

**REGULAR MEETING  
SHELDON TOWN BOARD  
July 28, 2015**

The Regular Meeting of the Sheldon Town Board held July 28, 2015 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, Joe Meyer  
Recording Secretary: Town Clerk Carol Zittel  
Highway Superintendent David Ricketson

Also Present: Heather Nemec, Architect; Arcade Herald Reporter, Brianna Naughton. A signed list of those present is on file in the Town Clerk's office.

**Minutes**

A motion was made by Mike Armbrust and seconded by Vince Kirsch that the minutes from the June 17, 2015 regular meeting; June 17, 2015 special meeting; June 25, 2015 special meeting; June 27, 2015 special meeting and the July 14, 2015 special meeting be approved.

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

**Communications**

The Town Clerk reported on the following:

**#23 North Java Fire Contract Public Hearing**

A motion was made by Joe Meyer and seconded by Mike Armbrust to schedule the public hearing for the North Java Fire Dept. public hearing for August 11, 2015 at 8:00 p.m. at the North Java Fire Hall.

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

**#24 Sheldon Fire Department Contract Public Hearing**

A motion was made by Joe Meyer and seconded by Mike Armbrust to schedule the public hearing for the Sheldon Fire Dept. public hearing for August 25, 2015 at 7:30 p.m. at the Sheldon Historical Society.

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

**#25 Harris Corners Fire Department – Letter to Liquor Authority**

The Town Clerk was contacted by the Harris Corners Fire Department. The NYS Liquor Authority requires a letter from the Town Board acknowledging that they are aware of the upcoming Harris Corners fundraising picnic on August 8<sup>th</sup>.

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the Town Clerk to send correspondence to the Harris Corners Fire Department acknowledging that the Harris Corners Fire Department will be holding an annual picnic on August 8, 2015 and that a

temporary permit to sell beer, wine, cider has been requested through the NYS Liquor Authority and that the Town of Sheldon has no objections to the issuance of the temporary liquor permit. Ayes: (5) Knab, Kirsch, Becker, Armbrust, Meyer Nays: (0) Motion Carried.

### **#26 GLOW Solid Waste Recycling Event**

The Town Clerk received notice that the GLOW Region Solid Waste Management Committee is hosting a household hazardous waste/pharmaceutical collection program on September 19<sup>th</sup> at Rock Glen in Wyoming County.

### **Reports**

Financial Reports were presented for the month of June 2015 from the Town Supervisor, Town Clerk and the Town Justices.

### **Highway Superintendent's Report**

Sheldon Highway Superintendent David Ricketson reported on the following:

#### **2002 Peterbilt Truck Sold**

The Town of Delaware had the highest bid on Auctions International at \$56,800. Highway Supt. Ricketson will send the Town of Delaware the title when payment is received.

### **Wyoming County Traffic & Safety Board**

The Wyoming County Traffic & Safety Board voted unanimously to approve the Town of Sheldon's requests from last month regarding speed limit changes on Route 78 and Route 98. Their recommendations will be sent to NYSDOT.

### **Varysburg Post Office – Parking Concerns**

Sharon Molik, Sheldon Town resident and employee of the Varysburg Post Office contacted the Highway Supt. regarding concerns with parking at the Varysburg Post Office. People are parking on the street in front of the building. The Town Board responded that this is a concern for the post office to handle and not something the Town has any jurisdiction over.

### **Highway Supt. Cell Phone**

The Highway Superintendent's cell phone stopped working. A new one was ordered at a cost of \$67.00.

### **Highway School**

A motion was made by Brian Becker and seconded by Joe Meyer to authorize the Highway Superintendent to attend the NYS Association of Highway Superintendent's Conference in Saratoga Springs, NY on September 15-18, 2015.

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

### **Generator & Lawn Mower – Listing on Auctions International**

The old generator and lawn mower need to be listed on Auctions International. Councilman Becker will write up the description on the generator and Highway Supt. Ricketson will get the items on the website.

### **Supervisor's Report**

Supervisor Knab reported on the following items:

#### **Varysburg Water Project – Purchase of Additional Hydrants**

Supervisor Knab reported that the extra money left over on the project will be used to purchase additional hydrants.

#### **Varysburg Water Project – Replacing Conduit**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize the Town Supervisor to obtain three quotes for the replacement of the meter socket, conduit, conductors and natural gas heater for the Varysburg Water District.

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

#### **Acceptance of Reports**

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

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

### **Old Business**

#### **Court Room/Town Hall Renovation**

The Board and Architect, Heather Nemeč discussed the Court Room/Office renovations. Ms. Nemeč recommended that the remaining project work (after the flooring and painting) be awarded to one general contractor. Councilman Kirsch recommended that some demolition work be handled by Aria Contractors while they were working on the asbestos removal.

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize Councilman Kirsch to contact Aria to get a price quote on demolition of the wall/door frame in the court room.

