

Town Board Minutes of November 12th, 2025, 7pm

ROLL CALL Taken at a previous Hearing

Supervisor Tim Howard
Councilman Donald Butcher
Councilman Jeff Gawronski
Councilwoman Brenda O'Connor
Councilman David Newman

present: Wendel Engineering (11) Residents whose names are on file.

INVOCATION: led by Councilman Butcher

PLEDGE OF ALLEGIANCE: led by Councilman Newman

ADOPTION OF AGENDA: MOTION # __By Councilman Butcher, second by Councilman Newman, approving the agenda, With the addition under new business #9 Big Tree Solar Project Carried ayes-5 noes-0

ACCEPTANCE OF MINUTES: MOTION # __By Councilman Butcher, second by Councilman Newman approving the minutes of September and October. Carried ayes-5 noes-0

INVITATION FOR PUBLIC COMMENT ON AGENDA ITEMS:

Alan Haungs is explaining that his group compiles an election-related scorecard for New York State every two years, and that they bring resolutions from towns to Albany to strengthen their position when speaking with state legislators about perceived problems in the voter or election system. He says that so far, each new scorecard has shown no improvement. Some key points in the remarks were that every two years, his group produces a scorecard evaluating New York State. They bring resolutions from towns to Albany and use them as leverage in meetings with assembly members and state senators, and they say they are now helping to draft legislation with those legislators. He thanks the board for passing such a resolution and indicates he may return in about two years to request another one if conditions have not improved. He proposes that any town can form a volunteer committee of residents who are interested in examining New York State's data. He offers to teach residents how to run data queries using whatever computers or software they have, so they can identify anomalies in their own town's records. Alan emphasized that the town could then decide what, if anything, to do such as canvas, file formal complaints, he mentioned HAVA (Help America Vote Act) or simply stay informed. The purpose is transparency and local awareness, mirroring the statewide issues his scorecards highlight.

OLD BUSINESS

1. Town of Wales 2026 Preliminary Budget, updated figures for South Wales Fire District

Resolution for Amendment of Budget

WHEREAS, officers and employees in charge of various administrative units of the government of the Town of Wales have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2026, AND
WHEREAS, the Town Supervisor, as the Town's Budget Officer, has caused a tentative ad valorem budget to be prepared, and the Town Clerk has presented such budget to this Town Board, AND
WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2026, and a public meeting was conducted on October 28, 2025 as required by Section 108 of Town Law, NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget is changed, altered and revised and as hereinafter set forth, for the fiscal year ending December 31, 2026.

General Fund

Increase Youth Contribution Appropriations A7310.4 \$500
Increase use of Fund Balance \$500

South Wales Fire District Fund

Decrease Fire Contract Appropriations \$8,085.85
Decrease Real Property Tax \$8,085.85

ROLL CALL

Supervisor Tim Howard aye
Councilman Donald Butcher aye
Councilman Jeff Gawronski aye
Councilwoman Brenda O'Connor aye
Councilman David Newman aye

MOTION # __By Councilman Butcher, second by Councilman Gawronski approving South Wales fire districts final budget figures and, Increase use of Fund Balance \$500. Carried ayes-5 noes-0

2. Resolution approving the 2026 Preliminary Budget as the Final Town of Wales 2025 Budget

Resolution for Adoption of Budget

WHEREAS, officers and employees in charge of various administrative units of the government of the Town of Wales have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2026, AND
WHEREAS, the Town Supervisor, as the Town's Budget Officer, has caused a tentative ad valorem budget to be prepared, and the Town Clerk has presented such budget to this Town Board, AND
WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2026, and a public meeting was conducted on October 28, 2025 as required by Section 108 of Town Law, NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget, is hereby adopted as the annual budget of the Town of Wales for the fiscal year ending December 31, 2026.

Letter of Authorization

BE IT RESOLVED, that the Town Board of the Town of Wales in accordance with New York State Town Law, Section 198, does hereby adopt all special charges as outlined on the attached “Letter of Authorization”.

