

**REGULAR & ORGANIZATIONAL MEETING
SHELDON TOWN BOARD
JANUARY 17, 2018**

The Regular Meeting of the Sheldon Town Board held January 17, 2018 at the Sheldon Town Hall was called to order by Town Supervisor Brian Becker at 7:30 p.m.

Present: Supervisor Brian Becker
Councilmen: Mike Armbrust, Jim Fontaine, Vince Kirsch, Joe Meyer
Recording Secretary: Town Clerk Carol Zittel
Also Present: Hwy. Supt. David Ricketson

Minutes

A motion was made by Vince Kirsch and seconded by Joe Meyer that the minutes from the December 12, 2017 regular meeting be approved.

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

Communications

Town Clerk, Carol Zittel reported on the following:

#1 Change in December General Abstracts

Voucher #360 from the December general abstracts was reduced by \$18.98.

#2 Senior Group Financial Reports

The Strykersville and Tri-Town Senior groups submitted their financial reports for 2017. A copy has been filed with the Town Bookkeeper.

#3 Games of Chance Quarterly Report – Strykersville Legion

The Strykersville Legion submitted their quarterly financial report for bell jar operations.

#4 Association of Towns Conference

The Town Clerk announced the dates of the NYS Association of Towns Conference in New York City in February. The Town will not be sending a representative.

Reports

Financial Reports were presented for the month of December 2017 from the Town Supervisor, Town Clerk and the Town Justices.

Highway Superintendent's Report

Highway Supt. Ricketson reported on the following:

2006 Peterbilt

The 2006 Peterbilt has not been listed on the Teitsworth auction site yet because the 2009 Peterbilt was having a low voltage problem. The department wanted to keep the 2006 until the 2009 is fixed.

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New Pickup Truck

The Highway Superintendent's new pickup truck has arrived.

Plowing & Sanding

The salt and sand pile has been hit harder than it has in the past two years but it is on par for a normal winter.

Equipment Report

Excluding the 2009 Peterbilt that was discussed earlier, all equipment is working well.

Sale of Old Pickup Truck

A motion was made by Jim Fontaine and seconded by Mike Armbrust to declare the 2016 Chevrolet Silverado pickup truck as surplus equipment and to authorize the Highway Superintendent to advertise the truck for sale on an online auction site with a due date prior to the February 21, 2018 meeting.

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

The Board would like the pickup truck on the front lawn of the Town hall with a sign that says to visit the auction site for information. The Town paid \$28,522.00 for the 2016 pickup truck. The 2018 was \$29,373.24. The cost difference to upgrade was \$861.24.

Supervisor's Report

Supervisor Becker reported on the following:

Certificates of Deposit

Supervisor Becker has only received one quote on CD rates – still waiting to receive quotes from two other banks.

Money Received from County Treasurer

The Town received a report from County Treasurer, Cheryl Mayer, detailing the payments sent to the Town for 2017. In total the Town received \$142,928.98 from Wyoming County for mortgage tax payments and County snow removal.

Acceptance of Reports

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

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

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Old Business

2018 Organizational Meeting

Salaries

A motion was made by Mike Armbrust and seconded by Joe Meyer to set the salaries for Town Officials both elected and appointed as stated in the 2018 Budget as adopted:

- Town Board -----\$2,685.00 each
- Supervisor -----\$7,500.00
- Town Clerk -----\$18,649.00 (plus \$20/mt phone reimbursement)
- Supt. Of Highways ----- \$54,561.84 plus \$500 per year max co-pay reimbursement and max \$200 per year clothing & boot allowance
- Justices (2) ----- \$10,031.19 each
- Tax Collector -----\$3,009.00
- Carol Zittel as Registrar of Vital Statistics \$325
- Carol Zittel as Marriage Officer (no salary)
- Carol Zittel as Records Management Officer (no salary)
- Gertrude Hyman as Deputy Town Clerk & Deputy Registrar \$12.50/hr
- Whitney Kehl as Second Deputy Town Clerk \$12.00/hr
- Katie Chmura as Bookkeeper \$21,251.00
- Barb Durfee as Town Historian \$824.00
- Laurie Dillon as Court Clerk \$22,506.00
- Wyoming County Fire & Building Codes as Zoning Officer
- 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 \$10.40 per hour
- Vacant as Certified Water Operator
- Part-time Laborer (wing person) NYS minimum wage (currently \$10.40 as of 12/31/17)
- Joyce Griffen as cleaner \$11.00 per hour
 - Whitney Kehl as Youth Director \$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 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 phone reimbursement for the highwaymen is \$10/month

The 2018 annual payment for cemetery maintenance is \$200.

