

WALES TOWN BOARD MEETING

Minutes of February 10, 2015

The 2nd meeting of the Wales Town Board was held on the 10th day of February, 2015 at the Wales Community Center, 12345 Big Tree Road, Wales Center, New York.

The meeting was called to order by Supervisor Rickey Venditti at 7:00 pm EST

ROLL CALL:

Present: Supervisor Rickey Venditti
Councilman Donald Butcher
Councilman Gerald Klinck
Councilman Michael Simon
Councilwoman Jude Hartrich

Absent: None

also present: Attorney Ronald Bennett, William Wheeler of CRA Engineering, Building Inspector Walter Raichel and (5) residents whose names are on file.

INVOCATION:

led by Donald Butcher

PLEDGE OF ALLEGIANCE:

led by Councilman Gerald Klinck

ADOPTION OF AGENDA:

MOTION # _____ moved by Councilman Gerald Klinck, second Councilman Michael Simon, approving the agenda as presented. **CARRIED**

ACCEPTANCE OF MINUTES:

MOTION # _____ moved by Councilman Michael Simon, second Councilwoman Jude Hartrich, approving the Town Clerk's minutes of January 13th 2015 as presented.

CARRIED

PUBLIC COMMENTS: NONE

OLD BUSINESS:

1) REQUEST FOR BUILDING REVISION RECEIVED FROM AUCTION INTERNATIONAL INC.

NEW BUSINESS:

1) TOWN CLERK REQUEST TO RENEW ANNUAL SOFTWARE PROGRAM WITH WILLIAMSON LAW BOOK CO.

MOTION# _____ by Councilman Donald Butcher, and second by Councilman Michael Simon, approving the Town Clerks request to renew annual software program with Williamson Law Book, in the amount of \$660.50. This is a budgeted item.

CARRIED

2) REQUEST TO APPROVE AGREEMENT WITH THE ERIE COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Attorney Ronald Bennett is working with the SPCA on some of the wording in the agreement, he feels it should be straightened out by the next board meeting.

**3) RESOLUTION TO APPROVE ERIE COUNTY YOUTH SERVICES AGREEMENT
RESOLUTION AUTHORIZING 2015 YOUTH AGREEMENT
WITH ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Town of Wales provides services to the youth of the Town by Tri-Town Recreation Day Camp to advance the moral, physical, mental and social well-being of the youth within the Town of Wales, and

WHEREAS, the Erie County Department of Social Services provides a youth program in support of youth services,

NOW, THEREFORE, be it

RESOLVED, the Town is authorized to enter into an Agreement with the Erie County Department of Social Services to provide funding to support the Tri-Town Recreation Day Camp by the Agreement, a copy of which is annexed by reference, and be it further

RESOLVED, the Supervisor is authorized to execute the Agreement on behalf of the Town, and be it further

RESOLVED, the Town Clerk is directed to provide a certified copy of this Resolution together with the fully-executed Agreement to the Erie County Department

CARRIED

4) RESOLUTION CALLING PUBLIC HEARING IN NOTICE OF PUBLIC HEARING

5) RESOLUTION IN SUPPORT OF THE TOWN OF WALES PARTICIPATION IN THE COUNTYWIDE GOVERNMENT EFFICIENCY PLAN

RESOLUTION IN SUPPORT OF THE TOWN OF WALES PARTICIPATION IN THE COUNTYWIDE GOVERNMENT EFFICIENCY PLAN

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget; and

WHEREAS, the new law encourages local governments to generate long-term tax -relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing Operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan demonstrating savings equivalent to one percent of their property tax levies in each of the following three years; and

WHEREAS, while local governments may take a variety of approaches to develop their Government Efficiency Plans, the State has strongly encouraged they convene and facilitate a process to develop and submit county-wide Government Efficiency Plans; and

WHEREAS, as exemplified in the recent establishment of the Buffalo Erie Niagara Land Improvement Corporation in 2012, this community has a history of receiving recognition by the State for demonstrating successful regional collaborations involving many municipalities; and

WHEREAS, Erie County has offered to coordinate the development of such Government Efficiency Plans as the 'lead agency' on behalf of all other interested municipalities; and

WHEREAS, the Town of Wales is interested in intergovernmental cooperation with Erie County and other municipalities in submitting a county-wide Government Efficiency Plan and desires to memorialize its intention to participate in a coordinated Plan to allow its homeowners to receive the Freeze Credit.

NOW, THEREFORE, BE IT RESOLVED that the Town of Wales seeks to ensure that Town homeowners will receive the Freeze Credit as part of this new State law; and

BE IT FURTHER RESOLVED that the Town of Wales did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded would disqualify the town from participation in the Property Tax Cap Freeze Credit Program; and

BE IT FURTHER RESOLVED that the Wales Town Board does hereby express its support for, and participation in an Erie County-wide Government Efficiency Plan; and

BE IT FURTHER RESOLVED that the Town Board urges the New York State Division of the Budget to approve Erie County's coordinated Government Efficiency Plan with local governments with the understanding that the Town has played an active role in the identification of preexisting and implementation of new shared services, consolidations or merges, and operational efficiencies within the Town of Wales for inclusion in the county-wide plan; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the Erie County Legislature: the Erie County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; the Director of the Division of Budget and Management; and the Association of Erie County Governments.

