

**REGULAR MEETING
SHELDON TOWN BOARD
October 18, 2017**

The Regular Meeting of the Sheldon Town Board held October 18, 2017 at the Sheldon Town Hall was called to order by Town Supervisor Brian Becker at 7:30 p.m.

Present: Supervisor Brian Becker
Councilmen: Joe Meyer, Mike Armbrust, Jim Fontaine, Vince Kirsch
Recording Secretary: Town Clerk Carol Zittel

Also Present: Hwy. Supt. David Ricketson
There were many Centerline Road residents present for the Almeter Special Use public hearing. Adam and Amanda Almeter were also present. A signed list of those present is on file in the Town Clerk's office.

Minutes

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the minutes from the September 11, 2017 Varysburg fire public hearing, the September 20, 2017 regular board meeting, the October 4, 2017 Harris Corners public hearing and the October 5, 2017 budget workshop meeting be approved.

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

Communications

Town Clerk, Carol Zittel had no communications to report.

Reports

Financial Reports were presented for the month of September 2017 from the Town Supervisor, Town Clerk and the Town Justices.

Highway Superintendent's Report

Highway Supt. Ricketson reported on the following:

Road Work

The Department has been busy patching bad spots and cold patching pot holes. Oil and stoning is complete except for Bloecher Road and Creek Road which the department would like to get to before the bad weather begins.

Western Star Truck Delivered

The new Western Star truck has been delivered.

Flag Pole

The town hall flag pole is being repaired by the highway department.

Preparations for Winter

The Dept. is getting the trucks ready for winter and will be filling the salt building with salt.

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Hi-Lift

Councilman Meyer asked how the new hi-lift compares with the Caterpillar hi-lift. Supt. Ricketson responded that he hasn't found anything on it that he doesn't like.

Brine Tank

The brine tank which was declared surplus equipment in February will be delivered to the Bennington highway department tomorrow.

Shared Services

The Sheldon highway department will be sending a couple of trucks tomorrow to Orangeville to assist with shimming Almeter Road from Royce Road to Siler.

Purchase of New Pick-Up

The price for a new 2018 Chevy pick-up truck is \$29,383.24 from Joe Basil Chevrolet. This is a piggyback bid through a NYS BOCES. The current pick-up truck that the Supt. is driving is a 2016 Chevy Silverado with 22,600 miles with an original purchase price of \$28,522.00. The blue book value on the 2016 is approximately \$22-25,000.00. The Town of Bennington recently sold their truck which had 54,000 miles for \$27,000.00.

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize the Town Highway Superintendent to purchase a 2018 Chevrolet Silverado CK15753 Double Cab from Joe Basil Chevrolet Inc. in the amount of \$29,383.24 per the quote received on September 27, 2017. Ayes: (5) Becker, Fontaine, Meyer, Armbrust, Kirsch Nays: (0) Motion Carried.

Declaring 2016 Pick-up Surplus Equipment

A motion was made by Vince Kirsch and seconded by Mike Armbrust to deem the 2016 Chevrolet pick-up truck as surplus equipment and to authorize the Highway Superintendent to advertise it on the town hall lawn, in the local pennysavers and in the legal ad section of the Batavia Daily with a bid opening at a time the Highway Superintendent deems appropriate. Ayes: (5) Becker, Fontaine, Meyer, Armbrust, Kirsch Nays: (0) Motion Carried.

Sale of Plow Truck

Councilman Kirsch, in response to hearing that the new Western Star plow truck has arrived, asked when the Superintendent will be selling the old plow truck. Supt. Ricketson responded that he would like to keep the old truck for a short time to ensure that all the trucks are up and running well for the season.

Supervisor's Report

Supervisor Becker will not present a report tonight as most items he would have reported are on the agenda.

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Acceptance of Reports

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

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

Old Business

Varysburg Park Rest Room Renovation

T-111 siding is installed. Supervisor Becker talked to Steve Beechler prior to tonight's meeting and he reported that everything is going well. There will be an additional \$300 added to the project to install a double door instead of a single door.

Special Use Permit – Windy Brew

At the September meeting, the Town Board held the public hearing for the special use permit request of Michelle Snyder to operate a brewery at her residence on Route 20A. Supervisor Becker spoke with County Zoning Code Enforcement Officer Don Roberts today, who reported that Windy Brew has not addressed all of the building code requirements as detailed in Mr. Roberts' September 20th letter.

A motion was made by Mike Armbrust and seconded by Vince Kirsch to table a decision on the special use permit application of Michelle Snyder, owner of Windy Brew until all building code requirements have been met and until the Town Board has met to write up parameters of such a permit.

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

Varysburg Water District – DASNY/Senator Gallivan Funding

The paperwork that DASNY requested has been completed by the Town and has been mailed back to DASNY.

Opening of Public Hearing – Strykersville Ambulance Contract

At 8:00 p.m. a motion was made by Joe Meyer and seconded by Vince Kirsch to open the public hearing for the Strykersville Ambulance Contract.

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

BAN Renewal – Paving

Supervisor Becker explained that a Bond Anticipation Note (BAN) was issued to pay for the road paving project of 2016. The BAN was originally a 5-year BAN but the Town has the money and will be able to pay it off in three years.

A motion was made by Vince Kirsch and seconded by Joe Meyer to renew the BAN for the paving project in the amount of \$256,666.66 and to authorize the payment of the remaining \$128,333.33 plus approximately \$5,882.50 in interest.

