

**REGULAR MEETING – TOWN OF SHELBY**  
**4062 SALT WORKS RD., MEDINA, NY**  
**September 11, 2017 7:00PM**

Present: Dale Stalker, Deputy Supervisor  
Kenneth Schaal, Councilman  
William Bacon, Councilman  
Stephen Seitz, Sr., Councilman  
Darlene Rich, Town Clerk  
Bethany Centrone, Council for Bond, Schoeneck & King  
Dan Wolfe, Codes & Zoning Officer  
Claude Grimes, Coinstable  
Michael Reese, Constable  
Traci Culver, Bookkeeper

Excused: Merle Draper, Supervisor, Out of Town  
Michael Fuller, Highway Supt.  
Trisha Laszewski, Assessor  
Kirk Myhill, Planning Board Chairman

Others:	Jarred Saj	Ed Houseknecht
	Les Quackenbush	Brian Murray Sr.
	Gerry Zinkievich	Terry Mahnke
	Wendi Pencille	Hannah Mahnke
	Megan Showler	Allan Bushover

Meeting was called to order at 7:00PM

Pledge to the flag

While still standing, a moment of silence was observed for all who lost their lives in the attack on America on September 11, 2001.

Public forum regarding agenda items only –Brian Murray wanted to know if there were any additions or deletions to the agenda. Deputy Supervisor Stalker said number 4 on the agenda, "Appoint Water System Operator for WD 12" was going to be pulled tonight.

Highway Report – (Mike Fuller) – Excused. No report.

Assessor Report – (Trisha Laszewski) – Excused. No report. Trisha had asked the town board to adopt a resolution regarding Tom Dotts being re-appointed to The Town of Shelby Board of Assessment Review

Planning Board Report – (Kirk Myhill) –Excused. No report

Zoning Board Report – (Dan Wolfe) –Logged 8calls, 8 onsite inspections, Attended 1 planning Board Meeting, 1 ZBA meeting, 1 Shelby Court Appearance. 7 Permits issued. 2 Violation letters (Property Maintenance and no building permit) Office hours 64. 173 miles. Councilman Schaal asked if he had any comment on the solar farm. Dan said it is a 6 month moratorium not 1 year. Moratorium will give time to research solar regulations for industrial use.

**RESOLUTION 102-17**

**RESOLUTION TO APPROVE MINUTES OF PREVIOUS MEETINGS**

Motion by Councilman Schaal and seconded by Councilman Seitz Sr. to approve minutes from the previous Shelby Town Board meetings.

Ayes – 4  
Opposed – 0  
Absent-Draper  
Motion carried

**RESOLUTION 103-17**

**RESOLUTION TO APPROVE THE TOWN CLERK REPORT**

Motion by Councilman Bacon and seconded by Councilman Schaal to approve the Town Clerk report.

Ayes – 4  
Opposed – 0  
Absent-Draper  
Motion carried

**RESOLUTION 104-17**

**RESOLUTION TO APPROVE THE SUPERVISOR REPORT**

Motion by Councilman Bacon and seconded by Councilman Schaal to approve the Supervisor report.

Ayes – 4  
Opposed – 0  
Absent-Draper  
Motion carried

**RESOLUTION 105-17**

**RESOLUTION TO APPROVE PAYMENT OF BILLS**

General	\$ 114,892.56	Highway	\$ 67,075.25
Water 1	\$ 201.14	Water 3	\$ 685.42
Water 6	\$ 68.17	Water 7	\$ 278.74
Water 8	\$ 19.78	Water11	\$ 3,825.00

Motion by Councilman Schaal and seconded by Councilman Seitz Sr. to approve the payment of bills.

Ayes – 4  
Opposed – 0  
Absent-Draper  
Motion carried

**RESOLUTION 106-17**

**RESOLUTION TO REAPPOINT TOM DOTTS TO BOARD OF ASSESSMENT REVIEW AS RECOMMENDED BY THE ASSESSOR**

Motion by Councilman Schaal and seconded by Councilman Seitz Sr. reappoint Tom Dotts to Board of Assessment Review as recommended by the Assessor

Ayes -4  
Opposed – 0  
Absent-Draper  
Motion carried

**RESOLUTION 107-17**

**RESOLUTION ADOPTING PARTIAL PAYMENTS FOR TOWN AND COUNTY TAXES**

Motion by Councilman Schaal and seconded by Councilman Seitz Sr. to adopt partial payments for town and county taxes

Ayes – 4  
Opposed – 0  
Absent-Draper  
Motion carried

**RESOLUTION 108-17**

**RESOLUTION TO ABOLISH \$1.00 FEE TO UNPAID TOWN AND COUNTY TAXES**

Motion by Councilman Schaal and seconded by Councilman Bacon to abolish \$1.00 fee to unpaid town and county taxes

