

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

June 10, 2025
6:00pm

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

Present:

Scott Wengewicz, Supervisor
Linda Limina, Councilwoman
Jeff Schiffer, Councilman
Steve Seitz, Councilman
Eddie Zelazny, Councilman
Nicholas Jacobson, Attorney
Darlene Rich, Town Clerk
Dale Root, Hwy Superintendent
Kirk Myhill, Planning Board Chairman
Dan Wolfe, Code Enforcement Officer
Julie Cecchini, Assessor
Jim Conway, Constable

Others:

Leona Weese	Sharlene Pratt	John Pratt
Dennis MacDonald	Brian Murray Sr.	Julie Wolter
Steve Fuller	Mark Wambach	Clayton Zelazny
Kelsi Nice	Karen Dillon	Gary Roberts
Margaret Roberts	Mike Rich	Alana Koneski
Jim Heminway	Jim Davies	Yonic Parada
Sarah Stalker	Sue Squires	Scott Carlson
Alan Bushover	Joy Waters	Larry Waters
Deborah Patterson	Morris Patterson	Sue Fuller
Mike Fuller	Mary Zelazny	Vassilios Bitsas
Sue Knights	Patt Moss	Dick Moss
Dave Strong (New Leaf)	Deb Padoleski	Bill Eick – Co. Leg
George Phillips	Alex Strong	Marguerite Sherman
Sarah Bowser	Eva Killian	Lorraine Limina
Chris Limina	Helen Limina	Anne Misiti
Yonic Parada	Gabrielle Barone	Katy Wiesinger
Brian Wiesinger	Cal Tuohey	Mike Guzik-Convergent
Phil Rudnick		

Pledge to the flag

Supervisor- We have one add on regarding the Zoning Board Chairman

Public forum regarding agenda items only- Julie Wolter. Asked how the new cemetery rates went into effect without a board vote or public discussion? As she understands it under NY town law, any changes to municipal fees must be approved by board resolution before taking effect. According to the town's website the \$200 increase per service started June 1 but there is no record of it being discussed or voted on before residents were charged higher rates to bury loved ones in both of the Shelby Cemeteries. Thank you.

Assessor's Report: (Julie Cecchini)-Grievance Day was held on May 28th from 4-8pm. No residents came into grievance. Final roll will be posted on July 1st and a total of eighteen homes went on the market in May. Eleven out of the eighteen are pending already. Five homes sold in the average sold price is \$182,000.

Code Enforcement- (Dan Wolfe)-It's been slow. He has been working with the planning board on various issues. One is a sign permit for the church on Maple Ridge Road. He working with zoning Board of Appeals and took an application for an area variance for the same. FYI- since we have a large audience, yes you do need a building permit for an Amish style short storage shed over 10-foot x 12 foot. This is for me way to get the work out. His office hours are from 6:30 AM- 4PM on Monday and Tuesday. He starts early to make himself available to anybody who want to come in before work.

Limina-Where are we with the list of grieved properties? She has been by a couple that doesn't look like there has been any activity whatsoever.

Dan- He will be happy to meet with Linda on that. He has had some success with several and some have remained the same.

Limina- Her concern is if your addressing people and there are no changes what are our options to do something because some of them are pretty bad.

Dan- Your options are order to remedy, notice of apparent violation so he can take the offender to court.

Limina- can you tell her roughly how many on your list?

Dan-He took two to court. That was last year

Attorney Jacobson-If there is an order and they are refusing to abide by it; they can be held in contempt eventually. So it does become a criminal matter.

Dan-Taking somebody to court for me is the last resort. He would rather work with them.

Sometimes you get stepped on a little bit. If he can accomplish a cleanup, a correction of a violation without taking somebody to court, he would rather do that. Court is a last resort. He is willing to do it. He said you have people no matter if you send them a violation letter or you take them to court it doesn't matter. Frankly have you seen the TV show Hoarders? They hold on to their stuff, it's part of their nature. It's part of their makeup and they refuse to clean up. He has been talking to the judge about this and he will do the best he can.

Planning Board Report (Kirk Myhill)- At last meeting had site plan review for Duncan Donuts. What they are looking for is to freshen up the outside, do something different, we told Dan to go ahead and do whatever they want to do and we waived the site plan review for them. The other thing we looked at was the sign that Dan was talking about earlier. They were looking at putting up an 8 x10 as a variance. It was turned down. So, Dan was taking care of it getting it to the Zoning Board of Appeals. Planning Board finally came up with recommendations to the town for the solar

project out on South Gravel Rd. Next Tuesday the 17th, five of the board members will be going to the four-hour training in Albion at the Hoag Library.

