

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

The Regular Meeting of the Sheldon Town Board held January 18, 2017 at the Sheldon Town Hall was called to order by Town Supervisor Brian Becker at 7:30 p.m.

Present: Supervisor Brian Becker  
Councilmen: Vince Kirsch, Joe Meyer, Mike Armbrust, Jim Fontaine  
Recording Secretary: Town Clerk Carol Zittel  
Also Present: Highway Supt. David Ricketson  
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 December 14, 2016 regular meeting be approved.

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

**Communications**

Town Clerk Carol Zittel reported on the following:

**#1      Distribution of Sample Energy Policy**

Town Planning Board member, Deborah Kirsch, asked the Town Clerk to distribute a sample energy policy for the Board's review. The Planning Board is interested in pursuing a NYSERDA grant for the Town. Adopting an energy policy is one element to the grant process. The Board will put the item on their February agenda.

**#2      Underwriting Survey from NYMIR**

An underwriter from NYMIR visited the Town Hall and performed an inspection. The underwriting report made four recommendations for the Town.

- Smoke detectors should be installed
- Facilities use agreement forms for groups using Town facilities
- Anti-Harassment & Anti-Discrimination policies should be posted
- Shut off engine sign at fuel storage & dispensing area of highway dept

NYMIR requests a response within 60 days.

**#3      Route 78 Pub Liquor License**

Notification was received from the Route 78 Pub that application has been made to the NYS Liquor Authority to renew their liquor license.

A motion was made by Mike Armbrust and seconded by Joe Meyer to accept without objection the notification of liquor license renewal for the Route 78 Pub in Strykersville.

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

**#4      New Cell Phone Number for Town Clerk**

The Town Clerk notified the Board of her new cell phone number: 716-598-0378.

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Reports**

Financial Reports were presented for the month of December 2016 from the Town Supervisor, Town Clerk and the Town Justices. The Town Supervisor's fund balance report was also distributed.

**Highway Superintendent's Report**

Superintendent of Highways, David Ricketson, reported on the following:

**Equipment Report**

The mild weather has been easy on the equipment. The 2006 Peterbilt, Jeff George's truck is at Maher's. It lost oil pressure so it was shut down and towed. It was the oil pressure sending unit. The truck also makes a hellacious sound/knock when it starts so while it is at Maher's it will be fixed.

**Salt Use**

The weather has made it easy on overtime but hard on the salt pile and the Hwy. Supt. who has been checking roads for icing around the clock.

**High Lift**

The high lift was bought in June 2014. The highway supt. has called for prices but has not received any responses. The lift only has 500 hours on it. If the dealer takes it back on trade, the trade is \$185,000.00. It has to be 900 hours or less to receive the \$185,000.00. The Supt. will continue to get prices. He recommends keeping the bucket and the tires because the department ordered different tires for it. The Supt. will report back next meeting with more information.

**Surplus Equipment**

A motion was made by Vince Kirsch and seconded by Joe Meyer to declare the following surplus equipment: four folding tables, two solid leg tables, three folding tin tables and six chairs.

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

**Supervisor's Report**

Supervisor Brian Becker reported the following.

**County Hospital**

The County has not yet received the \$20 million from NYS for the hospital.

**Acceptance of Reports**

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

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

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Old Business**

**Organizational Meeting**

A motion was made by Vince Kirsch and seconded by Joe Meyer to set the salaries for Town Officials both elected and appointed as stated in the 2017 Budget as adopted:

Town Board \$2,685.00 each, Supervisor \$7,500.00, Town Clerk \$18,224.00 (plus \$20/mt phone reimbursement), Supt. of Highways \$53,492.70 plus \$500 per year max copay reimbursement and max \$200 per year clothing & boot allowance, Justices (2) \$9,834.50 each, Tax Collector \$2,950.00, 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, Elizabeth Foy as Second Deputy Town Clerk \$11.00/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 Mruczek 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, Chris Jones as Certified Water Operator, Part-time Laborer (wing person) NYS minimum wage (currently \$9.70), Joyce Griffen as cleaner \$10.00 per hour, Youth Director \$1,393.00 (Vacant) 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.

