

REGULAR MEETING  
TOWN OF SHELBY

April 12, 2016 7:00PM

Present: Merle Draper, Supervisor  
Dale Stalker, Councilman  
William Bacon, Councilman  
Kenneth Schaal, Councilman  
Stephen Seitz, Jr., Councilman  
Darlene Rich, Town Clerk  
Bethany Centrone, Council for Bond, Schoeneck & King  
Michael Fuller, Highway Supt.  
Trisha Laszewski, Assessor  
Kirk Myhill, Planning Board Chairman  
Dan Wolfe, Codes & Zoning Officer  
Traci Culver, Bookkeeper  
Paul Gray, Constable  
Claude Grimes, Constable

|         |                  |  |
|---------|------------------|--|
| Others: | Donna Bushover   | Jerry Velesko                            |
|         | Dave Mahar       | Joan Mahar                               |
|         | James Zelazny    | Cheser Zelazny                           |
|         | Steve Seitz      | Les Quackenbush                          |
|         | Brian Murray Sr. | Lynne Johnson-Orleans County Legislature |
|         | Sue Fuller       | Cliff Lapp                               |
|         | Sherry Wheatley  | Bill Eick-Orleans County Legislature     |

Meeting was called to order at 7:00PM

Pledge to the flag

Public forum regarding agenda items only – Brian Murray Sr.-asked if any additional items added to agenda. Supervisor said he had four correspondence which he will mention later.

Highway Report – (Mike Fuller) – Salted roads 4 times, sanded county and town roads 4 times, plowed state roads 3 times, plowed county and town roads 2 times. Cold patched pot holes. Graded dirt roads. Cut trees. Picked up tires. Moving fill from bio cell. New water truck in service. Mike read the status report from Paul Chatfield. Supervisor asked Mike if he could put an estimate together of cost savings this year with the mild winter we had and report at next meeting.

Assessor Report – (Trisha Laszewski) – Still adding values for tentative assessment for May 1. Working on the properties with building permits and walk through. Grievance Day is May 24<sup>th</sup> from 4pm-8pm. Assessor’s clerk is training today and tomorrow.

Planning Board Report – (Kirk Myhill) – Working on sign permit. Going to be reviewed by ZBA. Working on Local Law for solar panels. The Town of Shelby has nothing in their zoning text regarding solar panels. Kirk thanked Bethany for all of her help with this.

Zoning Board Report – (Dan Wolfe) – Onsite inspections-6, permits issued-4, Violation letters sent-2. Had 48 office hours with 16 hours vacation time. Logged 148 miles.

Supervisor Draper said he received 4 Correspondences. One was from the US Department of Interior asking that the Erie Canal be a historic landmark. Supervisor also received a letter from a resident regarding the proposed quarry. Supervisor also had a response from the DEC and also a response from Frontier stone regarding party status for proposed quarry.

**RESOLUTION 50-16**

**RESOLUTION TO APPROVE MINUTES OF MARCH MEETING**

Motion by Councilman Seitz Jr., seconded by Councilman Schaal to approve minutes from the previous Town Board meeting.

- Ayes – 5
- Opposed – 0
- Motion carried

**RESOLUTION 51-16**

**RESOLUTION TO APPROVE THE TOWN CLERK’S REPORT**

Motion by Councilman Seitz Jr., seconded by Councilman Stalker to approve the Town Clerk’s report.

- Ayes – 5
- Opposed – 0
- Motion carried

**RESOLUTION 52-16**

**RESOLUTION TO APPROVE THE SUPERVISOR’S REPORT**

Motion by Councilman Bacon seconded by Councilman Schaal to approve the supervisor’s report.

- Ayes – 5
- Opposed – 0
- Motion carried

**RESOLUTION 53-16**

**RESOLUTION TO APPROVE PAYMENT OF BILLS**

Motion by Councilman Stalker seconded by Councilman Bacon to approve the payment of bills.

|             |               |              |             |
|-------------|---------------|--------------|-------------|
| General     | \$ 575,391.42 | Water No. 4B | \$ 5,207.26 |
| Highway     | \$ 17,313.21  | Water No. 5  | \$ 727.73   |
| Water No. 1 | \$ 4,248.68   | Water No. 6  | \$ 6,494.36 |
| Water No. 2 | \$ 6,263.91   | Water No. 7  | \$ 4,924.32 |
| Water No. 3 | \$ 12,400.31  | Water No. 8  | \$ 2,546.24 |
| Water No. 4 | \$ 8,198.52   | Water No. 9  | \$ 1,788.18 |

Ayes – 5

Opposed – 0

Motion carried

**RESOLUTION 54-16**

**RESOLUTION TO APPROVE FUEL STATION CONTROL SYSTEM TO GO TO BID WITH BID OPENING APRIL 28, 2016 @ 10:00 am.**

Motion by Councilman Schaal, seconded by Councilman Stalker

Ayes – 5

Opposed - 0

Motion carried

**RESOLUTION 55-16**

**RESOLUTION TO AUTHORIZE HIGHWAY SUPT. TO PURCHASE ROAD SIDE MOWER**

Motion by Councilman Bacon, seconded by Councilman Stalker

Ayes – 5

Opposed – 0

Motion carried

**RESOLUTION 56-16**

**RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN WATER SUPPLY AGREEMENT (Water District No. 12) PENDING APPROVAL FROM VILLAGE OF MEDINA AND NIAGARA COUNTY WATER DISTRICT**

Motion by Councilman Schaal, seconded by Councilman Bacon

Ayes – 4

Opposed – 0

Abstain-1, Councilman Seitz Jr.

