

# AGENDA

**JUNE 6, 2022**

## **7:00 pm Bid Opening and Regular Town Board Meeting**

- Pledge of Allegiance**
- Opening Prayer**
- For the record, Board Members Present**
  
- Public Input**
  
- Approval of Minutes** May 16, 2022 Town Board meeting ( / )

### **Approval of Bill payment of June 6, 2022**

**Voucher No. 20220752 – 20220879 \$249,320.50**

General Fund	\$107,888.45
Highway	\$ 56,922.97
Water/Sewer	\$ 21,854.52
Refuse	\$ 201.50
Lighting	\$ 96.82
Fire	\$ 6,108.00
Pre-paid	\$ 56,248.24

- 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
  
- Public Input**
  
- Next Meeting:** June 20, 2022 7:00 pm Regular Town Board Meeting
  
- Request Motion to Adjourn:** ( / )

# MOTIONS

**From:** Wendel

BESS – SEQR

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

**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 does not have a local law that regulates Battery Energy Storage Systems (BESS) in the Town, and

**WHEREAS**, the Town formed a committee to work with its Planning Consultant and they have drafted a Battery Energy Storage System Law and that draft law was presented to the Town Board, and

**WHEREAS**, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, the Wheatfield Town Board has conducted a coordinated environmental review of this Code Amendment and has established itself as SEQR Lead Agency (no objections received); and

**WHEREAS**, a public hearing was held regarding this Code amendment, 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 amendment to the Zoning Code (new BESS law, see attached copy) of the Town of Wheatfield Code of Ordinances, 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 Full Environmental Assessment Form (FEAF Parts 1, 2 &3), which will act as the Negative Declaration, and that the required notifications be completed.

**From:** Wendel

BESS – Adoption

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

**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 does not have a local law that regulates Battery Energy Storage Systems (BESS) in the Town, and

**WHEREAS**, the Town formed a committee to work with its Planning Consultant and utilizing the NYSERDA Model law, they have drafted a Battery Energy Storage System Law and that draft law was presented to the Town Board, 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 Town Zoning Law, Chapter 200 of the Code of the Town of Wheatfield by adding a new Article entitled, “Battery Energy Storage Systems” as illustrated in the attached copy; and

**WHEREAS**, the Town also referred this zoning law and map revision to the Niagara County Planning Board and received their comments; and

**WHEREAS**, the Wheatfield Town Board held a Public Hearing on this proposed zoning code amendment; and

**WHEREAS**, the Town Board, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, has issued a SEQR Negative Declaration.

**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 and attached.

**From: Wendel**  
2022 Code Revisions

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_  
Pursuant to Part 617 6NYCRR, Article 8 of the Environmental Conservation Law (SEQRA), it is the intent of the Town of Wheatfield Town Board to establish itself as SEQR Lead Agency and conduct a coordinated review of proposed revisions to the Town Code, Chapter 200 – Zoning, Chapter 169 – Subdivision, and Chapter 198 Wind Energy Systems. The Wheatfield Town Board authorizes Wendel to provide assistance in completing this coordinated review process.

**From: Wendel**

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ To refer these Code revisions to the Niagara County Planning Board and to schedule a Public Hearing on the proposed revisions to the Town Code, Chapter 200 – Zoning, Chapter 169 – Subdivision, and Chapter 198 - Wind Energy Systems, on \_\_\_\_\_ at \_\_\_\_\_.

**From: Recreation Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

to hire Elijah Brooks and Chase Kendzia, as summer seasonal help - grounds keepers at a rate of pay and terms pursuant to Job Specifications of the Recreation Department’s seasonal help and pending approval of Human Resources and a Niagara County criminal background check.

**From: Highway Department and Recreation Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

Request to retroactively authorize, the Highway Department, to pave the Town Hall 1360 feet x 10 feet walking path with binder at an approximate cost of \$13,692.50.

**From: Town Supervisor and Town Board**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

Resolution to authorize the Town of Wheatfield to piggy back off of the Town of Cambria's bid estimates for paving and paving equipment rental for Wheatfield projects in 2022.

**From: Highway Department and Town Board**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

Resolution granting permission to hold the Bergholz 5k Fun Run in the hamlet of Bergholz to promote health and wellness and Holy Ghost facilities and operations on Saturday, September 24<sup>th</sup>, 2022 at 10:00 am., wherein the Bergholz Fire Company will handle all traffic control. Additionally, the Town Highway Superintendent has no issues with this event and supports it. Contact information of the organizer/coordinator is Andrew Klettke, and who can be reached at [ajklettke@gmail.com](mailto:ajklettke@gmail.com). The Town will accept no responsibility or liability for injury or damage caused by this event and requires to be named as an alternate insured party on the organizer's insurance for the event.

**From: Recreation Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

Resolution to approve and authorize the Recreation Department to purchase a playground with a climber wall, climber tower, curved slide, curved balance beam and breakaways (base 4x) for the amount of \$23,664.37. Said purchase is piggybacked off of New York State contract #PC67836. To be paid from the Department's 2022 Budget.

**From: Building Department**

**MOTION by \_\_\_\_\_ Seconded by \_\_\_\_\_**

**BE IT RESOLVED:**

To authorize the scheduling of a Public Hearing on July 11, 2022, at 6:45 pm, at the Wheatfield Town Hall, 2800 Church Street, North Tonawanda, NY 14120, for an Excavation Permit for Steven Cholewa at 6452 Shawnee Road, for a proposed pond of 200 feet x 145 feet, pursuant to Wheatfield Town Code Chapter 92 requiring a public hearing and permit authorization by the Town Board.