

**REGULAR MEETING
SHELDON TOWN BOARD
September 18, 2024**

The Hall, 1380 Centerline Rd., NY 14145 was called to order by Town Supervisor Brian Becker at 7:00 p.m.

A moment of silence was observed in memory of former Town Supervisor John Knab who recently passed away.

Present: Supervisor Brian Becker
Councilmen: Joe Meyer, Mike Armbrust, Vince Kirsch, Jim Fontaine
Recording Secretary: Town Clerk Carol Zittel
Also present: Highway Superintendent Luke Metz
There were no others present.

Minutes

A motion was made by Jim Fontaine and seconded by Joe Meyer that the minutes from the August 21, 2024 regular meeting be approved.

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

Communications

The Town Clerk, Carol Zittel, reported on the following.

Postcard Dog Enumeration

The postcards have all been mailed and received. The wording wasn't perfect so there has been some confusion. The Town Clerk is fielding many phone calls.

Notice from Town of Bennington – Lead Agency Solar Law

The Town of Bennington sent notice regarding their proposed solar law.

Reports

The Town Supervisor financial reports, Town Clerk report and Town Justice reports were distributed.

Wyoming County Zoning Report

The Wyoming County Zoning Report was distributed via email prior to the meeting and hard copies distributed tonight.

Highway Superintendent Report

Superintendent Metz reported on the following:

Valley View Paving

The Valley View paving project went well and the Town should be done with that road for a while.

Rain on Oil & Stone Day

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The oil and stone project encountered rain. The Superintendent understands that this was an inconvenience for people traveling these roads and thanks them for their patience.

Culvert Pipe Policy

The Highway Superintendent is contemplating a culvert pipe install policy and will report back to the Board with what he comes up with.

Shared Services

The Department continues to stay busy assisting other Towns with projects.

Drainage – Centerline Road – McNall Property

A motion was made by Jim Fontaine and seconded by Mike Armbrust to authorize the Town Highway Superintendent to perform work on private property on Centerline Road (James McNall property) to assist with a drainage issue affecting our road.

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

2026 Western Star Plow Truck Purchase

The Town Highway Superintendent will put the Town on a purchase list for a 2026 Western Star plow truck. Batavia Western Star indicated that there is already a long list for orders. Doug from Western Star informed the Superintendent that there is a delay on automatic transmissions and this will cause a delay in truck availability.

2022 Plow Truck Order

The Western Star plow truck ordered on 12/28/22 was received by Western Star of Batavia on 2/14/24. It was then sent to Valley Fab on 3/8/24. Valley Fab indicated at that time that all of the equipment for the truck was at their shop. As of 9/18/24, there has been no communication from Valley Fab on when the truck will begin to have equipment installed.

NYS CHIPS Program Changes

Changes are coming to the CHIPS program in regards to the number of years that must pass before CHIPS money can be used on the same road. Towns can now oil & stone the same road CHIPS funding was used on after only 5 years instead of 10 years.

Hyundai Excavator

The Hyundai excavator continues to have ongoing issues with the hydraulic valves. George & Swede is aware of the issue and has contacted Hyundai. This is the fourth time this has happened in a two-year span. Each repair bill is over \$10,000 and has been covered under warrant. The warranty runs out August 2025.

Highway Position Due to Anticipated Retirement of John Herrmann

The Superintendent has advertised the motor equipment operator position that will be available due to the upcoming retirement of John Herrmann. At this time, two candidates have expressed

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interest in submitting applications. The Town Clerk will post the job notice on the Town Facebook page.

Supervisor Report

Supervisor Brian Becker reported on the following:

False Statements on Social Media re: Arcade Family Practice

Supervisor Becker wanted it noted that the County has no plans to shut down Arcade Family Practice despite what is circulating falsely on social media.

Changes to Snow & Ice Contract

The Board of Supervisors chose to change the snow & ice contracts going forward. The 2025/26; the 2026/27; and the 2027/28 contracts will have the snow index eliminated. The contract will be paid at 100% with an additional \$100/per lane mile increase. If it is a light snow winter, money does not have to be paid back.

Boxlers – Varysburg Water

The Boxlers are still examining different ways to get water to their new building on Route 20A. Supervisor Becker spoke with Warren Boxler and conveyed that in order to protect the hamlet and the water district that any water extension would have to be done in writing with engineer specifications and the appropriate backflow preventers.

Acceptance of Reports

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

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

Old Business:

ARPA Funding

Supervisor Becker will submit the report before the deadline which is soon approaching.

