

**REGULAR MEETING
SHELDON TOWN BOARD
July 19, 2023
Public Hearing – Varysburg Water Improvements
Public Hearing – Harris Corners Fire Contract
Public Hearing – Reinig/Flatt Sheldon Elementary Special Use Permit**

The Regular Meeting of the Sheldon Town Board held July 19, 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
Recording Secretary: Town Clerk Carol Zittel
Absent: Councilman Jim Fontaine
Also present: Highway Superintendent Luke Metz, Reporter Maya Borer
Attorney David DiMatteo arrives at 8:43 p.m.

Present from the Harris Corners Fire Department: Nick Kirsch, Tommy Keem, Ron Janish, Margit Germain

Present for the Special Use Permit: Applicants Mike Flatt and Lisa Reinig
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 Joe Meyer that the minutes from the June 21, 2023 regular meeting, the June 27, 2023 Strykersville Fire contract meeting and the July 18, 2023 Strykersville Fire Public Hearing meeting be approved.

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

Communications

The Town Clerk Carol Zittel reported on the following:

NYS Ag & Markets Report on Municipal Shelter

The yearly municipal shelter inspection report was submitted by the NYS Department of Ag & Markets – all boxes marked satisfactory. The Town Clerk and the Town Supervisor noted what a great job Justa Goodell does for the County and the great condition of the shelter.

Reports

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

Open Public Hearing to Consider Improvements to the Town of Sheldon Varysburg Water District

At 7:03 p.m. a motion was made by Joe Meyer and seconded by Mike Armbrust to open the public hearing for consideration of proposed improvements to the Town of Sheldon Varysburg Water District.

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

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Public Hearing – Varysburg Water Improvements

Supervisor Becker reviewed the need improvements to the Varysburg Water District. Supervisor Becker noted the following:

- The engineering plans submitted by Barton & Loguidice were shown to those in attendance and will be available via PDF once authorization is received from the engineering company
- Photos that showed damage to the equipment and facilities from chlorine exposure were shown
- Photos of the water tank were shown
- The 2 inch pipe on School Street needs to be replaced to at least 8 inch
- The projected cost of the project is \$2,619,000.00
- A WIIA grant could cover 60% of the cost
- Currently, the Town has a 39 year loan with USDA that equates to approximately a \$40,000.00 per year payment. \$26,000 of the \$40,000 is interest. The interest rate is 3.1%
- With approximately 152 EDUs this equates to approximately \$285 per EDU on tax bills
- Freedom Park Trailer Park in Varysburg was at 21 EDUs and will now be at 23
- Varysburg Hotel is billed for 4 EDUs
- Sheldon Elementary has been reduced from 14 EDUs to 2 pending the sale of the school to Lisa Reinig and Mike Flatt
- In response to a resident asking where the 12 EDUs that were reduced for the new owners of Sheldon Elementary go, Supervisor Becker replied that the cost will be shared by the remaining EDUs. He explained that the decision to reduce the EDUs for the school was mathematical – the water usage for 2 adults will be much different than 100 children and staff. Councilman Armbrust noted that there may be additional EDUs added if the district extends to more customers such as the Boxlers and possibly other residents. Councilman Kirsch noted that the new business at the School site will not be rented out and will not be a place where people are coming in and out frequently. Kirsch continued that if the business plan changes in any way, then the applicants need to come back for permission from the Town Board.
- Supervisor Becker explained that there is only one meter at each location (one meter at the Trailer Park, one meter at the fire hall, one meter at the Church and one meter at the park) There may be multiple EDUs but only one meter.
- Supervisor Becker shows a map of the water district and explains that the district also includes some residents from the Town of Orangeville.
- If the Boxler business on Route 20A signs on for service – they will be billed for more than one EDU
- At 7:30 p.m. Supervisor Becker asked if there were any other comments from the public on the Varysburg Water District. There were none.

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- Supervisor notified the Board that they believe they found the water leak today. The District had been losing close to 50,000 gallons of water a day. The leak was across the street from Dollar General and the Fire Hall.
- Supervisor Becker noted that the Town paid the engineer \$25,000 for this engineering report and for their work in applying for a grant and potentially a USDA loan.

