

VILLAGE OF SHERMAN

MINUTES OF THE REGULAR MEETING OF THE BOARD, & MEETING OF THE MUNICIPAL ZONING BOARD Wednesday, March 8, 2023, at 6:00pm

Mayor Colleen Meeder called the meeting to order at 6:00pm and lead everyone in the Pledge of Allegiance. Board members Colleen Meeder, Ryan Sanders, Dennis Watson, Gary Emory, and Danielle Crane; Chief Operator Jay Irwin; Clerk-Treasurer Jeanette Ramm; Residents Kyle Rhebergen; Sherman Central School Superintendent Carrie Yohe; County Legislator Marty Proctor; and the press were in attendance.

PRESENTATION

Mayor Meeder introduced **Carrie Yohe, the Superintendent of Sherman Central School**, who did a presentation of the school's proposed Capital Project. Ms. Yohe gave everyone a copy of the presentation and went through each slide explaining the most critical needs, proposed rearrangement of classrooms, including the cafeteria, and additions to the school buildings. She gave details of the estimated costs, and then answered people's questions.

RES 2023-03-08.1: MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held February 8, 2023, the Special Meeting of the Village Board of Trustees held February 22, 2023, and accept, nunc pro tunc, the cancellation of the Joint Public Hearing scheduled to be held with the Town of Sherman on February 13, 2023.

Moved by Trustee Emory Seconded by Trustee Sanders
Ayes: 4 Nays: 0 Carried

nunc pro tunc – Latin meaning “now for then”

RES 2023-03-08.2: EDIT TO THE MINUTES OF THE FEBRUARY 2, 2023 JOINT PUBLIC HEARING

Motion to approve following edit to the February 2, 2023 Minutes of the Joint Public Hearing calling for it to be ‘adjourned until’, not ‘scheduled on’:

Motion to adjourn the joint public hearing until ~~schedule on~~ Monday, February 13, 2023, at 6:00 p.m. a joint public hearing on the Petition to be held by the Town of Sherman and the Village of Sherman at Sherman Fire Hall (Dining Hall), 122 Park Street, Sherman, NY 14781, and be it further resolved that the Town and Village Clerk post legal notice of the scheduled joint public hearing.

Moved by Trustee Watson Seconded by Trustee Sanders
Ayes: 4 Nays: 0 Carried

RES 2023-03-08.3: TRUSTEE POSITION FULFILLMENT, DANIELLE CRANE

Motion to accept the mayor's appointment to fill the trustee vacancy with Danielle Crane, effective immediately through to the next Village election, filling the vacancy of the four-year term expiring in December 2025.

Moved by Trustee Emory Seconded by Trustee Watson
Ayes: 4 Nays: 0 Carried

Motion to suspend the regular meeting and enter into the meeting of the Municipal Zoning Board.

Moved by Trustee Crane Seconded by Trustee Emory
Ayes: 5 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

Code & Zoning Enforcement Officer, Greg Gormley, is drafting a proposed addition to local property maintenance law to address the need for extermination of infestations and vermin be handled by a licensed exterminator.

RES 2023-03-08.4: ANNUAL DUMPSTER SPECIAL USE PERMITS

Motion to approve the following annual dumpster permits:

- 121 Cornish Street – residential with no conditions
- 122 Park Street, Stanley Hose Fire Co. – commercial with no conditions
- 115 East Main Street, Westfield Family Physicians – commercial with no conditions

Moved by Trustee Watson Seconded by Trustee Crane
Ayes: 5 Nays: 0 Carried

The Village is working toward selling 121 and 123 West Main Street to a group who will invest in the properties, remodel and renovate them with the purpose of turning the upper space into two Airbnb's. With the absence of a defined short-term rental use within the Zoning Code, Code & Zoning Enforcement Officer Greg Gormley mapped out the process according to the 2009 Zoning Code.

SECTION 402 COMMERCIAL DISTRICT (C1)

SECTION 407 INTERPRETATION OF PERMITTED USES

When a **use is not specifically listed** as a "Use by Right" or a "Use by Special Use Permit" within any zoning district, it shall **be assumed to be a prohibited use unless it is determined in a written decision by the Board of Appeals** that said use is similar to permitted uses, meets the intent specified in the zoning districts, and is not inherently a nuisance, menace, or danger to the health, safety or welfare of the residents of the municipality.

