

The Regular Town Board meeting of the Town of Wheatfield was held January 10, 2022 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, Curt Doktor, Randy Retzlaff, Town Attorney Matthew Brooks, and Town Clerk Kathleen Harrington-McDonell

EXCUSED: Councilman Larry Helwig

PUBLIC INPUT – none

Moved by Councilman Doucet and seconded by Councilman Retzlaff to accept the minutes dated December 20, 2021 as presented.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor to accept the Re-organizational minutes of January 3, 2022 as presented.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet to approve the January 10, 2022 bill payment for voucher #20212122 – 20212218 in the amount of \$395,405.61

General Fund	\$ 49,855.45
Highway	\$ 94,859.87
Water/Sewer	\$206,424.89
Refuse	\$ 121.95
Lighting	\$ 122.02
Fire	\$ 30,903.58
Pre-paid	\$ 13,117.85

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Doucet to authorize the Supervisor to sign Wendel’s contract for providing Town Engineering and Planning Services for 2022.

Wendel contract

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Supervisor MacSwan to authorize Wendel to provide GIS support services during 2022. In accordance with Wendel’s proposal dated January 5, 2022, a Lump Sum fee of \$6,749.00 will be paid for WMA Site Hosting and the ArcGIS Online Subscription, and a Time and Expense budget (not-to-exceed) of \$5,050.00 will be established for GIS/GPS Support and Training tasks described in the proposal. Total authorization is for \$11,799.00.

Wendel GIS service 2022

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Retzlaff to approve and authorize the Highway Department to purchase a Bobcat sweeper attachment with a dust control water kit, to be piggybacked off NYS bid: NYS OGS-PC69396-Group 40625, Award PGB-22792 for a total price of \$10,504.72, to be paid from the Highway Department’s 2022 Budget.

Hwy. purchase Bobcat sweeper attachment

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Doucet to approve and authorize the Town of Wheatfield Highway Department to purchase a 1E-50 Bobcat Compact Excavator, to be piggybacked off NYS bid: NYS OGS-Contract #PC69396-Group 40625, Award PGB-22792 for a total price of \$75,088.06 to be paid from the Highway Department’s Drainage Account of the 2022 Budget.

Hwy. purchase Bobcat Excavator NYS bid

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet;

WHEREAS, on December 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a State disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

WHEREAS, this State disaster emergency has resulted in limited hours in municipal offices in the Town of Wheatfield and rendered senior citizens and individuals with disabilities residing in Wheatfield homebound. These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

Executive Order 11.1
exemptions on 2022
assessment roll

WHEREAS, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor's Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of Wheatfield) to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

WHEREAS, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if she has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

WHEREAS, pursuant to said Executive Order, the Town Board of the Town of Wheatfield wishes to adopt such Resolution directing the Town Assessor of the Town of Wheatfield to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of Wheatfield the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

NOW THEREFORE, BE IT RESOLVED, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of Wheatfield hereby directs the Town Assessor of the Town of Wheatfield to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;
2. The Town Assessor may, in her sole discretion, require a renewal application to be timely filed with his office if she has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, she shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment to drop same off at the Town Assessor's office, 2800 Church Road, North Tonawanda, NY 14120.

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Doucet;

WHEREAS, under Section 135-a of the Highway Law, the Town Board of the Town of Wheatfield is empowered to enter into written contracts with the Commissioner of Public Works acting as County Superintendent of Highways for the removal of snow and the sanding and treatment of pavement for ice control purposes, for three (3) years; and

Snow and ice contract
with County

WHEREAS, such contracts have been negotiated by the Town Superintendent of Highways at the actual cost incurred by the Town per mile for removal of snow from County roads, and the control of ice at the actual cost incurred by the Town;

THEREFORE, BE IT, AND IT IS HEREBY

RESOLVED, that the Town Highway Superintendent of the Town of Wheatfield be empowered as agent of the Town Board to enter into the attached Ice Control and Snow Removal Contracts with the Commissioner of Public Works acting as County Superintendent of Highways for a period of three (3) years.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Supervisor MacSwan;

BE IT RESOLVED:

That this Town Board does hereby approve the request of Highway Superintendent, Paul Siegmann, authorizing the job title move of Kyle Kabel from Truck driver to MEO. This was budgeted for in the 2022 Highway budget and Kyle Kabel is currently 1 of only 2 Class A drivers qualified to move equipment with the Lowboy Tractor Trailer besides the Highway Superintendent.

Kyle Kabel to MEO – Hwy.

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet;

BE IT RESOLVED:

That this Town Board does hereby approve the request of Water and Sewer Superintendent, Richard Donner, to authorizing the job title move of Matthew Siegmann from Water/Wastewater position to MEO position at a probationary pay rate.

Water/Sewer – Matthew Siegmann to MEO

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Retzlaff due to increased positive covid numbers to cancel the Public Hearing scheduled for January 24, 2022 at 7:00 pm to discuss Local Law 1-2022 amending Section 185-33 Schedule I: Stop Intersections and reschedule for February 14, 2022 at 7:00 pm.

This motion was CARRIED: AYES 4 – NAYS 0.

The next meeting is scheduled for January 24, 2022 at 7:00 pm and will be a bill payment only. The next Regular Town Board Meeting will be held February 14, 2022 at 7:00 pm with a Public Hearing to discuss Local Law 1-2022 amending Section 185-33 Schedule I: Stop Intersections and the Regular Town Board Meeting to follow.

PUBLIC INPUT - none

Moved by Councilman Retzlaff and seconded by Councilman Doktor adjourn at 7:14 pm.

This motion was CARRIED: AYES 4 – NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk