

**REGULAR MEETING
SHELDON TOWN BOARD
NOVEMBER 16, 2022**

The Regular Meeting of the Sheldon Town Board held November 16, 2022 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: Jim Fontaine, Joe Meyer, Vince Kirsch
Recording Secretary: Town Clerk Carol Zittel
Absent: Councilman Mike Armbrust
Also present: Highway Superintendent David Ricketson. Resident Luke Metz

Minutes

A motion was made by Vince Kirsch and seconded by Jim Fontaine that the minutes from the October 19, 2022 regular meeting be approved.

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

Communications

The Town Clerk Carol Zittel had no communications.

Reports

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

WYOMING COUNTY ZONING MONTHLY REPORT

The County Zoning office did not submit an October report.

Highway Superintendent Report

Superintendent Ricketson reported on the following:

Truck Repairs Costs

The Western Star plow repair bill from Marquart is in tonight's bills. Total was \$9,426.00. A short discussion of the rising costs of repairs took place between the Highway Superintendent, Luke Metz and the Town Board.

Road Flooding – Maxon Road

This past Friday there was flooding on Maxon Road. The flooding occurred north of the Youngers residence to the Andrews' residence. Water was rushing over the Andrews' driveway which just had a new culvert pipe installed. Highway Superintendent Ricketson asked Maxon Rd. residents if there were any changes to try to determine the cause of the flooding. Highway Superintendent Ricketson will contact Wyoming County Water & Soil tomorrow to discuss investigating a possible cause of the flooding.

Supervisor's Report

Supervisor Brian Becker reported on the following:

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Tax Exempt Parcels

Supervisor Becker received a list of Town tax exempt parcels and ag exemption parcels.

Wyoming County Community Hospital

The hospital is still struggling with low staffing.

Acceptance of Reports

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

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

Old Business:

ARPA Funding

Supervisor Becker has been working with Cheryl Ketchum, Clerk to the Board of Supervisors and Town Bookkeeper Katie Chmura to submit the paperwork for ARPA funding. Supervisor Becker has had issues with the log in page for ARPA but now believes the issue has been rectified. Remaining ARPA funds: \$29,114.08. These funds will be used to purchase a generator that will run the Town Hall and Highway Department. Supervisor Becker notified the Board that he will be hiring an engineering company to write the bid specs.

Spectrum Update

A Verizon cell phone has been ordered for the new Town Highway Superintendent. Once the cell phone is set up, the Town Clerk will cancel the phone line on the Spectrum bill.

Varysburg Water Update

The bill from RAFA Systems is in tonight's bills for a total of \$16,793.50. Councilman Fontaine asked about the \$1,000 subscription fee listed on the bill. Supervisor Becker will reach out to RAFA Systems to see if this is a yearly subscription fee.

Strykersville Fire Contract – Revised Contract Amount

Town Attorney David DiMatteo drew up the Strykersville Fire contract and calculated the correct amount for the Town of Sheldon to match the same percentage increase as the Town of Java. At last month's meeting, Vickie Reisdorf had quoted an amount of \$52,072.00. Attorney DiMatteo's calculated the correct amount as \$51,819.00.

A motion was made by Vince Kirsch and seconded by Jim Fontaine to approve the contract with the Strykersville Fire Company in the amount of \$51,819.00.

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

Update to Fire District Maps

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Supervisor Becker reported that the revision of the fire district maps is now in the hands of the County and the fire departments. Once a map is agreed upon by the fire companies it will be forwarded on to the Town Board.

Historical Schoolhouse Repairs

Laury Lakas, President of the Sheldon Historical Society, submitted a quote from Frances N. George Inc. for the repairs to the Schoolhouse floorboards, siding and railing. The Town Board had previously received a quote from Steve Beechler. The Board is in agreement that this project needs to go to public bid. Ms. Lakas also inquired as to whether the Board had made a decision on installing a fire alarm system. Councilman Kirsch will look into pricing a fire alarm system and the various options that need to be considered.

Local Law 2-2022 – Tax Override

Supervisor Becker explained that this tax override is needed due to the increase in the Strykersville Fire contract. Town taxes will remain at zero for 2023.

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, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” added a new section 3-c to the General Municipal Law that 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, notice of said public hearing was duly advertised in the Batavia Daily, the official newspaper of said Town; and

WHEREAS, said public hearing was held on November 1, 2022 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 Joe Meyer, which has been duly seconded by Vince Kirsch, 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. 2 of 2022 entitled, “Override the Tax Levy Limit Established in General Municipal Law § 3-c.”; and be it

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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

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

Wyoming County Planning Board Appointment

A motion was made by Vince Kirsch and seconded by Joe Meyer to appoint Jim Fontaine to the County Planning Board to fill the vacancy left by Mike Armbrust's resignation from the position.

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

Appointment of New Highway Superintendent

The Town Board had previously scheduled a special meeting for Friday, November 18, 2022 at 5:00 p.m. to appoint a new Highway Superintendent. However, due to a forecasted winter storm warning for Friday, the Town Board is cancelling the November 18th meeting and is making this emergency resolution in order to have a Highway Superintendent appointed in time for the snow storm. Highway Superintendent David Ricketson will work his last day on November 18, 2022 and end his 18 years as the Town of Sheldon Highway Superintendent. Mr. Ricketson suggested that the Board order a new ten-wheeler truck as the wait time from order to delivery is approximately 2-3 years.

A motion was made by Brian Becker and seconded by Jim Fontaine to appoint Lucas Metz as Highway Superintendent effective 11/19/2022 to 12/31/2023 to fill the vacancy left by David Ricketson's resignation.

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

Cell Phone Reimbursement – Highway Superintendent

A motion was made by Brian Becker and seconded by Joe Meyer to approve a \$20.00 per month cell phone reimbursement for Luke Metz.

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

New Business:

Adoption of 2023 Budget as Final Budget

A motion was made by Jim Fontaine and seconded by Joe Meyer to adopt the preliminary budget as the 2023 Town of Sheldon final budget.

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

County Snow Contract

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the Town Supervisor to sign the Wyoming County snow contract for 2023-2024 at a rate of \$7,192 per centerline mile x 11.25 miles for a total of \$80,910.00.

*This is an increase of \$100 per centerline mile from the 2022-2023 contract.

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

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Town Clerk Software Renewal – Williamson Law

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Town Supervisor to sign the contract renewal with Williamson Law for the Town Clerk software renewal at an annual cost of \$463.00.

Ayes: (4) Becker, Fontaine, Meyer, Kirsch Absent: (1) Armbrust 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 Jim Fontaine that the General Bills #238 to #260 for a Total of \$32,541.53, the Highway Bills #138 to #150 for a Total of \$57,371.45, the Lighting District Bills #23 to #25 for a Total of \$678.67, the Trust & Agency Bills #36 to #38 for a Total of \$316.77, and the Varysburg Water District Bills #53 to #58 for a Total of \$28,527.91 be paid.

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

Comments from the Floor

At 8:00 p.m. the floor was opened to comments. There were none.

Adjournment

At 8:00 p.m. a motion was made by Vince Kirsch and seconded by Joe Meyer to adjourn the November 16, 2022 meeting of the Sheldon Town Board.

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