

**REGULAR MEETING
SHELDON TOWN BOARD
August 23, 2023**

The Regular Meeting of the Sheldon Town Board held August 23, 2023 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, Mike Armbrust, Vince Kirsch, Jim Fontaine
Recording Secretary: Town Clerk Carol Zittel
Also present: Highway Superintendent Luke Metz, ZBA member Mike Pfohl, Treasurer for the Harris Corners Fire Dept. Ron Janish, Chief of Harris Corners Tommy Keem
A signed list of all present is on file in the Town Clerk's office.

Minutes

A motion was made by Vince Kirsch and seconded by Mike Armbrust that the minutes from the July 19, 2023 regular meeting be approved.

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

Communications

The Town Clerk Carol Zittel had no communications this month.

Reports

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

WYOMING COUNTY ZONING MONTHLY REPORT

Date: August 1, 2023 – Report for July 2023

Town: Sheldon

Open Projects:

- **Matthew Creps (594 Route 20A)** – submitted an application for area variance to demo existing garage and build new garage in the same location. The variance requires a side and rear setback that will not meet the 25' requirement. The Town of Sheldon Zoning Board of Appeals will meet on Thursday, July 20, 2023. **The Town of Sheldon Zoning Board of Appeals approved the area variance for a side and rear setback that will not meet the 25' requirement.**
- **Hugh Steves (333 Route 20A)** – submitted an application for a variance to erect a 11 x 20 storage shed which will not meet the 25' setback requirement. The applicant requested to place the storage shed 10' from the neighboring property line. The Town of Sheldon Zoning Board of Appeals will meet on Thursday, July 20, 2023.

**REGULAR MEETING
SHELDON TOWN BOARD
August 23, 2023**

The Town of Sheldon Zoning Board of Appeals was approved for a variance to erect a 11x20 storage shed which will not meet the 25' setback requirement.

- **Bernice Perl /James Hopcia (Humphrey Road)** – submitted an application for a land separation that would result in a barn/garage located 20' from a property line instead of the required 25' per Sheldon Zoning Law. The Town of Sheldon Zoning Board of Appeals met on June 22, 2023. The Town of Sheldon Planning Board will meet on Wednesday, July 11, 2023. **The Town of Sheldon Zoning of Appeals approved the land separation.**

Permits Issued:

- **Byrncliff, Inc (Humphrey Road)** – submitted an application for maintenance building additions – 10' x 37' porch and 30' x 100' to existing pole barn.
- **Scott Tozier (1827 Centerline Road)** – submitted an application for 60' x 60' pole barn-agricultural use
- **Hugh Steves (333 Rt. 20A)** – submitted an application for 11' x 20' shed, with area variance of reduction in side setback to 10'.
- **Lisa Reinig & Mike Flatt (2588 School Street)** – submitted an application for home occupation major.

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

Property Maintenance Violations:

- **Dennis Mills - 1907 Route 20A (SBL: 56.-2-26)** – Violation Notice/Order to Remedy issued September 28, 2021. Property owner is to remove and dispose of, or place into storage any un-registered or inoperable motor vehicles, lawn mower or other miscellaneous vehicle parts and pieces. An original date for corrections to be made was October 28, 2021; Mr. Mills is working with Don Roberts at Building Codes to start resolving this matter. Visual inspection performed by the Building Department on 11/22/2021 shows that progress is being made. David DiMatteo issued a 10-day attorney letter on January 3, 2022. Updated photos were taken by Don Roberts of the Wyoming County Building Department on April 15, 2022. On June 2, 2022, Mr. DiMatteo's office received the signed resolution and drafted a summons and complaint to be approved by Mr. DiMatteo. As of July 14, 2022, Mr. DiMatteo approved of the summons and complaint and received the signed copy from the town. On 8/1/2022 and 8/25/2022, Don

**REGULAR MEETING
SHELDON TOWN BOARD
August 23, 2023**

Roberts conducted visual inspections of the property and copies of the findings were sent to Mr. Mills with a copy to Mr. DiMatteo and Supervisor Becker. As of August 12, 2022, Mr. DiMatteo's office submitted a request for Judicial Intervention and we are waiting for a court date. The first court appearance was held on October 11, 2022. The next court appearance was held on November 17, 2022 at 9:00am and was postponed to December 6, 2022. The judge granted the defendant a Court Appointed Attorney and a follow-up hearing was held on December 19, 2022. Currently waiting on the next court date.

Highway Superintendent Report

Superintendent Luke Metz reported the following:

Sand & Salt

The Department has sand & salt for the winter.

Humphrey Road Culverts

Seven culverts installed on Humphrey Road.

Creek Road Paving

Creek Road was repaved and it turned out well. Residents like that it is a dead-end road. Sheldon and Orangeville highway trucks have room to turn around.

Supervisor's Report

Supervisor Brian Becker reported on the following:

Wyoming County Hospital

The hospital lost less money than anticipated – less than \$1 million/month. There was a controversial vote at the Board of Supervisors regarding making payment to the law firm representing the County in the firing of Dr. Mason. Supervisor Becker voted yes with the majority to pay the law firm, however, there is a group of Supervisors who are against paying them.

Acceptance of Reports

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

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

Old Business:

ARPA Funding

Nothing new to report.

Varysburg Water Update

**REGULAR MEETING
SHELDON TOWN BOARD
August 23, 2023**

The water district is losing less water since the leak was repaired last month. Thane Wright flushed out the system this week to regulate chlorine levels. Wyoming County will conduct water reads three days in a row as a check to see how much the district is losing in water leaks. The Town will be billed by the County for the expense of this meter reading.

