

**REGULAR & ORGANIZATIONAL MEETING  
SHELDON TOWN BOARD  
January 24 2024**

The Regular & Organizational Meeting of the Sheldon Town Board held January 24, 2024 at the Sheldon Town Hall, 1380 Centerline Rd., Strykersville, NY 14145 was called to order by Town Supervisor Brian Becker at 7:00 p.m.

Present: Supervisor Brian Becker  
Councilmen: Joe Meyer, Jim Fontaine  
Absent: Vince Kirsch, Councilman Mike Armbrust (Councilman Armbrust video called in for the meeting but did not participate in voting)  
Recording Secretary: Town Clerk Carol Zittel  
Also present: Highway Superintendent Luke Metz and Varysburg resident Bob Graham

**Minutes**

A motion was made by Jim Fontaine and seconded by Joe Meyer that the minutes from the December 20, 2023 regular meeting be approved.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Communications**

The Town Clerk Carol Zittel reported the following:

**Assemblyman DiPietro Letter**

The Town Clerk shared a letter from Assemblyman DiPietro.

**Reports**

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

**WYOMING COUNTY ZONING MONTHLY REPORT**

**Date:** December 2023 – Report for November 2023

**Town:** Sheldon

**Open Projects:** No open projects this month

**Permits Issued:** None

**Special Use Permits Renewed & Inspected:** No SUP permits renewed or inspected

**Property Maintenance Violations:**

- **Dennis Mills - 1907 Route 20A (SBL: 56.-2-26)** Trial was held on November 21, 2023 with no decision made however, a decision to come via mail in the upcoming weeks.

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**Highway Superintendent Report**

Superintendent Luke Metz reported the following:

**Snow Plowing**

The Department has been keeping up with snow plowing as much as possible.

**Painted Highway Shop**

The highway shop interior was painted.

**New Western Star Truck Delivery**

The Western Star will be shipped to Batavia the first week of February and then it will go to Valley Fab. It is a 2025 model and the Highway Superintendent has the vin#.

**New Pickup Truck for Superintendent**

The Superintendent will be using the OGS (NYS Office of General Services) bid process to obtain bids on a new pickup truck. Superintendent Metz met with the Town of Aurora highway department to learn the process. He is leaning towards a ½ ton without a plow instead of a ¾ ton for resale purposes. The Superintendent will have bid results at the February meeting. The Town Board authorized the purchase and it was budgeted in the 2024 budget.

**232 Terrastar Sold and Picked Up**

The Terrastar sold on Auctions International was picked up. The Town received approximately \$14,000 on the sale.

**Supervisor Report**

Supervisor Brian Becker reported the following:

**Certificates of Deposit**

The Town put \$1,000,000.00 in certificates of deposit with Five Star Bank. \$700,000 in a 6-month CD at 5.35% and \$300,000 for 3 months at 5.25%.

**Wyoming County Community Hospital**

The hospital made a profit for two months in a row. Outpatient surgeries have increased. The hospital hopes to obtain critical access designation in February.

**New County Administrator**

Former Sheldon resident, Scott Schrader, has assumed his role as Wyoming County administrator.

**Acceptance of Reports**

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

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

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**Old Business:**

**Varysburg Water**

The Town was notified in a January 10, 2024 letter from the NYS Department of Health that we did not receive a grant from the NYS Water Infrastructure Improvement Act (WIIA). The letter stated that our application was deemed acceptable, but there was not sufficient funding available for our project. Supervisor Becker and Town Clerk Zittel had a conference call with Nick Pezzino from B&L to discuss and Mr. Pezzino recommended that the Town put out a request for quotes from three engineering firms. Mr. Pezzino feels that having an engineer contract in place would help us receive grant funding.

**Authorize Town Attorney to Send Out RFQs to Engineering Firms**

A motion was made by Joe Meyer and seconded by Jim Fontaine to authorize the Town Attorney to request quotes from three engineering firms for the Varysburg Water project.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Varysburg Water – Tank Cleaning**

Councilman Meyer will reach out to the Town of Holland to see who they use for water tank cleaning.

**ARPA Funding**

Balance = \$14,489.04. Funds may be used for equipment and must be used by November.

**Town Hall Generator**

Councilman Meyer asked the Highway Superintendent whether the department is changing the oil in the generator regularly. Supt. Metz replied yes.

**Old Varysburg Fire Hall – New Water User**

Supervisor Becker assisted in running water lines to the site of the old Varysburg Fire Hall which was recently purchased by Keith Berlinski. Mr. Berlinski also purchased the Varysburg Hotel. Supervisor Becker noted that once a meter is installed at the old fire hall, then water billing will commence.

