

**REGULAR MEETING
SHELDON TOWN BOARD
January 20, 2015**

At 6:00 p.m. the Sheldon Town Board (Vince Kirsch, Mike Armbrust, Brian Becker and Joe Meyer) met with Bink Spiess, from the company RL Kistler. RL Kistler are representatives for Generac Generators. Mr. Spiess was invited to give his recommendations for purchasing a new generator for the town hall. The Board and Mr. Spiess walked through the hall, highway garage, inspected the current generator and discussed different options available.

The Regular Meeting of the Sheldon Town Board held January 20, 2015 at the Sheldon Town Hall, was called to order by Deputy Town Supervisor Vince Kirsch at 7:00 p.m.

Present: Councilmen: Vince Kirsch, Brian Becker, Mike Armbrust, Joe Meyer
Recording Secretary: Town Clerk Carol Zittel
Attorney David DiMatteo, Highway Superintendent David Ricketson
Absent: Supervisor John Knab

Also Present: A signed list of those present is on file in the Town Clerk's office.

Minutes

A motion was made by Brian Becker and seconded by Joe Meyer that the minutes from the December 16, 2014 regular meeting and the minutes from the audit meeting on January 15, 2015 be approved.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Communications

The Town Clerk reported on the following:

#1 Tri-Town Seniors

A thank you for town funding was received from the Tri-Town Seniors.

#2 Harris Corners Fire Dept.

Received list of 2015 officers and 2014 financial report from Harris Corners Fire Dept.

#3 Varysburg Fire Dept.

Received list of 2015 officers from Varysburg Fire Dept.

#4 Planning Seminars

A motion was made by Mike Armbrust and seconded by Brian Becker to authorize Town Planning & Zoning Board members to attend spring 2015 land use decision making training programs offered by the Monroe County Dept. of Planning & Development.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

#5 NYSAT Resolutions

The Town Clerk distributed 9 resolutions that are under consideration at the Association's annual conference in New York City February 15-18, 2015.

#6 Comprehensive Plan Survey Results

The Town Clerk confirmed that all Board members received a copy of the comprehensive plan

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survey results from the Town Planning Board.

#7 Emergency Preparedness Training

American Red Cross emergency preparedness training will be offered at the hall on January 21, 2015. The public is welcome to attend.

#8 Pennysaver Error – Cross Country Ski Day

The Town Clerk informed the Board of an error by the Pennysaver. The Pennysaver mistakenly ran an ad from last year for cross country ski day this year. We will ask the Pennysaver to run a correction ad.

Reports

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

Highway Superintendent's Report

Sheldon Highway Superintendent David Ricketson reported on the following:

Plowing & Sanding

The dept. is on par with past years on salt & sand use.

Pickup Truck

The Superintendent's truck is in the shop for repairs due to deer accidents.

Truck 230 – 2006 Peterbilt

The hydraulic pump broke – we had one in stock and fixed it. The lower radiator pipe broke and we had one in stock and fixed it.

Truck 232 – 2013 International

Repaired in house.

Truck 236

Spring repair made.

FEMA November Storm Reimbursement

Hwy. Supt. Ricketson submitted all paperwork for FEMA funding for the November 2014 storm. The Town was able to demonstrate approximately \$32,000 in claims.

New Western Star Truck

The new Western Star plow truck should be in by late Wednesday or Thursday, just waiting for front springs to be installed.

Advocacy Day in Albany

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Hwy. Supt. Ricketson asked the Board for permission to attend advocacy day in Albany and to also bring highwayman John Herrmann. Supt. Ricketson hopes to bring a different highwayman each year.

A motion was made by Brian Becker and seconded by Mike Armbrust to authorize Highway Superintendent Ricketson and Highwayman John Herrmann to attend advocacy day in Albany on March 2-4, 2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Outstanding Invoice – Pipe Installation

Highway Supt. Ricketson informed the Board that a town resident has not paid for the installation of culvert pipe that was installed over the summer. Several notices have been sent by the Town to the resident on Centerline Rd.

