

VILLAGE OF SHERMAN
MINUTES OF THE REGULAR MEETING OF THE BOARD
& MEETING OF THE MUNICIPAL ZONING BOARD
Wednesday, November 9, 2022 at 6:00pm

Mayor Meeder called the meeting to order at 6:03pm and lead everyone in the Pledge of Allegiance. Board members Colleen Meeder, Ryan Sanders, Dennis Watson and Gary Emory; Chief Operator Jay Irwin, and Clerk-Treasurer Jeanette Ramm were in attendance.

RES 2022-11-09.1: MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held October 12, 2022.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 4 Nays: 0 Carried

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

Moved by Trustee Sanders Seconded by Trustee Emory

Ayes: 4 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

ZEO / CODE / GENERAL ENFORCEMENT

The New York State Uniform Code (Fire Prevention and Building Code) has been upgraded and the Village has to meet the new requirements by December 30th, 2022. The necessary updates are being addressed in the proposed new Local Law 4 of 2022 (amending LL 1 of 2009 Zoning Law) and Local Law 5 of 2022 (whereby the Village of Sherman Repeals and Replaces the Village of Sherman's Code Enforcement Program). This local law provides for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code, and the State Energy Conservation Construction Code in the Village. The full laws are available on the Village website at shermanny.org and at the office, and a public hearing of the proposed laws will be held at the next meeting.

RES 2022-11-09.2: SPECIAL USE PERMIT 135 KLONDYKE

Motion to approve the permanent special use permit for a split rail barrier located at 135 Klondyke Rd, for \$25, to be placed as a guide along the driveway. The L-shaped open style split rail wood material will not prevent visibility or safety concerns and has the expressed approval of the Streets Superintendent under the current zoning law and the provisions proposed in the draft amendment.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

Motion to resume the regular meeting of the Board of Trustees.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 4 Nays: 0 Carried

REGULAR BOARD MEETING:

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

- **SEWER** – Diamond Maps was bought out by RAFA, which will have no effect on us. Kyle Rhebergen will apply for his 2A certification through the State within the next month.
- **WATER** – The old water system is completely shut down, and everyone is now on the new system. The North Haven (Sherman Apartments) water meters were checked, and everything is working and in order.
- **STREETS** – Leaves are still being picked up and will continue to be picked up until the snow comes. The driveways are all finished.
- **STORMWATER** – The cement work and DI installation is being done on Creekside Lane and Franklin Street.

CAPITAL PROJECT UPDATES

SEWER

- We are currently installing railings at the SBR (Sequencing Batch Reactor).
- Everything is progressing as planned.

WATER

- The old building has been completely torn down. Northrup is finishing off the last reclamations. We have been completing the cement work and the old system is totally shut off.
- We are still waiting for a quote to replace the reservoir hatches.
- It will cost roughly \$4200 to replace the broken RAFA antennae.

STORMWATER

- Mayor Meeder and Ken Knutsen of Barton & Loguidice met with and updated USDA Rural Development of the status of the stormwater project (letter attached at end of minutes).

Update on other Grant Funding Applications (non-CFA):

EV Charging Stations – The equipment delivery is taking longer than anticipated and only expected to arrive in March 2023. Mayor Meeder is frustrated with how long this has taken, due to delays with the DEC and explained that the bond for the project was taken out in March 2022 and will need to be renewed because of this delay.

RBDG (Rural Business Development Grant) – The sign project is complete; the final documents have been submitted and we are waiting for the final reimbursement.

Restore NY Application – This application is for the old Ford Garage building. The letter of intent is due by November 30th, 2022, and the application is due by January 27th, 2023.

NY Forward Application – we have not heard anything about our application at this time.

COMMITTEE UPDATES

Trail Committee – Patrick Johnson & members of CR2T are presenting to the Sherman residents and property owners along the Sherman to North Clymer rail bed and answering any questions they have. The meeting will be held at the Village Office on Thursday, December 1, 2022, at 7pm.

Steering Committee – met on Monday, October 24, 2022, where they reviewed and made final adjustments to the draft of the Fence Law and reviewed the NY Forward submission and “Capital Projects” page on the website.

