VILLAGE OF SHERMAN MINUTES OF THE REGULAR BOARD, MUNICIPAL ZONING BOARD

and PUBLIC HEARING

Wednesday, June 3rd, 2020 at 6:00pm

Due to the COVID-19 pandemic and NYS Executive Order #202.1 the meeting was held remotely by videoconference. Mayor Meeder welcomed everyone and opened the meeting at 6:00pm by leading everyone in the pledge of allegiance. Board members Colleen Meeder, Isaac Gratto, Donna Higginbotham, Kirk Ayers and Ryan Sanders, Clerk-Treasurer Jeanette Ramm, Chief Operator Jay Irwin, Gary Emory, and the press were in attendance.

RES 2020-06-03.1: PREVIOUS MINUTES

Motion to accept the previous minutes of the Annual Reorganizational Meeting, Public Hearing of the 2020 Proposed Laws, Regular Board Meeting and the meeting of the Municipal Zoning Board held May 6th, 2020.

Moved by Trustee Higginbotham Seconded by Trustee Gratto

Ayes: 5 Nays: 0 Carried

Motion to suspend the regular meeting and enter into the Public Hearing.

Moved by Trustee Gratto Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

PUBLIC HEARING – 2020 CDBG GRANT APPLICATIONS:

Community Development Block Grants are estimated to total \$49 million for 2020 program grants for housing, economic development, public facilities, public infrastructure, and planning activities.

CDBG PUBLIC INFRASTRUCTURE GRANT:

We had a public hearing previously for our CDBG Public Infrastructure Grant which we believed to be \$1,000,000. This is the new official public hearing on the official updated information. We are now eligible for \$1,250,000 in this co-funded application for our Wastewater Treatment Plant (WWTP) and Sanitary Sewer Infrastructure Improvement Project. The mayor reminded everyone that this is applied to through the NY Consolidated Funding Application (CFA). Applications are usually due in July, but due to the pandemic, applications are not yet open. Typically, July applications are awarded in December, and available in the following January. It is funded through NYS Department of Homes and Community Renewal. This award is co-funded with USDA-RD (Rural Development) and WIIA to further reduce the cost of the \$6,2m WWTP project. Both these funding agencies have requirements that need to be met. CDBG looks at the 1.5% - 2% HMI (household median income) which we are working towards. USDA looks at the cost of similar systems on a community. Both of these amounts are fixed.

Our Present Grants:

• USDA RD \$2,265,000 36.6%

• WIIA \$ 980,000 15.8% (25% of net cost)

• TOTAL \$3,245,500 52.4%

With CDBG \$1,250,000 Grant:

•	USDA RD	\$2,265,000	36.6%
•	CDBG	\$1,250,000	20.2%

• WIIA \$ 668,000 11.0% (25% of net cost)

• TOTAL \$4,183.000 67.6%

Project Budget = \$6,187,000

Local Cost/Loan = \$2,004,000 Over 38 years

The loan rate with the USDA-RD is set at 2.125% (or lower, dependent on the rate at time of closing). The loan is also dependent on the average sewer cost per EDU (Equivalent Dwelling Unit). This amount was \$787 but the additional \$250,000 from this CDBG grant reduces the average to \$767 total estimated average per sewer user (annual sewer use and base charge).

CDBG COMMUNITY PLANNING GRANT:

Mayor Meeder reviewed this Community Planning Grant, saying it is a \$50,000 grant which requires a 5% Village match of \$2,500 making it a \$52,500 project. The Village would apply through NY Consolidated Funding Application (CFA) in July 2020. If awarded the grant, we would find out in December 2020 and it would be available in January 2021. This is dependent on any Covid-19 delays. This CDBG grant is funded through NYS Department of Homes & Community Renewal and would be used to evaluate the four municipally owned properties on Main Street.

- 130 West Main Street (Old Ford Garage)
- 129 West Main Street (Miss Laura's)
- 123 West Main Street (Classy Clippers)
- 121 West Main Street (Vacant)

The grant would be used to study the condition of each building, do preliminary engineering and architectural plans, and complete the second phase of the environmental survey of the 130 West Main Street property. This would help us determine the best use of each building and make us shovel ready for future CDBG and LGE (Local Government Efficiency) Grants. We will use the findings and recommendations of this study grant to apply for future CDBG Public Facilities Grants (up to \$300,000) for either the 130 West Main Street building or the three row buildings.

