

July 10, 2023

A presentation and the Regular Town Board Meeting for the Town of Wheatfield was held July 10, 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.

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

Ed Pettitt from SAFE, Niagara county gave a presentation and requested use of the Veterans Memorial for a rally in October.

The Regular Town Board meeting opened at 7:00 pm.

Moved by Supervisor MacSwan and seconded by Councilman Helwig to authorize Ed Pettitt from SAFE, Niagara County to hold a second amendment rally in compliance with NYS laws and limited to the Veterans Monument.
This motion was CARRIED: AYES 5 - NAYS 0.

PUBLIC INPUT – Art Pappas has a podcast called Northtown News highlighting local topics

Moved by Councilman Retzlaff and seconded by Councilman Doucet to accept the minutes dated June 5, 2023 as presented.
This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Retzlaff to approve the June 19, 2023 bill payment for voucher #20230905 – 20230989 in the amount of \$613,198.31

General Fund	\$165,527.77
Highway	\$215,949.24
Water/Sewer	\$ 21,321.05
Fire	\$ 70,345.47
Lighting	\$ 52.49
Refuse	\$103,426.86
Pre-paid	\$ 36,575.43

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor to approve the July 10, 2023 bill payment for voucher #20230990 – 20231138 in the amount of \$631,923.03

General Fund	\$ 88,536.75
Highway	\$242,105.86
Water/Sewer	\$257,003.48
Fire	\$ 619.00
Lighting	\$ 2,151.11
Pre-paid	\$ 41,506.83

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor to authorize the Water/Sewer Department to charge homeowners the minimum amount on quarterly bill when water meters are not in stock until meters are available. Installation of the water meter will be a condition on the Certificate of Occupancy.

Min charge – no water meters available

This motion was CARRIED: AYES 5 - NAYS 0.

Cannabis Law SEQR

Moved by Supervisor MacSwan and seconded by Councilman Retzlaff;

WHEREAS, the Marijuana Regulation and Taxation Act of 2021 legalized adult-use cannabis in New York State; and

WHEREAS, under the Marijuana Regulation and Taxation Act, municipalities could prohibit adult-use cannabis retail dispensaries and on-site consumption businesses by adopting a local law by December 31, 2021; and

Cannabis Law - SEQR

WHEREAS, the Town of Wheatfield did not adopt such a law within the required timeframe; and

WHEREAS, municipalities are permitted to pass local laws and regulations governing the time, manner, and place of adult-use retail dispensaries and on-site consumption lounges; and

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’s Planning Consultant drafted a new local law, which would amend Chapter 200 of the Code of the Town of Wheatfield, by adding a new Article entitled “Adult-Use Cannabis”; 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 draft local law and has established itself as SEQR Lead Agency (no objections received); and

WHEREAS, a public hearing was held regarding the proposed law, and no adverse comments were received; and

WHEREAS, pursuant to Municipal Home Rule, the Town Board is proposing to adopt this adult-use cannabis local law.

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 adult-use cannabis local law 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.

This motion was CARRIED: AYES 5 - NAYS 0.

Cannabis Law Adoption

Moved by Councilman Helwig and seconded by Councilman Retzlaff;

WHEREAS, the Marijuana Regulation and Taxation Act of 2021 legalized adult-use cannabis in New York State; and

WHEREAS, under the Marijuana Regulation and Taxation Act, municipalities could prohibit adult-use cannabis retail dispensaries and on-site consumption businesses by adopting a local law by December 31, 2021; and

WHEREAS, the Town of Wheatfield did not adopt such a law within the required timeframe; and

WHEREAS, municipalities are permitted to pass local laws and regulations governing the time, manner, and place of adult-use retail dispensaries and on-site consumption lounges; and

WHEREAS, the Code of the Town of Wheatfield contains and specifies the local laws, and ordinances of the Town of Wheatfield; 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 Code, Chapter 200 – Zoning, to add a new Article entitled “Adult-Use Cannabis,” as illustrated in the attached copy; and

WHEREAS, the Town also referred this local law to the Niagara County Planning Board in accordance with General Municipal Law §239-m; and

WHEREAS, a public hearing was held regarding the proposed law, and no adverse comments were received; 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 – Zoning, to add a new Article entitled “Adult-Use Cannabis,” as referenced above and As follows.

