

**TOWN OF SHELBY
REGULAR MEETING
4062 SALT WORKS RD., MEDINA, NY
NOVEMBER 10, 2020 7:00PM**

Present: Jeff Smith, Supervisor
William Bacon, Councilman
Stephen Seitz, Councilman
John Pratt, Councilman
Ryan Wilkins, Councilman
Darlene Rich, Town Clerk
Charles Grieco, Council for Bond, Schoeneck & King
Dale Root, Highway Supt.
Kirk Myhill, Planning Board
Paul Gray, Constable
Claude Grimes, Constable
Miranda Bennett, Bookkeeper

Excused: Trisha Laszewski, Assessor
Dan Wolfe, Code Enforcement and Zoning

Others: Alan Bushover Sharlene Pratt
Brian Murray Sr Leslie Quackenbush
Edward Zelazny Bill Eick-County Legislature

Meeting was called to order at 7:00PM

Pledge to the flag

There were two additions to the agenda, number 5 is a resolution to adopt lateral restrictions for force main from STAMP to Oak Orchard Creek and number 6 is to authorize Supervisor to sign Snow and Ice Contract with the County.

Highway Report – Dale gave his report for the month. Many stake outs were done throughout the town. Have been continuing to service the fire hydrants. After complaints during the summer regarding water weeping out of West Shelby Rd., the County has completed installing weep drains. The last rounds of road side mowing have been completed. Mowers have been serviced and put away for the winter. Borrowed stump grinder from the county and MEO's went about town and ground many stumps up. Town of Somerset lent us their hot box for asphalt. A nice job was done patching holes and shimming shoulders. Many thanks to Somerset.

Investing in a unit for ourselves would benefit the town.

Mounty Pleasant and Millville were cleaned up for the winter. We were able to secure many plastic barrels from Lyndonville for trash bins in the cemeteries and shop areas. Thank you to Mr. Murray. Water Department did ppm's checks, followed by much flushing and samples sent

to the lab. Three men went to water school for continuing education. Everyday E-Waste clean up continues. For most part all plows are on the salters. More salt has been ordered so he believes they are in good shape.

Assessor Report- No report

Planning Board- Kirk reported that Bill Keppler attended the planning board meeting regarding application in town. It is still in the works. County is not holding NYS training. Going on the NYS website for the training. It's a 4 hour class. County did 2 hour training hopefully next year it will be better.

Code Enforcement / Zoning Board Report –No report.

RESOLUTION 89-20

RESOLUTION TO APPROVE MINUTES FROM THE OCTOBER 13 TOWN BOARD MEETING

Motion by Councilman Pratt seconded by Councilman Seitz to approve minutes from the October 13 Town Board Meeting

Ayes – 5
Opposed – 0
Motion carried

RESOLUTION 90-20

RESOLUTION TO APPROVE MINUTES FROM THE PUBLIC HEARING FOR THE 2021 PRELIMINARY BUDGET ON NOVEMBER 5, 2020

Motion by Councilman Wilkins and seconded by Councilman Seitz to approve minutes from the Public Hearing for the 2021 Preliminary Budget on November 5, 2020.

Ayes – 5
Opposed – 0
Motion carried

RESOLUTION 91-20

RESOLUTION TO APPROVE THE TOWN CLERK REPORT

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

Ayes – 5
Opposed – 0
Motion carried

RESOLUTION 92-20

RESOLUTION TO APPROVE THE SUPERVISOR REPORT

Motion by Councilman Wilkins and seconded by Councilman Seitz to approve the Supervisor Report

Ayes – 5
Opposed – 0
Motion carried

RESOLUTION 93-20

RESOLUTION TO APPROVE PAYMENT OF BILLS

General	\$ 33,776.24	Water 5	\$.77
Highway	\$ 21,948.12	Water 6	\$ 65.93
Water 1	\$ 57.90	Water 7	\$ 158.50
Water 2	\$ 1,035.06	Water 8	\$ 25.82
Water 3	\$ 8,642.32	Water 9	\$ 5.39
Water 4	\$ 7,828.49	Water 10	\$ 7,976.97
Water 4B	\$ 9.24	Water 11	\$ 4.64
		Water 12	\$ 27,234.52

