

**DRAFT**  
**Town of Shelby Year End Meeting**  
**4062 Salt Works Rd. Medina, NY**

Dec. 28, 2023 2:00pm

**Please note:** We are live streaming our meetings through YouTube.  
See [www.townofshelbyny.org](http://www.townofshelbyny.org) and click on the link.

Present:        Scott Wengewicz, Supervisor  
                 Steve Seitz, Councilman  
                 John Pratt, Councilman  
                 Ed Zelazny, Councilman  
                 Jeff Schiffer, Councilman  
                 Darlene Rich, Town Clerk  
                 Pam Henry, Deputy Clerk  
                 Kathleen Bennett, Attorney  
                 Dale Root- Highway Supt.  
                 Claude Grimes, Constable  
                 Miranda Bennett, Bookkeeper

Others	Michael Rich	Sharlene Pratt
	Leona Weese	Karen Jones
	James Zelazny	Linda Limina

Called to order at 7:26 PM (started late due to technical difficulties with the live streaming)

Pledge to the flag

Public Forum for agenda items- Karen Jones-Resolution for Supervisor and bookkeeper to make adjustments-. Asked if the councilman had looked at the adjustments. They had not. The Supervisor responded it was a comment period. For clarity and transparency people should know what those adjustments are. Until the members see those adjustments, they should not vote on it. Supervisor said year- end adjustments are not done until the next meeting and the board does know about them. This is paying the end of the year bills. No monies can be moved without board approval and that will be done at the beginning of next year after the bills are paid.

**RESOLUTION 104-23**

**RESOLUTION TO PAY CLAIMS AGAINST THE TOWN**

Motion by Councilman Seitz, Second by Councilman Schiffer

Discussion: Councilman Pratt- In the bill from C&H PC for a new printer for \$800. Wondering where we need a new printer? Supervisor said it was the one in his office. Councilman Pratt asked if there were any computers or anything off premises? He said he is aware the bookkeeper works from home. Supervisor said she takes a laptop home whenever she is sick or do what she can't finish here. Councilman Pratt said since generator is hooked up and a resolution was passed that the COVID is over and those were my understanding that any work would be done

off the premises so shouldn't all the work be coming back. Supervisor said she can but he usually calls her at 9 or 10 o'clock when he has questions. That's when he works with the lawyer. The lawyer works later at night and she calls him so he calls the bookkeeper to ask questions. She is not claiming time on the books she's just answering questions for him so he doesn't see an issue with that if she is willing to volunteer her time. Councilman Zelazny- The lawyer takes phone calls after she's done work, Supervisor said yes. Councilman Zelazny asked if we are getting charged for that also. Supervisor said no. He said anytime she talks to the board or when we call that is part of the month. The extra \$75 a month we are billed is for Borrego, STAMP plant, any other land use. The contract for the town board is a straight fee, no matter how many hours she works. Councilman Pratt said while we were talking about her fees did it ever get straighten out early on?

When Jeff Clark left and she started and there was a billing problem with her office? Supervisor said they did an audit and found out it was about the solar panel meetings and STAMP project. They were all billable hours not on town board issues. Councilman Pratt said as he looks at the bills and there was never a line item where she charged \$1000 for the monthly bill. She charged by the hour for all that she did. That was back in June, July's bills. Jeff left in May and in June, July's bills there is no itemized \$1000 and that's what he was talking about before, there should have been a \$3000 charge and we were \$5000 not to mention some of the stuff that she individually charged. It should have been in there. Supervisor said she talked to Jeff Allen and then the supervisor talked to Jeff Allen because he is the billing attorney and he responded back. He will check the emails. Supervisor said he would do that today and let councilman Pratt know. Councilman Pratt said to look at the bills he could show him where it was in the bills. Jeff told him the hours all added up. Supervisor said we were not overcharged for the hours they worked.

General- \$ 22,861.88      Highway- \$58,087.25

Ayes-5

Opposed-0

Motion carried

### **RESOLUTION 105-23**

#### **RESOLUTION TO AUTHORIZE BOOKEEPER AND SUPERVISOR TO MAKE YEAR-END ADJUSTMENTS ENDING DECEMBER 31, 2023**

Motion by Councilman Seitz, seconded by Councilman Schiffer

Discussion-There was much discussion regarding the year end adjustments which brought up the concerns of the software Williamson Law that the bookkeeper is using. Councilman Pratt asked how can you vote on it when you don't know what you are voting on. He hasn't seen anything, even had a supervisor report in 3 months. There was issue with Williamson software for the accounting this past year. Supervisor reports were done incorrectly via Williamson putting wrong accounts in software when setting it up. Supervisor said when all the bills and bank statements are in from December, they will know what the year end transfers will be. They will know at the next meeting. This is just giving approval for the adjustments to be done, but nothing can be moved. Councilman Schiffer asked if this will affect the Town if they don't vote on this resolution. Councilman Seitz thinks it should be approved as nothing is going to be moved. He feels what is going to happen in January all the monies and reports are supposed to be done by then and if there is a problem we are going to see where the adjustments had to be or where there is an issue. Supervisor said we could call another meeting in 3 days but it has to be done before the 31st. Supervisor called Sean Pogue, Town of Barre Supervisor who said you cannot run out

of money in any line items of all the different budget line items. This is an adjustment. If we are out of money in one line item you can move money from the same fund line item to cover that line item. That's what that adjustment is for to pay the end of year bills and we won't know the actual tally until January. Councilman Pratt said down the road that would make more sense to have a forensic audit done.

