

**REGULAR MEETING  
SHELDON TOWN BOARD  
August 20, 2025**

The Regular Meeting of the Sheldon Town Board held August 20, 2025 at the Sheldon Town Hall, 1380 Centerline Rd., NY 14145 was called to order by Town Supervisor Brian Becker at 7:00 p.m.

Present: Supervisor Brian Becker  
Councilmen: Joe Meyer, Vince Kirsch, Mike Armbrust, Jim Fontaine  
Also present: Highway Superintendent Luke Metz  
Recording Secretary: Town Clerk Carol Zittel  
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 Joe Meyer that the minutes from the July 16, 2025 regular meeting be approved.

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

**Communications**

The Town Clerk, Carol Zittel, reported the following:

**.gov Website**

The Town Clerk attended a webinar hosted by NYMIR on the new .gov regulation. She will work on transitioning our website to the new .gov domain requirement.

**NYSEG Transmission Line**

Public notice was received from NYSEG in the matter of application for a certificate of Environmental compatibility and public need pursuant to article VII of the public service law for the Erie Wyoming Transmission Solution Project. NYSEG's proposal is to rebuild existing line that runs a distance of approximately 11.3 miles from the Stolle Road Substation in the Town of Elma, to the High Sheldon Substation in the Town of Sheldon.

**Update – Solar Solicitation**

Town Clerk Carol Zittel and Supervisor Becker spoke via telephone with Mitchell Timblin, independent contractor for Invenergy to confirm that he is not soliciting for wind projects in the Town of Sheldon. Mr. Timblin conveyed that he is not soliciting for a wind project and also confirmed that he is aware, that if that changes, he will need to reapply for another solicitor permit. Mr. Timblin also conveyed that he is done soliciting for solar in the Town of Sheldon. If he returns to Sheldon, he will notify the Town Clerk.

**Animal Shelter Inspection Report**

NYS Department of Ag & Markets submitted their yearly report for the Wyoming County Dog Control Officer. DCO services were rated as satisfactory.

**REGULAR MEETING  
SHELDON TOWN BOARD  
August 20, 2025**

**Wyoming County Comprehensive Plan Survey**

Wyoming County is distributing a strategic plan survey for County resident input in developing a County Comprehensive Plan. The Town Clerk posted the survey on the Town Facebook page and has copies available at the Town Hall.

**Reports**

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

**Wyoming County Zoning Report**

The Wyoming County Zoning report was distributed and is on file in the Town Clerk's office. Supervisor Becker read portions of the report.

**Highway Superintendent Report**

Highway Superintendent Luke Metz reported the following:

**Oil & Stoning**

The Highway Department oil and stoned North Sheldon Rd., Humphrey, Maxon, Royce and the Town Hall parking lot. Approximately 10 miles. Neighboring towns of East Aurora, Holland, Bennington and Java assisted.

**Supervisor Report**

Supervisor Brian Becker reported the following:

**Air Conditioning Issue at Town Hall**

The air conditioning unit at the hall malfunctioned causing some water damage to Town Bookkeeper's records. The air conditioner has now been fixed.

**Weight Capacity – NYMIR Recommendation**

Don Roberts, Wyoming County Code Enforcement Officer, has the qualifications to give the weight capacity on the highway mezzanine. NYMIR had recommended that the weight capacity be posted on the mezzanine.

**Fire Inspection – Town Hall**

A recent fire inspection noted that a CO2 detector is required. It has now been installed. The oil room needs to add fire retardant above the chemical storage shelves.

**Wyoming County Nursing Home – 5-Star Rating**

The Wyoming County Nursing home received a 5-star rating.

**Veteran of the Month – Lorne Lemieux**

The Wyoming County Board of Supervisors honored Sheldon resident Lorne Lemieux as Veteran of the Month at their meeting held at the County Fair. Supervisor Becker

**REGULAR MEETING  
SHELDON TOWN BOARD  
August 20, 2025**

commented that Mr. Lemieux gave a great speech, also adding that it would be hard to find anyone more deserving of the honor.

**Acceptance of Reports**

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

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

**Old Business:**

**Historian Report**

Jeanne Mest, Town Historian, was present at tonight's meeting. A letter from Ms. Mest dated August 14, 2025 was distributed to the Board prior to the meeting. Ms. Mest reported the following:

- 2026 will be the 250<sup>th</sup> anniversary of the signing of the Declaration of Independence.
- In 1958, the Town celebrated the 150<sup>th</sup> anniversary with various events: parade, beard judging, dance, concert, old-timers baseball game.
- In 1976, for the bicentennial, there were programs planned for every month
- The large stone at the corner of Route 77 and Centerline, has the names of 18 Sheldon revolutionary war veterans. Four names are missing. Ms. Mest would like to add these names in some way (new plaque or additional plaque)
- Ms. Mest would like to organize a committee to plan the events for 2026. The Town Clerk will work with Ms. Mest to organize and advertise a committee meeting to be held at the town hall.