NYMS (NEW YORK MAIN STREET) GRANT:

This NY Main Street Grant is a NYMS-TA (Technical Assistance) Grant to evaluate non-municipally owned properties along Main Street. Although this grant does not require a public hearing, the mayor wanted everyone to know that this NYMS Grant will be done in conjunction with the CDBG Community Planning Grant (on our municipal properties). This means we will be doing all of Main Street. The NYMS Grant, which is done through the NYS Department of Homes & Community Renewal program, is for \$20,000 with a local match of 5% (\$1,053). We would apply in July through the NY Consolidated Funding Application and, if awarded the grant, we would find out in December. These dates are dependent on any Covid-19 delays.

CDBG - CDOL (COMMUNITY DEVELOPMENT ONLINE) GRANT:

This Community Development Block Grant is a housing rehabilitation grant for \$500,000 which is awarded to 9 or 10 single family residents per grant cycle. This translates into \$40,000 - \$50,000 per qualifying household. CDOL is administered by CHRIC (Chautauqua Home Rehabilitation and Improvement Corporation), a non-profit organization that works in conjunction with CDBG. Mayor

Meeder added that the Village is busy with many projects, but when discussing this grant opportunity Charles Philion told the mayor that CHRIC does 99% of the administration for this rehabilitation grant. This project is not to improve houses aesthetically, but structurally. We are not necessarily trying to beautify Sherman; we are trying to repair homes and make residents safer. Funding will cover structural improvements such as foundations, furnaces, siding, roofing, windows, etc. CHRIC already has 6 eligible applications from Sherman for the CDOL. The Village is not involved in the selection of who receives the grant or how the money is applied. Applicants must meet income criteria determined by CDBG parameters and CHRIC guidelines. Residents can send their applications directly to CHRIC or the Village Office. These applications are typically due in summer, awarded early the following year, and available shortly thereafter, in this case 2021. This CDBG grant is funded through NYS Department of Homes & Community Renewal. We sent out information and pre-application forms with the Village tax bills and have had such a positive response already. Residents with escrow accounts will not have received any information yet, but we will send them out again with the Water & Sewer bills within the next 2 weeks. In order to be awarded the grant we must use the full \$500,000 which is why we need around 20-30 applications.

The mayor opened the floor to questions about any of the grants and Mr. Irwin asked whether the CDBG CDOL grant application would affect our other CDBG applications. Mayor Meeder said no, because it shows CDBG that we have a lot of interest in our community and are invested in its entirety. This works in our favor, for example, the NY Main Street grantors will look at how their investment fits into the bigger picture. In response to another question about the CDOL grants, the mayor explained that if more than 9-10 families qualify, we can reapply again in another 2 years.

Motion to end the public hearing and enter into the meeting of the Municipal Zoning Board.

Moved by Trustee Gratto Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

RES 2020-06-03.2: SPECIAL USE PERMIT - DUMPSTER

Motion to approve annual dumpster special use permits for the following with *no conditions*:

Commercial: Graham's Market 104 Church St, at no charge – economic development.

Moved by Trustee Ayers Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2020-06-03.3: SPECIAL USE PERMIT - FENCE

Motion to schedule a public hearing for the special use permit for the Chase 8' fence at 148 West Main Street and the VanVolkenburg 6' fence at 143 Park Street on July 17, 2020.

Moved by Trustee Higginbotham Seconded by Trustee Gratto

Ayes: 5 Nays: 0 Carried

Motion to close the Municipal Zoning Board Meeting and resume the Regular Meeting of the Board.

Moved by Trustee Higginbotham Seconded by Trustee Gratto

Ayes: 5 Nays: 0 Carried

REGULAR BOARD MEETING:

WATER AND STREETS REPORTS FROM SUPERINTENDENT

Mr. Crane has been busy with various projects, including working on a stormwater problem on Miller Street, installing service lines to a property and completing First Street. The stormwater issues on Miller Street should be completed in the next week, after that First Street will be the priority. We will have a motion regarding the Bond Resolution for the USDA RD Community Facility Program Grant application at the next meeting. Monroe Tractor informed us that sales of their used loaders have increased, which is good - it tells us that there is value in our used loader which we will sell once the bond resolution is approved.

WATER PROJECT

The Covid-19 restrictions and the stormwater problem on Miller delayed our access to properties, but with the good weather ahead we plan to return to First Street to complete this project.

STORMWATER PROJECT

Although the stormwater SEQRA does not require a public hearing, it does require action which we will get to later in the meeting.

SEWER REPORT FROM CHIEF SEWER OPERATOR

Mr. Irwin said that he is setting up several site visits with our engineer, Matt Zarbo, to look at the various equipment items we are considering including in our WWTP upgrades. He said they are assisting Mr. Crane with the drainage along Miller Street, the service line to the George property and First Street.