A motion was made by Brian Becker and seconded by Joe Meyer to have Attorney DiMatteo send a letter to the resident and to include in the invoice the cost of attorney fees.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Acceptance of Reports

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

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Old Business

Town Engineer

A motion was made by Brian Becker and seconded by Mike Armbrust to appoint Chatfield Engineers, P.C. as Town Engineer for 2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Varysburg Water Project

JP Schepp from Chatfield Engineers was present at tonight's meeting to discuss the Varysburg Water project. The bids were opened on January 19, 2015 at the town hall. The two lowest bids were from Statewide Aquastore for the Water Storage Tank and Morsch Pipeline for the Water Main Replacement. Mr. Schepp recommended the Board accept the bid from Statewide Aquastore. Mr. Schepp also stated that Morsch Pipeline is very capable and just finished a job in Silver Springs. The bids came in higher than USDA funding requested. In order to continue the project without delay, and to prevent the need to rebid the project, Mr. Schepp suggested that parts of the project be eliminated from the scope of work in order to meet budget restrictions. The parts of the project that he recommended for elimination were the portion of School Street and the extreme east end of Route 20A to the crossing at Stony Brook. When these portions of the work were taken out of the bids, Morsch remained the low bidder at \$494,509.20.

Councilman Armbrust asked why we would cut the biggest problem area at the trailer park. Mr. Schepp responded that we tried to stay with contiguous work. Wayne Durfee, Chairman of the Varysburg Water Board, addressed the Town Board stating that the water district is pumping

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more than twice as much as they are selling. It was suggested that a letter be mailed to water district residents with their April 1st bill, advising them of what to expect during construction. Attorney DiMatteo asked if \$17,000 would be enough contingency. Mr. Schepp responded that we have good solid sub surface information and that he is pretty confident with the contractors we have. Councilman Kirsch asked if Chatfield will have someone on site during construction. Mr. Schepp responded yes.

Awarding of Tank Bid to Statewide Aquastore

A motion was made by Joe Meyer and seconded by Mike Armbrust accepting the Bid received for the Varysburg Water System Improvements Contract B: Water Storage Tank from Statewide Aquastore, Inc., for the Base Bid of \$317,344.00, and awarding the Contract to them, contingent upon approval by the USDA Rural Development.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

<u>List of All Bids Received on 1/19/15</u>			
<u>Bidder</u>	<u>Base Bid Amt – Contract A</u>	<u>Base Bid Amt – Contract B</u>	<u>Alternate</u>
Morsch Pipeline	\$654,383.50		
New Frontier	\$832,924.00		
E&R Construction	\$654,550.00		
JD Northrup	\$899,050.00		
Blue Heron	\$737,488.00		
Villager Construction	\$667,755.00		
Statewide Aquastore		\$317,344.00	\$5,625
Blue Heron		\$328,132.30	\$500

Awarding of Water Main Replacement Bid to Morsch Pipeline, Inc.

A motion was made by Brian Becker and seconded by Joe Meyer accepting the Bid received for the Varysburg Water System Improvements Contract A: Water Main Replacement from Morsch Pipeline, Inc., for the Base Bid of \$654,383.50 and simultaneously issue a Change Order to reduce quantities and Contract Amount to \$494,509.20, and awarding the Contract to them, contingent upon approval by the USDA Rural Development.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Town Hall Remodel

No word yet on the Court grant.

Town Hall Generator

At 6:00 p.m. tonight the Town Board held a special meeting with Bink Spiess, to discuss the town hall generator. Mr. Spiess suggested a propane generator. Mr. Spiess will forward the Board information via email before the next board meeting.

Organizational Meeting to Set 2015 Salaries & Appointments

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A motion was made by Brian Becker and seconded by Mike Armbrust to set the salaries for Town Officials both elected and appointed as stated in the 2015 Budget as adopted: Town Board \$2,606.67 each, Supervisor \$9,274.00, Town Clerk \$17,752.00, Supt. Of Highways \$50,668.00, Justices (2)\$9,548.00 each, Tax Collector \$2,864.00, Assessor \$18,390.00, Carol Zittel, Registrar of Vital Statistics \$300, Carol Zittel as Records Management Officer (no salary), Gertrude Hyman as Deputy Town Clerk & Deputy Registrar \$12.50/hr as needed, Katie Chmura as Bookkeeper \$20,227.14, Barb Durfee as Town Historian \$800.00, Laurie Dillon as Court Clerk \$21,422.00, Ken Martin as Zoning Officer \$4,304.00, Carolyn Mruczek as Dog Enumerator (\$1.50 per dog, plus mileage), John Bonner as Water Rents Receiver \$1,200, Wayne Durfee as Water Meter Reader \$2,400, Water District Exceptional Duties \$10.00 per hour, Joyce Griffen as cleaner \$9.00 per hour, VACANT POSITION as Youth Director \$1,352.39, Ann Daniel as Secretary to Planning Board, Zoning Board of Appeals & Board of Assessment Review at \$12.50 per hour

All the afore mentioned terms of office for appointed positions, will carry over to the Organizational Meeting, if said meeting is held after December 31st of the year in which the term expires.