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

#### **Documents for General Contract Work**

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize Architect, Heather Nemeč, to prepare documents for the general contract work which will include the new court office and the renovation to the court room.

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

#### **Opening of Bids – Flooring**

A legal ad advertising for bids was published in the July 16, 2015 Arcade Herald.

Two bids were received:

Attica Furniture & Flooring, 703 Creek Rd., Attica, NY 14011 Bid Amount: \$5,375.65

Heritage Contract Flooring, 29 Depot St., Buffalo, NY 14206 Bid Amount: \$7,706.00

A motion was made by Brian Becker and seconded by Joe Meyer to award the bid for the flooring project to Attica Furniture & Flooring, 703 Creek Rd., Attica, NY 14011 with a bid amount: \$5,375.65.

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

### **Opening of Bids – Painting**

A legal ad advertising for bids was published in the July 16, 2015 Arcade Herald.

Two bids were received:

RW Painters Inc., 65 Mid County Dr., Orchard Park, NY 14127 Bid amount: \$7,500.00

E&M Star Painting, 3503 Genesee St., Cheektowaga, NY 14225 Bid amount: \$6,171.00

E&M Star Painting did not include a bid bond which was required per the specifications. The Town Board rejected the E&M bid.

A motion was made by Brian Becker and seconded by Joe Meyer to award the bid for the painting project to RW Painters Inc., 65 Mid County Dr., Orchard Park, NY 14127 with a bid amount: \$7,500.00

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

### **New Business**

#### **Change in Board Meeting Date – August**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to change the August board meeting date to be held at the Sheldon Historical Society from August 18, 2015 to August 25, 2015.

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

#### **Highway Men – Teamsters Contract**

A motion was made by Vince Kirsch and seconded by Mike Armbrust to meet with the Highwaymen and their Teamsters representative on August 19, 2015 at 6:00 p.m. at the Sheldon Town Hall for contract negotiations.

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

#### **Authorization to Purchase Metal Detector – Justice Court Grant**

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize the Town Clerk to order the Garrett PD65000i walk through metal detector NYS JCAP package from Promark International, 720 Montauk Hwy., Copiague, NY 11726 at the price of \$4,653.41 using the Justice Court Grant funds.

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

#### **Varysburg Water – Gasiewicz Property**

A motion was made by Brian Becker and seconded by Mike Armbrust to levy the following costs on to the Gasiewicz's tax bill:

- repair cost of water lines
- cost of new meter
- installation of new meter

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

#### **Use of Town Hall – Attica School Board**

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Attica School Board to use the Sheldon Town Hall for their February 25, 2015 meeting.

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

### **Youth Field Trips**

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize Claire Hardie, Sheldon Youth Director, to use the Town credit card to purchase Fantasy Island tickets and other field trip related items.

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

### **Budget Transfer**

A motion was made by Joe Meyer and seconded by Brian Becker to authorize the transfer of \$100,000.00 from General Money Market A9901.9 to Highway Money Market DA5031 for July 2015 bills and payrolls.

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

### **Appointment of Molly L. Bayliss Esq. – Town Prosecutor**

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 Law Office of David M. DiMatteo serves as Prosecutor for the Town of Sheldon, specifically Attorney David M. DiMatteo and Attorney David M. Roach; and

WHEREAS, the Law Office has added a new Attorney to their Staff, Molly L. Bayliss and the Town Board of the Town of Sheldon wishes to approve her appointment as Prosecutor also on behalf of the Law Office of David M. DiMatteo and the Town; and

WHEREAS, David M. DiMatteo has assured the Board that he is confident in the abilities and skills of Molly L. Bayliss to serve as Prosecutor on behalf of the Law Office of David M. DiMatteo and the Town; and

WHEREAS, that the Town Board of the Town of Sheldon feels it is in the best interests of the Town of Sheldon to approve the appointment of Molly L. Bayliss Esq. as prosecutor on behalf of the Law Office of David M. DiMatteo and the Town; and

NOW ON MOTION OF Mike Armbrust, which has been duly seconded by Joseph 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 approve the appointment of Molly L. Bayliss Esq. as prosecutor on behalf of the Law Office of David M. DiMatteo and the Town.

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

### **Bills**

Supervisor Knab 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 #209 to #255 for a Total of \$56,030.51, the

Highway Bills #120 to #135 for a Total of \$102,729.41, the

Trust & Agency Bills #27 to #33 for a Total of \$3,369.50 the

Varysburg Water District Bills #44 to #50 for a Total of \$2,272.60 the

Special Grant Fund #8 to #9 for a Total of \$2,843.46

Lighting District Bills for a Total of \$722.87 be paid.

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

**Comments from the Floor**

Supervisor Knab opened the floor to comments. There were no comments from the floor.

**Adjournment**

A motion was made by Brian Becker and seconded by Vince Kirsch to adjourn the July 28, 2015 meeting of the Sheldon Town Board.

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