

DRAFT COPY
REGULAR MEETING – TOWN OF SHELBY
4062 SALT WORKS RD., MEDINA, NY
MARCH 10, 2022 7:00PM

Present: Jeff Smith, Supervisor
 Ryan Wilkins, Councilman
 Stephen Seitz, Sr. Councilman
 John Pratt, Councilman
 Eddie Zelazny, Councilman
 Lori Myhill, Deputy Clerk
 Dorothy Nolan, Deputy Clerk
 Dale Root, Highway Superintendent
 Dan Wolfe, Codes & Zoning Officer
 Trisha Laszewski, Assessor
 Miranda Bennett, Bookkeeper
 Kirk Myhill, Planning Board Chairman
 Claude Grimes, Constable
 Michael Reese, Constable

Excused: Darlene Rich, Town Clerk

Others:	Allan Bushover	Les Quackenbush
	Jim Zelazny	Brian Murray
	Charlene Pratt	Julie Wolter
	Karen Jones	Ryder Jones
	William Eick	Mary Zelazny
	Tom Rivers	

Meeting was called to order at 7:00PM

Pledge to the flag

Jeff Smith – We are now live streaming our meetings through You Tube.

Public forum regarding agenda items only – Brian Murray asked if there were any change to the agenda and Jeff Smith replied there was not.

Highway Report – (Dale Root) – We were kept busy this past February. We did a lot of pushing drifts back and cleaning around fire hydrants. The weekend of February 25th was extremely busy chasing drifts due to the snow and gale force winds.

We also assisted the Shelby VFC at a fire by demolishing a barn and we were also asked to assist them with the flooding in their parking lot. A large amount of snow was melting and not allowing the water to get to the culvert. They were going to be holding a raffle so they needed to have the lot cleared.

We also picked up deer carcasses and wrapped and shipped the e-waste.

Assessor Report – (Trisha Laszewski) – Assessment changes are almost complete and we just finished up with exemption renewals for 2022.

Planning Board Report – (Kirk Myhill) – March’s meeting was cancelled so nothing to report

Code Enforcement / Zoning Board Report – (Dan Wolfe) –Working on fire safety inspections on East Shelby and Shelby VFC and the Baptist church in Shelby and am continuing with on-line education. I have been driving around town and there is a lot that needs to be addressed and I will be starting with these issues shortly.

RESOLUTION 27-22

RESOLUTION TO APPROVE MINUTES FROM THE FEBRUARY 8, 2022 TOWN BOARD MEETING

Motion by Steve Seitz and seconded by John Pratt to approve minutes from the February 8, 2022 town board meeting.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 28-22

RESOLUTION TO APPROVE MINUTES OF THE FEBRUARY 13, 2022 SPECIAL MEETING

Motion by Ryan Wilkins and seconded by Eddie Zelazny to approve minutes of the February 13, 2022 special meeting

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 29-22

RESOLUTION TO APPROVE MINUTES OF THE FEBRUARY 15, 2022 SPECIAL MEETING

Motion by Ryan Wilkins and seconded by John Pratt to approve minutes of the February 15, 2022 special meeting

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 30-22

RESOLUTION TO APPROVE THE TOWN CLERK’S REPORT

Motion by John Pratt and seconded by Eddie Zelazny to approve the Town Clerk’s report.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 31-22

RESOLUTION TO APPROVE THE SUPERVISOR’S REPORT

Motion by Steve Seitz and seconded by Ryan Wilkins to approve the supervisor’s report.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 32-22

RESOLUTION TO PAY CLAIMS AGAINST THE TOWN

General -	\$ 38,103.22	Highway -	\$ 26,759.63
Water 1 -	\$ 190.68	Water 2 -	\$ 18.07
Water 3 -	\$ 197.37	Water 4 -	\$ 60.21
Water 4B -	\$ 60.21	Water 5 -	\$ 6.04
Water 6 -	\$ 120.10	Water 7 -	\$ 141.43
Water 8 -	\$ 388.19	Water 9 -	\$ 36.10
Water 10 -	\$ 24.08	Water 11 -	\$ 11,555.10
Water 12 -	\$ 60.21		

Motion by Ryan Wilkins and seconded by John Pratt to approve the payment of bills.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE

Motion carried

RESOLUTION 33-22

RESOLUTION TO DEMOLISH THE PROPERTY AT 5063 S. GRAVEL RD.

Motion by Eddie Zelazny and seconded by Ryan Wilkins to approve the resolution to demolish the property at 5063 S. Gravel Rd.

