

May 1, 2023

A Public Hearing and the Regular Town Board Meeting for the Town of Wheatfield was held May 1, 2023 at 6:45 pm and 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. The New York Citizens Audit Group presented information they compiled on the 2022 General Election.

PRESENT: Supervisor Don MacSwan, Councilman Larry Helwig, Councilman Randy Retzlaff, Councilman Curt Doktor, Town Attorney Matthew Brooks and Town Clerk Kathleen Harrington-McDonell

EXCUSED: Councilman Gilbert Doucet

The Public Hearing on amendments to Town code Chapter 130-Plumbing opened at 6:50 pm. Town Attorney Matthew Brooks gave an overview of the proposed amendment. Water Superintendent Mark Clark also explained purpose of proposed amendment which adds Water/Sewer employee's ability to see license upon request.

Moved by Supervisor MacSwan and seconded by Councilman Retzlaff to close the Public hearing at 6:55 pm. No action taken at this time.

This motion was CARRIED: AYES 4 – NAYS 0.

PUBLIC INPUT - none

Moved by Councilman Retzlaff and seconded by Councilman Helwig to accept the minutes dated April 17, 2023 as presented.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig to approve the May 1, 2023 bill payment for voucher #20230601 – 20230679 in the amount of \$326,641.98

General Fund	\$201,796.39
Highway	\$ 15,672.14
Water/Sewer	\$101,411.85
Fire	\$ 102.00
Refuse	\$ 6,749.98
Lighting	\$ 86.20
Pre-paid	\$ 823.42

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Retzlaff;

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, adding regulation for Adult-Use Cannabis. The Wheatfield Town Board authorizes Wendel to provide assistance in completing this coordinated review process.

This motion was CARRIED: AYES 4 - NAYS 0.

SEQRA Town Code
Chapter 200 zoning,
Adult -Use Cannabis

Moved by Councilman Retzlaff and seconded by Councilman Helwig to refer the proposed revisions to the Town Code, Chapter 200 – Zoning, adding regulation for Adult-Use Cannabis, to the Niagara County Planning Board and to schedule a Public Hearing on the proposed revisions on June 5, 2023 at 6:45 pm

This motion was CARRIED: AYES 4 - NAYS 0.

Adult-Use Cannabis

Moved by Councilman Retzlaff and seconded by Councilman Helwig to schedule a public information meeting on Monday, May 15, 2023, at 6:50 pm to review the Town's Draft Stormwater Annual Report for 2022 and the Town's Stormwater Management Plan.

This motion was CARRIED: AYES 4 - NAYS 0.

Town Stormwater
Annual Report

Moved by Councilman Retzlaff and seconded by Councilman Doktor to approve and authorize Supervisor Don MacSwan to sign a Recreational Lease Agreement with the American Legion Wheatfield Post 1451 for a one-year term, allowing Town use/shared services and requiring some Town maintenance of the American Legion property.

This motion was CARRIED: AYES 4- NAYS 0.

American Legion
lease agreement

Moved by Councilman Helwig and seconded by Councilman Doktor to authorize and request the installation of two street lights by National Grid at corner Lots #19 and #25, at 3356 Renee Terrace and 3344 Renee Terrace, pursuant to the diagram provided by Rosal Homes. Said street lights are necessitated by being on the corners of Renee Terrace now that the road extension for Phase III of the Eagle Chase subdivision has been completed. Said street lights will be requested of National Grid to be LED lights.

Street lights Renee
Terr

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Helwig to appoint Arthur W. Gerbec, as an alternate member of the Town of Wheatfield Zoning Board of Appeals for the remainder of 2023, to be paid at rate set by the Town Board, for each meeting in which his attendance is necessary to fill in for an absence of a regular Board member.

Appoint Gerbec as alternate to Zoning Board

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Retzlaff to accept the high bid of \$3,050.00 (amount to be determined on April 28, 2023) for the 2008 Chevy Trailblazer, on Auctions International.

Accept bid for 2008 Chevy Trailblazer

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Retzlaff to hire Maria Bergey as summer seasonal help – summer camp staff at a rate of pay and terms pursuant to Job Specifications of the Recreation Department’s seasonal help – summer camp staff and pending approval of Human Resources and a Niagara County criminal background check.