The per diem salary for the Planning Board is \$30, Zoning Board of Appeals is \$25 and for the Board of Assessment Review the per diem is \$60. The 2015 annual salary for cemetery maintenance is \$200.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Authorization to Attend Training

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize all appointed and elected officials to attend, at town expense, applicable trainings in 2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Deputy Positions

A motion was made by Joe Meyer and seconded by Brian Becker to appoint Vince Kirsch as Deputy Supervisor and Kevin Amedick as Deputy Highway Superintendent.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Depository Banks

A motion was made by Brian Becker and seconded by Joe Meyer to name as depository bank, the Five Star Bank and the Bank of Castile for General, Highway, Trust & Agency Varysburg Water District, Capital Fund, Unemployment Insurance Reserve Fund and Lighting Districts.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Mileage Reimbursement

A motion was made by Joe Meyer and seconded by Brian Becker that the Rate of mileage for town business for 2015 be set at .575 cents per mile.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Town Attorney

A motion was made by Mike Armbrust and seconded by Joe Meyer to appoint David DiMatteo

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as the Town Attorney on an as needed basis, and to pay him a \$140.00 hourly rate.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Board Appointments

A motion was made by Joe Meyer and seconded by Mike Armbrust to appoint the following people to designated Boards and positions for the terms listed after each name:

Zoning Board of Appeals: Walt Youngers 5 year term 01/01/15-12/31/2019

Youth Recreation Board: Cheryl Mest - 5 year term 01/01/15-12/31/2019

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Board Meeting Dates 2015

A motion was made by Brian Becker and seconded by Mike Armbrust that the Regular Board Meeting be the third Tuesday of each month at 7:00 PM, except for the following: the August meeting will be held on August 18, 2015 at 7:00 pm at the Sheldon Historical Society.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Highway Expenditures

A motion was made by Brian Becker and seconded by Joe Meyer that the Highway Superintendent be allowed to spend an amount not exceeding \$3,000 on the repair and maintenance of an individual piece of inventoried town equipment, without the Boards prior approval.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Highway Expenditures

A motion was made by Joe Meyer and seconded by Brian Becker that the Highway Supt. is authorized to purchase, without the Town Boards prior approval, small tools in an amount not to exceed \$1,000 per purchase. Any purchase of an individual piece of equipment in excess of \$2,000 shall be deemed a capital purchase, all of which shall be subject to Town Board approval.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Procurement Policy

A motion was made by Mike Armbrust and seconded by Brian Becker that the Town Board adopt the same Procurement Policy as was used in 2014 for the year 2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Investment Policy

A motion was made by Mike Armbrust and seconded by Brian Becker that the Town Board adopt the same Investment Policy that was used in 2014 for the year 2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Fund Balance Policy

A motion was made by Mike Armbrust and seconded by Brian Becker that the Town Board adopt the same Fund Balance Policy that was used in 2014 for the year 2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

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Town Policies

A motion was made by Mike Armbrust and seconded by Brian Becker that the Town Board adopt the Internet, email & computer use policy, discrimination & harassment policy, credit card use policy, code of ethics, emergency plan and workplace violence policies in 2015 that were adopted in March 2014.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Legal Newspaper

A motion was made by Mike Armbrust and seconded by Brian Becker to designate the Arcade Herald as the Official Newspaper for 2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Town Board Committees

A motion was made by Mike Armbrust and seconded by Brian Becker to appoint the following committees:

Street Lighting: Mike Armbrust & Brian Becker

Building: Mike Armbrust, Vince Kirsch & Joe Meyer

Labor: Vince Kirsch & Brian Becker

Highway: Entire Board

Planning/Zoning: Joe Meyer & Mike Armbrust

Park Committee: John Knab

Assessment Committee: Vince Kirsch & Brian Becker

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Board of Assessment Review Appointment

A motion was made by Mike Armbrust and seconded by Brian Becker to appoint Dan Henneberger to the Town of Sheldon Board of Assessment Review with a term of 1/20/2015 – 09/30/2015.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

New Business

Special Use Permit – Keith & Dania Wahl

A motion was made by Mike Armbrust and seconded by Brian Becker to schedule a public hearing for a special use permit applied for by Keith & Dania Wahl, 1928 Route 20A, Varysburg, NY 14167. Applicants have requested a special use permit to operate a civic & social club in order to host events, parties and weddings at their residence.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Advertisement – Town Officials 2015

