

**REGULAR MEETING – TOWN OF SHELBY**  
**4062 SALT WORKS RD., MEDINA, NY**  
**December 12, 2017 6:35 PM**

Present: Merle Draper, Supervisor  
Dale Stalker, Councilman  
William Bacon, Councilman  
Kenneth Schaal, Councilman  
Stephen Seitz, Sr., Councilman  
Darlene Rich, Town Clerk  
Bethany Centrone, Counsel for Bond, Schoeneck & King  
Michael Fuller, Highway Supt.  
Trisha Laszewski, Assessor  
Kirk Myhill, Planning Board Chairman  
Dan Wolfe, Codes & Zoning Officer  
Claude Grimes, Constable  
Paul Gray, Constable

Others:	Ed Houseknecht, Town Elect Supervisor	Chet Zelazny
	Bill Eick-OC Legislator	Jim Zelazny
	Jerry Velesko	Sue Fuller
	Sharlene Pratt	John Pratt
	Phil Keppler	Alice Zacher-historian

2<sup>nd</sup> Public hearing - Cold War Veteran Exemption was cancelled due to adoption by resolution previously.

Town Board meeting opened at 6:35 PM.

Motion by Councilman Schaal seconded by Councilman Seitz Sr. to go into executive session to discuss personnel matter at 6:36 PM.

Motion by Councilman Schaal, seconded by Councilman Seitz to come out of Executive session with no action taken at 7 PM

Meeting was called to order at 7:00 PM

Pledge to the flag

Public comment regarding agenda items-none

Highway Report – (Mike Fuller) – Repaired two water breaks, Change out bolts on guard valves, replace hydrant on Mill St.

GPS Water services with valves and hydrants. Work on snow plow equipment. Cold patch holes

Work with Ray Wendle at tank refilling and getting it ready for DOH Sampling. Worked with Vern Austin on locating graves for burials at Mt. Pleasant Cemetery.

Engineer Report- General Engineering - Mike requested that Paul provide an evaluation of the building at 4695 South Gravel Road (Fire Dept. Building) in conjunction with Dan Wolfe's evaluation on the building. Paul provided a letter to Supervisor outlining his visit and recommendations.

Water District No. 12 (West Shelby)-Pilon Contruction has completed all work related to the project. Any concerns or questions can be directed to Scott Mattison and he will forward to Pilon. Chatfield Engineers has obtained USDA approval for the purchase of 2 automatic flusher units with remaining grant money.

Court Improvements-The final plans have been completed and the preliminary cost estimates have been forwarded to Supervisor and Councilman Schaal for consideration. A draft letter has been written for the Supervisor to review and send to Senator Ortt for grant funding.

5590 Salt Works Road Water Service-Chatfield Engineers has completed the plan for the 2" water service to 5590 Salt Works Rd. A SEQR documentation has been prepared and has been provided to the Town for action at the December 12 Town Board Meeting. A DOH 348 form has also been sent to the Town, which needs to be signed and returned to the office so they can submit the plan for approval. Although it is a 2" water service, it still needs DOH approval and the town will take over the ownership (including operation and maintenance) once it has been installed by the property owner.

Councilman Schaal asked where we stand with the water extension. Highway Supt said SEQR resolution will be done tonight and the owner has given a deposit. Councilman Schaal asked about the person farther down the road. Highway Supt Fuller said the Chatfield Engineers gave estimate for 2" and 8" pipe.

Assessor Report – (Trisha Laszewski) – Nothing really to report. Working on updates, which is ongoing.

Planning Board Report – (Kirk Myhill) –Have been working with Mary Herbert regarding a banquet facility at her barn. Dan Wolfe will work with Mary Herbert on a special use permit to have a banquet facility. Would recommend Brad Pask to be re-appointed to another term on the Planning Board and also recommend Jerry Velesko to be re-appointed as alternate.

Zoning Board Report – (Dan Wolfe) –Logged 5 calls, 6 onsite inspections, Attended 1 planning Board Meeting, 1 Shelby Town Board Meeting. 2 Permits issued. 1 Violation letter sent for property maintenance, Office hours 56. Miles logged 132, used 1 vacation day and 1 personal day. Logged 204 miles.