Hire seasonal help – Summer Camp

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Retzlaff to hire James Letcher as summer seasonal help - grounds keeper at a rate of pay and terms pursuant to Job Specifications of the Recreation Department’s seasonal help – grounds keeper and pending approval of Human Resources and a Niagara County criminal background check.

Hire seasonal grounds keeper

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Doktor and seconded by Supervisor MacSwan to accept a bid from Town Building Systems for insulation work on the lower level of Town Hall in the amount of \$4,360. The lowest responsible bid received is that of Town Building Systems for a total of \$4,360.

Accept bid Town Building Systems – insulation at Town Hall

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor to accept the high bids received for the following surplus on Auctions International:

1. 2009 Ford F250 4x4 sold for \$12,500, invoice #105665,
2. 3 Portable Generators for the amount of \$180.00, invoice #105668,
3. Trash pumps for the amount of \$387.50, invoice #105667,
4. Drill press and 2 welders and 2 string trimmers for \$240.00, invoice #105663,
5. Coleman 6500 Generator for \$170.00, invoice #105664,
6. Generators and power tools \$210.00, invoice # 105666.

Sale of surplus equipment Water/Sewer Dept.

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig that the Town Board hereby approves and authorizes the use of a portion of the American Rescue Plan Act (ARPA) Grant to be used for the construction of an equipment storage building located at Town Hall in the amount of \$47,655 plus the option for a 5-inch concrete floor in the amount of \$10,800 for a total bid award of \$58,455.

ARPA funds to construct equipment storage building – Town Hall

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor 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 the construction of an equipment storage building including the option for a 5-inch concrete floor at Town Hall as follows:

General Fund:		
Increase Estimated Revenues:		
Account A.0000.4089	Fed Aid ARPA Covid-19	<u>\$58,455</u>
Increase Appropriations:		
Account A.1620.0230	Town Hall Equip - ARPA	<u>\$58,455</u>

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig to accept the proposal of Parco Building Systems as the vendor to supply the Town’s equipment storage building at the Town Hall complex, said bid being the only received. This award is for the base bid in the amount of \$47,655 plus the option for the 5-inch concrete floor for \$10,800 for a total

Accept proposal from Parco Building Systems to construct equipment storage building-Town Hall

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bid award of \$58,455. Said equipment storage building is to be paid for with ARPA funding.

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Helwig to authorize and approve the request of Paul Siegmann, Highway Superintendent, to hire Nancy Green as a Clerk for Highway Department, with a start date yet to be determined, at a rate of pay and terms pursuant to Job Specifications of the Clerk for Highway Department and pending approval of Human Resources and a Niagara County criminal background check. Grade 8 step 1.

This motion was CARRIED: AYES 4 – NAYS 0.

Hire Hwy. Dept. Clerk – Nancy Green

Moved by Councilman Retzlaff and seconded by Councilman Helwig to adopt Local Law 2-2023, as follows:

Proposed Amendment (new language underlined)

Local Law 2-2023

Chapter 130. Plumbing, Article II. Plumbing and Drainage.

Sec. 130-15. License restrictions; display.

Amend subdivision B. as follows:

B. Any person, firm or corporation doing plumbing/sewer work in the Town of Wheatfield shall exhibit his or its license upon request to any police officer, Town Board member, member of the Plumbing Board or the Plumbing Inspector, or Water/Sewer Department employee.

This motion was CARRIED: AYES 4 - NAYS 0.

PUBLIC INPUT – none

The next meeting is scheduled for May 15, 2023 at 7:00 pm at Town Hall

Moved by Supervisor MacSwan and seconded by Councilman Helwig to enter Executive Session at 7:43 pm to discuss personnel issues with the Budget Office and Confidential Secretary. Town Board, Budget Director, Town Attorney, and Town Clerk to attend.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Helwig and seconded by Supervisor MacSwan to come out of Executive Session and adjourn at 8:03 pm. No Action was taken.

This motion was CARRIED: AYES 4 - NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk

Local Law 2-2023 amend Chapter 130 - Plumbing