Planning Board – met Tuesday, November 8, 2022, were given updates on the status of projects, and reviewed proposed laws.

Tree “Beautification” Committee – Doug Crane is planting a permanent evergreen tree at the corner of Main and Hart Street, 130 W Main Street, for the Village Christmas Lighting. He will remove the existing pole at the corner, and make sure the tree doesn’t interfere with traffic visibility. We have found a good tree for roughly \$150.

MAYORAL ADDRESS

- **Energy Credit** – We received \$15,677 from National Grid for the WWTP project improvement efficiencies; \$47,310 is the estimate from National Grid to extend 6 lights along Rt 76 at the I-86 ramps; this would fall under the 2023-2024 Budget. Credits will become available after the completion of the WWTP Project.
- **2022 Tax Roll Assessment**, effective 6/2023 Tax Warrant/Bills is down \$800,000 meaning a 4% increase to all bills before any increase to the Tax Levy. The State has reduced the assessed value of Special Franchise Taxes. The Assessed Roll is made up of three things: the real property, utilities, and special franchises – the difference between utilities and special franchises are utilities above vs. below the ground.

CHAMBER OF COMMERCE – Jeanette Ramm

- **Sherman’s Christmas Week** will begin with the Village Christmas Tree Lighting when “Sherman Deck’s the Halls”. Many Sherman committees and groups, including the Chamber of Commerce, the Stanley Hose Auxiliary, the Minerva Library, the Churches, and local businesses are getting involved. The tree lighting will take place at 130 West Main Street (Corner of Hart Street) on December 2nd at 6pm. Everyone is welcome. Residents are encouraged to have their houses decorated by December 2nd to kick off the festivities.
- **Sherman Lighted Tractor Parade** – the Christmas week will end on December 10th with the Sherman Lighted Tractor Parade at 6pm, hot cocoa and cookies at Miss Laura’s, followed by Christmas Karaoke at the Cooler.

PUBLIC PARTICIPATION

FINANCIAL REPORTS FROM CLERK-TREASURER:

General Checking Account: Balance (11/08/2022) is \$186,211.59 & book balance \$59,586.85

NYS Fund Bank Account: Balance (11/08/2022) is \$0

Sewer Project Bank Account: Balance (11/08/2022) is \$23,950.20 & book balance (\$497,971.34)

Water Project Bank Account: Balance (11/08/2022) is \$0.01 & book balance (\$7,358.99)

Stormwater Project Account: Balance (11/08/2022) is \$83,007.60
Parks Fund Account: Balance (11/08/2022) is \$18,145.54
Climate Smart Account: Balance (11/08/2022) is \$192,958.75
CD Account: Balance (11/08/2022) is \$0
CD Transfer: N/A
Account Adjustments: N/A

RES 2022-11-09.3: VOUCHER #6 2023

Motion to accept Voucher #6 for \$618,232.96 for October 2022, of which \$0 is from the NYS Special Fund, \$537,842.54 is from the Sewer Project Fund, \$7,379.00 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 Emory Seconded by Trustee Watson
Ayes: 4 Nays: 0 Carried

RES 2022-11-09.4: UNPAID PROPERTY TAX BALANCE

Motion to record in the minutes: The Village 2022-2023 unpaid property tax amount of \$53,777.77 was re-levied onto the 2023 County Taxes as of October 18th, 2022.

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

Financial Review of Cash Receipts & Disbursements in General Account

The mayor went over the current financials of the general account explaining the cash receipts and disbursements. She highlighted various activities and clarified cashflow projections. Discussion led to projects that have reimbursements coming back to the village. It was noted that we will have a challenging budget this year with the increases in utilities, gas prices, and other expenses.

OLD BUSINESS:

There was no old business discussed.

NEW BUSINESS:

RES 2022-11-09.5: FAIR HOUSING

WHEREAS, April 2023 marks the 55th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, that supports the policy of Fair Housing without regard to race, color, national origin, sex, familial status, and disability, and encourages fair housing opportunities for all citizens; and

WHEREAS, the Village of Sherman is committed to addressing discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every citizen of their right to fair housing; and

WHEREAS, the Village of Sherman rejects discrimination on the basis of race, religion, color, sex, national origin, disability and/or familial status in the sale, rental, or provision of other housing services; and

WHEREAS, the Village of Sherman desires that all its citizens be afforded the opportunity to attain decent, safe and sound living environment; and

WHEREAS, April is recognized nationally as Fair Housing Month.