Varysburg Water Income Survey

The Town Clerk shared an income survey update that she received from Catherine Rees of RCAP. We need to obtain at least 10 more surveys for the USDA and EFC funding and at least 16 more surveys for the CDBG funding. The Town Supervisor will go door to door this weekend to try to obtain the necessary completed surveys.

Mills Zoning Violation

Town Attorney David DiMatteo, reported to Supervisor Becker that a request has been sent to Judge Kibler asking that all attorney costs be attached to any fines that Judge Kibler may apply to Mr. Mills. Attorney DiMatteo also asked the court to hold Mr. Mills in contempt of court.

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Historical Schoolhouse Repairs

The Historical Society requested quotes from seven contractors. Only two quotes were received. A motion was made by Vince Kirsch and seconded by Jim Fontaine to accept the lowest bid which was from Justin Schwab for the dormers (red cedar chosen) and deck work.
Ayes: (5) Becker, Fontaine, Armbrust, Meyer, Kirsch Nays: (0) Motion Carried.

Proposed New Zoning Law

The Planning Board has not referred the zoning law to the Town Board yet.

New Business:

FMLA Policy

The Town Supervisor, Town Clerk and Town Bookkeeper are still working on rewording the proposed FMLA policy. A policy should be ready for review at the October meeting.

NYS DOT Shared Services Agreement

There was a short discussion regarding the NYS DOT shared services agreement. The Town did not sign the agreement when Dave Ricketson was Highway Superintendent per guidance he received from Town Attorney David DiMatteo. Superintendent Metz may need a signed agreement in place in order to be eligible for a multi-modal grant that may be available for road projects. Superintendent Metz is waiting for a call back from Senator Borrello's office. Supt. Metz is interested in receiving grant funding to possibly use on 2 ¾ miles of roadway on North Sheldon Road with a projected cost of \$600,000.

Re-Appointment – Board of Assessment Review

A motion was made by Joe Meyer and seconded by Mike Armbrust to reappoint Dan Henneberger to a five-year term to the Board of Assessment Review. Term 10/1/24-9/30/29.
Ayes: (5) Becker, Fontaine, Armbrust, Meyer, Kirsch Nays: (0) Motion Carried.

Budget Workshop

A motion was made by Jim Fontaine and seconded by Joe Meyer to schedule a 2025 budget workshop meeting for Wednesday, October 2, 2024 at 6:00 p.m.
Ayes: (5) Becker, Fontaine, Armbrust, Meyer, Kirsch Nays: (0) Motion Carried.

Digitize NY

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the Town Clerk to sign the agreement with Digitize NY to have Town records digitized by Digitize NY.
Ayes: (5) Becker, Fontaine, Armbrust, Meyer, Kirsch Nays: (0) Motion Carried.

This project will be at no cost to the Town and will allow the following items to be shared on the Digitize NY website and platform for the public to access.

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

The following items will be picked up by Digitize NY on 9/24/24:

Vital records booklet (no cover) 1847-1849

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Annual Town Meeting Minutes, Volumes 1-5 1808-1940

Docket books: 1829-1832 & 1840-1842

Overseer of the Poor Records: 1808-1892

Tax Assessment Roll 1829

Primary Election Poll Book for Sheldon 1912

Early poll lists 1840s-1850s

Military records: enrollment of persons liable to military duty in company J, 67th regiment, NY militia, filed June 30, 1862; Record of soldiers, officers, and seaman, as required by chapter 690 of the laws of 1865, furnished to the US by the Town of Sheldon, in the War of Rebellion; 1918 soldier vote tally sheet/clerk's return of soldiers' vote – general officers and questions submitted for Town of Sheldon; 1917 military enrollment list of men in the Town of Sheldon ages 18-45; cards of WWII returned soldiers list for the Town of Sheldon (initiated by State Department of Health, Division of Vital Statistics)

Bills:

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

A motion was made by Vince Kirsch and seconded by Joe Meyer that the

General Bills #198 to #211 for a Total of \$15,057.12, the

Highway Bills #114 to #126 for a Total of \$25,058.51, the

Lighting District Bills #9 to #9 for a Total of \$607.02, the

Trust & Agency Bills #12 to #12 for a Total of \$241.00, and the

Varysburg Water District Bills #45 to #49 for a Total of \$1,502.28 be paid.

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

Comments from the Floor

There were no comments from the floor.

Adjournment

At 8:45 p.m. a motion was made by Vince Kirsch and seconded by Mike Armbrust to adjourn the September 18, 2024 meeting of the Sheldon Town Board.

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