In the case of 121 and 123 West Main Street a Special Use Permit is required. We will begin the process by deferring it to the Planning Board. The Planning Board shall make recommendations to the Permitting Board in accordance with Article X of Planning Boards. Once the Planning Board and the Municipal Board are satisfied it will be referred to the ZBA who will then make the final determination. It was noted according to Article IX on Zoning Board of Appeals: Referral to Planning Board - on an optional basis, the Zoning Board of Appeals may request a written recommendation from the Planning Board.

The Planning Board is scheduled to meet Tuesday, March 14, 2023, at 4:30pm.

RES 2023-03-08.5: 121-123 W MAIN ST SHORT TERM RENTAL SPECIAL USE PERMIT

Motion to accept the Enforcement Officer of Code and Zoning, Gormley's denial of the building permit for 121 & 123 West Main Street, for an intended USE not listed by right or by special use permit in LL 1-2009 Zoning Code for the Village of Sherman; and therefore refer the request for a building permit from Matthew Bromberg and Paul M. Salzler of M3P Realty, LLC to use the 2nd story of 121 and 123 West Main Street for short-term rentals to the Village of Sherman Planning Board for review and recommendation.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

Motion to close the Municipal Zoning Board Meeting and resume the regular meeting of the Board of Trustees.

Moved by Trustee Sanders Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

REGULAR BOARD MEETING:

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

SEWER

- Kyle Rhebergen is going to register to do the New York State Wastewater Operator's Test, and once he passes, he will be a Certified 2A Wastewater Operator.

WATER

- Kyle Rhebergen is now a qualified, Grade C Certified Water Operator.
- We had our water inspection done, we do need to raise the reservoir hatches by 18 inches to bring them up to code, but otherwise everything is good.
- The water tank will need to be inspected this year (it is required every 5 years).

STREETS

- Spring "trash pickup" is scheduled to begin on April 10th.
- The dog park has to be relocated from Hart Street as it cannot be within 100 feet of a wellhead. We are considering various new locations.

STORMWATER

- The drainage on Park Street has been fixed and reclamation will begin next week.

SOLAR

- We are required to put in another 10 poles along the driveway, some of the poles will have shut-offs, 1 will have a meter and 1 will have a transformer. The poles are required to be at least 20 feet from the road. The existing driveway is too narrow, so the solar company is working on this.

CAPITAL PROJECT UPDATES

SEWER

The delivery of the Master Control Center (MCC) for the SBRs and aerobic digester is delayed, pushing the schedule to go online until after June 1st. It is not only important to the Wastewater Treatment, but to the schedule for the stormwater project. The Village is required to have the equipment in use and available to the community in order to be considered complete enough to close out the CDBG grant.

STORMWATER

The Village intends to apply to CDBG through the CFA Consolidated Funding Application this July for a critical infrastructure grant for stormwater collection on Main St. that is rapidly deteriorating. The Village will only become eligible once the entire Wastewater Treatment Plant is online and available to customers.

WATER

- There are complications in getting the VFD variable frequency drive that will run water pump #2; the engineers are looking into alternatives.
- Both the Wastewater Treatment Plant and Water Treatment Systems are required to have a backup generator. Each project has one in the budget. The Village is questioning the redundancy in having two generators in such close proximity. In the discussion there are three paths:
 1. Proceeding as planned as each grant has budgeted for a generator. The Water Treatment will then have to keep the demand meter which is a \$250-\$300 charge each month through National Grid.
 2. Investigate whether NYSEFC will approve the installation of electric lines connecting the WWTP generator to the Water Treatment Building (requiring a switch). This is estimated to cost much more than the installation of a generator, however there would be saving long-term, in the absence of the need for a demand meter.
 3. Get a quote outside the project budget to make the connections after the Village employees do the work to install the lines. This would be entirely on the Village budget, and it still may not meet the requirements from NYSEFC-DOH for a 'completed' project.

EV Charging Stations – The new BAN for \$215,000 is being processed now (3/9/2023) – we received three bids and awarded the lowest rate of 4.31% which is more than 3 times the amount of last year (1.26%). The Village is not only seeing the effects of inflation, but also the increase in interest rates. Construction will start April/May. It was noted that this is a callable note, so as soon as they finish the project we can close out and pay off the BAN, which means we won't have to pay the interest for an entire year.

