

TOWN BOARD REGULAR MEETING
TOWN OF SHELBY

May 14, 2019 7:00PM

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

Others:	Bill Eick-Orleans County Legislature	Michael Lasi-Batavia
	Les Quackenbush	Dave Mahar
	Eugene Outtersen	Edward Zelazny
	Sharlene Pratt	John Pratt
	Brian Murray Sr.	Sue Fuller
	Alan Bushover	James Zelazny
	Jerry Velesko	Marian Fry
	Courtney Lang	Alexis Greco
	Zoey Adkins	Dawson Breur

Meeting was called to order at 7:00 PM

Pledge to the flag

Supervisor Houseknecht expressed condolences on behalf of the Town to Mike Fuller our Highway Supt. on the passing of his mother.

Public forum regarding agenda items only – Two resolutions - To approve contract with MRB group for water study for town to find rate structure. Second resolution is to authorize the town hall closed on Friday May 17, 2019 from 10:30 AM to 1:00 PM so that town employees can attend the funeral of Highway Supt. mother Doris Fuller

Highway Report – (Mike Fuller) –Highway Dept. attended the Right to Know, Lock out, Tag out, Lifting classes in Albion. Attended Dig Safely NY Class on excavation to be certified to dig near utilities. Graded dirt roads. Mowed cemeteries, Fire Company properties and water pits and towers. Read Meter pits, checked ppms. Cut trees, Dressed up new graves with top soil at Mt. Pleasant and Millville. Patched potholes. Cleaned and painted snow plow equipment.

Assessor Report – (Trisha Laszewski) – Grievance Day for Town of Shelby is May 29 from 4pm-8pm at the Town of Ridgeway.

Code Enforcement Report- (Dan Wolfe)- For month of April was on vacation for a couple of weeks. Logged 24 hours. Issued two building permits. Aldi's grand opening is May 24. Logged 75 miles.

Planning Board Report – (Kirk Myhill) –Reviewed special use permit on West Shelby Road. Sending to Zoning Board of Appeals for variance. Looking into sign regulations for freestanding signs. Set up Planning Board members going to Albion for state training on May 29.

Fire Chief Report- Shelby- The Shelby Vol. Fire Co. report for May was read by the Supervisor. Total calls to date-eighty, Number of calls since April 8, 2019 is thirteen. Seven EMS, three MVA, Mutual aid given-three, one which was a barn fire in Ridgeway, a garage fire in Lyndonville and a house fire in Medina. Sportsman raffle was held in April, and the annual Mother's Day Chicken Barbecue was held. For training: one member completed the pump operators class. Eight members took the second module of the fire officer one class. A house training on roof ventilation, portable ground ladders, and knot tying was held last month. Eighteen members and four juniors certified or recertified in CPR and AED.

Fire Chief Report- East Shelby-Mike Fuller –Don't know if the big structure fire on East Shelby Rd. was mentioned last month. We had twenty one fire fighters from East Shelby and twenty four fire fighters. Mutual aid was from Alabama and Medina. Town of Shelby is very well protected. There is a lot of support. The Pro-Wrestling night was held at the fairgrounds. September to remember is the next function. Will be hosting an EMT class soon. Councilman Schaal asked where the company stood with the new fire truck. Mike said it was waiting for the chasis. It was running late.

County Legislator Bill Eick- County building is complete. Furniture is being moved in. Planning on ribbon cutting on June 11 at 3:30 pm

RESOLUTION 45-19

RESOLUTION TO APPROVE PREVIOUS MEETINGS MINUTES OF APRIL 9, 2019

Motion, Schaal; second, Smith

Ayes –5

Opposed – 0

Motion carried

RESOLUTION 46-19

RESOLUTION TO APPROVE THE TOWN CLERK'S REPORT

Motion, Bacon; second, Seitz

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 47-19

RESOLUTION TO APPROVE THE SUPERVISOR'S REPORT

Motion, Smith; second, Seitz

Ayes – 5

Opposed – 0

Motion carried

RESOLUTION 48-19

RESOLUTION TO APPROVE PAYMENT OF BILLS

General	\$ 78,131.15	Highway	\$ 14,814.91
Water No. 1	\$ 860.02	Water No. 7	\$ 287.93
Water No. 2	\$ 102.09	Water No. 8	\$ 209.70
Water No. 3	\$ 3,296.08	Water No. 9	\$ 204.18
Water No. 4	\$ 3,948.73	Water No. 10	\$ 2,150.49
Water No. 4B	\$ 1,021.47	Water No. 11	\$ 170.15
Water No. 5	\$ 34.03	Water No. 12	\$ 8,740.30
Water No. 6	\$ 456.24		

Motion, Schaal; second, Seitz

Ayes-5

Opposed – 0

Motion carried

RESOLUTION 49-19

RESOLUTION APPOINTING MARIAN FRY TO ZONING BOARD OF APPEALS ON RECOMMENDATION FROM CRAIG LACY, CHAIRMAN TO FILL VACANCY OF THURSTON DALE WITH TERM ENDING 12/31/2020.