Motion to Close Public Hearing to Consider Improvements to the Town of Sheldon Varysburg Water District

At 7:35 p.m. a motion was made by Mike Armbrust and seconded by Vince Kirsch to close the public hearing for consideration of proposed improvements to the Town of Sheldon Varysburg Water District.

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

Resolution Authorizing Submission of a New York State Water Infrastructure Improvement Act (WIIA) Grant Application

WHEREAS, the Town of Sheldon wishes to apply to the New York State Water Infrastructure Improvement Act grant for the Varysburg Water District Improvements Project.

WHEREAS, the grant application requires approval from governing board for submission

On a motion made by Joe Meyer and seconded by Mike Armbrust

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Sheldon authorizes the submission of a New York State Water Infrastructure Improvement Act (WIIA) grant application for the Varysburg Water District Improvements Project; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to submit the (WIIA) grant application on behalf of the Town, and to execute any agreements, instruments or other documents in connection with the Town's acceptance of any such grants and/or the funding thereof; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.
Ayes: (4) Becker, Kirsch Meyer, Armbrust Nays: (0) Absent: (1) Fontaine Motion Carried.

Resolution Authorizing Submission of a New York State Environmental Facilities Corporation New York State Revolving Funds Financing Application

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WHEREAS, the Town of Sheldon wishes to apply to the New York State Environmental Facilities Corporation State Revolving Funds for the Varysburg Water District Improvements Project.

WHEREAS, the financing application requires approval from governing board for submission

On a motion made by Mike Armbrust and seconded by Vince Kirsch

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Sheldon authorizes the submission of a New York State Environmental Facilities Corporation New York State Revolving Funds Financing Application for the Varysburg Water District Improvements Project; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to submit the application on behalf of the Town, and to execute any agreements, instruments or other documents in connection with the Town's acceptance of any such financing and/or the funding thereof; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.
Ayes: (4) Becker, Kirsch Meyer, Armbrust Nays: (0) Absent: (1) Fontaine Motion Carried.

Resolution of the Town Board of the Town of Sheldon Approving a Proposed Increase of and Improvement to Town of Sheldon Varysburg Water District

WHEREAS, the Town of Sheldon owns and operates the Varysburg drinking water district – a water system that consists of two (2) wells, a water treatment building, one (1) water storage tank, and approximately 2.5 miles of distribution water main; and

WHEREAS, various components of the existing water system are in need of significant rehabilitation or replacement due to age-related deficiencies or that said components no longer meet current health standards; and

WHEREAS, at the request of the Town Board of the Town of Sheldon, Barton & Loguidice has prepared a map, plan and report with regard to the Sheldon Varysburg Water System Improvements dated June, 2023, and the same has been filed with the Town Clerk; and

WHEREAS, the Town Board of the Town of Sheldon met at the Town of Sheldon Town Offices on the 19th day of July, 2023 at 7:00 p.m. for the purpose of conducting a public hearing on such proposed water improvements and to hear all persons interested in the subject thereof concerning the same; and

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WHEREAS, in accordance with Town Law §202-B, the Town of Sheldon shall undertake certain capital water improvements for the Town of Sheldon Varysburg Water District; and

WHEREAS, the Town of Sheldon wishes to install a new water main to replace the outdated and undersized water main currently in use by the Town; and

WHEREAS, the Town further wishes to replace both well pumps, construct a new well house, rehabilitate the existing water storage tank, and acquire original furnishings, equipment, machinery or apparatus, and other incidental improvements that may be required for such water improvements; and

WHEREAS, the estimated maximum aggregate cost of said improvements is estimated to be \$2,619,000.00

WHEREAS, the improvements have been identified through public interest and the Varysburg Water District has ample capacity available to continue providing water to this district and proposed improvements; and

WHEREAS, the “Notice for a Public Hearing” with regard to the proposed water improvements was duly published and posted according to law, and said Town Board did, at the time and place specified, duly met and considered such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