A motion was made by Brian Becker and seconded by Joe Meyer to authorize the Town Clerk to advertise the Town Officials listing in the East Aurora and Attica Pennysavers.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

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Tax Collector Software

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the Town Supervisor to sign the contract with Williamson Law Book for Tax Collector software 1-1-15 to 12-31-15 at a cost of \$330.00.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Bids – Liquid Bituminous

A motion was made by Joe Meyer and seconded by Brian Becker to authorize the Town Highway Superintendent to advertise for bids for liquid bituminous materials and to set the bid opening date for February 17, 2015 at 7:30 p.m.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Bids - Fuel

A motion was made by Joe Meyer and seconded by Brian Becker to authorize the Town Highway Superintendent to advertise for bids for diesel fuel and unleaded gas and to set the bid opening date for February 17, 2015 at 7:30 p.m.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Authorization to Pre-Pay Bills for February

A motion was made by Brian Becker and seconded by Mike Armbrust to authorize the prepayment of the following bills for the Water Capital Project Fund.

Chatfield Engineers, P.C., 2800 Dewey Ave., Rochester, NY 14616, Engineering Svcs.
\$2,096.80

Empire GEO Services Inc., 535 Summit Point Dr., Henrietta, NY 14478, Job Site Work at proposed water storage tank & crossing, \$7,400.00

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Fund Transfers

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the transfer of \$50,000.00 from General Money Market A9901.9 to Highway Money Market DA5031 for January 2015 bills and payrolls.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

2014 Budget Transfers

A motion was made by Mike Armbrust and seconded by Joe Meyer to approve the following budget transfers from 2014:

General:

\$420.00 from A1640.4 Central Garage to A1355.1 Assessment P/S

\$84.34 from A1640.4 Central Garage to A9030.8 Social Security

\$30,226.00 from A9901.9 Transfer to other funds to Highway DA5031 Interfund Transfer

Highway:

\$2,258.52 from DA5110.1 General Repairs P/S to DA5142.1 Snow Removal P/S

\$1,181.41 from DA5130.1 Machinery P/S to DA5142.1 Snow Removal P/S

\$1,030.27 from DA5140.1 Misc. Brush and Weeds P/S to DA5142.1 Snow Removal P/S

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\$2,166.21 from DA5140.1 Misc. Bruch and Weeds P/S to DA5148.1 Services to Other Gov P/S
\$616.90 from DA5112.1 Perm. Improvements P/S to DA5148.1 Services to Other Gov P/S
\$1,839.02 from DA2300 Intergovernmental Charges to DA5148.1 Services to Other Gov P/S
\$317.05 from DA2300 Intergovernmental Charges to DA9030.8 Social Security
Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Bills:

Councilman Kirsch confirmed that the Board had a chance to review the bills. A motion was made by Brian Becker and seconded by Mike Armbrust that the

2014 Trust & Agency Bills #55 to #56 for a Total of \$1,648.00, the
General Bills #1 to #37 for a Total of \$26,489.23, the
Highway Bills #1 to #16 for a Total of \$19,625.55, the
Trust & Agency Bills #1 to #2 for a Total of \$468.14 the
Varysburg Water District Bills #1 to #7 for a Total of \$1,835.42 the
Capital Project Bills #1 to #2 for a Total of \$80.42 and the
Lighting District Bills for a Total of \$905.04 be paid.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

Comments from the Floor

Councilman Kirsch opened the floor to comments.

Lighting District/Tax Cap Override

Attorney DiMatteo discussed an issue that has been brought to his attention by the Town Bookkeeper. The Town Board did not pass a tax ride override law on the assumption that there would be no increase in Town taxes in 2015. However, the lighting district budget numbers were increased in the 2015 budget to account for price increases. This increase in the budget numbers in the lighting district is seen as an increase in taxes over the 2% tax cap legislation. Attorney DiMatteo suggested that at the February meeting, the Town Board pass a resolution to put those monies (the increase over the 2%) in a special reserve account. A BAN or TAN will need to be set up.

County Tax Increase

A resident questioned the Board regarding the increase in County taxes for 2015. A short discussion of the reasons for the increase took place.

Time Warner Coverage

A resident asked if there was any possibility of extending the broadband coverage in the Town. Attorney DiMatteo responded.

Adjournment

At 8:50 p.m. a motion was made by Brian Becker and seconded by Mike Armbrust to adjourn the January 20, 2015 meeting of the Sheldon Town Board.

Ayes: (4) Kirsch, Becker, Armbrust, Meyer Absent: (1) Knab Nays: (0) Motion Carried.

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