

REGULAR MEETING – TOWN OF SHELBY
4062 SALT WORKS RD., MEDINA, NY
November 14, 2017 7:00PM

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

Others:	Jarred Saj	Ed Houseknecht, Town Elect Supervisor
	Les Quackenbush	Brian Murray Sr.
	Jerry Velesko	Gary Lamar
	Sue Fuller	Don Kleinschmidt
	Andrew Benz	Brian Reigle
	Andrea Reigle	Alan Bushover
	Julie Wolter	Donna Bushover
	Sharlene Pratt	John Pratt
	Gerry Zinkievich	

Meeting was called to order at 7:00PM

Pledge to the flag

Public forum regarding agenda items only – Highway report to extend snow and ice agreement, Consider special meeting end of November, Taxes raised 7 cents-Adopt Budget.

Highway Report – (Mike Fuller) – Put shoulders on Fletcher Chapel Road, black top driveway and pipe cuts, work on snow plow equipment, install culvert pipes, fix guard valve leaks. Mix salt & sand. mow cemeteries, fire company properties, water vaults and Town of Shelby Building and Grounds. Requested assistance from the county for demolition old point property in Shelby. County rejected permit right now. May need to get asbestos abatement. He needs official request from the Town Board per Jerry Gray at Orleans County Highway Dept. Dan and Ann Waterman asking for water on E. Shelby/Knowlesville Road. Their residence is 1500 feet at the end of waterline outside the district in Town of Alabama. Mike also received a second request for water from Brent Dahlhaus regarding their new build 450 feet from end of Water district 12. Chatfield Engineers proposed \$1250 fees for engineering this project. Brian & Andrea Reigle asked about water. They are 1500 feet from the end of the water district.

Last month Brian Murray had concerns about the restoration. It has been completed and is fine. NYSDOT- Councilman Schaal asked about the letter extending the contract. Mike said he forgot to get the new wage for the MEO's but will get it for next month meeting.

Engineer Report- General Engineering - Mike requested that Paul investigate the size of water service to be installed to serve the out of district customers on Knowlesville Rd. (Town of Alabama) from WIBA #10 and Salt Works Road from WD #12. He provided the town with a proposal from Chatfield Engineering Services associated the Salt Works Road water service. He understood there is another resident possible interested in water. They would be another 1500 linear feet from the proposed end of the water main.

Water District No. 12-Pilon Construction has completed all work related to the project. Any question or concerns to be directed to Scott Mattison. John Helgren at USDA Rural Development has approved "Wish List" for additional items. Based upon discussion with Kathy Dear at this point there appears to be approximately \$8700 that remains in contingency that may be used for additional items if approved by RD. Supervisor Draper has asked Paul Chatfield to seek approval for the purchase of 2 automatic flusher units. Mike Fuller has provided Paul Chatfield with the pricing from three vendors and Paul has submitted the request to USDA RD. Paul is writing approval from John Helgren regarding that item.

Town of Shelby Town Court Improvements-The final plans and cost estimate have been completed and forwarded to Supervisor and Councilman Schaal for consideration. A draft letter for Supervisor to review and send to Senator Ortt for grant funding.

Assessor Report – (Trisha Laszewski) – In the office alot working on the update. Will be out on the road soon with the updating. Getting ready to send exemption renewals out.

Planning Board Report – (Kirk Myhill) –Received letter of resignation from Gary Watts effective December 31, 2017. Will have Town Clerk put ad in paper. The Planning Board passed new local law regarding amending the zoning local law regarding Wildlife Refuge Protection Overlay District. Passed along recommendation to the board.

Zoning Board Report – (Dan Wolfe) –Logged 5 calls, 6 onsite inspections, Attended 1 planning Board Meeting, 1 Shelby Town Board Meeting. 1 Permit issued. 1 Violation letter sent for property maintenance, Office hours 44. Miles logged 132. Used 2 vacation days. Working with Darlene Hartway regarding new eatery in Millville. She has done a real nice job. Serving organic breakfast and lunch. Has a produce stand also. Really, need to stop out and see it.

Shelby Fire Chief Andrew Benz gave a report. Said so far this year they have answered 205 calls.

RESOLUTION 128-17

RESOLUTION TO APPROVE MINUTES OF PREVIOUS MEETINGS

Motion by Councilman Schaal, seconded by Councilman Stalker to approve minutes from the previous Shelby Town Board meetings.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 129-17

RESOLUTION TO APPROVE THE TOWN CLERK REPORT

Motion by Councilman Stalker, seconded by Councilman Schaal to approve the Town Clerk report.

Ayes – 5
Opposed – 0
Motion carried

RESOLUTION 130-17

RESOLUTION TO APPROVE SUPERVISOR REPORT (SEPTEMBER)

Motion by Councilman Bacon, seconded by Councilman Seitz Sr. to approve the September Supervisor Report.

Ayes-5
Opposed-0
Motion carried

Supervisor report was tabled from last month.

RESOLUTION 131-17

RESOLUTION TO APPROVE SUPERVISOR REPORT (OCTOBER)

Motion by Councilman Schaal, seconded by Councilman Seitz Sr. to approve the October Supervisor Report.