ADULT-USE CANNABIS

Amend Chapter 200 (Zoning) of the Code of the Town of Wheatfield, by adding a new Article entitled Adult-Use Cannabis as follows:

Cannabis Law adopted

1. Authority

This Adult-Use Cannabis Law is adopted pursuant to Article IX of the New York State Constitution §2(c)(6) and (10), New York Statute of Local Governments, §10(1) and (7), Sections 261-263 of the Town Law Section 10 of the Municipal Home Rule Law of the State of New York,

which authorize the Town to adopt zoning provisions that advance and protect the health, safety, and welfare of the community.

2. Statement of Purpose

This Adult-Use Cannabis Law is adopted to advance and protect the public health, safety, welfare, and quality of life of the Town of Wheatfield by creating regulations for adult-use cannabis businesses, with the following objectives:

- A. To provide a regulatory scheme for the designation of properties suitable for the location and operation of adult-use cannabis businesses.
- B. To ensure compatible land uses in the vicinity of the areas affected by adult-use cannabis businesses.

3. Definitions

As used in this Article, the following terms shall have the meanings indicated:

ADULT-USE CANNABIS RETAIL DISPENSARY: An establishment which sells at retail any cannabis products, the sale of which requires a license issued by the New York State Cannabis Control Board.

COMMUNITY FACILITY: A facility which has the primary purpose of providing recreational opportunities or services to children or adolescents, such as a day-care center, nursery school, public park, playground, swimming pool, or library.

MICROBUSINESS: An establishment which cultivates, processes, and distributes and/or sells at retail any cannabis products, which requires a license issued by the New York State Cannabis Control Board. A microbusiness might also allow on-site consumption of said cannabis products, which also requires a license issued by the New York State Control Board.

ON-SITE CANNABIS CONSUMPTION LOUNGE: An establishment which sells at retail any cannabis products and allows on-site consumption of said cannabis products, which requires a license issued by the New York State Cannabis Control Board.

4. Applicability

The requirements of this Local Law shall apply to all adult-use cannabis businesses permitted in the Town of Wheatfield after the effective date of this Local Law.

5. Permitting Requirements for Adult-Use Cannabis Retail Dispensaries

Adult-use cannabis retail dispensaries are permitted through the issuance of a special use permit in accordance with Article XI of this Chapter within the Commercial (C-1) district.

A. Applications for adult-use cannabis retail dispensaries shall be:

- 1) reviewed by the Planning Board for completeness. Applicants shall be advised within ten (10) business days after the first Planning Board meeting on the application of the completeness of their application or any deficiencies that must be addressed prior to substantive review.
- 2) subject to a public hearing to hear all comments for and against the application. The Planning Board of the Town shall have a notice printed in a newspaper of general circulation in the Town in accordance with the Town’s special use permit requirements. Applicants shall also have delivered the notice by first class mail to adjoining landowners or landowners within 500 feet of the property at least ten (10) days prior to such a hearing. Proof of mailing shall be provided to the Planning Board at the public hearing.
- 3) referred to the County Planning Board pursuant to General Municipal Law § 239-m if required.
- 4) upon closing of the public hearing, the Planning Board shall take action on the application within 62 days of the public hearing (and after completion of the SEQR process).

B. Special Use Permit Standards.

- 1) Setbacks. Adult-use cannabis retail dispensaries shall not be located:
 - a. Within a 2,000-foot radius of another adult-use cannabis retail dispensary.

- b. Within 200 feet of a house of worship (if on the same road), as measured in a straight line from the center of the nearest entrance of such house of worship to the center of the nearest entrance of such adult-use cannabis retail dispensary.
 - i. If the entrance to the house of worship or to the adult-use cannabis retail dispensary are set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the two entrances.
 - c. Within 500 feet of school grounds (if on the same road), as measured in a straight line from the nearest point of such school grounds to the center of the nearest entrance of such adult-use cannabis retail dispensary.
 - i. If the entrance to the adult-use cannabis retail dispensary is set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the entrance and the nearest point of the school grounds.
 - d. Within 500 feet of a community facility (if on the same road), as measured in a straight line from the center of the nearest entrance of such community facility to the center of the nearest entrance of such adult-use cannabis retail dispensary.
 - i. If the entrance to the community facility or to the adult-use cannabis retail dispensary are set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the two entrances.
 - ii. If the community facility does not have a principal building, such as a park, the driveway shall be considered the entrance.
- 2) Drive-through facilities. All adult-use cannabis retail dispensaries must be located within a fully enclosed building. Sale of cannabis products via a drive-through or walk-up window is prohibited.
- 3) Outdoor smoking of cannabis on-site is strictly prohibited.
- 4) Hours of operation. An adult-use cannabis retail dispensary may operate only between 9 a.m. and 9 p.m. on weekdays and Saturdays, and 12 p.m. and 5 p.m. on Sundays.
- 5) Security. The applicant must demonstrate that the appropriate measures are in place to protect employees, customers, and adjoining properties, including, but not necessarily limited to, the installation of cameras and exterior lighting (dark sky compliant).