SEWER PROJECT

Mr. Irwin is working with the surveyor and looking into different ways to work with other local sewer plants to see what efficiencies can be built into our project or what can be done cooperatively to ease the debt portion part of this sewer project.

MAYORAL ADDRESS:

TREE "Beautification" COMMITTEE (Parks & Recreation Subcommittee) - The tree committee is meeting tomorrow night and have a request which will be discussed and voted on under motion #3.

TRAIL COMMITTEE - The mayor is meeting with Jim Fincher to discuss what the next step is to expand the trail.

PUBLIC PARTICIPATION

Donna Higginbotham thanked Gary Emory for the great job his is doing maintaining the ground, especially around the monument and Yorker Museum.

FINANCIAL REPORT FROM CLERK-TREASURER

General Checking Account: Balance (06/03/2020) is \$86,525.91 & book balance \$65,562.92

NYS Fund Bank Account: Balance (06/03/2020) is \$0

Sewer Project Bank Account: Balance (06/03/2020) is \$227,349.52

Water Project Bank Account: Balance (06/03/2020) is \$0

CD Account: Balance (06/03/2020) is A\$150,065.03, B\$0

CD Transfer: N/A
Taxes Received: \$9641.45
Account Adjustments: N/A

Outside W&S: All outside water & sewer accounts are paid in full.

Mayor Meeder added that the properties that were donated to the Village will only be removed from the tax roll if they are used for non-profit or governmental purposes. If they remain commercial, they will remain on the tax roll.

Leah Hayes joined the meeting. Mayor Meeder welcomed her and said that the public hearing was over, but she could go over anything again. Ms. Hayes said no she would read the minutes later to see what was discussed. The mayor asked if there were any other concerns or comments she would like to make as part of public participation, but there were not.

RES 2020-06-03.4: VOUCHER

Motion to approve Voucher #1 for the 2021 year, for \$42,112.26 as presented for May 2020, of which \$0 is from the NYS Special Fund, \$15,400 is from the Sewer Project Fund and \$0 is from the Water Project Fund.

Moved by Trustee Ayers Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

CASH BUDGET REVIEW

As part of the cash budget review the Mayor highlighted that our cash position this year was better than our position at this time last year. Revenue from water and sewer was higher, and we did receive our AIM funding. We also didn't have the total expenses we expected, e.g. the surveyor cost less than originally estimated. Mr. Crane has spent less than previously budgeted since the purchase of water meters will be included in the water project. The clerk has reconciled most of our accounts and our preliminary year end totals are looking good. We will have no issues submitting our annual financial report (AUD) and reporting our loan requirements in good time.

OLD BUSINESS:

OUTSTANDING OUTSIDE WATER & SEWER BALANCE UPDATE

All our outside sewer accounts are now paid in full. This means that the Outside Sewer Receivable is now \$0.

SEWER USER AGREEMENTS

There were never agreements made with our outside sewer users. These agreements ensure that nothing dangerous or damaging is allowed into our sewer collection system and that these outside users abide by our local laws. These are now all signed and returned, and have been submitted to the USDA RD.

The Tree Committee has asked for an amendment of our original resolution to allow them to purchase larger trees, as they do not believe the smaller trees will have the impact they are looking for. They also found that the smaller trees can only be planted in the fall and also want to plant trees in the spring. The mayor explained that the Board is responsible for the Village's fiscal wellbeing, and suggested that for every tree a resident purchases, the Village will match it and purchase a second tree thereby allowing for bigger trees at half the cost to the Village.

RES 2020-06-03.5: TREE COMMITTEE BUDGET AMENDMENT

Motion to amend RES 2020-03-04.14 to include purchases from Johnston Nursery, and include the provision that the Village will match up to \$2,500 for trees purchased or sponsored by residents (or other stakeholders).

Moved by Trustee Gratto Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

RES 2020-06-03.6: PREVIOUSLY TABLED USDA RD LOAN PRINICPAL PAYMENT

Motion to remove from the table the previous motion RES 2020-05-06.21 to pay an additional \$36,000 in principal on the USDA RD Loan, and decline to make such payment under the advisement of the mayor who was consulted by the USDA area specialist.

Moved by Trustee Higginbotham Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

NEW BUSINESS:

RES 2020-06-03.7: CDBG / CFA WWTP APPLICATION FOR \$1.25 MILLION

Motion to approve the application through the Consolidated Funding Application (CFA) to the NYS Department of Homes and Community Renewal for the Community Development Block Grant (CDBG) for a Public Infrastructure grant in the amount of \$1,250,000 for the WWTP, a co-funded project; and to approve and authorize the mayor to sign all related documents and contractual agreements.

