

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

The Regular Meeting of the Sheldon Town Board held January 19, 2016 at the Sheldon Town Hall was called to order by Town Supervisor Brian Becker at 7:00 p.m.

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

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

**Minutes**

A motion was made by Joe Meyer and seconded by Vince Kirsch that the minutes from the December 15, 2015 regular meeting, the December 19, 2015 emergency meeting, the December 30, 2015 year-end meeting and the January 2, 2016 swearing in meeting be approved.  
Ayes: (5) Becker, Armbrust, Kirsch, Fontaine, Meyer Nays: (0) Motion Carried.

**Communications**

The Town Clerk reported on the following:

**#1 Varysburg Fire Officers**

The Varysburg Volunteer Fire Department sent the Town Clerk a list of their 2016 officers.

**#2 Proclamations – John Knab and Fran Lefort**

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the following resolutions be presented to Supervisor Knab and Justice Lefort at their retirement dinner on Saturday, January 23, 2016.

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

WHEREAS, the Sheldon Town Board is proud to honor Francis J. Lefort upon the occasion of his retirement after 22 years of distinguished service as Town Justice of Sheldon, New York; and  
WHEREAS, Francis J. Lefort has been a lifelong resident of the Town of Sheldon, building a house on Perry Road land that once belonged to the Lefort family farm; and  
WHEREAS, Francis J. Lefort valiantly served our country in the United States Army as a paratrooper; and  
WHEREAS, on May 8, 1954, he married Rita Haggerty and together they were committed to each other and their family, raising five children Shelly (Howie), Ricky, Cindy, Patty (Scott) and Randy (Rosanne); and  
WHEREAS he is also the loving grandfather of eight grandchildren and eight great-grandchildren; and

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

WHEREAS, he and his wife Rita are both active members of St. Mary's Roman Catholic Church in Strykersville; and

WHEREAS, he was employed as a truck driver for many years at Dallas & Mavis Transport in Buffalo, New York; and

WHEREAS, on January 1, 1994 Francis J. Lefort was sworn in as Town of Sheldon Justice; and

WHEREAS, it was with great pride that he held court on a Justice bench built by his son Randy; and

WHEREAS, firm in his commitment to the betterment and progress of the Sheldon community, respected by attorneys, police officers and defendants alike, Justice Francis J. Lefort always conducted an impartial and objective court; he treated all defendants with compassion and dignity while at the same time remaining fair in his rulings; and

WHEREAS, Francis J. Lefort served as a marriage officer administering the vows of matrimony to many couples, therefore be it

RESOLVED, that we, the Sheldon Town Board, do hereby extend to Francis J. Lefort our sincere and grateful appreciation for his dedicated service to the Town of Sheldon and to the State of New York, and our best wishes to him and his family for good health and happiness in the years to come.

WHEREAS, the Sheldon Town Board is proud to honor John H. Knab upon the occasion of his retirement after more than 35 years of combined service to the Town of Sheldon; and

WHEREAS, John H. Knab, son of George and Jeanette Knab, followed in the footsteps of his father, who served for 28 years as Sheldon Town Justice and Town Councilman; and

WHEREAS, he continues to reside at the family home on Thomas Road which was established by the Knab family in 1856; and

WHEREAS, John H. Knab began serving the Town of Sheldon government in the role of Town Assessor in 1972; was then appointed by the Sheldon Town Board to serve as Town Justice in 1973, went on to win election as Town Justice serving 1974-1977; won election as Councilman 1978-1981; served again as Town Justice 1988-1994; returned to the position of Town Councilman 1996-1999; and

WHEREAS, on January 1, 2000, John H. Knab was sworn in as Town Supervisor of the Town of Sheldon; and

WHEREAS, he has rendered faithful, conscientious and valuable service to the Sheldon community by remaining an active member of the Varysburg Volunteer Fire Department for over 54 years; and

WHEREAS, he is a member of SS. Joachim and Anne Parish (the former St. Joseph's) In Varysburg where he has served as Eucharistic Minister, trustee, as well as Chairman of Catholic Charities appeals; and

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

WHEREAS, John H. Knab was instrumental in bringing the High Sheldon Wind Farm to Sheldon which brought with it economic benefits thereby allowing the Sheldon Town Board to eliminate Town taxes for eight years; and

WHEREAS, in addition, John H. Knab in his role on the Wyoming County Board of Supervisors represented the people of Wyoming County with honor, loyalty, and distinction serving on numerous committees such as the human services committee, green energy committee, public works committee, planning committee, finance committee, audit committee, public safety committee, and public health committee; therefore be it

RESOLVED, that we, the Sheldon Town Board, do hereby extend to John H. Knab our sincere and grateful appreciation for his outstanding record of personal and professional achievement, and wish him and his wife of 53 years, Joan, their six children Joanne (Bob) Lehmann, Janet (John) Bonner, Judy (Allen) Preischel, Jeff Knab, John P. Knab, Jennifer (Nate) Reed and their 10 grandchildren happiness and good health in the years to come.

