

**REGULAR & ORGANIZATIONAL MEETING
SHELDON TOWN BOARD
JANUARY 19, 2022**

The Regular & Organizational Meeting of the Sheldon Town Board held January 19, 2022 at the Sheldon Town Hall, 1380 Centerline Rd., Strykersville, NY 14145 was called to order by Town Supervisor Brian Becker at 7:30 p.m. A Zoom meeting was also held.

Present: Supervisor Brian Becker (in-person)
Councilmen: Joe Meyer, Vince Kirsch, Jim Fontaine (in-person)
Mike Armbrust (via Zoom)

Recording Secretary: Town Clerk Carol Zittel (in-person)

Also present in-person: Highway Superintendent David Ricketson, Deputy Town Clerk Kate Meyer, Representative from George & Swede Zach Shadbolt

No others were present.

Oaths of Office Administered

The oaths of office were administered to Councilman Joe Meyer and Councilman Mike Armbrust.

Minutes

A motion was made by Jim Fontaine and seconded by Joe Meyer that the minutes from the December 15, 2021 regular meeting and the December 29, 2021 special year-end meeting be approved.

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

Communications

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

Local Law 1-2021 Tax Cap Override Filed

The NYS Department of State sent notification that Local Law 1-2021 Tax Cap Override was filed.

NYS Association of Towns Annual Conference

Due to the COVID pandemic, the NYS Association of Towns conference has been changed to remote only. February 20-23. Registration is required.

Reports

The Town Supervisor financial report, cash flow report, highway payroll report, fund balance report, Town Clerk December report, Town Clerk annual report and Town Justice report were distributed.

Highway Superintendent Report

Highway Superintendent Ricketson reported on the following:

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Surplus Equipment – Blower

The blower is listed on Auctions International and bids will be accepted until next Wednesday, January 26th. The Highway Superintendent and Board will agree to a minimum bid.

Purchase of New Excavator

Zach Shadbolt, salesman from George & Swede Inc. was present at tonight's meeting to distribute a sales quote and discuss the excavator purchase. The excavator is on NYS OGS contract award PC69513 therefore a formal bidding process is not required. Total cost for the Hyundai HW140A wheeled excavator as outlined on the 1/13/2022 quote is \$205,757.00. This quote includes a trade in value for the department's gradall of \$5,000.00.

The Board had several questions for Mr. Shadbolt regarding costs for training, warranty, boom options, etc...

Authorization to Purchase Excavator

A motion was made by Jim Fontaine and seconded by Vince Kirsch to authorize the trade in of the Town's Gradall and authorize the purchase of a Hyundai HW140A wheeled excavator at a cost of \$205,757.00. (Total cost of excavator was \$210,757.00 – \$5,000.00 trade in for Gradall reduced cost to \$205,757.00)

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

Supervisor's Report

Supervisor Becker reported on the following:

Grant – Migrant Worker Housing

Prior to tonight's meeting Supervisor Becker asked Councilman Fontaine to look into local farmer interest regarding a potential grant for migrant farm worker housing. Councilman Fontaine looked into the matter and did not believe there would be much interest.

Old Business:

Varysburg Water

Heidelberg Inc. is close to completing work on the chlorinator. New gaskets had to be ordered – expected arrival two weeks.

ARPA Funding

Supervisor Becker reached out to Senator Gallivan's and Assemblyman DiPietro's offices with questions regarding ARPA funding spending requirements. There is unclear guidance as to when and how the funds should be spent. Supervisor Becker will continue to look for more information.

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Spectrum – New Phones at Town Hall

Spectrum is scheduled to install a higher speed internet and phone service at the Town Hall tomorrow.

Low Income Classification Aged Exemption

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Town Attorney to work on a Local Law to enable the Town to raise the classification for low income for assessment purposes in the Town of Sheldon to \$24,000.00.

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

Insurance Coverage – Highway Equipment

As a follow-up to last month's meeting, the Highway Superintendent confirmed that the Town highway equipment and the associated attachments are covered under the Town's insurance through NYMIR.

Audit of Town Books

Supervisor Becker will coordinate with Don Przybyl for an audit date.

