

**REGULAR MEETING
SHELDON TOWN BOARD
July 15, 2014**

The Regular Meeting of the Sheldon Town Board held July 15, 2014 at the Sheldon Town Hall, was called to order by Town Supervisor John Knab at 7:00 p.m.

Present: Supervisor John Knab
Councilmen: Vince Kirsch, Brian Becker, Mike Armbrust, Jim Fontaine
Recording Secretary: Town Clerk Carol Zittel
Highway Superintendent David Ricketson
Attorney David DiMatteo arrived at 7:30 p.m.

Also Present: Arcade Herald reporter Brianna Naughton, Zoning Officer Ken Martin, Zoning Board of Appeals Chairman George Knab. A signed list of all present is on file in the Town Clerk's Office.

Minutes

A motion was made by Jim Fontaine and seconded by Mike Armbrust that the minutes from the June 15, 2014 regular meeting and the two July 1, 2014 special meetings be approved.

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

Communications

The Town Clerk reported on the following:

#35 Lifeguard Pay

A motion was made by Vince Kirsch and seconded by Jim Fontaine to authorize the prepayment of the wages owed to the Town lifeguards.

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

#36 Buffalo Zoo Field Trip

A motion was made by Mike Armbrust and seconded by Brian Becker to authorize the use of the Town credit card by Lydia Kehl, Summer Youth Recreation Director, to purchase Buffalo Zoo tickets for the Town field trip on August 2, 2014.

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

#37 Town Movie Night

A motion was made by Jim Fontaine and seconded by Mike Armbrust to authorize the Town Clerk to use the Town credit card to purchase the movie license in the amount of \$250 for Town movie night.

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

#38 Planning & Zoning Schools

A motion was made by Brian Becker and seconded by Vince Kirsch to authorize planning and zoning board members to attend training in Batavia on August 8, 2014.

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

Reports

Financial Reports were presented for the month of June 2014 from the Town Supervisor, Town Clerk and the Town Justices.

Highway Superintendent's Report

Highway Superintendent Ricketson reported on the following:

Humphrey Rd. Paving

The paving of Humphrey Rd. is complete. The Dept. paved from the Wayne George residence to Route 20A. Councilman Armbrust asked the Highway Supt. what other Highway Depts. helped with the paving of Humphrey Rd. Hwy. Supt. Ricketson responded that Bennington, Java, Gainesville, Wethersfield, Warsaw and Wales assisted.

Pipe on Centerline

The Dept. installed 540 ft. of pipe on Centerline Rd. in front of the Perl farm property.

Equipment

No major breakdowns to report.

Supervisor Report – Supervisor John Knab reported on the following:

Dedication Wyoming County Veterans Memorial Highway

Supervisor Knab reported that Senator Gallivan sponsored a bill extending the portion of Route 20A known as Wyoming County Veterans Memorial Highway.

County Road Projects

Supervisor Knab reported that the following Wyoming County roads have been approved for projects in 2014/2015: Liberty St. in Warsaw, Exchange St. in Attica, Perry Rd. in Java and Sheldon.

Wyoming County Bills

County bills for the month of June were \$3,888,084.72.

Generator at Town Hall

The Town received two quotes on the generator. M&M Holland quoted \$2,800 to repair and Stitzman's gave a quote of \$4,500. Councilman Becker asked whether the Town Board should hold off on the town hall renovation and pursue a grant for a generator. Councilman Kirsch responded that he feels the Town should be able to submit the paperwork for the town hall renovation by the October 15th grant deadline. Hwy. Supt. Ricketson noted that other towns have had success purchasing from Army surplus. The Board asked the Hwy. Supt. to look into it. Councilman Kirsch asked to see the possible indoor location (upstairs in highway garage) for the generator to see if the floor is stable enough. Councilman Fontaine suggested a trailer generator and to look on Auctions International.

A motion was made by Brian Becker and seconded by Mike Armbrust to table generator discussion until the August board meeting.

Ayes: (5) Knab, Kirsch, Becker, Armbrust, Fontaine

Nays: (0) Motion Carried.

