

**REGULAR MEETING – TOWN OF SHELBY
4062 SALT WORKS RD., MEDINA, NY
SEPTEMBER 11, 2018 7:00PM**

Present: Ed Houseknecht, Supervisor
Kenneth Schaal, Councilman
William Bacon, Councilman
Stephen Seitz, Councilman
Jeff Smith, Councilman
Darlene Rich, Town Clerk
Bethany Centrone, Council for Bond, Schoeneck & King
Michael Fuller, Highway Supt.
Trisha Laszewski, Assessor
Kirk Myhill, Planning Board Chair
Dan Wolfe, Codes & Zoning Officer
Miranda Bennett, Bookkeeper
Paul Gray, Constable
Claude Grimes, Constable

Others:	Alan Bushover	Sue Fuller
	Dave Mahar	Edward Zelazny
	James Zelazny	Sharlene Pratt
	Brian Murray Sr.	John Pratt
	Philip Keppler	Kim Weatherbee
	Eric Chambers	Bill Eick-County Legislator

Meeting called to order at 7:00 pm.

Pledge to the flag. Immediately after the pledge and while still standing a moment of silence was observed at the opening of the meeting for all who lost their lives in the attack on America on September 11, 2001.

Highway Report – (Mike Fuller) –Mowed cemeteries, meter pits and tower, fire company properties and all other town properties. Sting trim cemeteries. Helped

Orleans County and Town of Yates chip seal. Finish mowing road sides for third time. Paved Freeman Road and Jackson Road. Read meter pits. Monitor water lines for chlorine residual. Package electronic recyclables.

Assessor Report – (Trisha Laszewski) –Changes are coming this year for enhanced Star. It effects those that come in every year. Property Tax relief credit checks are arriving in the mailbox.

Planning Board Report – (Kirk Myhill) – Resident came before the Planning Board asking his property in the hamlet of West Shelby be zoned Ag/Residential as he wanted to dig a pond on his property. Received an application for a motor vehicle repair and sales shop on South Gravel Rd was received but the applicant did not come to the meeting. Problem we see with this is cars would be parked close to the road. Will talk to Dan regarding this. Have been talking about regulating mobile food vehicles which is on tonight’s agenda. And have been talking about regulating solar energy systems which is also on tonight’s agenda.

Code Enforcement Report- (Dan Wolfe)- August was a very busy month. Issued 7 building permits. Issued an area variance for a garage in Shelby Center. Issued two violation letters. Logged 231 miles.

Fire Chief Report -Shelby – no report

Fire Chief Report-East Shelby- Mike Fuller reported “September to Remember” which is a Swap Meet and Truck and Car show will be September 29 and 30. Gun raffle will be October 7, 2018.

RESOLUTION 71-18

RESOLUTION TO APPROVE MINUTES OF PREVIOUS MEETING

Motion by Schaal and seconded by Seitz to approve minutes from the previous town board meeting.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 72-18

RESOLUTION TO APPROVE THE TOWN CLERK’S REPORT

Motion by Bacon and seconded by Smith to approve the Town Clerk’s report.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 73-18

RESOLUTION TO APPROVE THE SUPERVISOR’S REPORT

Motion by Seitz and seconded by Schaal to approve the supervisor’s report.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 74-18

RESOLUTION TO APPROVE PAYMENT OF BILLS

General	\$33,368.54	Highway	\$14,015.38
Water 1	\$ 87.44	Water 3	\$ 23.49
Water 4	\$ 311.75	Water 4B	\$ 311.75
Water 6	\$ 33.02	Water 7	\$ 150.55
Water 9	\$ 19.63		

Motion by Smith and seconded by Schaal to approve the payment of bills.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 75-18

RESOLUTION ADOPTING PARTIAL PAYMENTS TO TOWN AND COUNTY TAXES

Motion by Schaal and seconded by Seitz to adopt partial payments to Town and County Taxes.

Ayes – 5

Opposed – 0

Motion carried

This resolution is similar to the one passed last year. Prior partial payment was \$200, which was less than the Recycling and Waste fee. Partial payment must be equal to the Recycling and Waste Charge.

