

**REGULAR MEETING
SHELDON TOWN BOARD
October 20, 2021**

The Regular Meeting of the Sheldon Town Board held October 20, 2021 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. A zoom meeting was not held as there were no requests from board members or residents.

Present: Councilmen: Mike Armbrust, Joe Meyer, Vince Kirsch, Jim Fontaine
Recording Secretary: Town Clerk Carol Zittel

Absent: Supervisor Brian Becker, Highway Superintendent David Ricketson,
Deputy Highway Superintendent John Herrmann

Also present: No other attendees

Councilman Kirsch arrived at 7:50 p.m. He was on speaker phone from 7:30 p.m. until his arrival at 7:50 p.m. but did not vote on resolutions until he was present in-person.

Minutes

A motion was made by Jim Fontaine and seconded by Joe Meyer that the minutes from the September 15, 2021 regular meeting be approved.

Ayes: (3) Armbrust, Meyer, Fontaine Nays: (0) Absent (2) Becker, Kirsch Motion Carried.

Communications

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

Broadband Internet Survey

The NYS Department of Public Service sent an announcement regarding a broadband survey. They requested that the survey be advertised to residents. The Town Clerk will post it on the Town Facebook page and the Town website.

New Zoning Officer Assigned

Notice was received from Wyoming County Zoning that Nicole Grover will be the new Zoning Officer assigned to the Town of Sheldon. Jenna will be on maternity leave until March.

Navigating Solar Webinar

Information on navigating solar webinars was sent to all Town Board members including the Planning Board.

Reports

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

Highway Superintendent Report

Highway Superintendent Ricketson and Deputy Highway Superintendent were absent from tonight's meeting.

Supervisor's Report

**REGULAR MEETING
SHELDON TOWN BOARD
October 20, 2021**

Supervisor Brian Becker was absent.

Acceptance of Reports

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

Ayes: (3) Armbrust, Meyer, Fontaine Nays: (0) Absent (2) Becker, Kirsch Motion Carried.

Old Business:

Judicial Consolidation

Deputy Supervisor Armbrust has nothing new to report on the judicial consolidation. Supervisor Becker had previously stated that it doesn't look as if this will proceed.

Judge Romesser Resignation – Appointment of New Judge

The Town Board had a short discussion on how to proceed with a new Judge appointment due to Judge Romesser's resignation. The Board would like to meet with Justice Laura Kirsch and Court Clerk, Donna Almeter for their input.

Sale of Surplus Highway Equipment – Snow Blower

Town Highwayman Jeff George delivered a sealed bid envelope earlier today from a Maxon Road resident for the snow blower. The snow blower was placed on the lawn of the Town Hall with a for sale sign. It was not advertised in any other way. The Town Board declined the bid and asked that the Highway Superintendent inform the bidder. The Town Board asks that the Highway Superintendent list the snow blower and the paver on Auctions International.

A motion was made by Jim Fontaine and seconded by Joe Meyer to authorize the Town Highway Superintendent to list the following surplus equipment on Auctions International: 2007 snow blower/thrower and the 1965 paver.

Ayes: (3) Armbrust, Meyer, Fontaine Nays: (0) Absent (2) Becker, Kirsch Motion Carried.

Varysburg Water Update

Deputy Supervisor Mike Armbrust signed the contract with HMR Inc. so that work on the chlorinator could commence.

CDBG Community Development Block Grant

Nothing new to report.

Generator

The Town Hall generator has been repaired by M&M Holland. The invoice is in tonight's bills.

ARPA American Rescue Plan Act Funding

Nothing new to report. The Board needs to determine how to use the funding.

**REGULAR MEETING
SHELDON TOWN BOARD
October 20, 2021**

Spectrum Update – Town Hall Internet

The Town Supervisor and Town Clerk are in contact with Justin Niebel, a representative from Spectrum, waiting on a response.

Strykersville Fire Contract

The Town Board will be attending a joint meeting with the Java Town Board tomorrow night at the Strykersville Fire Hall to discuss the proposed fire contract.

