

WALES TOWN BOARD MEETING
Minutes of June 11th, 2019

The 6TH meeting of the Wales Town Board was held on the 11th day of June, 2019 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

ROLL CALL: Supervisor Rickey Venditti
Councilman Donald Butcher
Councilman Gerald Klinck
Councilman Daniel Driver
Councilman Kyle Barry

Also present: Attorney Ronald Bennett, CHD Engineering, and (13) residents whose names are on file.

INVOCATION:

led by Councilman Donald Butcher

PLEDGE OF ALLEGIANCE:

led by Councilman Gerald Klinck

ADOPTION OF AGENDA:

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

ACCEPTANCE OF MINUTES:

MOTION # _____ by Councilman Donald Butcher, second by Councilman Gerald Klinck, approving the Town Clerk's minutes from May 14th, 2019 minutes. CARRIED

Supervisor Rickey Venditti introduced-Karen Howard from Senator Gallivan's office.

PUBLIC COMMENTS: none

OLD BUSINESS:

1. S.U.P. application received from 1 Way Flooring Covering & Renovation Inc. to operate at 11086 Big Tree Rd.

Conservation Advisory Board has met and provided favorable recommendation for the SUP. The Planning Board is meeting tomorrow night at 7pm.

2. S.U.P. application received for Restaurant / Concert Hall / Theater to operate at 12294 Big Tree Rd.

The Zoning Board of Appeals is still reviewing the SUP application. The applicant does not have enough parking for the project.

3. Town Justice's request to expend funds to install air conditioning in South Wales Community Building.

Highway superintendent Mike Zywar received three bids for the air conditioning units.

MOTION # _____ by Councilman Gerald Klinck, second by Councilman approving Northern Heating at a price of \$2,850.00 for the south wales community building air conditioning. CARRIED 4.

Status of Auctions International S.U.P. compliance.

Supervisor Rickey Venditti and Building Inspector Dave Bender have an appointment this Friday at 9:30am with Mr Scherrer, to go over the items that are not in compliance with his special use permit.

NEW BUSINESS

1 Iroquois High School Parent Association request for donation in support of Post Prom Party

MOTION # _____ by Councilman Gerald Klinck, second by Councilman Dan Driver approving a \$ 100.00 donation to the Iroquois Post Prom party. CARRIED

2 Resolution opposing S1747/A3675 which would offer drivers licenses to undocumented immigrants

RESOLUTION OPPOSING S1747/A3675

WHICH WOULD OFFER DRIVERS LICENSES TO UNDOCUMENTED IMMIGRANTS

WHEREAS, New York State is considering provisions that would offer driver's licenses to otherwise undocumented immigrants living in the state; and

WHEREAS, over the past ten years, elected officials from Western New York, including Senator Kirsten Gillibrand and Lt. Governor Kathy Hochul, have openly opposed offering driver's licenses to undocumented immigrants; and

WHEREAS, this policy essentially directs every County Clerk to knowingly break federal laws when approving undocumented immigrants' applications; and

WHEREAS, a driver's license could be used by illegal immigrants for "cover" as Lt. Governor Kathy Hochul once said, by providing them a valuable form of identification, allowing them to entirely avoid federal immigration authorities; and

WHEREAS, the privilege to drive in New York is not absolute; and, violation of other sections of state law, completely unrelated to Vehicle and Traffic laws can have an impact on the validity of one's driver's license; and

WHEREAS, New York law currently allows for the revocation of a driver's license if the person identified has broken another law, like failing to pay child support; and

WHEREAS, a person's willingness to avoid following proper immigration procedure calls into question whether they are willing to avoid following other laws, like reporting their income taxes, purchasing proper insurance, or following New York's vehicle and traffic laws; and

WHEREAS, law enforcement would not be permitted to review the records of an undocumented immigrant who is pulled over in a routine traffic stop, but could do background checks on U.S. citizens creating a double standard; and

WHEREAS, it is the opinion of this body that the privilege to drive legally in New York State should be predicated on the driver being in New York State, and the United States of America, legally.

NOW, THEREFORE, BE IT

RESOLVED, this honorable body urges the New York State Legislature and Governor Cuomo to reject the proposal calling for the provision of licenses to undocumented immigrants; and, be it further

RESOLVED, that the Town Clerk is directed to mail a copy of this resolution to Erie County Legislator Mills, Erie County Legislator Rath, NYS Assemblyman Norris and NYS Senator Ranzenhofer.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board of the Town of Wales on June 11th, 2019, the results of which were as follows:

Councilman Kyle Berry pointed out a few items. The whereas clauses are a "statement of fact". This resolution does not state which federal laws; it reads as if the laws are already stated. The WHEREAS clause which states a person's willingness to avoid following [roper immigration procedure calls into question whether they are willing to avoid following other laws.... "is an opinion not a statement." Councilman Kyle Barry has a problem with the concept of the Resolution. The WHEREAS clauses as an opinion not a statement of fact. I think we should consider denying. Supervisor Venditti asked Councilman Kyle Barry if he would like to strike certain WHEREAS clauses. Councilman Donald Butcher stated the Resolution came from Senator Ranzenhofer. Councilman Kyle Barry commented that the board should not assume that the second WHEREAS clause is a statement of fact. It is our job as Town of Wales board to verify a RESOLUTION WHEREAS clauses. Councilman Kyle Barry would like it on record that the town board has not verified all the WHEREAS clauses. Councilman Donald Butcher would like to go forward with the vote now that it is a "Roll Call". Councilman Kyle Butcher is