On December 10, 2017 at 9:00 AM-5475 East Shelby Road was demolished in a control burn by East Shelby Fire Dept. Special thanks to Fire Chief Andy Beach and Mike Fuller. Also would like to thank Rusty Hofmeister who brought his personal track hoe to push debris into a pile. He would also like to thank all of the East Shelby Volunteer Fire Dept. members who gave up their Sunday morning to help the Town of Shelby remove a vacant derelict structure.

Historian Report-Alice Zacher (Town Historian) Plans are in the making for the 200<sup>th</sup> year celebration. It will be held on June 16, 2018. A lot of outside activities are planned. It will start at the town hall at 9 am where you will be greeted. There will be refreshments and a slide show.

At this point you will pick up a self guided tour. Shelby and East Shelby Fire Companies are having open houses and East Shelby Fire Company is planning a small car show. You can visit the cemeteries. The route will show businesses. The day will end with a Fashion show at the Jr. High School at 4 PM at the Oak Orchard Elementary School. Skip Draper will be the MC. A lot of activities are planned. Alice encourages everyone to come out and have a nice time.

Fire Chief Report-Shelby-Kirk Myhill gave a report on behalf of Chief Benz. Total calls to date-231. Total calls this month-25. EMS-14, MVA-1, Water problem-, CO Detector-1, Mutual Aid, 8. They received an award from the county for having the most fire training hours in the county with 1050 hours. This is the fifth year in a row they have won the award. They held their annual members and families Christmas Party on 12/10 with Santa Claus in attendance. They entered a float in Medina's Parade of Lights.

**RESOLUTION 143-17**

**RESOLUTION TO APPROVE MINUTES OF PREVIOUS MEETINGS**

Motion by Councilman Schaal, seconded by Councilman Seitz Sr. to approve minutes from the previous Shelby Town Board meetings.

Ayes – 5  
Opposed – 0  
Motion carried

**RESOLUTION 144-17**

**RESOLUTION TO APPROVE THE TOWN CLERK REPORT**

Motion by Councilman Stalker, seconded by Councilman Seitz to approve the Town Clerk report.

Ayes – 5  
Opposed – 0  
Motion carried

**RESOLUTION 145-17**

**RESOLUTION TO APPROVE SUPERVISOR REPORT**

Motion by Councilman Schaal, seconded by Councilman Stalker to approve the Supervisor Report.

Ayes-5  
Opposed-0  
Motion carried

**RESOLUTION 146-17**

**RESOLUTION TO APPROVE PAYMENT OF BILLS**

General	\$ 30,665.57	Highway	\$ 13,316.62
Water 1	\$ 1,222.98	Water 6	\$ 2,177.07
Water 3	\$ 37.13	Water 7	\$ 251.30
Water 4	\$ 1,786.75	Water8	\$ 19.48
Water 4B	\$ 227.09	Water 9	\$ 4,766.12
		Water 11	\$ 5.25

Motion by Councilman Bacon, seconded by Councilman Stalker to approve the payment of bills.

Ayes – 5

Opposed – 0

Motion carried

**RESOLUTION 147-17**

RESOLUTION TO ADOPT LOCAL LAW NUMBER 6 OF 2017 TO REPEAL LOCAL LAW #1 OF 1989.

Motion by Councilman Schaal, seconded by Councilman Bacon to adopt Local Law number 6 of 2017 to repeal local Law #1 of 1989

Ayes -5

Opposed – 0

Motion carried

Public hearing was held earlier tonight. County is willing to take over the control of dog enforcement. Each town is asked to adopt a local law to repeal dog control law before next year.

**RESOLUTION 148-17**

RESOLUTION TO EXTEND COLD WAR VETERANS EXEMPTION PERMANENTLY.

Motion by Councilman Schaal, seconded by Councilman Seitz Sr. to extend the Cold War Veterans Exemption permanently.

Ayes – 5

Opposed – 0

Motion carried

Previously exemption had a 10 year sunset. It would come due again next year. Will make it a permanent exemption.

**RESOLUTION 149-17**

RESOLUTION TO SET WATER DISTRICT NO. 12 DEBT SERVICE CHARGE AS \$92.13.

