

**REGULAR MEETING
SHELDON TOWN BOARD
November 20, 2019**

The Regular Meeting of the Sheldon Town Board held November 20, 2019 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.

Present: Supervisor Brian Becker
Councilmen: Jim Fontaine, Vince Kirsch, Joe Meyer, Mike Armbrust
Recording Secretary: Town Clerk Carol Zittel
Also present: Attorney David DiMatteo, Kate Meyer
Absent: Highway Superintendent David Ricketson

There were no other attendees.

Minutes

A motion was made by Jim Fontaine and seconded by Joe Meyer that the minutes from the October 16, 2019 regular meeting and the November 7, 2019 budget public hearing meeting be approved.

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

Communications

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

2020 Association of Towns Training School

The Association of Towns training will be held in New York City February 16-19, 2020. No Town Board members expressed an interest in attending.

Liquor License Renewals

The Town Clerk was notified that liquor license renewal forms no longer have to be sent to the Town Clerk. The Town must still be notified of new liquor license applications.

Big Tree Solar Open House

ConnectGen will be holding an open house on December 3, 2019 at Byrnclyff Resort. Times are 8-10am and 4:30-7:30pm.

The Town Clerk received a revised PIP (Public Involvement Plan) via UPS today. Three residents came in today for copies. The Board did not feel it was appropriate for the Town Clerk to make copies of the document for residents and requested that ConnectGen supply the Town with 50 printed copies.

A motion was made by Mike Armbrust and seconded by Jim Fontaine to request 50 printed copies of the PIP from ConnectGen.

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

Reports

Financial Reports were presented for the months of October 2019 from the Town Clerk, Town Court and Town Supervisor. The cash flow and payroll reports were also presented.

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Highway Superintendent's Report

The Highway Superintendent was absent from tonight's meeting but submitted a written report.

Highway Report 11/20/19

10/17-10/25

Worked on setting up trucks for snow plowing as weather forced us inside

10/25-10/31

Cleaned, changed, shaped up things in yard and in shop and cold storage from summer operations to winter operations. Mixed salt and sand.

11/1/19

Repairs to equipment, oil changes, maintenance, etc...

11/4

Mailed Chips paperwork to state for December 16th payment

11/5 to present

General repairs to roads, clean ditches, cut shoulders, patch holes, clean up after wind storms and plow snow

Equipment Report

2009 Pete is at Marquart getting the cam replaced in the engine

2012 International having electrical problems, we are working those out in-house

School Rd. Abandonment

Sent info to Attorney DiMatteo regarding length of School Rd. to be abandoned 1030'.

Supervisor's Report

The Supervisor has no news to report.

Acceptance of Reports

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

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

Old Business:

Schofield Zoning Violation Update

Attorney DiMatteo has been in discussions with the Schofield's attorney and it was requested to extend the decision time to February 1st. The Zoning Board of Appeals will need to meet before December 15th to agree to this extension. The Town Clerk will set up a meeting date for the Zoning Board of Appeals before December 15th.

Abandon Reisdorf Road

Attorney DiMatteo has sent Hwy. Supt. Ricketson a packet of forms to fill out to progress with closing Reisdorf Road officially.

Adoption of 2020 Budget

A motion was made by Vince Kirsch and seconded by Jim Fontaine to adopt the preliminary budget as the final 2020 Town of Sheldon budget.

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

Zoning Map Update

**RESOLUTION
OF THE TOWN BOARD OF THE TOWN OF SHELDON
TO SEEK LEAD AGENCY AND SCHEDULE A PUBLIC HEARING**

Adopted: November 20, 2019

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 is considering adopting a local law entitled "Amending Article 4 'Zoning District Regulations' of the Zoning Law of the Town of Sheldon" which would amend the "Town of Sheldon Zoning Map" as part of Article 4 "Zoning District Regulations" of the Zoning Law of the Town of Sheldon; and

WHEREAS, by resolution dated August 21, 2019, the Town Board of the Town of Sheldon accepted Part 1 of the FEAF in regard to the amendment of the Zoning Law and Map; and

WHEREAS, the Town Board of the Town of Sheldon believes it is most appropriate candidate to seek lead agency under State Environment Quality Review Law; and

WHEREAS, pursuant to and in accordance with the provision of Section 617.6 (Initial