6. Permitting Requirements for On-Site Cannabis Consumption Lounges

On-site cannabis consumption lounges are permitted through the issuance of a special use permit in accordance with Article XI of this Chapter within the Commercial (C-1) district.

A. Applications for on-site cannabis consumption lounges shall be:

- 1) reviewed by the Planning Board for completeness. Applicants shall be advised within ten (10) business days after the first Planning Board meeting on the application of the completeness of their application or any deficiencies that must be addressed prior to substantive review.
- 2) subject to a public hearing to hear all comments for and against the application. The Planning Board of the Town shall have a notice printed in a newspaper of general circulation in the Town in accordance with the Town's special use permit requirements. Applicants shall also have delivered the notice by first class mail to adjoining landowners or landowners within 500 feet of the property at least ten (10) days prior to such a hearing. Proof of mailing shall be provided to the Planning Board at the public hearing.

3) referred to the County Planning Board pursuant to General Municipal Law § 239-m if required.

4) upon closing of the public hearing, the Planning Board shall take action on the application within 62 days of the public hearing (and after completion of the SEQR process).

B. Special Use Permit Standards.

1) Setbacks. On-site cannabis consumption lounges shall not be located:

a. Within a 2,000-foot radius of another on-site cannabis consumption lounge.

b. Within 200 feet of a house of worship (if on the same road), as measured in a straight line from the center of the nearest entrance of such house of worship to the center of the nearest entrance of such on-site cannabis consumption lounge.

i. If the entrance to the house of worship or to the on-site consumption lounge are set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the two entrances.

c. Within 500 feet of school grounds (if on the same road), as measured in a straight line from the nearest point of such school grounds to the center of the nearest entrance of such on-site cannabis consumption lounge.

i. If the entrance to the on-site consumption lounge is set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the entrance and the nearest point of the school grounds.

d. Within 500 feet of a community facility (if on the same road), as measured in a straight line from the center of the nearest entrance of such community facility to the center of the nearest entrance of such on-site cannabis consumption lounge.

i. If the entrance to the community facility or to the on-site consumption lounge are set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the two entrances.

ii. If the community facility does not have a principal building, such as a park, the driveway shall be considered the entrance.

2) All on-site cannabis consumption lounges must be located within a fully enclosed building. Outdoor smoking of cannabis on-site is strictly prohibited.

3) Hours of operation. An on-site cannabis consumption lounge may operate only between 10 a.m. and 9 p.m. on weekdays and Saturdays, and 12 p.m. and 5 p.m. on Sundays.

4) Security. The applicant must demonstrate that the appropriate measures are in place to protect employees, customers, and adjoining properties, including, but not necessarily limited to, the installation of cameras and exterior lighting (dark sky compliant).

5) Odor. The applicant must provide a description of the measures that will be implemented to prevent any odor of cannabis detectable at the lot line. Such odor control measures may include molecular filtration (carbon scrubbing), physical separation of cannabis consumption from doors, windows, and other places where odors may migrate outside, and properly sealing doors and windows to prevent leakage. The applicant must specify the specific odor control equipment to be installed and provide an engineering assessment signed by a certified Professional Engineer ensuring that the proposed odor control equipment/measures will be sufficient to eliminate cannabis odor (as measured from the lot line). The applicant shall also submit a maintenance plan for the

proposed odor control equipment/measures to ensure the efficacy of these measures over time.

6) Serving of alcohol is strictly prohibited.

7. Permitting Requirements for Microbusinesses

Microbusinesses are permitted through the issuance of a special use permit in accordance with Article XI of this Chapter within the Commercial (C-1) district.

A. Applications for microbusinesses shall be:

1) reviewed by the Planning Board for completeness. Applicants shall be advised within ten (10) business days after the first Planning Board meeting on the application of the completeness of their application or any deficiencies that must be addressed prior to substantive review.

