

May 18, 2020

A Zoom Town Board meeting of the Town of Wheatfield was held May 4, 2020 at 6:00 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

Town Attorney Matthew Brooks and Supervisor Don MacSwan gave an opening statement regarding the status of Covid-19 and holding Zoom meetings.

This Wheatfield Town Board meeting is being held remotely and by electronic video conference service, due to the COVID-19 emergency situation. A State of Emergency Declaration is in effect for the Town and the Town Hall is currently closed to the public. It began March 16, 2020 and has been extended now until June 16, 2020.

On March 13, 2020, Governor Cuomo issued Executive order No. 202.1 in an effort to address the conflict between the requirements of the Open Meetings Law and the Governor's emergency orders limiting public gathering.

Specifically, Executive Order No. 202.1 suspends Article 7 of the Public Officers Law (also known as the Open Meetings Law), to the extent necessary to permit any public body to meet and take such actions authorized by law without allowing the public to be physically present at the meeting.

The order also authorizes public bodies to meet remotely by conference call or similar service.

If a public body restricts in person access to its meetings or conducts a meeting remotely by conference call or similar service, the public body must provide the public the ability to view or listen to such meetings and must record and later transcribe such meetings.

This meeting is being conducted pursuant to said orders. Public comment periods shall be suspended for this meeting as it is not required by law (no scheduled public hearings) and technically difficult based on the circumstances. The Town will accept questions, comments and input via email and/or regular mail and will be answered directly by the appropriate Town personnel as soon as possible. Regular Town meeting format, in person, with public comment will return as soon as the emergency conditions resolve.

Moved by Councilman Helwig and seconded by Councilman Doktor to accept the minutes of April 6, 2020 as presented.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor to approve the May 4, 2020 bill payment for voucher #20200558– 20200604 in the amount of \$46,831.22

General Fund	\$	28,392.56
Highway	\$	11,964.94
Water/Sewer	\$	5,774.59
Fire	\$	389.79
Spec. Dist./Lighting	\$	106.40
Pre-paid	\$	202.94

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Supervisor MacSwan;

Whereas, the Town of Wheatfield seeks to install a new 8-inch or 10-inch waterline and appurtenances along Shawnee Road; and

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Whereas, the existing 8-inch waterline is in deteriorated condition; and

Whereas, the proposed project has been determined to be an Unlisted Action under the New York State Environmental Quality Review Act (SEQR), and a Full Environmental Assessment Form (FEAF) Part I has been completed for the project; and

Whereas, the Town of Wheatfield desires to serve as the Lead Agency for the proposed project; and

Now, Therefore, Be It Resolved, that the Wheatfield Town Board, in accordance with the State Environmental Quality Review Act (SEQR), and acting as the Lead Agency, hereby initiates a Coordinated Review for the proposed project and authorizes the Town Engineer to prepare mailings to the identified Involved and Interested Agencies in order receive comment on the Lead Agency Designation and the proposed project.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Doucet;

BE IT RESOLVED:

Resolution to request National Grid remove the existing street light on pole number 2251 on Lockport Road and to request National Grid install a new street light on the proposed traffic signal pole at the intersection of Walmore Road and Lockport Road (east). The proposed traffic signal pole

will be installed as part of a Niagara County DPW project known as EPN 1608, PIN 5761.79 Walmore Road Rehabilitation. The requested luminaire shall be 96W LED.

BE IT FURTHER RESOLVED:

That there shall be no additional cost to the Town for moving location of this light. In fact, it is expected that the Town will save by converting to LED in electricity cost, and

That the new location will be more central in said intersection making it an improvement from a lighting and, therefore, a public safety improvement.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Retzlaff to cancel, with regret, the use the Town of Wheatfield grounds and facilities for the Western New York Volunteer Firefighters Convention scheduled for July 23-25, 2020, due to the COVID-19 emergency situation.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Retzlaff to cancel, with regret, the Town of Wheatfield Fourth of July fireworks and Independence Day events, due to the COVID-19 emergency situation.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet to cancel, with regret, all the Town of Wheatfield summer recreation programs, team sports and all activities/events, due to the COVID-19 emergency situation.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Supervisor MacSwan to hire Payton Siegmann, effective May 26, 2020, as summer seasonal help for the Water & Sewer Department at the rate of pay and terms pursuant to Job Specifications of the Water & Sewer Department's seasonal help and pending approval of Human Resources and a Niagara County criminal background check.

This motion was CARRIED: AYES 5 - NAYS 0.

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Moved by Supervisor MacSwan and seconded by Councilman Helwig to hire Megan Reinhardt as a full time Deputy Town Clerk at the rate of pay and terms pursuant to Job Specifications of a Deputy Clerk and pending approval of Human Resources and a Niagara County criminal background check. (working part time hours until Town Hall reopens)

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Supervisor MacSwan;

WHEREAS, there currently exists a billing dispute between the Town of Wheatfield and National Grid and,

WHEREAS, National Grid claims \$16,376.85, plus any additional interest and fees, is due on said account and the Town of Wheatfield disputes this amount and,

WHEREAS, the Town and National Grid agree to resolve this matter with the removal of an amount consisting of all late fees and interest on said account reducing the amount due to \$5,242.67 and,

WHEREAS, in consideration of the waiving of said late fees and interest the Town agrees to promptly remit payment to National Grid of said reduced amount.

NOW, THEREFORE, BE IT RESOLVED,

That in full satisfaction of disputed amounts of \$16,376.85, plus any additional interest and fees, to National Grid, the Town of Wheatfield shall remit the amount of \$5,242.67 on account number 13538-79107, resolving the outstanding billing dispute and full balance on said account being paid in full.

This motion was CARRIED: AYES 5 - NAYS 0.

The next Zoom meeting will be held June 1, 2020 at 6:30 pm

Moved by Councilman Retzlaff and seconded by Councilman Helwig to adjourn at 7:07 pm.

This motion was CARRIED: AYES 5 – NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk