

**REGULAR MEETING – TOWN OF SHELBY
4062 SALT WORKS RD., MEDINA, NY
APRIL 12, 2022 7:00PM**

Please Note- We are now live streaming our meetings through You Tube.

Present: Jeff Smith, Supervisor
Ryan Wilkins, Councilman
Stephen Seitz, Sr. Councilman
John Pratt, Councilman
Eddie Zelazny, Councilman
Darlene Rich, Town Clerk
Dorothy Nolan, Deputy Clerk
Dan Wolfe, Codes & Zoning Officer
Kirk Myhill, Planning Board Chairman
Claude Grimes, Constable
Paul Gray, Constable

Excused: Trisha Laszewski, Assessor
Dale Root, Highway Superintendent
Miranda Bennett, Bookkeeper

Others: Allan Bushover Les Quackenbush
Jim Zelazny Brian Murray
Sharlene Pratt Julie Wolter
Bill Eick

Meeting was called to order at 7:00PM

Pledge to the flag

Public forum regarding agenda items only – Number 5 is to open bid for lawn mowing service.

Highway Report – (Dale Root) – Supervisor read his report as he was under the weather. Few plowing events for the month. Thanks to his deputy for stepping in when needed. New stainless steel water pipes put on 654 after one started leaking and others were getting weak. Hauled 300 ton of 5/8 rock before price increases for anticipated shoulder mix. With the counties help, cutting trees and grinding stumps and hauling away the grindings was done.

Cold patching of pot holes. Did a town wide sign inspection and repair. New blade installed on the grader. Dirt roads and shoulders will be cut when it is dry enough. Backhoe has had broom mounted and some sweeping has been done. Harley rake has been mounted on the John Deere and yards that have been damaged by the plows will be attended to when they dry up. All turn

arounds have been repaired. Quarterly water reads have been completed. Picked up of a few dead deer. Stacking of e-waste continues.

Assessor Report – (Trisha Laszewski) – Supervisor read her report. The change of assessments are a work in progress. Julie and Trisha are spending countless hours working to complete them. Her hope was to have them in the mail this week but that is not the case. Homeowners will have plenty of time to review once the notices are sent.

Planning Board Report – (Kirk Myhill) – Kleinschmidt sign was approved with a few stipulations. Training is available through you tube.

Code Enforcement / Zoning Board Report – (Dan Wolfe) – Has been on vacation and worked with Candy regarding an area variance for a resident to put a porch on their house. On Monday, Tuesday and Wednesday next week he will be attending the NYS training. He needs this to keep his license current.

RESOLUTION 44-22

RESOLUTION TO APPROVE MINUTES FROM THE MARCH 10, 2022 TOWN BOARD MEETING

Motion by Councilman Seitz and seconded by Councilman Wilkins

Ayes-5

Opposed-0

Motion carried

RESOLUTION 45-22

RESOLUTION TO APPROVE THE TOWN CLERK'S REPORT

Motion by Councilman Pratt and seconded by Councilman Wilkins

Ayes-5

Opposed-0

Motion carried

RESOLUTION 46-22

RESOLUTION TO APPROVE THE SUPERVISOR'S REPORT

Motion by Councilman Seitz and seconded by Councilman Zelazny to approve the supervisor's report.

Ayes-5

Opposed-0

Motion carried

RESOLUTION 47-22

RESOLUTION TO PAY CLAIMS AGAINST THE TOWN

General -	\$ 77,488.18	Highway -	\$ 21,454.17
Water 1 -	\$ 13,603.67	Water 2 -	\$ 1,770.43
Water 3 -	\$ 7,470.62	Water 4 -	\$ 10,134.39
Water 4B -	\$ 7,890.19	Water 5 -	\$ 929.30
Water 6 -	\$ 9,668.42	Water 7 -	\$ 5,700.16
Water 8 -	\$ 4,494.13	Water 9 -	\$ 3,387.68
Water 10 -	\$ 1,697.44	Water 11 -	\$ 2,262.05
Water 12 -	\$ 3,962.94		

