

DRAFT

**Board Meeting
Town of Shelby
4062 Salt Works Rd. Medina, NY**

October 11, 2022 6:30 pm

Executive Session to discuss potential employment of a particular individual.
Meeting called to order by Supervisor Smith at 6:30 pm. Motion by Councilman Zelazny and seconded by Councilman Pratt to move into Executive Session at 6:30 pm to discuss potential employment of a particular individual. Out of Executive Session at 7:01 pm with no action taken. Motion by Councilman Pratt and second by Councilman Seitz to resume town board meeting.

7:01 pm town board meeting

Please note: We are live streaming our meetings through Youtube. Please see townofshelbyny.org and click on the link. There were technical difficulties, and sorry to say there is no sound. It is being looked into.

Present:

Jeff Smith, Supervisor
Steve Seitz, Councilman
John Pratt, Councilman
Ed Zelazny, Councilman
Darlene Rich, Town Clerk
Dorothy Nolan, Deputy Clerk
Bethany Centrone, Esq. Town Attorney
Miranda Bennett, Bookkeeper
Dan Wolfe, Code & Zoning Officer
Kirk Myhill, Planning Board Chairman
Claude Grimes, Constable
Michael Reese, Constable

Vacancy-1

Absent:

Trisha Laszewski, Assessor
Dale Root, Hwy Supt.
Paul Gray, Constable

Others:

Jim Heminway	Alan Bushover
Sharlene Pratt	Leona Weese
Roseann Russo	Paul Taylor
Mike Rich	Pedro Vargas
Christine Griffin	John Daluisio
Karen Jones	Nicole Goodrich
Abigail Goodrich	Elizabeth Parker
Hailey Wilkins	Aidan Paul
Brian Murray Sr.	Linda Liminia
Lorraine Liminia	Cheryl McQueen
Gabrielle Barone	Bill Eick- County Legislator
Debbie McCarty	Annette Stockman

Pledge to the flag

Highway Report: (Dale Root was absent) Report read by Miranda Bennett, Bookkeeper. Have finished hauling millings back to the shop. Assisted NYSDOT with the culvert pipe repair in Millville. Some roadside areas sprayed for weeds. Water Department with assistance from Supervisor Smith, started rebuilding the excel spread sheet on the water computer that tracks the water flushing per district. Worked with the county through shared services on their blacktop jobs. Replaced a leaking fire hydrant on Route 63 with the help of the village. Thanks Jason. Town of Barre has offered their assistance of their valve exerciser trailer and M.E.O. to go through out the town turning all main valves and fire hydrants, and also identify any issues with town water equipment. We are about half done. Helped Clarendon with shoulder work. Started final roadside mowing. Buried long time Town of Shelby employee Jim Fuller at Mt. Pleasant. To the Fuller family we are sorry for your loss. Did quarterly water meter reads. He is very happy with the equipment the town provided and thanks them again. It saves so much time. Last Saturday the town experienced a lack of water pressure. After searching for a leak, it was discovered a malfunction of a pump. It was an easy fix. Doing P.P. M. checks and flushing and never-ending e-waste.

Assessor's Report: (Trisha Laszewski was absent) Supervisor read her report. She was not feeling well. She was invited to speak at the area Business Partnership monthly meeting on October 20 regarding the real estate market and how it will affect assessments.

Planning Board Report: (Kirk Myhill) Fliers were sent out regarding training coming up. All members have had the training and can take it again if they wanted. Worked with Dan on a Special Use Permit

Zoning Board Report: (Dan Wolfe) Thirty nine building permits total for the year, closed out nineteen. Violation letter was sent out. Attended a Planning Board meeting regarding a Special Use Permit. He is going to be on vacation next week for a few weeks. He is going to see if Jason Raduns from Ridgeway would be able to step in if there was an emergency. Supervisor Smith thanked Dan for agreeing to stay on through next year until we have a new code enforcement officer.

