

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

**September 13, 2022 7:00pm**

**Please note: We are live streaming our meetings through Youtube. Please see [townofshelbyny.org](http://townofshelbyny.org) and click on the link.**

**Present:**

Jeff Smith, Supervisor  
Ryan Wilkins, Councilman  
Steve Seitz, Councilman  
John Pratt, Councilman  
Ed Zelazny, Councilman  
Darlene Rich, Town Clerk  
Dorothy Nolan, Deputy Clerk  
Bethany Centrone, Esq. Town Attorney  
Dale Root, Hwy Supt.  
Miranda Bennett, Bookkeeper  
Claude Grimes, Constable

**Absent:**

Trisha Laszewski, Assessor  
Dan Wolfe, Code & Zoning Officer  
Kirk Myhill, Planning Board Chairman  
Paul Gray, Constable

**Others:**

Paula Reese	Sherman Gittens-MRB Group
Sharlene Pratt	Leona Weese
Roseann Russo	Paul Taylor
Mike Rich	Barbara Hoffman
Janice McCloy	Marlene Skinner
Alana Koneski	Dan Koneski
Melinda Roberts	Steve Koneski
Jim Heminway	Wendi Pencille

Ann Bunch	Mary Hare
Alan Bushover	Lydia Lake-New Leaf Energy
Christine Griffith	Tom Rivers-Orleans Hub
Karen Jones	Dave Strong-New Leaf Energy
M. Macloud	John Parada
Sarah Stalker	Craig Stalker
James Zelazny	Kelly Viterna
Brian Murray Sr.	Linda Liminia
Lorraine Liminia	Brian McCarty
Anne Smith	Cynthia Hellert
Richard Hellert	Tom Beach
Gabrielle Barone	Bill Eick- County Legislator
Joe Root	Cheryl Holt
Sue Fuller	Mike Fuller
Margaret Martin	Kayla Rosenbeck
Mary Zelazny	Mike Zelazny
Marguerite Sherman	Jon Sherman
Eric Chambers	Debbie McCarty
William Martin	Alexandria Strong
Bill Keppler	Kathy Bennett-MRB Group

Meeting called to order at 7:00 PM

Pledge to the flag

Public forum regarding agenda items only. Several people spoke regarding the proposed wind turbines. Wendi Pencille spoke regarding the migratory route and how people come from all over to see the bald eagles and short eared owls and then visit our restaurants, shops and weekend markets. She talked about the EMF electro magnetic field (Flicker and strobe) how it can be debilitating. It affects people physiologically. People who live or work close to wind turbines have experienced symptoms that include decreased quality of life, annoyance, stress, sleep disturbance, headache, anxiety, depression, and cognitive dysfunction. She said no referendum was put before the taxpayers. She said the Town Board should not be Lead Agency as no one on the board has the expertise on either the environment or the physiological effects of EMF to determine detrimental effects from the turbines on the environment, or human physiology, and on quality of life. Other speakers-There were many speakers regarding the proposed wind turbines. Please see Youtube from the Town of Shelby website for all speakers and their

comments. The first speaker (Wendi Pencille) was not recorded on Youtube, therefore her comments are above.

Sherman Gittens, MRB Group, talked about the SEQR process. He started to go through Part 2 of the Full Environment Assessment Form. Some of the fields after conferring with the board were changed from No to low impact, to moderate to large impact may occur. A lot of time was spent on this. Councilman Wilkins said considering the time and how long we have been here and haven't gotten through the rest of the meeting would like to table the 2 resolutions for SEQR Resolution 98-22 and Resolution 99-22 until later date and also table the rest of the SEQR process until a later date.

Highway Report: (Dale Root) Fletcher Chapel, Ryan and some of Martin Road were swept and chip sealed with the help of Towns of Carlton, Clarendon, Yates. He thanked his men for their assistance. He said we wouldn't be able to do this work without the help of the town board and the taxpayer and he thanked them. Wants to keep the momentum going as he plans for next year. National Grid was here and we changed out the transformer and installed new service lines. Still need to install the highway new service lines into the building. They are still trying to get a date with the electric contractors and hopes it will be soon. Helped the county and town of Kendall through shared services to mill roads that they have been able to add to their pile of millings out back they will be useful for next year's paving projects. They were able to go around town grinding stumps and adding dirt to the holes. They went out with the county hot box and patched potholes-another day of work should complete that task. With all the tasks done and in between the other jobs we leveled millings at Shelby Fire Hall parking lot and installed the concrete block at East Shelby Fire Hall. Did the water samples and water flushing's and stakeouts. Also, never ending stacking of E-Waste.