**Reports**

Financial Reports were presented for the month of December 2015 from the Town Supervisor, Town Clerk and the Town Justices. The Town Clerk also distributed her annual report.

**Highway Superintendent's Report**

Sheldon Highway Superintendent David Ricketson reported on the following:

**Highway Department Work**

Supt. Ricketson reported that the department has been busy plowing and sanding. No breakdowns to report.

**Supervisor's Report**

Supervisor Becker reported on the following:

**Winter Storm Payment**

The Town received \$6,005.81 from the NYS Division of Homeland Security & Emergency Services. This payment is for the winter storm of Buffalo declared December 22, 2014.

**Acceptance of Reports**

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

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

**Old Business**

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

**Organizational Meeting 2016**

**Salaries**

A motion was made by Vince Kirsch and seconded by Jim Fontaine to set the salaries for Town Officials both elected and appointed as stated in the 2016 Budget as adopted:

Town Board \$2,685.00 each

Supervisor \$7,500.00 (reduction of \$1,774 from 2015)

Town Clerk \$18,224.00 (plus \$20/mt phone reimbursement)

Supt. of Highways \$52,188.00

Justices (2) \$9,834.50 each

Tax Collector \$2,950.00

Assessor \$18,942.00 (plus \$35/mt phone reimbursement)

Carol Zittel as Registrar of Vital Statistics \$325

Carol Zittel as Records Management Officer (no salary)

Gertrude Hyman as Deputy Town Clerk & Deputy Registrar \$12.50/hr

Katie Chmura as Bookkeeper \$20,834.00

Barb Durfee as Town Historian \$824.00

Laurie Dillon as Court Clerk \$22,065.00

Ken Martin as Zoning Officer \$4,433.00

Carolyn Mruzek as Dog Enumerator (\$1.50 per dog, plus mileage)

Janet Bonner as Water Rents Receiver \$1,200

Wayne Durfee as Water Meter Reader \$2,400

Water District Exceptional Duties \$10.00 per hour

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

Chris Jones as Certified Water Operator

Part-time Laborer (wing person) \$9.50 per hour

Joyce Griffen or temp replacement Amanda Rose as cleaner \$9.50 per hour

Youth Director – (Vacant) \$1,393.00

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 31<sup>st</sup> of the year in which the term expires.

**Appointed Board Salaries**

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.

**Highway Cell Reimbursement**

The phone reimbursement for the highwaymen is \$10/month

**Cemetery Maintenance**

The 2016 annual salary for cemetery maintenance is \$200.

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

**2016 Trainings**

A motion was made by Mike Armbrust and seconded by Vince Kirsch to authorize all appointed and elected officials to attend, at town expense, applicable trainings in 2016.

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

**Varysburg Water District Board**

A motion was made by Joe Meyer and seconded by Vince Kirsch to appoint the following people to the Varysburg Water District Board for 2 year terms 1/1/2016-12/31/2017 with the recommendation that this Water Board serve as an advisory board and report to the Sheldon Town board twice a year. It was also recommended that this board work to create a 10 year plan for the Water District.

Wayne Durfee , Scott Almeter, Ronald Wert, Howard Petrie, Jeff Rogacki

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

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

**Deputy Supervisor & Deputy Highway Superintendent**

A motion was made by Vince Kirsch and seconded by Joe Meyer to appoint Mike Armbrust as Deputy Supervisor and John Herrmann as Deputy Highway Superintendent.

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

**Official Banks**

A motion was made by Joe Meyer and seconded by Vince Kirsch 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: (5) Becker, Armbrust, Kirsch, Fontaine, Meyer Nays: (0) Motion Carried.

**Mileage Rate**

The Town Board set the mileage rate at their December 30, 2015 meeting. Rate of mileage for town business for 2016 be set at .54 cents per mile.

**Town Attorney**

A motion was made by Jim Fontaine and seconded by Joe Meyer to appoint David DiMatteo as the Town Attorney on an as needed basis, and to pay him a \$140.00 hourly rate.

