

DRAFT
Board Meeting
Town of Shelby
4062 Salt Works Rd. Medina, NY

January 14, 2025 6:00 pm

Please note: We are live streaming our meetings through YouTube. See www.townofshelbyny.org and click on the link.

Present:

Scott Wengewicz, Supervisor
Steve Seitz, Councilman
Eddie Zelazny, Councilman
Jeff Schiffer, Councilman
Linda Limina, Councilwoman
Nicholas Jacobsen, Attorney
Darlene Rich, Town Clerk
Dale Root, Highway Supt.
Kirk Myhill, Planning Board Chair
Dan Wolfe, Code Enforcement Officer
Claude Grimes, Constable
Jim Conway, Constable

Absent: Julie Cecchini, Accessor

Others:

Jeremy Beatty	Alan Bushover	George Phillips
Leona Weese	Alana Koneski	Rusty Hoffmeister
Lorraine Limina	Mike Rich	Mark Wamback
Yonic Parada	Joy Waters	Joe Kujawa
Larry Waters	Jim Heminway	Ed Grabowski
Sharlene Pratt	John Pratt	Gabrielle Barone
James Zelazny	Scott Carlson	

Called to order at 6:00 PM

Pledge to the flag

Public Forum regarding agenda items only-none

Highway Report-(Dale Root, Hwy Supt.) Guys continuously working on plow trucks, we are spending a lot of money on them. Had issues; one with motor and equipment, bad wiring, hydraulic hoses, bearings etc. He would like to ask the board to seriously

consider another cab and chassis. They continue plowing and sanding. Had a few burials, picking up dead deer, water reads. Wondered if board discussed the proposal on water billing changes. Cutting up limbs from strong winds. Things going well in his absence. He answered a few concerns regarding last couple of meetings regarding the acting deputy superintendent and time being spent in water clerk's office and secretary office and being cemetery sexton. Good news-2024 Flushing Report- We are down from 1.2 to 1.5 million to 604,000 gallons of flushing for last year. He thinks between the testing's and having it turned on Freeman Road and now Johnson Rd. is going to effect it even more.

Limina asked about the insurance certificate where the truck is being stored.

Dale said it was given to Supervisor and it said in the email that truck is insured no matter where it is.

Assessor Report-(Julie Cecchini) Absent-Supervisor read her report. Three houses have sold all over assessed value. No houses have gone up for sale in the last month. Office has been busy with calls and walk-ins. Exemption renewals were sent out the first of the year, all exemptions whether a renewal or a new application are due back March 1st. Any questions please call the office at 798-0730 ext. 104.

Planning Board-(Kirk Myhill – At the January meeting he informed the town board had renewed both Roger Wilkins and Mark Erway position on the planning board. An individual came in requesting a preliminary meeting on an event center that they would like to put in. We went through the process of making this happen.

Code Enforcement (Dan Wolfe) Read his report for 2024. Forty-two building permits were issued. Twenty were pole barns, garages or storage buildings. Eight were porches, Porch roofs, decks. Two were house additions. Two were demo permits; one was single wide on Maple Ridge Rd and one house on Blair Rd. One was a communication tower. Two were wood stoves with chimneys. Three were fences. Two were swimming pools. Three were miscellaneous structure repairs. Received two after hours house calls by county dispatch and child protection services which resulted in his condemning the structure. Next week he will be going to Department of State training Monday, Tuesday and Wednesday and he informed the town clerk that he will be taking calls.

To renew the moratorium for 6 months we need to get it into the county. We need to do a Special Meeting to introduce the local law before February. He believes that when we had the six-month moratorium that the end date would be the first part of February so we would have to get it into the county with request to renew it for six months. In order to do that for this month to be heard it will have to be in before Thursday of this week because the county meeting will be held next Thursday. The county planning board will give us their recommendations. They don't give us a final approval, there is just a recommendation which the majority of the extensions of moratoriums are no problems to the county.

Supervisor will talk to Kathy tomorrow and set up a special meeting date.

Kirk said he is sure the moratorium ends in February.

