

Minutes of July 14, 2020

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The 5TH meeting of the Wales Town Board was held on the 14th day of July 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:

Present: Supervisor Rickey Venditti
Councilman Dan Driver
Councilman Kyle Barry
Councilman Gerald Klinck
Councilman Donald Butcher

Also present: Attorney Ronald Bennett, GDH Engineering, and Building Inspector Dave Bender, Highway Superintendent Mike Zywar (18) Residents whose names are on file.

INVOCATION:

led by Councilman Donald Butcher

PLEDGE OF ALLEGIANCE:

led by Councilman Dan Driver

ADOPTION OF AGENDA:

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

CARRIED ACCEPTANCE OF MINUTES:

MOTION # _____ by Councilman Dan Driver, second by Councilman Donald Butcher, approving the Town Clerk's minutes of May 26th, 2020. **CARRIED**

To let everyone here know, a Special Use Application for the South Wales Dollar General has not been submitted yet. The town Board will not be voting on the project, the public will have many opportunities to comment on this project in the future.

PUBLIC COMMENTS:

Brad Rogers, Headmaster of the Gow School - I would like to say I'm a proud American and support our troops and volunteer service Men and women. The Gow school is opposed to the Dollar General for three reasons. First is safety for our students and the amount of traffic on Rt 16. Second point is that South Wales is so beautiful and great little community. Third is that the Dollar General has cheap products, that are made oversea.

Ed Miley 6384 Olean Rd - Is also opposed to the Dollar General for the same reasons Mr. Rogers has just stated. Now with the construction at the end of the Route 400 and amount of accidents that go on.

Kathy Sainsbury 6384 Olean Rd - I'm strongly opposed and agreed with all the previous statements. With the construction on the Route 400, if going to make it impossible to put out of the Dollar General parking lot on to Route 16. It going to destroy the beautiful little hamlet in South Wales and lower the property values. Asked about zoning changing, why no zoning changes on Route 16. Supervisor Rickey Venditti said the town needs to allowed for commercial property.

Jake Balon 6378 Olean Rd - Opposed to the Dollar General for safety reasons, the increased traffic would cause more accidents.

James Steins 6453 Olean Rd - Opposed for all the same reasons stated. Children's safety would be at risk with the additional traffic, Route 16 is already very busy.

Eric Demme 1853 Olean Rd- Zoning was Changed in 1996 from Agriculture to Commercial, I agree with everyone's statements. The Dollar General is not a good fit in the area that it is proposed.

Victoria Monegu 1853 Olean Rd - That area of Route 16 has had a numerous amount of serious accidents including one that hit my house and two accidents that hit trees, adding a Dollar General would only add to the problem. I'm opposed because the Dollar General sells junk products and food, it has no security which increases the probability of being robbed. Suggests putting the store further down Olean Road.

Unidentified – Route 16 is different than 20A it's a whole different animal. I travel a lot because of work and has seen many Dollar Generals and believes that stores are not well maintained.

Brian Spink 2513 Emery Road - No reason to put a Dollar General in South Wales, these stores are all over the place and close in proximity of one another. East Aurora, Holland and one in Wales already.

Councilman Donald Butcher told the resident' he doesn't want it either, get together as residents and go to Assemblyman David Dipierto and Senate Patrick Gallivan, the town has no control of Route 16 State Road, believe me, the town doesn't want it either. If residents at that against it, maybe they can help.

OLD BUSINESS:

1. Request received for Natemeg Farm LLC. to operate a farm for N.Y.S. winery and craft beer at 6846 Olean Rd.

It's been reviewed by the applicable board and agencies. The Planning and Conservative boards recommended that the parcels for this project need to be combined and a new site map and parking plan be added. The Building Inspector said he would talk to the applicant. Supervisor said the board would still like to set public hearing for August 11th prior to the regular scheduled meeting

MOTION # _____ by Supervisor Rickey Venditti, second by Councilman Kyle Barry, approving a public Hearing on August 11th and direct the Town Clerk to publish the legal notice for the public hearing.

CARRIED

2. S.U.P. application from The Broadway Group for proposed Dollar General Store at 6401 Olean Rd.

At this time, the town board only has a proposed plan for the Dollar General. Dave Bender expects the special use application to be submitted soon.

