

## WALES TOWN BOARD MEETING

### Minutes of March 9th, 2021

Face masks and social distancing will be required due to covid

The 3rd meeting of the Wales Town Board was held on the 9th day of March 2021 at the Wales Community Center, 12345 Big Tree Road, Wales Center, New York.

The meeting was called to order by Supervisor Rickey Venditti at 7:56 pm

#### **ROLL CALL: Taken at public hearing**

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

Also present: GHD Engineering, Attorney Ronald Bennett. Building Inspector Walter Raichel and Highway supt'd Michael Zywar and (19) residents whose names are on file.

**INVOCATION:** Led by Donald Butcher

**PLEDGE OF ALLEGIANCE:** Led by Councilman Gerald Klinck Barry

#### **ADOPTION OF AGENDA:**

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

#### **ACCEPTANCE OF MINUTES:**

**MOTION # \_\_\_\_\_** moved by Councilman Dan Driver, second Councilman Donald Butcher, approving the Town Clerk's minutes of February 9<sup>th</sup>, 2021 as presented. CARRIED

#### **PUBLIC COMMENTS:**

Sammatha Grandquist - East Creek Rd I just want you to know, I am here if the board has any questions that you have.

#### **OLD BUSINESS:**

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

**(Public Hearing to be held 3/9/2021.)**

Supervisor Venditti said that the public hearing was held tonight, do I have any questions or comments from the board. One of the biggest concerns is the sidewalk issue, we can work over the year on this what hopefully a community block grant or the state. The store will be like the 20A with the extra dress up items, and no outside sales, except propane and ice.

Venditti wants to express to the residents it is sad and hard, for the residents who do not want the store, but they are fully compliant with all the rules and codes of the town. They are very experienced, they have worked with the board, to make the store more aesthetically pleasing, than most stores. The board must go by the application being complaint with all the codes and regulations, not are feeling. We don't want to get into a legal battle because we would lose, and it would be costly. At this time, we would ask if the town attorney could start drafting the special use permit.

##### **2. S.U.P. application from Thunder Hill Storage to amend their current permit at 13014 Big Tree Road.**

**(Pending receipt of complete S.U.P. from Applicant.)**

We received the completed amended special use permit; the building inspector accepted the permit The development is only the 300' of the property which is zoned commercial. Mr. Ritter, said they were not notified of the over the summer of meeting,

**MOTION # \_\_\_\_\_** by Councilman Supervisor, second Councilman Donald Butcher, approving the amended special use permit to be forwarded to all the applicable board s and agencies.

**MOTION # \_\_\_\_\_** by Councilman Supervisor, second Councilman Donald Butcher, approving a Public Hearing for April 13th 2021 prior to the board meeting. CARRIED

#### **NEW BUSINESS:**

##### **1. Request to approve Supervisor's annual financial report for year ending 12/31/2020**

The Bookkeeper has completed the 2020 year-end report. The December report includes the transfers from page 2 to balance the year 2020.

**MOTION # \_\_\_\_\_** moved by Councilman Donald Butcher, second Councilman Dan Driver, approving the supervisor's annual financial report for 2020 . CARRIED

#### **ROLL CALL:**

Supervisor Rickey Venditti aye  
Councilman Donald Butcher aye  
Councilman Kyle Barry Absent  
Councilman Dan Driver aye  
Councilman Gerald Klinck aye

Starting April if employees could submit vouchers monthly, completed and signed vouchers monthly instead of annually. That way things are being charged to the right month.

**2. Letter received from property owner in regard to barn at 5527 East Creek Road.**

Supervisor Rickey Venditti said with regards to the barn on East Creek Road, we have received a letter from the applicant stated their position, because of pending litigation. I sympathize very much, but I have been advised by the attorney that there is not a whole lot I can say. I can only say what I was told by the building inspector, that the site plans showed the location of the barn located directly in line with the house and that was the permit that building inspector approved. But the building was moved forward towards the road, no notification to the building inspector, that the barn was relocated, and now in the county right of way. The current building inspector Walter Rachiel has given them the opportunity to move the poles closest to the road, which could get the structure off the public right of way. If you would have done that, the building materials could have been reused and not wasted. All I can say is that it does not comply, with the site plan that was approved. Supervisor Rickey Venditti added that he sympathizes with the applicant and the board have received all your correspondences. I thought it was wonderful that the new building inspector tried to work with them to correct the problem. Sammatha Grandquist stated, that the builder told them that it would not work that way because of the doors. The Supervisor stated that this is all he can say at time.