Supervisor said it would depend on when the Town Clerk filed it.no less than six months

RESOLUTION NO. 3-25

RESOLUTION TO APPROVE THE TOWN BOARD WORKSHOP FOR DECEMBER

Motion by Seitz and seconded by Schiffer

Ayes-5

Opposed-0

Motion carried

RESOLUTION NO. 4-25

RESOLUTION TO APPROVE MINUTES OF THE TOWN BOARD MEETING (Dec. 10)

Motion by Limina and second by Seitz

Ayes- 5

Opposed- 0

Motion carried

ORGANIZATIONAL MEETING JANUARY 3 -TABLE

RESOLUTION NO. 5-25

RESOLUTION TO APPROVE THE TOWN CLERK REPORT (DECEMBER

Motion by Seitz and second by Zelazny

Ayes- 5

Opposed- 0

Motion carried

RESOLUTION NO. 6-25

RESOLUTION TO PAY CLAIMS AGAINST THE TOWN

Motion by Schiffer and second by Seitz

General-	\$ 129,904.56
Highway-	\$ 7,685.35
Water 1-	\$ 13,287.21
Water 2-	\$ 2,358.41
Water 3-	\$ 7714.17
Water 4-	\$ 9,788.44
Water 4B-	\$ 7,705.06
Water 5-	\$ 1,200.92
Water 6-	\$ 9,226.13
Water 7-	\$ 4,209.28
Water 8-	\$ 3,852.88
Water 9-	\$ 3,373.87
Water 10-	\$ 1,728.55
Water 11-	\$ 2,290.86
Water 12-	\$ 4,061.09

Discussion- Zelazny asked about the supervisor report for the new year.

Limina asked about the DBL insurance and the 6 females and wondered if there were six females working here. She also asked about the Royalton water bill. She said it doesn't have a rate; it only has a lump sum amount. Are they going to give us the usage. Hwy Supt said the usage \$3.00 He will ask they put it on the bill.

Limina asked about the web cams from CHPC. Supervisor said it was for his and secretary computers. Supervisor said his computer is a laptop and doesn't have the web cam.

Limina asked about a revenue and expense report and when are we going to get one. Supervisor said it's up to Single Source when they say because they are not ready.

Limina asked what the balance was in NYClass?

Supervisor said roughly 1.3.

Ayes-5

Opposed-0

Motion carried

RESOLUTION NO. 7-25

RESOLUTION APPOINTING SUPERVISOR AS THE VOTING DELEGATE FOR ASSOCIATION OF TOWNS

Motion, Seitz, second by Schiffer

Ayes-5

Opposed-0

Motion carried

RESOLUTION NO. 8-25

RESOLUTION TO APPOINTING DEPUTY SUPERVISOR AS THE ALTERNATE VOTING DELEGATE FOR THE ASSOCIATION OF TOWNS

Motion, Schiffer, second by Limina

Ayes-5

Opposed-0

Motion carried

RESOLUTION NO. 9-25

RESOLUTION TO AUTHORIZE THE USE OF TOWN FUNDS FROM BUDGET LINE A1620.400/BUILDING CONTRACTUAL TO PAY FOR THE NEW TOWN SIGN NOT TO EXCEED \$1026.62

Motion by Seitz; seconded by Schiffer

Limina-What if we get all of our financial numbers and we realize there isn't money on these lines. Supervisor said they would do a resolution to move money from the A fund to cover.

Ayes-5

Opposed-0

Motion Carried

RESOLUTION NO. 10-25

RESOLUTION FOR THE TOWN CLERK TO ATTEND NYSTCA IN APRIL AND NYSTRAC IN JUNE. BOTH WERE BUDGETED.

Motion by Seitz; seconded by Schiffer

Ayes-5

Opposed-0

Motion Carried

Supervisor and Kathy Bennett had a meeting with LGSS. 2024 is done contingent on 2023 numbers. 2024 is within \$60.00. 2023 Drescher & Malecki is finishing that up either this week or next week. Both firms will be in for the February board meeting. Single source accounting- spent the whole day with them last week setting up all the accounts, all the separate Quickbooks accounts. They weren't ready to do vouchers this month. Darlene continued doing them. They will be back at least one day this week if not more. They have training on Friday.

