

**WALES TOWN BOARD MEETING
Minutes of December 11th, 2018**

The 13th meeting of the Wales Town Board was held on the 11th day of December, 2018 at the Wales Community Center, 12345 Big Tree Road, Wales Center, NY. The meeting was called to order at 7:00 pm by Supervisor Rickey Venditti.

ROLL CALL:

Councilman Michael Simon	Aye
Councilman Gerald Klinck	Aye
Councilman Drive	Aye
Councilman Donald Butcher	Aye
Supervisor Rickey Venditti	Aye

also present were: Attorney Ronald Bennett, Town Engineer and Dave Bender Building Inspector, Highway Superintendent Mike Zwyar (7) residents whose names are on file.

INVOCATION: led by Councilman Donald Butcher

PLEDGE OF ALLEGIANCE: led by Councilman Michael Simon

ADOPTION OF AGENDA:

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck approving the agenda as presented. **CARRIED**

ACCEPTANCE OF MINUTES:

MOTION # _____ moved by Councilman Donald Butcher, second by Councilman Michael Simon, approving the Town Clerk's minutes of November 13th 2018 as presented.

CARRIED

INVITATION FOR PUBLIC COMMENTS:

John Carlone Hunters Creek Rd The Wales water Study by Steve Winkley 5 years ago was a big disappoint, that the town showed no interest in the project. We need to protect our water supply it's important to all our life'. The turnout of people living on 20a during the Dollar General public hearing should have brought up the problem of the water supply in Wales. Mr. Winlkey will be coming early next year to go over his report of the water study.

Jeff Gawronski Big Tree Rd The Highway Superintendent Mike Zwyar was supposed to contact me to discuss the water issues, to date I have not heard from him, I would like to discuss this matter with him.

OLD BUSINESS:

1. S.U.P. application received from Delaware River Solar for proposed project in the Town of Wales.

Supervisor Venditti started by addressing Town Code Section 200-36(b).

- (1) Conformity to Master Plan: All in agreement - yes
- (2) Conformity with existing zoning regulations: All in agreement - yes
- (3) Effect on adjacent property values: All in agreement - no impacts
- (4) Aesthetic impact: All in agreement - none
- (5) Ecological impact: All in agreement - none
- (6) Traffic and parking limitations: All in agreement - should be none
- (7) Presence of odors, dust, smoke, refuse, vibration....etc: All in agreement - basically no changes

MOTION # _____ by Councilman Donald Butcher, and second by Councilman Gerald Klinck approve this special use permit has no negative impacts.

CARRIED

Secondly, Supervisor Rickey Venditti noted receipt of approval from referring boards and agencies, public hearing has been held, and short form SEQR questions A-E the answers are all NO. He then read the following resolution.

RESOLUTION FOR APPROVAL OF A PRINCIPAL USE SOLAR ENERGY SYSTEM

WHEREAS, Delaware River Solar, LLC has applied for a Special Use Permit to establish a principal use Solar Energy System at property located at 11421 Big Tree Road in the Town of Wales, and

WHEREAS, the applicant has submitted a Boundary and Topographical Survey of the premises as prepared by Nussbaumer & Clarke, Inc., engineers and surveyors for the project which the Town has relied upon in the determination of the specific location of the proposed Solar Energy System, and

WHEREAS, the Town has been formally accepted as the lead agency for the

environmental assessment of the subject property, and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form referencing NY Wales 1, LLC as the applicant, and

WHEREAS, Joseph Wetzel on behalf of GHD, the engineers for the Town, has reviewed the Full Environmental Assessment Form Part 1, has submitted Part 2 wherein it has been determined that the proposed use will have little or moderate effect upon the environment, and

WHEREAS, based upon Parts 1 and 2 of the Environmental Assessment Form, the Town has considered and has issued a Resolution advising that it finds that the proposed use will not cause an environmental impact whereby the Town has approved a negative declaration, and

WHEREAS, the applicant has applied for a tax exemption pursuant to Real Property Tax Law § 487, and

WHEREAS, the Department of Army Corp. of Engineers have issued a preliminary jurisdiction determination that the area of use are not definitive within the regulatory jurisdiction and do not have expiration dates,

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the application of Delaware River Solar, LLC for a Special Use Permit to establish the principal use Solar Energy System based upon all the documents referenced herein and in accordance with Special Conditions attached to the Special Use Permit and made a part thereof, and be it further

RESOLVED, that a certified copy of this Resolution together with the Special Use Permit be submitted for the approval by Delaware River Solar, LLC approving and acknowledging the terms and requirements for the issuance and use of the subject property as a principal use Solar Energy System.

MOITION # _____ by Supervisor Rickey Venditti, second by Gerald Klinck approving the application of Delaware River Solar, LLC for a Special Use Permit to establish the principal use Solar Energy System based upon all the documents referenced herein and in accordance with Special Conditions.

CARRIED

2. S.U.P. application received from The Broadway Group for proposed Dollar General Store on Big Tree Rd.

The request for an independent traffic study was approved in November the board has not heard anything from the Broadway Group LLC since.

3. Proposed local law #3-2018 to increase the maximum income eligibility for senior citizens property tax exemption.

Supervisor Rickey Venditti stated the public hearing was held earlier tonight, with no public comment, which leads me to new business # 1 approving the local law.

NEW BUSINESS:

1. Resolution to approve the proposed local law #3-2018 to increase the maximum income eligibility for senior citizens property tax exemption.