New Business:

Historian Report

Town Historian, Jeanne Mest, submitted a written report to the Town Clerk which was distributed to the Board prior to the meeting. Supervisor Becker and the Board commend Ms. Mest for an outstanding job.

Williamson Law Books – Tax Collector Software

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the Town Supervisor to sign the contract with Williamson Law Books for tax collector software at an annual cost of \$432.

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

Local Law – 1-2022 Videoconference Law

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 of the Town of Sheldon desires to allow its Board members to participate in Town Board meetings via videoconference from outside the geographical boundaries of the Town, pursuant to Public Officers Law § 102; and

WHEREAS, it is unclear under Town Law § 62 whether a Town Board member may participate in Board meetings from a location outside the Town's boundaries; and

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WHEREAS, the Town Board wishes to provide the express authority, pursuant to Municipal Home Rule § 10, for its members to participate in Board meetings from outside the geographical boundaries of the Town of Sheldon; 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 said local law.

NOW ON MOTION OF Vince Kirsch which has been duly seconded by Joe Meyer, 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 16th day of February 2022 at 7:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.
Ayes: (5) Becker, Armbrust, Meyer, Fontaine, Kirsch Nays: (0) Motion Carried.

Bills:

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 #1 to #17 for a Total of \$3,608.38, the Highway Bills #1 to #10 for a Total of \$11,389.53, the Trust & Agency Bills #1 to #3 for a Total of \$427.68, the Lighting District Bills for a Total of \$509.25, and the Varysburg Water District Bills #1 to #5 for a Total of \$3,603.56 be paid.
Ayes: (5) Becker, Armbrust, Meyer, Fontaine, Kirsch Nays: (0) Motion Carried.

Organizational Meeting

Salaries & Wages

A motion was made by Jim Fontaine and seconded by Joe Meyer to set the salaries for Town Officials both elected and appointed as stated in the 2022 Budget as adopted:

Town Board -----\$2,891.25 each
Supervisor -----\$8,076.00
Town Clerk -----\$20,484.00 (plus \$20/mt phone reimbursement)
Supt. Of Highways ----- \$59,928.00 plus \$500 per year max copay reimbursement
and max \$200 per year clothing & boot allowance plus half dental

Justices (2) ----- \$11,017.50 each

Tax Collector -----\$3,009.00

Carol Zittel as Registrar of Vital Statistics \$375

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Carol Zittel as Marriage Officer (no salary)

Carol Zittel as Records Management Officer (no salary)

Donna Almeter as Deputy Town Clerk & Deputy Registrar \$14.00/hr

Kate Meyer as Second Deputy Town Clerk \$14.00/hr

Whitney Kehl as Third Deputy Town Clerk \$14.00/hr

Katie Chmura as Bookkeeper \$23,340.00

Jeanne Mest as Town Historian \$1,000.00

Donna Almeter as Court Clerk \$24,720.00

Wyoming County Building Codes as Zoning Officer (contracted)

Carolyn Mruzec as Dog Enumerator (\$1.50 per dog, plus mileage)

Janet Bonner as Water Rents Receiver \$1,200

TBD as Certified Water Operator \$2,745 Water District Exceptional Duties \$15.00 per hour

Part-time Laborer (wing person) NYS minimum wage (\$13.20 is minimum wage as of 1/1/2022)

Joyce Griffen as cleaner \$14.00 per hour

Marissa Rudgers 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 31st 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 2022 annual salary for cemetery maintenance is \$200.

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

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Training

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize all appointed and elected officials to attend, at town expense, applicable trainings in 2022.

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

Water District Advisory Board

A motion was made by Vince Kirsch and seconded by Mike Armbrust to appoint the following to the Varysburg Water District Board for 2 year terms 1/1/2022-12/31/2023:

Dave Thornton
Scott Almeter
Thane Wright
Jeff Rogacki

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

*The Board typically has five members. Member Ron Wert previously submitted a letter of resignation to the Town Supervisor. The Board decided to leave the Board at four members with the option of adding another member at a later date.