MOTION# _____ by Rickey Venditti and second by Councilman Don Butcher pending the receipt of the special use application, to forward to all applicable boards and agencies for their review. **CARRIED**

NEW BUSINESS:

1. Resolution to establish Town as lead agency on S.U.P. application proposed Natemeg Farm LLC. at 6846 Olean Rd.

RESOLUTION FOR LEAD AGENCY

WHEREAS, Natemeg Farm LLC has applied for a Special Use Permit to operate a farm for N.Y.S. wine and craft beer at 6846 Olean Road, South Wales; and

WHEREAS, the Town proposes that the action for approval shall be a Type 1 action; and

WHEREAS, it has been determined that other agencies shall be ministerial or administrative thereby permitting the Town of Wales to proceed as Lead Agency; and

WHEREAS, it is the obligation of the Town to determine the significance of the action as early as possible in the design and formulation of the action; and

WHEREAS, the agency has received an application for approval of the action,

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Board of the Town of Wales hereby declares itself as Lead Agency for SEQRA review purposes relating to Natemeg Farm LLC's proposal to operate a farm for N.Y.S. wine and craft beer to be located at 6846 Olean Road, South Wales, New York; and be it further

RESOLVED, that a certified copy of this Resolution shall be provided to Natemeg Farm LLC.

MOTION # _____ by Councilman Dan Driver, second by Councilman Kyle Barry Butcher, approving the Town of Wales as Lead Agency for SEQRA review as a Type 1 action.

CARRIED

2. Resolution to establish Town as lead agency on S.U.P. application proposed Dollar General Store at 6401 Olean Rd.

No application yet, The Town Board will be lead agency as soon as Special Use Permit is received.

3. S.U.P. application from Centerline Communication for proposed cell tower at 12721 Warner Hill Road.

The board just received this special use permit, Supervisor Rickey Venditti asks Dave Bender the Building Inspector if this application is complete, he responded yes it is.

MOTION # _____ by Supervisor Rickey Venditti, second by Councilman Donald Butcher approving the Town Clerk to forward to all the applicable boards and agencies. **CARRIED**

4. S.U.P. application from Promised Land to amend their current permit.

Building Inspector, Dave Bender said at this time Ferguson Electric is starting to move trailers and equipment out of the parking lot. Mr. Bender will be contacting with the applicant to verify if they are withdrawing their amended SUP application. Supervisor Rickey Venditti stated that this SUP application does not even comply with our Town Codes.

MOTION # _____ by Supervisor Rickey Venditti, second by Councilman Donald Butcher to table this SUP application, till Mr. Bender can verify with the applicant, if they are withdrawing the SUP application.

CARRIED

5. O.Y.A. Solar proposed Community Solar project at 4200 East Blood Road.

This proposed project from O.Y.A Solar project is being withdrawn. After further discussion with NYSEG, the project would need to be re-designed also NYSEG currently doesn't have a need.

6. Proposed Amendment to Town Codes, Chapter 84 Building Construction.

This local law is to amend chapter 84, to comply with the current provisions of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Codes.

RESOLUTION AUTHORIZING PUBLIC HEARING

WHEREAS, Local Law Intro. No. 1-2020 was introduced at a meeting of the Town Board held on the 14th day of July 2020, and subsequently approved on July 14th 2020, and

WHEREAS, the Local Law Intro. 1-2020 would amend Chapter 84 of the Codes of the Town of Wales by amending the standard to comply with the current provisions of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code, and

WHEREAS, General Municipal Law Section 20(A) requires a Public Hearing to be held before the Town Board with at least five day notice of said Public Hearing,

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Wales does hereby approve a Public Hearing to be held on said Local Law Intro. 1-2020 on the 11th day of August 2020, at 12345 Big Tree Road in the Town of Wales, and be it further

RESOLVED, the Town Clerk is directed to publish notice of said Public Hearing in the official newspaper of the Town of Wales, said notice being published at least five (5) days prior to the scheduled Public Hearing.

MOTION # _____ by Councilman Dan Driver, second by Councilman Donald Butcher, approving the public hearing for August 11th before the regular scheduled board meeting.

CARRIED

7. Building Inspector request to procure Williamson building and code enforcement software cloud proposal.

Supervisor Rickey Venditti asked if this request could be tabled for further reviewed and discussion.