RESOLUTION TO ADOPT LOCAL LAW INTRO NO. 3 -2018

WHEREAS, Local Law Intro. No. 3-2018 has been submitted amending the maximum annual income for persons sixty-five (65) years of age or over and excludes from the calculation of exemption for any senior citizen who has a service connected disability veteran and receive disability compensation from the United States Department Veteran Affairs, and

WHEREAS, the amendments to the Zoning Code set forth in the said Local Law have been carefully considered by the Town, and

WHEREAS, Article XI of Chapter 158 of the Zoning Code provides for amendments to the Zoning Code, setting forth the procedure requiring a public hearing, and

WHEREAS, a public hearing was held on December 11, 2018 permitting public comments in regard to the proposed amendment.

NOW, THEREFORE, be it

RESOLVED, Local Law No. 3-2018 is hereby adopted and shall become effective upon filing of the Local Law with the New York Secretary of State, and be it further

RESOLVED, the Town Clerk is directed to file a copy of the Local Law with General Code Publishers for the purpose of updating the Code Book of the Town of Wales.

MOTION _____ by Supervisor Rickey Venditti, second by Gerald Klinck approving Local Law 3-2018 to increase the maximum income eligibility for senior citizens property tax exemption.

CARRIED

2. Revised agreement with Towns and Villages received from the Erie

County S.P.C.A. Ron Bennett is waiting for a responds from the SPCA on a revision of the contract, before it can be signed.

3. W.C.V.F.C. service award program life insurance.

Received letter from service award program carrier that NYS regulations that we are no longer support universal life insurance as part of the losap program.

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck, to surrender the insurance as part of the losap program according to NYS regulations.

CARRIED

4. Request to review Town codes in regard to the use of storage containers/semi- trailers as storages buildings.

Councilman Gerald Klinck has put together a draft of the storage/container semi-trailers code for the board and attorney Ron Bennett to review, will continue to discuss.

5. Town of Wales ground water study.

Supervisor Rickey Venditti has been in contact with Steven Winkley to set up a date, that he can come to a meeting and discuss his report.

6. Request to reappoint Planning Board member.

Received letter of resignation from Kennenth McGovern, the board would like to thank him for his many years of service on the planning board. Councilman Michael Simon would like to make a motion to appoint Jeff Gawronski to the planning board.

MOTION # _____ by Councilman Michael Simon, second by Councilman Gerald Klinck, approving the appointment of Jeff Gawronski to a 4 year term on the Planning Board, starting at the first of the year.

CARRIED

7. Request to reappoint Zoning Board of Appeals member.

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck, approving the reappointment of Mark Gielter to a 4 term on the Zoning board of Appeals.

CARRIED

8. N.Y.S. required Municipal Workers Compensation Alliance safety training.

Councilman Don Butcher has put in a few calls, but they haven't gotten back to him.

9. Town building security system.

Supervisor would like to see the building security system fully implemented maybe codes for employees or swipe cards, Mike Zywar said he would like into the cost of both.

10. Request to approved revised Town fee schedule.

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck, approving the Revised fee schedule for three items, temporary certificate of occupancy \$80. (new) Solar panel installation use \$35.00 and temporary storage unit (after 20 day) \$60.00.

CARRIED

11. Highway Superintendent request to purchase a power washer.

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck, approving the funds for a Simpson Power shot from Lowes at a cost of \$499.00.

CARRIED

COMMUNICATIONS:

2019 GHD contact Ron Bennett to review

Councilman Dan Driver would like the town to create a facebook page

Closeout meet December 18th

REPRESENTATIVES OF COMMUNITY ORGANIZATIONS

South Wales fire department celebrated their 90th

SECOND INVITATION FOR PUBLIC COMMENT:

Doris Carlone Hunters Rd In regards to the water study, Mr Winkley mapped out the aquifers in the town, which shows where the aquifer are and the size of them, it also shows problem areas, and contaminated areas. The map show area with lots of water and areas that have no water. A while back I talked to a man name Paul Ruben who said, he could do the same project at a cost of \$80.00 per hour. The amount of time Mr Winkley has put into the project since 2013 what it would of cost the town. Is item #4 pertain to all the trailers at Auctions International? Supervisor Venditti it's a new codes in regard to the use of storage containers/semi- trailers as storages buildings, the zoning committee is working on.

Lloyd Demario 6846 Olean Rd - I own 88 acres on Olean road and plan on retiring in the next year and hoping to open a wine taste room. I'm started growing grapes and working with the farm winery group and of course plan on following all the regulations and permits needed.

REVIEW AND ACTION OF SUPERVISOR'S MONTHLY REPORT:

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck, approving the Supervisor's monthly report for Decmeber, 2018, with transfers on page 2. CARRIED

REVIEW AND ACTION ON TOWN CLERK'S MONTHLY REPORT:

MOTION # _____ by Councilman Donald Butcher, second by Councilman Michael Simon, approving the Town Clerk's monthly report for December, 2018, as presented. CARRIED

ACTION ON GENERAL FUND BILLS:

MOTION # _____ by Councilman Michael Simon, second by Councilman Dan Driver, approving General Fund bills, abstract # 11, voucher # 422-500 total amount \$55,183.73 CARRIED

ACTION OF HIGHWAY FUND BILLS:

MOTION # _____ by Councilman Gerald Klinck, second by Councilman Dan Driver, approving Highway Fund bills, abstract #11, voucher #168-186 total amount \$ 28,010.80 CARRIED

ADJOURNMENT:

Respectfully submitted,

With no further business at hand, motion duly made by Supervisor Rickey and Councilman Gerald Klinck adjourn the meeting at 7:32pm

Memory of : Doreen Hawley and June Prusak

Respectfully submitted,

Melinda Eaton

Wales Town Clerk