

WALES TOWN BOARD MEETING

Minutes of February 11th, 2020

The 2th meeting of the Wales Town Board was held on the 11th day of February 2020 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** Supervisor Rickey Venditti

Councilman Donald Butcher

Councilman Gerald Klinck-Absent

Councilman Kyle Barry

Councilman Daniel Driver

Also present: GHD Engineering, (7) residents whose names are on file.

**INVOCATION:**

led by Councilman Donald Butcher

**PLEDGE OF ALLEGIANCE:**

led by Councilman Kyle Barry

**ADOPTION OF AGENDA:**

**MOTION # \_\_\_\_\_** by Councilman Donald Butcher, second by Councilman Dan Driver approving the agenda as presented. CARRIED

**ACCEPTANCE OF MINUTES:**

**MOTION # \_\_\_\_\_** by Councilman Dan Driver, second by Councilman Don Butcher approving the Town Clerk's minutes of January 14<sup>th</sup> 2020. CARRIED

**Public Comment:**

None

**OLD BUSINESS:**

**1.S.U.P. AMENDMENT APPLICATION RECEIVED FROM 1 WAY FLOORING COVERING & RENOVATION INC. TO OPERATE AT 11086 BIG TREE ROAD.**

The applicant did attending the last workshop and discussed the permit, the Town Attorney has prepared a special use permit for the board to review. At the request of the Attorney the special use permit needs to be reviewed by the Erie County Planning since the property is on a State Road.

**MOTION# \_\_\_\_** by Councilman Donald Butcher, second by Councilman Dan Driver to have the Town Clerk forward the special use permit to the County for review. The Town Board has to wait 30 days to receive any comments or recommendations before approving the Special Use Permit. CARRIED

**2.OPEN DEVELOPMENT AREA PERMIT REQUEST FOR VACANT PROPERTY LOCATED ON CENTERLINE ROAD**

The Board received the Planning Board and Conservative recommendations, Supervisor Rickey Venditti asked the board to review. Supervisor Rickey Venditti asked the Building Inspector if this property had an address, because residents have been asking about this open development permit. The Building Inspector said it had no address, it was vacant land. The property is located between 11196 Centerline Road west side and 12028 Centerline Road on the east side.

Supervisor Rickey Venditti stated that an Open Development is another term for "Single Home Flag Lot". The Applicant is asking for a 28x32 accessory building on the application, but according to the town code, you need a primary residence before any accessory buildings can be built. The board will review for the next meeting.

**3.LOCAL LAW INTRO 6-2019 IN REQARD TO AMENDING SECTION 200-6 ZONING MAP, OF THE CODES OF THE TOWN OF WALES.**

This local law was sent to the county for review on January 15th, 2020, so far the town has not received a respond but needs to wait the 30 days. We should be able to pass at the next board meeting in March.

**4. N.Y.S. REQUIRED MUNICIPAL WORKERS COMPENSATION ALLIANCE SAFETY TRAINING.**

Councilman Donald Butcher is working with Shawn Ross from Comp Alliance on the training courses. Adding to the packet for the hostile work environment, harassment policies, and active shooter. Councilman Dan Driver mentioned we should look at the town policies, and Councilman Donald Butcher said we should look at the State's policies as well.

**NEW BUSINESS:**

**1.REQUEST RECEIVED FOR HOME BASED BUSINESS NEMO'S ARMS LLC, TO OPERATE AT 6680 MAPLE HILL ROAD.**

**RESOLUTION FOR APPROVAL OF HOME OCCUPATION**

WHEREAS, Brandon M. Daly d/b/a Nemo's Arms LLC located at 6680 Maple Hill Road in the

Town of Wales has applied for a Firearms Licensing business, and

WHEREAS, a Home Occupation is a permitted accessory use in Section 200-28 of the Zoning Code of the Town of Wales, and

WHEREAS, in order to qualify as a Home Occupation, it must be an accessory use, of a service character conducted within a dwelling by the resident and which is secondary to the use of the dwelling, and

WHEREAS, it is incumbent upon the Town Board to determine whether the proposed use is a qualified Home Occupation, and

WHEREAS, the Town Board has reviewed in detail the particulars attendant to the proposed occupation,

NOW, THEREFORE, be it

RESOLVED, the Town Board does hereby determine that the proposed use is a qualified Home Occupation subject to certain terms and conditions as set forth in Exhibit A attached hereto, and be it further

RESOLVED, that the Town Clerk is directed to provide a certified copy of the Resolution to Brandon M. Daly d/b/a Nemo's Arms LLC with an acknowledgment by the licensee indicating full agreement for the terms required for the Home Occupation.