Motion by Councilman Bacon and seconded by Councilman Seitz to approve the payment of bills

Ayes – 5
Opposed – 0
Motion carried

Supervisor Smith-Three quotes were handed in for this project. The board accepted the bid that was slightly higher than the low bid as the track record of lower bid had issues of service and not doing work in a timely manner. Accept higher bid as we have had them on a couple of jobs and they do satisfactory work

RESOLUTION 94-20

RESOLUTION TO ACCEPT BID FROM TODD HOUSEMAN OF HOUSEMAN REFRIGERATION FOR THE HEATING VENTILATION AND AIR CONDITIONING SYSTEM

Motion by Councilman Bacon, seconded by Councilman Pratt to accept the bid from Todd Houseman from Houseman Refrigeration for the heating ventilation and air conditioning system

Ayes -4
Opposed – 0
Abstain-(Wilkins)
Motion carried

Supervisor Smith- We stayed within the tax cap so did not need a public hearing for a local law. There were no comments or questions at the public hearing regarding the budget that was held on November 5, 2020.

RESOLUTION 95-20

RESOLUTION TO ADOPT THE 2021 BUDGET WITH NO CHANGES THAT WAS PRESENTED AT THE PUBLIC HEARING ON NOVEMBER 5, 2020.

Motion by Councilman Seitz and seconded by Councilman Wilkins to adopt the 2021 budget with no changes that was presented at the Public Hearing on November 5, 2020

Ayes-5
Opposed-0
Motion carried

Supervisor Smith- Tonight we are introducing Local Law No. 1 of 2020 to amend the Town law regulating solar energy systems. The Town Board previously enacted a Local Law No 1 of 2019 to regulate solar energy systems within the Town. Those requirements are all contained in Section 787 of the Town Zoning law. After further review and in consultation with the Town's attorneys the Town Board has identified a few amendments needed to certain provisions of Section 787 of the Town Zoning Law, which would clarify some requirements for solar energy systems and further protect the environment, health and safety, and general welfare of the Town and its residents. Those amendments are reflected in proposed Local Law No 1 of 2020. Charles Greico- Council for Bond, Schoeneck and King- Section 787 furthers protection. Councilman Pratt is working with attorney on this. Want to make sure our law is where it should be. This will call for a Public Hearing and referral to the County Planning Board for recommendation

RESOLUTION 96-20

RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW NO. 1 OF 2020 "A LOCAL LAW TO AMEND THE TOWN LAW REGULATING SOLAR ENERGY SYSTEMS"

Motion by Councilman Pratt, seconded by Councilman Wilkins to introduce proposed Local Law No. 1 of 2020 "A Local Law to amend the town law Regulating Solar Energy Systems.

Ayes-5

Opposed-0

Motion carried

RESOLUTION 97-20

RESOLUTION TO SET PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 1 OF 2020 "A LOCAL LAW TO AMEND THE TOWN LAW REGULATING SOLAR ENERGY SYSTEMS" FOR DECEMBER 8, 2020 AT 6:45 PM

Motion by Councilman Wilkins and seconded by Councilman Seitz to set Public Hearing for proposed Local Law No. 1 of 2020 " A Local Law to amend the Town law regulating solar energy systems" for December 8, 2020 at 6:45 PM.

Ayes-5

Opposed-0

Motion carried

STAMP Project is proposing to build lateral sewer line from stamp area to north of Shelby Center where the waste water will drain into Oak Orchard Creek.

RESOLUTION 98-20

RESOLUTION ADOPTING LATERAL RESTRICTIONS REGARDING THE STAMP PROJECT

Motion by Councilman Wilkins and seconded by Councilman Pratt to adopt lateral restrictions regarding the STAMP project.

Ayes-5

Opposed-0

Motion carried

Note- The snow and ice agreement was adopted at the October meeting.

Board Comments- None

County Legislator Comment-Legislator Eick said the County Legislators are working on their budget. Public hearing will be November 30 at 5:30 pm. It looks like it is going to be better than anticipated.

Public Comments- none

Motion by Councilman Seitz and seconded by Councilman Pratt to adjourn at 7:18pm.

Respectfully submitted,

Darlene A. Rich, MMC, RMC
Town Clerk