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

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Trainings

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 2018.

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

Water District Advisory Board

A motion was made by Joe Meyer and seconded by Jim Fontaine to appoint the following people to the Varysburg Water District Board for 2 year terms 1/1/2018-12/31/2019:

Wayne Durfee
Scott Almeter
Ronald Wert
Dave Thornton
Jeff Rogacki

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

Deputy Supervisor & Deputy Highway 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: (5) Becker, Fontaine, Armbrust, Kirsch, Meyer Nays: (0) Motion Carried.

Depository Banks

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

Mileage Rate

A motion was made by Joe Meyer and seconded by Mike Armbrust that the rate for mileage reimbursement for town business for 2018 be set at .545 cents per mile.

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

Town Attorney

A motion was made by Vince Kirsch and seconded by Mike Armbrust to appoint David DiMatteo and his law office as the Town Attorney on an as needed basis, and to pay an hourly rate of \$140.00.

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

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Town Boards

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

Zoning Board of Appeals: Mike Pfohl – 5 year term 1/01/18-12/31/2022

Youth Recreation Board: Janet Bonner - 5 year term 01/01/18-12/31/2022

Planning Board: Mary Kehl – 5 year term 1/01/18-12/31/2022

Planning Board: Kathy Roberts – 5 year term 1/01/18-12/31/2022

Board Meetings

A motion was made by Mike Armbrust and seconded by Joe Meyer that the Regular Board Meeting be the third Wednesday of the month at 7:30 PM at the Sheldon Town Hall Except for the following: the June meeting will be held at the Vincent Almeter Memorial Park in Varysburg on June 20, 2018 at 7:00 p.m., the August meeting will be held at the Sheldon Historical Society on August 22, 2018 at 7:30 p.m., the November meeting will be held on November 28, 2018 at 7:30 p.m. at the Sheldon town hall.

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

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 Town Board prior approval.

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

Highway Expenditures

A motion was made by Mike Armbrust 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 \$1,999.00 per purchase. Any purchase of an individual piece of equipment in excess of \$2,000.00 shall be deemed a capital purchase, all of which shall be subject to Town Board approval.

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

Procurement Policy

A motion was made by Jim Fontaine and seconded by Mike Armbrust that the Town Board adopt the same Procurement Policy as was used in 2017 for the year 2018.

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

Investment Policy

A motion was made by Jim Fontaine and seconded by Mike Armbrust that the Town Board adopt the same Investment Policy that was used in 2017 for the year 2018.

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

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Fund Balance Policy – this resolution was tabled until a new policy can be written

A motion was made by _____ n/a _____ and seconded by _____ n/a _____ that the Town Board adopt the same Fund Balance Policy that was used in 2017 for the year 2018.

Town Policies

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

Scrap Metal Policy

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

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

Town Hall Use Agreement

A motion was made by Jim Fontaine and seconded by Joe Meyer to adopt the town hall use agreement that was first adopted on January 18, 2017.

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

Travel & Training Policy

A motion was made by Jim Fontaine and seconded by Joe Meyer to adopt the travel and training policy that was first adopted on January 18, 2017.

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

Official Newspaper

A motion was made by Jim Fontaine and seconded by Joe Meyer to designate the Batavia Daily as the Official Newspaper for 2018.

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

Board Committees

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

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Varysburg Water District

The Town will not be able to piggyback off of the Erie County bid for the purchase of water meters. There is a clause in Erie County's contract forbidding sale to other municipalities. Steve Perkins, Director at the Wyoming County Health Department has offered to help the Town write a bid for water meters. The Town would like to have the meters installed by end of June 2018. The install of the new meters will decrease the workload for our current meter reader Wayne Durfee. The Town will re-examine the water meter reader position and salary once the meters are installed.

Supervisor Becker will organize a date to meet with the Varysburg Water District Advisory Board to review 2018 water district plans.

Time Warner/Spectrum Contract Renewal

A motion was made by Jim Fontaine and seconded by Mike Armbrust to schedule a public hearing on February 21, 2018 at 8:00 p.m. to discuss the proposed contract renewal with Time Warner/Spectrum Cable.

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

Open Public Hearing – Local Law 1 -2018 Cold War Veteran's Exemption

At 8:05 p.m. a motion was made by Joe Meyer and seconded by Vince Kirsch to open the public hearing on proposed Local Law 1-2018 entitled Cold War Veteran's exemption.