ON MOTION OF Vince Kirsch, which was duly seconded by Mike Armbrust, **NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Sheldon, in the County of Wyoming, duly convened, that it be and hereby is determined as follows:

- (1) The Notice of Hearing was published and posted as required by law and is otherwise sufficient;
- (2) That all the property and property owners, within the district of the proposed water improvements are benefited thereby;
- (3) It is in the public interest to make the improvements; and be it

FURTHER RESOLVED, the water system improvements will serve approximately 150 Equivalent Dwelling Units (EDU’s); and be it

FURTHER RESOLVED, the debt service for improvements are based on Equivalent Dwelling Units and the Town of Sheldon anticipates securing grants from the USDA Rural Development to partially fund the project through grant, while the remaining share will be paid for by a USDA Rural Development Loan in addition to all other local, state or federal funding; and be it

FURTHER RESOLVED, the total capital cost (estimated maximum amount) for the Town of Sheldon Varysburg Water System Improvements is \$2,619,000.00 which amount is to be financed by the issuance of serial bonds in an aggregate amount not to exceed \$2,619,000.00, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, a USDA Rural Development loan; and be it

FURTHER RESOLVED, the payment of debt service will be made by levy and collection of special assessments from the several lots and proceeds of lands within the Varysburg Water District which for the Town Board shall determine and specify to be specifically benefitted

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thereby, so much upon and from each as such shall be in just proportion of the amounts of benefit conferred upon the same, to pay the principal of and interest on said bonds, as same shall become due and payable.

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

Bond Resolution – Varysburg Water

Councilman Joe Meyer presented the following resolution and duly moved that it be adopted and was seconded by Councilman Mike Armbrust:

BOND RESOLUTION DATED JULY 19, 2023 OF THE TOWN BOARD OF THE TOWN OF SHELDON, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Sheldon Varysburg Water District is a water district of the Town of Sheldon, New York, duly established by the Town Board pursuant to the Town Law and, pursuant to a resolution adopted on July 19, 2023, the Town has duly authorized additional facilities therein pursuant to §202-b of the Town Law; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”), has completed its environmental review and, on July 19, 2023, has duly adopted a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts ; *now therefor, be it*

RESOLVED BY THE TOWN BOARD OF THE TOWN OF SHELDON, NEW YORK (hereinafter referred to as the “Town”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Sheldon shall undertake certain capital improvements consisting of the acquisition and construction of water improvements for the Town of Sheldon Varysburg Water District, duly authorized pursuant to Section 202-b of the Town Law, to include the installation of new water main to replace outdated and undersized water mains currently in use, addition of isolation valves to facilitate future shutdowns for water main repair, addition of sample and flushing points to better maintain chlorine residuals in the system, the replacement of both well pumps in kind, the construction of a new well house, and rehabilitation

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of the existing water storage tank, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$2,619,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost to the Town of Sheldon of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$2,619,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, if any.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

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Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, and the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Sheldon.

Section 7. The faith and credit of the Town of Sheldon, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Sheldon together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.
Ayes: (4) Becker, Kirsch Meyer, Armbrust Nays: (0) Absent: (1) Fontaine Motion Carried.

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Open Public Hearing – Harris Corners Fire Contract

At 7:45 p.m. a motion was made by Mike Armbrust and seconded by Joe Meyer to open the public hearing for the Harris Corners Fire contract.

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

- Supervisor Becker asks why the Department is requesting an 8% increase for two years. Nick Kirsch replies that the price of fuel, the increase in cost for turnout equipment, increase in cost of repairs necessitates it.
- Supervisor Becker asks what the Department is asking from the Town of Bennington. Nick Kirsch replies that they are requesting the same amount as asked from Sheldon – an increase of 8% for 2024 and an additional 8% for 2025. Supervisor Becker explains the issue that occurred last year with Strykersville Fire when Sheldon approved the increase but the Town of Java did not. The Town of Sheldon then had to rescind it's approval as it would not have been fair to the taxpayers in the Sheldon portion of that fire district to pay a higher percentage of fire tax than their Town of Java counterparts. Supervisor Becker informs Harris Corners that we need confirmation that Bennington and Sheldon will be paying the same rate.
- The Board expressed their support of the 8% increase but will wait for confirmation from Bennington before accepting the contract

Close Public Hearing – Harris Corners Fire Contract

At 8:00 p.m. a motion was made by Mike Armbrust and seconded by Vince Kirsch to close the public hearing on the Harris Corners Fire contract and to table the vote until next month.

