

**REGULAR MEETING
SHELDON TOWN BOARD
August 23, 2017**

The Regular Meeting of the Sheldon Town Board held August 23, 2017 at the Sheldon Historical Society Schoolhouse was called to order by Town Supervisor Brian Becker at 7:30 p.m.

Present: Supervisor Brian Becker
Councilmen: Joe Meyer, Mike Armbrust, Jim Fontaine, Vince Kirsch
Recording Secretary: Town Clerk Carol Zittel
A signed list of those present is on file in the Town Clerk's office.

Minutes

A motion was made by Jim Fontaine and seconded by Joe Meyer that the minutes from the July 10, 2017 Varysburg fire meeting, the July 19, 2017 regular meeting and the July 25, 2017 special meeting be approved.

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

Communications

Town Clerk Carol Zittel reported on the following:

#21 Notification from NY Dept. of State – Local Law 1-2017 filed

The NY Dept. of State sent notification that Local Law 1-2017 has been filed.

#22 Change in June Abstracts – Water Bills

The Town Clerk notified the Board of a correction to the water bills listed in the June minutes. The water bills should have been numbered 21-27 not 21-26.

#23 New Laptops for Town Personnel

The Town Clerk notified the Board that three laptops need to be purchased for Town employees. The Town Clerk's laptop is over 8 years old. The Town Tax Collector has been using an old court desk top that is no longer supported by windows and the Town Historian asked for a laptop. The Town Bookkeeper has contacted Dell for state bid pricing.

Highway Superintendent's Report

Highway Superintendent Ricketson was not at tonight's meeting in order to attend a Wyoming County Traffic Safety Board meeting. He submitted a written report of the following:

Highway Work

The Dept. has been true and leveling roads with blacktop in preparation of sealing with oil and stone. 39,589 gallons were used to seal approx. 8.3 miles of road. The following roads were done: Kohler, Maxon from Schwab to Bennington line, Humbert, Humphrey from Almeter to Perry, Almeter from 98 to Royce, and Manley. The following towns assisted: Java, Warsaw, Orangeville, Middlebury, Wales, Bennington and Darien.

Stop Sign Request – Bartz Rd.

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County Hwy. Supt. Todd Gadd, received the accident report from the Wyoming County Sheriff's office. There have been four accidents at Bartz Rd. and Perry Rd. in the last four years. Two were handled by the Sheriff's office and two were handled by the NYS Police. Mr. Gadd has requested the reports from the State Police. Hwy. Supt. Ricketson will discuss the issue at tonight's Wyoming County Traffic Safety Board meeting.

Supervisor's Report

Supervisor Becker reported on the following:

Wyoming County Bills

County bills were \$3,452,802.49.

Schedule an Emergency Special Meeting

Supervisor Becker reported that there are several issues that came up in the last couple of days that may require the Board to hold an executive session. Supervisor Becker suggested holding a special meeting tomorrow at the Town hall.

A motion was made by Joe Meyer and seconded by Mike Armbrust to schedule an emergency special meeting on Thursday, August 24, 2017 at 7:30 p.m. at the Sheldon Town Hall.

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

Equalization Rate

The Town has been notified that its equalization rate for 2018 is 79%.

Town Re-Valuation

Supervisor Becker reported that the Wyoming County Real Property office is on track to start the Town of Sheldon's re-valuation in 2018. The Town of Java is also using the County office for its assessment services and they are now at a 100% equalization rate.

Cemetery Storm Damage

The cemetery in Strykersville sustained damage during the last wind storm. Several head stones were badly damaged. Insurance should cover the repair costs.

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, Meyer, Armbrust, Kirsch Nays: (0) Motion Carried.

Old Business

Solar Law

The Town Planning Board has completed the short form SEQR and negative declaration. The law has been sent to the County Planning Board. The Town Board should have the County

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comments by the next regular board meeting. At that time, the Board can decide whether to schedule a public hearing on the Law.

Windy Brew – Special Use Permit – Scheduling Public Hearing

A motion was made by Mike Armbrust and seconded by Jim Fontaine to authorize the Town Clerk to send notification by certified mail to all land owners within 1000 feet of the Snyder property notifying them of the September 20th public hearing to hear the special use permit request by Michelle Snyder, owner of Windy Brew, to operate a brewery at her residence on Route 20A.

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

Varysburg Water – DASNY/Senator Gallivan Funding

The Town is still waiting on word from DASNY regarding the \$50,000.00 in funding.

