

**DRAFT -PENDING APPROVAL AT THE FEBRUARY 8, 2022 TOWN BOARD MEETING**

TOWN BOARD REGULAR MEETING (VIRTUAL)  
TOWN OF SHELBY

January 11, 2022

Present: Jeffrey Smith, Supervisor  
Ryan Wilkins, Councilman  
Stephen Seitz, Councilman  
John Pratt, Councilman  
Eddie Zelazny, Councilman  
Darlene Rich, Town Clerk  
Dan Wolfe, Code Enforcement Officer  
Miranda Bennett, Bookkeeper

Virtual: Bethany Centrone, Council for Bond, Schoeneck & King  
Bill Eick, Orleans County Legislator  
Dale Root, Highway Supt.  
Mike Rich  
Julie Wolter  
Mary Zelazny  
Jim Zelazny

Virtual Meeting was called to order at 7:00 PM

Pledge to the Flag

Public forum regarding agenda items only- have three resolutions added on. Resolutions 16-22 through 18-22

Speaker Joseph Cardone District Attorney spoke about the proposed changes to the county court system. He said a county wide study had been done quite a while ago. He explained the court system in New York as it is currently. He explained that the Town of Shelby and the Town of Ridgeway became one court in 2000 and has since added Town of Yates. The judges can hear for each other so it's like one court. This proposed change would eliminate the justice court system. This district court could be phased in over time. The judges could work until the end of their term. The District court would have attorneys for the acting judges. This would all happen by process of study. District courts would work by time line. Public hearings would need to be held. District Attorney and Public Defender would come to public hearing to talk about current and district court system. The Town board would have to pass a resolution to have it placed on the ballot. If passed a judge would have to be elected. It would be a six year term. There would be a board of judges that would oversee the district. Supervisors would continue to have voice for their town. Councilman Wilkins asked if money collected in Town of Shelby in district court would stay in Shelby. District Cardone said it would not. He said the money collected in the district court would go to the district court and not in the town court. He said it's

about the justice system and not loss or profit. Legislator Eick said it needs to be seriously looked at county wide. Bethany Centrone, Esq. said Judges would be elected for the district courts.

Highway Report – (Dale Root) Supervisor read a report of the 2021 year from Dale. With shared services agreement with the help of the county a lot of trees were cut down. Some hills near road sides were cut. Assisted spectrum cable. With state repaying for the CHIPS monies they took plus adding funds along with the town desire to continue road repair they accomplished and unprecedented 10.5 miles of train repair, paving and many miles of grader paving. Started pouring grave stone foundations this year, making twenty or more. Jeremy made many of the common forms. Fixed an ongoing flooding issue on West Ave. Ext. support from the board was tremendous plus input and guidance from Soil and Water. In early December there was an electrical fire in the building which has caused us to replace the service. It won't be completed until spring. A new service by National Grid and transformer we will be installing diesel generator with transfer switch, a needed upgrade. Continuing water monitoring, road plowing, deer pick up and e-waste. All in all a productive year behind us. Let us continue support from the board. Many thanks to staff (MEO's and clerical) and our residents, we say thanks for all the times we are out there.

In the last month cleaned Letts Rd. ditch, hung the Mt. Pleasant map and finished yearly inventory. Water flushing- we dumped 4,259,300 gallons, On Freeman Road alone, we did 3,315,800 gallons for a total of \$25,555.80. Dale has an idea how to proceed but will need to take time to get all parties involved.

Assessor Report – (Trisha Laszewski) –No report other than Ag renewals coming in.

Planning Board Report – (Kirk Myhill) –Supervisor read report. Planning board meeting held on January 4, 2022. Town sign permits- one for David Schubel on Ryan Road and one for Dawn and Phil Keppler on South Gravel Road. Both were reviewed and approved. Kirk Myhill was re-appointed by the Planning Board to another term as Chairman. Roger Wilkins was re-appointed by the Planning Board as alternate. Both re-appointments were given to the Town Board for approval.

Code Enforcement Report- (Dan Wolfe) – Read his report for the year. He issued 40 building permits. Local Law #1 of 1981 is regarding unsafe building law. He is looking at demolition and removal of a structure at 5013 South Gravel Rd. He would like to get this structure down. No one is living there. Letters are being sent and they keep coming back. Will be in touch with the town attorney regarding this.

