

**REGULAR MEETING
SHELDON TOWN BOARD
August 24, 2016**

The Regular Meeting of the Sheldon Town Board held August 24, 2016 at the Sheldon Historical Society was called to order by Town Supervisor Brian Becker at 7:30 p.m.

Present: Supervisor Brian Becker
Councilmen: Jim Fontaine, Vince Kirsch, Joe Meyer, Mike Armbrust
Recording Secretary: Town Clerk Carol Zittel
Absent: Highway Supt. David Ricketson
Also Present: Many members of the Sheldon Historical Society. A signed list of all present is on file in the Town Clerk's office.

Minutes

A motion was made by Jim Fontaine and seconded by Vince Kirsch that the minutes from the July 20, 2016 regular meeting be approved.

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

Communications

Town Clerk Carol Zittel reported on the following:

#25 Late Additions to Tonight's Bills

The Town Clerk notified the Board of two bills received late today that were added to tonight's bills.

#26 Notification from NYS Dept. of State – Local Law 1-2016 Filed

The Town Clerk received notification from the NYS Dept. of State that Local Law 1-2016, Adopting Water Rates, was filed.

Reports

Financial Reports were presented for the month of July 2016 from the Town Supervisor, Town Clerk and the Town Justice.

Highway Superintendent's Report

David Ricketson was unable to attend tonight's meeting due to the paving projects underway today. Supervisor Becker reported that the following roads have been paved in the Town of Sheldon: Kohler, Maxon, Humphrey, Manley, Almeter. Humbert will be paved in the next couple of weeks. There will be no gravel roads left in the Town of Sheldon after this paving project. Supervisor Becker explained to those in attendance that the Town felt it was prudent to take out a loan at a very low interest rate. The last Bond Anticipation Note taken out in 2016 had an interest rate of 1.25%.

Supervisor's Report

Supervisor Brian Becker reported the following.

**REGULAR MEETING
SHELDON TOWN BOARD
August 24, 2016**

Intersection of Perry Rd. and Route 77

Supervisor Becker reported that the intersection of Perry Rd. and Route 77 has been narrowed and new stop signs have been installed in the hope of making this intersection safer. Supervisor Becker has received numerous positive comments.

Perry Road Paving

Perry Road is slated to be paved beginning on August 26th. The road will be limited to local use only.

Maillet Streambank Revitalization

Work on the Maillet project is finally moving forward. Three contractors were in attendance for the pre-bid meeting. The bid opening will be on August 22nd. Greg McKurth, Director at Wyoming County Soil & Water will be coordinating the project.

Update on Gasiewicz Property – Varysburg Water

Supervisor Becker advised the Board that he went to the Gasiewicz residence the day after the last board meeting. It was determined that the water leak is the Gasiewicz's responsibility. The leak lies between their line and the street. Councilman Kirsch asked what can be done if the leak is not fixed. Supervisor Becker responded that the water can be shut off. Mr. & Mrs. Gasiewicz insist that there is only one kitchen in the house and they should only be billed for one EDU. Supervisor Becker has spoken to numerous people who have knowledge that there are two kitchens in the house. Supervisor Becker has requested a copy of the County Building permit issued to the Gasiewicz's and stated that they will continue to be billed for two EDU's.

Asbestos Testing – Varysburg Pumphouse

Supervisor Becker has not yet reached out to an asbestos testing company. He will do so this month.

Speed Limit Reduction Requests

Supervisor Becker has not heard anything from NYSDOT on the Town's request to lower the speed limit on Route 78 and Route 98. Supervisor Becker will look into it this month.

Acceptance of Reports

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

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

Old Business

Strykersville Fire Company – Public Hearing – Contract

At 7:45 p.m. Supervisor Becker opened the public hearing on the Strykersville Fire contract. Russ Reisdorf, Strykersville Fire Company Treasurer, was present at tonight's meeting.

**REGULAR MEETING
SHELDON TOWN BOARD
August 24, 2016**

Re-Seal of Brick on Town Hall

The resealing of the Town Hall is complete. The invoice is in tonight's bills.

Varysburg Water District Generator

The Town is still waiting on National Fuel to hook up the gas.