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Sherman, New York, does hereby designate April 2022 as being Fair Housing Month, and

recognizes the policy supporting Fair Housing by encouraging all citizens to endorse Fair Housing opportunities for all not only during Fair Housing Month but throughout the year.

ADOPTED, this 9th day of November, 2022 by the Sherman Village Board.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 4 Nays: 0 Carried

Summary of Insurance:

Premium last year \$18,533.29 compared to this year's quote of \$19,482.

- **INSURANCE 11/11/2022-11/11/2023** – with the intent to re-evaluate the policy period to match the Village's fiscal year; a 6/1 start will align with the construction of two major projects adding nearly \$10m in assets, bringing us up to another level of insurance. The 6/1 start date coordinates with the Village fiscal year and will make the annual insurance process much more efficient.
 - **Employee Crime Coverage** - \$750,000 according to CDBG regulations.
 - **Bond** - amounts for the Clerk-Treasurer (Tax Collector) & Mayor - \$300,000 for each position for a total of \$600,000.

RES 2022-11-09.6: ANNUAL INSURANCE RENEWAL

Motion to accept the insurance proposal from Joe Niezgoda, of WNY Insurance Agency, for Trident Insurance effective 11/11/2022-11/11/2023, without Terrorism Coverage; and authorize payment not to exceed \$19,500.

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

It was recommended that upgrading our audio equipment would improve the range of the announcements for parades and events within the Village, including but not limited to the Memorial Day Observance Ceremony, Sherman Day Parade, and the Sherman Lighted Tractor Parade. This system will be able to be expanded upon over time. Cole Electric gave the Village recommendations to meet this need at the best price. The mayor expressed much appreciation to the Edmunds Park Committee as they are covering the cost of the basic system.

RES 2022-11-09.7: AUDIO EQUIPMENT PURCHASE

Motion to accept the recommendations of Cole Electric provided by Josh Cole and Andy Graham; and approve the \$4,446.18 purchase in portable outdoor audio equipment; and transfer \$2,691.18 from the Edmunds Parks Fund, with authorization from Bob Crane, descendent of George Edmunds.

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

RES 2022-11-09.8: CCPEG GRANT APPLICATIONS

Motion to approve the grant application(s) to Chautauqua County Partnership for Economic Growth for local matching funds to municipal projects for the purpose of supporting community and economic development, due December 2, 2022.

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

RES 2022-11-09.9: INTRODUCTION OF PROPOSED LAWS & PUBLIC HEARING

Motion to introduce proposed local laws:

LL 2-2022 At-Large Cats;

LL 3-2022 Unsafe Structures;
LL 4-2022 Zoning Amendments; and
LL 5-2022 Code Enforcement Program

and schedule a public hearing on Wednesday, December 14, 2022, at 6pm at the Village Hall, the clerk-treasurer shall post the notice of the public hearing on the website, in the Post Journal, and at locations within the Village.

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

Motion to move into Executive Session at 8:59pm to discuss personnel and legal issues, with action to be taken following the executive session.

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

RES 2022-11-09.10: EMPLOYEE STATUS CHANGE

Motion to approve the employment status change of the Streets Superintendent from fulltime salary to fulltime hourly, at a rate of \$29.33/hr; no budgetary changes required, effective pay ending November 13th, 2022.

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

RES 2022-11-09.11: RESCIND RESOLUTION 2020-03-04.15

Motion to rescind RES 2020-03-04.15 to create a Community Development Corporation as a joint venture with Sherman Central School; and herein approve the formation of the Community Development Corporation as a Component Unit (CU), where the Village serves as the Primary Government (PG), as per NYS OSC Accounting Reporting Manual, chapter 7.

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

Motion to adjourn the meeting at 9:37 pm.