Sunshine Lawn Service, CHPC and the attorney-all three contracts are up for renewal. They don't have to be advertised and speaking with other towns and Kathy he would think 3-5% increase would be acceptable for cost of living. If it's over 3% would come back to the board. All three of them are due.

Zelazny asked about the attorney retainer.

Limina asked if we are negotiating the 3-5%?

Supervisor said if it goes over 3%.

Limina said she would like to discuss the attorney fee. That one was just raised so think we need to look at it. The other two she did not have a problem with.

RESOLUTION NO. 11-25

RESOLUTION TO RENEW THE CONTRACT WITH SUNSHINE LAWN CARE AND CHPC COMPUTER SERVICES FOR 2025 NOT TO EXCEED 3%

Motion by Seitz as long as it doesn't go over 3%; seconded by Limina

Ayes-5

Opposed-0

Motion Carried

If it goes over the 3% he will inform the board and not approve it

Insurance-contacted Tompkins Bank, hasn't heard back.

Limina said when sent an email to the board and Lawley Services would be interested in quoting. She said she reached out to them but was told not to do anything until January and then she just sent the email he had forwarded to her the other day. There is some information he will have to have in order to quote it and she can resend it again.

Limina asked about the extension for the moratorium.

Supervisor said we had till February

Myhill said we should probably get it into the county this month.

Supervisor said we should have a Special Meeting before February to introduce the local law for the moratorium.

Myhill- he believed when we had the six-, month moratorium the end date would be the first part of February so it has to be into the county with request to renew it for six-months. In order to do that for this month to be heard it would have to be in before Thursday of this week because the county meeting will be held next Thursday.

Attorney- said Kathy believes it requests another local law. She was intending to set a special meeting to introduce the law and then set a public hearing for February but understands there might be a timing issue with it. He will connect with Kathy.

Myhill said they would give us a final approval yes or no. It is just a recommendation back to us. The majority of extensions of moratoriums are no problems to the county.

Supervisor said he will contact Kathy tomorrow to set up a meeting date.

Myhill said he is 99% sure the moratorium ends February.

Supervisor said it would be six months from the board meeting so it would be the second week of February.

Myhill said he wouldn't know without looking back to find out what month it was.

Supervisor said it would depend on when Town clerk filed it.

Limina asked if the contract they were looking at from CHPC needs to be on the website based on what she said today. Handouts are supposed to be on the website.

Attorney said that the proposal did not have to be posted.

Supervisor read the additional duties that the secretary has to do now. Supervisor spoke with Single Source. Transfers from Tompkins, NYclass to Tomkins and back, transfers between the accounts. Secretary is the point of contact for EBS, has to do the daily punches. She is going to be required to print the checks to pay the bills after the board meeting, stuff the envelopes, copy the invoices. Several of the employees can print their new pay stubs and contact EBC for themselves. EBC doesn't do punches for the time clock. She needs to be the point of contact so she can put their punches in. That would be her responsibility. She does bank deposits, assists with the invoices for Dale, Department of Labor filings. She would be the primary contact for CHPC, the contact for Single Source. She works with them directly. Prints the monthly bank statements, file the records. She is being trained this week for the retirement with Single source. She will be the contact for that. She will be printing the abstracts when Single source gets done whatever needs to be printed for Single source when they get checks, vouchers, whatever needs to be printed. She would be the primary contact for EBC. So, we need to increase her hours.

Limina asked about the agreement with Single Source is that they would print the checks and they were coming on site so they should be printing the checks getting their own bank statements. They should only be getting read only rights on the bank account so they can print their own bank statements. They are going to attach them right in the software. The abstract would be the same thing they should be on site. This was part of what we were paying for some \$50,000.

Supervisor said they are on site they informed us we'll be printing the checks because they can't access our system.

Limina said that is disappointing here because it was discussed with them part of the RFP was that they were going to take care of doing that. She doesn't understand no secure system.

