

**REGULAR MEETING  
& Organizational Meeting  
SHELDON TOWN BOARD  
January 16, 2019**

The Regular Meeting of the Sheldon Town Board held January 16, 2019 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, Mike Armbrust, Joe Meyer, Jim Fontaine  
Recording Secretary: Town Clerk Carol Zittel  
Also present: David Ricketson, Highway Superintendent  
A signed list of all present is on file in the Town Clerk's office.

**Minutes**

A motion was made by Vince Kirsch and seconded by Joe Meyer that the minutes from the December 19, 2018 regular meeting be approved.

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

**Communications**

The Town Clerk, Carol Zittel, reported on the following:

**#1    Route 78 Pub Liquor License Renewal**

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

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

**#2    Harris Corners List of Officers and Financial Report**

Harris Corners submitted their list of 2019 officers and a 2018 financial report.

**#3    Tri-Town Seniors Report**

The Tri-Town Seniors sent a letter reporting on their 2018 activities.

**#4    Invenergy Emergency Hotline Call Report**

Mary Kehl submitted a hotline call report via email. The report showed only two calls from the same household in 2018.

**Reports**

Financial Reports were presented for the month of December 2018 from the Town Supervisor, Town Clerk and the Town Justices. The Town Clerk also distributed an annual report. The Town Supervisor distributed a cash flow report and payroll reports. A fund balance report through December 31, 2018 was also distributed.

**Highway Superintendent's Report**

Highway Superintendent David Ricketson reported on the following:

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**Equipment**

Only minor repairs – everything fixed in-house.

**Salt & Sand**

Heavy use of salt and sand. Dept. is 500 ton above where we usually are at this time of year.

**Install of 240 amp Plugs in Garage**

A motion was made by Jim Fontaine and seconded by Mike Armbrust to authorize the Highway Superintendent to purchase the installation of two 240amp welder plugs in the highway garage at a cost of \$515.43 per quote received from Strykersville Plumbing, Heating & Electric.

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

**Skid Steer**

The Town received a quote of \$39,371.12 for a 320G John Deere Skid Steer. The quote is statebid pricing and is good for 30 days.

A motion was made by Jim Fontaine and seconded by Joe Meyer to table discussion on the purchase of a new skid steer until next month.

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

**Supervisor's Report**

Supervisor Becker reported on the following:

**Liberty Medal Awarded**

Wyoming County awarded the Liberty Medal Award to the paper deliveryman who helped Sheriff Rudolph when he was attacked on the road. It is the highest medal in the state.

**Acceptance of Reports**

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

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

**Old Business**

**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 2019 Budget as adopted:

Town Board \$2,685.00 each, Supervisor \$7,500.00, Town Clerk \$19,263.00 (includes \$20/mt phone reimbursement), Supt. Of Highways \$56,198.70 plus \$700 per year max copay reimbursement and max \$200 per year clothing & boot allowance, Justices (2) \$10,231.50 each,

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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), Donna Almeter as Deputy Town Clerk & Deputy Registrar \$12.50/hr, Whitney Kehl as Second Deputy Town Clerk \$12.50/hr, Katie Chmura as Bookkeeper \$21,676.00, Vacant - TBD as Town Historian \$824.00, Donna Almeter as Court Clerk \$22,956.00, Wyoming County as Zoning Officer, Carolyn Mruczek as Dog Enumerator (\$1.50 per dog, plus mileage), Janet Bonner as Water Rents Receiver \$1,200, AJ Dyrbala as Certified Water Operator \$2,745 Water District Exceptional Duties \$15.00 per hour, Part-time Laborer (wing person) NYS minimum wage (currently \$11.10), Joyce Griffen as cleaner \$12.00 per hour, Whitney Kehl as Youth Director \$1,425.00, 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.

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 2019 annual salary for cemetery maintenance is \$200.

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

**Trainings**

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize all appointed and elected officials to attend, at town expense, applicable trainings in 2019.

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

**Water District Advisory Board**

No motion needed in 2019. Terms of office are good through 12/31/2019.

**Deputy Supervisor & Deputy Highway Superintendent**

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

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

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**Depository Banks**

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

**2019 Mileage Rate**

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Rate of mileage for town business for 2019 be set at .58 cents per mile.

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

**Town Attorney**

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

**Town Boards**

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: Barb Logel – 5 year term 1/01/19-12/31/2023

Recreation Board: Kris Schiltz - 5 year term 01/01/19-12/31/2023

Planning Board: Wayne Abbott – 5 year term 1/01/19-12/31/2023

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

**Board Meetings**

A motion was made by Vince Kirsch and seconded by Jim Fontaine 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 19, 2019 at 7:00 p.m. and the August meeting will be held at the Sheldon Historical Society on August 21, 2019 at 7:30 p.m.

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

**Highway Expenditures**

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the Highway Supt. is authorized to purchase, without the Town Boards prior approval, small tools in an amount not to

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

**Procurement Policy**

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the Town Board adopt the same Procurement Policy as was used in 2018 for the year 2019.

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

**Investment Policy**

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the Town Board adopt the same Investment Policy that was used in 2018 for the year 2019.

