for details

Moved by Supervisor MacSwan and seconded by Councilman Helwig to adjourn at 7:44 pm.

This motion was CARRIED: AYES 5 – NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk