

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

June 13, 2023    7:00pm

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

Present:

Scott Wengewicz, Supervisor  
John Pratt, Councilman  
Jeff Schiffer, Councilman  
Steve Seitz, Councilman  
Eddie Zelazny, Councilman  
Kathleen Bennett, Attorney  
Dorothy Nolan, Deputy Clerk  
Miranda Bennett, Bookkeeper  
Dale Root, Hwy Superintendent  
Kirk Myhill, Planning Board Chairman  
Dan Wolfe, Code & Zoning Officer  
Claude Grimes, Constable

Excused:

Darlene Rich, Town Clerk (Attending NYS Tax Conference)  
Trisha Laszewski, Assessor

Others:

Mary Zelazny  
Mike Zelazny  
James Zelazny  
Linda Limina  
Justin Gray  
Sherry Wheatley  
Leona Weese  
Sharlene Pratt  
Brian Murray, Sr.  
Christine Pask  
Jeffery Pask

Lori Myhill  
Bill Eick, Co. Leg.  
Aaron Knights  
Julie Wolter  
Bill Wolter  
Alan Bushover  
Joy Waters  
Lawrence Waters, Sr.  
Marguerite Sherman  
Vernon Miller

Called to order at 7:01 PM

Pledge to the flag

Public forum regarding agenda items only- one add-on

Highway Report: (Dale Root)- Finished paving the town parking lot with shared services from area townships and Keeler Construction. Assisted the village with their paving project and helped Barre and Clarendon with theirs, while in turn, they helped us. With the help of Suite-Kote we paved a mile of Martin Road and saved money by using fresh millings from our stockpile. Because the millings were fresh, we didn't need as much oil mixed in keeping us \$20,000 under budget. The road will be sealed and shoulders added after it cures. Townline and Culvert roads were finished by Millenium Roads. He also added some of our salt brine to his product to seal the road and help with dust control, again, saving the town even more money.

The village, along with Barre, assisted with a water main break on Salt Works Rd. Sergi Construction did a water service which turned into another water main repair.

Submitted quotes for 2 new plow trucks for the board to consider.

Attended Highway School last week and found it very informative and at the same time, had the opportunity to network with other departments.

Several lawns were repaired after stumps ground out. Continued to mow roadsides, parks, firehalls and vaults. Last, but not least, the constant stacking of E-waste.

Assessor's Report: (Trisha Laszewski)- excused

Planning Board Report: (Kirk Myhill)- Two members are in the process of getting their 4 hours state training, then everyone will be up to speed. We're in need of an alternate position on the Planning Board and will need an ad placed in the paper. Please note, the July meeting will be moved to the 5<sup>th</sup> due to the Holiday.

Zoning & Code Enforcement Report: (Dan Wolfe)- Issued 6 building permits including porch roofs, decks, an addition and a pool. Three violation letters issued consisted of tall grass and failure to obtain a building permit.

Spoke to Shelby Fire Chief Moden regarding a potential control burn at the condemned site on Johnson Rd. Trying to explore all options to demo this structure for the least amount of money.

### **RESOLUTION NO. 44-23**

RESOLUTION TO APPROVE MINUTES OF THE May 17, 2023 TOWN BOARD MEETING

Motion by Councilman Pratt and seconded by Councilman Zelazny

Ayes- 5

Opposed- 0

Motion carried

### **RESOLUTION NO. 45-23**

RESOLUTION TO APPROVE TOWN CLERK'S REPORT (May)

Motion by Councilman Seitz and seconded by Councilman Pratt

Ayes- 5

Opposed- 0

Motion carried

**RESOLUTION NO. 46-23**

RESOLUTION TO APPROVE SUPERVISOR'S REPORT (MARCH)

Motion by Councilman Seitz and seconded by Councilman Schiffer

Ayes- 5

Opposed- 0

Motion carried

**RESOLUTION NO. 47-23**

RESOLUTION TO APPROVE SUPERVISOR'S REPORT (APRIL)

Motion by Councilman Seitz and seconded by Councilman Zelazny

Ayes- 5

Opposed- 0

Motion carried

**RESOLUTION NO. 48-23**

RESOLUTION TO APPROVE SUPERVISOR'S REPORT (MAY)