Supervisor Becker will be sure to add money to the 2026 budget line for "celebrations."

**Frinks Cemetery – Sign Dedication**

Ms. Mest has been awarded another grant from the Pomeroy Foundation to erect a cemetery sign. This time, the sign is for the Frinks Corners Cemetery at the corner of Route 77 and Perry Rd. Ms. Mest would like to organize a sign dedication ceremony. Date TBD.

**Harris Corners Fire Contract**

Ron Janish, Treasurer for the Harris Corners Fire Department, was present at tonight's meeting. Mr. Janish reported that the Town of Bennington will be voting on their fire contract at their next meeting. The Town of Sheldon approved the Harris Corners contract pending an equitable approval by the Town of Bennington.

**Harris Corners Truck Financing Resolution**

RESOLVED, that the undersigned members of the Town Board of the Town of Sheldon, Wyoming County, New York upon reading the Appointment of Hearing Officer executed by Brian Becker, Supervisor dated July 16, 2025; the Notice of Public Hearing posted on the Town of Sheldon website at least 7 days prior to the public hearing; and the Report of Hearing Officer

**REGULAR MEETING  
SHELDON TOWN BOARD  
August 20, 2025**

dated July 29, 2025 for the Public Hearing held on July 29, 2025 at 7:00 p.m.; hereby approve the "Approval of Borrowing" attached hereto and further direct that the Sheldon Town Supervisor execute such "Approval of Borrowing" on behalf of the Town Board.  
Ayes: (5) Becker, Meyer, Kirsch, Armbrust, Fontaine Nays: (0) Motion Carried.

**Varysburg Water Update**

Supervisor Becker reported the following:

- Fineline Pipeline was awarded the bid for the water project. The two lowest bidders were within \$900 of each other.
- They intend to be finished with the project by December 31, 2025. There may be lawn repairs that have to wait until spring 2026.
- NYS EFC has inquired as to whether the Town will increase water rates. Supervisor Becker hopes to reduce the yearly maintenance fee (\$200 currently) and take the amount reduced and apply it to the loan payment. His hope is that Varysburg Water customers will not see too much of an increase next year. The actual water bill usage rate will not increase.
- At the conclusion of this water project, the oldest water line in the District will have been installed 2015. The thought is that the new lines will prevent future leaks which will lower the need for a large maintenance fund.
- Upgrades to the pumphouse will be at a future time and not in this phase of the project.
- Thane Wright has been working on uncovering water shut offs so they are marked when they are installing lines.

**Mills Zoning Violation**

Nothing new to report.

**Fraudulent Check Incident – Suit Kote Check**

Supervisor Becker gave a recap on the fraudulent check incident:

- On July 3, 2025, the Town's check to Suit Kote was fraudulently cashed.
- The Town became aware of it 10 days later.
- The FBI retrieved the money and it has been deposited back in the Town's banking account.
- The Town of Warsaw and the Village of Perry both had checks written to Suit Kote that were fraudulently cashed in Pennsylvania.
- The Town Highway Superintendent and Town Supervisor will ensure that future checks to Suit Kote are hand delivered or picked up.
- The Board does not want to purchase forgery and altercation coverage. (estimated cost \$500/year)

**REGULAR MEETING  
SHELDON TOWN BOARD  
August 20, 2025**

**Schoolhouse Museum Repairs**

Councilman Fontaine reported that he fixed the loose railing at the schoolhouse. He noted that the ramp at the schoolhouse may get slippery when wet so he recommends that Clarence Conrad (or someone from the Historical Society) put some gripping material on it.

**Sale of Reisdorf Road**

No objections or petitions were received on the permissive referendum for the sale of Reisdorf Road, therefore, the sale will be finalized. The legal costs associated with the sale of Reisdorf Road will be billed to Reisdorf Brothers. At this time, the legal bills are approximately \$800.

**Summer Swim Program**

Supervisor Becker expressed his thanks to Lindsay Eddy, owner of Byrnclyff; Town Clerk Carol Zittel; Town Bookkeeper Katie Chmura and Youth Director Kimberley Piorun for their extraordinary efforts to run a successful swim program this year.

**Pioneer Cemetery Trees**

Councilman Fontaine removed the dead trees at the Pioneer Cemetery.

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize the Town to provide Jim Fontaine with a donation receipt (based on the quotes received) for his work in taking down the trees at the Pioneer Cemetery.

Ayes: (4) Becker, Meyer, Kirsch, Armbrust Abstain: (1) Fontaine Nays: (0) Motion Carried.

