

**REGULAR MEETING
SHELDON TOWN BOARD
October 21, 2020**

The Regular Meeting of the Sheldon Town Board held October 21, 2020 at the Sheldon Town Hall, 1380 Centerline Rd., Strykersville, NY 14145 was called to order by Deputy Town Supervisor Mike Armbrust at 7:30 p.m. The meeting took place in the highway bay as to allow room for social distancing due to the COVID-19 pandemic.

Present: Deputy Supervisor Mike Armbrust
Councilmen: Vince Kirsch, Joe Meyer, Jim Fontaine
Absent: Supervisor Brian Becker
Recording Secretary: Town Clerk Carol Zittel
The Town Clerk joined the meeting via conference call
Also present: Highway Supt. Dave Ricketson, Attorney David DiMatteo, Justice Paul Romesser, Justice Laura Kirsch, Mary McNall representing Common Energy

Minutes

A motion was made by Mike Armbrust and seconded by Vince Kirsch that the minutes from the September 16, 2020 regular meeting be approved.

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

Communications

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

No communications to report.

Reports

The Town Supervisor financial reports, cash flow reports, Town Clerk September report and Town Justice September reports were distributed prior to the meeting via email.

Highway Superintendent Report

Highway Superintendent David Ricketson reported on the following:

New Western Star Plow Truck

The new Western Star plow truck arrived October 13th and was brought to Marquart – should be ready by the end of the month.

Purchase of Trailer for Skid Steer

The Board gave approval for the Highway Superintendent to get bids on a trailer for the skid steer.

Acceptance of Reports

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

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

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Old Business:

Schofield Deed Restriction

The Schofield deed restriction has been received and is on file in the Town Clerk's office. The Schofields also submitted to the Town Clerk a calendar of days spent in Sheldon.

Authorization to Complete Paperwork with Common Energy

Mary McNall, representative for Common Energy, was present at the meeting to request formal authorization to proceed with the transition to Common Energy for electricity supply.

A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Town Bookkeeper to provide the appropriate paperwork and bank information to Common Energy.

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

Purchase of New Pickup Truck for Highway Superintendent

The Highway Superintendent stated that there is no point purchasing a new pickup this year.

Declare 2009 Peterbilt Surplus and Advertise for Sale

A motion was made by Vince Kirsch and seconded by Joe Meyer to declare the 2009 Peterbilt as surplus equipment and to advertise it for sale.

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

The Highway Superintendent will get the truck listed and forward information to the Town Clerk if he would like it listed on the Town website or Facebook page. He will most likely use Auctions International. Bids should be received by 4:00 p.m. on December 16, 2020 and bids opened at 7:30 p.m. on December 16, 2020 during the regular meeting of the Town Board.

Adopt Tentative Budget as 2021 Preliminary Budget

A motion was made by Vince Kirsch and seconded by Jim Fontaine to adopt the tentative budget as the 2021 preliminary budget and to set the date for the public hearing for November 5, 2020 at 7:30 p.m. at the Sheldon Town Hall.

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

Open Public Hearing – Strykersville Ambulance/Sheldon Portion of Harris Corners

At 7:52 p.m. a motion was made by Jim Fontaine and seconded by Vince Kirsch to open the public hearing on the 2021 Strykersville Ambulance contract servicing the Sheldon portion of the Harris Corners Fire district.

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

Schedule Public Hearing – Local Law Tax Override

Town Attorney, David DiMatteo explained that a tax override law is required because of the increase in the Sheldon fire contract. The need for the override is not based on an aggregate increase.

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A motion was made by Joe Meyer and seconded by Jim Fontaine to schedule a public hearing on a proposed Local Law entitled “Override the Tax Levy Limit Established in General Municipal Law Section 3-C” on November 18, 2020 at 7:30 p.m.

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

Appointment of BAR Member

Deputy Supervisor Armbrust asked the Board to consider possible candidates for the Board of Assessment Review. Member Cindy Stoddard declined reappointment. This item will be on the November agenda.

