

**REGULAR MEETING  
SHELDON TOWN BOARD  
November 16, 2016**

The Regular Meeting of the Sheldon Town Board held November 16, 2016 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, Joe Meyer, Mike Armbrust, Jim Fontaine  
Recording Secretary: Town Clerk Carol Zittel  
Also Present: Highway Supt. David Ricketson. 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 Vince Kirsch that the minutes from the October 19, 2016 regular meeting and the November 2, 2016 budget public hearing be approved. Ayes: (5) Becker, Kirsch, Fontaine, Meyer, Armbrust Nays: (0) Motion Carried.

**Communications**

Town Clerk Carol Zittel reported on the following:

**#31 Attica CSD Using Hall for Capital Project Vote**

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the Attica CSD use of the Town Hall for the capital project vote on December 20, 2016 from 1-9pm. Ayes: (5) Becker, Kirsch, Fontaine, Meyer, Armbrust Nays: (0) Motion Carried.

**#32 NYS Dept. of Ag & Markets – Dog Spay/Neuter Fees**

The Town Clerk and all Town Clerks in Wyoming County received a letter from NYS Ag & Markets. The Wyoming County Town Clerks have been sending the spay/neuter fees to the Wyoming County Treasurer for the past five years. The money has been held in trust by the County until a local spay/neuter program is approved by NYS. Town Clerk Zittel will keep the Board updated on this topic.

**#33 Permission for Town Clerk to Attend Meetings**

A motion was made by Vince Kirsch and seconded by Jim Fontaine to give permission to the Town Clerk to attend the NYS Town Clerk regional meeting in Buffalo on December 5<sup>th</sup> and the Wyoming County Town Clerk meeting on December 11<sup>th</sup> in Castile.

**#34 NYS Association of Towns Annual Meeting**

The Town Clerk notified the Board of the NYS Association of Towns Annual meeting in NYC February 19-22.

**Reports**

Financial Reports were presented for the month of October 2016 from the Town Supervisor, Town Clerk and the Town Justice.

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**Highway Superintendent's Report**

Superintendent of Highways, David Ricketson, reported on the following:

**Highway Projects**

The Department has been busy doing some shoulder work and getting the equipment ready for the winter. They assisted the Town of Bennington with Sierk Rd.

**Supervisor's Report**

Supervisor Brian Becker reported the following.

**Wind Payment Check**

The Town received \$860,428.04 from Invenergy.

**Mortgage Tax Revenue Check**

The Town received \$12,251.64 from Wyoming County for mortgage taxes.

**Sale of Medical Building in Attica**

Councilman Kirsch asked if the Town has received any money from the sale of the medical building in Attica. Supervisor Becker responded that we have not received any money yet but he has heard they are just finalizing the transaction.

**Wyoming County Tentative Budget**

The County is using reserves to lower the amount of the tax increase for 2017 which will leave only \$4 million in reserves. Supervisor Becker voted against using the reserves. There is tentatively a \$1,656,000.00 increase in the County budget for 2017.

**Acceptance of Reports**

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

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

**Old Business**

**Varysburg Water District Generator**

National Fuel put in the lines for the generator. Service should be up and running soon.

**Varysburg Water – Gasiewicz Leak**

The letter notifying the Gasiewicz's that their water will be turned off unless repairs are made to the leak was sent certified. Proof of delivery/signature was received.

**Varysburg Water – Senator Gallivan Funding**

Supervisor Becker will work with Senator Gallivan's office and the Town Clerk to complete the paperwork.

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**Streicher Land Donation**

Abstract was found. The land survey should be done this week.

**Court Grant 2017**

The grant was submitted. Notification of award will come in early 2017.

**Speed Limit Reduction Requests**

Supervisor Becker received a letter from NYS DOT. The State DOT will conduct a study on both the Route 78 and Route 98 speed reduction requests.

**New Business**

**Adopt Preliminary Budget as 2017 Final Budget**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to adopt the preliminary budget as the final 2017 Town of Sheldon budget.

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

The complete budget is attached to the minutes.

**Change in December Board Meeting Date**

A motion was made by Vince Kirsch and seconded by Jim Fontaine to change the December board meeting date from December 21<sup>st</sup> to December 14<sup>th</sup>.

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

The Planning Board will hold their monthly meeting a week earlier on December 7<sup>th</sup>. The Town Clerk will advertise the meeting date changes in the Arcade Herald.

**Adopt Changes to Addendum 4 of Town Zoning Law**

A motion was made by Vince Kirsch and seconded by Jim Fontaine to adopt the changes to Addendum 4 of the Town Zoning Law as recommended by the Town Planning Board and Zoning Board of Appeals.

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

1. Addendum 4 listing with respect to retail bakeries (Section 6170 of the Zoning Law) is amended to allow special use permits in B and I districts.
2. Addendum 4 listing with respect to motor vehicle service stations and auto repair shops (Section 6230 of the Zoning Law) is amended to allow special use permits in A, R, and B districts.
3. Addendum 4 listing with respect to ponds (Section 6260 of the Zoning Law) is amended to allow special use permits in the A-C and A-R districts (which are now the A and RR districts).
4. Addendum 4 listing with respect to stables and riding academies (Section 6300 of the Zoning Law) is amended to allow special use permits in all districts.

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**Approval of Town Justice to Attend Training**

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize newly elected Town Justice Paul Romesser to attend training in Albany in December.

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

**Fund Transfer**

A motion was made by Jim Fontaine and seconded by Vince Kirsch to transfer \$50,000.00 from General Money Market A9901.9 to Highway Money Market DA5031 for November 2016 bills and payrolls.

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

**Budget Transfers**

A motion was made by Joe Meyer and seconded by Jim Fontaine to authorize the following transfers:

\$299.18 from DA5110.4 General Repairs Contractual to DA9050.8 Unemployment Insurance

\$584.50 from DA5140.4 Misc. Brush & Weeds Contractual to Misc. Brush & Weed P/S

\$69.77 from A1410.4 Town Clerk Contractual to A3510.4 Control of Dogs

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

General Bills #315 to #346 for a Total of \$33,391.85, the

Highway Bills #159 to #175 for a Total of \$77,244.91, the

Trust & Agency Bills #44 to #47 for a Total of \$1,606.03, the

Varysburg Water District Bills #59 to #65 for a Total of \$13,769.48 and the

Lighting District Bills for a Total of \$873.31 be paid.

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

**Open the Floor to Comments**

At 8:05 p.m. Supervisor Becker opened the floor to comments.

**Election Day Voting at Town Hall**

Resident Elaine Almeter who was the election day coordinator on November 8<sup>th</sup>, asked to address the Board regarding concerns with using the Town Hall for voting. The 2016

Presidential Election had extremely high turnout and the hall did not have adequate space for voting. There was also not enough ample parking. Ms. Almeter suggested the possibility of

using Weber Hall, the St. John Neumann Parish Church hall. The Town Board was in agreement with Ms. Almeter and asked that Mike Almeter reach out to Fr. Johnson for hall rental pricing.

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**Adjournment**

At 8:25 p.m. a motion was made by Jim Fontaine and seconded by Joe Meyer to adjourn the November 16, 2016 regular meeting of the Sheldon Town Board.

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