

**TOWN OF SHELBY  
REGULAR MEETING  
4062 SALT WORKS RD, MEDINA, NY  
OCTOBER 13, 2020 7:00PM**

Present: Jeff Smith, Supervisor  
William Bacon, Councilman  
Stephen Seitz, Councilman  
John Pratt, Councilman  
Ryan Wilkins, Councilman  
Darlene Rich, Town Clerk  
Bethany Centrone, Council for Bond, Schoeneck & King  
Dale Root, Highway Supt.  
Trisha Laszewski, Assessor  
Kirk Myhill, Planning Board  
Paul Gray, Constable  
Claude Grimes, Constable  
Miranda Bennett, Bookkeeper

Excused: Dan Wolfe, Code Enforcement and Zoning

Others:	Alan Bushover	Drew Reilly
	Mark Masse	Michelle Billington
	Joe Green	Brian Murray Sr
	Leslie Quackenbush	Julie Wolter
	Sharlene Pratt	

Meeting was called to order at 7:00PM

Pledge to the flag

There were 2 add ons to the agenda, number 9 is a resolution to authorize Supervisor to sign inter-municipal agreement with Town of Ridgeway for assessor services and number 10 is to authorize Supervisor to sign three year agreement with the fire companies.

Highway Report – Dale gave a lengthy report of the past month. Some of the highlights were Fletcher Chapel and 63, Dunlap Rd. intersection, Hellert and Ryan Road intersection plus bad areas on Hellert Rd. and Martin Road Bridge were repaired. Water reads were done with only 13 re-reads. Sold 365 tons of grit from old stock pile. The balance will be mixed with salt. Set the 10,000 gallon tank and plumbed it and received first 4000 gallons of brine

Assessor Report- Trisha reported the new contract will be sent over tomorrow. There have been changes from its beginning. Julie and Trisha will be driving through Shelby prepping for reassessment.

Planning Board- Kirk reported a public hearing was held jointly with Zoning Board of Appeals and planning Board regarding Western New York Energy. There was no public input. Two people from the ethanol plant attended. Had preliminary meeting with Phil Keppler regarding a meat processing plant before Coleman's Curve in Shelby.

Code Enforcement / Zoning Board Report –No report.

**RESOLUTION 74-20**

RESOLUTION TO APPROVE MINUTES FROM THE SEPTEMBER 8 TOWN BOARD MEETING

Motion by Councilman Pratt and seconded by Councilman Seitz to approve minutes from the September 8 Town Board Meeting

Ayes – 5  
Opposed – 0  
Motion carried

**RESOLUTION 75-20**

RESOLUTION TO APPROVE MINUTES FROM THE SPECIAL MEETING HELD ON OCTOBER 5

Motion by Councilman Wilkins and seconded by Councilman Pratt to approve minutes from the special meeting held on October 5

Ayes – 5  
Opposed – 0  
Motion carried

**RESOLUTION 76-20**

RESOLUTION TO APPROVE THE TOWN CLERK REPORT

Motion by Councilman Seitz and seconded by Councilman Pratt to approve the Town Clerk report

Ayes – 5  
Opposed – 0  
Motion carried

**RESOLUTION 77-20**

RESOLUTION TO APPROVE THE SUPERVISOR'S REPORT

Motion by Councilman Wilkins and seconded by Councilman Seitz to approve the Supervisor's Report

Ayes – 5  
Opposed – 0  
Motion carried

**RESOLUTION 78-20**

RESOLUTION TO APPROVE PAYMENT OF BILLS

General -	\$ 38,964.28	Water 5 -	\$ 1,454.40
Highway -	\$ 93,825.90	Water 6-	\$ 7,991.96

Water 1 -	\$ 11,232.93	Water 7 -	\$ 10,051.33
Water 2 -	\$ 2,722.00	Water 8 -	\$ 3,282.63
Water 3-	\$ 7,405.86	Water 9-	\$ 2,801.68
Water 4-	\$ 8,376.24	Water 10-	\$ 1,404.44
Water 4B-	\$ 6,522.85	Water 11-	\$ 5,471.39
		Water 12-	\$ 3,279.44

Motion by Councilman Pratt and seconded by Councilman Wilkins to approve the payment of bills

Ayes – 5  
 Opposed – 0  
 Motion carried

Stamp Project- Mark Masse, CPA, Senior VP of Operations Genesee County Economic Development Center- spoke regarding the Stamp Plant Sewer Project and the reason for consent to the formation of a sewage-works corporation under the provisions of Article 10 of the Transportation Corporations Law of the State of New York.