Ayes-3

Opposed-Councilmen Pratt, Zelazny

Motion carried

### **RESOLUTION 106-23**

### **RESOLUTION TO RE-APPOINT JEFFRY VELESKO TO THE PLANNING BOARD WITH TERM EXPIRING DECEMBER 31, 2028**

Motion by Councilman Schiffer, second by Councilman Zelazny

Aye-5

Opposed-0

Motion carried

Councilman Pratt-Asked about securing the clerk's office. There was discussion between the Board and the Clerk concerning security measures in the Clerk's Office. Councilman Seitz said it was talked about a while ago but was never done. Councilman Pratt wanted a resolution for the work to be done to make sure it gets done however Supervisor felt there was no resolution needed. Councilman Seitz said after the meeting he will contact Dale.

Board Comment-Councilman Pratt-Talked with Supervisor about New York Class savings for town. He brought information in a year ago after he talked with Town of Barre. It's a very good program to be on. He suggests the town get on that program. We could have had some interest money from this past year. Supervisor said he already emailed the lady regarding it. Councilman Pratt suggested to look at the ARPA funds, he understands why he didn't get it. He wanted to see how the ARPA funds had been spent. Miranda was looking on the Supervisor reports and couldn't get to it so would like to give it to another council person to know where that's at. He also said they need to go to having workshops. It gives you more communications and that would bring up your interview when you were first appointed in article from the hub it said as Shelby's new town supervisor said he will push for more communication from town hall. Above all, the newly town board members need to learn how to be a voice and not an echo and with that he signed off his term.

Councilman Seitz- He thanked John for donating his time as a member of the board for 4 years. John and him have not always agreed but at the end of the day they have still been friends.

Councilman Schiffer said he second that.

Public comment-Town clerk said thank you to John for coming on the board 4 years ago. He has opened up a lot of eyes to the public and is very proud of the work he has done and she is going to miss him on the board.

Linda Limina-a lot of talking about Williamson Law. She called them several months ago about the software and they assured her the software is New York State guideline compliant and understands there are still issues. She would like to offer and volunteer to call them either with or without Miranda if she wants to be a part but try to understand it. Linda said she has worked with a lot of software companies over 35 years and doesn't know of one that wouldn't use such a

simple report. Wondering if it's a communication thing. She wants to make sure we are getting what we need as opposed to her having to do things manually because it's very expensive for the town if it's roughly \$25 an hour and she is spending hours and hours to do one month. If it is something they are not able to do and you have to pay extra she agreed with John. If they're basic functions that they provide then somebody ought to be going back to them and saying maybe we need our money back and go somewhere else, because that is a lot of money to pay for software that doesn't provide the basics. She also said we are at the end of 2023 and was wondering if the 2022 audit been completed yet. Ton clerk did talk with Allied last week and they said they would be calling to set it up. One of their guys quit and so its just one guy right now. Linda asked if we had thought about going out to bid for auditors if Allied is that overwhelmed. Supervisor said he just got the name of an auditor that either Ridgeway or Barre uses. He is going to check on them too. He will let Linda know.

Karen Jones-Communication- In the hub a year ago from the supervisor saying communication would be improved and she agrees with John's suggestion that you go back to work shops and if you don't want two meetings, have it on the same night just before the board meeting. Also needs to be improvement with facebook announcements. For example, this meeting had a graphic of a clock that said 6PM even though the word said the meeting had been changed from 7PM to 2PM. On the website the word events versus just a calendar would be really helpful if there were just a calendar for the clerk to update. Would like to see the website more phone friendly. The next meeting which is the organizational meeting would like to see two elected officials to audit and review three different entities the Supervisor and bookkeeper, the clerk and the town justice. It would be another set of eyes. Towns like Ridgeway, Yates and Barre a lot of towns note exact hours per week for employees and then also includes that all overtime must be approved usually its different people approving but usually board members involved and think having that in your yearend report is a really good idea to protect the town and give you that layer of transparency. Also, the printer that was mentioned in the beginning of the meeting for \$800 is expensive. Need to look around. She thanked John for his service to the town, it's very much appreciated.

Linda Limina-You mentioned Supervisor reaching out to Miranda at 9 or 10 at night. I would like to have you come up with some type of plan or process that enables that work to be done during the day. I don't think its fair to a town employee whether she volunteers or not. It's not good work practice to have to be constantly on call and never being able to put work down and walk away. If she is ok with it or not it still does not give her time away. Maybe send an email in the morning so you're not calling her at night. Supervisor said he doesn't call her, she gets emails, it's up to her whether she answers them.

Motion by Councilman Pratt and seconded by Councilman Schiffer to adjourn the Town Board Meeting at 3:13pm.

Aye-5

Nay-0

Motion carried

Respectfully submitted,

Darlene Rich, MMC, RMC  
Town Clerk