**NYMIR Recommendations**

At their July meeting, the Town Board scheduled a public hearing for September 17, 2025 at 7:00 p.m. for a Prior Notice Local Law as recommended by NYMIR.

**New Business:**

**Local Law – Tax Cap Override**

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Section 3-c of General Municipal Law, also known as the “Property Tax Cap,” provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, to adopt a budget that requires a tax levy greater than two percent (2%) for the coming fiscal year, the Town Board must first enact, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, the funds necessary to operate and maintain the two fire districts in the Town of Sheldon shall require a tax levy greater than two percent (2%); and

WHEREAS, the Town Board of the Town of Sheldon finds it in the best interest of the Town to hold a public hearing to consider the adoption of such a local law.

**REGULAR MEETING  
SHELDON TOWN BOARD  
August 20, 2025**

NOW ON MOTION OF Jim Fontaine which has been duly seconded by Vince Kirsch, be it RESOLVED, by the Town Board of the Town of Sheldon will hold a public hearing on the proposed adoption of said local law on the 17th day of September 2025 at 7:00 P.M., at which time all interested parties and citizens for or against the proposed law will be heard; and be it further

RESOLVED, that the Town Clerk shall make notice of the above public hearing in the Town's official newspaper, and shall obtain an Affidavit of Publication for such notice.

RESOLVED, that the Town Clerk shall post the Notice of Public Hearing on the Town notice board, along with a copy of the proposed local law.

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

**Town Justice Vacancy**

The Town Board discussed the Justice vacancy due to the resignation of Jason Janes and decides not to appoint a replacement.

A motion was made by Mike Armbrust and seconded by Joe Meyer to authorize that Justice Laura Kirsch be the sole Town Justice until December 31, 2026 and that she be compensated with the salary that would have been paid to Justice Janes.

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

The second Justice position will be on the ballot in November 2026.

**Board of Assessment Review Appointment**

Jim Kirsch's term to the Board of Assessment Review ends on 9/30/2025. As he will be on the ballot for a Town Council position, he will not be re-appointed to the BAR. Mr. Kirsch was present at tonight's meeting and stated that he may know someone for the position. The Board tabled the discussion until their September meeting.

**Williamson Law – Accounting Software Agreement**

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the renewal of the Accounting Software contract with Williamson Law Book Company at an annual cost of \$1,405 for the timeframe of 9/1/2025-8/31/2026.

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

**Fund Transfer**

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the transfer of \$100,000.00 from A1083 Wind Power Payments Due to DA1083 Wind Power Payments Due to Highway.

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

**Bills:**

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

A motion was made by Mike Armbrust and seconded by Jim Fontaine that the

General Bills #153 to #174 for a Total of \$13,080.75, the

Highway Bills #110 to #124 for a Total of \$273,252.18, the

**REGULAR MEETING  
SHELDON TOWN BOARD  
August 20, 2025**

Lighting District bills #8 to #8 for a Total of \$721.03, the  
Trust & Agency bills #13 to #13 for a Total of \$247.00, the  
Varysburg Water District bills #39 to #44 for a Total of \$830.26, the  
Varysburg Water System Improvement bills #13 to #16 for a Total of \$10,256.09 be paid.  
Ayes: (5) Becker, Meyer, Kirsch, Armbrust, Fontaine Nays: (0) Motion Carried.

**Comments from the Floor**

At 8:10 p.m. Supervisor Becker opened the floor to comments.

**Soliciting Permits**

Resident Deanne Siemer asked the Town Clerk if she has issued any permits to AES (American Energy Systems). Town Clerk Carol Zittel replied that she has not been contacted by AES and therefore no permits have been issued.

**Mills Zoning Violation**

Resident, Deanne Siemer, asks how much the Town has spent on the Mills zoning issue. Supervisor Becker replies that the Town will keep whatever money is gained from the sale of the scrap materials picked up at the Mills residence and use it toward the attorney fees. The remaining amount will be billed to Mr. Mills. In the event he doesn't pay, the amount will go on his taxes. Supervisor Becker states that what he has relayed tonight is what he has been told by Town Attorney David DiMatteo. Ms. Siemer recommends that Supervisor Becker get that in writing.

**Parcel Labels on Wyoming County Real Property Website**

The Town Clerk notified the Board that on the County web mapping tool, parcels with wind turbines are being displayed as owned by the Wyoming County IDA. Jim Kirsch, Town Assessor for many towns in the County, will look into the issue and Supervisor Becker will speak with Victoria at the Real Property office.

**Adjournment**

At 8:20 p.m. a motion was made by Joe Meyer and seconded by Mike Armbrust to adjourn the August 20, 2025 meeting of the Sheldon Town Board.

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