2) subject to a public hearing to hear all comments for and against the application. The Planning Board of the Town shall have a notice printed in a newspaper of general circulation in the Town in accordance with the Town's special use permit requirements. Applicants shall also have delivered the notice by first class mail to adjoining landowners or landowners within 500 feet of the property at least ten (10) days prior to such a hearing. Proof of mailing shall be provided to the Planning Board at the public hearing.

3) referred to the County Planning Board pursuant to General Municipal Law § 239-m if required.

4) upon closing of the public hearing, the Planning Board shall take action on the application within 62 days of the public hearing (and completion of the SEQR process).

B. Special Use Permit Standards.

1) Setbacks. Microbusinesses shall not be located:

a. Within a 2,000-foot radius of another adult-use cannabis retail dispensary or microbusiness, or if on-site cannabis consumption is allowed, another on-site cannabis consumption lounge.

b. Within 200 feet of a house of worship (if on the same road), as measured in a straight line from the center of the nearest entrance of such house of worship to the center of the nearest entrance of such microbusiness.

i. If the entrance to the house of worship or to the microbusiness are set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the two entrances.

c. Within 500 feet of school grounds (if on the same road), as measured in a straight line from the nearest point of such school grounds to the center of the nearest entrance of such microbusiness.

i. If the entrance to the microbusiness is set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the entrance and the nearest point of the school grounds.

d. Within 500 feet of a community facility (if on the same road), as measured in a straight line from the center of the nearest entrance of such community facility to the center of the nearest entrance of such microbusiness.

i. If the entrance to the community facility or to the microbusiness are set back from the front lot line, an imaginary line will be drawn from the front lot line to the entrance, perpendicular to the front lot line. The intersection of this line with the front lot line will be used to determine the distance between the two entrances.

ii. If the community facility does not have a principal building, such as a park, the driveway shall be considered the entrance.

2) Drive-through facilities. All microbusinesses must be located within a fully enclosed building. Sale of cannabis products via a drive-through or walk-up window is prohibited.

3) Outdoor smoking of cannabis on-site is strictly prohibited.

4) Hours of operation. A microbusiness may operate only between 9 a.m. and 9 p.m. on weekdays and Saturdays, and 12 p.m. and 5 p.m. on Sundays. If indoor on-site cannabis consumption is allowed, hours of operation shall be in accordance with allowed hours of operation for on-site consumption.

5) Security. The applicant must demonstrate that the appropriate measures are in place to protect employees, customers, and adjoining properties, including, but not necessarily limited to, the installation of cameras and exterior lighting (dark sky compliant).

6) Odor. If indoor on-site cannabis consumption is allowed, the applicant must provide a description of the measures that will be implemented to prevent any odor of cannabis detectable at the lot line. Such odor control measures may include molecular filtration (carbon scrubbing), physical separation of cannabis consumption from doors, windows, and other places where odors may migrate outside, and properly sealing doors and windows to prevent leakage. The applicant must specify the specific odor control equipment to be installed and provide an engineering assessment signed by a certified Professional Engineer ensuring that the proposed odor control equipment/measures will be sufficient to eliminate cannabis odor (as measured from the lot line). The applicant shall also submit a maintenance plan for the proposed odor control equipment/measures to ensure the efficacy of these measures over time.

7) If indoor on-site cannabis consumption is allowed, serving of alcohol is strictly prohibited.

8. Enforcement

Any violation of this Adult-Use Cannabis Law shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the zoning or land use regulations of the Town.

9. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgement of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Doucet to hire Nolan Barker, Samantha Furan, Claire Firzak and Olivia Tober as summer seasonal help – Summer Camp staff, effective July 11, 2023, 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 Summer
Camp staff

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor to hire Noah Brooks, as summer seasonal help – Park Guard, effective July 11, 2023, at a rate of pay and terms pursuant to Job Specifications of the Recreation Department’s seasonal help – Park Guard and pending approval of Human Resources and a Niagara County criminal background check.

Hire Park
Guard

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doucet and seconded by Councilman Helwig to authorize and approve the request of Ed Mongold, Budget Director, to hire Paul Valera as a part-time budget director to be paid at an hourly rate of \$27.31 effective as of August 20, 2023 on a probationary basis. The hourly rate is justified due to the professional nature of the job and also that he is a CPA. No Niagara County criminal background check is required as the employee is currently with the Town.

