

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

Dec. 12, 2023 7:00pm

Please note: We are live streaming our meetings through YouTube.
See www.townofshelbyny.org and click on the link.

Present: Scott Wengewicz, Supervisor
 Steve Seitz, Councilman
 John Pratt, Councilman
 Ed Zelazny, Councilman
 Jeff Schiffer, Councilman
 Darlene Rich, Town Clerk
 Pam Henry, Deputy Clerk
 Kathleen Bennett, Attorney
 Dale Root- Highway Supt.
 Claude Grimes, Constable
 Miranda Bennett, Bookkeeper

| | | |
|--------|--------------------|--------------------|
| Others | Michael Rich | Sharlene Pratt |
| | Leona Weese | John Parada |
| | Pam Henry | Paul Henry |
| | Linda Limina | Alana Koneski |
| | Jim Heminway | Pat Eick |
| | Kodi Michaud | Kevi Oberther |
| | James Zelazny | Bridget Farewell |
| | Joy Waters | Lawrence Waters |
| | Alan Bushover | Marguerite Sherman |
| | Gabrielle Barone | Jeff Farewell |
| | James Zelazny | Donna Mazur |
| | Stephen Mazur II | Paul Curtain |
| | Rusty Hoffmeister | Maiah Powner |
| | Julie Cecchini | Brian Murray |
| | Bill Eick-Co. Leg. | Julie Wolter |
| | Bill Wolter | Becky Winans |
| | Tom Winans | |

Called to order at 7:26 PM (started late due to technical difficulties with the live streaming)

Pledge to the flag

Public forum regarding agenda items only- Two add ons. On resolution for adopting Local Law 2 and adopting Local law #3. These are the ones we had the public hearings on tonight.

Comment on agenda items-Pat Eick, currently the chair of the Town Republican Committee spoke regarding Section 15, paragraph C of the Code of Ethics. She said the Town has no legal authority to override the New York State election laws or the United States Constitution's First Amendment.

Linda Limina- Commented on the Code of Ethics. She called Association of Towns and the Comptroller's Office but received different information than what Pat had. She respectfully asked the board to reconsider if there is some confusion on whether this is legal or not put this vote off again. Kathy Bennett also contacted the Comptroller's office but they said they would look into it and call her back since the gentleman she wanted to speak with was not there.

Jim Zelazny-Read a short statement withdrawing his name from the Planning Board as an alternate since he serves on the Republican Committee.

Jim Heminway-Read a statement. He said it nearly impossible to be considered a candidate for an election if you are not on the political committee. He said the committee can decide if they want someone who is already on the board to not be endorsed again to run for that position. It is virtually impossible for someone to get elected without being endorsed by a Republican committee.

Old business- Supervisor asked Councilman Zelazny if he found out anything on the completion of the LED lighting. He said the lady has not called him. He will try calling her again.

Highway Report: (Dale Root)-Dale read his report. Cemetery refuse barrels have been dumped and put away. They were able to clean up the grindings from the stump and will be out in the spring to attend the lawn and repairs. Smoothed Townline Road with the grader. The generator is finally wired and functional. Culvert Rd. has been closed off. He asked the Board to pass a resolution to authorize the purchase of a trailer.

Assessor Report: Julie Cecchini- still in the process of taking over the assessor position. Trish will be retiring the end of the year. Exemption forms and renewals have been printed and will be in the mail at the end of the month and are due back March 1st.

Planning Board Report: (Kirk Myhill)-Discussed re-appointments. Jerry Velesko term ends this year. Sorry to hear about Jim Zelazny not coming on to the Planning board. He is asking the Town Clerk to run an ad in the paper again for 2 or 3 weeks to fill this vacancy. He did request himself as being put on the County Planning Board again. He requested that Dan Wolfe be the alternate to the County Planning Board.