Water Rents Receiver Resignation

Janet Bonner submitted a letter of resignation on August 9th effective September 1st. Ms. Bonner was water rents collector for 11 years. Supervisor Becker filled out paperwork at the Varysburg Post Office to have mail forwarded to the Town Hall and to cancel the P.O. Box.

Appointment of the Town Clerk as Water Rents Receiver

A motion was made by Jim Fontaine and seconded by Vince Kirsch to appoint Carol Zittel, Sheldon Town Clerk, as water rents receiver effective September 1, 2023 and to be compensated at the pay rate established at the January 2023 organizational meeting for the position.

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

Water Webinar

Supervisor Becker will be attending a webinar to learn how the water district needs to survey water customers on type of service line going into their homes (copper, plastic, etc...) The Town Clerk will begin working with RCAP to distribute an income survey as well. The hope is to combine a notice of new water rents receiver, the survey on pipes and the income survey in one mailing.

Approval of Harris Corners Fire Contract

A motion was made by Jim Fontaine and seconded by Joe Meyer to approve the two-year Harris Corners Fire Contract at the rate of \$35,745.75 for 2024 and \$38,605.41 for 2025. This is an 8% increase for 2024 and an 8% increase for 2025.

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

*Supervisor Becker confirmed that the Town of Bennington increased at the same rate.

Schedule Public Hearing – Strykersville Ambulance Contract for Harris Corners

A motion was made by Vince Kirsch and seconded by Jim Fontaine to schedule the public hearing for the Strykersville ambulance contract for the Sheldon portion of Harris Corners Fire District on Wednesday, September 20, 2023 at 7:00 p.m.

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

Spectrum Update

The Spectrum bill is now correct. The court phone and fax are the only lines left on the bill.

NYMIR Inspection/Historical Building

Nothing new to report.

Broadband Coverage

**REGULAR MEETING
SHELDON TOWN BOARD
August 23, 2023**

The Town Clerk has the broadband survey link on the Town website and the Facebook page. Residents that don't have broadband service are encouraged to complete the survey.

Strykersville Fire Contract

Supervisor Becker confirmed that the Town of Java approved the Strykersville Fire contract at the requested rate increase. (Proportionately the same for Sheldon)

Town Prosecutor Appointment

Supervisor Becker asked local attorney Mason Meyer if he was interested in the Town prosecutor position. Mr. Mason declined. Supervisor Becker will look into posting an ad on the Erie County Bar Association website and will also contact Wyoming County District Attorney Don O'Geen for suggestions.

Old Business:

Authorization to Pay for New Western Star Truck Chassis

The Highway Superintendent informed the Board that the Western Star will be ready to go to Valley Fab for accessories on November 23rd. To avoid interest charges of up to \$800/month, the Town is asked to pay for the truck before the plow accessories are added.

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the payment of \$155,636.00 for the Western Star truck.

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

Budget Workshop Meeting

A motion was made by Jim Fontaine and seconded by Joe Meyer to schedule the 2024 budget workshop meeting for September 27, 2023 at 7:00 p.m.

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

Snow & Ice Agreement with Wyoming County Highway

A motion was made by Jim Fontaine and seconded by Vince Kirsch to authorize the Town Supervisor to sign the snow and ice control agreement with Wyoming County Highway for the 2024-2025 snow season (October 14, 2024 to October 14, 2025) at a cost of \$7,292.00 per centerline mile for 11.25 miles for a total expenditure of \$82,035.00 per season. (an increase of \$100/centerline mile from 2023/2024 agreement)

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

Williamson Law Book Company – Accounting Software

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize the Town Supervisor to sign the accounting software with Williamson Law Book company at an annual cost of \$1,274.00/year. (last year \$1,108)

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

Bills:

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

**REGULAR MEETING
SHELDON TOWN BOARD
August 23, 2023**

A motion was made by Jim Fontaine and seconded by Vince Kirsch that the General Bills #178 to #206 for a Total of \$18,820.71, the Highway Bills #101 to #113 for a Total of \$49,103.37, the Lighting District Bills #9 to #12 for a Total of \$455.96, the Trust & Agency Bills #11 to #11 for a Total of \$234.0, and the Varysburg Water District Bills #47 to #55 for a Total of \$23,908.45 be paid.
Ayes: (5) Becker, Kirsch Meyer, Armbrust, Fontaine Nays: (0) Motion Carried.

Comments from the Floor

At 7:30 p.m. Supervisor Becker opened the floor to comments.

Highway Superintendent

Councilman Joe Meyer commended new Highway Superintendent Luke Metz on the job he is doing. The Town Board joined in also commending Mr. Metz.

Purchase of Trailer for Highway Department

Superintendent Metz will wait to buy a new trailer until the budget allows, as the projected cost for a new one is \$10,000. Supervisor Becker suggested Mr. Metz contact the Wyoming County Sheriff's Department to inquire as to where they recently bought a new trailer.

Purchase of Storage Container for Highway Department

Superintendent Metz expressed interest in purchasing a water tight container box to store signs. Approximate cost \$3,000. This item will be discussed at the September 27th budget workshop meeting.

Adjournment

At 7:47 p.m. a motion was made by Vince Kirsch and seconded by Jim Fontaine to adjourn the August 23, 2023 regular meeting of the Sheldon Town Board.
Ayes: (5) Becker, Kirsch Meyer, Armbrust, Fontaine Nays: (0) Motion Carried.