

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

Jan 9, 2024   7:00pm

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

Present:     Scott Wengewicz, Supervisor  
                 Stephen Seitz, Councilman  
                 Edward Zelazny, Councilman  
                 Jeffrey Schiffer, Councilman  
                 Linda Limina, Councilwoman  
                 Kathleen Bennett, Town Attorney  
                 Darlene Rich, Town Clerk  
                 Julie Cecchini, Assessor  
                 Claude Grimes, Constable  
                 Miranda Benett, Bookkeeper  
                 Kirk Myhill, Planning Board Chairman  
                 Daniel Wolfe, Code Enforcement Officer

Others:       Robert Bracey                     Joanne Bracey  
                 Karen Jones                         Alana Koneski  
                 Jim Heminway                         Bill Eick  
                 Diana Baker                             Alan Bushover  
                 Joy Waters                                 Larry Waters, Sr.  
                 Jess Marciano                             Gabrielle Barone  
                 Connor Grabowski                     Leona Weese  
                 Sharlene Pratt                             Lorraine Limina  
                 John Pratt                                 Kevin Smith Sr.  
                 John Parada                                 Michael Rich  
                 James Zelazny                             Brad Pask  
                 Julie Wolter                                 Donna Mazur  
                 Stephen Mazur, III                         Xavier King  
                 Richard Keppler                             Michele Crandall  
                 Connor Crandall

Called to order at 7:00 PM

Pledge to the flag

Public forum regarding agenda items only- One add on. Resolution to appoint Kathy Bennett as town attorney. Supervisor Wengewicz said there are new meeting rules. They are taken from adjacent towns throughout the state in accordance with guidelines of the Comptroller's office and they were looked at by the town attorney.

Town of Shelby Public Meeting Rules.

1. If someone wishes to make a public comment, they need to sign up prior to the start of the meeting. Each person that signs up to speak will be called up to make their public comment in order of sign up. This public comment time is for public comment. It is not a question-and-answer session. There will be (1) 3-minute time limit for each person who signs up to speak.
2. If you have a question you wish to be answered, please submit the question ahead of time to either the Town Clerk or the Town Supervisor. Deadline for questions to be answered will be close of business 2 days prior to the meeting to allow the information to be collected to answer the question.
3. Common courtesy will be given to whomever is speaking at the time. Comments and outburst from the audience are unacceptable. If caught making comments or talking during the meeting when you are not at the podium will result in a verbal warning. If you continue to disturb the meeting you will be asked to leave the meeting. If you continue after being asked to leave you will be removed by Law Enforcement.
4. Town meetings can become passionate and inflamed due to varying public opinion. However, we need to find common ground, give respect and courtesy to all involved so we may accomplish the business goals for the towns people.

Public forum regarding agenda items only

Karen Jones-at the last meeting she asked for audits by the town board which was done in the past. She said it wasn't on the agenda for the organizational meeting for board members to audit Town clerk, Town Justice, Town Supervisor and bookkeeper by board members as was done in the past. The person who should audit the Supervisor and bookkeeper books should be the one on the board with the

most financial knowledge and that is Councilwoman Linda Limina. She should also be tasked with following up with the software accounting firm, Williamson. She volunteered to do so at the year end meeting. This would be one more layer of protection for the board and Supervisors. She said this oversight is badly needed. There are major discrepancies posted on the website of the Supervisor reports.

Highway Report: (Dale Root)-Dale read his report. With weather cooperating have accomplished many tasks. To satisfy the insurance have installed some kill switches on some of the equipment needing them. Able to obtain soil and water boom mower for 10 days to clean up brush on road sides. Two guardrails were repaired in Shelby Center. Picked up dead deer. Fixed road shoulders. Worked on water vaults reattaching the stainless-steel box at the corner of Salt Works Rd. and 31A. Water repair on Fletcher Chapel with help of the village and the Town of Barre. Towns of Shelby new loader arrived yesterday. They have been without it for over 10 days and thanked the village for letting them use theirs during a few snowy days. He thanked county highway for doing the trucking. Did water reads. Got quotes for counter security. E waste continues.

Assessor Report: Julie Cecchini- sent out exemption renewals the first of the year. They are due back March 1<sup>st</sup>. Some have already started to return to them.

Planning Board Report: (Kirk Myhill)-Held preliminary hearing with applicant interested in the old Lapp building on Sanderson Road. Many questions were asked and hopefully he is moving forward. More planning is coming up that he informed the board of. Two webinars are coming up -one is tomorrow and one is next Wednesday.