Zoning & Code Enforcement Report: (Dan Wolfe)-Gave report for November and end of the year. He issued thirty-eight building permits total. Eighteen of those have been closed out with either a certificate of compliance or a certificate of occupancy. Twenty remain open. In

November he issued five building permits, three for decks, one for demo permit and one for new single-family dwelling which makes three new single family dwellings total for the year. He issued three violation letters in November, two were for exterior properties not being kept in a clean and sanitary condition and one for a roof that is in need of repair. He worked six days in November plus three for a total of nine. Three were makeup days for the time he was on vacation. He did receive a phone call message from Councilman Schiffer asking about a certain property on Maple Ridge Rd that the board had a concern about. He did have some complaints and did violate this person December 5th and he did give Councilman Schiffer the violation letter that was sent out

RESOLUTION NO. 87-23

**RESOLUTION TO APPROVE TOWN BOARD PUBLIC HEARING MINUTES
(NOVEMBER 9th) PRELIMINARY BUDGET**

Motion by Councilman Pratt and seconded by Councilman Schiffer

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 88-23

**RESOLUTION TO APPROVE TOWN BOARD PUBLIC HEARING MINUTES
(NOVEMBER 14) PRELIMINARY BUDGET**

Motion by Councilman Seitz and seconded by Councilman Zelazny

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 89-23

RESOLUTION TO APPROVE TOWN BOARD MEETING MINUTES (NOVEMBER 14)

Motion by Councilman Zelazny and seconded by Councilman Schiffer

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 90-23

**RESOLUTION TO APPROVE TOWN BOARD PUBLIC HEARING MINUTES
(NOVEMBER 20th) PRELIMINARY BUDGET**

Motion by Councilman Pratt and seconded by Councilman Schiffer

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 91-23

**RESOLUTION TO APPROVE TOWN BOARD PUBLIC HEARING MINUTES
(NOVEMBER 20th) CODE OF ETHICS**

Motion by Councilman Schifer and seconded by Councilman Seitz

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 92-23

**RESOLUTION TO APPROVE TOWN BOARD SPECIAL MEETING MINUTES
(NOVEMBER 20th)**

Motion by Councilman Zelazny and seconded by Councilman Seitz

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 93-23

RESOLUTION TO APPROVE THE TOWN CLERK REPORT (NOVEMBER)

Motion by Councilman Seitz and seconded by Councilman Schiffer

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 94-23

RESOLUTION TO APPROVE SUPERVISOR REPORT (AUGUST)

Motion by Councilman Schiffer, and seconded by Councilman Seitz

Discussion-Councilman Zelazny looking for the Supervisor report for month of September, October and November. Supervisor said they are still working on them, the reports would be done by the end of the year so they can do the year end meeting. He said they are fixing the final codes that Williamson messed up.

Supervisor said they are fixing the final codes that Williamson messed up. Supervisor said they will be able to close out the books and it won't be an issue. Councilman Zelazny said the supervisor reports? Supervisor said yes possibly. Councilman Pratt and Councilman Zelazny said the year can't be closed out if those reports aren't done. Supervisor asked Miranda if the Supervisor reports will be done. She said yes, they would be done. No other further discussion.

Ayes-5

Opposed-0

Motion carried

RESOLUTION NO. 95-23

RESOLUTION TO PAY CLAIMS AGAINST THE TOWN

| | | | | |
|----------|----|-----------|----------|-----------|
| General- | \$ | 47,801.87 | | |
| Highway- | \$ | 29,020.14 | Water 6- | \$ 81.05 |
| Water 1- | \$ | 810.10 | Water 7- | \$ 189.32 |
| Water 3- | \$ | 110.69 | Water-8 | \$ 122.13 |

Motion by Councilman Pratt, and seconded by Councilman Zelazny

Ayes-5

Opposed-0

Motion carried

RESOLUTION NO. 96-23

RESOLUTION TO SET YEAR END MEETING DECEMBER 28, 2023 AT 7:00 PM

Motion by Councilman Seitz, and seconded by Councilman Pratt

Ayes-5

Opposed-0

Motion Carried

RESOLUTION NO. 97-23

RESOLUTION TO SET ORGANIZATIONAL MEETING FOR JANUARY 9, 2024 AT 6:00 PM

Motion by Councilman Schiffer and seconded by Councilman Zelazny

Ayes- 5

Opposed-

Motion carried

RESOLUTION NO. 98-23

RESOLUTION FOR HIGHWAY SUPERINTENDENT TO ENTER INTO A SNOW AGREEMENT WITH THE STATE OF NEW YORK DOT FOR THE 2023-2024 YEAR

Motion by Councilman Seitz, Seconded by Councilman Schiffer

Discussion: Councilman Zelazny asked what kind of numbers will the town be getting from the state by doing this. Highway Supt.- it all depends on the winter that we have and what the State of New York determines the percentages so it could be as high as 93,000. Last year Dale thought we were paid 65 or 66,000. There was on other further discussion.