Supervisor said they can't use town equipment to print the checks. He said they told him that Cassandra would be printing the checks. He said they are not town employees so can't have access to town computers.

Limina had question about transfers, withdrawals, etc. She thinks we are within the fifteen hours.

Supervisor said no as these were all to do with payroll.

Limina asked what she was doing for secretary duties.

Supervisor said there are thirty years of file to be cleaned out. He asked Darlene how often they got cleaned out.

Darlene said she did not recall the Supervisor cabinets ever being cleaned out in the conference room since she has been here.

Limina asked how many hours he was thinking of adding on.

Supervisor said she was at 10-15 now, and put her at 20 to 25 hours total.

Limina asked what is the range of being full time and being eligible for health insurance because now we are adding more hours. She asked the attorney what level we are at Attorney- believes it's at 30 hours that she would be eligible for benefits.

Seitz said she does other things for the guys out back. we could do 25 and that would still be part time.

Zelazny asked about a job description. He said when Single Source comes in next month, we were going to talk to them before we do anything.

Limina said she would like to table it for a month as it is disappointing because most of the stuff, we are discussing was in the proposal for them to do. So, if they are not doing it she would like to know from them is there an adjustment in their rate.

Seitz asked who was going to take care of the guys out back when they have a problem.

Rusty Hoffmeister spoke. Said he doesn't know what's going on with Cassie but the idea is without having someone in the office, they have comp time, they use their time in different ways. Half the time when they punch in in the morning it doesn't work. He doesn't know why or what the situation is.

Limina said maybe we need a new time clock.

Hoffmeister said we have bought a lot of time clocks and spent thousands of dollars to put our hand on it and now we have a system that doesn't work.

Supervisor said the problem is normal shift starts at 7. Time clock automatically punches them out after 8 hours so they are not getting paid for the rest of the shift and then if they have to spend another 4 hours after that. Everyday it has to be manually fixed and EBC doesn't do that. He doesn't see what is so hard to have someone in house to keep track of it.

Hoffmeister said there are times they come in at 2 or 3 o'clock someone has got to keep track of that.

Limina said we just hired someone for \$65,000.

Zelazny asked what we pay Single Source a year.

Limina said its between 55,000 and 65,600 a year.

Zelazny said its \$91,000 if you give her 25. He said we are going way overboard. hours at 20.60. Its higher than it was when Miranda was here.

Limina said that is her concern. She is saying we need to look at it. She would like to hear from the company that we hired why they are not doing some of the stuff that we committed to.

Hoffmeister said he doesn't know what is going on but all he knows is it shouldn't be that there for four guys to be able to come in and say have some type of person who can straighten all this out so we don't get everything all mixed up and then have to pay them more.

Limina agreed that it shouldn't be that hard, but the answer is not necessarily to throw more money at it put more people the answer is to figure out

Supervisor said we are working on an upgrade. Single source said we are not going to do that until they get everything working, all of the accounts all of our records, time clock is the least of her worries. And it will be a monthly fee, it won't be purchase.

Board comments:

Zelazny-The Organizational meeting minutes was tabled. Are we adding the cemetery and the hourly rates for the part time. We have to add to the actual hours they agree working every week. Is that going to be added also?

Supervisor – we are only required to publish the salary, and not the hours they work.

Limina said at the last meeting they were going to make some adjustments.

Supervisor asked clerk is she looked up the hours for the employees.

Clerk said no as it has been busy in her office and hasn't had a minute to look it.

Zelazny asked about deciding on an attorney rate of pay. Is it 3%?

Supervisor said he will ask Kathy, they will probably keep it the same because all the attorneys for the towns keep the same.

Zelazny said so will she get the 3%?

Supervisor said he will ask Kathy. And it's up to them to propose.

Limina said they just did charge that.

Attorney said to clarify that he is not the billing attorney for this but wanted to clarify that it is not a doubling of the rate it was just the amount of the retainer.

Limina- We did not vote to keep Bond Shoeneck and King as out attorney for the year.

Do we need to do that to keep you on as our attorney.?

Supervisor said we should.