Highway Report (Dale Root)-Helped County pave part of Salt Works Rd and with Keeler's assistance got the parking lot fixed and draining. Spent seven days helping the village pave its streets using one of our trucks and put a driver in a truck from the Town of Barre. Started mowing roadsides, mowing firehalls, parks and vaults. Planted some trees in Millville Cemetery plus a donated autumn blaze from the Pask family. Thank you, Becky Winans. Dale went to Highway School in Ithaca. Sent a truck to haul blacktop for the county. County sent us their hot box which is a heated container for blacktop and have been able to fill many potholes today. Had several burials in both cemeteries. Stacking of E-Waste. As was talked about in the last meeting the speed limit on 31A. Spoke to the DOT and basically at the end of the conversation, the possibility of it happening is unlikely. He went up to Furnace Parkway and spoke to Mr. Iorio. We inspected his property. At numerous points his tile line has heaved and its spots were broken. They had a nice conversation and he acknowledged there wasn't much that the town could do for him. Dale sent the board a copy of the email from the state that he received this morning and he is asking for approval of a second supplemental amendment to the state plowing contract for the 2024-2025 season. It includes a possible rate of \$32,077.80 and that would be a nice bump. After discussions with several local funeral home operators, we were informed our rates were too low as compared to others. After discussions with cemetery, we came up with those numbers. It's been a long time since this has been considered or examined. Please keep in mind we are talking about perpetual care of our cemeteries, active and inactive. Basically, we only have two active ones that carry all the water. In total there are close to twenty-one acres to care for. We do not charge anything for a veteran stone, foundation or stone setting. As with all businesses, expenses continue to climb. Just to cut the town, and weed whack, it's \$47,500 a year. They earn it all and the cemeteries look nice every week. Their driveways to repair, tree care, grave upkeep, water maintenance, stone repairs. All cost money that the general taxpayer contributes to. Many clients have not lived here or paid taxes here for a long time but are welcomed home. There are still graves available, but the number is being limited. There is no long-term plan for expansion. At some point they will become inactive with the taxpayer bearing the full expense. Please tonight implement the new pricing of cemetery plots, grave openings and weekend rates.

Limina- Her understanding when we change rates at the cemetery, we're supposed to get some approval from New York State.

Dale-That's if you're a cemetery association. This is a town owned piece of property. So, it does not apply.

Limina-When did we decide to raise the rates?

Dale -We talked about it last fall. Mr. Lonnen and himself and some of the other funeral home directors in the local area.

Limina- wondering why it wasn't done at budget time or starting it as a January thing. Dale- He said it was his fault. He was laid up for quite a while. Winter came; it got pushed off to the side.

Limina-Did you get a rate from Ridgeway for the water bill that we are paying for the Shelridge Lane.

Dale-said he was told it is on the bill.

Limina- said he can look at the bill because she never found it.

Dale-Said he called them and they said it's on the bill.

Limina-It says what the amount is but doesn't say what the rate is.

Supervisor-what were we paying for of the cemetery-What were the rates?

Dale- 2024-Lot cost was \$550, so we added \$150 to it. Full burial was \$550, added \$150 to it.

Cremation was \$325, raised it to \$450. We had no weekend charge, we added \$170 (cemetery rates

on website say \$150 for this). He figured it was more than fair because of the time it takes for a burial.

Mike Guzik-Convergent -installed new security system in 2017. ID Badges for locking/unlocking doors. Has twenty-three cameras. You can get recordings for the past 209 days. Should put upgrade in the upcoming budget since it hasn't been done. It has remote access. Capable of putting others on remote access. He said "No audio ever", audio is illegal!

Limina- how far does it reach for the outside? He didn't know off hand. Joe that works with Mike and did our system could do a walk through and explain all it is capable of doing. He could best answer questions.

Limina said we could get ahold of him maybe next week to come out.

Mike Guzik-with budget process Sept. 1 Joe from Convergent could give us a quote for the upgrade.

RESOLUTION NO. 54-25

RESOLUTION TO ACCEPT THE RESIGNATION OF CRAIG LACY AS CHAIRMAN OF THE ZONING BOARD SINCE HE IS MOVING TO FLORIDA.