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 phone reimbursement for the highwaymen is \$10/month

The 2017 annual salary for cemetery maintenance is \$200.

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

**Trainings**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to authorize all appointed and elected officials to attend, at town expense, applicable trainings in 2017.

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

**Varysburg Water Advisory Board Motion not needed in 2017.**

The following were appointed to the Varysburg Water Advisory Board in January 2016 for two-year terms. 1/1/2016-12/31/2017: Wayne Durfee, Scott Almeter, Ronald Wert, Howard Petrie, Jeff Rogacki

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Deputy Supervisor and Deputy Superintendent**

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

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

**Depository Banks**

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

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

**2017 Mileage Rate**

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the Rate of mileage for town business for 2017 be set at .535 cents per mile.

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

**Attorney for Town**

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

**Board Appointments**

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

Zoning Board of Appeals: Ken Beglinger – 5 year term 1/01/17-12/31/2021

Youth Recreation Board: Missy Kehl - 5 year term 01/01/17-12/31/2021

Planning Board: Don Pawlak – 5 year term 1/01/17-12/31/2021

Planning Board: The Board will continue to look for an alternate

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

**2017 Board Meeting Schedule**

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Regular Board Meeting be the third Wednesday of the month at 7:30 p.m. at the Sheldon Town Hall except for the August meeting which will be held at the Sheldon Historical Society on the fourth Wednesday of the month August 23, 2017.

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

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Highway Expenditures**

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the Highway Superintendent be allowed to spend an amount not exceeding \$3,000.00 on the repair and maintenance of an individual piece of inventoried town equipment, without the Boards prior approval.

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

**Highway Expenditures**

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

**Procurement Policy**

A motion was made by Mike Armbrust and seconded by Joe Meyer that the Town Board adopt the same Procurement Policy as was used in 2016 for the year 2017.

**Investment Policy**

A motion was made by Mike Armbrust and seconded by Joe Meyer that the Town Board adopt the same Investment Policy that was used in 2016 for the year 2017.

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

**Fund Balance Policy**

A motion was made by Mike Armbrust and seconded by Joe Meyer that the Town Board adopt the same Fund Balance Policy that was used in 2016 for the year 2017.

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

**Town Policies**

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

**Scrap Metal Policy**

A motion was made by Mike Armbrust and seconded by Joe Meyer to adopt the scrap metal policy that was first adopted March 2011.

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

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Hall Use Agreement**

A motion was made by Mike Armbrust and seconded by Vince Kirsch to adopt the town hall use agreement as presented on January 18, 2017.

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

**Travel & Training Policy**

A motion was made by Mike Armbrust and seconded by Vince Kirsch to adopt the travel and training policy as presented on January 18, 2017.

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

**Official Newspaper**

A motion was made by Mike Armbrust and seconded by Joe Meyer to designate the Arcade Herald and the Batavia Daily as the Official Newspaper for 2017 and to place ads on Thursday's only in the Batavia Daily.

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

**Committee Appointments**

A motion was made by Jim Fontaine and seconded by Vince Kirsch 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

**Election Hall Rental/Location**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to table discussion of the election day location until next year.

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

**Varysburg Water – Gallivan Funding**

Paperwork for the funding obtained by Senator Gallivan has been submitted. Supervisor Becker completed the SEQR paperwork.

**Streicher Land Donation**

A motion was made by Jim Fontaine and seconded by Mike Armbrust to authorize the Town Supervisor to sign necessary paperwork to close on the property.

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

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Court Grant 2017**

The Town Supervisor asked the Town Building committee members, Vince Kirsch and Mike Armbrust to work with Justice Kirsch on putting together specifications for the Court grant funds awarded for court surveillance and security.