COMMITTEE UPDATES

Edmunds Park - The Edmunds Park Committee is meeting on Wednesday, March 15th here in the office at 4pm. They are looking at the plans for new bathrooms and a playground. This works in a similar way to the Sherman Historical Society regarding the Yorker Museum. The Village owns

the property, and manages the resources, although the Village has not allocated Village resources to this project. Rather it manages the money donated for this particular project. The committee, made up of descendants of George Edmunds and Harold Wake, makes the decisions on what and how the money is spent. The Village Streets department has helped out a lot, and we are trying to take care of some stormwater issues in the same area. The Village will participate and assist, but Mayor Meeder said the committee should get quotes for the construction of the restrooms, as it is more than the volunteers and Village staff can manage right now because of time limitations.

Trail Committee - We are working with a variety of different groups, including Chautauqua Health Network (CHN), to add a trail from the trailhead at Titus Road to come down around the Nature Center and connect to the Rosie Billquist Trail, further promoting walkability in our area.

Steering Committee - The Village was awarded \$25,000 from Chautauqua County Partnership for Economic Growth (CCPEG) and Chautauqua Region Economic Development Council (CREDC) in support of the New York Main Street (NYMS) Project. The Steering Committee will meet to hear all the details and then at the end of this month they'll meet again to determine which businesses are awarded the funding. `

MAYOR

- Triple E Manufacturing has completed their project and the Village is supporting their 485B application to the Town Assessor for a reduced and incremental increase to the new assessed value of the improvements to their facility.
- Mayor Meeder told everyone that next month's meeting was going to be held on April 19th because of the budget preparation.

PUBLIC PARTICIPATION

Marty Proctor mentioned he was still trying to contact one of the property owners (Susi) along the proposed extension of the trail. Mayor Colleen Meeder agreed to the importance of their commitment. She added that she'd spoken to Jacob Bodway from Friends of the Greenway and CR2T, and he is very excited about extending the trail and also about making local improvements, with the Village's help, for example, erecting a kiosk.

FINANCIAL REPORTS FROM CLERK-TREASURER:

General Checking Account:	Balance (03/07/2023) is \$38,094.85 & book balance \$16,818.50
NYS Fund Bank Account:	Balance (03/07/2023) is \$0
Sewer Project Bank Account:	Balance (03/07/2023) is \$4,036.99 & book balance (\$137,034.33)
Water Project Bank Account:	Balance (03/07/2023) is \$42,529.61 & book balance (\$31,832.25)
Stormwater Project Account:	Balance (03/07/2023) is \$83,007.60
Parks Fund Account:	Balance (03/07/2023) is \$30,454.36
Climate Smart Account:	Balance (03/07/2023) is \$139,714.75
CD Account:	Balance (03/07/2023) is \$0
CD Transfer:	N/A
Account Adjustments:	N/A

RES 2023-03-08.6: VOUCHER #10 2023

Motion to accept Voucher #10 for \$192,011.05 for February 2023, of which \$0 is from the NYS Special Fund, \$144,654.90 is from the Sewer Project Fund, \$6,498.82 is from the Water Project Fund, \$0 is from the Parks Fund, \$0 is from the Stormwater Project Fund and \$0 is from the Climate Smart/Economic Development Fund.

Moved by Trustee Watson Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

OLD BUSINESS:

There was no old business discussed.

Motion to move into Executive Session at 7:26 to discuss legal issue, with action to be taken following the executive session. The Village Board had a 7:30 scheduled appointment with the Chautauqua County ADA.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

The Board left the executive session and resumed with new business at 8:08pm. There were no others present.

NEW BUSINESS:**RES 2023-03-08.7: PERMANENT / SEMI-PERMANENT COVERINGS PERMIT FEE**

Motion to approve the Fee Schedule for Permanent and Semi-Permanent Coverings under the Village of Sherman Zoning Code Section 642.