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

New Business

Public Hearing – Proposed Local Law 2-2018 – Energy System Exemptions

A motion was made by Vince Kirsch and seconded by Mike Armbrust to schedule a public hearing on February 21, 2018 at 8:15 p.m. on a proposed local law to opt out of energy system tax exemptions.

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

Liquid Bituminous Purchases

Highway Superintendent Ricketson informed the Board that the Town no longer needs to bid for liquid bituminous materials. The Town will now piggyback off of Wyoming County's bid for the purchase of such materials.

Fuel Purchases – Extend Contract with Reisdorf Inc.

A motion was made by Jim Fontaine and seconded by Joe Meyer to extend the contract with Dave Reisdorf Inc. for an additional year.

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

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Senior Groups Invite to Board Meeting

A motion was made by Mike Armbrust and seconded by Joe Meyer to schedule a meeting with the Town senior group representatives at the March regular board meeting on March 21, 2018.

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

Budget Transfer

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the transfer of \$100,000.00 from General Money Market A1083 to Highway Money Market DA1083 for January 2018 bills and payrolls.

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

Amend 2018 Budget Line

A motion was made by Mike Armbrust and seconded by Vince Kirsch to amend the 2018 budget by increasing A9060.8 Hospital and Medical Insurance line by \$200.00 with a transfer of money from A1640.4 Central Garage in order to account for the reimbursement to the Highway Superintendent for co-pays as stated in the organizational meeting minutes from earlier tonight.

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

Correction to Budget Transfers from December 2017

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize the correction to the budget transfers from the December 2017 meeting as follows:

Transfer \$556.21 from A7510.4 Historian Contractual to A7510.2 Historian Equipment

Transfer \$467.88 from A1640.4 Central Garage to A8010.4 Zoning Contractual

Ayes: (5) Becker, Fontaine, Armbrust, Kirsch, Meyer 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 Jim Fontaine that the

General Bills #1 to #22 for a Total of \$22,431.87, the

Highway Bills #1 to #14 for a Total of \$59,496.73, the

Trust & Agency Bills #1 to #4 for a Total of \$532.97, the

Varysburg Water District Bills #1 to #4 for a Total of \$3,242.61 and the

Lighting District Bills for a Total of \$922.95 be paid.

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

Close Public Hearing – Local Law 1-2018

At 8:35 p.m. a motion was made by Vince Kirsch and seconded by Joe Meyer to close the public hearing on proposed Local Law 1-2018.

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

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Adoption of Local Law 1-2018 – Amends the Cold War Veteran Real Property Tax Exemption

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 of Sheldon has drafted a local law that would revoke the ten year limitation on Real Property Tax Law exemptions for Cold War Veterans; and

WHEREAS, the purpose of the local law is to remove the ten year limitation on real property tax exemptions for Cold War Veterans; and

WHEREAS, a Notice of Public Hearing was duly published in the Town’s official newspaper and said public hearing was opened on January 17, 2018 at which time all parties in attendance were provided an opportunity to speak or provided written comment in favor of or in opposition to the proposed local law; and

WHEREAS, the Town Board of the Town of Sheldon feels it is in the best interest of the Town of Sheldon to adopt said law.

NOW ON MOTION OF Mike Armbrust, which has been duly seconded by Joe Meyer, therefore, be it

RESOLVED, that the Town Board of the Town of Sheldon feels it is in the best interests of the Town of Sheldon to adopt Local Law No. 1 of 2018 entitled, “Amendment to Real Property Tax Exemptions for Cold War Veterans;” and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

Roll call vote: Ayes: Meyer, Armbrust, Fontaine, Kirsch, Becker

Nays: none

Abstain: none

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

Comments from the Floor

At 8:40 p.m. Supervisor Becker opened the floor to comments. The Town Clerk commended Whitney Kehl for her great effort and success in organizing youth recreation events in 2017. Whitney gave a brief presentation on the various events she organized in the past year. The Board thanked her for her efforts.

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Salt Building

The Board noted that there is now a capital fund in place for the replacement of the salt building slated for 2019. Councilman Kirsch asked the Highway Superintendent to obtain some measurements for a proposed size. Highway Supt. Ricketson responded that he hopes to have the new building hold approximately 4-5,000 ton. It currently holds 2,500 ton.

Adjournment

At 8:50 p.m. a motion was made by Vince Kirsch and seconded by Mike Armbrust to adjourn the January 17, 2018 meeting of the Sheldon Town Board.

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