Aye-5

Opposed-0

Motion carried

RESOLUTION NO. 99-23

RESOLUTION TO RE-APPOINT KIRK MYHIL TO THE COUNTY PLANNING BOARD WITH TERM EXPIRING DECEMBER 31, 2027

Motion by Councilman Pratt and seconded by Councilman Zelazny

Ayes- 5

Opposed-

Motion carried

RESOLUTION NO. 100-23

RESOLUTION TO APPOINT DAN WOLFE AS ALTERNATE TO THE COUNTY PLANNING BOARD

Motion by Councilman Schiffer and seconded by Councilman Seitz

Ayes- 5

Opposed-

Motion carried

RESOLUTION TO ADOPT LOCAL LAW #2 OF 2023-“A LOCAL LAW TO PROVIDE SENIOR CITIZENS TAX EXEMPTION PURSUANT TO REAL PROPERTY TAX LAW 467 AND DEFINE INCOME LIMITS FOR THE SAME”

Motion by Councilman Schiffer and seconded by Councilman Pratt

Ayes-5

Opposed-o

Motion carried

BE IT ENACTED by the Town of Shelby of the County of Orleans as follows:

SECTION 1. STATUTORY AUTHORITY

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law and the Real Property Tax Law of the State of New York.

SECTION 2. PURPOSE AND INTENT

This local law provides for a partial property tax exemption for persons 65 years of age or older, based upon certain income qualifications, pursuant to Real Property Tax Law § 467.

SECTION 3. PARTIAL TAX EXEMPTION GRANTED UNDER RPTL § 467

Real Property owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by married a couple or by siblings, one of whom is sixty-five years of age or over, shall be exempt from taxation for county purposes up to a maximum of fifty percent (50%) of the assessed value provided the owner(s) meet the qualifications set forth below. Any person otherwise qualifying under this section shall not be denied the exemption under this section if they become sixty-five years of age after the appropriate taxable status date and on or before December thirty-first (31st) of the same year.

| ANNUAL INCOME | PERCENTAGE ASSESSED VALUATION EXEMPTION FROM TAXATION |
|---------------------------|---|
| \$19,000 or less | 50% |
| \$19,000.01 - \$19,999.99 | 45% |
| \$20,000.00 - \$20,999.99 | 40% |
| \$21,000.00 - \$21,999.99 | 35% |
| \$22,000.00 - \$22,899.99 | 30% |
| \$22,900.00 - \$23,799.99 | 25% |
| \$23,800.00 - \$24,699.99 | 20% |

SECTION 4. INCOME QUALIFICATIONS

(a) The “applicable income tax year” as used herein shall mean the second most recent calendar year.

(b) The term "income" as used herein shall mean the "adjusted gross income" for federal income tax purposes as reported on the applicant's federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions to Real Property Tax Law § 467 (3)(iv); provided that if no such return was filed for the applicable income tax year, the applicant's income shall be determined based on the amounts that would have so been reported if such a return had been filed; and provided further, that when determining income for purposes of this section, the following conditions shall be applicable:

(1) any social security benefits not included in such federal adjusted gross income shall be considered income;

(2) distributions received from an individual retirement account or individual retirement annuity that were included in the applicant's federal adjusted gross income shall be considered income and shall not be excluded;

(3) any tax-exempt interest or dividends that were excluded from the applicant's federal adjusted gross income shall be considered income;

(4) any losses that were applied to reduce the applicant's federal adjusted gross income shall be subject to the following limitations:

(a) the net amount of loss reported on federal Schedule C, D, E, or F shall not exceed three thousand dollars (\$3,000) per schedule,

(b) the net amount of any other separate category of loss shall not exceed three thousand dollars (\$3,000), and

(c) the aggregate amount of all losses shall not exceed fifteen thousand

dollars (\$15,000);

(c) No exemption shall be granted

(1) If the income of the owner or the combined income of the owners of the property for the applicable income tax year exceed the sum provided in Section 3 of this local law.

(2) Where title is vested in a married person, the combined income of such person and such person's spouse may not exceed sub sum, except where one spouse or ex-spouse is absent from the property due to divorce, legal septation or abandonment, in which case only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum.

SECTION 5. REPEAL, AMENDMENT AND SUPERSESION OF OTHER LAWS

This Local Law supersedes all resolutions and Local Laws adopted by the Shelby Town Board, Orleans County to implement a partial real property tax exemption for persons sixty-five (65) years of age or older.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Department of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2024.

