

July 15, 2019

The Regular Town Board meeting of the Town of Wheatfield was held July 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

PUBLIC INPUT – none

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

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Doktor to approve the July 15, 2019 bill payment for voucher #20191157 – 20191269 in the amount of \$447,889.87 as follows:

General Fund	\$ 52,211.83
Highway	\$154,699.28
Water/Sewer	\$187,102.34
Refuse	\$ 322.27
Fire	\$ 3,144.72
Trust & Agency	\$ 6,112.23
Pre-paid	\$ 44,297.20

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Helwig;

WHEREAS, there has been proposed the addition of a new chapter to the Wheatfield Town Code regarding a more formal establishment of the Wheatfield Constable Department with more specific enumeration of its specific duties and powers; and

Local Law 3-2019
amending Town
Constable Dept.

WHEREAS, a Public Hearing on the proposed Local Law #3-2019 was held on May 6, 2019, and all comments were heard; and

WHEREAS, since the Public Hearing, the proposed law has undergone minor modifications in conjunction with public comment and comment from the Niagara County Sheriff's Department; and

WHEREAS, it is the Town of Wheatfield's understanding that the Niagara County Sheriff's Department has no objection to the current form of the proposed Local Law.

NOW, THEREFORE, BE IT:

RESOLVED, that the proposed Local Law #3-2019 entitled "*Office of the Town Constable of the Town of Wheatfield, New York*", is hereby adopted as a Local Law in the Town of Wheatfield, and said Local Law shall be effective upon its date of filing with the New York State Secretary of State.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig;

WHEREAS, a Local Law #4-2019 has been proposed to the Town Board extending the term of the Town Supervisor from two (2) years to four (4), has been introduced; and

Local Law 4-2019
Proposed to
change
Supervisor's term

July 15, 2019

WHEREAS, the required Public Hearing on this matter was held on July 1, 2019; and

WHEREAS, the proposed Local Law seeks to revise the Wheatfield Town Code Chapter 41, and add Section 41-2 to amend the length of the term of the office from two (2) years to four (4) years for the Town Supervisor, and to supersede New York State Town Law Section 24, 24-a and 85 to the extent necessary, if approved by the Town voters at a mandatory public referendum to be held on November 5, 2019, for the Supervisor term beginning January 1, 2020.

NOW, THEREFORE, BE IT:

RESOLVED, that the Local Law currently known as #4-2019 is hereby approved and adopted, by the Town of Wheatfield, subject to a mandatory referendum to be held, and upon filing with the New York State Secretary of State.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Retzlaff to authorize the scheduling of a Public Hearing with regard to a request to re-zone 2424 and 2434 Lockport Road, Town of Wheatfield, SBL No. 147.00-1-4.1 from its current zoning of M-1 Light Industrial to A-R Agricultural Residential. Said Public Hearing will be scheduled to be held at the Town of Wheatfield Town Hall, 2800 Church Road, North Tonawanda, New York 14120, at 7:05 p.m. on August 5, 2019. A copy of the applicant's re-zoning application will be available for the public to review at the Wheatfield Town Clerk's Office.

Sched. Public Hearing to rezone 2424/2434 Lockport Rd.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Supervisor MacSwan to authorize and approve Town of Wheatfield Supervisor, Don MacSwan, to approve and sign a proposed Purchase Contract offer for the sale of Lot No. 5 in the Town's Witmer Road Subdivision for the proposed offering price, subject to Town of Wheatfield attorney approval with any conditions deemed necessary by said Town Attorney.

Witmer Rd lot 5 sales contract

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Supervisor Helwig and seconded by Councilman Helwig to authorize and approve Town of Wheatfield Supervisor, Don MacSwan, to approve and sign a proposed Purchase Contract offer for the sale of Lot No. 6 in the Town's Witmer Road Subdivision for the proposed offering price, subject to Town of Wheatfield attorney approval with any conditions deemed necessary by said Town Attorney.

Witmer Rd.lot 6 sales contract

This motion was CARRIED: AYES 5 - NAYS 0.

The next meeting is scheduled for August 5, 2019 – 6:45 pm People's Inc. Presentation, 7:00 pm Public Hearing to discuss potential rezoning of 2872 Lockport Rd from Residential (R-1) to Restricted Commercial (R-C), 7:05 pm a Public Hearing to discuss potential rezoning of 2424 and 2434 Lockport Rd. from Light Industrial (M-1) to Agricultural Residential (A-R).

PUBLIC INPUT – none

Moved by Supervisor MacSwan and seconded by Councilman Helwig to adjourn at 7:15 pm.

This motion was CARRIED: AYES 5 - NAYS 0.

July 15, 2019

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk