

**REGULAR MEETING  
SHELDON TOWN BOARD  
September 20, 2023**

The Regular Meeting of the Sheldon Town Board held August 23, 2023 at the Sheldon Town Hall, 1380 Centerline Rd., Strykersville, NY 14145 was called to order by Councilman Mike Armbrust at 7:00 p.m.

Present:

Councilmen: Joe Meyer, Mike Armbrust, Vince Kirsch, Jim Fontaine

Absent: Supervisor Brian Becker

Recording Secretary: Town Clerk Carol Zittel

Also present: Highway Superintendent Luke Metz, Court Clerk Donna Almeter, President of Harris Corners Fire Department Nick Kirsch

**Minutes**

A motion was made by Joe Meyer and seconded by Jim Fontaine that the minutes from the August 23, 2023 regular meeting be approved.

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

**Communications**

The Town Clerk Carol Zittel reported the following:

**Six Star Post – Liquor License Renewal Notification**

Notification was received from the Six Star Post regarding their NYS liquor license renewal. There were no objections.

**Reports**

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

**WYOMING COUNTY ZONING MONTHLY REPORT**

**Date:** September 2023 – Report for August 2023

**Town:** Sheldon

**Open Projects:** No open projects this month

**Permits Issued:**

- **Michael Malecki (560 Centerline Road)** – permit issued for a 10' x 10' addition off of house

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

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**Property Maintenance 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 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.

**Highway Superintendent Report**

Superintendent Luke Metz reported the following:

**2012 Peterbilt Repairs**

The power divider was out but is now repaired and the truck is up and running. The plan is to trade this truck in.

**Western Star Plow Truck**

The Western Star chassis won't be in until December 25<sup>th</sup>. TBD on whether the chassis will be paid in 2023 or 2024 dependent upon delivery.

**Salt**

3,000-3,500 ton of salt in the salt building.

**Shoulder Machine & Wrenches – Auctions International**

The shoulder machine and wrenches were paid for but not picked up in the required timeframe so they will go back on the auction site.

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**International Truck**

The plan is to sell the truck once the snow starts - still TBD.

**Acceptance of Reports**

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

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

**Old Business:**

**ARPA Funding**

Nothing new to report.

**Varysburg Water Update**

Nothing new to report. Grant application submitted by B&L. Waiting on guidance from RCAP to start income survey mailing.

**Open Public Hearing – Strykersville Ambulance/Harris Corners Contract**

At 7:10 p.m. a motion was made by Jim Fontaine and seconded by Joe Meyer to open the public hearing for the Strykersville and Harris Corners ambulance contract. Strykersville Fire Department is asking for a two-year \$1,500.00 per year contract.

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

**Spectrum Update**

Donna Almeter, court clerk, was in attendance tonight. She will work with Supervisor Becker on purchasing a new Verizon phone for the court office. The Town Clerk will cancel the Spectrum fax line when the court is ready.

**NYMIR Inspection/Historical Building**

Councilman Meyer has the plastic needed to repair the slide at the Varysburg Park.

**Broadband Coverage**

No update. Still working with the County.

**Town Prosecutor Appointment**

Councilman Meyer had an opportunity to speak with Judge Michael Mohun and Justice Mohun recommended that the Town utilize the District Attorney's office for the Town Prosecutor position. Court Clerk Donna Almeter has spoken with District Attorney Don O'Geen and he has indicated that an attorney from his office, Adam Koch, would be able to serve in this role for the Town of Sheldon.

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A motion was made by Vince Kirsch and seconded by Joe Meyer to authorize the Town Supervisor to request a proposal from the District Attorney's office to provide a Town Prosecutor.

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

**Five Star Bank – Varysburg Water Account**

A motion was made by Joe Meyer and seconded by Jim Fontaine to approve the removal of Janet Bonner and the addition of Town Clerk Carol Zittel and Town Bookkeeper Katie Chmura to the Five Star Bank Varysburg Water checking account.

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

**New Business:**

**Resolution – Rescinding of April 27, 2023 Resolution – Luke Metz NYS Retirement**

A motion was made by Vince Kirsch and seconded by Joe Meyer to rescind the April 27, 2023 resolution of Luke Metz's record of activities for NYS Retirement due to a clerical error in misstating the record of activities as 20 instead of the correct number of 26.13.

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

**Resolution – Establishing Standard Work Days – Highway Superintendent**

On a motion by Jim Fontaine and seconded by Vince Kirsch, be it resolved that the Town of Sheldon hereby established the following standard work day for the title of Highway Superintendent and will report the official to the New York State and Local Retirement based on their record of activities:

Appointed official: Luke Metz

Title: Highway Superintendent

Current Term Begin & End Date: 11/18/2022-12/31/2023

Standard Work Day: 8

Record of Activities: 26.13

Pay Frequency: Biweekly

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

**Bills:**

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

A motion was made by Jim Fontaine and seconded by Vince Kirsch that the

General Bills #207 to #223 for a Total of \$11,905.86, the

Highway Bills #114 to #132 for a Total of \$77,434.79, the

Lighting District Bills #13 to #13 for a Total of \$966.93, the

Trust & Agency Bills #12 to #12 for a Total of \$234.00, and the

Varysburg Water District Bills #56 to #60 for a Total of \$760.36 be paid.

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

**Close Public Hearing – Strykersville Ambulance/Harris Corners Contract**

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At 7:25 p.m. a motion was made by Jim Fontaine and seconded by Vince Kirsch to close the public hearing for the Strykersville/Harris Corners ambulance contract.

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

**Approve Strykersville Ambulance/Harris Corners Contract**

A motion was made by Jim Fontaine and seconded by Joe Meyer to approve a two-year ambulance contract with Strykersville Fire Department to provide ambulance services to the Sheldon portion of the Harris Corners Fire District at a rate of \$1,500.00 per year.

2024: \$1,500

2025: \$1,500

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

**Comments from the Floor**

At 7:26 p.m. Councilman Armbrust opened the floor to comments. There were none.

**Adjournment**

At 7:26 p.m. a motion was made by Jim Fontaine and seconded by Vince Kirsch to adjourn the September 20, 2023 regular meeting of the Sheldon Town Board.

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