Motion by Councilman Seitz Sr. and seconded by Councilman Bacon to set Water District No. 12 Debt Service Charge as \$92.13.

Ayes – 4

Opposed – 0

Absent-Bacon

Motion carried

**RESOLUTION 150-17**

RESOLUTION TO SET YEAR END MEETING FOR DECEMBER 29, 2017 AT 10:30 AM.

Motion by Councilman Schaal and second by Councilman Stalker to set Year End Meeting for December 29, 2017 at 10:30 AM

Ayes - 5

Opposed - 0

Motion carried

**RESOLUTION 151-17**

RESOLUTION TO SET ORGANIZATIONAL MEETING FOR JANUARY 2, 2018 AT 7:00 PM.

Motion by Councilman Schaal and second by Councilman Seitz Sr. to set Organizational Meeting for January 2, 2018 at 7:00 PM

Ayes - 5  
Opposed - 0  
Motion carried

**RESOLUTION 152-17**

RESOLUTION TO RE-APPOINT PATRICIA BUSHOVER TO FIVE YEAR TERM OF TOWN OF SHELBY ZONING BOARD OF APPEALS.

Motion by Councilman Stalker and second by Councilman Seitz Sr. to Re-Appoint Patricia Bushover to five-year term of Town of Shelby Zoning Board of Appeals

Ayes - 5  
Opposed - 0  
Motion carried

**RESOLUTION 153-17**

RESOLUTION TO RE-APPOINT BRADLEY PASK TO FIVE YEAR TERM TOWN OF SHELBY PLANNING BOARD

Motion by Councilman Schaal and second by Councilman Stalker to Re-Appoint Bradley Pask to five-year term of Town of Shelby Planning Board

Ayes - 5  
Opposed - 0  
Motion carried

**RESOLUTION 154-17**

RESOLUTION TO RE-APPOINT JERRY VELESKO AS ALTERNATE TO TOWN OF SHELBY PLANNING BOARD

Motion by Councilman Schaal and second by Councilman Seitz Sr. to Re-Appoint Jerry Velesko as an alternate to the Town of Shelby Planning Board

Ayes - 5  
Opposed - 0  
Motion carried

This alternate term is a one-year appointment.

**RESOLUTION 155-17**

RESOLUTION TO RECOMMEND KIRK MYHILL TO ORLEANS COUNTY PLANNING BOARD

Motion by Councilman Stalker and second by Councilman Schaal to recommend Kirk Myhill to Orleans County Planning Board

Ayes - 5  
Opposed - 0  
Motion carried

**RESOLUTION 156-17**

RESOLUTION TO ISSUE NEGATIVE DECLARATION FOR SEQR FOR WATER DISTRICT 12 EXTENSION

Motion by Councilman Seitz and second by Councilman Schaal to issue negative declaration for SEQR for Water District No. 12 Extension.

Ayes - 5

Opposed - 0

Motion carried

**RESOLUTION 157-17**

RESOLUTION TO MOVE \$1350 FROM DA 5130. 2 TO DA 5130.4

Motion by Councilman Schaal and second by Councilman Bacon to move \$1350 from DA 5130.2 to DA 5130.4.

Ayes - 5

Opposed - 0

Motion carried

**RESOLUTION 158-17**

RESOLUTION TO SET OUT OF DISTRICT WATER USERS AT \$25 QUARTERLY FEE AND APPLICABLE DEBT SERVICE FROM DISTRICT WHERE SERVICE IS

Motion by Councilman Seitz Sr. and second by Councilman Bacon to set out of district water users at \$25 quarterly fee and applicable debt service from district where service is.

Ayes - 5

Opposed - 0

Motion carried

Legislature Comment- Legislature Eick-Budget passed. Looking forward to full board next year.

Board Comment-Councilman Stalker asked about the bill for Lakewinds Metal Working. Hwy Supt said it was for bolts for water 4, 4B and 6.

Public Comment- none.

Motion by Councilman Bacon, second by Councilman Seitz Sr. to adjourn meeting at 7:27 pm.

Respectfully submitted,

Darlene A. Rich, MMC, RMC  
Town Clerk