Comprehensive Plan

A letter was distributed from Town Attorney David DiMatteo. Notification of the Town seeking lead agency was mailed to involved and interested agencies; however, the thirty days to comment period has not expired yet. The Town cannot adopt the comprehensive plan or declare lead agency until after the thirty day period. The Town, if it wishes, can complete the process at the September meeting.

Supervisor Becker commented that he feels the wording regarding the height of wind turbines should be removed. The Board had a brief discussion. Councilman Armbrust and Councilman Kirsch did not feel this wording should be eliminated.

Land Donation from Bill and Lynn Streicher

The Streichers are still trying to locate the abstract. Councilman Armbrust notified the Board that he contacted the neighbor who owns the land adjacent to the Streicher land. The neighbor was upset that they were not approached about buying the land. The land being donated is 75x100 feet. Councilman Armbrust asked if the Town really needs an area that big. A resident present at the meeting informed the Board that the neighbor to the Streicher land was contacted to buy the land.

Judy Coffee informed the Board that a representative from Beaver Meadow was present at a grant workshop held at the Historical Society and offered to assist in planning a pollinator garden on the donated land. Councilman Armbrust asked if anyone would be upset if someone buys the property from the Streichers instead of the land being donated to the Town. No one on the Board had any objection to the land being bought by someone else and the Town not getting the land donation.

BAN Resolution – 2016 Highway Paving

On a motion by Jim Fontaine and seconded by Vince Kirsch

BE IT RESOLVED, by this Town Board of the Town of Sheldon that a Bond Anticipation Note will be issued and used to pay for the resurfacing of Kohler Road, Maxon Road , Humphrey Road, Manley Road and Humbert Road; and

BE IT FURTHER RESOLVED, that the Town shall pay the sum of \$385,000.00 upon the maturity of the Bond Anticipation Note to the bank who has the lowest interest rate at bid; and

AND IT IS FURTHER RESOLVED, that the Supervisor of the Town of Sheldon is authorized to issue said bond anticipation note.

This Resolution shall take effect immediately.

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

Nays: (0) Motion Carried.

**REGULAR MEETING
SHELDON TOWN BOARD
August 24, 2016**

Update on Senator Gallivan Funding

The Town submitted a letter to Senator Gallivan's office requesting funding of \$50,000.00 to replace water meters and repair the pump house for the Varysburg Water District. There is a need for 100 meters at \$210 a piece, plus \$150 per meter installation fee which totals \$36,000.00. This leaves approximately \$14,000.00 to renovate the pump house.

Fire Proof Cabinets – Court Grant

The cabinets will be delivered once a date has been coordinated with the Town Justice and Court Clerk.

Close Public Hearing – Strykersville Fire Contract

At 8:15 p.m. a motion was made by Joe Meyer and seconded by Vince Kirsch to close the public hearing on the Strykersville Fire Company contract.

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

Approve the Strykersville Fire Contract

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the Town Supervisor to sign the contract with the Strykersville Fire Protection District for fire protection and ambulance services for a period of five years beginning on January 1, 2017 until December 31, 2021.

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

The total contract is \$113,680.58 with the Sheldon share being approximately \$36,814.27 – the allocation between the Towns will be based on each year's equalization rates.

New Business

Boys & Girls Club of Holland Presentation

Brian Tavernier from the Holland Boys and Girls Club gave a presentation on his organization in the hope of obtaining funding from the Town of Sheldon. The Club is hoping for \$3,000.00 in annual funding from the Town. The Town of Wales gives \$3,500.00 annually. Supervisor Becker questioned Mr. Tavernier on the number of Sheldon youth that participate in programs at the Club. Mr. Tavernier only had numbers on the number of children from zip code 14145 that participate. Supervisor Becker explained that this is not an accurate number of Sheldon youth as the zip code 14145 runs into other Towns as well. Mr. Tavernier will forward the existing contract between the Town of Wales and the Boys & Girls Club to Supervisor Becker for his review.

Historical Society Addresses the Board

Marilyn Smithley, a member of the Sheldon Historical Society addressed the Board regarding some concerns she and others have with the Sheldon Historian. Ms. Smithley distributed a letter to all board members outlining her concerns. There was a short discussion between the Board and residents in attendance. The idea of a Deputy Historian was raised. Supervisor Becker said

**REGULAR MEETING
SHELDON TOWN BOARD
August 24, 2016**

he will reach out to Barb Durfee, Town Historian, to ask for a report and to discuss various issues raised.