Motion-Schiffer; second Zelazny

Ayes-5

Opposed- 0

Motion carried

RESOLUTION NO. 55-25

RESOLUTION TO APPROVE TOWN CLERK REPORT (May 13)

Motion by Limina and seconded by Seitz

Ayes- 5

Opposed-0

Motion carried

RESOLUTION No. 56-25

RESOLUTION TO APPROVE TOWN BOARD MINUTES (May 13)

Motion by Limina and seconded by Seitz

Ayes-5

Opposed-0

Motion carried

APPROVE RESOLUTION NO. 57-25 -DENIED

RESOLUTION TO APPROVE THE SUPERVISORS REPORT (May)

Motion by Wengewicz and seconded by Seitz

Discussion-Limina- The line that bothers her is we have an attorney contractual line. We budgeted \$80,000 and to date through June 10 we have spent \$95,229, so this is really not a question for you Sarah or Eva. It's more of a question for the board. We are currently overspent for our year to date - our budget for the whole year and we still have seven months' worth of retainers to pay.

Supervisor asked her what line it was.

Limina-Its A1420.400. So, for the public the board budgeted \$80,000 to spend all year in legal fees in general, not including water. We pay our attorney's \$2,000 a month as a retainer to come to the meeting and do general town things for us. They also do other things outside of what would be

considered part of that retainer. So, we budgeted an additional \$56,000. And so far through May we have already spent the whole years' worth. So, if we have another seven months of that, we've got \$14,000 of retainer plus the \$15,000 we are over spent already, she would like to know before we move forward where are we going to come up with \$30,000 to cover the legal and that's assuming we don't have any more legal other than the retainer. One thing she noticed when going through the bills there are some charges for water. Those should be charged to the water districts, and not to the A fund. That was some of it and she thinks there was roughly \$4700 from legal that was charged to the A fund. The other thing, the attorney may be able to help with but a couple of invoices for New Leaf. Did we not get money from New Leaf that they were going to cover some legal fees. Would that be charged to a different line item.

Sarah Bowser-The \$5000 was put in the escrow account because that was supposed to be specific for legal fees. We just need to be told which bill it applies to and they can make the adjustments.

Limina-There was a bill for \$33,000 from our attorneys this month. \$2,000 pertained to the retainer but thinks as a board before they can move forward, that's not a line they can let go

Attorney- Said he would need to follow up with Kathy on the law.

Limina-Other things that were in there without breaching any confidentiality were certainly items we should be charged for but we didn't budget so now we got to come up with and again that is with no spending whatsoever outside of the retainer which we have not done in the year and a half that she has been here gone a single month where we spent just the retainer.

Zelazny-There is also an auditor contractual list which is \$1,500 over the budget. The budget was \$10,000; it's up to \$11,500. So that is over also.

Limina-When you look at the budget to actual report, not for Sarah and Eva but for the board in the A fund we have 43% left in that fund for the rest of the year and we aren't even through half the year yet. She said she is looking for an answer on that. It's not a little thing.

Zelazny- How could we pay the claims against the town when we don't have enough money in the budget.

Eva- Discussion with vouchers. Invoice numbers in case there is a question. She will do a confidential one and then a town one

Limina- if people want to see it, they have to FOIL the whole packet of bills. If they can see a list of the abstract, if there is something particular, they want to see, then they are only FOILIING one thing as opposed to the whole stack. She also asked if on the back of their invoice if they could put hours and have it broken out by hours for each person.

Sarah-will look at the invoicing program and will speak with the billing manager.

Eva said when you transition to next month billing it will only have lump sum. They have a meeting tomorrow who will talk to him about the billing.

Limina-So right now we are doing it hourly so that we can determine what the flat amount is going to be and once we go to the flat amount, she is ok with but while we are still being billed hourly if we could see the break out of whose hours and how much. Just because we are trying to figure out what is that monthly amount so we have some understanding.

Wengewicz-aye

Seitz-aye

Schiffer-opposed

Limina-opposed

Zelazny-opposed

Denied

RESOLUTION 58-25 -Discussion

RESOLUTION TO APPROVE TO PAY CLAIMS AGAINST THE TOWN

Motion by Schiffer and seconded by Wengewicz

Discussion: Limina-She is struggling with paying the claims knowing that we are going to be negative almost \$16,000 in a line. From a New York State Auditors position are we supposed to go negative in any particular budget line.