Zoning & Code Enforcement Report: (Dan Wolfe)-Report for December 2023 and all of 2023. He issued one building permit in December, it was slow. For 2023 issued a total of 38 building permits, 24 at present are closed out. He issued 21 violation letters. Some of them are compliant, some are still open. He issued one stop work order and the outcome of that was they needed a building permit. It's required every year that every code enforcement officer receive 24 hours of continued education through the Department of State. He will be going to school 3 days this month Jan 29, 30 and 31 to receive his continued 24 hours of credit that he can remain being certified. Because of some complaints that he has been receiving he plans on driving in the town with any board member, Steve is going to go with him, it is open to any board member, he is going to take a ride with him. He is going to drive every road as was the policy of the previous code enforcement

officer Doug Rue, and they are going to look for any maintenance violation namely junk and unlicensed vehicles. Going to do every road and going to proceed with the law.

**RESOLUTION NO. 2-24**

**RESOLUTION TO APPROVE TOWN BOARD PUBLIC HEARING MINUTES (DECEMBER 12) (PROPOSED LL#2-AMEND INCOME ELGIBILITY LEVEL AND THE PERCENTAGE OF PARTIAL TAX EXEMPTION FOR PERSONS SIXTY-FIVE YEARS OR OLDER)**

Motion by Councilman Zelazny and seconded by Councilman Seitz

Ayes-4

Abstain-Limina (hasn't looked at them)

Opposed- 0

Motion carried

**RESOLUTION NO. 3-24**

**RESOLUTION TO APPROVE TOWN BOARD PUBLIC HEARING MINUTES (DECEMBER 12) (PROPOSED LOCAL LAW #3-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 Seitz and seconded by Councilman Schiffer

Ayes- 4

Abstain-Limina (hasn't looked at them)

Opposed- 0

Motion carried

**RESOLUTION NO. 4-24**

**RESOLUTION TO APPROVE TOWN BOARD MEETING MINUTES (DECEMBER 12) TABLE**

Motion by Councilman Seitz and seconded by Councilman Schiffer

Ayes- 5

Opposed- 0

Motion carried

**RESOLUTION NO. 5-24**

**RESOLUTION TO APPROVE TOWN BOARD YEAR END MEETING (DECEMBER 28) TABLE**

Motion by Councilman Zelazny and seconded by Councilman Schiffer

Ayes- 5

Opposed- 0

Motion carried

**RESOLUTION NO. 6-24**

**RESOLUTION TO APPROVE TOWN CLERK REPORT (DEC)**

Motion by Councilman Seitz and seconded by Councilman Schiffer

Ayes- 4

Abstain-Limina

Opposed- 0

Motion carried

**RESOLUTION NO. 7-24**

**RESOLUTION TO APPROVE SUPERVISOR REPORT (SEPT)**

Motion by Councilman Seitz and seconded by Councilman Schiffer

Ayes- 3

Abstain-Limina

Opposed- Zelazny

Motion carried

**RESOLUTION NO. 8-24**

**RESOLUTION TO APPROVE THE SUPERVISOR REPORT (OCT)**

Motion by Councilman Schiffer and seconded by Councilman Seitz

Discussion-Councilwoman Limina asked about the reports. She said she would like to see more detail.

Ayes- 3

Abstain-Limina

Opposed- Zelazny

Motion carried

**RESOLUTION NO. 9-24**

**RESOLUTION TO APPROVE TO PAY CLAIMS AGAINST THE TOWN**

Motion by Councilman Zelazny, and seconded by Councilman Seitz

Discussion-Councilwoman Limina said she is still wondering if there would be a way to have the bills available to look at on Monday at noon.

General	\$ 107,878.62	Highway	\$ 56,335.67
Water 1	\$ 14,261.60	Water 2	\$ 1,922.09
Water 3	\$ 6,789.95	Water 4A	\$ 12,131.82

Wer 4B	\$ 8,263.91	Water 5	\$ 1,010.24
Water 6	\$ 10,330.71	Water 7	\$ 5716.39
Water 8	\$ 4,434.51	Water 9	\$ 3,545.28
Water 10	\$ 1,774.74	Water 11	\$ 2,365.62
Water12	\$ 4,445.01		

Ayes-5

Abstain-Limina

Opposed-0

Motion carried

**RESOLUTION NO. 10-24**

**RESOLUTION TO AUTHORIZE TOWN HIGHWAY SUPERINTENDENT TO PURCHASE A NEW TRAILER NOT TO EXCEED \$12, 500. SUPERVISOR ASKED FOR A MOTION TO TABLE THIS RESOLUTION FOR THIS MONTH.**

Motion by Councilman Seitz, and seconded by Councilman Schiffer to table this resolution.

Discussion-Councilwomen Limina asked Dale for a run down on the trailer. Much discussion regarding this trailer. Dale explained to her why the highway needs this trailer.