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

Open Public Hearing – Reinig/Flatt Special Use Permit

At 8:05 p.m. a motion was made by Vince Kirsch and seconded by Mike Armbrust to open the public hearing on the special use permit application submitted by Lisa Reinig and Mike Flatt to reside at and operate a business out of the former Sheldon Elementary site.

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

Open Discussion - Public Hearing – Reinig/Flatt Special Use Permit

- The Board discussed with Ms. Reinig and Mr. Flatt their intentions for the former school site. Questions were posed to what hours/days of the week they intended for the business.
- Ms. Reinig and Mr. Flatt replied that they intend to hold a sale open to the public on weekends up to twice a month
- Councilman Meyer asked if there would be any staff hired or sub-leasing to which Ms. Reinig replied that no, there would not be any sub-leasing or employees.

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- Resident Bob Graham of Varysburg commented that he hopes the Board would allow some flexibility regarding UPS deliveries as deliveries don't always arrive before 5pm.

Close Public Hearing – Reinig/Flatt Special Use Permit

At 8:15 p.m. a motion was made by Mike Armbrust and seconded by Vince Kirsch to close the public hearing on the special use permit application submitted by Lisa Reinig and Mike Flatt to reside at and operate a business out of the former Sheldon Elementary site.

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

Approval Reinig/Flatt Special Use Permit

A motion was made by Mike Armbrust and seconded by Joe Meyer to approve the special use permit application submitted by Lisa Reinig and Mike Flatt to reside at and operate a business out of the former Sheldon Elementary site with the following parameters:

- Business hours: 8am-5pm – Seven days a week
- Maximum of two weekends per month of public sales (no outdoor sales)
- No tents or storage of materials outside
- No subleasing without prior consent from the Town Board
- All NYS and County required permits approved

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

Highway Superintendent Report

Superintendent Luke Metz reported the following:

Surplus Equipment Auction

Superintendent Metz was happy with the bids on all the surplus items that sold on Auctions International except for the price bid on the Terrastar dump truck (\$15,800).

A motion was made by Vince Kirsch and seconded by Joe Meyer to accept all of the bids submitted for surplus equipment except for the bid on the Terrastar dump truck.

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

Dutch Hollow Road Paving

The Town assisted Wyoming County with milling Dutch Hollow Road.

Trailer Purchase On Hold

The Superintendent will not buy a trailer until the dump truck sells.

Supervisor's Report

At 8:40 p.m. Supervisor Brian Becker reported on the following:

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Wyoming County Hospital

The hospital has applied for critical care designation which will allow the County to be paid additional money from Medicare and Medicaid.

Bill in NYS Assembly & Senate

Supervisor Becker informed the Board of a bill in the NYS Assembly and NYS Senate that would change local elections from odd years to even years (excluding Justice positions). The bill has not been signed into law by the Governor. Councilman Meyer noted that the Town Board passed a Local Law to have the Town of Sheldon’s Supervisor and Town Clerk positions on opposite years to prevent losing both officials in the same year, which he stated would create bedlam. Supervisor Becker will keep the Board apprised if this bill becomes law.

County Run Ambulance Services

Brian Meyer, Director of Emergency Services for Wyoming County has proposed a County run ambulance service. The project would have a projected start up cost of \$2.7 million and an annual cost of \$700,000. Supervisor Becker noted that the project was up for a vote in the public safety committee at the County and it did not obtain the needed votes for acceptance. Supervisor Becker blames Albany for the lack of trained EMTs in the area stating that the 200 hours of trainings and certifications is too cumbersome. He noted that even military and nurses are not exempt from the required trainings. He also noted that the certificate of need is archaic.