Alternate Planning Board Member

Nothing new to report.

Varysburg Park Rest Room Renovation – Open Bids

The Town advertised for bids for the park renovation in the East Aurora and Attica Pennysavers and also on the Town website. Only one bid was received for the proposed renovation. The Town Clerk opened the one bid received from Steve Beechler Inc. The Board asked that the Town Clerk not record the amount of the bid in the minutes since the Board may decide to re-bid.

A motion was made by Vince Kirsch and seconded by Jim Fontaine to table discussion on the park rest room renovation.

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

Bio-Solid – Human Waste Solid Law

A motion was made by Mike Armbrust and seconded by Vince Kirsch to table the proposed bio-solid law.

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

Court Security Agreement with Sheriff's Office

The Wyoming County Sheriff's office agreed to the requested changes pertaining to wages in the court security contract.

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Town Supervisor to sign the agreement with the Wyoming County Sheriff's Office.

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

New Business

Sunset Drive Property – Building Codes Violations

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Supervisor Becker reported that the County Building Codes Enforcement Office has sent the owner of the property on Sunset Drive a notice of violation letter via certified mail. If the owner does not comply with building codes in thirty days, they will be fined.

County Zoning Services

The County has notified the Town that they would be ready to take over zoning enforcement officer duties for the Town by the Town's September meeting if requested or needed.

Bond Anticipation Notes (BANS)

Supervisor Becker updated the Board on the current status of BAN's taken out by the Town. The BAN for the loader, the Western Star truck and the streambank stabilization project will all be paid off as of tonight's meeting. Two BAN's are remaining: one for the road paving project in the amount of \$385,000 which the Town hopes to pay off in three years as opposed to the original five year plan. The other BAN is the Varysburg Water Project 38-year loan in the amount of \$953,000.00. This BAN will be paid off by the residents of the Varysburg Water District.

Establishing an Employee Benefit Accrued Liability Reserve Fund

At the next regular board meeting, the Town Clerk will distribute a copy of a proposed resolution establishing an employee benefit accrued liability reserve fund. The Town should establish such a fund in case of termination or retirement of any highway employee.

Bottled Water Bill

Councilman Fontaine remarked on the lower Crystal Rock water bill. The Board will keep an eye on the Crystal Rock bills going forward.

Mistake on Abstracts

The Board asked the Town Clerk to fix the description line on the Time Warner bill on tonight's abstract. The Historical Society Bill and the Town Hall bill descriptions were transposed but the account coding was accurate.

Authorization of Pre-Payment of Hazard Mitigation BAN

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize the pre-payment of the hazardous mitigation BAN to Five Star Bank in the amount of \$55,000.00 plus 1.45% interest.

Ayes: (5) Becker, Fontaine, Meyer, Armbrust, Kirsch Nays: (0) Motion Carried.
This will be the final payment on this BAN.

Authorization to Transfer Money

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the transfer of \$100,000.00 from General Money Market A9901.9 to Highway Money Market DA5031 for August 2017 bills and payrolls.

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

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Bills:

Supervisor Becker confirmed that the Board had a chance to review the bills. A motion was made by Jim Fontaine and seconded by Mike Armbrust that the General Bills #193 to #233 for a Total of \$30,545.40, the Highway Bills #112 to #130 for a Total of \$308,949.62, the Trust & Agency Bills #23 to #26 for a Total of \$657.00, the Varysburg Water District Bills #34 to #39 for a Total of \$1,029.20, and the Lighting District Bills for a Total of \$761.95 be paid.

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

Comments from the Floor

Historian Hours

Councilman Armbrust asked if the Historian has been having office hours at the hall and if there are items now at the hall. Supervisor Becker responded that the Historian did bring some items to the hall.

Update on Dollar General Store in Varysburg

Councilman Armbrust asked if there was any news on the proposed store in Varysburg. Supervisor Becker responded that he has not heard any new updates.

Sheldon Elementary Building

Councilman Armbrust asked if there is any update on the elementary school up for sale. Supervisor Becker responded that the school is listed for \$400,000.00 and that the IDA is trying to promote it. On a related note, Supervisor Becker reported that there are only 76 children enrolled in kindergarten in the Attica School District.

Adjournment

A motion was made by Vince Kirsch and seconded by Joe Meyer to adjourn the September 20, 2017 meeting of the Sheldon Town Board.

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