Assessor's Report: (Trisha Laszewski) Supervisor read her report. She could not be here. There wasn't anything changed from last month. She expects to have a full report next month

Planning Board Report: (Kirk Myhill) No report

Zoning Board Report: (Dan Wolfe) No report

RESOLUTION NO. 93-22

RESOLUTION TO APPROVE THE MINUTES OF AUGUST 9, 2022 TOWN BOARD MEETING

Motion by Councilman Wilkins and seconded by Councilman Seitz

Ayes- 5; Opposed- 0

Motion carried

RESOLUTION NO. 94-22

RESOLUTION TO APPROVE THE AUGUST CLERK REPORT

Motion by Councilman Pratt, and seconded by Councilman Seitz

Ayes- 5; Opposed- 0

Motion carried

RESOLUTION NO. 95-22

RESOLUTION TO APPROVE SUPERVISOR REPORT

Motion by Councilman Seitz and seconded by Councilman Wilkins

Ayes- 5; Opposed- 0

Motion carried

RESOLUTION NO. 96-22

RESOLUTION TO PAY CLAIMS AGAINST THE TOWN

General	\$ 25,846.50	Highway	\$ 218,376.85
Water 1	\$ 399.19	Water 2	\$ 58.32
Water 3	\$ 4,095.88	Water 4A	\$ 233.28
Water 4B	\$ 3,513.78	Water 5	\$ 19.44
Water 6	\$ 301.00	Water 7	\$ 249.66
Water 8	\$ 414.23	Water 9	\$ 136.08
Water 10	\$ 97.20	Water 11	\$ 116.64
Water 12	\$ 19.44		

Motion by Councilman Pratt and seconded by Councilman Wilkins

Ayes- 5; Opposed- 0

Motion carried

RESOLUTION NO. 97-22

RESOLUTION TO AUTHORIZE SUPERVISOR TO AUTHORIZE INTO AN AGREEMENT TO ALLOW INSTALLATION OF A WATERLINE IN TOWN RIGHT OF WAY ON MARTIN ROAD FOR KARI AND JOSEPH ROOT SUBJECT TO APPLICABLE REGULATIONS AND AT NO COST TO THE TOWN

Motion by Councilman Pratt and seconded by Councilman Zelazny

Ayes-5; Opposed-0

Motion carried

RESOLUTION 98-22-TABLED  
SEQR DESIGNATING LEAD AGENCY RESOLUTION-SOUTH GRAVEL WIND PROJECT

RESOLUTION 99-22 -TABLED  
SEQR DETERMINATION OF SIGNIFICANCE -SOUTH GRAVEL WIND PROJECT

RESOLUTION 100-22  
RESOLUTION TO RE-APPOINT DIANE WENHAM TO BOARD OF ASSESSMENT REVIEW WITH TERM EXPIRING 9/2027

Motion by Councilman Wilkins and seconded by Councilman Seitz

Ayes- 5; Opposed- 0

Motion carried

Board comments – Tuesday at 6 pm Department Heads are going to meet with the town board and then after that budget workshop will be open to the public if you wish to attend immediately after. The following Tuesday at 6 pm will be the 2nd budget workshop. Monday October 3 the clerk presents the tentative budget to the town board at 5PM. That will be a real short meeting. Thursday November 10 will be the budget hearing and then immediately following that will be having our town board meeting. We had to move that one because of the elections. Election day is on our normal meeting night. Year end meeting will be December 30<sup>th</sup> at 2 PM and then the Organizational Meeting will be Jan 2 at 5PM.

Board Comments-Councilman Wilkins-Would like to thank everyone for coming out tonight.

Supervisor Smith- He too appreciates everybody coming out being involved but doesn't appreciate some of the personal attacks which he feels are unwarranted but this is a free country

Public comments -Please see Youtube. The video link in on the Town of Shelby website.

Legislator Eick- nothing to report

Motion by Councilman Seitz and seconded by Councilman Wilkins to adjourn the Town Board meeting at 10:04 pm.

Ayes- 5; Opposed- 0

Motion carried

Respectfully submitted,

Darlene Rich,  
Town Clerk