Deputy Supervisor and Deputy Superintendent

A motion was made by Vince Kirsch and seconded by Mike Armbrust to appoint:

Mike Armbrust as Deputy Supervisor and
John Herrmann as Deputy Highway Superintendent

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

Depository Banks

A motion was made by Vince Kirsch and seconded by Mike Armbrust to name as depository bank, Five Star Bank, Bank of Castile, Steuben Trust and Green County Community Bank for General, Highway, Trust & Agency Varysburg Water District, Capital Fund, Unemployment Insurance Reserve Fund and Lighting Districts.

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

Mileage Rate

A motion was made by Vince Kirsch and seconded by Mike Armbrust that the Rate of mileage for town business for 2022 be set at .585 cents per mile.

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

Town Attorney

A motion was made by Vince Kirsch and seconded by Mike Armbrust to appoint David DiMatteo as the Town Attorney on an as needed basis, as outlined in the Attorney agreement from 2021.

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

Town Boards

A motion was made by Vince Kirsch and seconded by Mike Armbrust to appoint the following to designated Boards and positions for the terms listed after each name:

Zoning Board of Appeals: No appointment this year - Ken Beglinger was appointed a year early in January 2021

Recreation Board: Katie Chmura - 5 year term 01/01/22-12/31/2026

Planning Board: Don Pawlak – 5 year term 1/01/22-12/31/2026

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

Town Board Meetings 2022 – NOTE - Change in Time for 2022

A motion was made by Jim Fontaine and seconded by Vince Kirsch that the Regular Board Meeting be the third Wednesday of the month at 7:00 PM at the Sheldon Town Hall EXCEPT for the August meeting which will be held August 24, 2022 and to continue offering a Zoom option during the COVID pandemic.

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

The Wyoming County Fair is August 13-20, 2022

Town Highway Spending

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Highway Superintendent be allowed to spend an amount not exceeding \$3,000 on the repair and maintenance of an individual piece of inventoried town equipment, without the Board's prior approval.

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

Town Highway Spending

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Highway Supt. is authorized to purchase, without the Town Board's prior approval, small tools in an amount not to exceed \$1,999 per purchase. Any purchase of an individual piece of equipment in excess of \$2,000 shall be deemed a capital purchase, all of which shall be subject to Town Board approval.

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

Procurement Policy

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Town Board adopt the same Procurement Policy as was used in 2021 for the year 2022.

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

Investment Policy

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Town Board adopt the same Investment Policy that was used in 2021 for the year 2022.

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

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Fund Balance Policy

A motion was made by Joe Meyer and seconded by Mike Armbrust that the Town Board adopt the same Fund Balance Policy that was used in 2021 for the year 2022. First adopted September 19, 2018.

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

Town Policies

A motion was made by Joe Meyer and seconded by Mike Armbrust 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: (5) Becker, Armbrust, Meyer, Fontaine, Kirsch Nays: (0) Motion Carried.

Scrap Metal Policy

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

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

Town Hall Use Agreement

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

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

Travel & Training Policy

A motion was made by Joe Meyer and seconded by Mike Armbrust to adopt the travel and training policy that was first adopted on January 18, 2017.

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

Official Newspaper

A motion was made by Joe Meyer and seconded by Mike Armbrust to designate the Batavia Daily as the Official Newspaper for 2022.

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

Committees

A motion was made by Vince Kirsch and seconded by Jim Fontaine to appoint the following committees:

Street Lighting: Mike Armbrust & Joe Meyer

Building: Mike Armbrust & Vince Kirsch

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Labor: Dan Farberman, Wyoming County 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: (5) Becker, Armbrust, Meyer, Fontaine, Kirsch Nays: (0) Motion Carried.

Assessor Report

Councilman Fontaine asked if the Assessor submitted a yearly report. Supervisor Becker will request one from Mary Kern.

Comments from the Floor

At 8:20 p.m. Supervisor Becker opened the floor to comments. There were none.

Adjournment

At 8:20 p.m. a motion was made by Vince Kirsch and seconded by Joe Meyer to adjourn the January 19, 2022 meeting of the Sheldon Town Board.

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