Motion, Smith; second, Bacon

Ayes-5

Opposed-0

Motion carried

RESOLUTION 50-19

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AMENDMENT B OF SNOW AND ICE AGREEMENT FOR SEASON 2018/2019 DUE TO SEVERE WEATHER

Motion, Schaal; second, Smith

Ayes-5

Opposed-0

Motion carried

RESOLUTION 51-19

RESOLUTION TO SUPPORT COUNTY RESOLUTION 116-319 OPPOSING GOVERNOR CUOMO’S 2019 BUDGET PROPOSAL TO EXPAND THE NEW YORK STATE RETURNABLE CONTAINER ACT TO INCLUDE PORT AND ENERGY DRINKS, FRUIT AND VEGETABLE BEVERAGES AND READY – TO-DRINK COFFEES AND TEAS.

Motion, Schaal; second, Seitz

Ayes – 4

Opposed –Bacon

Motion carried

RESOLUTION 52-19

RESOLUTION TO SUPPORT COUNTY RESOLUTION 123-319 OPPOSING ADULT-USE CANNABIS PROPOSAL IN ORLEANS COUNTY WITH A REQUEST TO STATE LAWMAKERS TO TAKE A SLOW AND CAUTIOUS APPROACH WITH THE INTENT TO PROTECT THE HEALTH AND SAFETY OF OUR RESIDENTS

Motion, Schaal; second, Smith

Ayes – 5

Opposed –0

Motion carried

RESOLUTION 53-19

RESOLUTION TO SUPPORT COUNTY RESOLUTION 150-319 OPPOSING GOVERNOR CUOMO’S RED FLAG GUN SEIZURE PROPOSAL

Motion, Schaal; second, Smith

Ayes – 5

Opposed –0

Motion carried

RESOLUTION 54-19

RESOLUTION TO SUPPORT COUNTY RESOLUTION 156-319 OPPOSING NEW LEGISLATION THAT NEGATIVELY IMPACTS OUR COURTS FROM IMPOSING BAIL ON INDIVIDUDALS ARRESTED FOR CRIMES OR THAT IN ANY WAY ALTERS NEW YORK STATE’S CURRENT LAWS WITH RESPECT TO THE IMPOSITION OF BAIL ON A CRIMINAL DEFENDANT

Motion, Schaal; second, Smith

Ayes – 5

Opposed –0

Motion carried

RESOLUTION 55-19

RESOLUTION TO SUPPORT COUNTY RESOLUTION 159-419 OPPOSING DRIVER'S LICENSE ACCESS AND PRIVACY ACT CONCERNING UNDOCUMENTED INDIVIUDUALS

Motion, Schaal; second, Smith

Ayes – 5

Opposed –0

Motion carried

RESOLUTION 56-19

RESOLUTION TO SUPPORT COUNTY RESOLUTION 188-419 OPPOSING NEW YORK STATE SENATE BILL NO. 2837 AND ASSEMBLY BILL NO. 2750 TO ENACT THE FARMWORKERS FAIR LABOR PRACTICES ACT.

Motion, Smith; second, Schaal

Ayes – 5

Opposed –0

Motion carried

Councilman Smith aid a lot going on with this bill. A lot going on out there that is not true. He said he pays social security, unemployment, workmen's comp pays quite a bit more than minimum wage. He also works with the men when pruning trees.

RESOLUTION 57-19

RESOLUTION TO APPROVE EXPENDITURES OF HIGHWAY MONEY \$297,084.04 (COMBINATION OF CHIPS MONEY AND LOCAL MONEY) FOR ROAD REPAIR

Motion, Seitz; second, Smith

Ayes – 5

Opposed –0

Motion carried

RESOLUTION 58-19

RESOLUTION TO APPROVE PROPOSAL FROM MRB GROUP FOR WATER STUDY IN THE AMOUNT OF \$19,650.00.

Motion, Schaal; second, Smith

Ayes – 5

Opposed –0

Motion carried

Supervisor Houseknecht said water rates have increased over 50% and it would be a crime to sit still and not do anything.

RESOLUTION 59-19

RESOLUTION TO CLOSE THE TOWN HALL ON FRIDAY MAY 17, 2019 FROM 10:30 AM-1:00 PM SO THAT TOWN EMPLOYEES CAN ATTEND THE FUNERAL OF HIGHWAY SUPERINTENDENT’S MOTHER.

Motion, Schaal; second, Smith

Ayes – 5

Opposed –0

Motion carried

Board Comments –None

Public Comments- Mike Fuller thanked the board for the last resolution and speaking on behalf of his family said they appreciate it.

Motion, Schaal, second, Seitz to adjourn meeting at 7:23 pm

Respectfully submitted,

Darlene A. Rich, MMC, RMC
Town Clerk