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

**Town 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: Norm Kehl 5 year term 01/01/16-12/31/2020 (one vacancy remaining)

Youth Recreation Board: Katie Chmura - 5 year term 01/01/16-12/31/2020

Planning Board: Debbie Kirsch – 5 year term 1/01/16-12/31/2020

Planning Board: Alternate member (board will address at their February meeting)

Board of Assessment Review: Tom Hyman filling out Don Corwin's term: 1/20/16-9/30/17 (one vacancy remaining)

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

**Town Board Meeting Dates**

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the February and March 2016 Regular Board Meetings be held on the third Tuesday of the month beginning at 7:30 p.m. and that beginning April 2016 the regular board meeting be held on the third Wednesday of each month at 7:30 p.m. at the Sheldon Town Hall except for the following: the August meeting will be held on Wednesday, August 17, 2016 at 7:30 pm at the Sheldon Historical Society.

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

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

**Highway Expenditures**

A motion was made by Joe Meyer and seconded by Vince Kirsch 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: (5) Becker, Armbrust, Kirsch, Fontaine, Meyer Nays: (0) Motion Carried.

A motion was made by Jim Fontaine and seconded by Joe Meyer 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: (5) Becker, Armbrust, Kirsch, Fontaine, Meyer Nays: (0) Motion Carried.

**Procurement Policy**

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Town Board adopt the same Procurement Policy as was used in 2015 for the year 2016.

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

**Investment Policy**

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Town Board adopt the same Investment Policy that was used in 2015 for the year 2016.

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

**Fund Balance Policy**

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Town Board adopt the same Fund Balance Policy that was used in 2015 for the year 2016.

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

**Town Policies**

A motion was made by Joe Meyer and seconded by Mike Armbrust 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 that were adopted in March 2014.

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

**Official Newspaper**

A motion was made by Vince Kirsch and seconded by Joe Meyer to designate the Arcade Herald as the Official Newspaper for 2016.

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

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

**Town Board Committees**

A motion was made by Jim Fontaine and seconded by Joe Meyer to appoint the following committees:

Street Lighting: Mike Armbrust & Joe Meyer

Building: Mike Armbrust, Vince Kirsch

Labor: Vince Kirsch & Brian Becker

Highway: Entire Board

Planning/Zoning: Mike Armbrust & Jim Fontaine

Park Committee: Joe Meyer

Assessment Committee: Vince Kirsch & Jim Fontaine

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

**Town Hall Remodeling**

Councilman Kirsch has reached out to RW Painting to schedule a time for them to finish up the remaining painting at the hall.

**Payment to Straightline Construction**

A motion was made by Vince Kirsch and seconded by Jim Fontaine to authorize release of the final payment to Straightline once a walk through has been performed by Heather Nemeck and Supervisor Becker.

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

**Generator – Varysburg Water**

The Board tabled discussion regarding the generator for the Varysburg Water Project. It is unclear at this time whether the generator can be added before closing on the USDA loan.

**Bio-Solids Law**

Attorney DiMatteo presented a sample copy of a bio-solids law. Attorney DiMatteo notified the Board that a decision has not been released on the pending lawsuit in Wheatfield, NY.

A motion was made by Jim Fontaine and seconded by Vince Kirsch to authorize the Town Clerk to refer the sample law to the Planning Board for their review.

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

Attorney David Roach will attend the Planning Board's February 10<sup>th</sup> meeting to discuss the bio-solids law.

**New Business**

**Varysburg Water District Project Budget Modifications**

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

WHEREAS, the Town of Sheldon has received a Loan from Rural Development for their Varysburg Water District (“Project”); and

WHEREAS, Rural Development requires the Town Board to authorize all changes to the Administrative and Direct Expenditures Budgets of the Project as shown on the Form E; NOW, therefore be it

RESOLVED, that the Town Board of the Town of Sheldon authorizes the following Administrative and Direct Expenditure Budget modifications.

Net Interest	Increase of	\$3,705.93
Contingency	Increase of	52,855.62
Culvert/Water Storage Tank	Increase of	7,801.40
Legal	Decrease of	26,523.90
Bonding	Decrease of	5,014.96
Fiscal Coordination	Decrease of	18,247.84
Lands/ROW	Decrease of	2,432.19
Single Audits	Decrease of	3,000.00
Miscellaneous	Decrease of	1,644.06
Soil Compacting/Concrete Testing	Decrease of	7,500.00

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

**Varysburg Water District Improvements Project Completion**

A motion was made by Vince Kirsch and seconded by Joe Meyer to table the resolution declaring the completion of the Varysburg Water Project until after a meeting can be held with Municipal Solutions, Chatfield Engineers, David DiMatteo and Supervisor Becker.