Sarah said there could be a modification.

Limina-so we should do the modification before we spend the monthly correct.?

Supervisor asked where we would pull that from. He asked Linda how much it was.

Limina-\$15,229.58

Supervisor asked which fund.

Limina-going into A fund 1420.400

RESOLUTION 58-25

RESOLUTION TO MOVE \$15,229.58 FROM THE CONTINGENT FUND INTO THE A FUND 1420.400

Motion by Limina and second Seitz

Ayes-4

Opposed-Zelazny

Motion carried

RESOLUTION 59-25

RESOLUTION TO APPROVE TO PAY CLAIMS AGAINST THE TOWN WITH \$15,229.58 MONEY MOVED INTO THE A FUND

Motion Schiffer and seconded by Wengewicz

General A \$ 91,442.16

General B \$ 909.00

Highway DA \$ 12,874.36

Highway DB \$ 68,461.01

Special Districts \$ 2,274.03

Aye-4

Zelazny-There is also \$1500 in the auditor contractual that needs to be covered. It's over budget. Line A. We are \$1500 over that.

13.20.400

Abstain-Zelazny

Motion carried.

Limina- only got a chance to look at the A fund, so there could be other ones that are negative. So, she would suggest we get a workshop on the books before the July meeting and look through these and try to resolve them.

Supervisor will get with Sarah this week.

Zelazny- Maybe Sarah could join us for that meeting.

RESOLUTION NO. 60-25

RESOLUTION TO REQUEST NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EXAMINE AND CONSIDER A REDUCTION OF THE SPEED LIMIT OR INCLUSION OF ADDITIONAL TRAFFIC CONTROL DEVICES ON 31A BATES RD. CORRIDOR FROM BATES TO SANDERSON RD.

Motion by Limina and seconded by Schiffer

Discussion: We also suggested a traffic light, flashing light, yellow light, not just a reduced speed limit. Don't know if they would be interested in doing anything like that.

Supervisor- asked the attorney if the request examine the whole thing? Whether it be better to have a stop light or just reduced speed.

Attorney- Can't tell us what New York States review would include but if you want that included it couldn't hurt to ask for it.

Ayes-5

Opposed-0

Motion passed

RESOLUTION 61-25

RESOLUTION TO TABLE THE CEMETERY RATES UNTIL THE JULY MEETING

Motion by Schiffer and second Limina

Ayes-5

Opposed-0

Motion carried

Zelazny said there should be refunds to those who paid the new rate that was effective June 1. The rate increase was \$700 to purchase plot from \$550.00, \$700 full burial from \$550 for adult, cremation \$450 from \$325. And a week end occurrence of \$150 per each occurrence.

RESOLUTION 62-25

RESOLUTION TO USE \$98,000 FROM BUDGET LINE DA5131.2 (EQUIPMENT) AND \$98,432.00 OF DB5112.2 (CHIPS) FUNDS THAT HAVE BEEN APPROVED BY THE STATE FOR FUNDING A NEW 2026 WESTERN STAR TRUCK (2ND TRUCK)

Motion by Seitz and second Schiffer

Discussion-Limina- what is CHIPS?

Dale- He said it's for road repair.

Limina- You're willing to take out for truck and not fix roads. What roads won't be done this year?

Dale- Didn't know yet. He would have to figure it out. He said one truck is very problematic.

Kenmore box, plow from electronics, hydraulics. Save by taking it apart. Everything will be looking like brand new. New one coming in will be stainless steel.

Seitz-What are you doing with the other cab and chassis?

Dale- They sparked interest.

Roll call vote:

Wengewicz-aye

Seitz-aye

Limina-aye

Zelazny-aye

Wengewicz-aye

Motion carried

RESOLUTION 63-25

RESOLUTION TO USE \$147,954.00 FROM BUDGET LINE DA5130.210 FOR NEW HENDERSON PLOW COMPONENTS TO BE INSTALLED ON 2026 WESTERN STAR

Motion by Schiffer and second Seitz

Roll call vote:

Wengewicz-aye

Seitz-aye

Limna-aye

Zelazny-aye

Wengewicz-aye

Motion carried

There was a change in the state contract for town supplemental agreement NYSDOT nothing changes on our end. It was a tough winter.

