

**REGULAR MEETING  
SHELDON TOWN BOARD  
September 17, 2025**

The Regular Meeting of the Sheldon Town Board held September 17, 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 August 20, 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:

**Waive 30-day Municipality Notification – Liquor License Varysburg Hotel**

A motion was made by Joe Meyer and seconded by Vince Kirsch to approve the request from Varysburg Hotel Bar & Grill LLC for a waiver of the 30-day municipality notification for a liquor license application.  
Ayes: (5) Becker, Meyer, Kirsch, Armbrust, Fontaine Nays: (0) Motion Carried.

**Sheldon Celebrates the Semi quincentennial**

Historian, Jeanne Mest, is organizing Town-wide events to celebrate the 250th Anniversary of the Signing of the Declaration of Independence. A planning meeting will be held at the Town Hall on September 24, 2025 at 7:00 p.m. All are welcome to attend.

**FEMA – Notice of Revised Flood Insurance Rate Map**

Supervisor Becker was sent notification by FEMA of revised flood insurance rate maps. There is a 90-day appeals period.

**Reports**

The Town Supervisor financial reports, Town Clerk monthly report and Town Justice report 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.

**Six Star Post – Variance Denied**

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Supervisor Becker noted that the variance request for the Six Star Post was denied by the Zoning Board of Appeals. A letter from the Women of Valor Memorial and Veterans & Community Center Communications Committee was distributed to the Town Board.

**Highway Superintendent Report**

Highway Superintendent Luke Metz reported the following:

**Striping of Town Hall Parking Lot**

The town hall lot will be striped tomorrow.

**School Street Drainage – Varysburg Water Project**

The Highway Superintendent has met with Fineline Pipeline, contractor for the Varysburg Water project, to ensure that drainage on School Street is addressed correctly.

**Supervisor Report**

Supervisor Brian Becker reported the following:

**Wyoming County Hospital**

The hospital has been running just in the red since the rural critical access designation.

**Ohri Medical Group**

The County has purchased and taken over the Ohri Medical Group.

**Final Snow Payment Received**

The Town received the final snow payment from the County in the amount of \$32,362.71.

**High Speed Broadband Expansion in Wyoming County**

County Administrator, Scott Shrader, was successful in obtaining funding from the Empire State Development Corp. for broadband expansion in the County. It is a \$19 million endeavor, with the County fronting \$4 million. More information on the project will be forthcoming. The project is expected to be complete December 31, 2026. The project will be mostly fiber optic with some wireless.

**Acceptance of Reports**

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

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

**Old Business:**

**Open Public Hearing – Local Law Tax Cap Override**

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At 7:15 p.m. a motion was made by Jim Fontaine and seconded by Joe Meyer to open the public hearing for a Local Law entitled: "Override the Tax Levy Limit Established in General Municipal Law Section 3-c."

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

Supervisor Becker explained that this law is required due to the fire taxes increase of more than 2%. The Town of Sheldon will still be at zero town taxes for 2026.

**Open Public Hearing – Prior Notice**

At 7:15 p.m. a motion was made by Joe Meyer and seconded by Vince Kirsch to open the public hearing for a Local Law entitled: "Prior Written Notice."

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

**Varysburg Water**

Supervisor Becker shared photos of the Varysburg Water project. The contractors are using the former site of Sheldon Elementary as a lay down area. Varysburg resident, Bob Graham, asks why the project sign says Strykersville and not Varysburg. Supervisor Becker replies that he assumes it is because the mailing address for the Town Hall is Strykersville and all the application materials had the Town Hall as the contact.

Supervisor Becker explains how the new pipes will be installed:

- 8-inch mains will be installed
- Then hydrants
- Then mains filled with water/chlorine solution
- Then system flushed
- No household should be without water for more than 2 hours during the install
- Residents with older homes/lines are encouraged to change their lines going into their houses. A letter has been sent to homeowners advising of this recommendation with two contractors listed as resources. (Fineline and Ed Zehler)

Water leak on 8/25/25 in front of the Walter Slepinski residence. Supervisor Becker spent over three hours waiting for Dig Safely. The next day, National Fuel and Ed Zehler came out and fixed the leak.

**Close Public Hearing – Local Law Tax Cap Override**

At 7:30 p.m. a motion was made by Vince Kirsch and seconded by Joe Meyer to close the public hearing for a Local Law entitled: "Override the Tax Levy Limit Established in General Municipal Law Section 3-c."