**3.S.U.P. received to operate a home-based business at 4807 Reiter Road.**

This special use permit is for farm base business, located on Reiter road. The intent is to utilize the property to share with the community what it is like to have a small farm, offering items like honey, eggs, and milk soap and conduct farm based special interest classes and yoga.

**MOTION # \_\_\_\_\_** by Councilman Gerald Klinck, second Councilman Donald Butcher, approving the special use permit to be forwarded to all the applicable board s and agencies.

**MOTION # \_\_\_\_\_** by Councilman Donald Butcher, second Councilman Donald Butcher, approving a Public Hearing for April 13th, 2021 prior to the board meeting. CARRIED

**4. Emergency Manager request to approved Town's COVID-19 plan for Town Employees traveling out of State.**

This is a policy for out of state travel for town employees, we just need a policy like this, like other towns. Supervisor Rickey Venditti asked, the board if they that reviewed the policy and would like to approve this travel policy for town employees. The policy is subject to change as NYS protocols are updated.

**MOTION # \_\_\_\_\_** moved by Councilman Donald Butcher, second Councilman Dan Driver, approving the town employees traveling of out of state. CARRIED

**5. Emergency Manager request to approved Town's Erie County Hazard Mitigation Plan update.**

**MOTION # \_\_\_\_\_** moved by Councilman Donald Butcher, second Councilman Dan Driver, approving the emergency manager's report to Erie County Hazard Mitigation, which is updated every 5 years. CARRIED

**6. Building Inspector request to review / update Town building codes.**

The Building inspector has forwarded to the board and town attorney to update NYS building codes. The town attorney reviewed them, he stated it should go too committee and councilman Gerald Klinck will work one these NYS building codes.

**7. Highway Superintendent request to expend funds to repair / rebuild Town Hall's door locks.**

**MOTION # \_\_\_\_\_** moved by Councilman Donald Butcher, second Councilman Dan Driver, approving the quote from Lockmaster \$860.00, all the lock mechanisms are slipping and need to be replaced. CARRIED

**8. Request received from Brownie troop #34187 to utilize Wales Community Center for meetings.**

**MOTION # \_\_\_\_\_** moved by Councilman Donald Butcher, second Councilman Gerald Klinck approving The dates for the meeting, which are available, and they are following all covid-19 guidelines. They will also provide a certificate of insurance. CARRIED

**9. Request from Wales Center Women's softball team to utilize Town Park facilities.**

Annual request from mid-April to mid-August on Mondays and Wednesdays, 5:30-8:30pm. Also request the shelter and diamond for their league picnic on August 22nd. The town does require proof of insurance or signed waivers from the players.

**MOTION # \_\_\_\_\_** moved by Councilman Donald Butcher, second Councilman Gerald Klinck approving The Wales Center Women's softball using the town park. CARRIED

**10.Request for appointment of replacement Town of Wales Planning Board member.**

Supervisor Rickey Venditti stated, we do an opening on the planning board, and the board has received a letter of interest from Dorothy Carlone and resume. She is very knowledgeable and qualified and attends alot of the board meetings and could bring extra insight to the board.

**MOTION # \_\_\_\_\_** by Supervisor Rickey Venditti, second Councilman Gerald Klinck, any discussion Councilman Donald Butcher said he would like to table this till Councilman Kyle Barry is in attendance since he is the liaison to the planning board. He also stated that the Planning Board members should be able to view Dorothy Carlone's letter and resume. Supervisor Rickey Venditti said that this is not the way that appointments have been handled in the past, but we could establish this practice in the future, I think it would possibly be arbitrary and capricious to try and impose that now. Supervisor said I have a first and second any other discussion, Councilman Dan Driver voted aye and Councilman Donald Butcher voted no. Supervisor Rickey Venditti stated to Councilman Donald Butcher that he fully supports that plan for the future, I will ask Councilman Kyle Barry about this. Councilman Donald Butcher continued saying that her husband was just appointed to a committee and he recently approved your appointment for councilman, and now you want to appoint his wife to a paid town position, this sound like quid pro quo. Supervisor Venditti said she application has been in for a long time, her interest has been established. Supervisor Rickey Venditti asked Town

Attorney Ronald Bennett, if he could he go back and retract his vote Attorney Ronald Bennett stated that a motion would have to be made. I would like to make a Motion to reconsider. I will retract my vote.