Roll Call Vote:

- Supervisor Howard aye
- Councilman Newman aye
- Councilman Gawronski aye
- Councilwoman O’Connor aye
- Councilman Butcher aye

MOTION#__ Approving the Final 2025 Wales Town Budget. Carried ayes-5 noes-0

3.Local Law 3-2025 - Comprehensive revisions to Chapter 200

The coordinated review was completed. The 30-day time period hasn't passed yet, no action taken at this time.

4. Local Law 4-2025 – Short Term Rentals

The coordinated review was completed. The 30-day time period hasn't passed yet, no action taken at this time.

5. Local Law 5-2025 – Solar energy systems

The coordinated review was completed. The 30-day time period hasn't passed yet, no action taken at this time.

6. Request to approve Local Law 6-2025 to amend Local Law-2 for residential solar

Intro Local Law 6-2025

TO AMEND LOCAL LAW No. 2-2025 ALLOWING RESIDENTIAL SOLAR INSTALLATIONS

WHEREAS, the Town Board of the Town of Wales adopted Local Law No. 2-2025 extending a six-month moratorium on the permitting, construction, or modification of solar energy systems under Chapter 196 of the Town Code; and WHEREAS, the Town Board recognizes that the federal residential solar investment tax credit (ITC), which provides a 30% federal credit for eligible residential solar energy systems, will terminate for systems not completed by December 31, 2025; and

WHEREAS, the Town Board desires to allow residents to benefit from the federal tax credit while maintaining the existing moratorium in effect for commercial, community, and utility-scale solar projects.

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 2-2025 is hereby amended to add the following provision:

Temporary Exception for Solar Installations used for primarily residential use

The moratorium established under Local Law No. 2-2025 shall not apply to roof top or ground mount solar energy systems serving one- or two-family dwellings; and

Continuation of Moratorium for All Other Systems

The moratorium shall remain in full effect for all other solar energy systems, including commercial, community, and utility-scale projects, as set forth in Local Law No. 2-2025.

Local Law 6- 2025 will be a 6-month suspension of the solar moratorium to allow residential roof top or ground mount solar energy systems serving one-or two-family dwellings.

BE IT FURTHER RESOLVED that this amendment shall take effect immediately upon filing with the New York Secretary of State.

MOTION # __By Councilman Butcher, second by Councilman Newman approving Local Law 6-2025.

Carried ayes-5 noes-0

7. Assessment Review Board Position

Supervisor Howard said only one applicant applied for the position. Jeremy Ortiz from Maple Hill Road, he mailed the letter of interest. The Assessment Review Board meets one day a year, for the grievance day. Bill Swyers, our Highway Superintendent, and Dan Whitehead, our Building Inspector, are both very familiar with this individual. He's already established his commitment to assist and benefit the Town of Wales, by installing free gutters.

MOTION # __By Councilman Butcher, second by Councilman Newman approving Jeremy Ortiz to the Assessment Review Board. Carried ayes-5 noes-0

8. Request to approve Resolution for 2024 voting from Unite 4 Freedom

MOTION # __By Councilman Butcher, second by Councilman Newman approving a resolution calling for steps to ensure a legally valid 2026 election. Carried ayes-5 noes-0

ROLL CALL

- Supervisor Tim Howard aye
 - Councilman Donald Butcher aye
 - Councilman Jeff Gawronski aye
 - Councilwoman Brenda O’Connor aye
 - Councilman David Newman aye
- Carried ayes-5 noes-0

9.Big Tree Solar Project

Corinne Brath from Wendall updated the board on the Big Tree Solar Project. It is nearing the end of its environmental review, with most issues identified and either resolved or clearly outlined for final decisions. The SEQR stands at Part Two of the Full Environmental Assessment Form (EAF), which is the impact checklist, land, wetlands, flooding, groundwater, visual, etc, has been presented, and a draft of Part Three, which explains mitigation measures, is also in front of the board. The remaining major technical piece is the official state wetlands determination, which will confirm how mapped wetlands must be treated and whether any additional protections or layout changes are required. Agricultural impacts have been a central concern because of public comments, so the applicant revised the layout to move facilities off prime farmland soils and adjust the access road to better protect agricultural land. The applicant is expected to meet New York State Department of Agriculture and Markets construction and restoration standards, and decommissioning will have to return the land to agricultural market standards as closely as practicable. The Board does not expect the project to be visible from the roadway, although visual documentation is still considered useful for the record. There are no identified impacts to historic resources, and remaining impacts are mostly