- Permanent and Semi-Permanent Coverings Permit \$5.00
- Penalty Fee for Permanent and Semi-Permanent Coverings Violation \$150.00

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

RES 2023-03-08.8: WWTP REVISION OF FORM E #6

At a Meeting of the Village of Sherman, Chautauqua County, New York, held at the Village Hall, in Sherman, New York, on the 8th day of March, 2023, at 6:00 o'clock p.m., the following resolution was offered by Trustee Watson who moved its adoption, seconded by Trustee Crane, to-wit:

RESOLUTION OF THE VILLAGE BOARD, VILLAGE OF SHERMAN, CHAUTAUQUA COUNTY, NEW YORK, accepting Revisions to the “Village of Sherman Wastewater Treatment Plant Improvements Project”, Capital Project as administered through USDA Rural Development. The Village Board hereby modifies the following Administrative and Construction budget items to the upcoming Form E #6:

A.3 Net Interest to be decreased by \$2,966.17

B.1a Preliminary Engineering Study to be decreased by \$2,500.00

C.2a Screwpress to be decreased by \$50,000.00

And

A.6 Land & Rights of Way to be increased by \$29,966.17

A.7 Single Audit to be increased by \$25,500.00

The reason for these modifications is to update the allocation of costs associated with the project.

THIS BUDGETARY MODIFICATION RESULTED IN NO CHANGE TO THE TOTAL BUDGET.

WHEREAS, the Village of Sherman, Village Board has reviewed the Form E Capital Outlay Budget category and,

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Village Board of the Village on March 8, 2023, the result of which vote was as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of March, 2023.

RES 2023-03-08.9: BOND COUNSEL – REQUEST FOR QUOTES

Motion to approve the mayor request quotes for Bond Counsel in preparation of new projects and bond anticipation note renewals for the Village of Sherman.

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2023-03-08.10: AGRICULTURAL DISTRICT 7 REVIEW AND SUPPORT

Motion for the Village of Sherman Board of Trustees to reaffirm and continue its support of the Sherman Agricultural District (7) and adopt the revised Village of Sherman boundary lines pursuant to the map and description approved under RES 2023-02-22.2; and VOS has no recommendations for additions or removals to Agricultural District 7 during the eight-year review as performed by the Chautauqua County Agricultural and Farmland Protection Board (AFPB).

Moved by Trustee Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2023-03-08.11: SURPLUS PROPERTY – 121 & 123 W MAIN ST BUILDINGS

Motion to declare the buildings located at 121 and 123 W Main Street, property identified on the tax map as SBL 328.10-1-30 (121 W. Main) and SBL 328.10-1-31 (123 W. Main), as surplus, effective immediately.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2023-03-08.12: SEQRA – 121 & 123 W MAIN ST SALES CONTRACT

Motion to approve the Negative Declaration of SEQRA for the 121 & 123 W Main St Sales Contract:

RESOLUTION OF THE VILLAGE OF SHERMAN VILLAGE BOARD DETERMINING THAT THE ACTION TO EXECUTE THE PROPOSED SALE OF 121 & 123 W MAIN ST PROPERTIES (SALES CONTRACT BETWEEN THE VILLAGE OF SHERMAN AND

**M3P REALTY, LLC) IS AN UNLISTED ACTION AND WILL NOT HAVE A
SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

WHEREAS, the Village of Sherman Village Board (the “Village Board”) is reviewing the proposed sale of 121 & 123 W Main St properties (Sales Contract between the Village of Sherman and M3P Realty, LLC) (the “Action”), within the Village of Sherman; and

WHEREAS, the properties of 121 & 123 W Main St are located within the Village of Sherman, Chautauqua County, State of New York; and

WHEREAS, the Village of Sherman owns the properties of 121 & 123 W Main St; and

WHEREAS, the properties of 121 & 123 W Main St, Sherman are identified on the tax map as SBL 328.10-1-30 and SBL 328.10-1-31; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617 (the “Regulations”), the Village Board desires to comply with SEQRA and the Regulations; and

WHEREAS, the Village of Sherman Village Board is identified as the agency directly undertaking the proposed action, and the Village Board is completing an uncoordinated review of the Action under the SEQRA Regulations; and

WHEREAS, pursuant to the Regulations, the Village Board has considered the impacts of the Action by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the Full Environmental Assessment Form (“FEAF”) for the Action, including the facts and conclusions of Parts 1, 2 and 3 of the FEAF, together with the proposed Local Law and other available supporting information, to identify and analyze the relevant areas of concern; and

WHEREAS, the proposed sale of 121 & 123 W Main St is an Unlisted Action, as defined by 6 NYCRR Section 617.2(al); and

