

**REGULAR MEETING
SHELDON TOWN BOARD
June 17, 2020**

The Regular Meeting of the Sheldon Town Board held June 17, 2020 via Zoom teleconference was called to order by Town Supervisor Brian Becker at 7:30 p.m.

Present: Supervisor Brian Becker
Councilmen: Mike Armbrust, Joe Meyer, Vince Kirsch
Absent: Jim Fontaine
Recording Secretary: Town Clerk Carol Zittel
Also present: No others present

Minutes

A motion was made by Mike Armbrust and seconded by Brian Becker that the minutes from the May 20, 2020 regular meeting be approved.

Ayes: (3) Becker, Armbrust, Kirsch Nays: (0) Late to join video meeting (1) Meyer Absent: (1) Fontaine Motion Carried.

Communications

Town Clerk Office – Remote Hours

The Town Clerk has been working remotely since mid-March. Things are going well. The Town Hall phone has been forwarded to her cell phone so no calls are being missed. Licenses, notaries, marriage certificates and parking permits are all being processed via phone, email, text and appointments.

Reports

Financial reports were distributed via email prior to the meeting.

Highway Superintendent Report

The Highway Superintendent submitted a written report that was emailed prior to the meeting. Report below:

HIGHWAY SUPERINTENDENT REPORT 6-17-20

We have been working in conjunction with other local Towns paving and sealing roads.

We paved Bloecher Rd May 26, 27 & 28th. In order to accomplish this, we had help from Attica, East Aurora, Orangeville, Arcade, Bennington, Darien, Warsaw, Pike, Genesee Falls, Wethersfield, Java and Castile.

We have helped Arcade, Wethersfield, Java, and Castile paving and Oiling/Stoning in return for their help. We also have plans to help Warsaw, Pike and Bennington in the coming weeks. We will be working with Wyoming County milling the shoulders of Perry Rd. This work begins on Monday June 22nd for Perry Rd and also milling of East Arcade Rd on July 6th.

Wethersfield and Java helped us with our shoulders on Bloecher Rd Monday June 15th. Material came from Jim Davis pit in Eagle. Bloecher Rd is complete.

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I have all paperwork from the NY State for Chips reimbursement, But I am waiting for cancelled checks from County Line Stone and Reisdorf Bros Fuel in order to finish filling out the Chips paperwork.

Respectfully,
Dave Ricketson
Superintendent of Highways

Supervisor's Report

Supervisor Becker reported the following:

County Board of Supervisors

Business as usual at the County level. The County is requesting departments to submit budget cuts. All out of town meetings have been cancelled. Mileage reimbursement for the Chairman of the Board of Supervisors has been eliminated.

Acceptance of Reports

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

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

Open Public Hearing – Special Use Permit – Adam Rayner – Automotive Repair

At 7:45 p.m. a motion was made by Vince Kirsch and seconded by Mike Armbrust to open the public hearing on the special use permit application submitted by Adam Rayner to open an automotive repair shop at his residence at 763 Centerline Road, Strykersville.

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

Old Business:

Cancellation of 2020 Swim Program Due to COVID-19

A motion was made by Mike Armbrust and seconded by Joe Meyer to cancel the youth recreation program for 2020 and to leave the position of youth director as vacant until next year.

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

Schofield Deed Restriction

Supervisor Becker spoke with Attorney David DiMatteo prior to the meeting. The deed restriction paperwork has not yet been submitted. The second fine payment is due and expected on July 1st.

NYSEG LED Street Light Conversion

NYSEG has the Town scheduled for LED conversion. Signed paperwork will be submitted this week.

Solar Law

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Discussion on the solar law is tabled until next month.

Battery Storage Law

Discussion on the battery storage law is tabled until next month.

New Business:

Location of July and August Board Meetings

The Town Board confirmed that due to COVID-19 the July and August Board meetings should be held via Zoom teleconference.

Varysburg Water – Authorization to Sell to Haulers

The Varysburg Water District has been approached by a local water hauler to purchase water. Supervisor Becker checked with Wyoming County Health Director Steve Perkins and Mr. Perkins had no concerns as long as the trucks had check valves or backflow preventers. A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the Varysburg Water District to sell to water haulers provided that no half loads are purchased and that the proper backflow stopper is in place. Haulers will need to contact AJ Dyrbala prior to pickup. Ayes: (4) Becker, Armbrust, Meyer, Kirsch Nays: (0) Absent: (1) Fontaine Motion Carried.