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

**Authorization to Pay BAN – Steuben Trust**

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the payment to Steuben Trust Co. in the amount of \$60,550.00 to pay off the Bond Anticipation Note (BAN).

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

This BAN was start up money for the Varysburg Water Capital Bank Account. \$10,000 plus interest was used to pay back the General Fund Account.

**Comprehensive Plan Draft**

The Town Planning Board asked the Town Clerk to distribute the draft copy of the comprehensive plan to all board members. The Planning Board would appreciate any input from the Board before their February 10<sup>th</sup> meeting.

**Land Separation Form**

The Town Planning Board asked the Town Clerk to distribute a draft copy of a land separation form that will be used to prevent any land separations resulting in a land locked parcel.

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Town Planning Board to add an affidavit form to the land separation application.

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

**Publishing of Town Officials 2016**

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Town Clerk to publish the list of 2016 Town Officials in a March issue of the East Aurora and Attica Pennysavers.

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

**Williamson Law – Tax Collector Software**

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 for Tax Collector software in the amount of \$363.00 with a contract date of 1/1/16-12/31/16.

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

**Re-Schedule Book Audit**

The book audit was originally scheduled for January 12<sup>th</sup> but due to weather conditions it was cancelled.

A motion was made by Jim Fontaine and seconded by Joe Meyer to reschedule the book audit meeting of Town Supervisor, Town Clerk, Town Justices and Town Tax Collector book's for January 26, 2016 at 6:00 p.m. at the Sheldon Town Hall.

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

**Wyoming County Building Inter-Municipal Agreement**

Supervisor Becker received a copy of a inter-municipal agreement from the Wyoming County Building Department. Attorney DiMatteo strongly suggested that the Board not approve signing the agreement. He said "it is poorly worded, is a blank check and there is nothing in it for us."

A motion was made by Vince Kirsch and seconded by Mike Armbrust to table discussion of the Inter-Municipal agreement until more information can be obtained.

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

**2015 Budget Transfers**

A motion was made by Mike Armbrust and seconded by Jim Fontaine to authorize the following budget transfers for 2015:

**GENERAL**

\$33,894.00 from A2610 Fines & Forfeited Bail to A1640.4 Central Garage

\$2476.00 from A2110 Zoning Fees to A1640.4 Central Garage

\$1478.00 from A3001 State Revenue to A1640.4 Central Garage

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

\$159.12 from A9010.8 State Retirement to A1110.4 Municipal Court contractual  
\$345.00 from A9010.8 State Retirement to A1165.4 Prosecutor contractual  
\$420.00 from A9010.8 State Retirement to A1355.1 Assessment P/S  
\$47.39 from A9010.8 State Retirement to A5010.4 Highway Admin contractual  
\$63.85 from A1010.4 Town Board Contractual to A1640.4 Central Garage contractual  
\$277.09 from A1110.2 Municipal Court equipment to A1640.4 Central Garage contractual  
\$811.61 from A1220.4 Supervisor Contractual to A1640.4 Central Garage contractual  
\$250.00 from A1330.2 Tax Collector Equipment to A1640.4 Central Garage contractual  
\$199.98 from A1330.4 Tax Collector Contractual to A1640.4 Central Garage contractual  
\$887.40 from A1355.2 Assessment equipment to A1640.4 Central Garage contractual  
\$77.82 from A1410.4 Town Clerk Contractual to A1640.4 Central Garage contractual  
\$1188.00 from A1420.4 Law Contractual to A1640.4 Central Garage contractual  
\$413.13 from A1620.4 Building Contractual to A1640.4 Central Garage contractual  
\$352.68 from A1660.4 Central Storeroom Contractual to A1640.4 Central Garage contractual  
\$300.88 from A3510.4 Control of Dogs Contractual to A1640.4 Central Garage contractual  
\$166.43 from A3610.4 Examining Boards BAR Contractual to A1640.4 Central Garage contractual  
\$290.00 from A4230.4 Narcotic Addiction Control to A1640.4 Central Garage contractual  
\$484.63 from A7110.4 Parks Contractual to A1640.4 Central Garage contractual  
\$776.60 from A7310.4 Youth Programs Contractual to A1640.4 Central Garage contractual  
\$593.58 from A7510.4 Historian Contractual to A1640.4 Central Garage contractual  
\$261.24 from A8010.4 Zoning Contractual to A1640.4 Central Garage contractual  
\$28.86 from A8020.4 Planning Contractual to A1640.4 Central Garage contractual  
\$309.99 from A8160.4 Refuse and garbage Contractual to A1640.4 Central Garage contractual  
\$1699.40 from A9010.8 State Retirement to A1640.4 Central Garage contractual  
\$227.20 from A9030.8 Social Security to A1640.4 Central Garage contractual  
\$83.78 from A9030.81 Medicare to A1640.4 Central Garage contractual  
\$441.72 from A9060.8 Hospital & Medical Insurance to A1640.4 Central Garage contractual  
\$500.00 from A9060.81 Hospital & Medical Ins. Copays to A1640.4 Central Garage contractual  
\$7181.78 from A599 Fund Balance to A1640.4 Central Garage contractual  
Varysburg Water Dist.\$633.44 from SW1-2140 Metered Sales to SW1-8320.4 Source of Supply,  
power, pumping contractual  
\$100.00 from SW1-2142 Unmetered Sales & Maint. to SW1-8320.4 Source of  
Supply/power/pumping contr.  
\$142.79 from SW1-2148.6 Int. & pen. on water rents to SW1-8320.4 Source of  
Supply/power/pumping contr.  
\$150.13 from SW1-1950.4 Taxes on properties to SW1-8320.4 Source of  
Supply/power/pumping contractual  
\$1816.60 from SW1-8310.4 Water admin. Contr. to SW1-8320.4 Source of  
Supply/power/pumping contr.