Ayes – 4  
Opposed – 0  
Absent-Draper  
Motion carried

**RESOLUTION 109-17**

**RESOLUTION ADOPTING BUDGET MODIFICATION FOR WD #12**

Motion by Councilman Schaal and second by Councilman Seitz Sr. to adopt Budget Modification for WD #12

Ayes - 4  
Opposed - 0  
Absent-Draper  
Motion carried

**RESOLUTION 110-17**

**RESOLUTION AUTHORIZING PURCHASE OF WD #12 ITEMS WITH LEFT OVER GRANT MONEY**

Motion by Councilman Bacon and second by Councilman Seitz Sr. to authorize purchase of WD #12 items with left over grant money

Ayes - 4  
Opposed - 0  
Absent-Draper  
Motion carried

**RESOLUTION 111-17**

**RESOLUTION APPOINTING DALE STALKER AND STEPHEN SEITZ SR. TO AMBULANCE COMMITTEE**

Motion by Councilman Schaal and second by Councilman Bacon Sr. to appoint Dale Stalker and Stephen Seitz Sr. to ambulance committee.

Ayes - 4  
Opposed - 0  
Absent-Draper  
Motion carried

**RESOLUTION 112-17**

**RESOLUTION TO SET PUBLIC HEARING FOR PROPOSED LOCAL LAW #4 OF 2017 ENTITLED "A LOCAL LAW IMPOSING A MORATORIUM ON COMMERCIAL SOLAR USE" FOR OCTOBER 10, 2017 AT 6:45 PM**

Motion by Councilman Schaal and second by Councilman Bacon. to set Public Hearing for proposed Local Law # 4 of 2017 entitled " A local law imposing a moratorium on commercial solar use" for October 10, 2017 at 6:45 PM.

Ayes - 4  
Opposed - 0  
Absent-Draper  
Motion carried

This moratorium will be aimed at studying and giving careful consideration to the subject of commercial solar uses, their impact on the physical human environment in the Town, and the possible need for local legislation.

**RESOLUTION 113-17**

RESOLUTION TO SET DATE FOR BUDGET WORKSHOPS 9/25, 9/28, 10/2, 10/3, 10/4, 10/5, 10/9 AT 6 PM AT THE TOWN HALL

Motion by Councilman Schaal and second by Councilman Bacon. to set Budget Workshops for 9/25, 9/28, 10/2, 10/3, 10/4, 10/5, 10/9 at 6 PM at the Town Hall

Ayes - 4

Opposed - 0

Absent-Draper

Motion carried

Note-If budget workshops are going well may not need all of these dates. Call the office and check with Town Clerk if you plan on attending as workshop may be cancelled for that night.

**RESOLUTION 114-17**

RESOLUTION TO APPOINT KRISTA BACON AS THE TOWN'S BOOKKEEPER

Motion by Councilman Schaal and second by Councilman Seitz Sr. to appoint Krista Bacon as the Town's Bookkeeper

Ayes - 4

Opposed - 0

Absent-Draper

Motion carried

**RESOLUTION 115-17**

RESOLUTION TO ENTER INTO AN AGREEMENT WITH TRACI CULVER TO SERVE AS CONSULTANT FOR 90 DAYS TO ASSIST WITH TRANSITION OF BOOKKEEPER FUNCTION

Motion by Councilman Schaal and second by Councilman Seitz Sr. to enter into an agreement with Traci Culver to serve as Consultant for 90 days to assist with transition of bookkeeper function

Ayes - 4

Opposed - 0

Absent-Draper

Motion carried

Board Comments-Councilman Schaal- Attended the legislature meeting last month. New Chairperson ran meeting. It was like day and night. Nothing to bring to the Board. Wished Traci good luck with her new endeavors

Dale- Wished Traci good luck

Darlene-Wished Traci good luck. Thanked her for all her help in the past.

Bethany-Wished Traci good luck

Public Comments –Gerry Zinkievich- Asked why the bookkeeper position was not advertised. Councilman Schaal explained the it is an appointment by the Supervisor.

She then asked about the new water software. Town Clerk Rich explained the new software benefits and the maintenance cost savings each year.

Wendi Pencille asked if there are any options with the excess funds that were approved by Rural Development. Deputy Supervisor explained that the Wishlist items must be approved by Rural Development and it is with money left over from the water district. She also asked about the GPS and Folding machine.

Motion by Councilman Schaal second by Councilman Bacon to adjourn meeting at 7:30 pm.

Respectfully submitted,

Darlene A. Rich, MMC, RMC  
Town Clerk