temporary construction-related items such as traffic, noise, odor and lighting. Although the application is being processed under the town’s old solar law, the board is holding it to the standards of the new solar law, and later project stages would likely be governed by the new law as well. A decommissioning plan was submitted in October 2024, the town board has asked for copies, and that plan will need to include financial assurance and adherence to agricultural restoration standards. The Town Board is the final local decision-maker on this project, and it could act at a future meeting once it has the wetlands determination, decommissioning details, and any remaining clarifications. Before final approval, the fire company needs to confirm that the access road and turnaround areas are adequate for emergency response, which is a common requirement for large solar arrays.

NEW BUSINESS

1.Town Clerk request to expend funds to publish 2026 Town of Wales newsletter.

MOTION # __By Councilman Newman, second by Councilwoman O’Connor to approve \$950 for publishing the Town Newsletter. Carried ayes-5 noes-0

2.The Town Clerk posts the Dog Control position according to the Town Policy

MOTION # __By Councilman Newman, second by Councilwoman O’Connor the posting of the Dog Control position. Carried ayes-5 noes-0

Supervisor would like to note that Bill Newell, our dog control officer, submitted his voucher and only charged the town \$10 a day instead of \$25 a day. I've spoken with him since he's also agreed to stay until we hire someone or possibility stay if we contract with Wyoming County.

3.Authorized DA approved – Deputy Town Prosector

MOTION # __By Councilman Newman, second by Councilwoman O’Connor approving Rosemary Bapst as Deputy Town Prosecutor. Carried aye 5 noes 0

COMMUNICATIONS:

- Howard thanked Pat Spahn very much for a wonderful Veteran’s ceremony and was happy the weather cooperated.
- EMW Club would like to do a 10-15 minute presentation, the Town Board gracefully declined.
- Cancellation of the November 25th workshop.

MOTION# __by Councilman Butcher, second by Councilwoman O’Connor to cancel our November 26th workshop. Carried ayes-5 noes-0

- Marilla Supervisor Earl Gingerich explained that NYSEG will be running new lines and structure supports. Well, they got to replace the old double wood poles for one. But coming out of the Elma substation, to Two Rod Road coming through Wales to Wyoming County. They'll proceed with eminent domain and effecting 4 homes and offering 25% over market value, like for these houses that will have to be eliminated, the issue is, what's upsetting is the solar, the windmills, and all this stuff that's being done here is to get to shift in New York City
- Councilmember Newman and Michelle Homac, Deputy Clerk, will be attending the NYSEG Erie/Wyoming transition line meeting in Marilla on November 20th 4-7pm.

REPORT OF COMMITTEES: none

REPRESENTATIVES OF COMMUNITY ORGANIZATIONS: none

REVIEW AND ACTION ON SUPERVISOR’S MONTHLY REPORT:

MOTION# __by Councilman Gawronski, second by Councilman Butcher approving October 2025 Supervisors monthly reports. Carried ayes-5 noes-0

REVIEW AND ACTION ON TOWN CLERK’S MONTHLY REPORT:

MOTION # __by Councilwoman Gawronski, second Councilman Butcher, approving the Town Clerk’s monthly reports for October 2025 as presented. Carried ayes-5 noes-0

GENERAL FUND BILLS:

MOTION # __by Councilman Newman, second by Councilman Butcher approving General Fund Abstract # 011 voucher 306-358 total of \$ 161,923.62 and Escrow for Solar Project \$2,501.24. Carried ayes-5 noes-0

HIGHWAY FUND BILLS:

MOTION # __by Councilman Butcher, second by Councilman Newman, approving Highway Abstract # 011 voucher #133-144 total amount \$ 26,572.45. Carried ayes-5 noes- 0

ADJOURNMENT

MOTION# __By Supervisor Howard and second by Councilman Butcher to adjourn the meeting at 8:15pm. Carried ayes-5 noes-0

Respectfully submitted, Town Clerk of Wales