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

**Speed Limit Reduction Requests**

Supervisor Becker received a response from the NYS Dept. of Transportation regarding the Town's request to lower the speed limits on sections of Route 98 and Route 78. The Department determined that a reduction of the speed is not warranted at this time. The Department will install a Speed Zone Ahead Warning sign on southbound Route 98 in advance of the 40 mph speed limit.

Supervisor Becker suggested that the Town re-visit this issue in a couple of years, keeping on any accidents that occur on these sections of roads.

**New Business**

**Williamson Law Software – Tax Collector**

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize the Supervisor to sign the contract with Williamson Law Book Co. for tax collector software at a cost of \$370.00. (\$70 increase from last year)

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

**NYSDOT Measurements of Town Roads**

The NYS Dept. of Transportation sent the Highway Supt. an updated list of measurements of Town roads. The DOT explained that technological advancements in measurement techniques allowed them to give a more accurate reading. The measurements resulted in a difference of - 1.9miles.

There was discussion of whether the Town Board should dispute the new measurements.

A motion was made by Vince Kirsch and seconded by Joe Meyer to table discussion of the new road measurements.

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

**Town of Sheldon Highway Shared Services Agreement**

A motion was made by Jim Fontaine and seconded by Joe Meyer to re-new the Town of Sheldon Highway Shared Services Agreement for another five years.

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

**Extend Contracts with Suit-Kote and Midland Asphalt**

A motion was made by Joe Meyer and seconded by Mike Armbrust to extend the contracts with Suit-Kote and Midland Asphalt for liquid bituminous materials.

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

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Extend Fuel Contract**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to extend the fuel contract with Dave Reisdorf Inc. for an additional year.

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

**Public Hearing – Revision to Comprehensive Plan – Affordable Housing**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to schedule a public hearing on February 15, 2017 at 8:00 p.m. on the proposed revision to the Town Comprehensive Plan regarding affordable housing.

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

**Senior Citizen Groups**

A motion was made by Mike Armbrust and seconded by Vince Kirsch to authorize the Town Supervisor to set up a meeting with representatives from the two senior citizen groups in the Town to discuss accounting and paperwork requirements.

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

**Fund Transfer**

A motion was made by Mike Armbrust and seconded by Jim Fontaine to authorize the transfer of \$75,000.00 from General Money Market A9901.9 to Highway Money Market DA5031 for November 2016 bills and payrolls.

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

**Budget Transfers**

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the transfer of \$162.55 from DA5112.1 Permanent Improvements P/S to DA5110.1 General Repairs P/S and \$830.58 from DA5130.4 Machinery Contractual to DA5142.4 Snow Removal Contractual

Ayes: (5) Becker, Kirsch, Fontaine, 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 Vince Kirsch and seconded by Mike Armbrust that the

General Bills #382 to #385 for a Total of \$1,076.12, the

Trust & Agency Bills #54 for a Total of \$148.30

General Bills #1 to #22 for a Total of \$26,331.60, the

Highway Bills #1 to #14 for a Total of \$29,503.61, the

Trust & Agency Bills #1 to #3 for a Total of \$499.00, the

Varysburg Water District Bills #1 to #3 for a Total of \$537.37 and the

Lighting District Bills for a Total of \$896.16 be paid.

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

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
JANUARY 18, 2017**

**Comments from the Floor**

**Wind Turbine Revenue**

Supervisor Becker addressed misinformation spreading in the Town regarding the wind turbine revenue. In 2016 the Town started to levy a Town tax, after eight years of no Town taxes, to compensate for the increase in Town budget items. The wind revenue, while increasing slightly each year, did not keep up with the increases in Town overhead, such as payroll, road materials, equipment, etc. . . Supervisor Becker asked that we do our best to explain the facts to Town residents who have questions.

**Adjournment**

A motion was made by Vince Kirsch and seconded by Joe Meyer to adjourn the January 18, 2017 meeting of the Sheldon Town Board.

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