WHEREAS, there is no other Involved Agency identified in connection with the sale of the properties, as that term is defined in 6 NYCRR Section 617.2(t), and, as such, no notification to other agencies is required;

NOW THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the uncoordinated review requirements for Unlisted Actions in accordance with the SEQRA Regulations, the Village of Sherman Village Board hereby confirms that the proposed Action meets the criteria for classification as an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEAF and other available supporting information, and considering that the Action constitutes legislative adoption of a local law and that no other approval needs to be granted to enable the proposed Action to proceed, the Village Board determines that the Action will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Action; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Village Board directs the Mayor to sign and complete Parts 1 and 3 of the FEAF for the Action, in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

On the motion of Trustee Emory, seconded by Trustee Sanders, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of March, 2023.

RES 2023-03-08.13: 121 & 123 W MAIN ST SALES CONTRACT AGREEMENT

Motion to approve the sale of 121 & 123 W. Main Street for \$35,000, accepting the value is under the previous October 14, 2019 appraisal amount determined by Holt Appraisals; the buildings are in serious need of repair as they are seeing continued deterioration; the developer's timeliness to restore the buildings at the core of the Main Street Streetscape is critical; and to approve and authorize the mayor to sign and execute all related documents.

RESOLUTION FOR 121 & 123 W MAIN ST SALES CONTRACT

WHEREAS, the Village of Sherman Board of Trustees has determined the previously donated properties of 121 W Main St and 123 W Main St to be surplus; and

WHEREAS, the said properties are identified on the tax map as SBL 328.10-1-30 and SBL 328.10-1-31; and

WHEREAS, the Village of Sherman has conducted an uncoordinated review under SEQRA and declared the sale will have no environmental impact; and

WHEREAS, M3P Realty, LLC has made an offer in total of \$35,000 for the combined purchase of 121 W Main St and 123 W Main St; and

WHEREAS, the amount offered is substantially under the value of the previous appraisal dated October 14, 2019, conducted by Holt Appraisals; and

WHEREAS, the buildings are in serious need of repair and continuing to deteriorate from exposure to the elements; and

WHEREAS, the developer's timeliness to restore the buildings at the core of the Main Street Streetscape is critical; and

WHEREAS, the planned use of the buildings is in concert with the Village of Sherman's vision and need for amenities supporting a future Trail Town designation; and

WHEREAS, the tenant contracts will be transferred to the purchaser;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Sherman Village Board hereby agrees to the terms of the Sale Contract between the Village of Sherman and M3P Realty, LLC for the sale of 121 W Main St and 123 W Main St; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Sherman approves and authorizes the mayor to sign and execute all related documents.

On the motion of Trustee Watson, seconded by Trustee Emory, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of March, 2023.

RES 2023-03-08.14: SEQRA – 5YR AGRICULTURAL LEASE AGREEMENTS

Motion to approve the Negative Declaration of SEQRA for the 5YR Agricultural Leases:

RESOLUTION OF THE VILLAGE OF SHERMAN VILLAGE BOARD DETERMINING THAT THE ACTION TO EXECUTE THE PROPOSED 5-YR AGRICULTURAL LEASE AGREEMENTS (LEASE AGREEMENTS BETWEEN THE VILLAGE OF SHERMAN AND FARMERS) IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Village of Sherman Village Board (the “Village Board”) is reviewing the proposed 5YR Agricultural Lease Agreements (Lease Agreements between the Village of Sherman and Farmers) (the “Action”), within the Village of Sherman and the Town of Sherman; and

WHEREAS, the Village of Sherman owns the properties north of the Village off of Titus Rd and Miller St, and Kendrick St and Titus Rd; and

WHEREAS, the said properties are identified on the tax map as SBL 311.00-2-6, 311.00-2-27, 311.00-2-9.2, and within the Village limits: SBL 328.07-2-1.2, 328.07-2-54, and portion of 328.07-2-1.1; and

WHEREAS, the properties are located north of the Village of Sherman, in the Town of Sherman, Chautauqua County, State of New York; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617 (the “Regulations”), the Village Board desires to comply with SEQRA and the Regulations; and

WHEREAS, the Village of Sherman Village Board is identified as the agency directly undertaking the proposed action, and the Village Board is completing an uncoordinated review of the Action under the SEQRA Regulations; and