Discussion: Dan said that this property has been vacant for two (2) years and that the proper procedures have been followed and every effort has been made to locate the owner. The property is deemed unsafe. It's open to vagrants, has broken out windows, grass hasn't been mowed and it's been vacant for two (2) years. Eddie Zelazny questioned what the cost would be or at least an estimate. Dan informed him that maybe we can get Shelby VFC to assist in a controlled burn or maybe we can get some shared services from the county. The DEC will allow you to bury the solid waste only on the property. That's no liquids or hazardous waste, just solid waste. We want to get this done as cheaply as possible.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE

Motion carried

Resolution 34-22

RESOLUTION TO EXTEND THE CURRENT DOCUWARE AGREEMENT WHICH EXPIRES ON SEPTEMBER 30, 2022. THE NEW FIVE (5) YEAR AGREEMENT CAN BE LOCKED-IN TO ENSURE THERE ARE NO INCREASES. THE AMOUNT WILL BE THE SAME AS IT IS CURRENTLY, AT \$250.00 PER MONTH

Motion by Steve Seitz and seconded by Ryan Wilkins to approve the resolution to extend the current Docuware agreement which expires on September 30, 2022. The new five (5) year agreement can be locked-in to ensure there are no increases. The amount will be the same as it is currently, at \$250.00 per month.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE

Motion carried

RESOLUTION 35-22

RESOLUTION TO APPOINT DOROTHY NOLAN AS FIRST DEPUTY CLERK AND ALSO AUTHORIZES DOROTHY TO COSIGN ON TOWN CLERK AND TAX COLLECTION ACCOUNTS

Motion by John Pratt and seconded by Eddie Zelazny to approve the resolution to appoint Dorothy Nolan as First Deputy Clerk and also authorizes Dorothy to cosign on Town Clerk and tax collection accounts

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 36-22

RESOLUTION FOR THE TOWN BOARD TO AUTHORIZE THE PURCHASE OF A SERVER-BASED TOWN MANAGEMENT SOFTWARE FROM WILLIAMSON, AS DETAILED IN THE FEBRUARY 8, 2022 QUOTE AND TO BE FUNDED WITH ARPA GRANT FUNDS

Motion by Ryan Wilkins and seconded by Steve Seitz to authorize the purchase of a server-based town management software from Williamson, as detailed in the February 8, 2022 quote and to be funded with ARPA grant funds

DISCUSSION: Ryan Wilkins stated that's it's a good thing for the Town to bring all areas of the office together. He thinks this Williamson program is the right fit. Eddie Zelazny questioned how long the grant money will last for this. Jeff said the grant will purchase it and Ryan stated until 2026. Jeff said the yearly fee costs about what we currently pay. Jeff wanted to thank all the guys for looking into the programs.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 37-22

RESOLUTION FOR THE TOWN BOARD TO RESCIND THE PART OF THE ORGANIZATIONAL MOTION REQUIRING THE TOWN BOARD MEMBERS TO SEPARATELY AUDIT THE BOOKS IN MARCH FOR THE CLERK AND BOOKKEEPER/SUPERVISOR, AS SUCH AUDITS ARE DUPLICATIVE OF THE PROFESSIONAL AUDITS CONDUCTED BY THE TOWN'S INDEPENDENT AUDITING FIRM

Motion by John Pratt and seconded by Ryan Wilkins to rescind the part of the organizational motion requiring the Town Board members to separately audit the books in March for the clerk and bookkeeper/supervisor, as such audits are duplicative of the professional audits conducted by the Town's independent auditing firm.

DISCUSSION: Eddie Zelazny asked if the independent audits are annual. Jeff said it is an annual audit.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 38-22

RESOLUTION FOR THE TOWN BOARD TO HEREBY RESOLVE THAT THE BOARD SHALL REVIEW THE INDEPENDENT AUDIT REPORTS AS THEY BECOME AVAILABLE FOR THE CLERK AND BOOKKEEPER/SUPERVISOR AND ACT ON REMEDIATIONS SUGGESTED BY THE CPA FIRMS AND MAKE A PERMANENT RECORD OF THESE ACTIONS AS APPROPRIATE

Motion by Ryan Wilkins and seconded by Eddie Zelazny for the Town Board to hereby resolve that the board shall review the independent audit reports as they become available for the clerk and bookkeeper/supervisor and act on remediations suggested by the CPA firms and make a permanent record of these actions as appropriate

DISCUSSION: Jeff commented that on our last audit from the State, one of the deficiencies found was that the town has to work on making corrections/changes that are suggested by the town's independent auditors.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 39-22

RESOLUTION FOR THE TOWN BOARD TO HEREBY RESOLVE TO SHARE RESULTS OF WENDEL ENGINEERING'S INDEPENDENT REVIEW, DONE FOR THE TOWN OF SHELBY, OF THE STAMP OUTLET LINE HYDRAULIC MODEL REGARDING DISCHARGES TO OAK ORCHARD CREEK, WITH THE ORLEANS COUNTY LEGISLATURE, ORLEANS COUNTY IDA, GENESEE ECONOMIC DEVELOPMENT CENTER AND THE VILLAGE OF MEDINA