Ayes-5
Opposed-0
Motion carried

RESOLUTION 132-17

RESOLUTION TO APPROVE PAYMENT OF BILLS

General	\$ 81,419.31	Highway	\$ 95,257.01
Water 1	\$ 802.04	Water 2	\$ 28.85
Water 3	\$ 129.89	Water 4	\$ 601.36
Water 4B	\$ 584.94	Water5	\$ 13.97
Water 6	\$ 598.14	Water 7	\$ 618.90
Water 8	\$ 442.51	Water 9	\$ 314.55
Water 10	\$ 148.60	Water 11	\$ 144.22

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

Ayes – 5
Opposed – 0
Motion carried

RESOLUTION 133-17

RESOLUTION TO SET PUBLIC HEARING ON DECEMBER 12, 2017 AT 6:30 PM LOCAL LAW TO CONSIDER REPEALING LOCAL LAW NO. 5 OF 2010 TITLED "DOG LICENSING AND CONTROL LAW OF THE TOWN OF SHELBY, COUNTY OF ORLEANS"

Motion by Councilman Schaal, seconded by Councilman Bacon to set Public Hearing for December 12, 2017 at 6:30 PM for Local Law to consider repeal of Local Law No. 5 of 2010

Ayes -5

Opposed – 0

Motion carried

The Town intends to cooperate with Orleans County and participate in a county-wide dog control enforcement system. Orleans County has advised that they are willing to take on the responsibility for dog control and has requested that the Town 's local regulations be repealed.

RESOLUTION 134-17

RESOLUTION TO AUTHORIZE SUPERVISOR TO TRADE SURPLUS EQUIPMENT WITH THE VILLAGE OF MEDINA AS IT BECOMES AVAILABLE

Motion by Councilman Schaal, seconded by Councilman Seitz Sr. to authorize Supervisor to trade surplus equipment with the Village of Medina as it becomes available.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 135-17

RESOLUTION TO ADOPT 2018 BUDGET

Motion by Councilman Stalker and seconded by Councilman Schaal to adopt 2018 Budget

Ayes – 4

Opposed – 0

Absent-Bacon

Motion carried

Budget hearing was held on November 9th for consideration of adoption.

RESOLUTION 136-17

RESOLUTION TO SET PUBLIC HEARING FOR DECEMBER 12, 2017 AT 6:35 PM FOR CONSIDERATION OF LOCAL LAW TO PERMANENTLY EXEMPT COLD WAR VETERANS

Motion by Councilman Schaal and second by Councilman Stalker to set Pubic Hearing for December 12, 2017 at 6:35 PM for consideration of Local Law to permanently exempt cold war veterans.

Ayes - 5

Opposed - 0

Motion carried

In the past this exemption expired every 10 years. Will adopt to make it permanently exempt.

RESOLUTION 137-17

RESOLUTION TO SET PUBLIC HEARING AND SPECIAL MEETING FOR NOVEMBER 27, 2017 AT 5:00 PM REGARDING CONSIDERATION AND POSSIBLE ADOPTING LOCAL LAW AMENDING ZONING LOCAL LAW REGARDING WILDLIFE REFUGE PROTECTION OVERLAY DISTRICT

Motion by Councilman Schaal and second by Councilman Seitz Sr. to set public hearing and Special Meeting for November 27, 2017 at 5:00 PM regarding consideration and possible adopting Local Law amending zoning Local Law regarding Wildlife Refuge Protection Overlay District

Ayes - 5

Opposed - 0

Motion carried

Served with Article 78, regarding Frontier Stone with overlay zone. One item in question. Attorney scheduled hearing. Special meeting after Public Hearing. Either we will do nothing or adopt the overlay.

Board Comment-

Councilman Bacon-met with Highway Supt. He has 2 Macs that need to get fixed. Ask that \$5000 be moved from contingency to Highway Supt. Equipment Contractual.

RESOLUTION 138-17

RESOLUTION TO MOVE \$5000 FROM CONTINGENCY TO HIGHWAY EQUIPMENT CONTRACTUAL

Motion by Councilman Bacon, second by Councilman Stalker to move \$5000 from contingency to Highway Equipment contractual.

Ayes - 5

Opposed - 0

Motion carried

Public Comment-

Gerry Zinkievich asked about dog licensing with the county taking over dog control. Reassured her that the licensing would still be done with the Town.

Andrea and Brian Reigle also asked about water at their residence. They are going to write a request for water service. Their residence is on Salt Works Road, 1500 feet from the end of the Salt Works Road District. After lengthy discussion decided to have Mike talk to Chatfield Engineers regarding a proposal. Councilman Schaal asked that Mike get a quote for 2" vs 8" line.

RESOLUTION 139-17

RESOLUTION AUTHORIZING SUPERVISOR AND HIGHWAY SUPT. TO WORK WITH
CHATFIELD ENGINEERS AND ATTORNEY ON WATER REQUESTS

Motion by Councilman Schaal and second by Councilman Bacon to authorize Supervisor and
Highway Supt. to work with Engineer and Attorney regarding water requests.

Ayes - 5

Opposed - 0

Motion carried

Motion by Councilman Schaal second by Councilman Stalker. to adjourn meeting at 7:45 pm.

Respectfully submitted,

Darlene A. Rich, MMC, RMC
Town Clerk