Ayes-5

Opposed-0

Motion Carried

**RESOLUTION NO. 11-24**

**RESOLUTION TO APPROVE STANDARD WORKDAY**

Motion by Councilman Seitz and seconded by Councilwoman Limina

Discussion-Councilman Zelazny asked what a standard work day was.

Town Clerk explained.

Ayes- 5

Opposed-0

Motion carried

**RESOLUTION NO. 12-24**

**RESOLUTION TO APPOINT SUPERVISOR WENGEWICZ AS DELEGATE TO THE ASSOCIATION OF TOWNS**

Motion by Councilman Seitz, Seconded by Councilman Limina

Aye-4

Opposed-0

Abstain-Wengewicz

Motion carried

**RESOLUTION NO. 13-24**

**RESOLUTION TO APPOINT DEPUTY SUPERVISOR STEVE SEITZ AS ALTERNATE DELEGATE TO THE ASSOCIATION OF TOWNS**

Motion by Councilman Schiffer and seconded by Councilman Zelazny

Ayes- 4

Opposed-0

Abstain-Seitz

Motion carried

**RESOLUTION NO. 14-24**

**RESOLUTION TO ALLOW HIGHWAY SUPERINTENDENT TO ENTER INTO AN AGREEMENT WITH NYSDOT FOR THE 2023-2024 MUNICIPAL SNOW AND ICE AGREEMENT, FOLLOWING LABOR ADJUSTMENT FOR 3% INCREASE**

Motion by Councilman Seitz and seconded by Councilman Schiffer

Discussion-Councilman Zelazny asked if the 3% increase was in the budget.

Ayes- 5

Opposed- 0

Motion carried

**RRESOLTUION NO. 15-24**

**RESOLUTION TO APPOINT KATHY BENNETT AND BOND, SCHONECK & KING AS OUR TOWN ATTORNEY AT A RATE OF \$24,000 A YEAR; \$2000 A MONTH.**

Motion by Councilman Seitz and seconded by Councilman Schiffer

Ayes-4

Opposed-Councilman Zelazny

Motion carried

Board comment-Councilman Seitz- Until we get the wait for the trailer will just need to hold off.

Councilwoman Limina-Asked Dale if he knew about timing when the clerk's office would be done. Dale said he received the third quote today. She also asked if the 2022 audit has been done. Town clerk said they were coming to start with her books tomorrow. Linda is wondering if we could go out to bid on that. She said this week on Wednesday, Thursday and Friday her and Councilman Zelazny will be going to the Association of Towns training in Rochester.

Councilman Zelazny-received an email from Tracy Sutherland. She is the liaison to National Grid for the new LED lights we qualified for incentive payment. They are going to be send a payment of \$3160.00 for changing over. Town will be saving on electricity costs. Steve will let him know. He also is requesting starting the workshops.

Supervisor Wengewicz- welcomed Linda to the board. The balloon test is January 15 but don't have a time yet. It's weather permitting. Once we know for sure it will be on the website and facebook. No new information on the STAMP plant, Solar Project with Town of Barre.

Public comments-John Pratt- Had comment about the ARPA fund disbursements and believes the taxpayers should know what was purchased with their money. He agrees the bills should be available so all the board can look at them. He asked about the reason for the Town attorney to be getting \$2000 a year instead of \$1000 like last year.

John Parada-Had comment about the changing of a meeting after the board meeting set it. He commented he is appalled about the rules of procedure that came out for board meeting.

Karen Jones-Commented on the Supervisor report, audit report in the past, Standard work day, time keeper is the clerk who is the elected official. Board members need to look at other towns and how they do things and what's missing in ours.

Jim Heminway-Commented on Royalton water. Village is willing to negotiate a rate. Move on to things that are a lot more important and save the constituents money.

Larry Waters Sr. -read a statement regarding the new rules - Accountability and transparency is foundation to a vibrant, healthy and resilient community.

Gabrielle Barone-Talked about attraction projects. Site selectors have been in the area. Need to look at this seriously as these projects don't come along often. One in particular looked at 85 sites throughout several states. It narrowed down to five sites in New York State and we were number 2. We need to pay attention to aesthetics. We can't let our properties deteriorate.



Supervisor said to John Pratt he would put the ARPA stuff on the Facebook page.  
Supervisor said to John Parada-He would meet with him at noon on Monday to go over questions

Supervisor- =Jeff Schiffer and Supervisor met with Jess Marciano and 2 people from the village of Medina to discuss water rates. They have another meeting set up.

Supervisor – Workshops- will do a workshop once a quarter, if they need a workshop more often that that will do more workshops. They will be publicized with enough time to know.

Motion by Councilman Seitz and seconded by Councilwoman Limina to adjourn the Town Board Meeting at 8:14pm

Motion carried

Respectfully submitted,

Darlene Rich, MMC, RMC  
Town Clerk