WHEREAS, pursuant to the Regulations, the Village Board has considered the impacts of the Action by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the Full Environmental Assessment Form (“FEAF”) for the Action, including the facts and conclusions of Parts 1, 2 and 3 of the FEAF, together with the proposed Local Law and other available supporting information, to identify and analyze the relevant areas of concern; and

WHEREAS, the proposed lease of the agricultural property for cultivating and harvesting purposes is an Unlisted Action, as defined by 6 NYCRR Section 617.2(al); and

WHEREAS, there is no other Involved Agency identified in connection with the lease of the properties, as that term is defined in 6 NYCRR Section 617.2(t), and, as such, no notification to other agencies is required;

NOW THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the uncoordinated review requirements for Unlisted Actions in accordance with the SEQRA Regulations, the Village of Sherman Village Board hereby confirms that the proposed Action meets the criteria for classification as an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEAF and other available supporting information, and considering that the Action constitutes legislative adoption of a local law and that no other approval needs to be granted to enable the proposed Action to proceed, the Village Board determines that the Action will not have a significant adverse

environmental impact and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Action; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Village Board directs the Mayor to sign and complete Parts 1 and 3 of the FEAF for the Action, in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

On the motion of Trustee Emory, seconded by Trustee Crane, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of March, 2023.

RES 2023-03-08.15: MULTI-YEAR AGRICULTURAL LEASE AGREEMENTS

Motion to approve the agricultural land lease agreements between the Village of Sherman and Reed Farms for the period of March 2023 through December 2028, at a rate of \$32/acre for the first year, for the properties located at Titus and Miller and Kendrick and Titus.

Moved by Trustee Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2023-03-08.16: RECORDS MANAGEMENT – RECORDS DISPOSAL

Motion to approve the disposal of records located at the Wastewater Treatment Plant, containing old water and sewer, and tax receipts, vouchers, and disbursement journals; and retaining tax rolls, employment reports to NYSLRS, oath of office journals, and title searches; records include time periods 1920's-1990's.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2023-03-08.17: SCHEDULE SPECIAL MEETING

Motion to schedule the Special Meeting of the Board of Trustees for March 22, 2023, and to begin with the Public Hearing of the proposed adoption of the 2023 Comprehensive Plan Update, RES 2023-02-22.6.

Moved by Trustee Sanders Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2023-03-08.18: SCHEDULE APRIL MEETING & PUBLIC HEARINGS

Motion to schedule the Regular Meeting of the Board of Trustees for **Wednesday, April 19, 2023**, at 6pm and to begin with the Public Hearing of the 2023-2024 Budget for the Village of Sherman, immediately followed by the Public Hearings of the Local Laws to be proposed for adoption by the Village of Sherman: (TBA)

**PROPOSED LL #1-2023 PURCHASE MONEY MORTGAGE
PROPOSED LL #2-2023 EXTERMINATION OF INFESTATION & VERMIN
PROPOSED LL #3-2023 2023 SEWER RENT LAW AMENDMENT**

Moved by Trustee Crane Seconded by Trustee Watson
Ayes: 5 Nays: 0 Carried

RES 2023-03-08.19: WATER LICENSE OPERATOR RATE INCREASE

Motion to approve the increase to Kyle Rhebergen's hourly rate by \$1.00 per hour effective pay beginning Sunday, February 19, 2023, for his certification by the Chautauqua County Department of Health as a licensed Grade C Water Operator.

Moved by Trustee Emory Seconded by Trustee Crane
Ayes: 5 Nays: 0 Carried

There was no further need for an executive session.

Motion to adjourn the meeting at 8:49pm.

Moved by Trustee Emory Seconded by Trustee Crane
Ayes: 5 Nays: 0 Carried

Respectfully submitted
Jeanette Ramm
Clerk-Treasurer

**Next Meeting(s): Special Meeting, Wednesday, March 22nd, 2023 at 6pm
 Public Hearing: Proposed 2023 Comprehensive Plan Update**

**Regular Board Mtg Wednesday, April 19th, 2023 at 6pm
(Presentation by Cindy Sears from the Minerva Free Library)
Public Hearings: Proposed 2023-2024 Budget
 Proposed LL Purchase Money Mortgage
 Proposed LL Extermination of Infestation & Vermin
 Proposed LL 2023 Sewer Rent Law Amendment**