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

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BAN for 2018 Western Star

A motion was made by Joe Meyer and seconded by Jim Fontaine to authorize a BAN in the amount of \$160,414.50 for the purchase of the 2018 Western Star plow truck.

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

The balance of the truck payment, \$80,207.25 will be paid from the 2017 budget.

Alternate Planning Board Member

Supervisor Becker has not heard back from the resident (Ms. Roberts) who may be interested in the alternate planning board member position.

Bartz Rd. – Stop Ahead Sign Request

Stop sign ahead signs are now in place in both directions on Bartz Rd. The stop sign has been moved closer to the road in the south direction.

Sunset Drive Property Complaints

No further complaints have been made since the lawn was mowed.

Cemetery Damage – Pioneer Cemetery

There was a short discussion regarding the repair of the cemetery wall. Councilman Fontaine will reach out to Invenergy representative, Mary Kehl, to see if Invenergy would supply labor or funding. The reason for the damage is unknown.

Time Warner/Spectrum Contract Renewal

A motion was made by Jim Fontaine and seconded by Vince Kirsch to schedule a meeting with the Time Warner/Spectrum representative at 7:00 p.m. on November 8, 2017 at the Sheldon Town Hall during the meeting of the Sheldon Planning Board.

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

At 8:05 p.m. Supervisor Becker excused himself from the meeting.

Strykersville Fire Ambulance Contract

Councilman Armbrust asked if anyone had any comments regarding the ambulance contract. There were no other comments.

Salt Building

The Town Board discussed the possible replacement of the salt building with Supt. Ricketson while Supervisor Becker excused himself from the meeting. Supt. Ricketson suggested renting a bucket truck to inspect the tresses. Supt. Ricketson and the Board will continue discussion at future board meetings. The Board hopes to get a bidding packet out in early spring of 2018.

At 8:10 p.m. Supervisor Becker returned to the meeting.

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Closing of Public Hearing

At 8:10 p.m. a motion was made by Jim Fontaine and seconded by Joe Meyer to close the public hearing for the Strykersville Ambulance contract.

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

Approval of Strykersville Ambulance Contract

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize the Town Supervisor to sign the 2018-2020 Strykersville Ambulance Contract at the contracted yearly payment of \$1,010.00 in 2018, 2019 and 2020.

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

Public Hearing – Adam Almeter Special Use Permit

At 8:15 p.m. a motion was made by Jim Fontaine and seconded by Joe Meyer to open the public hearing on the special use permit application of Adam Almeter to operate an automotive repair shop at his residence at 495 Centerline Rd., Strykersville, NY 14145.

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

Supervisor Becker noted that the Board will only be hearing public comments and will not be making a decision on the issuance of the permit tonight.

Neighbors against/for the Special Use Permit Issuance

The following neighbors expressed their reasons against the issuance of a special use permit to Mr. Almeter: Missy Kedron, Barb Mach via letter correspondence, Chris Siracuse, Kim Lorenzo, Penny Weisenberg, Deb Hanlon. Neighbors present in support: Jennifer Nixon, Roger Almeter (Adam's father), Amanda Almeter (Adam's wife)

The following comments were made against:

- An automotive repair shop will negatively affect property values
- Neighbors do not want to smell, see or hear the sounds of an automotive repair shop
- Worry about chemicals in neighborhood
- Concern over contamination of the nearby stream
- There's a blind corner at the corner of Dutch Hollow & Centerline – it is a dangerous intersection

Comments for:

- I don't see a noise factor because I assume he will have normal business hours
- He will have NYS codes to abide by
- Loud tractors go down the road year round - this shop will not add any more noise

Complaints Re: Automotive Repair Shop without a Permit

During the public hearing for the Almeter special use permit, the neighbors from Centerline Rd. voiced their complaints about the property at the corner of Dutch Hollow and Centerline Rd.

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They alleged that the owner of the property operates an automotive repair shop without a permit. The Town Board notified the neighbors that Wyoming County Building & Codes has now taken over Zoning Officer responsibilities for the Town. They expect to see stricter enforcement of our zoning laws.

Closing of Public Hearing

At 8:35 p.m. a motion was made by Jim Fontaine and seconded by Vince Kirsch to close the public hearing on the Adam Almeter special use permit request.

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

New Business

Adopt Tentative Budget as Preliminary Budget for 2018

A motion was made by Mike Armbrust and seconded by Joe Meyer to adopt the tentative budget as the preliminary budget for 2018 and set the date for the public hearing for November 1, 2017 at 7:30 p.m.

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

Fund Transfer

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the transfer of \$376,881.76 from General Money Market A1083 to Highway Money Market DA1083 for October 2017 bills, payrolls and the paving BAN.

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

Fund Transfer

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the transfer of \$51,333.32 from DA909 Fund Balance to DA9730.6 Bond Anticipation Notes – Principal.

Ayes: (5) Becker, Fontaine, Meyer, Armbrust, Kirsch 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 Jim Fontaine that the General Bills #258 to #288 for a Total of \$21,148.63, the Highway Bills #144 to #159 for a Total of \$24,192.17, the Trust & Agency Bills #31 to #34 for a Total of \$516.35, the Varysburg Water District Bills #46 to #49 for a Total of \$252.24 and the Lighting District Bills for a Total of \$805.75 be paid.

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

Comments from the Floor

Supervisor Becker opened the floor to comments. No comments were made.

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Adjournment

At 9:30 p.m. a motion was made by Vince Kirsch and seconded by Joe Meyer to adjourn the October 18, 2017 meeting of the Sheldon Town Board.

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