Motion by Steve Seitz and seconded by Ryan Wilkins for the Town Board to resolve to share results of Wendel Engineering's independent review, done for the Town of Shelby, of the STAMP outlet line hydraulic model regarding discharges to Oak Orchard Creek, with the Orleans County Legislature, Orleans County IDA, Genesee Economic Development Center and the Village of Medina

DISCUSSION: Eddie Zelazny asked who paid Wendel Engineering and Jeff answered that Genesee Economic Development Center did

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 40-22

RESOLUTION FOR THE TOWN BOARD TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE VILLAGE OF MEDINA AND THE TOWN OF RIDGEWAY FOR AN EMERGENCY MASS NOTIFICATION SERVICE AT THE RATE OF \$1,300 PER YEAR FOR EACH MEMBER OF THE AGREEMENT, SHELBY WOULD USE ARPA FUNDS FOR AT LEAST THE FIRST THREE (3) YEARS, TO THE EXTENT THAT THEY REMAIN AVAILABLE

Motion by Ryan Wilkins and seconded by Eddie Zelazny for the Town Board to enter into a shared services agreement with the Village of Medina and the Town of Ridgeway for an Emergency Mass Notification service at the rate of \$1,300 per year for at least the first three (3) years, to the extent that they remain available

DISCUSSION: Ryan commented that the project was brought to him by the Village of Medina and it's an app on your phone or you can use email but anything that is happening in the village or the two (2) towns, i.e. water main breaks, snow events, road closures, etc. will be posted. He thinks it will be a good thing.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 41-22

RESOLUTION FOR THE TOWN BOARD TO ACCEPT THE JANUARY 24, 2022 PROPOSAL FOR CLEANING SERVICES FROM SAVE TIME CLEANING SERVICES

Motion by Ryan Wilkins and seconded by Steve Seitz for the Town Board to accept the January 24, 2022 proposal for cleaning services from Save Time Cleaning Services

DISCUSSION: John commented that he thinks this should be postponed for three (3) months to give current cleaners a chance to make changes before we move onto a different cleaning company. Ryan asked who would be talking to the cleaners and John said that he would. A new motion needs to be made to reflect this change.

Motion by John Pratt and seconded by Steve Seitz to postpone the changing of cleaners for three (3) months.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 42-22

RESOLUTION FOR THE TOWN BOARD TO HEREBY RESOLVE TO APPOINT LORI MYHILL TO THE NON-COMPETITIVE POSITION OF PART-TIME CLERK TO SERVE THE WATER DEPARTMENT, UNDER THE SUPERVISION OF THE SUPERVISOR, AND FURTHER RESOLVE THAT LORI MYHILL SHALL BE COMPENSATED AT A RATE OF \$17.13/HOUR AND SHALL BE DEEMED TO HAVE A REGULAR SCHEDULE OF 20 HOURS PER WEEK FOR PURPOSES OF BENEFITS UNDER THE EMPLOYEE HANDBOOK, WITH THE UNDERSTANDING THAT LORI'S DUTIES MAY REQUIRE THAT HER HOURS OF WORK WILL BE UNEVENLY PERFORMED THROUGHOUT THE MONTH

Motion by Ryan Wilkins and seconded by Eddie Zelazny to hereby resolve to appoint Lori Myhill to the non-competitive position of part-time clerk to serve the water department, under the supervision of the Supervisor, and further resolve that Lori Myhill shall be compensated at a rate of \$17.13/hour and shall be deemed to have a regular schedule of 20 hours per week for purposes of benefits under the employee handbook, with the understanding that Lori's duties may require that her hours of work will be unevenly performed throughout the month.

Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE
Motion carried

RESOLUTION 43-22

RESOLUTION FOR THE TOWN BOARD TO INCREASE THE ANNUAL BASE COMPENSATION PAID TO THE TOWN CLERK, DARLENE RICH FROM \$34,827 TO \$37,827 PER YEAR

Motion by John Pratt and seconded by Eddie Zelazny for the Town Board to increase the annual base compensation paid to the Town Clerk, Darlene Rich from \$34,827 to \$37,827

DISCUSSION: There was discussion between Ryan Wilkins and John Pratt on the pros and cons of increasing the Town Clerk's yearly wage

Jeff Smith – AYE, Ryan Wilkins – OPPOSED, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny - AYE

Motion carried

Board Comments – N/A

Public Comments – See You Tube under Town of Shelby Town Board Meeting

Motion by Steve Seitz and seconded by Ryan Wilkins to adjourn the town board meeting at 7:36 PM.
Jeff Smith – AYE, Ryan Wilkins – AYE, Stephen Seitz – AYE, John Pratt – AYE, Eddie Zelazny – AYE
Motion carried

Respectfully submitted,

Lori Myhill, Deputy Clerk