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

**RESOLUTION TO ADOPT 2% TAX CAP LOCAL LAW No. 1 OF 2025**

**WHEREAS**, all Board Members, having due notice of said meeting, and that pursuant to Article 7, Section 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

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**WHEREAS**, Section 3-c of General Municipal Law 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**, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, 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**, notice of said public hearing was duly advertised in the official newspaper of the Town of Sheldon; and

**WHEREAS**, said public hearing was held on September 17, 2025 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

**WHEREAS**, after due consideration and discussion the Town Board has decided to adopt said proposed local law.

**NOW ON MOTION OF** Jim Fontaine, which has been duly seconded by Mike Armbrust, therefore, be it

**RESOLVED**, that the Town Board of the Town of Sheldon feels it is in the best interests of the Town of Sheldon to adopt Local Law No. 1 of 2025 entitled, "Override the Tax Levy Limit Established in General Municipal Law Section 3-c."; and be it

**FURTHER RESOLVED**, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

Roll call vote:

Becker: Aye

Kirsch: Aye

Fontaine: Aye

Armbrust: Aye

Meyer: Aye

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

**TOWN OF SHELDON  
LOCAL LAW NO. 1 OF 2025 ENTITLED  
"OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN  
GENERAL MUNICIPAL LAW §3-c."**

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**BE IT ENACTED** by the Town Board of the Town of Sheldon as follows:

**SECTION I.           LEGISLATIVE INTENT**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Sheldon, County of Wyoming pursuant to General Municipal Law §3-c. and to allow the Town of Sheldon, County of Wyoming to adopt a town budget for (a) town purposes; (b) fire protection districts; and (c) any other special or improvement district governed by the Town Board for the fiscal year 2026 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

**SECTION II.          AUTHORITY**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c. which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

**SECTION III.        TAX LEVY LIMIT OVERRIDE**

The Town Board of the Town of Sheldon, County of Wyoming is hereby authorized to adopt a budget for the fiscal year 2026 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

**SECTION IV.         SEVERABILITY**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION V.          EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.

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**Close Public Hearing – Prior Notice Law**

At 7:30 p.m. a motion was made by Joe Meyer and seconded by Vince Kirsch to close the public hearing for a Local Law entitled: “Prior Written Notice.”

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

**RESOLUTION TO ADOPT LOCAL LAW NO. 2 OF 2025 ENTITLED “PRIOR WRITTEN NOTICE”**

**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**, the Town Board is considering a local law entitled, “Prior Written Notice” to supersede New York Town Law §65-A to provide maximum protection against lawsuits from defects to highways, bridges, streets, sidewalks, crosswalks, or culverts; and

**WHEREAS**, the Town Board of the Town of Sheldon held a public hearing on September 17, 2025, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

**WHEREAS**, the Town Board of the Town of Sheldon finds it to be in the best interest of said Town to adopt said local law.

**NOW ON MOTION** Jim Fontaine, which has been duly seconded by Joe Meyer, now therefore be it

**RESOLVED**, that the Town Board of the Town of Sheldon hereby adopts Local Law No. 2 of 2025, entitled, “Prior Written Notice”; and be it further

**RESOLVED**, that the Town Clerk is directed to enter said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to keep a log of written prior notifications the Town of Sheldon receives relative to defects and obstructions on Town highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Sheldon.

Roll call vote:

Becker: Aye

Kirsch: Aye

Fontaine: Aye

Armbrust: Aye

Meyer: Aye

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

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**LOCAL LAW NO. 2 OF 2025 ENTITLED:**

**PRIOR WRITTEN NOTICE**

A local law providing for written notification of defects and obstructions on Town highways, bridges, streets, sidewalks, crosswalks and culverts in the Town of Sheldon.

Be it enacted by the Town Board of the Town of Sheldon:

**SECTION I. TITLE**

This Local Law is adopted pursuant to the authority of Municipal Home Rule Law of the State of New York and shall be known as "Prior Written Notice".

**SECTION II. PERTAINING TO TOWN HIGHWAYS, BRIDGES,  
STREETS, SIDEWALKS, CROSSWALKS AND CULVERTS**

No civil actions shall be maintained against the Town of Sheldon or Town Superintendent of Highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such highway, bridge, street, sidewalk, crosswalk or culvert was actually given to the Town Clerk or Town Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of. No such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, street, sidewalk, crosswalk or culvert, unless written notice thereof, specifying the particular place, was actually given to the Town Clerk or Town Superintendent of Highways and there was failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

**SECTION III. TRANSMITTAL OF NOTICES TO CLERK**

The Town Superintendent of Highways shall transmit in writing to the Town Clerk within ten (10) days after the receipt thereof all written notices received pursuant to this local law.