Schedule Public Hearing – North Java Fire District Extension

Town of Sheldon Resolution to Hold Public Hearing to Consider Fire District Extension

WHEREAS, Town Law §170(2) authorizes the town boards of one or more towns acting jointly by a majority vote of the members of each of such boards may extend a fire district in such towns outside of any incorporated village or city or existing fire, fire alarm or fire protection district therein, after a public hearing thereon provided all of the territory in such fire district shall be contiguous, and

WHEREAS, there has been duly established in the Towns of Sheldon and Java, a fire protection district known as the Towns of Java and Sheldon Fire Protection District No. 2, embracing certain territory within said Towns of Java and Sheldon, which such fire protection district was established by the joint resolutions of the town boards of the Town of Java and the Town of Sheldon on April 14, 1953, which such territory is more fully described in the further Resolutions of the town boards of the Towns of Java and Sheldon adopted on the 12th day of June, 1961, and

WHEREAS, it appears to the Town Board of the Town of Sheldon that the consideration of the extension of a fire district in the area now comprising the North Java Fire Protection District within the Towns of Java and Sheldon Fire Protection District No. 2 may be in the public interest, and a joint public hearing on the extension of a fire district should be held for such purposes, pursuant to Town Law §171;

NOW THEREFORE, it is hereby

RESOLVED, that the Town Board of the Town of Sheldon shall convene and conduct a joint public hearing with the Town Board of the Town of Java on July 21, 2020 at 7:00 p.m. at the North Java Fire Company, Inc., 4274 Route 98, North Java, New York, 14113 for the purpose of

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considering the extension of a fire district and that notice thereof be given by the Town Clerk as required by law.

Board Member Vince Kirsch moved, and Board Member Mike Armbrust seconded, and the Town Board voted as follows:

Name:	Voting: Aye or Nay:
Supervisor Becker	Aye
Board Member Kirsch	Aye
Board Member Fontaine	Absent
Board Member Meyer	Aye
Board Member Armbrust	Aye

The foregoing Resolution was thereupon declared duly adopted by the Town Board of the Town of Sheldon.

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

DEC Letter – Tonawanda Creek Fishing Rights Easements

The Town received a request from the NYS DEC for fishing rights easements for the Tonawanda Creek. The Board had no objections to the request.

Schedule Public Hearing – Sheldon Fire Company Contract

The Sheldon Fire Department submitted a written request for their 2021-2025 contract. The Department is requesting an increase of \$2,500.00 plus 2% for 2021 and then a 2% increase for 2022, 2023, 2024 and 2025. The 2020 contract was \$117,165.93. The proposed request would work out as the following

2021 \$122,059.27.
2022 \$124,500.46
2023 \$126,990.46
2024 \$129,530.27
2025 \$132,120.88

A motion was made by Joe Meyer and seconded by Vince Kirsch to schedule the public hearing on the Sheldon Fire Company contract for July 15, 2020 at 7:30 p.m. during the regular meeting of the Town Board.

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

Tiny Library – Varysburg Park

Varysburg resident Bob Graham contacted the Town regarding his interest in putting up a tiny library behind his property abutting the Town Park. The library would be on Town park land and would be slightly larger than an oversized mailbox. Supervisor Becker contacted Attorney DiMatteo and Mr. DiMatteo saw no problem with it as these tiny libraries are popping up on many country roads. The Town Board was in support of the idea and would like the Town Park committee to work with Mr. Graham in choosing a location. The Board would like to revisit the issue next year to get a review on the community feedback of the library. The Town Clerk will put Darlene Janes in touch with Mr. Graham.

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4-H Scholarships

4-H camp has been cancelled for 2020. ConnectGen would like 4-H to keep their payment for 2021 scholarships. The Town Clerk will contact the parents of the winners and 4H to let them know of the plans.

Resolution to Spend Highway Funds

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize the agreement from Wyoming County Highway to spend Highway funds and to authorize the Town Clerk to sign the Town Board member's names to the agreement.

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

Scanner Purchase for Town Historian

The Town Historian submitted a request to purchase a hand held scanner for use in scanning historical documents. Cost of the scanner \$399. The invoice is in tonight's bills for the Board's approval. The Board was in support of the purchase.

Fund Transfer

A motion was made by Vince Kirsch and seconded by Joe Meyer to approve the transfer of \$230,000.00 from General Money Market A1083 to Highway Money Market DA1083 for June 2020 County Line bill to pave Bloecher Rd.

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

Close Public Hearing – Special Use Permit – Adam Rayner – Automotive Repair

At 8:15 p.m. a motion was made by Vince Kirsch and seconded by Joe Meyer to close the public hearing on the special use permit application submitted by Adam Rayner to open an automotive repair shop at his residence at 763 Centerline Road, Strykersville.

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

Approval of Special Use Permit – Adam Rayner Automotive Repair

Supervisor Becker stated his support of Mr. Rayner's application.

A motion was made by Joe Meyer and seconded by Vince Kirsch to approve the special use permit for Adam Rayner to operate an automotive repair shop at his property at 763 Centerline Rd. Strykersville.

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

Bills:

Supervisor Becker confirmed that the Board had a chance to review the abstract.

A motion was made by Mike Armbrust and seconded by Joe Meyer that the General Bills #104 to #130 for a Total of \$30,272.78, the Highway Bills #81 to #96 for a Total of \$245,784.55, the Trust & Agency Bills #18 to #20 for a Total of \$523.66, the Varysburg Water District Bills #24 to #29 for a Total of \$512.51, and the Lighting District Bills for a Total of \$785.99 be paid.

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

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Comments from the Floor

No residents present for the meeting – no comments.

Adjournment

At 8:20 p.m. a motion was made by Mike Armbrust and seconded by Vince Kirsch to adjourn the June 17, 2020 meeting of the Sheldon Town Board.

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