9:00 p.m. Attorney DiMatteo Relinquishing Town Prosecutor Duties

Attorney DiMatteo informed the Board that his office will no longer be doing Town prosecutor work for any Towns in the County. The Board thanked Mr. DiMatteo for his years of service.

WYOMING COUNTY ZONING MONTHLY REPORT

Supervisor Becker gave a brief update on the ongoing zoning violation concerning Mr. Mills.

Date: July 3, 2023 – Report for June 2023

Town: Sheldon

Open Projects:

- **Matthew Creps (594 Route 20A)** – submitted an application for 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.

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- **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.
- **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.

Permits Issued: 5 Permits

- **Roxanne Maksymik (2075 Centerline Road)** - submitted an application for 30’ x 30’ pole barn
- **Gregory Krebs (2515 Route 20A)** – submitted an application for 24’ x 24’ addition to rear of garage
- **Ryan & Kristyn Loos (3898 Humbert Road)** – submitted an application for 8’ x 24’ porch with roof on shed and 7’ x 12’ lean to
- **Glenn Cramer (2284 Maxon Road)** – submitted an application for 6’ x 12’ deck off front dwelling
- **Lee Perl** – submitted an application for 122’ x 156’ barn addition

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

Property Maintenance Violations: No violations

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

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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 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.

Acceptance of Reports

A motion was made by and seconded by to accept all reports as presented.

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

Old Business:

ARPA Funding

Supervisor Becker met with Mike Adamczyk from Wyoming County Grounds and Mr. Adamczyk offered suggestions/assistance on writing specifications for a generator.

Broadband – working with Wyoming County

No update

Spectrum Update

The Town has not yet received a phone bill to confirm that requested lines have been removed.

NYMIR Inspection/Historical Building

Supervisor Becker reported that the swings at the Schoolhouse are still tied up preventing their use and the slide is closed off with caution tape. Councilman Meyer reported that the slide at the Vincent Almeter Memorial Park in Varysburg is fixed with epoxy and will be replaced when the

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new section arrives from the manufacturer. Supervisor Becker informed the board that trees were removed at the park that were dangerously close to falling on electric lines or into the park.

Strykersville Fire Contract

The public hearing for the Strykersville Fire contract was held last night on July 18th. The Town of Java did not have a quorum at the meeting so they were not able to have a vote of approval.

A motion was made by Joe Meyer and seconded by Vince Kirsch to approve the five-year contract with Strykersville Fire Department contingent upon the Town of Java also approving the proposed contract.

Contract total: \$172,319.00 per year 2024 – 2028

To be split:

- \$113,314 for the Town of Java
- \$59,005 for the Town of Sheldon

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

New Business:

Fund Transfer

A motion was made by Vince Kirsch and seconded by Mike Armbrust to authorize the transfer of \$150,000.00 from General Money Market A1083 to Highway Money Market DA1083 for July 2023 bills and payroll.

Ayes: (4) Becker, Kirsch Meyer, Armbrust Nays: (0) Absent: (1) Fontaine 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 Mike Armbrust that the General Bills #149 to #177 for a Total of \$31,182.18, the Highway Bills #86 to #100 for a Total of \$144,982.28, the Lighting District Bills # to # for a Total of \$0, the Trust & Agency Bills #9 to #10 for a Total of \$263.88, and the Varysburg Water District Bills #38 to #46 for a Total of \$1,766.76 be paid.

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

Comments from the Floor

Supervisor Becker opened the floor to comments. There were none.

**REGULAR MEETING
SHELDON TOWN BOARD**

July 19, 2023

Public Hearing – Varysburg Water Improvements

Public Hearing – Harris Corners Fire Contract

Public Hearing – Reinig/Flatt Sheldon Elementary Special Use Permit

Adjournment

At 9:05 p.m. a motion was made by Vince Kirsch and seconded by Mike Armbrust to adjourn the July 19, 2023 regular meeting of the Sheldon Town Board.

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