**Mills Zoning Violation**

Supervisor Becker reported that Wyoming County Judge Keith Kibler, sided with the Town in the case. Mr. DiMatteo, Mr. Roberts and the Wyoming County Sheriff's office have authorization to go onto Mr. Mills' property to conduct an inventory.

**New Business:**

**2024 Intermunicipal Agreement for Countywide Zoning**

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A motion was made by Joe Meyer and seconded by Jim Fontaine to table approval of the Countywide Zoning agreement until the County Zoning Office begins complying with the Town Board's request to copy the Town Assessor on all zoning permits.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Williamson Law – Tax Collector Software**

A motion was made by Joe Meyer and seconded by Jim Fontaine to authorize the Town Supervisor to sign the agreement with Williamson Law Books for an annual fee of \$522 1/1/24 to 12/31/24.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Hire Auditor**

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the Town Supervisor to hire Don Przybl to audit the Town books.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Organizational Meeting**

**Salaries & Appointments**

A motion was made by Joe Meyer and seconded by Jim Fontaine to set the salaries for Town Officials both elected and appointed as stated in the 2024 Budget as adopted:

Town Board -----\$3,082.00 each  
Supervisor -----\$8,610.00  
Town Clerk -----\$21,837.00(plus \$20/mt phone reimbursement)  
Supt. Of Highways ----- \$68,000.00 plus \$500 per year max copay reimbursement and max \$200 per year clothing & boot allowance & \$20/mt cell phone reimbursement  
Justices (2) ----- \$11,745.00 each  
Tax Collector -----\$3,009.00  
Carol Zittel as Registrar of Vital Statistics \$375  
Carol Zittel as Marriage Officer (no salary)  
Carol Zittel as Records Management Officer (no salary)  
Donna Almeter as Deputy Town Clerk & Deputy Registrar \$15/hr  
Kate Meyer as Second Deputy Town Clerk \$15.00/hr  
Katie Chmura as Bookkeeper \$24,882.00  
Jeanne Mest as Town Historian \$1,250.00  
Donna Almeter as Court Clerk \$26,353.00  
Mary Kern as Town Assessor \$21,886.00  
Wyoming County as Zoning Officer  
Vacant as Dog Enumerator (\$1.50 per dog, plus mileage)  
Carol Zittel as Water Rents Receiver \$1,200  
Brian Becker as Certified Water Operator \$2,745 Water District Exceptional Duties \$15.00 per hour plus mileage  
Part-time Laborer (wing person) NYS minimum wage \$15.00

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Joyce Griffen as cleaner \$15.00

Ruth Metzger (tentative pending Ruth's decision) as Youth Director \$1,425.00

Kate Meyer as Secretary to Planning Board, Zoning Board of Appeals & Board of

Assessment Review at \$15.00 per hour

All the afore mentioned terms of office for appointed positions, will carry over to the Organizational Meeting, if said meeting is held after December 31<sup>st</sup> of the year in which the term expires.

The per diem salary for the Planning Board is \$30, Zoning Board of Appeals is \$25 and for the Board of Assessment Review the per diem is \$60.

The phone reimbursement for the highwaymen is \$10/month

The 2024 annual salary for cemetery maintenance is \$250.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Trainings**

A motion was made by Brian Becker and seconded by Joe Meyer to authorize all appointed and elected officials to attend, at town expense, applicable trainings in 2024.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Varysburg Water Board**

A motion was made by Joe Meyer and seconded by Jim Fontaine to appoint the following people to the Varysburg Water District Board for 2 year terms 1/1/2024-12/31/2025:

Dave Thornton

Scott Almeter

Thane Wright

Bob Lakas

Dan Keicher

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Deputy Supervisor and Deputy Highway Superintendent**

A motion was made by Brian Becker and seconded by Jim Fontaine to appoint:

Joe Meyer as Deputy Supervisor and

John Herrmann as Deputy Highway Superintendent

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Depository Banks**

A motion was made by Joe Meyer and seconded by Jim Fontaine to name as depository bank, the Five Star Bank, Bank of Castile, Steuben Trust and NYCLASS for General, Highway, Trust & Agency Varysburg Water District, Capital Fund, Unemployment Insurance Reserve Fund and Lighting Districts.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

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**Mileage Reimbursement**

A motion was made by Joe Meyer and seconded by Jim Fontaine that the rate of mileage for town business for 2024 be set at .67 cents per mile.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Town Attorney**