RESOLUTION 64-25

RESOLUTION TO USE \$53,500.00 FROM BUDGET LINE DA5130.210 TO REMOVE AND REPAIR AND INSTALL PLOW EQUIPMENT, ON 2025 WESTERN STAR

Motion by Schiffer and second Seitz

Roll call vote:

Wengewicz-aye

Seitz-aye

Limna-aye

Zelazny-aye

Wengewicz-aye

Motion carried

RESOLUTION 65-25

RESOLUTION TO USE \$7,500.00 FROM BUDGET LINE DA5130.210 FOR SANDBLASTING AND PAINTING TRUCK BOX AND PLOW FRAME

Motion by Seitz and second Limina

Roll call vote:

Wengewicz-aye

Seitz-aye

Limna-aye

Zelazny-aye

Wengewicz-aye

Motion carried

RESOLUTION 66-25

RESOLUTION TO MOVE \$758. 48 FROM THE CAPITAL PROJECTS FUND AND PLACE IT INTO GENERAL A FUND. THESE FUNDS ARE LEFT OVER FROM A RESEARCH PROJECT FROM 2019 THAT NEVER BECAME OPERATIONAL

Motion by Limina and second Schiffer

Roll call vote:

Wengewicz-aye

Seitz-aye

Limna-aye

Zelazny-aye

Wengewicz-aye

Motion carried

Limina wondered why it listed there for outside accountant

RESOLUTION 67-25

RESOLUTION TO APPROVE THE SUPPLEMENTAL AGREEMENT NO. 2 TO CONTRACT DO14805 BETWEEN THE NYSDOT AND THE TOWN OF SHELBY TO CHANGE THE ESTIMATED EXPENDITURE FOR SNOW AND ICE APPROVAL TO REFLECT THE ADDITIONAL LANE MILES OF STATE ROADS THAT WERE PLOWED/TREATED BY THE TOWN DURING THE WINTER SEASON. THE AMENDMENT WILL INCREASE THE PAYMENT TO THE TOWN BY \$32,077.80. FUNDS WILL GO INTO A SET FUND

Motion by Limina and second Zelazny

Roll call vote:

Wengewicz-aye

Seitz-aye

Limna-aye

Zelazny-aye

Wengewicz-aye

Motion carried

RESOLUTION 68-25

RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW NO. 2 OF 2025 -PROPOSED ZONING LAW AMENDMENT RELATED TO WIND ENERGY CONVERSION SYSTEM (WECS)AND SET PUBLIC HEARING FOR WEDNESDAY JULY 2 AT 6:00 PM

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Board Member Wengewicz has introduced for consideration Local Law No. 2 of 2025 entitled “A Local Law Amending Certain Provisions of the Town of Shelby Zoning Local Law Related to Wind Energy Conversion System (WECS)” (the “Proposed Local Law”); and

WHEREAS, the purpose of the Proposed Local Law is to amend the Zoning Local Law of the Town of Shelby, Orleans County, New York (the “Zoning Law”) to regulate the development of Large Wind Energy Conversion Systems within the Town based on changes in the wind energy industry; and

WHEREAS, the Town Board of the Town of Shelby (the “Town Board”) believes that the proposed modifications with respect to Large WECS in the Town of Shelby (the “Town”) in the

Proposed Local Law are in the best interests of the Town to protect the health, safety and general welfare of its residents and are consistent with the Western Orleans Comprehensive Plan; and

WHEREAS, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617, and Section 239 of the General Municipal Law, with respect to these proposed amendments to the Zoning Law; and

WHEREAS, the Town desires to comply with the requirements of the New York State Town Law and shall schedule a public hearing to be held to allow the public to comment on the Proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby declares its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law; and

BE IT FURTHER RESOLVED that the Town Board hereby preliminarily classifies the Proposed Local Law as a Type 1 Action under SEQRA, and the Town Board hereby directs the Town Clerk to send Part 1 of the Full Environmental Assessment Form and the Proposed Local Law to all interested agencies to request their comments thereon; and

BE IT FURTHER RESOLVED that the Town Clerk shall refer the Proposed Local Law to the Orleans County Planning Board for its review pursuant to General Municipal Law Section 239; and

BE IT FURTHER RESOLVED that the Town Clerk shall refer the Proposed Local Law to the Town of Shelby Planning Board for its review and report thereon pursuant to Section 112(C) of the Town's Zoning Law; and

BE IT FURTHER RESOLVED that the Town Clerk shall provide notice of the Proposed Local Law to the clerks of neighboring municipalities pursuant to General Municipal Law Section 239; and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing to receive comments about the proposed amendments on July 2, 2025 at 6:00 pm; and

BE IT FURTHER RESOLVED that the Town Clerk shall cause notice of such public hearing to be published in the official Town newspaper in accordance with all legal requirements.