RESOLUTION REGARDING THE APPROVAL OF A BOND ANTICIPATION NOTE OF \$154,799.00 FOR 2020 WESTERN STAR TRUCK WITH PLOW EQUIPMENT

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, pursuant to Governor Andrew Cuomo’s Executive Orders and the guidelines put into place in consideration of the COVID-19 pandemic, said meeting was held in accordance with social distancing protocol and face coverings were worn by all Board Members and public attendees; and

WHEREAS, the Town Board of the Town of Sheldon seeks authorization to finance the purchase of the 2020 Western Star Truck (Model 4700) with Plow Equipment through a Bond Anticipation Note (BAN No. 1 of 2020) of \$154,799.00; 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 2020 from Five Star Bank, the Bank of Castile, Community Bank N.A., M & T Bank, and Greene County Commercial Bank; and

WHEREAS, the note date of the \$154,799.00 BAN No. 1 of 2020 shall be the 5th day of November, 2020.

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

RESOLVED, that the Town Board of the Town of Sheldon hereby authorizes the financing of a Bond Anticipation Note for the purchase of the 2020 Western Star Truck (Model 4700) with Plow Equipment; and be it further

RESOLVED, that the above-mentioned note is being financed by the issuance of a Bond Anticipation Note, known as Bond Anticipation Note No. 1 of 2020 for \$154,799.00; and be it further

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RESOLVED, that the Town Board of the town of Sheldon hereby retains the services of Town Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2020 from Five Star Bank, the Bank of Castile, Community Bank N.A., M & T Bank, and Greene County Commercial Bank.

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

New Business:

Snow & Ice Contract – Wyoming County Highway

The Board tabled discussion of the snow and ice contract until the November meeting.

Adoption of LGS-1 Retention & Disposition Schedule

On a motion by Vince Kirsch and seconded by Joe Meyer

RESOLVED, By the Town Board of the Town of Sheldon that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein. **FURTHER RESOLVED**, that in accordance with Article 57-A: (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

Judicial Consolidation with Town of Wethersfield

Town Attorney, David DiMatteo, gave a brief summary on the proposed steps to proceed with judicial consolidation with the Town of Wethersfield. Town Justices Laura Kirsch and Paul Romesser were present at tonight's meeting. Attorney DiMatteo will set up a meeting with District Attorney Don O'Geen, the Sheldon committee and representatives from the Town of Wethersfield. More information will be forthcoming after this meeting has taken place.

Fund Transfer

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the transfer of \$232,370.00 from General Money Market (A1083) to Highway Money Market (DA1083) for bills, the salt building ban and \$90,000.00 towards the new truck.

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

Close Public Hearing – Strykersville Ambulance/Harris Corners

At 8:22 p.m a motion was made by Joe Meyer and seconded by Jim Fontaine to close the public hearing on the Strykersville Ambulance contract serving the Sheldon portion of the Harris Corners fire district.

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

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Approval of Strykersville Ambulance Contract

A motion was made by Jim Fontaine and seconded by Joe Meyer to approve a one-year contract in the amount of \$1,010.00 with the Strykersville Fire Department for ambulance service to the Sheldon portion of the Harris Corners Fire District.

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

Bills:

Deputy Supervisor Armbrust confirmed that the Board had a chance to review the abstracts.

A motion was made by Joe Meyer and seconded by Vince Kirsch that the General Bills #199 to #224 for a Total of \$9,443.87, the Highway Bills #135 to #152 for a Total of \$39,010.65, the Trust & Agency Bills #31 to #35 for a Total of \$722.49, the Varysburg Water District Bills #49 to #53 for a Total of \$554.89, and the Lighting District Bills for a Total of \$866.34 be paid.

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

Comments from the Floor

There were no comments from the floor.

Adjournment

At 8:24 p.m. a motion was made by Vince Kirsch and seconded by Joe Meyer to adjourn the October 21, 2020 meeting of the Sheldon Town Board.

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