

TOWN BOARD REGULAR MEETING
TOWN OF SHELBY

April 9, 2019 7:00PM

Present: Jeffrey Smith, Deputy Supervisor
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

Excused: Edward Houseknecht, Supervisor
Kirk Myhill, Planning Board Chair
Dan Wolfe, Codes & Zoning Officer

Others: Bill Eick-Orleans County Legislature Eric Chambers
Dale Root Eugene Outterson
Sharlene Pratt John Pratt
Edward Zelazny Brian Murray Sr.
Alan Bushover James Zelazny
Jerry Velesko Michael Hasy-Batavia
Jac Dorris

Meeting was called to order at 7:00 PM

Pledge to the flag

Public forum regarding agenda items only – Nothing added to agenda.

Eric Chambers asked about the adoption of the Western Orleans Comprehensive Plan. Councilman Schaal responded that a public hearing was held last fall and all questions were addressed at that time. The adoption of this resolution would reflect the public hearing. There were no changes. Specifically designed by the people of Town of Ridgeway, Town of Yates and Town of Shelby in cooperation with Orleans County Planning Board. It is a custom plan for the west end of the county. Eric Chambers asked what person would enforce the plan- Zoning Officer, the Board. He asked if the language in the plan was descriptive of plan or exact language of law. He asked about the language of the plan. He said his lawyer looked at it and did not understand it. Bethany Centrone said she had no comment for public comment at public hearing that was held in November. She said she has not looked at it. Councilman Schaal said public hearing was held, there were no modifications or changes from formal adoption. Town of Ridgeway and Town of Yates have already adopted it. Eric Chambers asked again about the language. Was it exact language of law or descriptive? Councilman Schaal said a public hearing was held on this issue. There was a waiting period. Going to hopefully pass this resolution tonight with no changes.

Highway Report – (Mike Fuller) – Plowed state roads 4 times, salted state roads 6 times. Plowed town roads 3 times, and town and county roads 5 times. Cut trees, patched roads. Cleaned up cemeteries (brush). Read meter pits. Check chlorine levels on water lines. Repaired equipment.

Orleans County Legislature-Bill Eick said everything is going smooth. The appointment for highway Superintendent has been filled by John Papponetti due to the retirement of Jerry Gray. The building project is right on schedule.

Assessor Report – (Trisha Laszewski) – Busy working on update in Town of Yates. Julie is keeping everything in order for Town of Shelby and Ridgeway.

Zoning Board of Appeals-Patti Bushover, Secretary said she was filling in for Craig Lacy. She said there was an ad placed in the Batavia Daily News and website to fill a vacancy on the Zoning Board. There was only one applicant. Would like to recommend Sharlene Pratt to the Zoning Board of Appeals.

Planning Board Report – (Kirk Myhill) –No report

Code Enforcement Report- (Dan Wolfe)- No report

Fire Chief Report- Shelby- no report

Fire Chief Report- East Shelby-Mike Fuller gave report for Chief Andy Beach. Had a very good turnout at their fundraiser His and Her raffle. Next Fundraiser is the Professional Wrestling night at the County Fairgrounds in May. There was a big house fire in East Shelby, multiple agencies helped at the scene. Lady and 2 dogs were safe however there were 3 dogs that were in the house fire.

RESOLUTION 38-19

RESOLUTION TO APPROVE PREVIOUS MEETINGS MINUTES (PUBLIC HEARING OF MARCH 12, 2019 – Amend Local Law of Games of Chance AND TOWN BOARD MEETING MINUTES OF MARCH 12, 2019)

Motion, Seitz; second, Schaal

Ayes –4

Opposed – 0

Absent-Houseknecht

Motion carried

RESOLUTION 39-19

RESOLUTION TO APPROVE THE TOWN CLERK'S REPORT

Motion, Schaal; second, Bacon

Ayes – 4

Opposed – 0

Absent-Houseknecht

Motion carried

RESOLUTION 40-19

RESOLUTION TO APPROVE THE SUPERVISOR'S REPORT

Motion, Bacon;; seconded, Seitz

Ayes – 4

Opposed – 0

Absent-Houseknecht

Motion carried

RESOLUTION 41-19

RESOLUTION TO APPROVE PAYMENT OF BILLS

Motion, Schaal; second, Seitz

General	\$ 53,636.50	Highway	\$ 47,853.82
Water No. 1	\$ 7,564.66	Water No. 2	\$ 1,439.07
Water No. 3	\$ 5,083.39	Water No. 4	\$ 5,466.11
Water No. 4B	\$ 13,432.01	Water No. 5	\$ 681.18
Water No. 6	\$ 5,145.03	Water No. 7	\$ 5,306.60
Water No. 8	\$ 2,169.26	Water No. 9	\$ 1,926.56
Water No. 10	\$ 1,002.43	Water No. 11	\$ 13,073.56
Water No. 12	\$ 2,365.20		

Ayes – 4

Opposed – 0

Absent-Houseknecht

Motion carried

RESOLUTION 42-19

RESOLUTION ADOPTING THE WESTERN ORLEANS COMPREHENSIVE PLAN WITHOUT MODIFICATIONS OR CHANGES AS PRESENTED AT THE NOVEMBER 1, 2018 PUBLIC HEARING.

Motion, Schaal; second, Bacon

Ayes-4

Opposed-0

Absent-Houseknecht

Motion carried

RESOLUTION 43-19

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE STIPULATION AGREEMENT BETWEEN TOPS MARKETS LLC AND THE TOWN OF SHELBY SUBJECT TO FINAL REVIEW BY THE ASSESSOR AND ATTORNEY BROOKS

Motion, Seitz; second, Bacon

Ayes-4

Opposed-0

Absent-Houseknecht

Motion carried

RESOLUTION 44-19

RESOLUTION TO APPOINT SHARLENE PRATT TO ZONING BOARD OF APPEALS ON
RECOMMENDATION FROM CRAIG LACY, CHAIRMAN WITH COMMENCEMENT DATE OF
1/12019 TO FILL VACANCY OF LINDA FULLER

Motion, Schaal; second, Seitz

Ayes – 4

Opposed – 0

Absent-Houseknecht

Motion carried

Board Comments –Councilman Seitz attended the Summer Youth Program meeting. The pool will not be open this year because of construction.

Public Comments- none

Motion, Bacon, second, Seitz to adjourn meeting at 7:13 pm

Respectfully submitted,

Darlene A. Rich, MMC, RMC
Town Clerk