

August 7, 2023

The Regular Town Board Meeting for the Town of Wheatfield was held August 7, 2023 at 7:00 pm 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, Councilman Gilbert Doucet, Councilman Randy Retzlaff, Councilman Curt Doktor, Town Attorney Matthew Brooks and Town Clerk Kathleen Harrington-McDonell

PUBLIC INPUT – none

Moved by Councilman Retzlaff and seconded by Councilman Doucet to accept the minutes dated July 10, 2023 as presented.

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor to approve the July 24, 2023 bill payment for voucher #20231141 – 20231246 in the amount of \$614,042.80

General Fund	\$293,674.17
Highway	\$ 43,215.88
Water/Sewer	\$ 32,029.58
Fire	\$ 1,358.78
Refuse	\$103,426.86
Pre-paid	\$143,937.53

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet to approve the August 7, 2023 bill payment for voucher #20231253 – 20231331 in the amount of \$366,230.08

General Fund	\$ 30,046.41
Highway	\$197,953.56
Water/Sewer	\$ 6,637.69
Lighting	\$ 2,190.95
Refuse	\$103,426.86
Pre-paid	\$ 25,974.61

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Retzlaff to approve the updated Fees for Engineering Review – 2023 in accordance with Wendel’s letter dated August 3, 2023, and the attached fee schedule.

Engineering Fees - Wendel

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig to approve and authorize the Town Supervisor to enter into an agreement with Modern Disposal Services, Inc., to extend the current Municipal Solid Waste Collection, Hauling and Disposal and Recycling Agreement, originally made on December 10, 2018, for a final two (2) year extension renewal commencing January 1, 2014 through December 31, 2015.

Modern Disposal Agreement

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Doktor to approve and authorize the request from the Wheatfield Enhancement Volunteers, to authorize and approve the ordering and purchase of metal fixtures from Melius Welding for Ward and Witmer walls, in the amount of \$1,950.00 all for the “Walls in Wheatfield” project at Ward and Witmer Roads, to be paid from the WEV 2023 budget account number A.8025.0400.

Walls in Wheatfield Ward & Witmer roads

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet to authorize the Town to enter into an agreement with the residents at 2606 David Drive, Kalid and Nicole Abusalah, to authorize them to install a fence within the Town Right of Way on the Joann Court (rear portion of their yard) approximately 9 feet from the edge of the road. This is being authorized due to the location of utilities. Per highway Superintendent Paul Siegmann, this will be a great improvement of sight line along the road compared to the Pine trees that had been put in by a previous resident. The agreement will be recorded and current and future residents must agree that if there needs to be work done within the Right of Way, they shall be responsible for removal and reinstalling the fence at no expense to the Town. Upon preparation of the agreement by the Town Attorney the Supervisor will be authorized to sign on behalf of the Town.

2606 David Dr. Install fence on town right of way

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig to authorize and approve the request of Don MacSwan, Supervisor, to hire part-time Clerk, Elizabeth Ann Berhalter for the Supervisor, Town Attorney and Human Resources Departments at a rate of pay and terms

Hire Elizabeth Berhalter p/t Clerk in Supervisor’s

August 7, 2023

pursuant to Job Specifications of a part-time Clerk and pending approval of Human Resources and a Niagara County criminal background check beginning September 5, 2023.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor;

WHEREAS, the New York State Department of Transportation is undertaking a project identified as P.I.N. 5760.75. This project will complete a gap on the Niagara Falls Greenway Trail, which is part of the Great Lakes Seaway Trail National Scenic Byway corridor. The 10-foot-wide multi-use trail is approximately three miles long and will run from 102nd Street and River Road at the Griffon Park trail terminus, to Witmer and River Roads at Gratwick Waterfront Park; and

Greenway Trail

NOW, THEREFORE, BE IT RESOLVED by the Town Board that the Town of Wheatfield, New York does hereby approve the above Project; and

BE IT FURTHER RESOLVED that the Town shall own and maintain in its' entirety such multi-use path and ROW fence; and be it further

RESOLVED that the Clerk of the Town of Wheatfield, New York is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation; and be it further

RESOLVED, this Resolution shall take effect immediately.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Retzlaff;

RESOLVED, to approve and authorize the use of a portion of the American Rescue Plan Act (ARPA) Grant to be used for site work including stone, 4-inch perforated pipe, filter fabric, topsoil, and other necessary materials related to the installation of an Inclusive Playground at Fairmount Park to be purchased from various vendors at a total estimated cost not to exceed \$12,000.

ARPA funds – Inclusive Playground

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Helwig;

RESOLVED, to approve an amendment to the 2023 General Fund Budget to provide the estimated revenue and budget appropriation for the use of a portion of the American Rescue Plan Act (ARPA) Grant to be used for site work including stone, 4-inch perforated pipe, filter fabric, topsoil and other necessary materials related to the installation of an Inclusive Playground at Fairmount Park to be purchased from various vendors as follows:

General Fund:

Increase Estimated Revenues:

Account A.0000.4089 Fed Aid ARPA Covid-19 \$12,000

Increase Appropriations:

Account A.7110.0230 Parks Equip - ARPA \$12,000

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Helwig to update the Adams Fire co. roster as follows: ADD Kanjin Cederman, Ben Gombein, Andrew Ranaletti as active members. REMOVE Maxwell Lowerre, Richard Boss Jr., Joshua Booth, Wilson Emmons, Jonathan Emmons as social members.

Adams Fire roster

This motion was CARRIED: AYES 5 - NAYS 0.

PUBLIC INPUT – none

The next meeting is scheduled for September 11, 2023 at 6:45 pm Public Hearing on unauthorized motorized vehicles in town parks/roads and 7:00 pm The Regular Town Board Meeting

Moved by Supervisor MacSwan and seconded by Councilman Helwig to entered Executive Session at 7:41 pm to discuss a contractual matter.

This motion was CARRIED: AYES 5 - NAYS 0.

August 7, 2023

Moved by Supervisor MacSwan and seconded by Councilman Doktor to come out of Executive Session at 8:06 pm. No action taken at this time.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Helwig to adjourn at 8:06 pm.

This motion was CARRIED: AYES 5 - NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk