

REGULAR MEETING, TOWN OF SHERMAN,

Oct. 5, 2023

A regular meeting of the Town of Sherman Board was held on Thursday Oct. 5, 2023 at the Town Office Building, 111A Mill St, Town of Sherman, Chautauqua County, New York at 7:00 PM.

Present:	Mark D Persons	Supervisor
	James L. Higginbotham	Council Member/ Deputy Supervisor
	Howard E. Crump	Council Member
	Brant Henning	Council Member
	Ben Nickerson	Council Member
	Tamera M Weise	Town Clerk
	Dennis Sweatman	Highway Superintendent

Absent:

Guests: Marty Proctor – County Legislator

Supervisor Persons called the meeting to order at 7:00 and led the Pledge to the flag.

Public Hearing:

RESOLUTION #46

Councilman James Higginbotham made the motion seconded by Councilman Howard Crump to open the Public Hearing regarding **Local Law No. 5-2023 - A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C.**

Supervisor Persons asked if there were any questions or comments. Regarding Local Law No. 5-2023. After discussion and no further questions/concerns:

RESOLUTION #47

Councilman Ben Nickerson made the motions, seconded by Councilman Brant Henning to accept Local Law No. 5-2023 and close the Public Hearing.

MOTION CARRIED

Town of Sherman

Local Law No. 5 for the year 2023

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW SECTION 3-C**

Be it enacted by the Town of Board of the Town of Sherman, County of Chautauqua, and State of New York, as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Sherman, County of Chautauqua, pursuant to General

Municipal Law § 3-c, and to allow the Town of Sherman, County of Chautauqua, to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Sherman, County of Chautauqua, is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

APPROVAL OF MINUTES

RESOLUTION #48

Supervisor Mark Persons made the motion, seconded by Councilman James Higginbotham to make the correction in the September 7, 2023 minutes that Highway Superintendent Dennis Sweatman and Councilman Brant Henning were not present at the Sept. meeting and to approve the minutes from Sept. 7, 2023 board meeting with the correction.

MOTION CARRIED.

RESOLUTION #51

ABSTRACTS/CLAIMS

Councilman Brant Henning made the motion, seconded by Councilman Ben Nickerson to approve payment of General Claims #138 through #152 in the amount of \$4,053.78 Highway Claims #101 through #110 in the amount of \$14,200.13

MOTION CARRIED.

JUDGE'S REPORT

Judge Coopers Sept. report shows fines of \$1570.00, civil fees of \$0 and surcharges of \$931.00 for a total of \$2,501.00.

CLERK/REGISTRAR'S REPORT

- Clerk Weise reminded the board that the 2023 Sexual Harassment Training will be done online. If anyone needs to set up a time to use the office computer please contact Tammy. Also remember to print or email your certificate to the Town Office: shermantown@gmail.com

ASSESSOR'S REPORT – September 2023

- July deeds have not been received from the Chautauqua County Clerk's Office as of today.
- Petitions for Small Claims of Assessment Review will be heard on Tuesday, October 10, 2023 at the Chautauqua County Courthouse – SHERMAN HAVING NONE.
- There has been considerable correspondence between school tax collectors and I regarding address changes and updates. It is the responsibility of the property owner to maintain an accurate mailing address for their property.
- Requests for information: **NONE**
- Thank you all for your continued support!

October 2023

- There were 3 deeds for July and 12 deeds for August.
- I will be attending the NYS Assessor's Association Annual Conference on Assessment Administration from Tuesday, Oct. 3rd through Fri., October 6th.
- Applications for the reassessment maintenance aid have been sent to the state for approval. Municipalities receive between \$3-\$5 per parcel for conducting a successful reassessment to market value Equalization. The Town of Sherman had 1,277 parcels for the 2023 Assessment Roll. Therefore, the payment may be anywhere between \$3,831 and \$6,385 and is usually sent within months of receiving the application.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Dennis Sweatman reported the following to the Board:

- There have been issues with the mower attachment for the excavator. Highway Superintendent Dennis Sweatman presented the following 3 quotes:

Alta Equipment	\$22870.00
Baushman Services	\$16365.00
Alta Equipment	\$25000.00

RESOLUTION #50

Councilman James Higginbotham made the motion, seconded by Councilman Brant Henning to purchase the mower for the excavator from Baushman Services in the amount of \$16365.00.

MOTION CARRIED

***Dennis Sweatman- CEO gave his monthly report as follows:**

Number of inspections for September are 3

Number of Permits issued for September are 4

Permits issued to:

SUPERVISOR REPORT

- Supervisor Mark Persons presented the Sherman Town Board with the following 2024 Tentative Budget:

2024 Budget

Mark Persons Supervisor presented the Town Board with the Tentative 2023 Budget for the Town of Sherman as follows with the recommendation that any Highway surplus monies be rolled into the Machinery Reserve Account at the end of the year:

General	\$254865.00
General Outside Village	\$ 12770.00
Highway Town Wide	\$284880.00
Highway Outside Village	\$382750.00
Fire District	\$ 44705.00
Minerva Library	<u>\$ 55000.00</u>
TOTAL 2024 TENTATIVE	\$1034970.00

Supervisor Persons noted that the budget presented stayed within the Tax Cap.

Discussion/questions were held on the Tentative Budget and the wage for The Highway Superintendent.

RESOLUTION #51

Councilman Brant Henning made the motion, seconded by Councilman Howard Crump to adopt the Tentative Budget as the Preliminary Budget with the change of the Highway Superintendents salary to the amount of \$59,000.00 and to set the Public Hearing on the Preliminary Budget for November 2, 2023 at 7:00 p.m. at the Town of Sherman Office Building.

MOTION CARRIED.

General	\$255465.00
General Outside Village	\$ 12770.00
Highway Town Wide	\$284880.00
Highway Outside Village	\$382750.00
Fire District	\$ 44705.00
Minerva Library	<u>\$ 55000.00</u>
TOTAL 2024 Preliminary	\$1035570.00

MEETING ADJOURNED AT 8:15 p.m.

Respectfully Submitted,

Tamera M Weise
Sherman Town Clerk