New Business:

TOWN OF SHELDON RESOLUTION REGARDING THE APPROVAL OF A BOND ANTICIPATION NOTE OF \$77,399.50 FOR 2020 WESTERN STAR TRUCK WITH PLOW EQUIPMENT

WHEREAS, the Town Board of the Town of Sheldon met at a regular board meeting at the Town Hall at 1380 Centerline Road, Strykersville, New York, on the 20th day of October, 2021, commencing at 7:30 p.m., at which time and place the following members were:

| | | |
|----------|---------------|----------------------------------|
| Present: | Supervisor | Absent |
| | Councilperson | Mike Armbrust, Deputy Supervisor |
| | Councilperson | Vince Kirsch |
| | Councilperson | Jim Fontaine |
| | Councilperson | Joe Meyer |
| Absent: | Supervisor | Brian Becker |

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, in October 2020, the Town Board of the Town of Sheldon approved the financing and purchase of a 2020 Western Star Truck (Model 4700) with Plow Equipment (“the Truck”) through a Bond Application Note (BAN No. 1 of 2020) for the amount of \$154,799.00; and

WHEREAS, after soliciting bid proposals for BAN No. 1 of 2020 through Town Attorney, David M. DiMatteo, Esq, the Town of Sheldon accepted a bid from the Bank of Greene County to finance the BAN at an interest rate of zero point six nine percent (0.69%); and

**REGULAR MEETING
SHELDON TOWN BOARD
October 20, 2021**

WHEREAS, the Town of Sheldon has since paid \$77,399.50 of the original \$154,799 purchase price, leaving \$77,399.50 remaining to be paid to date; and

WHEREAS, the Town Board of the Town of Sheldon seeks authorization to rebid the debt of the 2020 Western Star Truck (Model 4700) with Plow Equipment through a Bond Anticipation Note (BAN No. 1 of 2021) of \$77,399.50; 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 2021 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 \$77,399.50 BAN No. 1 of 2021 shall be the 5th day of November, 2021.

NOW ON MOTION OF Joe Meyer which has been duly seconded by Jim Fontaine, 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 2021 for \$77,399.50; and be it further

RESOLVED, that the Town Board of the town of Sheldon herby retains the services of Town Attorney David DiMatteo to request bid proposals for BAN No. 1 of 2021 from Five Star Bank, the Bank of Castile, Community Bank N.A., M & T Bank, and Greene County Commercial Bank.

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

Local Law – Tax Override – Public Hearing

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” add 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

**REGULAR MEETING
SHELDON TOWN BOARD
October 20, 2021**

(60%) of the total voting power, a local law to override such limit for such coming fiscal year only;
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 Joe Meyer which has been duly seconded by Jim Fontaine, 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 17th day of November 2021 at 7:30 p.m., at which time all interested parties and citizens for or against the proposed law will be heard.

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

Adopt Tentative Budget as 2022 Preliminary Budget & Set Date Public Hearing

A motion was made by Jim Fontaine and seconded by Joe Meyer to adopt the tentative budget as the 2022 Preliminary Budget and to set the date for the public hearing for Wednesday, November 3, 2021 at 6:30 p.m. at the Sheldon Town Hall.

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

Fund Transfer – Employee Benefit Accrued Liability Reserves

A motion was made by Vince Kirsch and seconded by Jim Fontaine to authorize the transfer of \$15,000.00 from General Money Market fund balance A909 to Highway Money Market DA909 fund balance for Employee Benefit Accrued Liability Reserves (based on Article 15, sick leave of Collective Bargaining Agreement – max of 180 days may be accumulated x 8 hours = 1440 x 75% = 1080 hours x \$25 per hour = \$27,000 per employee)

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

Fund Transfer - Employee Benefit Accrued Liability Reserves

A motion was made by Joe Meyer and seconded by Jim Fontaine to authorize the transfer of \$15,000.00 from Highway Money Market fund balance DA909 to Cash Special Reserves DA230 (will bring EBALR reserves to \$65,000.00)

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

Fund Transfer

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the transfer of \$63,614.50 from General Money Market A1083 to Highway Money Market DA1083.

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

Snow & Ice Agreement with Wyoming County Highway

A motion was made by Joe Meyer and seconded by Vince Kirsch to authorize the Town Supervisor to sign the snow & ice agreement with Wyoming County Highway.

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

**REGULAR MEETING
SHELDON TOWN BOARD
October 20, 2021**

Bills:

Deputy Supervisor Armbrust 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 #237 to #259 for a Total of \$18,702.92, the Highway Bills #113 to #124 for a Total of \$17,013.47, the Trust & Agency Bills #31 to #35 for a Total of \$793.12, the Varysburg Water District Bills #56 to #61 for a Total of \$790.73, and the Lighting District Bills for a Total of \$460.82, be paid.

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

Comments from the Floor

At 8:10 p.m. Deputy Supervisor Armbrust opened the floor to comments.

Councilman Meyer gave an update on natural gas odors on Route 20a.

Adjournment

At 8:20 p.m. a motion was made by Vince Kirsch and seconded by Jim Fontaine to adjourn the October 20, 2021 meeting of the Sheldon Town Board.

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