MOTION # _____ by Supervisor Rickey Venditti second by Councilman Donald Butcher, approved tabling this require for further review. **CARRIED**

8.Update from the Code Enforcement Officer on the current status of Auctions International S.U.P. compliance.

Building Inspector Dave Bender, said that some trailers have been removed from the property and the house in front of the building will also be demolished soon. Mr. Bender said that the state is involved now, because they are running a business without a permit. A meeting is being set up with the State, but as of today no date has been set. Supervisor Rickey Venditti stated, he would like Attorney Ronald Bennett to also attend that meeting.

9.Update on the N.Y.S. required Municipal Workers Compensation Alliance safety training.

Councilman Donald Butcher said some Zoom meeting at set up for July 20th and July 27th with additional dates for August coming soon. Also working on a self-guided online for employee's to be able to take on their own. Supervisor Rickey Venditti asked Councilman Donald Butcher to please keep us to date.

COMMUNITIONS

The July Workshop will be canceled for July 28th. the Town Board Meeting will August 11th

Received response from Erie County, on traffic study at Warner Hill Rd and Vermont Hill Road for all-way stop sign. It was determined that the request it did not meet the criteria set by the National Manual of uniform traffic control devices. (MUTCD)

NYS DOT is reviewing Rt 400 for possible changes

USDA to set traps in our area for the European Cherry Fruit Fly

The Iroquois School District request to be lead agency on renovation project

REPORTS OF DEPARTMENT:

Building Inspector: Rec'd & filed

Highway: Rec'd & filed

Town Clerk: Rec'd & filed

REPORTS OF COMMITTEES:

Councilman Don Butcher talked about working on Reopening plan, a department head meeting is set for tomorrow.

Zoning - Councilman Gerald Klinck - back on track, working on esthetics with the codes.

Water Study – Supervisor Rickey Venditti asked Councilman Dan Driver if he would like to start setting up meetings for the Source Water protection plan.

REPRESENTATIVES OF COMMUNITY ORGANIZATIONS:

none

SECOND PUBLIC COMMENTS:

Dorothy Carlone - Hunters Creek Road - Water project has been going on for years, started back in 2012. No meetings have been setup about the source water protection plan.

Supervisor Rickey Venditti said to get a hold of Councilman Dan Driver, to see if he would like to start having meetings to discuss if any actions should be to be taken on the proposed plan by Steven Winkley. Councilman Dan Driver said, the only changes would be changing the building application to require having a well dug first before any building and check for arsenic in certain area, which Mr. Winkley said he would supply a map of the areas.

Dorothy Carlone said also lots sizes, Councilman Dan Driver said Mr. Winkley never proposed that, it wouldn't make a difference. Supervisor Rickey Venditti said that can all be discussed at a committee meeting.

Pastor from Wales Center Baptist Church spoke about the water being horrible at the church, wanting why the town doesn't have public water. Councilman Dan Driver said the water protection plan is for protecting of the ground water.

REVIEW AND ACTION ON SUPERVISOR'S REPORT:

MOTION # ____ by Councilman Don Butcher, second by Councilman Kyle Barry approving the Supervisor's reports for May & June as presented with the transfer on page 2.

CARRIED

REVIEW AND ACTION ON TOWN CLERK'S REPORT:

MOTION # ____ by Councilman Gerald Klinck, second Councilman Donald Butcher, approving the Town Clerk's monthly report for May & June, 2020 as presented. **CARRIED**

GENERAL FUND BILLS:

MOTION # ____ by Councilman Gerald Klinck, second by Councilman Dan Driver approving payment of the 2020 General Fund Abstract # 006 voucher #136-166 total of \$46,324.67 and 2020 General Fund Abstract #007 voucher #167-204 total of 30,132.09 **CARRIED**

HIGHWAY FUND BILLS:

MOTION # ____ by Councilman Donald Butcher, second by Councilman Gerald Klinck , approving payment of the 2020 Highway Abstract #006, voucher #055-063 total amount \$13,483.60 and 2020 Highway Abstract # 007, voucher #064-76 total amount \$6,111.28. **CARRIED**

ADJOURNMENT:

Motion duly made Supervisor Rickey Venditti and seconded Councilman Donald Butcher seconded to adjourn the meeting at 7:47pm. IN MEMORY OF: Wilford Schultz

Respectfully submitted,

Melinda Eaton, Wales Town Clerk