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

\$226.10 from SW1-8330.4 Purification Contr. to SW1-8320.4 Source of Supply, power, pumping contractual  
\$500.00 from SW1-8340.4 Transmission & Distribution contr. to SW1-8320.4 Source of Supply/power/pump  
\$10.63 from SW1-9030.8 Social Security to SW1-8320.4 Source of Supply, power, pumping contractual  
\$2.58 from SW1-9030.81 Medicare to SW1-8320.4 Source of Supply, power, pumping contractual  
\$1006.86 from SW1-9730.6 BAN to SW1-8320.4 Source of Supply, power, pumping contractual  
\$750.00 from SW1-9730.7 Interest to SW1-8320.4 Source of Supply, power, pumping contractual  
\$2089.79 from SW1-599 Fund Balance to SW1-8320.4 Source of Supply, power, pumping contractual  
Ayes: (5) Becker, Armbrust, Kirsch, Fontaine, Meyer Nays: (0) Motion Carried.

**Bills**

A motion was made by Vince Kirsch and seconded by Mike Armbrust that the General Bills #1 to #25 for a Total of \$24,946.22, the Highway Bills #1 to #14 for a Total of \$8,218.00, the Trust & Agency Bills #1 to #2 for a Total of \$417.03 the Varysburg Water District Bills #1 to #6 for a Total of \$3,237.82 the Capital Project Bills #1 to #4 for a Total of \$40,430.21 and the Lighting District Bills for a Total of \$942.79 be paid.  
Ayes: (5) Becker, Armbrust, Kirsch, Fontaine, Meyer Nays: (0) Motion Carried.

**Re-Val/Town Assessor**

Councilman Fontaine addressed the Board regarding a reval for the Town. The Town Board would like the Assessor to start the revaluation in 2017. There was a short discussion of Town Assessor duties.

**Comments from the Floor**

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

**Varysburg Water Bills – C&G Trailer Park Concerns**

Joe Praller, owner of C&G Trailer Park, addressed the Board regarding his concerns with his recent tax bill for water charges. Mr. Praller was very concerned that he is now being billed the \$200 per year maintenance fee 23 times (per edu). Mr. Praller stated that he understands that he is billed the debt service payment per edu but he feels that he should not be paying the \$200 yearly maintenance fee per edu. He feels that he should only be billed the maintenance fee per 2 units.

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 2016**

**Varysburg Water Bills – Dave Thornton**

Mr. Dave Thornton was also in attendance to express similar concerns as Mr. Praller. Mr. Thornton owns four apartments and does not feel that the maintenance fee should be applied per unit.

**Emergency Meeting – Varysburg Water**

Attorney DiMatteo suggested that an emergency meeting be set up with Municipal Solutions, Chatfield Engineers, Attorney DiMatteo and Supervisor Becker to address the issues brought forth by Mr. Praller and Mr. Thornton.