Motion by Councilman Schiffer and seconded by Councilman Pratt

Ayes- 5

Opposed-

Motion carried

RESOLUTION NO. 102-23

RESOLUTION TO ADOPT LOCAL LAW #3 of 2023 “ A LOCAL LAW TO PROVIDING FOR A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES AND LIMITED INCOMES PURSUANT TO REAL PROPERTY TAX LAW 459-C AND DEFINE INCOME LIMITS FOR THE SAME”

Motion by Councilman Schiffer and seconded by councilman Zelazny

Ayes-5

Opposed-0

Motion carried

BE IT ENACTED by the Shelby Town Board, in the County of Orleans as follows:

SECTION I: STATUTORY AUTHORITY

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law

and the Real Property Tax Law of the State of New York.

SECTION 2: PERSONS ELIGIBLE FOR EXEMPTION

Pursuant to the provisions of Section § 459-c of the Real Property Tax Law, there is hereby established a partial exemption from real property taxes for real property owned by the following qualified individual(s) whose income is limited by reason of such disability, in accordance with the income schedule set forth in Section 4 below:

- (a) one or more persons with disabilities; or
- (b) by married person or a married couple, at least one of whom has a disability;
or
- (c) by siblings, at least one of whom has a disability

SECTION 3: DEFINITIONS

Sibling - a brother or sister, whether related through half blood, whole blood or adoption

Person with a Disability - a person who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits his/her ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who: (a) is certified to receive social security disability insurance (SSDI) or Supplemental Security Income (SSI) benefits under the Federal Social Security Act; or (b) is certified to receive Railroad Retirement Disability benefits under the Federal Railroad Retirement Act; or (c) has received a certificate from the State Commission for the Blind stating that such person is legally blind; or (d) is certified to receive a United States Postal Service disability pension. Or (e) is certified to receive a United States department of veterans affairs disability pension pursuant to 38 U.S.C. §1521. An award letter from the Social Security Administration or the Railroad Retirement Board, or a certificate from the State Commission for the Blind, or an award letter from the United States Postal Service or an award letter from the United States department of veterans affairs shall be submitted as proof of disability

SECTION 4: INCOME SCHEDULE

The income eligibility levels for determining qualification for the partial exemption from real property taxes for persons with disabilities and limited incomes are hereby established in accordance with the following schedule:

| ANNUAL INCOME | PARTIAL TAX EXEMPTION |
|---------------------------|-----------------------|
| \$19,000.00 or less | 50% |
| \$19,000.01 - \$19,999.99 | 45% |
| \$20,000.00 - \$20,999.99 | 40% |
| \$21,000.00 - \$21,999.99 | 35% |
| \$22,000.00 - \$22,899.99 | 30% |

| | |
|---------------------------|-----|
| \$22,900.00 - \$23,799.99 | 25% |
| \$23,800.00 - \$24,699.99 | 20% |
| \$24,700.00 - \$25,599.99 | 15% |
| \$25,600.00 - \$26,499.99 | 10% |
| \$26,500.00 - \$27,399.99 | 5% |

SECTION 5: INCOME QUALIFICATIONS

(a) The “applicable income tax year” as used herein shall mean the second most recent calendar year.

(b) The term "income" as used herein shall mean the "adjusted gross income" for federal income tax purposes as reported on the applicant's federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions to Real Property Tax Law § 459-c (5)(iv); provided that if no such return was filed for the applicable income tax year, the applicant's income shall be determined based on the amounts that would have so been reported if such a return had been filed; and provided further, that when determining income for purposes of this section, the following conditions shall be applicable:

1) any social security benefits not included in such federal adjusted gross income shall be considered income;

(2) distributions received from an individual retirement account or individual retirement annuity that were included in the applicant's federal adjusted gross income shall be considered income and shall not be excluded;

(3) any tax-exempt interest or dividends that were excluded from the applicant's federal adjusted gross income shall be considered income;

(4) any losses that were applied to reduce the applicant's federal adjusted gross income shall be subject to the following limitations:

(a) the net amount of loss reported on federal Schedule C, D, E, or F shall not exceed three thousand dollars (\$3,000) per schedule,

(b) the net amount of any other separate category of loss shall not exceed three thousand dollars (\$3,000), and

(c) the aggregate amount of all losses shall not exceed fifteen thousand dollars (\$15,000);

(d) Unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject

to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

(e) Unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in §2801 of the Public Health Law, provided that any income accruing to that person shall be considered income

SECTION 6. OTHER EXEMPTIONS

Any exemption provided by this local law shall be computed after all other partial exemptions allowed by law, excluding the school tax relief (STAR) exemption authorized by Real Property Tax Law § 425, have been subtracted from the total amount assessed; provided, however, that no parcel may receive an exemption for the same municipal tax purpose pursuant to both this local law and Real Property Tax Law §467 (Senior Citizen Tax Exemption).