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

Respectfully submitted
Jeanette Ramm
Clerk-Treasurer

Next Meeting: Likely a need for a Special Meeting prior to next regular board meeting.
Regular Board Mtg Wednesday, December 14th, 2022 at 6pm

VILLAGE OF SHERMAN
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November 3, 2022

Brenda Smith
Community Programs Director
USDA Rural Development
441 S Salina Street, Suite 357
Syracuse, NY 13202

Village of Sherman - Storm Sewer Project - \$3.5m
CFDA NUMBER -10.760

Re: Letter of Conditions

Dear Brenda,

The Village of Sherman continues to work with Ken Knutsen's team at Barton & Loguidice to address the stormwater needs of the community. However, the Village of Sherman has not entered into an engineering agreement with Barton & Loguidice for the Storm Sewer Improvements as of yet, therefore we cannot satisfy the majority of the prior to bid requirements. We anticipate moving forward in the upcoming months following the December announcements of CFA awards.

In July, the Village submitted two grant applications through the 2022 NYS Consolidated Funding Application for the \$2.3M Main Street Stormwater & Streetscape Project to the NYSEFC under the Green Innovation Grant Program (GIGP) and the \$899,000 Nature Center Pond Stormwater Management Retrofit Project to the NYSDEC under the Climate Smart Communities (CSC) Grant Program.

The GIGP scoring criteria has changed again for the third year; NYSEFC has complimented us on the very competitive application we submitted and greatly encouraged us to resubmit. The Village of Sherman remains fully committed to the Stormwater System Improvement Project. After completing the Climate Smart Comprehensive Plan for the Village of Sherman in 2021, the Village performed a Downtown Market Analysis with CDBG and a NY Main Street Feasibility Study that led to an application for \$500,000 in implementation grant funds for Main Street commercial properties. The GIGP grant for the stormwater improvements to our Main Street will tie into all these initiatives while improving infrastructure. We continue to work diligently towards all these goals that collectively serve the Village of Sherman. Jeanette and I will supply Sharon Lawyer with the updated insurance, operating budgets, and policies as required.

"Preserving our Past... Working for our Future"

THE HONORABLE COLLEEN MEEDER, MAYOR

DEPUTY MAYOR RYAN SANDERS

TRUSTEES DONNA LEE HIGGINBOTHAM, KIRK AYERS, AND DENNIS WATSON

THIS INSTITUTION IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER

The Village is partnering with Chautauqua Rails to Trails (CR2T) to make trail enhancements and to make the final connection for Chautauqua to become part of the greater Erie to Pittsburgh Trail, this coincides with the CSC Nature Pond Retrofit Project. The Village is engaged with the Chautauqua County Partnership for Economic Growth (CCPEG) who is providing matching grant funding opportunities for these initiatives. Most importantly the Village is working with Chautauqua County Emergency Management Services on updating the Hazard Mitigation Plan which will include five stormwater projects for the Village of Sherman, enabling us to apply for FEMA and other preventative funding protecting the Village from unpredictable stormwater challenges.

I imagine Tom Becker and John Helgren keep you abreast of the Village of Sherman's Wastewater Treatment Plant Improvement Project which is a few months away from completion. This project has run very smoothly with multiple contractors and multiple funding agencies. Following the 2023 completion of the Wastewater Treatment Plant Improvement Project, the Village will become eligible to apply for a Community Development Block Grant, CDBG Infrastructure Grant, for the DI's and stormwater collection system that are beginning to fail.

The Village trustees understand the great commitment Rural Development has made by holding the \$3.5M until a portion can be de-committed upon the receipt of a grant award. The interest rate of 1.25% is what makes this project viable for our small community of low-median household income. We greatly appreciate your continued support and understanding of the complexity of these projects.

Sincerely,



Colleen Meeder
Mayor
Village of Sherman

cc: Sharon Lawyer
Lead Loan Specialist
USDA Rural Development

Thomas Becker
Area Specialist
USDA Rural Development

Kenneth Knutsen, P.E.
Sr. Vice President, Barton and Loguidice
Sustainable Planning & Design Practice Area Director

CLERK-TREASURER JEANETTE RAMM
STREETS & WATER SUPERINTENDENT DOUGLAS CRANE
WWTP CHIEF OPERATOR JAMES IRWIN

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