asking the board, since they just received the RESOLUTION, why can't we have the time to review it properly? Councilman Donald Butcher said we cannot have the extra time because the RESOLUTION will be voted on in the State Assembly within the next couple weeks. Councilman Donald Butcher is willing to take the County Controller and County Clerk that this RESOLUTION and its WHEREAS clauses are a statement of fact. Councilman Gerald Klinck spoke to Councilman Kyle Barry stating that in this case we can go ahead and trust where this RESOLUTION originated. Supervisor Rickey Venditti stated that this RESOLUTION has gone around to the Association of Towns and has been passed, but I do understand completely what Councilman Kyle has stated. Councilman Donald Butcher also understands' Councilman Kyle Barry's concerns, but does not agree with it.

MOTION # _____ by Councilman Gerald Klinck, second by Councilman Donald Butcher the resolution opposing NYS issuing undocumented immigrant driver's licenses.
CARRIED

ROLL CALL VOTE:

Supervisor Rickey Venditti	Aye
Councilman Donald Butcher	Aye
Councilman Gerald Klinck	Aye
Councilman Daniel Driver	Aye
Councilman Kyle Barry	No

CARRIED

Supervisor Rickey Venditti stated he would contact Supervisor Mills as to verification.

3. 2019 engagement letter received from Drescher & Malecki

Supervisor Rickey Venditti stated that we do not have to vote on this tonight as I have just received this letter. This contract is to provide municipal accounting services for review, consulting, and advice on Town financial practices and record keeping. We have annually contract with Drescher and Malecki in the past for this service. Department Head audits which were previously approved, not to exceed \$10,000. This is a budgeted item. The last paragraph of the letter states the above. Councilman Daniel Driver has stated a question regarding the fourth paragraph of the letter which states "we are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or others gather evidence for the purpose of expressing an opinion or a conclusion. We will not express an opinion or a conclusion nor provide any assurance on financial information within our work product. After reading the fourth paragraph, Councilman Daniel Driver then asked Supervisor Rickey Venditti "then, what are they doing for us." If they are not going to provide an opinion and decide if our financials are correct. Supervisor Rickey Venditti responded it is his opinion that the information we provide them is complete. Ronald Bennett, Town attorney, agreed. Councilman Daniel Driver questioned why the language of not providing an opinion should be, "providing an opinion based on the information that was given". Supervisor Rickey Venditti asked if Ronald Bennett, Town attorney, has any input. Ronald Bennett said if you look at what they did last year and how they come up with what "opinions" are; they will give you some instruction in regard to different things and will show the results of what they are doing. Councilman Daniel Driver would like clarification between whether an opinion is part of the 2019 engagement letter. Under the law, all companies have to have a third party verify their financials

Supervisor Rickey Venditti proposed the town board table the vote until Councilman Daniel Driver speak to Booker, Rae Hoxsie on this matter.

REPORTS OF DEPARTMENT HEADS:

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

REPORTS OF COMMITTEES:

Source Water Committee-Supervisor Rickey Venditti left a message. Councilman Daniel Driver and Supervisor Rickey Venditti will pursue communication with Steve Winkley.

Building Safety Committee-Supervisor Rickey Venditti received a Member Safety Bulletin from Comp Alliance which was on "active shooting". Documentation pending on that.

Water Draining problem-Town Engineer, Joe Wetzal will walk the property of Mr. & Mrs. Gawronski.

COMMUNITY ORGANIZATIONS

Town of Wales Historical Society is hosting a "Dandelion and other Backyard Herbs Program on Tuesday, June 18th Dinner at the Iron Kettle and Wine Tasting. Tickets can be obtained from Pat Spahn.

COMMIUCATIONS

Kiwanis Club golf tournament Aug 3th - you can sponsor a hole for \$50.00 donation

SECOND PUBLIC COMMENTS:

None

REVIEW AND ACTION ON SUPERVISOR'S REPORT:

MOTION # _____ by Councilman Gerald Klinck, second by Councilman Donald Butcher, approving the Supervisor's reports for May, 2019 with transfers on page 2 **CARRIED**

REVIEW AND ACTION ON TOWN CLERK'S REPORT:

MOTION # _____ by Councilman Donald Butcher, second Councilman Gerald Klinck, approving the Town Clerk's monthly report for May, 2019 as presented. **CARRIED**

GENERAL FUND BILLS:

MOTION # _____ by Councilman Kyle Barry, second by Councilman Donald Butcher, approving payment of the 2019 General Fund Abstract # 006, voucher #173-219 total amount\$40,769.90. **CARRIED**

HIGHWAY FUND BILLS:

MOTION # _____ by Councilman Gerald Klinck, second by Councilman Donald Butcher, approving payment of the 2019 Highway Abstract # 006, voucher #057-066 total amount \$ 10,112.02 **CARRIED**

ADJOURNMENT:

Motion duly made by Supervisor Rickey Venditti and seconded by Councilman Gerald Klinck to adjourn the meeting at 7:28 pm. **CARRIED**

MEMORY OF: Rosemary Murrell, Susan Merge, Kathryn Marino. Lawrence Tober & Martin Rejman

Melinda Eaton Town Clerk