Streambank Revitalization Grant

The Parton and Maillet streambank revitalization project will be going to bid within the next 4-5 weeks. Supervisor Knab, Town Clerk Carol Zittel, Attorney DiMatteo and Greg McKurth, from Wyoming County Soil & Water were on a two hour conference call on July 11th with Homeland Security regarding the grant paperwork process. The Parton project is slated to cost \$69,250. The federal share will be \$51,938 with the remaining cost of \$17,312 the Town's responsibility. The Maillet project is slated to cost \$23,500. The federal contribution will be \$17,625 leaving the remaining \$5,875 as the Town's responsibility. Supervisor Knab reported that he hopes to utilize the Town highway dept. for hauling gravel.

Town of Attica Supervisor

Supervisor Knab informed the Board of the sudden passing of Supervisor Mike Smart from Attica. Brian Kehl has been appointed as the new Supervisor of Attica.

Acceptance of Reports

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

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

Old Business

Town Hall Remodel

The Town Board received proposals from two architects; Heather Nemecek and Ed Smart. A motion was made by Vince Kirsch and seconded by Mike Armbrust to award the first phase of town hall renovations to architect, Heather Nemecek.

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

Open Public Hearing – Harris Corners Fire Contract

At 7:30 p.m. a motion was made by Vince Kirsch and seconded by Jim Fontaine to open the Harris Corners Fire contract public hearing.

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

Harris Corners Fire Contract

Supervisor Knab stated that there is a 3 parcel difference between the portion of Sheldon and Bennington covered by the Harris Corners Fire District. Chief of the Harris Corners Fire Company, Mark Keem, expressed his concerns that the emergency protocol regarding the wind turbines is not included in the contract. Attorney DiMatteo suggested that the fire company contact Wyoming County Emergency Services for the protocol. Mr. Keem requested that there be two contracts drawn up, one for the Strykersville Ambulance services and one for the fire protection services. Attorney DiMatteo will draw up the two separate contracts and distribute at the August meeting for the Board's review. Mr. Keem informed the Board that the fire company would be agreeable to a 3 year contract with a 2% increase each year.

Close Public Hearing – Harris Corners Fire Contract

A motion was made by Mike Armbrust and seconded by Jim Fontaine to close the Harris Corners Fire contract public hearing.

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

Varysburg Fire Company Contract

A motion was made by Jim Fontaine and seconded by Mike Armbrust to schedule the public hearing for the Varysburg Fire Contract on Monday, August 18, 2014 at 7:30 p.m. at the Varysburg Fire Hall.

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

New Business

Curbside Collection Contract

A motion was made by Brian Becker and seconded by Vince Kirsch to authorize Supervisor Knab to sign the Inter-municipal agreement for curbside collection (Waste Management) for a 2 year agreement at \$237.46 per year per household for 2015 and 2016.

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

Amend May 2014 Minutes

A motion was made by Brian Becker and seconded by Vince Kirsch to amend the May 2014 minutes to include the omitted resolution below authorizing the 3-year BAN to pay for the 2014 caterpillar 950-K loader in the amount of \$163,337.00.

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

Authorization BAN 2014 950-K Loader (also added to May 2014 minutes)

A motion was made by Jim Fontaine and seconded by Brian Becker to authorize the 3-year Bond Anticipation Note #2 of 2014 to pay for the 2014 caterpillar 950-K loader in the amount of \$163,337.00.

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

Snow Contract with Wyoming County Highway Dept.

A motion was made by Brian Becker and seconded by Mike Armbrust to authorize the snow contract with Wyoming County Highway for the 2015-2016 snow season.

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

Bond Resolution – 2015 Western Star Truck

A motion was made by Jim Fontaine and seconded by Mike Armbrust to authorize the 3-year Bond Anticipation Note #3 of 2014 for a total cost of \$223,282.00 to pay for the 2015 Western Star Truck and Valley Fab plow equipment.

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

Authorize Varysburg Water Project for Bid

A motion was made by Brian Becker and seconded by Vince Kirsch to authorize the Town of Sheldon Varysburg Water District Water System Improvements Project for Bid, once all permits, approvals and easements have been obtained, with a bid date to be established by Chatfield Engineers, P.C.

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

Town Assessor Retirement Record of Hours

The Town Assessor, Ken Pike, submitted his record of recorded hours for NYS Retirement but neglected to include the calendar breaking down the hours by calendar day.

A motion was made Mike Armbrust and seconded by Vince Kirsch to not approve Ken Pike's record of recorded hours until a calendar is submitted.