Motion by Councilman Pratt and seconded by Councilman Seitz

Ayes- 5

Opposed- 0

Motion carried

**RESOLUTION NO. 49-23**

RESOLUTION TO PAY CLAIMS AGAINST THE TOWN

General-	\$ 74,531.01	Water 6-	\$388.05
Highway-	\$ 72,010.94	Water 7-	\$448.08
Water 1-	\$ 597.66	Water 8-	\$5,606.62
Water 2-	\$ 96.00	Water 9-	\$224.00
Water 3-	\$7,377.62	Water 10-	\$160.00
Water 4-	\$384.00	Water 11-	\$192.00
Water 4B-	\$8,121.68	Water 12-	\$32.00
Water 5-	\$32.00		

Motion by Councilman Pratt and seconded by Councilman Zelazny

Ayes- 5  
Opposed- 0

Motion carried

Discussion to pay members of the assessment review board \$20.00/hr. beyond their normal hours. Abstained- Seitz & Pratt

Note: This will need to be addressed at the next meeting as there was no motion made.

#### Board comments –

Supervisor Wengewicz mentioned the board gave the village of Medina \$10,000 in ARPA funds designated for the basketball courts at Butts Park. Village Trustee M. Sherman thanked them for the donation. With the help of Shelby Crushed Stone, construction will be underway soon in hopes to be completed by the Fall.

Councilmen Zelazny noted there seemed to be some discrepancies with the finances and the last audit was done in 2017 with no resolution. He took it upon himself to reach out to a couple outside firms to get some kind of recommendation. Attorney Aaron Knight spoke about setting up a policy and procedure for the future and using an independent accounting firm.

Supervisor Wengewicz stated we currently have an independent auditing firm and we are in the final stages of reconciliation. Discrepancies were found when we went from paper (bookkeeping) to electronic. He also stated that no money was missing.

#### Public comments –

E-mail from Wendi Pencille was read allowed by Supervisor Wengewicz as she could not attend in person. It was requested that Councilman Zelazny recuse himself from any discussions regarding Overlay Zones and Industrial Zones within the town, stating there is a financial conflict of interest and concerned there may also be a candidate running for a seat on the board that is backing him. We need transparency and avoid the appearance of impropriety in making decisions where board members may benefit from making these decisions.

She also wanted to commend the board for their transparency by using Facebook stating it's been an invaluable resource for information.

Sherry Wheatley questioned the board if they've reached a decision to purchase the old outhouse located at Mt. Pleasant Cemetery.

Discussion: Supervisor Wengewicz informed her that the board decided to sell it to her for \$1 with the stipulation she sign a liability waiver once the attorney provides it.

Justin Gray- Introduced himself as a contender for a Councilman position and is available to speak with to dispel any rumors people may have heard.

Lawrence Waters, Sr.- questioned the board as to the recent disabling of comments on the Facebook page, water payment portal and candidates for upcoming election.

Discussion: Attorney K. Bennett stated Facebook comments did not comply with the towns requirements and found them to be inappropriate in nature along with bullying. It is difficult to filter comments so they were disabled and it will currently be used as an informational page until a ruling is made from the Supreme Court. The board will decide whether and how to permit comments going forward.

Supervisor Wengewicz also stated we are preventing litigation as we were threatened to be sued. Under the advice of counsel, it was decided to remove all comments.

Water Clerk, L. Myhill, informed us that the portal for water payments is still in the works. She is working with C&H PC and Williamson to get the program up and running.

Councilman Seitz mentioned which candidates were present at this meeting if people wanted to talk with them.

Sharlene Pratt thanked the board for whatever they did to get the mowing done at the cemeteries, since it wasn't done by Memorial Day.

Discussion: Supervisor Wengewicz said that he and Councilman Seitz spoke with the contractor and he apologized and admitted he did not check up on his crew and it will not happen again.

County Legislator Bill Eick- No report

Motion by Councilman Seitz and seconded by Councilman Zelazny to adjourn the Town Board Meeting @7:50pm

Motion carried

Respectfully submitted,

Dorothy Nolan,  
Deputy Clerk