**SECTION IV. RECORDKEEPING**

The Town Clerk shall keep an indexed record, in a separate book, of all written notices received of the existence of a defective, unsafe, dangerous or obstructed condition in or

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upon, or of an accumulation of ice or snow upon any Town highway, bridge, culvert or sidewalk, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. All such written notices shall be indexed according to the location of the alleged defective, unsafe, dangerous or obstructed condition, or the location of accumulated snow or ice. The record of each notice shall be preserved for a period of five (5) years after the date it is received.

**SECTION V. SEVERABILITY**

If any part or provision of this Local Law, or the application thereof, to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this Local Law, or application thereof to other persons or circumstances, and the Town Board of the Town of Sheldon hereby declares that it would have passed this Local Law or the remainder thereof, had such invalid application or invalid provision been apparent.

**SECTION VI. REPEAL**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

**SECTION VII. SUPERSESION OF STATE LAW**

It is the intent of the Town Board of the Town of Sheldon, pursuant to the Municipal Home Rule Law of the State of New York, to supersede such portions of § 65-A of the Town Law of the State of New York. This Local law shall supersede in its application NYS Town Law §65-A, Sections 1, 2 & 3.

**SECTION VIII. WHEN EFFECTIVE**

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.

**Mills Zoning Violation**

Supervisor Becker has been in touch with a company that will remove items from the Mills property.

**Harris Corners Fire Contract & Strykersville Ambulance Contract**

The Town of Bennington is holding their board meeting tonight. Once confirmation is received that Bennington approved the budget at the same rate, the Town Clerk will type up the contracts.



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**New Business:**

**Letter of Support to Senator Borrello**

Senator Borrello's office requested a letter of support for Senator Gallivan's proposed bill S8481/A8996. The bill would authorize local governments to opt out of certain electrification mandates.

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the Town Clerk to send a letter of support for proposed bill S8481/A8996 to Senator Borrello.

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

**Board of Assessment Review Appointment**

A motion was made by Joe Meyer and seconded by Vince Kirsch to appoint Melissa Haenle to the Board of Assessment Review. (term 9/30/25-9/29/30)

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

**Schedule 2026 Budget Workshop Meeting**

A motion was made by Jim Fontaine and seconded by Mike Armbrust to schedule the 2026 budget workshop meeting for Wednesday, October 1, 2025 at 6:00 p.m. at the Sheldon Town Hall.

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

**Retirement of Town Clerk and Bookkeeper**

Supervisor Becker reported that the Town Clerk, Carol Zittel and Town Bookkeeper, Katie Chmura will both be retiring 12/31/25. There are two County employees interested in the bookkeeping position. They would be hired as contractors and the Town will not need to contribute to NYS Retirement for them. They currently do the bookkeeping work for the Towns of Wethersfield and Orangeville.

**Fund Transfers**

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the following fund transfers:

Transfer \$11,161.21 from DA2300 Transportation Services to DA5142.4 Snow Removal Contractual

Transfer \$15,135.99 from DA3501 Consolidated Highway Aid (increase in CHIPS funding) to DA5112.2 Permanent Improvements Capital Outlay

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. Councilman Meyer inquired on the new water delivery company. The Highway Superintendent responded that they are working out well. Councilman Fontaine noted the prices for diesel and unleaded fuel.

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A motion was made by Vince Kirsch and seconded by Joe Meyer that the General Bills #175 to #191 for a Total of \$9,178.25, the Highway Bills #125 to #135 for a Total of \$11,382.66, the Lighting District bills #9 to #9 for a Total of \$678.71, the Trust & Agency bills #14 to #14 for a Total of \$247.00, the Varysburg Water District bills #45 to #49 for a Total of \$2,364.48, the Varysburg Water System Improvement bills #17 to #18 for a Total of \$10,857.50 be paid.  
Ayes: (5) Becker, Meyer, Kirsch, Armbrust, Fontaine Nays: (0) Motion Carried.

**Comments from the Floor**

At 7:40 p.m. Supervisor Becker opened the floor to comments.

**Street Light at St. Cecilia's Church Lot**

A question as to who installed the street light at the church lot was brought up. No one seemed to know who was responsible for the install. The Board agreed to look into it.

**Adjournment**

At 7:45 p.m. a motion was made by Vince Kirsch and seconded by Jim Fontaine to adjourn the September 17, 2025 meeting of the Sheldon Town Board.

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