

**REGULAR MEETING
SHELDON TOWN BOARD
April 22, 2014**

The Regular Meeting of the Sheldon Town Board held April 22, 2014 at the Sheldon Town Hall, was called to order by Town Supervisor John Knab at 7:00 p.m.

Present: Supervisor John Knab
Councilpersons: Vince Kirsch, Brian Becker, Mike Armbrust, Councilman Fontaine was appointed during the meeting
Recording Secretary: Town Clerk Carol Zittel
Highway Superintendent David Ricketson
Attorney David DiMatteo

Also Present: Arcade Herald reporter Brianna Naughton, Zoning Officer Ken Martin, ZBA Chairman George Knab, representatives from WNY Trail Riders. A signed list of all present is on file in the Town Clerk's Office.

Moment of Silence

Supervisor Knab asked for a moment of silence in memory of Bill Kirsch and Lynne Metz who recently passed away. Bill Kirsch served as Town Justice for over 25 years. Lynne Metz served as Councilperson for over 14 years. Supervisor Knab stated that both were good people who did their jobs well.

Minutes

A motion was made by Mike Armbrust and seconded by Vince Kirsch that the minutes from the March 11, 2014 special meeting and the March 18, 2014 regular meeting be approved.

Ayes: (4) Knab, Becker, Armbrust, Kirsch Nays: (0) Motion Carried.

Communications

The Town Clerk reported on the following:

#23 Town Official Training Conferences

A motion was made by Brian Becker and seconded by Mike Armbrust to authorize the Town Clerk to attend the NYS Town Clerk Association Conference in Saratoga Springs on April 27-30th, the Town Highway Supt. to attend Highway School June 1-4 in Ithaca and the Town Supervisor to attend Financial School May 15-16th in Rochester.

Ayes: (4) Knab, Becker, Armbrust, Kirsch Nays: (0) Motion Carried.

#24 Wyoming County Chamber of Commerce Membership

The Town Clerk will email the Board information on membership rates and benefits for their review.

#25 Animal Shelter Report

The NYS Ag & Markets sent notification that the Wyoming County Animal Shelter has recently been inspected and the results were satisfactory.

#26 Wording Change – Town Zoning Law

Upon the recommendation of the Town Planning Board, a motion was made by Vince Kirsch and seconded by Brian Becker to remove the words “the Town Planning Board” from Article 8, Section 8060, #5b of Town Zoning Law.

Ayes: (4) Knab, Becker, Armbrust, Kirsch

Nays: (0) Motion Carried.

Reports

Financial Reports were presented for the month of March 2014 from the Town Supervisor, Town Clerk and the Town Justices. The Town Supervisor also distributed a fund balance report.

Appointment of Jim Fontaine to Town Board

A motion was made by John Knab and seconded by Vince Kirsch to appoint Jim Fontaine to the Town Board to fill the vacancy left by Councilperson Metz.

Ayes: (4) Knab, Becker, Armbrust, Kirsch

Nays: (0) Motion Carried.

Councilman Fontaine was sworn in by The Town Clerk.

Highway Superintendent’s Report

Highway Superintendent Ricketson reported on the following:

Gas Pipeline Safety Training

A motion was made by Mike Armbrust and seconded by Vince Kirsch to authorize the Highway Supt. and four Highwaymen to attend a gas pipeline safety training on May 1, 2014 at 5:30 p.m.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.

Tire Safety Training

A motion was made by Mike Armbrust and seconded by Jim Fontaine to authorize the Town Highway Supt. and the four Highwaymen to attend tire safety school at either McCarthy Tire at a cost of \$75 per person or at Cornell if Cornell offers a free or less costly option.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.

Cost of New Truck

Highway Supt. Ricketson informed the Board that the approximate cost of a new truck and accessories will be approximately \$230,000.00.

Rescind Standardization Resolution

A motion was made by Mike Armbrust and seconded by Brian Becker to rescind the resolution made on December 29, 2007 establishing a standardization program to purchase Peterbilt trucks.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.

Authorization to Advertise for Truck Bids

A motion was made by Mike Armbrust and seconded by Brian Becker to authorize the Town Highway Supt. to create bid specifications for a new truck and plow accessories and to advertise for bids.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.

Equipment Update

The high lift has a flat tire. Truck #230 - the 2006 Peterbilt is not working.

Supervisor Report – Supervisor John Knab reported on the following:

Wyoming County Veteran's Highway

Supervisor Knab has been in contact with Senator Gallivan's office. Senate bill S6842 will designate Route 20A from the Wyoming County line to Livingston County line as Wyoming County Veteran's Highway.

Crossbow Hunting

Supervisor Knab informed the Board that crossbow hunting is now legal in certain parts of New York State.

Cable Franchise Fee & PILOT Payment Received

The Town received a check from Time Warner in the amount of \$19,471.64 for the cable franchise fee and a \$38,561.60 check from the Wyoming County IDA for the Town's portion of the wind turbine PILOT payment.

NYMIR Insurance

Supervisor Knab asked the Board's permission to contact Mike Hardie, insurance broker for the Town, to look into other insurance packages, specifically NYMIR. Three other Wyoming County towns use NYMIR and have saved on insurance costs by doing so.

