

May 2, 2022

The Regular Town Board meeting of the Town of Wheatfield was held May 2, 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 Randy Retzlaff, Curt Doktor, Town Attorney Matthew Brooks and Town Clerk Kathleen Harrington-McDonell
Excused: Councilman Gilbert Doucet

Moved by Councilman Retzlaff and seconded by Councilman Doktor to accept the minutes dated April 18, 2022 as presented.

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Retzlaff to approve the May 2, 2022 bill payment for voucher #2022211367 – 20220638 in the amount of \$100,124.93

General Fund	\$43,675.58
Highway	\$33,935.86
Water/Sewer	\$22,214.11
Refuse	\$ 170.95
Lighting	\$ 128.43

This motion was CARRIED: AYES 4 - NAYS 0.

PUBLIC INPUT – none

Moved by Supervisor MacSwan and seconded by Councilman Doktor to authorize the Highway Department to transport a St. Johnsburg Fire Truck to Lancaster for repair.

transport St.
Johnsburg Fire truck

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Helwig to reject the bid received for the repair to the Water Tank.

reject bid for
water tank repair

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Helwig to re-bid for the repair to the Water Tank using the same specifications and to open any sealed bids received at the June 6, 2022 Town Board meeting at 7:00 pm.

Re-bid repair
for Water Tank

This motion was CARRIED: AYES 4 – NAYS 0.

Moved by Councilman Doktor and seconded by Councilman Helwig to approve the PIP applications for construction of pavement and curb, water line, sanitary sewers, and storm sewers for the Whistling Straits Subdivision. The Subdivision will provide a total of 41-single family residential lots (lots 1-41). This approval is made with the following conditions:

Whistling Straits
Subdivision PIP

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. Disturbance must be limited to less than 5-acres unless authorization is requested and received from the Town Stormwater Management Officer. Additional Stormwater Permit requirements will apply to this scenario.
4. A Highway Work Permit must be secured from NYSDOT prior to any utility and non-utility work within the State right-of-way (Ward Road - waterline bore, storm sewer, street light, street signs, etc.).
5. Construction access to the site must be from Ward Road. No construction access will be allowed from Hoover Road.
6. All work in the Town right-of-way (Hoover Road) must be coordinated with the Town Highway Superintendent.
7. Locations of all signs (street signs and traffic control signs) must be finalized and all sign installation fees must be paid prior to sign installation by the Town/final acceptance.
8. Proposed street lighting must be coordinated with the Town and installed under the Town PIP process. The cost of all lights, poles, conduit, and their installation must be paid for by the developer and a lighting district must be formed for the subdivision to cover operation and maintenance costs.
9. The previously negotiated and signed Memorandum of Understanding regarding escrowed funds towards potential future intersection improvements at Hoover Road and Lockport

Road remains in effect. The Developer is reminded of the intersection turning movement count (the Baseline Count) that is required for the Hoover Road and Lockport Road intersection. The Baseline Count must be conducted before any homes are built and during the school year.

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Supervisor MacSwan to schedule a public information meeting on Monday, May 16, 2022, at 6:50 pm to review the Town's Draft Stormwater Annual Report for 2021 and the Town's Stormwater Management Plan.

Stormwater Annual Report

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor to approve an amendment to the 2022 Highway Fund budget to provide the estimated revenue and budget appropriation for the increase in the New York State CHIPS Grant for Extreme Winter Recovery (EWR), Pave NY and Pave Our Potholes (POP) to be used for additional highway street repairs as follows:

NYS Chips

Highway Fund

Increase Estimated Revenues:

Account DA.0000.3501	State Aid - CHIPS	<u>\$71,745</u>
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Increase Appropriations:

Account DA.5110.0400	General Repairs Contr	<u>\$71,745</u>
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This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Helwig to hire Nathan Walerowicz as summer seasonal help for the Highway Department, at a rate of pay and terms pursuant to Job Specifications of the Highway Department's seasonal help and pending approval of Human Resources and a Niagara County criminal background check.

Hwy. seasonal help

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Retzlaff and seconded by Councilman Doktor to approve the request from the Board of Directors of The Eagle Lake Homeowners Association to remove the island that it must maintain at Loveland Road, which is supported by, Paul Siegmann, Highway Superintendent, as he agrees with the Association that the current island greatly hampers the ability of larger vehicles enter and exit without causing damage and ruts. This resolution authorizes the Highway Department to remove and pave over said island.

Remove island at Eagle Lake sub-division

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Councilman Helwig and seconded by Councilman Doktor to hire Matt Jelen as summer seasonal help - park guard, 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.

Rec. seasonal help

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Helwig 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 \$2,000 per megawatt with a 2% annual increase, with an estimated initial annual payment of \$8,000.00, **or** \$4,000 per megawatt with a 2% annual increase, with an estimated initial annual payment of \$16,000.00, if no school tax is to be paid on the solar project, relating to the premises at 3635 Lockport Road, North Tonawanda, (SBL #: 134.00-3-12), in the Town of Wheatfield, Niagara County, New York.

20 yr. Host Community with Agreement CVE

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Helwig to hire Connor Badendyck for the Youth Center, 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.

Youth Ctr. Seasonal help

This motion was CARRIED: AYES 4 - NAYS 0.

Moved by Supervisor MacSwan and seconded by Councilman Retzlaff to authorize a Military Vehicle display at the Veteran's Memorial on July 2, 2022 and to allow access to Town Hall facilities during the event.

Military Vehicle display July 2

This motion was CARRIED: AYES 4 - NAYS 0.

May 2, 2022

PUBLIC INPUT - none

The next meeting is scheduled for May 16, 2022 at 6:50 pm a Public Information meeting to review the Town's Draft Stormwater Annual Report for 2021 and the Stormwater Management Plan. The Regular Town Board Meeting at 7:00 pm.

Moved by Supervisor MacSwan and seconded by Councilman Helwig to adjourn at 7:49 pm.

This motion was CARRIED: AYES 4 – NAYS 0.

Respectfully submitted,
Kathleen Harrington-McDonell
Town Clerk