New Doors for Historical Society Schoolhouse

Judy Coffee, member of the Sheldon Historical Society, addressed the Board regarding the need to replace two doors at the Schoolhouse. Supervisor Becker asked Ms. Coffee to forward him the quotes so he can look into funding. Councilman Kirsch gave Ms. Coffee a suggestion on a contractor to contact.

Williamson Law Book Accounting Program

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the Town Supervisor to sign the contract with Williamson Law Book Company for accounting software at an annual cost of \$930.00. (an increase of \$83.00 from last year)

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

Zoning Addendum Corrections

The Planning Board cancelled their August meeting so there is nothing new on this item.

Local Law 2-2016 – Tax Override

The Town Board received copies of proposed Local Law “A PROPOSED LOCAL LAW ENTITLED, “OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c.”

Schedule Public Hearing – Local Law 2-2016

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” add a new section 3-c to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, the Town Board of the Town of Sheldon finds it in the best interest of the Town to hold a public hearing to consider the adoption of said local law.

NOW ON MOTION OF Jim Fontaine which has been duly seconded by Joe Meyer, be it **RESOLVED**, by the Town Board of the Town of Sheldon will hold a public hearing on the proposed adoption of said local law on the 21st day of September, 2016 at 8:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

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

**REGULAR MEETING
SHELDON TOWN BOARD
August 24, 2016**

Varysburg Water District BAN – Pay Off

A motion was made by Mike Armbrust and seconded by Vince Kirsch to authorize the Town Supervisor to pay off the Bond Anticipation Note for the Varysburg Water District in the amount of \$50,621.53. (\$50,000.00 plus \$621.53 interest)

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

Hazardous Mitigation Streambank Revitalization BAN

A motion was made by Vince Kirsch and seconded by Jim Fontaine to pay \$25,000.00 plus \$994.44 interest on the Bond Anticipation Note for the Hazardous Mitigation Stream Bank Revitalization project.

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

Hazardous Mitigation Streambank Revitalization BAN

On a motion by Mike Armbrust and seconded by Joe Meyer

BE IT RESOLVED, by this Town Board of the Town of Sheldon that a Bond Anticipation Note will be issued and used for payment toward costs and fees associated with the Hazard Mitigation- Stream Bank Revitalization Project; and

BE IT FURTHER RESOLVED that the Town shall pay the sum of \$55,000.00 upon the maturity of the Bond Anticipation Note to the bank who submits the lowest interest rate upon review of bids; and

AND IT IS FURTHER RESOLVED that the Supervisor of the Town of Sheldon is authorized to issue said bond anticipation note.

This Resolution shall take effect immediately.

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

Budget Workshop Meeting

A motion was made by Joe Meyer and seconded by Jim Fontaine to schedule the date of the budget workshop meeting for September 27, 2016 at 7:30 p.m. at the Sheldon Town Hall.

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

Bills:

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

A motion was made by Jim Fontaine and seconded by Vince Kirsch that the General Bills #212 to #246 for a Total of \$21,329.93, the Highway Bills #114 to #128 for a Total of \$17,946.12, the Trust & Agency Bills #32 to #35 for a Total of \$1,637.53, the Varysburg Water District Bills #40 to #45 for a Total of \$901.66 and the Lighting District Bills for a Total of \$755.98 be paid.

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

Open the Floor to Comments

At 9:09 p.m. Supervisor Becker opened the floor to comments.

**REGULAR MEETING
SHELDON TOWN BOARD
August 24, 2016**

Property on Main Street Strykersville in Disrepair

A resident informed the Board of a residence on Main Street, Strykersville which is empty and is in disrepair – the grass isn't getting cut, etc...

125th Birthday of Sheldon Schoolhouse

Betty Reisdorf announced that 2016 is the 125th birthday of the Sheldon Schoolhouse. In 1976, the Sheldon Historical Society was formed. The Holland school district gave the schoolhouse to the Town for \$1.00. The Town and Historical Society came to an agreement whereby the Town would maintain the building if the Historical Society would hold Historical programs and events. In 2010 the Schoolhouse was renovated with the money received from the Wind Project agreement.

Adjournment

At 9:15 p.m. a motion was made by Vince Kirsch and seconded by Mike Armbrust to adjourn the August 17, 2016 regular meeting of the Sheldon Town Board.

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