

AGENDA

FEBRUARY 14, 2022

6:30 pm Niagara Mechanical to discuss Town Hall boiler/air unit

7:00 pm Public Hearing to discuss Local Law 1-2022 amending Section 185-33 Sched. I: Stop Intersections

Regular Town Board Meeting

- Pledge of Allegiance**
- Opening Prayer**
- For the record, Board Members Present**

- Approval of Minutes** January 24, 2022 Town Board meeting (/)

Approval of Bill payment of February 14, 2022

Voucher No. 20220005 – 20220117 \$416,559.85

General Fund	\$200,111.73
Highway	\$ 46,883.08
Water/Sewer	\$ 44,420.98
Refuse	\$101,398.30
Fire	\$ 4,688.83
Pre-Paid	\$ 19,056.93

- Highway – Paul Siegmann
- Water / Sewer – Rich Donner
- Recreation – Mike Ranalli
- Building Inspector – Mike Klock
- Assessor – Kelli Coughlin
- Constables
- Wendel – Tim Zuber

- Motions:** per list attached (Matthew Brooks)

- Board Member Items:**
 - Larry Helwig
 - Gil Doucet
 - Curt Doktor
 - Randy Retzlaff
 - Don MacSwan

- Next Meeting:** March 7, 2022 7:00 pm Regular Town Board Meeting

- Request Motion to Adjourn:** (/)

MOTIONS

From: Wendel

MOTION by _____ Seconded by _____

to approve the PIP applications for construction of waterline, sanitary sewers, storm sewers, and pavement and curbs for Phase VII of the Timber Lakes Subdivision. This final phase will provide a total of 16-single family residential lots (lots 26-36 and lots 86-90) This approval is made with the following conditions:

1. The Public Improvements must be constructed to current Town Standards and Details.
2. Prior to construction, the Developer must submit a drainage plan acceptable to the Town Engineer and the Town Drainage Committee. The Developer must maintain drainage on and around subdivision properties throughout construction.
3. All applicable requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) must be complied with.
4. Access to the site from Shawnee Road will be limited to Knottingwood Drive and Berkshire Drive only.
5. All required Town fees (connection fees and phase fees) must be paid prior to construction commencement.

From: Wendel

MOTION by _____ Seconded by _____

to authorize Wendel to provide Stormwater Management Program assistance for the year 2022, in accordance with their proposal letter dated February 10, 2022, for a time and expense estimated fee of \$9,800.00.

From: Town Court

MOTION by _____ Seconded by _____

to authorize the Town Court to hire Tammy Magiera to the Court Clerk night position for (4) four weekly, to replace the vacancies of the (2) two prior Court Clerk night positions who have recently retired. Said hiring is pursuant to the Court Clerk night position job specifications and rate of pay of \$19.69, as delineated in the 2022 Town Court budget. Said hiring is subject to a Niagara County Sheriff's Department background check.

From: Recreation Department

MOTION by _____ Seconded by _____
to hire Emily Quider and Braden Muldoon as Permanent Part-Time Recreation Aides for the Youth Center, at a rate of pay and jobs term pursuant to job specifications for the Recreation Department, subject to Human Resource Department approval and a Niagara County Criminal background check.

From: Town Board

MOTION by _____ Seconded by _____

Resolution to appoint Planning Board member Susan Agnello-Eberwine, to the position of Planning Board Chairperson effective March 1, 2022, for the remainder of the vacated term of resigning former Chairman Walter Garrow.

From: Budget Director

MOTION by _____ Seconded by _____

Approve an amendment to the 2022 General Fund budget to provide the estimated revenue and budget appropriation for the Town’s share of the New York State Department of Transportation Betterment Project at Niagara Falls Boulevard and Ward Road for the construction of a decorative landscape wall, etc. as follows:

General Fund

Increase Estimated Revenues:

Account A.0000.1120 Sales Tax \$67,844

Increase Appropriations:

Account A.8510.0200 Comm Beautification Equip \$67,844

From: Town Board and Town Attorney

MOTION by _____ Seconded by _____

Authorizing the implementation and funding of a State “Marchiselli” Program-aid eligible transportation federal-aid project, to fully fund the local share of federal – and state-aid eligible and ineligible project costs and appropriating funds therefore.

WHEREAS, a Project for the Betterment Project Agreement, Comptroller’s Contract No. D040458, P.I.N 5308.37 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of ____% Federal funds and ____% non-federal funds; and

WHEREAS, the Town of Wheatfield desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$67,844.00 work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (“NYSDOT”) pursuant to Agreement; and it is further

NOW, THEREFORE, the Wheatfield Town Board, duly convened does hereby

RESOLVE, that the Wheatfield Town Board hereby approves the Project; and it is hereby further

RESOLVED, that the Wheatfield Town Board hereby authorizes the Town of Wheatfield to pay in the first instance the full non-federal share of the cost of \$67,844.00 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$67,844.00 is hereby appropriated from the Town of Wheatfield and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the non-federal share of the costs of the project exceed the amount appropriated above, the Town of Wheatfield shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Supervisor of the Town of Wheatfield, be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and/or Marchiselli Aid on behalf of the Town of Wheatfield with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project cost and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

BE IT FURTHER RESOLVED, that this Town Board does hereby approve a voucher to be prepared payable to the "Comptroller State of New York" in the amount of \$67,844.00 (+/- 15%) for this Betterment Project so that the check can be immediately processed.

RESOLVED, this Resolution shall take effect immediately.

From: Town Board and Town Attorney

MOTION by _____ Seconded by _____

BE IT RESOLVED:

to accept and authorize Don MacSwan, Town Supervisor, to execute a Host Community Benefit Agreement between the Town of Wheatfield and CVE US E13 Wheatfield, LLC., (CVE) to establish a (20) twenty year Host Community Benefit Agreement starting upon commercial operation at \$1,750 per magawatt with a 2% annual increase, with an estimated initial annual payment of \$7,000.00, relating to the premises at 3635 Lockport Road, North Tonawanda, (SBL #: 134.00-3-12), in the Town of Wheatfield, Niagara County, New York.