

DRAFT

PUBLIC HEARING -TOWN OF SHELBY

Meeting is live streamed. You may see complete meeting on the Town of Shelby website page.

Proposed Local Law #1 Local Law establishing the Code of Ethics of the Town of Shelby

October 10, 2023

6:30 PM

Present: Scott Wengewicz, Supervisor  
Steve Seitz, Councilman  
John Pratt, Councilman  
Ed Zelazny, Councilman  
Jeff Schiffer, Councilman  
Darlene Rich, Town Clerk  
Kathleen Bennett, Attorney  
Claude Grimes, Constable  
Jim Conway, Constable  
Dale Root- Highway Supt.  
Dan Wolfe, Code Enforcement Officer  
Kirk Myhill, Planning Board Chairman  
Miranda Bennett, Bookkeeper

Others	Michael Rich	Sharlene Pratt
	Alan Bushover	Leona Weese
	Linda Limina	Brian Murray Sr.
	Julie Wolter	Bill Wolter
	Brian Murray Sr.	Gabrielle Barone
	Karen Jones	Alana Koneski
	Jim Heminway	John Parada
	Bob Bracey	Joanne Bracey
	James Zelazny	Mark Erway
	Joy Waters	Lawrence Waters
	John Parada	Bill Eick-Co. Leg
	Tom Rivers-Orleans Hub	

Public Hearing was called to order at 6:45 PM

Purpose of the Public Hearing- To hear comments for and against the proposed Local Law #1 of 2023 “A Local Law establishing the Code of Ethics of the Town of Shelby”

Kathleen Bennett-Attorney-Concern about Section 4 that has been removed. And the board would like to add to Section 19 that the vote for a removal from officer employment must be by a super majority of the board. So that would be the one proposed addition to the code of ethics is that the vote for removal from officer employment must be by a super majority.

Public Comments:

Jim Heminway- 1070 Gwinn St.- and for the record has been a resident of the town of Shelby since 1987. During the last meeting and he does appreciate all of the work on this code of ethics, he appreciates they did take the comments and consideration regarding the one section that was removed. But during that meeting there was also a comment and discussion of adding to section 15 which talked about people serving either as employee or as a board member and also serving on the committee which as it stands in Orleans County and in Town of Shelby especially has the power to appoint any vacancy within the board. So you have people that are employed here in the Twon of Shelby who sit on that committee and you have people who sit on the board who serve on that committee who get to choose who serves on here. Over the last couple of years that’s been very important because we’ve had resignations and through those resignations, and it’s the Republican Committee, doesn’t care if it was Democratic Committee but it is a committee that makes decisions about who serves on this board with no input really from anyone else except the committee. There was a suggestion last time that maybe it would be a good idea as other towns have done is to put a section in there in the 15 about political contributions and other political activity. There is no reason to assume that serving on a committee selects those people for these positions should not also be taken into consideration political activity that may should or should be, not be done. In this area in Shelby if you run on the Republican ticket, you get an appointment. It’s very likely you will win the election because there is no competition, as a rule. Sometimes there are exceptions to that but they are rare. Or if you serve on this and you fall out of favor with the committee you no longer get an endorsement and you are no longer part of the system. I really do feel that section should have been put into 15. The talk about separation and putting the separation of the committee activity from employees and board members and really getting closer to putting it back in the hands of the voters because I feel like I really had little to say who’s on this board. You run a primary, well other than that there is no competition. Or is it likely there will be competition. Its pretty much a shoe in. So therefore, an unelected committee

selects people for elected positions. He doesn't understand why that was being considered and yet I don't see in this any mention of that in section 15. Was there a reason that wasn't pursued? Supervisor said there is no comment on public questions and answers. Jim said so its more less that transparency again.

Supervisor said we are taking comments and taking notes. I'm asking if the board was voting on this tonight. Supervisor said no.

Joe Root-Martin Rd.-Shelby. The way he sees Section 15 now, it opens up more avenues for people to be in those positions. If you restrict the amount of people that are going to do those positions, you're going to restrict the people applying for those positions. There are not enough people to fill these positions as it is. Hence, we don't have any competition so he is in favor for the way it is written now.

Allen Bushover- East Shelby Road- regarding section 15, if its to be voted on that anybody that's on the committee and on the board should be exempt from being able to vote. Supervisor said so what your saying is if there is something to do with Shelby, they have to excuse themselves from the vote. Alan said anybody on the board has to excuse themselves from the vote. Supervisor said he just wanted to make sure he had it down right.

Sharlene Pratt-Martin Road.-Back 3-4 years ago. There was an opening for a Councilman and our son in law did apply for the position. He went through the procedure the way it was to be done and saw the person in charge the afternoon the interview was to take place. He was told he was the only one that applied for the position and to make sure he was there for the interview. Once he was there one of the Republican board members said he had another application, that someone was handing one in right now. Number one-that person missed the deadline. The interview was done for her son in law and then they said let's see if we can call the other guy here for an interview. He came in for his interview while her son in law sat outside waiting and found out later that he did not get the position. The other guy that handed his application in 4 days late, on the night of the interview got the position. That person resigned 2 years later. That is one reason why you cannot sit on the Republican Committee and pick people. It needs to be like Mr. Heminway said. If you're on one you can't be on the other.

After no other comments the public hearing was closed at 6:59 PM

Respectfully submitted,  
Darlene A. Rich, MMC, RMC  
Town Clerk