The adoption of the foregoing Resolution was moved by Councilman Seitz, seconded by Councilman Schiffer, and duly put to vote, which resulted as follows:

Schiffer-aye

Wengewicz-aye

Seitz-aye

Limina-aye

Zelazny-aye

The resolution was thereupon declared duly adopted.

Limina asked since we are going to be here can we schedule a workshop right after the public hearing? She said we need to have a workshop regarding finances. She said she didn't know if Sarah needed to be here as a lot of the conversation will be internal regarding cutting back spending.

Board Comments:

Limina- She would like to make a resolution that we provide financial statements, reports, budget to actual, the Supervisors report, whatever we can to the public at the meetings and online prior to the meeting. She would like it by Friday to have statements available. She wants to propose a resolution to get those on the website and copies at the meeting. She has several people come and ask her repeatedly about having information available here that we talk about, but the public can never see it. So, they don't understand, especially the finances.

Supervisor-if we are putting it on the website we shouldn't have to provide copies.

Limina-I think the state says you still need to provide copies available because we're not going to have every person in this room having a printer available to them or maybe they don't have computers. We are not going to provide 200 of them here but we should have copies available.

Attorney- Would have to double check if we are providing it online, we don't have to provide a printed copy. He is not sure that would eliminate that requirement.

Limina- she would argue that just because the minimum says that what because its online you don't have to. We don't have to operate to the minimum; we could kind of accommodate our public regardless of whether the law says we have to or not. So, she is making that motion.

Attorney-just hearing her resolution, whenever we can put on line. At this point the resolution sounds a little indefinite. Let's look at this month and then be prepared to put a resolution up at the next board meeting.

Limina-ok but with the understanding that can we just agree that we are going to do it at the next meeting regardless of whether we have a resolution or not.

Councilman Zelazny – During the bills section there was a bill for LGSS. He thought they were all done being paid by the end of December. They were supposed to work from September to December and then be done after that.

Supervisor- we contracted them to finish up 2024 and they just finished up with Sarah and Allied Financial.

Limina-Where are we with the 2024-year end financials?

Supervisor -Joe was out last week working with him and Sarah. He's finalizing the numbers this week is what he told him, So, he said the last thing he needed with the 758. He had a transfer out so he could clear that off of our AFR.

Limina- And then what? Then he is going to issue a statement. Single Source will get those statements and be able to input them and give us fund balance balances at the July meeting.

Supervisor-hopefully before then. As we get them, we will put them out.

Public Comment-

Darlene Rich, Town Clerk-Spoke about the video that appeared on the Town of Shelby face book page on May 15 2025. It was a video with audio/video of October 10, 2023. It showed the Town Clerk helping then Councilman Pratt to get vouchers to compare legal fees. It was a board meeting night and this was not unusual for Councilman Pratt. After the audio / video was put on Facebook for a few hours the video went off of Facebook and then was put back on without audio. It was then taken off about a day later. Several people saw it. The date was taken off of the video so people did not realize it was a video of 1 ½ years ago. Supervisor asked me as

Records Access Officer to contact John Pratt a few weeks before the May meeting telling him to bring back town property. He said just email him so there is a paper trail and tell him to say he shredded the documents. The attorney on May 13 at Town Board Meeting when John asked what it was about told John it was all good, he was fine, it is all good. But then two days the audio/video appeared on the Town of Shelby Facebook page where Scott Wengewicz is Admin. I had several questions as to why use an old video? Who was the complainant since she did not receive a FOIL for it? How many other videos of my office do you have.? Who was getting paid with tax payers' money to copy video to a jump drive? She said as we heard tonight from Mike Guzik who does our security that "audio is illegal."

Sharlene Pratt- Good job Darlene. Millville Cemetery looks wonderful. Mowing has been kept up nice this year as well as last year. Councilman Seitz commented last month that Munzel Road looked nice after it had just been paved. It did look nice however she is wondering when the shoulders will be put down. She was asking about the big pile of millings that are on the north west corner of the Munzel Road and Water Works Road. It has been there since May 5; she did know a situation back a while ago where millings were dumped and they were made to go back and pick them up. Just wondering when they will be picked up, she doesn't want to see anyone hit them and be in an accident. She compliments Jim Heminway and Larry Waters who both have a great interest in our town and have been to almost every meeting and work session that there is. The YouTubes don't always work as we have had trouble tonight. It's on, it's off. Her phone is blowing up terrible. She doesn't know how anyone can sit at home and think they are going to watch a town meeting because you can't. You can't say you watch the YouTube meetings for our town because they don't always work.