SECTION 7: INELIGIBILITY FOR EXEMPTIONS

No exemption shall be granted:

(a) If the income of the owner or the combined income of the owners of the property for the applicable income tax year exceeds the sum provided in Section 4 of this local law.

(b) Where title is vested in a married person, the combined income of such person and such person's spouse may not exceed such sum, except where one spouse or ex-spouse is absent from the property due to divorce, legal separation or abandonment, in which case only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum.

SECTION 8: ASSESSOR'S RESPONSIBILITY

At least sixty days prior to the appropriate taxable status date, the assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to continue to be granted. Failure to mail such application form or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

SECTION 9: APPLICATION TO TRUSTS

Notwithstanding any other provision of law to the contrary, the provision of this local law shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption were such person or persons the owner or owners of such real property.

SECTION 10: REPEAL, AMENDMENT AND SUPERSESSION OF OTHER LAWS

This Local Law supersedes all resolutions and Local Laws adopted by the Shelby Town board of the County of Orleans to implement a partial real property tax exemption for Persons with Disabilities and Limited incomes under §459-c of Real Property Tax Law.

SECTION 11: EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Department of State and shall apply to assessment rolls prepared on the basis of taxable status duties occurring on and after March 1, 2024.

RESOLUTION 103-23

RESOLUTION TO ADOPT THE CODE OF ETHICS LAW

Motion made by Councilman Schiffer and seconded by Councilman Seitz.

Discussion- There was much discussion regarding recusing from the board vote if you sit on the Republican Committee. Councilman Pratt -believes if they vote Councilman should recuse himself because he is actively involved in both sides of the fence so he should recuse himself from the vote. He stated the Clarence Code of Ethics states you cannot belong to a political committee and be an elected official or town employee while serving. Town of Ridgeway does it also. He feels it should be held off for the vote until the next meeting with the new board. Kathy Bennett- The Town board is authorized by statute to appoint individuals to fill vacancies on the town board so they can't recuse that. They are required to do that under state law. What the town can do and they don't have to because it is not prohibited, there is no restriction in the state constitution or the state law that says you can't do both so you are allowed under state law and under state constitution right now to do both. The town board asked for recusal from political committee votes, not town board votes.

All in favor passing the Code of Ethics Local Law #1-2023 with recusal, Section 15 paragraph C -No municipal officer or employee may, while serving as an elected or appointed Town Officer or employee, participate and/or vote in connection with a decision of the local political party to fill any vacancy of an elected Town of Shelby position.

Roll call vote

Schiffer-Aye

Seitz-Aye

Pratt-Nay

Zelazny-Nay

Wengewicz-Aye

Board comment-Councilman Pratt- Seeing that it is his last major board meeting he had a statement he read. "As I conclude my term as your councilman, I extend my sincerest thanks to the people of Shelby. My time spent in this role has been one of deep commitment and at times profound concern. I've observed practices within our town administration that deeply disturbed me. Town leaderships repeated efforts to withhold critical information from both the public and two councilmembers undermines the essence of the democratic process. This habit of keeping things secret and isolation people goes against promises made to the voters of being collaborative, open

and honest. Use of isolation tactics in Shelby involves deliberately excluding certain employees or officials from key information decision making processes and operational involvement leading to a divided and unproductive work environment. It worries me to see actions that side step proper municipal procedures and raises serious questions about our Town's administrative integrity. I've attended meetings beyond the towns borders to understand the interactions between Shelby and other municipalities. These experiences have only deepened my concerns especially regarding both the Supervisor and the Highway Superintendent spending decisions and tactics influence board decisions through improperly noticed meetings or private emails. I will wrap up with this quote attributed to Winston Churchill-You have enemies -good, that means you stood up for something sometime in your life. With that being said I would like to thank the residents of Shelby for supporting me while on the board. Shelby's future depends on your informed and active participation. Thank you once again for your trust and support."

Supervisor Wengewicz read the historian report of 2023. She was appointed historian replacing Alice Zacher. She familiarized self with the files and organizing Shelby's files. Alice offered her assistance. She also worked with Catherine Cooper. Researched requests. Researched genealogy regarding cemetery information. Changed showcase.