Appointment to Seneca Trail Resource Council

Supervisor Knab has been appointed to serve on the Seneca Trail Resource Council.

Acceptance of Reports

A motion was made by Jim Fontaine and seconded by Mike Armbrust to accept all reports as presented.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine Nays: (0) Motion Carried.

Old Business

Town Hall Remodel

Councilman Kirsch updated the Board on the status of the remodel project. Councilman Kirsch stated that the next step would be to hire an architect or engineer for design services, preferably someone familiar with local codes. Attorney DiMatteo suggested contacting Wyoming County Code Enforcement Officer Don Roberts for a list of recommended engineers. Supervisor Knab offered to contact Don Roberts for a list of engineers.

Town Hall Dumpster

Supervisor Knab contacted NuWay Sanitation and Waste Management to get pricing on dumpster service. The Town currently uses Waste Management. NuWay gave a price quote of \$53.85 per month and Waste Management offered to lower their current pricing from \$89.91 to \$64.39 per month.

A motion was made by Jim Fontaine and seconded by Mike Armbrust to sign the contract with

Waste Management at a cost of \$64.39 per month for servicing the 4 yard dumpster at the Town Hall.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine Nays: (0) Motion Carried.

Trees for Sheldon Schoolhouse

The Historical Society members have not staked out proposed locations for new trees at the schoolhouse. Councilman Kirsch said the Society will probably wait until fall to address the issue again.

Sale of 2011 Pickup

A motion was made by Vince Kirsch and seconded by Jim Fontaine to authorize the Hwy. Supt. to advertise the sale of the 2011 pickup truck by placing it in front of the Town building and by also listing it on Auctions International's website with a minimum asking price of \$20,000.00.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine Nays: (0) Motion Carried.

Sale of Mower

A motion was made by Vince Kirsch and seconded by Jim Fontaine to authorize the Hwy. Supt. to advertise the sale of the highway mower through Auctions International with a minimum asking price of \$1,200.00.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine Nays: (0) Motion Carried.

New Business

Agri-Palooza – Close North Sheldon Road

A motion was made by Brian Becker and seconded by Mike Armbrust to close North Sheldon Road from Centerline Rd. to Roger Almeter's farm located at 2690 North Sheldon Rd. on June 8, 2014 from 12pm-4pm for the Agri-Palooza event.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine Nays: (0) Motion Carried.

WNY Trail Riders Presentation

Gary Hume, Patti Hume and Russ Meidenbauer were present from the WNY Trail Riders to ask the Town Board to consider passing a local law to permit ATVs to ride on/across town highways in order to access ATV trails maintained by the organization. Mr. Hume addressed the Board and distributed a sample law for their consideration. The Board asked Attorney DiMatteo to draft a law for the Town Board to consider at their next meeting.

Public Hearing – Special Use Permit Roger Almeter

A motion was made by John Knab and seconded by Jim Fontaine to schedule a public hearing at 1:00 p.m. on May 20, 2014 at Sheldon Elementary School, Varysburg, to consider the issuance of a special use permit to Roger Almeter for the installation of two wind turbines on his property at 2690 North Sheldon Rd., Strykersville, NY 14145.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine Nays: (0) Motion Carried.

Fund Transfer

A motion was made by Brian Becker and seconded by Vince Kirsch to authorize the transfer of \$65,000 from General Money Market A9901.9 to Highway Money Market DA5031 for April

bills and payroll.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.

Public Hearing – Local Law Varysburg Water District Regulations

A motion was made by Vince Kirsch and seconded by Brian Becker to set the date for a public hearing on Local Law 1-2014 entitled: “providing rules and regulations for water district(s) in the Town of Sheldon, including the Varysburg Water District” for May 20, 2014 at 1:00 p.m. at the regular board meeting scheduled to take place at the Sheldon Elementary School, School Rd., Varysburg, NY.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.

Wyoming County 4-H Signs

Supervisor Knab will have more information regarding 4-H signs at the May meeting.

Bills:

Supervisor Knab confirmed that the Board had a chance to review the bills.

A motion was made by Mike Armbrust and seconded by Vince Kirsch that the

General Bills #90 to #126 for a Total of \$7,647.01, the

Highway Bills #74 to #93 for a Total of \$29,381.00, the

Trust & Agency Bills #14 to #19 for a Total of \$2,822.86 the

Varysburg Water District Bills #24 to #28 for a Total of \$548.72 and the

Lighting District Bills for a Total of \$793.97 be paid.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.

Comments from the Floor

At 8:45 p.m. Supervisor Knab opened the floor to comments.

Varysburg Water Project

Attorney DiMatteo stated that the water project is still slated to go to bid mid-June and the project to be completed by fall of this year.

Hazard Mitigation Grant

Mr. Mark Parton from Varysburg inquired as to the status of the hazard mitigation project.

Supervisor Knab responded that he has no new information yet.

Route 20A Closure

The west hill coming out of Warsaw on Route 20A will be closed July through November 2014.

Adjournment

A motion was made by Jim Fontaine and seconded by Brian Becker to adjourn the April 22, 2014 meeting of the Sheldon Town Board.

Ayes: (5) Knab, Becker, Armbrust, Kirsch, Fontaine

Nays: (0) Motion Carried.