**RESOLUTION 79-20**

RESOLUTION ADOPTING USE OF RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1) 2020

Motion by Councilman Pratt and seconded by Councilman Seitz to adopt use of Retention and Disposition Schedule for New York Local Government records (LGS-1) 2020.

Ayes -5  
 Opposed – 0  
 Motion carried

**RESOLUTION 80-20**

RESOLUTION TO RE-APPOINT WILLIAM BIXLER TO BOARD OF ASSESSMENT REVIEW. HIS FIVE YEAR TERM WILL EXPIRE SEPTEMBER 2025.

Motion by Councilman Wilkins and seconded by Councilman Seitz to re-appoint William Bixler to Board of Assessment Review with term expiring September 2025.

Ayes-5  
 Opposed-0  
 Motion carried

Sealed bids for three zero turn lawn mowers was held on September 14, 2020. They were advertised on the website as well as the Batavia Daily newspaper. The notice stated the town board could accept or reject the bids. Councilman Pratt said the lawnmowers were not put on the auction site where they would have received a higher price for them.

**RESOLUTION 81-20**

RESOLUTION TO REJECT BIDS FOR ZERO TURN LAWN MOWERS.

Motion by Councilman Pratt, seconded by Councilman Seitz to reject bids for zero turn lawn mowers. .

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 82-20**

RESOLUTION TO SET ANNUAL 2021 BUDGET HEARING FOR THURSDAY  
NOVEMBER 5, 2020 AT 7:00 PM

Motion by Councilman Bacon and seconded by Councilman Wilkins to set annual 2021 budget hearing for Thursday, November 5, 2020 at 7:00 PM.

Ayes-5

Opposed-0

Motion carried

Tax Cap Override is a precautionary measure. It would protect the town if it goes over the tax cap.

**RESOLUTION 83-20**

RESOLUTION TO INTRODUCE LOCAL LAW NUMBER 1 OF 2020: LOCAL LAW TO  
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C  
Motion by Councilman Pratt and seconded by Councilman Seitz to introduce Local Law Number 1 of 2020 “Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C”

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 84-20**

RESOLUTION TO SET PUBLIC HEARING ON NOVEMBER 10, 2020 AT 6:30 PM FOR  
PROPOSED LOCAL LAW #1 OF 2020-LOCAL LAW TO OVERRIDE THE TAX LEVY  
LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

Motion by Councilman Wilkins and seconded by Councilman Pratt to set public hearing on November 10, 2020 at 6:30 pm for proposed Local Law #1 of 2020 “Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 85-20**

RESOLUTION GRANTING MUNICIPAL CONSENT TO FORMATION OF SEWAGE-  
WORKS CORPORATION FOR PURPOSE OF SERVICING WESTERN NEW YORK  
SCIENCE TECHNOLOGY ADVANCED MANUFACTURING PARK

Motion by Councilman Wilkins and seconded by Councilman Seitz granting Municipal consent to formation of Sewage-Works Corporation for purpose of servicing Western New York Science Technology Advanced Manufacturing Park.

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 86-20**

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN SNOW AND ICE AGREEMENT

Motion by Councilman Bacon and seconded by Councilman Pratt to authorize Supervisor to sign Snow and Ice Agreement

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 87-20**

RESOLUTION TO AUTHORIZE SUPERVISOR TO ENTER INTO INTER-MUNICIPAL  
AGREEMENT WITH TOWN OF RIDGEWAY FOR ASSESSOR SERVICES

Motion by Councilman Seitz and seconded by Councilman Wilkins to authorize Supervisor to enter into inter-municipal agreement with Town of Ridgeway for Assessor Services

Ayes-5

Opposed-0

Motion carried

**RESOLUTION 88-20**

RESOLUTION TO AUTHORIZE SUPERVISOR TO SIGN THREE YEAR AGREEMENT  
WITH FIRE COMPANIES

Motion by Councilman Pratt and seconded by Councilman Wilkins to authorize Supervisor to sign three year agreement with fire companies

Ayes-5

Opposed-0

Motion carried

Board Comments- Councilman Seitz said he rode around Shelby and everything looks good.

Public Comments-Joe Green, lead developer, Orleans Solar project gave a lengthy presentation regarding the proposed project. It would consist of 1300 acres with 75% Barre and 25% Shelby. The 94-c law is the new law that was adopted back in April for large renewable projects like this one and would not be under Article 10.

Motion by Councilman Seitz and seconded by Councilman Wilkins to adjourn at 8:13pm.

Respectfully submitted,

Darlene A. Rich, MMC, RMC  
Town Clerk