Motion carried

**RESOLUTION 57-16**

**RESOLUTION REJECTING MOWING CONTRACT BID**

Motion by Councilman Seitz Jr., seconded by Councilman Stalker

Ayes – 5

Opposed – 0

Motion carried

Councilman Schaal said the town advertised mowing. It went out to bid. A private contractor put in a bid. It was excessive amount- \$77,000. The town can handle the mowing for \$45,000. Councilman Schaal recommends the town reject the bid and continue to mow as it has been. A letter will be sent to the private contractor.

**RESOLUTION 58-16**

RESOLUTION AUTHORIZING PAYMENT NO. 1 OF \$491,612.69 TO ACCADIA SITE CONTRACTING, INC FOR WORK ON WIBA NO. 10

Motion by Councilman Stalker, seconded by Councilman Seitz Jr.

Ayes – 5

Opposed – 0

Motion carried

The work has been approved by Chatfield Engineers.

**RESOLUTION 59-16**

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR \$8,200 FOR EXTENSION OF THE WATER MAIN ALONG NYS ROUTE 31A AS REQUESTED

Motion by Councilman Schaal, seconded by Councilman Stalker

Ayes – 5

Opposed – 0

Motion carried

Recommended by Chatfield Engineers for approval

**RESOLUTION 60-16**

RESOLUTION AUTHORIZING TOWN BOARD TO APPROVE THE REPAIR OF CULVERT RAIL ON DRESSER ROAD PER THE ESTIMATES GIVEN BY PAVILION DRAINAGE

Motion by Councilman Schaal, seconded by Councilman Seitz Jr.

Ayes – 5

Opposed – 0

Motion carried

Highway Supt. stated a car hit the guard rail on Dresser Rd. Upon inspection of the guardrails it was found that the other guard rail needed work. Board Counsel, Karl Essler said it should be fixed. The town received an insurance check to fix the guard rail that was hit. It would cost \$4,000 to fix the other side. Councilman Schaal stated that this needs to be done.

**RESOLUTION 61-16**

RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT TO PURCHASE EQUIPMENT WITH MONIES FROM WATER DISTRICT NO. 11

Motion by Councilman Seitz Jr., seconded by Councilman Schaal

Ayes – 5

Opposed – 0

Motion carried

Councilman Schaal said that the Highway Committee agreed with all purchases from the excess money.

**RESOLUTION 62-16**

**RESOLUTION AUTHORIZING HIGHWAY SUPERINTENDENT ENTER INTO AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES**

Motion by Councilman Schaal, seconded by Councilman Stalker

Ayes – 5

Opposed – 0

Motion carried

Received extra money for road repair. Will chip seal Hemlock Ridge Rd, Letts Road, Martin and Sanderson Rd, Bigford, South Woods Rd. and widen and blacktop Creek Road.

**RESOLUTION 63-16**

**RESOLUTION SUPPORTING NEIGHBORHOOD WATCH PROGRAM**

Motion by Councilman Schaal, seconded by Councilman Seitz Jr.

Ayes – 5

Opposed – 0

Motion carried

Supervisor Draper said this is a very good idea and the town will pay for copying letter, envelopes and stamps and address labels.

Highway Supt.-Mike Fuller thanked the county for allowing them to digitize the maps.

Board Comments –Councilman Schaal reported that Councilman Bacon and he audited the clerk’s books and justice books and they were in good order. The books were audited in February however it was not reported in the March meeting.

Councilman Seitz Jr. reported that Councilman Stalker and he audited the bookkeepers books in February and also found in good order.

Supervisor Draper said the board would be going into Executive Session to discuss a personnel matter after public comment.

Public Comment-Cliff Lapp reported he has 5 foot pools of water when he turns on Shelby Basin Road. It’s from the new water line going in on Shelby Basin Road. Supervisor Draper said if the people putting in the water line create it they will fix it. Highway Supt. said he will follow up on it.

Motion by Councilman Schaal, seconded by Councilman Stalker to go into Executive Session to discuss personnel matter at 7:31 PM.

Motion by Councilman Seitz Jr. seconded by Councilman Bacon to come out of Executive Session with no action taken at 7:47 PM.

Motion by Councilman Bacon seconded by Councilman Stalker to adjourn at 7:48PM.

Ayes – 5

Opposed – 0

Motion carried.

Respectfully submitted,

Darlene A. Rich, Town Clerk