Limina said it wasn't on our organizational meeting.

RESOLUTION NO. 12-25

RESOLUTION TO APPOINT BOND SHOENECK & KING AS THE TOWN ATTORNEY, KATHY BENNETT FOR THE YEAR FOR 2025

Motion, Seitz, Second, Wengewicz

Discussion:

Zelazny-Do you know how much we actually spent on legal in 2024? He knows we budgeted \$150,000. Is that all gone?

Supervisor said he was thinking it was \$80,000 or \$90,000. Doesn't have the exact number. Everything should be done next month with the numbers on everything.

Zelazny said he is going to hold his vote until he finds out how much is spent.

Roll call vote

Schiffer-aye

Seitz-aye

Limina-aye
Zelazny-nay
Wengewicz-aye

Motion carried

Limina- There was as resolution to appoint Berth London as our computer person or something and was going to go back and figure out what we had in computer equipment because the computer equipment is less than our \$5000 limit to make a fixed asset and you were going to have her go back and keep track of what PC's we bought; laptops, printers so that we have some list of not what she sees, we've got to go back through the invoices and find out what has been bought because we are trying to confirm do we have what we bought and is it still all here. Maybe you can follow up with her.

Limina asked Dale about the vac truck he talked about at the last meeting. He was going to see if there was any interest.

Hwy Supt. said no one has had time to go look at it. It was an option to sit in on any discussion.

Limina asked Supervisor to explain the tax rate increase on their bill was 6.3 to 6.5% when the tax cap is 2%. She explained the 2% is the tax cap of the tax levy so that's the amount that we can raise that we can go out and tax the public. There was much discussion regarding this.

Schiffer-asked Jeremy if his question were answered regarding Cassie doing things for him. He said yes.

Public Comment:

Larry Waters-NYClass was a wise thing. The moratorium sounds like it may have expired. Made it all year with no Supervisor report. No fiscal responsibility to the tax payers and as a result we are not only paying one but two accounting firms and a bookkeeper for $\frac{3}{4}$ of the year last year to straighten out books which are still not straightened out. A budget was passed with no official numbers which of course raised taxes. For whatever reason the board is not allowed to talk to these accounting firms or their outside agencies that the taxpayers are paying for and everything has to be conveyed through the supervisor. No capital improvement plans for 2025 in the budget. Fund balance is in danger. Waste of the rest of the ARPA funds that we can't use and now we are talking about buying another truck paying cash. We have had no little to very few liaison talk with the village in regards to the water- very disappointing. Now we have to get new bookkeeping software because apparently the software was the reason for the position, we are in today which we all know is not true. It's a very popular software that many towns use throughout the state. Darlene said when she got to learn it, it was quite easy and she liked it. He is looking forward to this year and if it continues on like it has been its going to be pretty interesting. One thing for sure thank God it's an election year and their opportunities for people such as myself to do something for positive change.

Yonic Parada-We have these monitors for having these people come in February and do a presentation. Would like to see them start working.

George Phillips-Had a question about the taxes and said his tax bill say 1.9 % for the county so why are we 6.3% in the Town of Shelby. He would like that explained to him because we are controlled by 2% law by the state war rate of inflation which is lower so he doesn't appreciate if someone explain to him why his tax bill says he has a 6.3% increase. He doesn't understand all this and would like it in plain English. He said something is not right. Either the bill is printed wrong or we are getting incorrect numbers. Supervisor said he will get an explanation for him

Supervisor said Mr. Waters was right; no Supervisor report all year. Couldn't do it once we were doing the paperwork but you will find out next month. It was our version of Williamson software that was installed on the town's computer that does not work. Drescher & Malecki or LGSS could not get the software to work. It did not affect the clerk's office or water dept. It affected the county software and Williamson Law refuses to fix it everyone will find that out next month

Joe Kujawa- Justice for Ridgeway-he pays rent to the Town of Shelby for the court room. He holds court on Monday's. He was speaking to his security guys, and they were upset. There were some arguments over money. He has no control over Town of Shelby business but he has control over his guys. He puts his life in Jim's hands and he puts his life in Claude's hands every Monday. Jim fills in when needed. He has another guy Jim Wells. They were upset over some hours or a partial of an hour for pay so they expressed the displeasure what they are going to get or what is going to be taken from them. If it doesn't work out for the Town of Shelby and they decide they don't want to work for the Town of Shelby. They also work for me and that means he is out 2 security guys, no security he was told by some people. They don't get paid for what they do they get paid for what they might have to do. So, the pebble thrown into the pond in Shelby affects him in the town of Ridgeway.