**MOTION#**\_\_\_by Councilman Gerald Klinck and second by Councilman Dan Driver that Supervisor Rickey Venditti stated he will retract his vote and recuse himself so there is no conflict of interest. Carried - Attorney Ronald Bennett stated that the board would need three votes to approve. **MOTION#**\_\_\_by Councilman Donald Butcher second Councilman Daniel Driver to table the vote for the replacement of Planning Board vacancy, until Councilman Kyle Barry is in attendance. CARRIED

### **COMMUNICATIONS**

Received proposed contract from Dresher and Malecki LLP for the municipal accounting , for are annual department head audits for 2020. Approval at next meeting We received the final VFIS report from the Wales Center Volunteer Fire company regarding the service award program.

Due to covid, do we need to hold the workshop meeting on the 23<sup>rd</sup> of March?

**MOTION #** \_\_\_\_\_ moved by Councilman Donald Butcher, second Supervisor Rickey Venditti, approving cancelling the workshop meeting on March 23<sup>rd</sup>. CARRIED

### **DEPT HEADS REPORTS**

Bldg. Inspector, Highway Dept & Town Clerk

Pat Spahn Historian - Would like publicly thank Dee Ziegel, my predecessor for all her generous years of service to the town. I have lived in Wales for over 70 years and raised my family here. I've been an active member of many committees and volunteer over the years. Wales is home, and as the Town Historian plan to recognize the service men and women in our community on a personal note my husband Charles was a Vietnam Veteran, and my son Robert is celebrating his 30 year in the Air Force.

I would like to start collect letters and pictures of how the community, has been dealing with the covid crisis this last year. I send a Letter of intent to the Pomeroy Foundation for roadside markers, recognize Wales Center and also South Wales and Wales Hollow. I also have a private citizen who would like one to recognize Wally Schang. If anyone is interested in volunteer would please contact me.

### **REPORTS OF COMMITTEES:**

Councilman Gerald Klinck -working on the town building codes updates.

Councilman Don Butcher working on Comp Alliance training

Councilman Dan Driver -Water Councilman Dan Driver update on the Source Water protection plan started in 2014-2019 and Mr. Winkley prepared the final report in March 2020, it's been on website for any resident who would have liked to review. The updated recommendations first are the non-regulated to promote education, this was done 2014 and 2015 with his presentations. Gas well testing and I have reach out to Mr. Winkley to contact the DEC to put us on the list for the two wells that were identified. The regulatory strategies amend the special use permit, we did do this adding the 8 subsections to include the quantity and quality of the ground water. The other was to add to the checklist on a building permit for a new residence, to do a well first before building, and the building inspector did add to the check list. Well test for residents, I asked Mr. Winkley if he could target the areas that should be tested, he is also in contact with the NYSDOH that would test those suggested areas, but like many agencies they are backup, due to covid. The program will be extended for another 5 years.

### **SECOND INVITATION FOR PUBLIC COMMENT:**

Kevin Irgham Centerline Rd Thunder Hill amended, wondering why you are having the public hearing before the planning board and all the other input. Supervisor said It is 30 days to have a public hearing, we will have the input from the public hearing and all the boards before making any decisions. Mr. Irgham, I guess was my disconnect, I understand.

Walter Rachiel Wales Center Fire Chicken BBQ on April 18<sup>th</sup> noon- sold-out

### **REVIEW AND ACTION ON SUPERVISOR'S REPORT:**

**MOTION #** \_\_\_\_\_ by Councilman Donald Butcher, second by Councilman Gerald Klinck approving the preliminary December financial statement and approving the January and February financial statements with transfers. CARRIED

### **REVIEW 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 February 2021as presented. CARRIED

### **GENERAL FUND BILLS:**

**MOTION #** \_\_\_\_\_ by Councilman Donald Butcher, second by Councilman Dan Driver approving payment of the 2021 General Abstract 002, voucher # 039-068 total amount \$ 126,951.10 CARRIED

### **HIGHWAY FUND BILLS:**

**MOTION #** \_\_\_\_\_ by Councilman Donald Butcher, second by Councilman Dan Driver approving payment of the 2021 Highway Abstract 002, voucher #016-030 total amount \$10,480.64 CARRIED

**IN MEMORY OF: Loren Jay Hines and Michaelene Krupski**

Motion duly made by Supervisor Rickey Venditti and seconded by Dan Driver to adjourn the meeting at 8:47pm Respectfully submitted, Mindy Eaton Wales Town Clerk