Julie Wolter- Can the board explain water hook up rates went into effect without a board vote or public discussion? As she understands under New York Town Law any change to municipal fees must be approved by a board resolution before it taking effect. According to the town website and mentioned at the workshop by Ms. Limina there are two spots on the website where it says water rate hook up is \$530 and on a second spot it says \$600. In 2023 that rate was \$350 she believes. Was there a board vote to ever raise that rate? If not, there are some refunds that need to be going back to the homeowners.

Larry Waters -appreciates the effort trying to get some information out to the taxpayers in regards to the health and status of the budget and funds but kind of doing a disservice to yourself in all reality. He did pay his water bill-all of it. Noting in the works, no plans to determine what the new rate's going to be for water he has been getting for more than a quarter now. Looking at the P&L on the water it appears to be all profit. There is nothing showing they are buying water from anybody. It continues to be an issue here we're just not properly accounting for these water districts. What we are buying the water for what we are selling the water for and the service charge. Would like to see something happen to that effect. Just seeing the town is keeping the extra. They are not giving it to the village and the passing of the savings is not happening to the consumer. He is suspect about the cemetery rate increase. He is more concerned how an organic conversation like that would occur. It appears there are more than the general public that is going to benefit from this. And to hear its going to go to the directors and then paid back to the town we simply shouldn't be doing it because all the other towns are if what we have been doing has been working up to this point. In regards to the state paying to plow the road it's a good thing it's not based on the actual job that's performed because the section from Fletcher Chapel to Oak Orchard Ridge is one of the most terrible sections he drives through in the winter.

Mark Ramback-he was hoping and maybe it will happen next time that during the board comments or in the formal resolution section, there might be a resolution to make the company responsible for the internet here actually cause the Wi-Fi to work here or that the YouTube did work. As it has been said over and over again it has been a problem. We are paying somebody to do it. He knows what he is talking about because he used to teach internet, programming and computer science at RIT. So, he knows this is a soluble problem. If you go to the War Memorial or a huge building 20,000 people can use their phones in there, why can't they use them here? His guess is there is too much traffic for the way that the WIFI is set up here to handle so it bogs down and as you were saying it causes it to run slowly. It's a soluble problem with different equipment. And we are already paying someone to manage this, so do you need a resolution or something to say take care of this because it's a problem.

John Pratt-At the time when the Royalton water was first started you were looking into going from the end of Bigford Rd. up Martin Rd. Sanderson down Sanderson to 31. Wondering what ever happened to this. There was talk of grants. He has mentioned this at other meetings and wonder where it stands. Nobody knows. He was also going to touch on what Darlene said but she did an excellent job. The only things that come out of this whole thing is the gentleman that was here and gave us the presentation on the security camera- 209 days is about how far back it goes. This video that came out was from October 2023. His math tells him that is not anywhere close to that time. Where did this video come from? Has somebody got the video recorded here or at home or somewhere and they are going through it to throw up stuff in our faces. That's a good question for the lawyer. Where is this? Where did this come from. Our supervisor is our chief financial officer. We had \$80,000 for legal bills. We burnt through that. What did we get from that. We've gotten one very good man fired. We've got frivolous lawsuits against other members that sit on the board now and maybe some of it was maybe used to look up the stuff that was on Darlene and myself. He took it seriously looking at the bills. The two board members at the end of the bench do that now. There is a sheet that comes with those bills. It's a sheet that says you looked at the bills, I am happy with the bills and I am going to sign this sheet. I'm going to sign off on this saying I've looked at them and I am happy with them. But is the rest of the board? There wasn't when I did it. There was one person that looked at those bills. himself, but everybody else sign the paper saying they looked at them they were happy. My thought with what we need to do with these bills is what the Town of Ridgeway does. When there is a workshop meeting, the bills are there, they pass them around the table and every last board member gets to look at them and then they know exactly what they are taking and signing off on.