A motion was made by Jim Fontaine and seconded by Joe Meyer to appoint David DiMatteo as the Town Attorney on an as needed basis, as outlined in the Attorney agreement signed December 2023.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Town Boards**

A motion was made by Joe Meyer and seconded by Brian Becker to appoint the following people to designated Boards and positions for the terms listed after each name:

Zoning Board of Appeals: Barb Logel – 5 year term 1/01/24-12/31/2028

Youth Recreation Board: will fill as needed

Planning Board: Wayne Abbott – 5 year term 1/01/24-12/31/2028

Park Committee: Don Neamon, Dave Thornton, Janet Bonner, Bob Graham, Darlene

Janes 5 year term: 1/1/2023-12/31/2027

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Board Meetings**

A motion was made by Joe Meyer and seconded by Brian Becker that the Regular Board Meeting be the third Wednesday of the month at 7:00 PM at the Sheldon Town Hall except for the June meeting which shall be held at the Varysburg Park.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Highway Expenditures**

A motion was made by Jim Fontaine and seconded by Joe Meyer that the Highway Superintendent be allowed to spend an amount not exceeding \$6,000 on the repair and maintenance of an individual piece of inventoried town equipment, without the Boards prior approval.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Highway Expenditures**

A motion was made by Brian Becker and seconded by Joe Meyer that the Highway Supt. is authorized to purchase, without the Town Boards prior approval, small tools in an amount not to exceed \$2,499 per purchase. Any purchase of an individual piece of equipment in excess of \$2,500 shall be deemed a capital purchase, all of which shall be subject to Town Board approval.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Procurement Policy**

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A motion was made by Jim Fontaine and seconded by Joe Meyer that the Town Board adopt the same Procurement Policy as was used in 2023 for the year 2024.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Investment Policy**

A motion was made by Joe Meyer and seconded by Jim Fontaine that the Town Board adopt the same Investment Policy that was used in 2023 for the year 2024.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Fund Balance Policy**

A motion was made by Brian Becker and seconded by Jim Fontaine that the Town Board adopt the same Fund Balance Policy that was used in 2023 for the year 2024. First adopted September 19, 2018.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Town Policies**

A motion was made by Jim Fontaine and seconded by Brian Becker that the Town Board adopt the Internet, email & computer use policy, discrimination & harassment policy, credit card use policy, code of ethics, emergency plan and workplace violence policies that were adopted in March 2014 and the sexual harassment policy originally adopted October 2018.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Scrap Metal Policy**

A motion was made by Joe Meyer and seconded by Jim Fontaine to adopt the scrap metal policy that was first adopted March 2011.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Town Hall Use**

A motion was made by Jim Fontaine and seconded by Joe Meyer to adopt the town hall use agreement that was first adopted on January 18, 2017.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Travel & Training Policy**

A motion was made by Brian Becker and seconded by Jim Fontaine to adopt the travel and training policy that was first adopted on January 18, 2017.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Official Newspaper**

A motion was made by Jim Fontaine and seconded by Joe Meyer to designate the Batavia Daily as the Official Newspaper for 2024.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

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A motion was made by Jim Fontaine and seconded by Joe Meyer to appoint the following committees:

Street Lighting: Mike Armbrust & Joe Meyer

Building: Mike Armbrust, Vince Kirsch

Labor: Dan Farberman Wyoming Cty HR Dir, Vince Kirsch & Brian Becker

Highway: Entire Board

Planning/Zoning: Mike Armbrust & Jim Fontaine

Park Committee: Joe Meyer

Assessment Committee: Vince Kirsch & Jim Fontaine

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Bills:**

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

A motion was made by Jim Fontaine and seconded by Joe Meyer that the

General Bills #1 to #22 for a Total of \$12,430.74, the

Highway Bills #1 to #11 for a Total of \$15,272.42, the

Lighting District Bills #1 to #1 for a Total of \$696.86, the

Trust & Agency Bills #1 to #2 for a Total of \$263.88, and the

Varysburg Water District Bills #1 to #3 for a Total of \$162.16 be paid.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.

**Comments from the Floor**

Councilman Meyer is a member of the Wyoming County Fish & Wildlife Board and gave a brief update on funding obtained to improve Silver Lake and clean the silt out.

**Adjournment**

At 8:20 p.m. a motion was made by Joe Meyer and seconded by Jim Fontaine to adjourn the January 24, 2023 meeting of the Sheldon Town Board.

Ayes: (3) Becker, Meyer, Fontaine Nays: (0) Absent: (1) Armbrust, Kirsch Motion Carried.