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

Fund Transfer

A motion was made by Jim Fontaine and seconded by Brian Becker to authorize the fund transfer of \$180,000.00 from General Money Market A9901.9 to Highway Money Market DA5031 for July bills and payroll.

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

Highway School

A motion was made by Mike Armbrust and seconded by Vince Kirsch to authorize the Highway Superintendent's attendance at highway school September 16-19, 2014 at Villa Roma Resort and Conference Center – Callicoon, NY.

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

Bills:

Supervisor Knab confirmed that the Board had a chance to review the bills. Councilman Fontaine asked the Hwy. Superintendent if he received a new cell phone to which the Supt. responded yes. Councilman Fontaine asked the Hwy. Supt. how many tons of stone were used on Humphrey Rd. regarding the County Line bill for \$187,000. Hwy. Supt. Ricketson responded that approximately 3,000 tons of stone were used on the project.

A motion was made by Mike Armbrust and seconded by Brian Becker that the
General Bills #212 to #245 for a Total of \$41,085.14, the
Highway Bills #129 to #143 for a Total of \$358,415.95, the
Trust & Agency Bills #28 to #32 for a Total of \$1,935.96 the
Varysburg Water District Bills #46 to #49 for a Total of \$1,021.35 the
Capital Project Bills #6 to #8 for a Total of \$9,332.40 and the
Lighting District Bills for a Total of \$673.54 be paid.

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

Comments from the Floor

Historian Report

Registered Town Historian, Barb Durfee, addressed the Board at their request. Ms. Durfee said that she backups her computer information to a Seagate hard drive. She has also purchased flash drives. She has been working at the Strykersville School House with Historical Society members. Ms. Durfee thanked the Board for the opportunity to attend the Historian Conference in Saratoga Springs. Councilman Kirsch stressed that it is important to have the backups in two different safe locations, one being the Town Clerk's office. Ms. Durfee stated that according to the State Historian she cannot just distribute her information for public distribution. Councilman Armbrust asked that the Board be given, on a quarterly basis, a copy of what she has saved on flash drives.

Flag at Corner Across the Street from the Town Hall

A resident asked if the Town should place a flag on the Town property diagonal from the Town hall. Since United States flags should be lit at night and there is no electric available at that corner, the Town will not place a flag at the corner.

Time Capsule

The Town placed a time capsule on the Town property diagonal from the Town hall in 1976 during the bicentennial celebration. Supervisor Knab asked the Town Clerk to look into when the capsule is supposed to be re-opened.

Streambank Revitalization Project – Town Permit Requirement

Attorney DiMatteo asked the Town Clerk to forward a copy of the letter signed by the Zoning Officer stating that no Town permit would be required for the streambank revitalization project.

Streambank Revitalization Project – Easements

Attorney DiMatteo will draw up the easement paperwork for the Parton and Maillet properties in regard to the streambank revitalization grant project.

Time Warner Cable/Comcast Purchase

Attorney DiMatteo informed the Board that due to the proposed purchase of Time Warner by Comcast that the Town could hire a law firm to research whether the Town is due any payments from Time Warner. Attorney DiMatteo asked the Town Clerk to check the date of expiration on the existing Time Warner contract and forward the information to his office.

Varysburg Water Project

Councilman Kirsch asked Attorney DiMatteo if Chatfield Engineers have their own inspectors and whether there is a way that they can document what they see. Attorney DiMatteo suggested that at bid opening the Board talk to JP Schepp from Chatfield regarding this concern.

Executive Session

At 8:40 p.m. a motion was made John Knab and seconded by Brian Becker to enter into Executive Session to discuss the employment performance of a Town employee. The Board asked Attorney DiMatteo, Town Clerk Zittel and Highway Supt. Ricketson to attend the session.
Ayes: (5) Knab, Kirsch, Becker, Armbrust, Fontaine Nays: (0) Motion Carried.

Exit Executive Session

At 9:25 p.m. at motion was made by Jim Fontaine and seconded by Vince Kirsch to exit from the Executive Session.
Ayes: (5) Knab, Kirsch, Becker, Armbrust, Fontaine Nays: (0) Motion Carried.

Adjournment

A motion was made by Jim Fontaine and seconded by Vince Kirsch to adjourn the July 15, 2014 meeting of the Sheldon Town Board.
Ayes: (5) Knab, Kirsch, Becker, Armbrust, Fontaine Nays: (0) Motion Carried.