**RESOLUTION 6-22**

RESOLUTION TO APPROVE MEETING MINUTES OF DECEMBER 14, 2021

Motion, Wilkins; second, Seitz

Ayes –5

Opposed – 0

Motion carried

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**RESOLUTION 7 -22**

RESOLUTION TO APPROVE MINUTES OF THE YEAR END MEETING DECEMBER 30, 2021

Motion, Wilkins, second, Seitz

Ayes –5

Opposed – 0

Motion carried

**RESOLUTION 8-22**

RESOLUTION TO APPROVE MINUTES OF THE ORGANIZATIONAL MEETING ON JANUARY 3, 2022

Motion, Pratt; second, Zelazny

Ayes –5

Opposed – 0

Motion carried

**RESOLUTION 9-22**

RESOLUTION TO APPROVE TOWN CLERK'S REPORT

Motion, Seitz; second, Wilkins

Ayes – 5

Opposed – 0

Motion carried

**RESOLUTION 10 -22**

RESOLUTION TO APPROVE SUPERVISOR REPORT

Motion, Wilkins; second, Zelazny

Ayes – 5

Opposed – 0

Motion carried

**RESOLUTION 11-22**

RESOLUTION TO APPROVE PAYMENT OF CLAIMS AGAINST THE TOWN,  
INCLUDING ANY PAYMENTS NOT PREVIOUSLY APPROVED FOR PAYMENT FROM  
DECEMBER 14, 2021 TO JANUARY 3, 2022

Motion, Pratt; second, Wilkins

General	\$ 380,231.68	Highway	\$ 36,783.93
Water No. 1	\$ 14,244.93	Water No. 2	\$ 1,932.48
Water No. 3	\$ 6,995.25	Water No. 4A	\$ 10,529.88
Water No. 4B	\$ 8,260.13	Water No. 5	\$ 1,027.05
Water No. 6	\$ 9,994.14	Water No. 7	\$ 20,800.12
Water No. 8	\$ 10,142.21	Water No. 9	\$ 3,655.62
Water No. 10	\$ 1,882.42	Water No. 11	\$ 2,519.56
Water No. 12	\$ 4,239.90		

DECEMBER 30, 2021

General	\$ 69,170.23	Highway	\$13,111.34
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**RESOLUTION 12- 22**

RESOLUTION RE-APPOINTING KIRK MYHILL TO TOWN OF SHELBY PLANNING  
BOARD WITH TERM EXPIRING DECEMBER 31, 2026

Motion, Pratt; second, Zelazny

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 13- 22**

RESOLUTION RE-APPOINTING ROGER WILKINS AS ALTERNATE ON TOWN OF  
SHELBY PLANNING BOARD WITH TERM EXPIRING DECEMBER 31, 2022

Motion, Seitz; second, Wilkins

Opposed-0

Motion carried

**RESOLUTION 14- 22**

RESOLUTION AUTHORIZING THE ACCEPTANCE OF OWNERSHIP AND  
MAINTENANCE OF BARBER ROAD

Motion, Wilkins; second, Seitz

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 15- 22**

RESOLUTION AUTHORIZING THE ACCEPTANCE OF OWNERSHIP AND MAINTENANCE OF WATER WORKS ROAD

Motion, Wilkins; second, Pratt

Ayes-5

Oposed-0

Motion carried

Dale was looking at the state inventory list and found these two roads were not on the list. They needed to be added.

**RESOLUTION 16-22**

RESOLUTION TO PAY MIRANDA BENNETT TO ATTEND LEADERSHIP ORLEANS DURING THE 2022 CLASS. TUITION IS \$1950.00

Motion, Seitz; second, Wilkins

Discussion: Councilman Pratt asked what the benefits were for Miranda to go to Leadership Orleans instead of financial and bookkeeping classes in Albany and thinks this should be postponed indefinitely. Supervisor Smith said it will enhance her leadership ability and it beats not being stuck in a class in Albany for 5 days. He said she has already taken several financial classes. Supervisor Smith said the vote is as follows: For-post pone indefinitely Leadership Orleans, against -return to vote.by show of hands:

For postponing Leadership class indefinately -Zelazny, Pratt

Against postponing Leadership class -Seitz, Wilkins, Smith (Smith broke the tie)

Live motion to pay Miranda to attend Leadership Orleans.

Aye-Seitz, Wilkins, Smith broke the tie; Opposed- Pratt, Zelazny

Motion carried

**RESOLUTION 17-22**

RESOLUTION TO SUBSCRIBE TO YEARLY SECURITY AWARENESS TRAINING THROUGH C & H PC AT \$750 PER YEAR

Motion, Pratt; second Seitz

Ayes-5

Oposed-0

Motion carried

**RESOLUTION 18-22**

RESOLUTION FOR C&H PC TO PROVIDE THE TOWN WITH TECHNOLOGY SECURITY PLAN DOCUMENT FOR A ONE TIME FEE OF \$500

Motion, Wilkins; second Zelazny

Ayes-5

Oposed-0

Motion carried

Board Comment: Councilman Seitz- on behalf of the Shelby Fire Company he would like to thank Dale and the highway crew for taking care of the parking lot at the Shelby Fire Hall for their installation banquet on Saturday.

Public comment: none

Motion by Councilman Wilkins; second, Seitz to adjourn the meeting at 7:38 PM

Respectfully submitted,

Darlene A. Rich, MMC, RMC  
Town Clerk