RESOLUTION 76-18

RESOLUTION AUTHORIZING TOWN CLERK TO SIGN WINDOW WASHING CONTRACT WITH D.J. JANITORIAL.

Motion by Schaal and seconded by Smith to authorize Town Clerk to sign window-washing contract with D.J. Janitorial

Ayes – 5

Opposed – 0

Motion carried

Our previous window washer passed away this summer.

Intro to proposed Local Law Regulating Mobile Food Vehicles

This local law would be set for next month's meeting. It would set parameters. Would make sure there is insurance, setting hours of operation, etc. Will need to set public hearing.

RESOLUTION 77-18

RESOLUTION SETTING PUBLIC HEARING FOR OCTOBER 9 AT 6:00 PM REGARDING PROPOSED LOCAL LAW REGULATING MOBILE FOOD VEHICLES

Motion by Smith and seconded by Seitz to set Public Hearing for proposed Local Law Regulating Mobile Food vehicles for October 9 at 6:00 PM.

Ayes – 5

Opposed – 0

Motion carried

Intro to proposed Local Law Regulating Solar Energy Systems

This local law would be for next month's meeting. Currently Solar Energy does not regulate commercial systems and this law would allow that. Will need to set public hearing.

RESOLUTION 78-18

RESOLUTION SETTING PUBLIC HEARING FOR OCTOBER 9 AT 6:15 PM REGARDING PROPOSED LOCAL LAW REGULATING SOLAR ENERGY SYSTEMS

Motion by Seitz and seconded by Schaal to set Public Hearing for proposed Local Law Regulating Solar Energy Systems for October 9 at 6:15 PM.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 79-18

RESOLUTION AUTHORIZING SUPERVISOR TO SIGN AGREEMENT WITH WASTE MANAGEMENT

Motion by Schaal and seconded by Seitz authorizing Supervisor to sign agreement with waste management

Ayes – 5

Opposed – 0

Motion carried

Amendment to Zoning Text or Map-Applicant came to Planning Board to ask that his property at 10500 W. Shelby Road be zoned Ag/Residential from Hamlet as he wanted to dig a pond on his property.

RESOLUTION 80-18

RESOLUTION RECOMMENDING AMENDMENT TO ZONING TEXT OR MAP FROM HAMLET TO AG/RESIDENTIAL AT 10500 W. SHELBY ROAD BE REFERRED TO PLANNING BOARD.

Motion by Schaal and seconded by Smith to recommend amendment to zoning text or map from hamlet to Ag/Residential at 10500 W. Shelby Rd be referred to the Planning Board.

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 81-18

RESOLUTION SHARING COST OF LITIGATION BETWEEN TOWN, COUNTY, VILLAGE, AND SCHOOL (MEDINA CENTER LLC, TOPS MARKETS)

Motion by Bacon and seconded by Seitz to share cost of litigation between the Town, County, Village and School (Medina, Center, LLC, Tops Market.)

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 82-18

RESOLUTION SETTING DATE AND TIME OF BUDGET WORKSHOPS AT 6PM ON SEPTEMBER 20, 25 AND 27 AND OCTOBER 2 AND 4

Motion by Schaal and seconded by Bacon setting date and time of budget workshops at 6pm on September 20, 25, and 27 and October 2 and 4

Ayes – 5

Opposed – 0

Motion carried

Public comment-none

Board Comment:

Phil Keppler-Wanted to know the estimate of cost of the legal fees spent on the Wildlife overlay district. Supervisor said he had no idea without seeing the bills.

Chester Zelazny-asked about the resolutions and minutes if they could be printed for people to look at. Councilman Schaal said there is a binder on the counter with the information in it that he is welcome to look at any time. The information is also on the website.

Erich Chambers-read a letter about there being no transparency with the board.

Motion by Bacon and seconded by Seitz to adjourn meeting at 7:22 PM.

Ayes – 5

Opposed – 0

Motion carried

Respectfully submitted,
Darlene Rich, MMC, RMC