**MOTION #** \_\_\_ by Councilman Donald Butcher, second by Councilman Dan Driver approving the home occupation resolution for Brandon M. Daly dba Nemo's Arms LLC with the terms and conditions. CARRIED

**2.UPDATE ON THE BROADWAY GROUP PROPOSED DOLLAR GENERAL STORE ON ROUTE 16 IN SOUTH WALES**

Supervisor Rickey Vendetti stated that they applied for a variance for parking to allow for more green space. Building Inspector, Dave Bender, is working with them on their paperwork. The house on the property will need an asbestos study before they apply for a demolition permit.

**3.TOWN CLERK REQUEST TO EXPAND FUNDS TO RENEW WILLIAMSON LAW BOOK CO. COMPUTER SOFTWARE SUPPORT CONTRACT**

**MOTION #** \_\_\_ by Councilman Donald Butcher, second by Councilman Dan Driver approving the renewal of Town Clerk's computer software support contract with Williamson Law Book Co. in the amount of \$720.00. CARRIED

**4.HIGHWAY SUPERINTENDENT REQUEST TO EXPAND FUNDS TO PROCURE REPLACEMENT DUMP TRUCK**

Mike is still working on the bid for the new small dump truck off the State and County bid list. Right now the Town of Holland is interested in buying the old dump truck, he will work with the dealer on an appraisal for the old dump truck.

**5.HIGHWAY SUPERINTENDENT REQUEST TO EXPAND FUNDS TO PROCURE REPLACEMENT COMPUTER.**

**MOTION #** \_\_\_ by Councilman Donald Butcher, second by Councilman Dan Driver approving a computer off state bid for a Dell OptiPlex in the amount of \$597.38. CARRIED

**6.UPDATE FROM THE CODE ENFORCEMENT OFFICER ON THE CURRENT STATUS OF AUCTIONS INTERNATIONAL SUP COMPLIANCE**

C.E.O. Dave Bender informed the board they he issued a STOP WORK ORDER and Order to Appear in Court for the Antique Mall which is not permitted in the Special Use Permit. The court date is scheduled for this Thursday, February 13<sup>th</sup>.

**COMMUNICATIONS:**

Kyle Barry reported they are still working on the vacancy for clerk for the ZBA and Planning boards.

Delaware Solar is starting the permit process to start work on the solar project. Town attorney, Ron Bennett had questions on the setback both from the road and from the county park. It was far enough from both boundaries, that it did not have to go for further review. C.E.O., Dave Bender, stated that they need a 50' easement and 20' of gravel for the driveway.

Councilman Dan Driver working with Mr. Winkley on the Water Protection Plan-waiting for the updated maps and follow up with his presentation.

Councilman Don Butcher followed up with resident's on Goodleburg Road who still do not have cable.

**REPORTS OF DEPARTMENT HEADS:**

Bldg. Inspector: Rec'd & filed Highway Dept.: Rec'd & filed Town Clerk: Rec'd & filed

**REPRESENTATIVES OF COMMUNITY ORGANIZATIONS:**

Councilman Donald Butcher attended Wales Center Fire Co.Installation Dinner-was very nice, well attended South Wales Fire Co. had their installation dinner at Holland Willows

South Wales Fire Co Pancake breakfast was sold out. Wales Center Fire Co. BBQ is April 29th

**SECOND INVITATION FOR PUBLIC COMMENTS:**

Dorrie Carlone-5189 Hunters Creek Road. Russ Scherrer laughs at the town. He does whatever he pleases. She feels he is not being held accountable for the violations and court appearances. She also said there were actual summonses issued for his arrest and they were not served on. The Source Water Protection project should have been done by now. She has a question why \$12,000 was used on an outside law firm.

Brenna Gawronski-12732 Big Tree Road-Asked when Auctions International gets to the courts and nothing is done, can the board do a “total shutdown”? If the board were to do this being it is not a busy time, maybe the vendors would get on him. Brenna also stated that if Russ Scherrer’ Auctions International, was shut down for a month, may be they would pay attention to the work he should be doing. Supervisor Rickey Venditti says we have to follow due process and the Building Inspector is taking him to court this Thursday.

**VIEW AND ACTION ON TOWN CLERK’S REPORT:**

**MOTION # \_\_\_\_\_** by Councilman Donald Butcher, second by Councilman Dan Driver approving the Town Clerk’s monthly report for Feb 2020 as presented. CARRIED

**MOTION # \_\_\_\_\_** by Councilman Donald Butcher, second by Councilman Kyle Barry approving payment of the 2020 General Abstract # 002 voucher # 012-040 total amount \$28,477.79. CARRIED

**MOTION # \_\_\_\_\_** by Councilman Donald Butcher, second by Councilman Kyle Barry approving payment of the 2020 Highway Abstract # 002, voucher #001-013 total amount \$11654.07. CARRIED

**ADJOURNMENT:**

**MOTION # \_\_\_\_\_** Supervisor Rickey Venditti, second by Councilman Don Butcher to adjourn the meeting at 7:25 pm CARRIED

IN MEMORY OF: Donald Healy & George Hunt

Respectfully submitted, Town Clerk Mindy Eaton