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

**Fund Balance Policy**

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the Town Board adopt the same Fund Balance Policy that was used in 2018 for the year 2019. First adopted September 19, 2018.

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

**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, workplace violence policies that were adopted in March 2014 and the sexual harassment policy (adopted 2018).

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

**Scrap Metal Policy**

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

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**Travel & Training Policy**

A motion was made by Vince Kirsch and seconded by Jim Fontaine 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 Vince Kirsch and seconded by Jim Fontaine to designate the Batavia Daily as the Official Newspaper for 2019.

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

**Board Committees**

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

**Garden Property in Strykersville – Main Street Garden**

Nothing new to report.

**Varysburg Water**

Supervisor Becker reported on the following: Janet Bonner, Carol Zittel and Brian Becker met with Steve Perkins to review the billing spreadsheet, bill samples and the new billing system.

The new postcards utilizing the new system have been utilized for January billing. The school and fire department have had the new meters installed. There has been a problem installing the new meter at the C&G. Councilman Kirsch asked if the Board can receive a report of water billed vs. water pumped for the next meeting.

**Salt Building Specifications**

Councilman Kirsch asked the Town Clerk to send the DASNY grant application to his attention via email. The board would like the specifications ready to publish for March with a bid opening date of April.

**Firefighter Cancer Coverage**

The fire companies will pay for the coverage out of their reserve funds. When contracts are renewed the companies can request additional funding to cover their costs.

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**Cemeteries**

Councilman Meyer has spoken to Karen DeYoung from the NYS Division of Cemeteries regarding the Strykersville Cemetery. The next step is for an advertisement to be run in the local newspapers inviting people who would be interested in serving on the Strykersville cemetery association. Councilman Meyer reported that 90% of funds bequeathed to a cemetery association can be used for maintenance and 10% must be maintained. Councilman Meyer also reported that cemeteries are mandated to mow the lawn three times per year. Councilman Armbrust will email the Town Clerk a list of questions he would like answered by the Division of Cemeteries. The Town Clerk will forward the questions on to Karen DeYoung.

**Sexual Harassment Policy – Investigation & Reporting**

A motion was made by Vince Kirsch and seconded by Jim Fontaine to authorize the Town Supervisor to pursue a shared services policy with Wyoming County Human Resources to have them serve as investigators for any sexual harassment reporting.

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

**New Business**

**Fund Transfer**

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

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

**Fund Transfers**

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the transfer of \$909.23 SW1.1001.1 Real Property Tax Roll – Maint. to SW1-8310.4 Water Admin P/S and \$171.34 SW1.1001.1 Real Property Tax Roll – Maint. to SW1-8310.4 Water Admin Contr.

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

**Standard Work Day & Reporting Resolution – Whitney Kehl and Anthony Dyrbala**

A motion was made by Jim Fontaine and seconded by Joe Meyer to approve the following resolution:

BE IT RESOLVED, that the Town of Sheldon hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Water System Operator, Anthony Dyrbala, Term 01/01/19-12/31/19 – record of activities 2.81

Recreation Supervisor, Whitney Kehl, Term 01/01/19-12/31/19 – record of activities 1.70

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

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**Certificates of Deposit**

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the Town Supervisor to invest Town funds in the amount of \$500,000.00 in a 3-month CD and \$200,000.00 in a 1-month CD with the financial institution providing the best interest rate.  
Ayes: (5) Becker, Fontaine, Armbrust, Kirsch, Meyer    Nays: (0)    Motion Carried.

**Fuel Bids**

A motion was made by Joe Meyer and seconded by Vince Kirsch to advertise for fuel bids with a bid opening date of February 20, 2019.  
Ayes: (5) Becker, Fontaine, Armbrust, Kirsch, Meyer    Nays: (0)    Motion Carried.

**Sanding of St. Joe's Parking Lot – 1/17/19**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to authorize the Town Highway Superintendent to spread sand at the St. Joe's parking lot, if needed, for a funeral service scheduled on January 17, 2019.  
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 Mike Armbrust and seconded by Jim Fontaine that the General Bills #1 to #21 for a Total of \$30,243.69, the Highway Bills #1 to #17 for a Total of \$52,680.66, the Trust & Agency Bills #1 to #3 for a Total of \$521.28, the Varysburg Water District Bills #1 to #6 for a Total of \$1,115.62 and the Lighting District Bills for a Total of \$964.88 be paid.  
Ayes: (5) Becker, Fontaine, Armbrust, Kirsch, Meyer    Nays: (0)    Motion Carried.

**Attorney Letter to Barb Durfee**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to request that Attorney David DiMatteo send a letter to Barb Durfee requesting that all Town materials and supplies be returned to the Town by a date to be determined by the Town Supervisor. Supervisor Becker stated that he will reach out to Attorney DiMatteo.  
Ayes: (5) Becker, Kirsch, Armbrust, Meyer, Fontaine    Nays: (0)    Motion Carried.

**Comments from the Floor**

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

**Adjournment**

At 8:45 p.m. a motion was made by Vince Kirsch and seconded by Mike Armbrust to adjourn the January 16, 2019 meeting of the Sheldon Town Board.  
Ayes: (5) Becker, Kirsch, Armbrust, Meyer, Fontaine    Nays: (0)    Motion Carried.

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