Motion by Councilman Wilkins Ryan and seconded by Councilman Seitz

Ayes-5

Opposed-0

Motion carried

RESOLUTION 48-22

RESOLUTION TO ADD DOROTHY NOLAN AS COSIGNER ON COMPUTER AND PAYROLL ACCOUNTS AND REMOVE LORI MYHILL AS COSIGNER ON THOSE

Motion by Councilman Pratt and seconded by Councilman Zelazny

Aye-5

Opposed-0

Motion carried

Resolution 49-22

RESOLUTION TO ADOPT THE CYBER POLICY AS REVISED

Motion by Councilman Wilkins and seconded by Councilman Seitz

Ayes-5

Opposed-0

Motion carried

RESOLUTION 50-22

RESOLUTION TO TRANSFER \$500 FROM B1991.400 TO B7310.400 FOR YOUTH RECREATION FUNDS

Motion by Councilman Pratt and seconded by Councilman Wilkins

Ayes-5

Opposed-0

Motion carried

RESOLUTION 51-22

RESOLUTION TO ADOPT THE TOWN OF SHELBY WINTER PLOW PLAN

Motion by Councilman Seitz and seconded by Councilman Wilkins

Ayes-5

Opposed-0

Motion carried

RESOLUTION 52-22

RESOLUTION TO OPEN SELAED BIDS FOR CEMETERY LAWN MOWING SERVICES FOR THE TOWN AT 10:00 SAM ON APRIL 19, 2022 AND HOLD A SPECIAL MEETING AFTER THE OPENING BIDS TO AWARD LOW BIDDER

Motion by Councilman Pratt and seconded by Councilman Zelazny

Ayes-5

Opposed-0

Motion carried

RESOLUTION 53-22

RESOLUTION INTRODUCING PROPOSED LOCAL LAW 1-2022 TO INCREASE THE TERM OF THE TOWN SUPERVISOR FROM 2 YEARS TO 4 YEARS WHICH SHALL BE SUBJECT TO A MANDATORY REFEREDUM IF ADOPTED BY THE BOARD; AND ALSO RESOLVES TO SET A TIME FOR PUBLIC HEARING ON PROPOSED LOCAL LAW 1-2022 FOR MAY 10, 2022 AT 6:45 PM TO BE HELD AT THE SHELBY TOWN HALL. THE REGULAR TOWN BOARD MEETING WILL START IMMEDIATELY AFTER THE PUBLIC HEARING IS OVER

Motion by Councilman Wilkins and seconded by Councilman Seitz

Discussion: Councilman Pratt said this is going to be a deviation, some towns do it but in my mind this is a deviation from what our fore fathers in government brought forward to have us do. With the Supervisor being changed every two years it is also done at the same time two of our councilmen are changed. So theoretically every two years you could change the voting makeup of the town and that's the way in his mind it should be left so every two years people of the town can have the opportunity to change if they don't like what's going on in their local government. They can go to the polls and change what they don't like in their local government. If we move it a four year term that won't happen. Councilman Zelazny agreed. He said it is taking a little bit of voting power from the people and doesn't think its right. Supervisor Smith added this would not have anything to do with his term. He has through 2023 so this would not be in effect until the next election so it will not give him an immediate term increase. Reason he brought it up as he knows how long it takes to learn to do this job reasonably well and thinks if you had four years you would have a better chance of doing a better job after you learn the job. If you look at past history of Supervisors in most cases they have served for multiple terms and turnover has not been a big issue.

Vote to set public hearing. Roll call vote as there may be some contention.

Zelazny-OPPOSED, Seitz-Aye, Pratt-OPPOSED, Wilkins-Aye, Smith-Aye

Motion carried

RESOLUTION 54-22

**RESOLUTION TO ACCEPT COURT AUDIT PERFORMED BY COUNCILMEN SEITZ
AND WILKINS**

Motion Councilman Wilkins, Second, Councilman Zelazny

Ayes-5

Opposed-0

Motion carried

Board Comments – None

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

Motion by Councilman Wilkins and seconded by Councilman Seitz to adjourn the town board meeting at 7:17 PM.

Respectfully submitted,
Darlene A. Rich, MMC, RMC