**Court Security – District Attorney Days**

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the hiring of court security through the Wyoming County Sheriff's Office when the District Attorney is present at Sheldon Town Court, approximately six times a year.

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

**Metal Detector**

The Board asked the Town Clerk to contact the metal detector company and set up a time for its installation. Supervisor Becker asked to be notified of the date of install.

**Judge Kirsch – Compensation for Extra Duties**

Attorney DiMatteo distributed a resolution to the Board regarding a proposed local law to increase the Town Justice salary.

TOWN BOARD OF THE TOWN OF SHELDON DECLARING A PROPOSED LOCAL LAW ENTITLED "INCREASING TOWN JUSTICE SALARY UNTIL END OF 2016 OR UNTIL A NEW JUSTICE IS APPOINTED" SUBJECT TO PERMISSIVE REFERENDUM

Adopted: January 19, 2016

WHEREAS, the Town Board of the Town of Sheldon met at a regular meeting at the Town Offices of the Town of Sheldon at 1380 Centerline Road, Strykersville, New York on the 19<sup>th</sup> day of January 2016 commencing at 7:00 p.m. at which time and place the following members

were: Present: Supervisor Brian Becker

Councilperson Mike Armbrust

Councilperson Vince Kirsch

Councilperson Jim Fontaine

Councilperson Joe Meyer

**REGULAR MEETING  
& ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 19, 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, the Town Board of the Town Sheldon, pursuant to New York State Municipal Home Rule Law, §24(2)(h), New York State Town Law §27, and the Office of the State Comptroller, 27 Op. State Compt. 27, 1971, is authorized to, increase the salary of an elected official, upon the adoption of a resolution, which resolution shall be subject to a permissive referendum; and

WHEREAS, the Town Board of the Town of Sheldon has determined that due to an unexpected vacancy in the Town Court that the remaining Justice has had to assume the work load of both Justices beginning January 1, 2016; and

WHEREAS, the Town Board feels that the remaining Justice should be compensated for assuming the excess workload; and

WHEREAS, the Town Board feels it is in the best interest of the Town of Sheldon to increase Justice Laura Kirsch's salary by an additional \$9,834.50 to be divided equally by the number of pay periods remaining in the year 2016; and

WHEREAS, the Town Board feels it is in the best interest of the Town of Sheldon to pay Justice Laura Kirsch this increased salary until the end of the year 2016 or until a new justice is appointed, whichever occurs first; and

WHEREAS, the Town Board acknowledges that all future Justice Salaries shall be established by the Town budget as established in accordance with Town Law and Local Finance Law; and NOW ON MOTION OF Jim Fontaine which has been duly seconded by Mike Armbrust, now therefore

BE IT RESOLVED, that the Town Board of the Town of Sheldon hereby determines to enact a measure by Municipal Home Rule Law §24 (2) (h) to increase Justice Laura Kirsch's salary by an additional \$9,834.50 to be divided equally by the number of pay periods remaining in the year 2016, and paid out until the end of the year 2016 or until a new justice is appointed; and be it further

RESOLVED, that in accordance with the same, the Town Board of the Town of Sheldon hereby adopts the proposed local law entitled "Increasing Town Justice Salary until end of 2016 or until a new justice is appointed" pursuant to permissive referendum; and be it further

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
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RESOLVED, that the Clerk be and she hereby is directed to publish an abstract of this resolution concisely stating the purpose and effect thereof in the Town's official newspaper within ten (10) days after the date of the adoption; and be it further

RESOLVED, that said resolution shall not take effect until thirty (30) days after its adoption or until approved by the affirmative vote of a majority of the qualified electors of the Town of Sheldon.

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

**Enter into Executive Session**

At 9:00 p.m. a motion was made by Brian Becker and seconded by Joe Meyer to enter into Executive Session to discuss highway contract negotiations and the employment of a particular individual. Attorney DiMatteo was invited into the executive session. Councilman Fontaine did not enter the session and left the meeting at 9:00 p.m. The Town Clerk did not enter the session.

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

**Exit Executive Session**

At 10:15 p.m. a motion was made by Brian Becker and seconded by Mike Armbrust to exit Executive Session.

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

**Adjournment**

At 10:15 p.m. a motion was made by Brian Becker and seconded by Mike Armbrust to adjourn the January 19, 2016 meeting of the Sheldon Town Board.

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