CARRIED

**6) RESOLUTION AUTHORIZING APPOINTMENT OF A SPECIAL PATROLMAN
IN THE TOWN OF WALES**

WHEREAS, the Town of Elma and the Iroquois Central School District have entered into an Agreement dated June 18, 2014 to provide a School Resource Officer for the Iroquois Central School District, and

WHEREAS, the Town of Elma has appointed Joseph DiPlato as Special Patrolman pursuant to General Municipal Law §209-v to act as School Resource Officer pursuant to the above-referenced Agreement, and

WHEREAS, the Iroquois Central School operates the Wales Primary School at 4650 Woodchuck Road, East Aurora, New York 14052 within the geographical jurisdiction of the Town of Wales, and wants to avail itself of the services of the School Resource Officer at such school, and

WHEREAS, the Town of Wales, pursuant to Town Law Section 20(1)(b) has the authority to appoint as many Constables as the Town Board may determine necessary, and

WHEREAS, Town Law Section 39 provides for Constables as peace officers to have all the power and authority conferred upon Constables by the general laws of the State and such additional powers not inconsistent with law as shall be conferred upon them by the Town, and

WHEREAS, Constables appointed by the Town Board are subject to the general authority and direction of the Town Board and of such other orders and regulations as the Town Board may prescribe not inconsistent with law, and

WHEREAS, General Municipal Law Section 209-v(1) authorizes the Town Board to appoint retired former members of the Division of State Police for the purpose of providing Special Patrolman on publicly owned property within such political subdivision, including property of the School District, in order to protect the property or persons of such premises, and

WHEREAS, General Municipal Law Section 209-v(2) provides the Special Patrolman to have all the powers of peace officers as set forth in Section 2.20 of the Criminal Procedure Law when performing the duties of a Special Patrolman, and

WHEREAS, the Town Board of the Town of Wales believes it is in the best interests of its residents to have a School Resource Officer available to act in such capacity at the Wales Primary School,

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 209-v of the General Municipal Law, the Town Board of the Town of Wales hereby appoints Joseph DiPlato, a retired former officer of the Division of New York State Police, as Special Patrolman within the Town of Wales to act as a School Resource Officer at the Wales Primary School for the Iroquois Central School District, and be it further

RESOLVED, that the appointment as a Special Patrolman within the Town of Wales shall have all the powers of peace officers as set forth in Section 2.20 of the Criminal Procedure Law when performing the duties of a Special Patrolman, and be it further

RESOLVED, the terms and provisions of the Agreement between the Town of Elma and the Iroquois Central School District in regard to the employment of a School Resource Officer shall be in full force and effect, and such terms and provisions are relevant to providing the services of a School Resource Officer for the Wales Primary School, including the compensation of such Special Patrolman set forth in the referenced Agreement, and be it further

RESOLVED, that certified copies of this Resolution shall be forwarded to the Superintendent of the Iroquois Central School District and the Supervisor of the Town of Elma.

COMMUNICATIONS

Town Attorney: Rec'd & filed Bldg.

Inspector: Rec'd & filed Highway

Dept.: Rec'd & filed.

Town Clerk: Rec'd & filed
Historian: Rec'd & filed

REPORTS OF COMMITTEES:

Councilman Michael Simon - Sludge Committee is working on a draft of the moratorium and the group will meet again before the next board meeting. He also will start setting up dept. head audits.

Councilwoman Jude Hartrich – Water Committee all is quiet for now.

REPRESENTATIVES OF COMMUNITY ORGANIZATIONS:

None

SECOND INVITATION FOR PUBLIC COMMENT :

Dr. John Carlone Hunters Creek Rd

REVIEW AND ACTION ON SUPERVISOR'S REPORT:

Not available at this time

REVIEW AND ACTION ON TOWN CLERK'S REPORT:

MOTION # _____ by Councilman Donald Butcher, second by Councilwoman Jude Hartrich, approving the Town Clerk's monthly report for January 2015 as presented.

CARRIED

GENERAL FUND BILLS:

MOTION # _____ by Councilman Donald Butcher, second by Councilman Michael

Simon approving payment of the 2014 General Abstract 014 , voucher #0511-0517 total amount \$6531.88 and 2014 General Abstract 001, voucher#0001-0043, total amount \$29,537.06

CARRIED

HIGHWAY FUND BILLS:

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck approving payment of the 2014 Highway Abstract 014, voucher #117 total \$120.40 and 2015 Highway Abstract #001, vouchers#001-019 total \$13,130.03

CARRIED

IN MEMORY OF: Theodore A Becker & Andy Matuch

ADJOURNMENT:

Motion duly made and seconded to adjourn the meeting at 7:30pm
Respectfully submitted,

Mindy Eaton
Wales Town Clerk