RESOLUTION NO. 103-22

RESOLUTION TO APPROVE THE MINUTES OF SEPTEMBER 13, 2022
TOWN BOARD MEETING

Motion by Councilman Pratt and seconded by Councilman Seitz

Ayes- 4; Opposed- 0; vacancy-1

Motion carried

RESOLUTION NO.104-22

RESOLUTION TO APPROVE THE SEPTEMBER CLERK REPORT

Motion by Councilman Zelazny, and seconded by Councilman Pratt

Ayes- 4; Opposed- 0; vacancy-1

Motion carried

RESOLUTION NO. 105-22

RESOLUTION TO APPROVE THE OCTOBER 4, 2022 WORK SESSION
MEINUTES

Motion by Councilman Seitz and seconded by Councilman Zelazny

Ayes- 4; Opposed- 0; vacancy-1

Motion carried

RESOLUTION NO. 106-22

RESOLUTION TO APPROVE THE SUPERVISOR REPORT

Motion by Councilman Seitz and seconded by Councilman Pratt

Ayes-4; Opposed-0; vacancy-1

Motion carried

RESOLUTION NO. 107-22
RESOLUTION TO PAY CLAIMS AGAINST THE TOWN

General	\$ 48,586.56	Highway	\$ 67,139.08
Water 1	\$ 19,995.85	Water 2	\$ 2,438.23
Water 3	\$ 7,271.05	Water 4A	\$ 14,936.65
Water 4B	\$ 11,625.39	Water 5	\$ 1,014.66
Water 6	\$ 14,171.14	Water 7	\$ 9,484.64
Water 8	\$ 6,124.68	Water 9	\$ 4,988.48
Water 10	\$ 2,497.85	Water 11	\$ 6,779.25
Water 12	\$ 5,830.70		

Motion by Councilman Pratt and seconded by Councilman Zelazny

Ayes- 4; Opposed- 0; vacancy-1

Motion carried

RESOLUTION NO. 108-22
RESOLUTION TO ACCEPT PETITION FOR LIGHTING DISTRICT ON
FURNESS PARKWAY

Motion by Councilman Pratt and seconded by Councilman Seitz

Ayes-4; Opposed-0; vacancy-1

Motion carried

Currently and years passed the light bill is sent to one person. That person has to collect from each person to pay the light bill. Town would form a lighting district which would be put on their tax bill.

Board comments –none

Public comments-Jim Heminway- talked about the Borrego studies. They support the proposal. They have not represented the Town Board well. He talked about the impact on plants and animals. There is no indication that Borrego or MRB did any real analysis of the impact on the resident bald eagles or other species of concern that live here or migrate to the area. He also talked about the visual simulations produced for Borrego are extremely deceptive. Many of the sites chose trees or buildings in the way to obscure the turbines. There were no visualizations that in areas most impacted: Furness Parkway, Tops, High School or his area Gwinn Street/Batavia Ave. The search for cleaner energy sources, wind turbines may be part of the answer but it needs to be in the right location. This is not the right location. He said the board was elected by the residents of Shelby.

He said it would be defeated if put to a referendum. He appealed to the board to do the right thing.

Christine Griffin-She spoke about the conflicts of interest with the Supervisor . She said he had not removed himself entirely and she mentioned referring to the work session on October 4 on Youtube.

Karen Jones- She spoke on the lack of transparency by not including verbatim public comments in the record and wondering if there could be a transcription instead of having to go to Youtube to see the comments. She also said the board has not even told the people about the election on November 8th to make the Supervisor position a 4-year term.

Supervisor Smith then read a letter with his comments. He said the attacks against former Councilman Wilkins and himself were untrue which resulted in the former Councilman him to resign. He says he has recused himself in all the dealing about the Shelby wind and the Barre/Solar projects. He said many anti wind turbine people drew a conclusion that he was; using his position as Supervisor to his own benefit. He said how he became a town board member even though he never wanted to be in politics. He said he never seeked the position of Supervisor but no one else wanted it. He felt it was his duty to stay while COVID disrupted everything. He said he hopes those that actively oppose the turbines and those who support the project will consider becoming members of the board. He says he has always been honest, and ethical in his dealing. He said the negative comments directed toward him have caused him to reevaluate his position on the board. He says he tried to stick it out and keep doing the much-needed work but his sense of duty has been overcome by all the negativity. He went on to say the town clerk has his resignation effective Wednesday October 12, 2022.

Motion by Councilman Zelazny and seconded by Councilman Pratt to adjourn the Town Board meeting at 7:28 pm.

Ayes- 4; Opposed- 0; vacancy-1

Motion carried

Respectfully submitted,

Darlene Rich,
Town Clerk