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Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, (6 NYCRR part 617) the Town Board of the Town of Sheldon declares its intention to seek lead agency status for purposes of SEQRA review and has reviewed the proposed law and will take a “hard look” at all potential adverse environmental impacts pursuant to SEQRA and shall advise all other involved and/or interested agencies as follows:

1. New York State Department of Transportation
 2. Wyoming County Planning Board
 3. Planning Board of the Town of Sheldon
 4. Town Board of the Town of Java
 5. Planning Board of the Town of Java;
- 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; and

WHEREAS, the Town Board of the Town of Sheldon finds it in the best interest of the Town to hold said public hearing at least thirty (30) days after seeking lead agency which would be after December 20th, 2019; and

WHEREAS, pursuant to New York Town Law §273, any proposed action with reference to any such change in the official map shall be published in a newspaper of general circulation at least ten days prior to the public hearing.

NOW ON MOTION OF Joe Meyer which has been duly seconded by Mike Armbrust, now, therefore be it

RESOLVED, the Town Board of the Town of Sheldon has determined that it is the most appropriate candidate to seek lead agency and hereby seeks lead agency; and be it further

RESOLVED, that the Town Board of the Town of Sheldon will begin review under the State Environmental Quality Review Act, also known as SEQRA and the Planning Board shall advise all other involved and/or interested agencies as follows:

1. New York State Department of Transportation
 2. Wyoming County Planning Board
 3. Planning Board of the Town of Sheldon
 4. Town Board of the Town of Java
 5. Planning Board of the Town of Java;
- and be it further

RESOLVED, that the Town Board of the Town of Sheldon will hold a public hearing on the proposed adoption of said local law on the 30th day of December 2019 at 5:00 p.m., at which time all interested parties and citizens for or against the proposed law will be heard; and be it further

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RESOLVED, that pursuant to New York Town Law §273, the Town Board hereby directs the Clerk to publish notice of the public hearing in a newspaper of general circulation at least ten days prior to the public hearing.

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

APPROVAL OF A BAN OF \$60,350.00 FOR THE SALT STORAGE FACILITY

WHEREAS, all Board Members, having due notice of said meetings, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meetings were 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 is considering financing the Salt Storage Facility through a Bond Anticipation Note (BAN No. 1 of 2019) of \$60,350.00 with a term of 3 years; and

WHEREAS, the Town Board of the Town of Sheldon seeks to retain the services of Town Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2019 from Five Star Bank, the Bank of Castile, Steuben Trust Company, and M & T Bank; and

WHEREAS, the note date of the \$60,350.00 BAN No. 1 of 2019 shall be the 4th day of December, 2019.

NOW ON MOTION OF Joe Meyer which has been duly seconded by Mike Armbrust, now therefore be it

RESOLVED, that the Town Board of the Town of Sheldon hereby authorizes the issuance of a bond anticipation note to finance the Salt Storage Facility, known as Bond Anticipation Note No. 1 of 2019 for \$60,350.00 dated December 4, 2019 for a term of 3 years; and be it further

RESOLVED, that the Town Board of the town of Sheldon will retain the services of Town Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2019 from Five Star Bank, the Bank of Castile, Steuben Trust Company, and M & T Bank.

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

New Business:

Williamson Law Program – Town Clerk

A motion was made by Joe Meyer and seconded by Mike Armbrust to authorize the Town Supervisor to sign the contract with Williamson Law for the Town Clerk software renewal. (\$413 annual).

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

Permission to Advertise for Youth Director Position

A motion was made by Vince Kirsch and seconded by Jim Fontaine to authorize advertising for the Youth Director position.

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

Bills:

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

A motion was made by Vince Kirsch and seconded by Joe Meyer that the General Bills #288 to #316 for a Total of \$39,637.75, the Highway Bills #160 to #176 for a Total of \$66,578.56, the Trust & Agency Bills #32 to #35 for a Total of \$683.42, the Varysburg Water District Bills #69 to #75 for a Total of \$12,188.81 and the Lighting District Bills for a Total of \$858.19 be paid.

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

Comments from the Floor

At 8:30 p.m. Supervisor Becker opened the floor to comments. There were none.

Adjournment

At 8:30 p.m. a motion was made by Vince Kirsch and seconded by Jim Fontaine to adjourn the November 20, 2019 meeting of the Sheldon Town Board.

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