Yonic Parada- He is a republican and he got a letter handed to him. Guess he wasn't on the mailing list. The letter said you defeated the windmill, collaborated with the local Native Americans providing STAMP plant from dumping in the town of Shelby, successfully invested our money in NYClass, COVID money how you fixed the parking lot. It has been redone twice., All these things were done by someone else but you are taking credit for it. He said everything about the letter is I, I, I. He said it wasn't a one-man team here. You have people here who all do the job. It's not I, I, I. The only thing you're in charge of is the CFO. The rest of the board is in charge. You're the CFO over the finances and look where we are in the finances right now

Katy Wiesinger-Concerned about a recent video posted on the towns official Facebook page with the comments tuned off which again is a violation since it was posted with more intent that just informational. She said it was an attack on a family member and she took it personal. The

original video appeared to show the town clerk doing nothing inappropriate or out of line. The video was posted as if it was a recent act. The way it was posted and designed was to embarrass, shame or continue to harass or defame them without any context or explanation. It was later reposted with the audio removed. Which raises further concern about transparency. Publicly posting and editing videos in a way that casts individuals in a negative way is just plain unprofessional. Since there was no FOIL request who approved the posting of this video? What was the purpose behind it? And why was the audio removed in the video? She respectfully requests that this board review its social media policy. Social platforms are not used to target, harass, bully, shame or defame individuals. Especially staff or board members that are just doing their jobs. Our town deserves professionalism, fairness, and transparency from its leadership. I hope the Town of Shelby residents can look around, know who has been active as a board and vote accordingly to address this matter in a way that restores trust and focuses on respectful communication going forward because you Scott have no business supervising this town. You need to go; you need to step down and stop putting this town in further debt and embarrassment. As far as she is concerned. Scott owes Darlene Rich and John Pratt a public heartfelt apology for the slandering, defaming that you attempted to create. Thank you to Linda and Ed for doing their due diligence in this town.

Brian Wiesinger- Need to know democratic process and learn Roberts rules. He also needs to know when motions are needed rather than ask an attorney that is retained at \$2000 per month plus. Is it policy or precedence that someone is fired for an accident using town equipment or town property. He is certain there are individuals that have had those issues but they retained their job, not so in the case of Bill Wolter. He should be reinstated retroactive with pay. At the last meeting you stated the issue with former board member John Pratt was investigated as a complaint. But two seconds later you stated it was a FOIL request. We know there was no FOIL request. Was there even a complaint? Credibility is in great question. Doesn't use the Facebook page for informational purposes. The comment is turned off. As soon as you express opinion, share inflammatory accusations or promote yourself or yes men it becomes a forum and you are now violating first amendment rights where people cannot comment. That's a federal law. Can't be superseded at town level. Highway Supt given a \$1500 for exactly what in our cemetery. And now asking for more money on the backs of the griever. Transparency is thrown around a lot. Supervisor won't answer public questions during public comment time. Absolutely true but yet you boast about your transparent efforts. All he sees is invisibility not transparency. There was another posting of board members and thank you for doing your job reviewing bills, only to have a FOIL request. Very interesting how someone would know how or when, what building, what camera to request but then we catch two board members doing exactly what they have been elected to do and reviewing expenses and other business of the town before voting on it. They followed through with it and yet it's posted as punishment. Purchases of equipment seem to be out of control. Is there a replacement schedule for equipment? If there is, is it being followed? He heard tonight 2008, 2009 were a problematic year for certain equipment. He also heard it is probably going to be worth a lot at resale. Looking at General A through June 10, 162 days leaves 203 days for this fiscal year. 43% of the budget remaining. We are overspending by approximately \$700 a day every single day. We are on pace for a \$264,000 deficit or 28% over budget come year end. We are already \$117,000 over budget on a per daily basis. Supervisor told him he had 20 seconds left. Brian says there's plenty of case law that says if you don't limit all speakers, then you can't limit any.

Limina -to Mr. Wambach we did have CHPC scheduled to come in today as part of the review with the security company and they were going to go over some of the IT things, but unfortunately, he was not confirmed until late morning and he was not able to attend. So, you know that was scheduled to happen and hopefully we will make that happen either at or before the next board meeting.

Motion by Seitz second by Schiffer to adjourn at 8:22PM

New Leaf Energy-Zack-Developing a solar project here in town. Planning on having a public info session about the project sometime in late July. We will publicize this session at the July meeting and other means as well. Thank you.

Darlene A. Rich, MMC/RMC
Town Clerk