Hire part-time
budget director

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet to authorize and approve the request of Paul Siegmann, Highway Superintendent, to hire Levi Siegmann as summer

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seasonal help - Laborer for Highway Department, effective July 11, 2023, at a rate of pay and terms pursuant to Job Specifications of summer seasonal help – Laborer, for Highway Department and pending approval of Human Resources and a Niagara County criminal background check.

Hire seasonal help Hwy.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig to approve and authorize the Town Attorney to sign and execute the Stipulated Order in the Tax Assessment cases of MOOG, Inc. v. the Town of Wheatfield et.al., and Wheatfield Business Park II, LLC, and MOOG Inc., v. the Town of Wheatfield et.al., which does not reduce any past assessments but rather keeps them the same for the next 3 years.

Tax Assessment MOOG, Wheatfield Business Park

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doucet to authorize the request of Mark Clark, Water/Sewer Superintendent, to hire Timothy Kroening as a Laborer, starting July 11, 2023, at a rate of pay and terms pursuant to Job Specifications of the Water/Sewer Department's Laborer position and pending approval of Human Resources and a Niagara County criminal background check.

Timothy Kroening hired Water/Sewer

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig to authorize the request of Mark Clark, Water/Sewer Superintendent, to hire Michael Corey as a Laborer, starting July 11, 2023, at a rate of pay and terms pursuant to Job Specifications of the Water/Sewer Department's Laborer position and pending approval of Human Resources and a Niagara County criminal background check.

Michael Corey hired Water/Sewer

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Doucet to authorize the request of Mark Clark, Water/Sewer Superintendent, to move Adam Lamb up from a Mechanic position to a MEO position effective July 11, 2023.

Promote Adam Lamb to MEO Water/Sewer

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Helwig;

WHEREAS, the Town of Wheatfield in conjunction with the New York State Department of Transportation, is currently progressing the project to build the New York State Scenic By-Ways Project Niagara River Waterfront, Multi-Use Trail (PIN 5760.75); and

WHEREAS, the New York State Department of Transportation requires the Town to agree to accept ownership of any property acquired by the State or rights therein to all involved property in connection with the project; and

WHEREAS, it is necessary for the Town of Wheatfield to commit to accepting the properties upon completion of the above-mentioned construction project; and

Scenic By-Ways Project Niagara River Waterfront

WHEREAS, the New York State Department of Transportation further requests that the Town of Wheatfield executes and files all documents necessary with the County Clerk, Town Assessor, and others in order to facilitate the transfer of the parcels;

NOW, THEREFORE, BE IT

RESOLVED, by the Town of Wheatfield, New York that the Town of Wheatfield hereby agrees to accept all acquired property from the State or its agencies and to keep the property for the length of time required; and be it further

RESOLVED, by the Town of Wheatfield, New York that as certain Town of Wheatfield property is required to construct the Multi-Use trail that the Town of Wheatfield will provide Temporary Construction Easements (TE) at no cost to the State; and be it further

RESOLVED, that the Supervisor of the Town of Wheatfield, following the Town's Attorney's review, is authorized to execute any agreements or documents necessary to effectuate the purposes of this resolution.

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Retzlaff to amend the Town of Wheatfield's April 3, 2023 resolution regarding the Greenway Trail Project No. 5760.75, NYS Scenic By-Ways Project, Multi-Use Trail, by removing comment paragraph 9 in its entirety regarding requiring indemnification from the State to the Town, such that environment indemnification is no longer a condition.

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This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Helwig and seconded by Supervisor MacSwan to sign a letter of agreement for a workers compensation audit with Leahy Company.

workers
comp audit

This motion was CARRIED: AYES 5 - NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Retzlaff to schedule a Public Hearing for 9/11/22 at 6:45pm regarding unauthorized motorized vehicles in town parks.

Public hearing
unauthorized
motor vehicles

This motion was CARRIED: AYES 5 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor to authorize web based training and support with Civic Plus at a cost of \$6,783, subject to contract review.

Civic Plus
training/support

This motion was CARRIED: AYES 5 - NAYS 0.

PUBLIC INPUT – none

The next meeting is scheduled for:

July 24, 2023 Bill Payment only

August 7, 2023 Regular Town Board Meeting 7:00 pm

Moved by Supervisor MacSwan and seconded by Councilman Helwig to adjourn at 7:55 pm.

This motion was CARRIED: AYES 5 - NAYS 0.

Respectfully submitted,

Kathleen Harrington-McDonell
Town Clerk