Public comments-Brian Murray- is the budget done? What is our tax rate going to be per thousand. He said it was supposed to go down quite a bit after the assessments were raised.

Alan Bushover-Knows the town board has gone through a lot of changes with personnel situations but he would like to publicly thank John Pratt for his service on the board and feels he did an excellent job and said he will be missed.

Linda Limina-question from the last board meeting. After you passed the budget was wondering what the balance in the fund balance account is after the 2024 budget. Supervisor asked if that was the email, she sent him.

she said yes. He said he will get it to her as he was out a week sick. He asked Miranda when they can do that. They will work on Friday. You mentioned earlier when you were talking about Supervisor report you said there was some discussion. Can you elaborate on that?

Supervisor said I read that at the board meeting where Williamson got rid of the lady that set up the account wrong. Linda asked if it was fixed for August because you approved the August report. Miranda said it was fixed. Linda asked why there was not September or October and technically the November report. Supervisor said it is still manual enter. Linda pointed out again in one of her conversations with the Association of Towns stating there will be a supervisor report at every board meeting. She is concerned if this report is giving the board information how the town is running if it is not being produced, she wonders how the board would know that they are on track for the budget and where you stand financially.

Larry Waters- Wonder if board and Highway Supt. is aware of all the different grants and sources of help for increasing water districts for the Town of Shelby and did you apply either successfully or unsuccessfully. Wondering if the trailer Dale is asking for whichever you decided on was it a source well quote. He'd look at Source well and Town of Shelby is a member of Source well. Its just not for road equipment. It can be used for ordering office supplies, cleaning supplies, payment processing, Supervisor report software. It just to make sure we aren't overpaying. Again, these are substantial savings that the town can take part of because we are a member. Also mentioned a projector or screen when talking about the budget so everyone could see the page you are on instead of hunting around for page numbers.

Marguerite Sherman-representative for the Village of Medina and liaison for the Town of Shelby addressed the board regarding water. Talk around town for a couple of months now that representatives from the Town of Shelby have made statement saying that the village of Medina has not responded to requests for meetings to address water rates. According to Mayor Sidari and she had his permission to address this. It has not happened. If we have missed these attempts, please provide us with dates you have reached out and the methods you have used to reach out. In the meantime, she just wants to say that she is very disappointed to hear that you are potentially contracting with Royalton for water without sitting down with village officials first. We have been your supplier for water and we are always open to discussions. We are a close-knit community who should be working together to benefit all of our taxpayers. Please be truthful and transparent. I understand there is now a scheduled meeting on January 4th with two of our village trustees, Supervisor, Highway Supt. Councilman Schiffer. You will be discussing water rates and past due amounts. I hope you will approach this meeting in good faith and that everyone can be transparent with their people and the people they are representing.

Gabrielle Barone- Spoke regarding the water rates and water situation being discussed this evening. Village taxpayers and the fact that they have invested in a great deal of infrastructure in the entire area. This 18 inch water main coming in from Niagara County that has been financed over the years (1960) by bonding by the village taxpayers. The Town of Shelby receives its assessments over 38 million dollars of assessed valuation from businesses that are supported in the Town of Shelby itself and in the Village of Medina, Town of Shelby. Those businesses are located here because of the infrastructure including the water that runs along the Business Park. She wanted that in our minds as we move forward. She believes that you have to give due consideration to the other taxpayers who have funded what we are receiving in assessed valuation because of the Village of Medina who supplies water and sewer.

Supervisor answered Larry Waters question regarding grants. He said engineering firm is working on Water 13 when they figure out what they are going to do they apply for all the grants.

Jim Heminway- Councilman Schiffer asked a question to why was this necessary regarding ethics. Jim said you didn't see the problem but I think the vote that was taken just now of its passing explains everything. He said he knows he was appointed, he just won an election afterward, but appointed by that committee; Supervisor was appointed by that same republican committee and ran unopposed; Steve was appointed years ago to replace his son; John was appointed and then denied an endorsement. The only one he was not sure of was Ed and he would have to answer whether he was appointed also. Three people that voted for this ethic the way it is did not want to make it and take it further as had been requested were all appointed by that committee. He is all for democracy but being appointed by an unelected committee to him is not democracy and that's the problem.

Motion by Councilman Zelazny and seconded by Councilman Schiffer to adjourn the Town Board Meeting at 8:33pm

Motion carried

Respectfully submitted,

Darlene Rich, MMC, RMC
Town Clerk