Limina asked isn't security for the court and the town meetings separated.

Justice Kujawa said yes. He said the two gentlemen we have for security tonight are his security guys. He said they protect him and they protect the court and they protect everybody that is in there.

Limina- said regardless of what Shelby board does the courts operate independently and don't have anything to do with them.

Justice Kujawa said yes. The only thing he wanted to express was simplest analogy He is not pointing fingers and singling anybody out. One pebble one rock can go a pop of ripples and it ripples over to him.

Justice Grabowski-The new server was put in. The court room is separate from the town. They have their own camera system. They have their own computers. Cassie got ahold of them about doing some kind of testing of our security. But the courts have their own. The courts have to do state required harassment in the workplace training so that is done for 2025. Certificates were given to Darlene. Did send the audit letter out so at some point doesn't know who is on the board to do the audit for the justice court. It doesn't have to be done immediately because a month ago we had three people in her doing the audit and everything is fine. There is nothing missing. We have paperwork upon paperwork. They got the EVC so now they are on paperless statements. Cassie helped out with all of that. He said he was talking to Sheriff Bourke about the security and he said it was an off-topic thing how the courts have security for a reason and unfortunately, we don't always get the best people in there and he agrees

with what Joe says. He supports our guys. They are good people. He said they do a great job when they are in the court room. They keep things orderly. They had a problem a week ago and Mr. Conway took care of it with one of the prisoners. We don't have sheriff deputies in here all the time just when they bring a prisoner and when they have a couple of them sometimes the people in the audience, they are not supposed to talk to any of the prisoners so Mr. Conway took care of it. He didn't know what the other conversation was about, it may be at the board meetings what we are doing but he would hate to lose these guys. Hopefully we can keep them for the \$20 an hour that they get while they are here. He said they are a busy court and anyone is welcome to come in and observe.

Town Clerk – talked about what she witnessed several years ago regarding resident bringing a knife behind his belt buckle into the board meeting and it set off the alarms. When the constable made him raise his arms so he could use the wand the knife fell on to the floor. The resident said he was trying to prove a point you could come into court with a knife and get thought the metal detector.

Jim Conway-Wanted to enlighten some people as to what they do and maybe everyone would have a better understanding. There is a difference of what they do in the town court and what they do at the meetings. It's a lot more dangerous to have people who are being convicted of crimes or coming from the jail and things like that. Things can get out of hand and just need to make sure that everybody is safe. When he comes in, he makes sure the place is secure every day. He would ask anybody that sits up there what your life is worth and if you think its not work anything they you don't need me here. If you think it's worth me coming in a half hour early, forty-five minutes early and making sure the building is secure they you are getting your money's worth. There is a whole board that we have to be responsible for. He doesn't want to walk out of here knowing he could have done something or should have done something that got somebody injured or a fight broke out because he wasn't paying attention. Claude and he know what to look for. Just like he diffused the situation the other night with the inmate in court. It could have easily gotten out of hand. It's the same way with the public, if he sees a situation and feels it is getting out of hand you walk over and diffuse it. It's all part of the job. He feels passionate about the security maybe because he did it for so long. He just doesn't want anything to happen to anybody in this place. Everybody's life means the same to him. He just wants everyone to know what he does here and why they do it.

RESOLUTION NO. 13-25

RESOLUTION TO CLOSE THE MEETING AT 7:23 PM

Motion, Seitz, Second, Zelazny

Ayes-5

Opposed-0

Motion carried

Respectfully submitted,
Darlene Rich, MMC, RMC
Town Clerk