Moved by Trustee Ayers Seconded by Trustee Gratto

Ayes: 5 Nays: 0 Carried

RES 2020-06-03.8: CDBG / CDOL HOUSING APPLICATION FOR \$500,000

Motion to approve the Community Development Online (CDOL) application to the NYS Department of Homes and Community Renewal (HCR) for the Community Development Block Grant (CDBG) in the amount of \$500,000, in coordination with Chautauqua Home Rehabilitation and Improvement Corporation (CHRIC) for administration of the grant, for the purpose of rehabilitation of single family dwellings; and to approve and authorize the mayor to sign all related documents and contractual agreements.

Moved by Trustee Higginbotham Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

RES 2020-06-03.9: CDBG / CFA PLANNING GRANT APPLICATION FOR \$50,000

Motion to approve the application through the CFA (Consolidated Funding Application) to the NYS Department of Homes and Community Renewal for a CDBG (Community Development Block Grant) for a Community Planning Grant in the amount of \$50,000, with a 5% Village match in the amount of \$2,500, (total project \$52,500); and to approve and authorize the mayor to sign all related documents and contractual agreements.

Moved by Trustee Higginbotham Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

The following grants do not require a public hearing, however, require the municipal board's approval and commitment to the matching funds.

RES 2020-06-03.10: NYMS-TA APPLICATION FOR \$20,000

RESOLUTION by the Village Board of Trustees approving and endorsing the Village of Sherman in its application to NYS Homes and Community Renewal for funding under the New York Main Street – Technical Assistance (NYMA-TA) Grant.

WHEREAS, the Village of Sherman desires to apply for \$20,000 in financial assistance through the 2020 Consolidated Funding Application (CFA) under the NYS Department of Homes and Community Renewal; and

WHEREAS, the Village of Sherman will contribute a 5% Village match in the amount of \$1,053 bringing the total project amount up to \$21,053; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown "Main Street" between Willard Street and Kipp Street; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of the Village of Sherman approves and endorses the 2020 NYMA-TA for assistance prepared and to be submitted by the Village of Sherman.

Motion to approve this resolution and authorize the mayor to sign all related documents and contractual agreements.

Moved by Trustee Gratto Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

Note - The following grants requiring "matching funds" can include 'in-kind' workforce; and the Village intends to seek additional CDBG Public Infrastructure funds for stormwater through the 2021 CFA application:

RES 2020-06-03.11: GIGP / CFA STORMWATER APPLICATION FOR \$1.9m PROJECTS

Motion to approve the application through the Consolidated Funding Application (CFA) to the NYSEFC (Environmental Facilities Corporation) for the Green Innovation Grant Program (GIGP) for a 90% grant in the of \$1,678,520 for the Main Street and Park Street stormwater management projects, with a 10% Village match in the amount of \$186,502, (total of projects \$1,865,022); and to approve and authorize the mayor to sign all related documents and contractual agreements.

Moved by Trustee Ayers Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2020-06-03.12: WQIP/CFA STORMWATER APP FOR \$778,312 'POND' PROJECTS

Motion to approve the application through the Consolidated Funding Application (CFA) to the NYSDEC (Dept of Environmental Conservation) for the Water Quality Improvement Project (WQIP) for the 75% grant program in the of \$583,734 for the ponds and riparian buffers for stormwater management projects, with a 25% Village match in the amount of \$194,578, (total of projects \$778,312); and to approve and authorize the mayor to sign all related documents and contractual agreements.

Moved by Trustee Higginbotham Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

RES 2020-06-03.13: JUNE PUBLIC HEARINGS

Motion to tentatively schedule a Public Hearing for Wednesday, June 17, at 6pm at the Village Municipal Office via Zoom for the Village Board Members to present the following items:

- USDA RD Community Facility Program's grant acceptance and loan/ bond resolution for streets vehicle & equipment
- Acceptance of the Nature Center property donation and the bond resolution for the land purchase for the purposes of stormwater management
- Zoning Special Use Permit for Chase fence at 148 W Main St and the VanVolkenburg fence at 143 Park Street

The Public Hearing(s) are to be published in the Post Journal, on the Village website, and posted at the Post Office ten days prior to the meeting.

Moved by Trustee Gratto Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

Motion to move into Executive Session at 7:26pm to discuss legal contract matters, no further action will be taken.

Moved by Trustee Gratto Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

Motion to exit Executive Session and adjourn the meeting at 8:37pm.

Moved by Trustee Ayers Seconded by Trustee Gratto

Ayes: 5 Nays: 0 Carried

Respectfully submitted Jeanette Ramm Clerk-Treasurer

Next Meeting: Wednesday, July 8th at 6pm **note it is the second Wednesday**