

VILLAGE OF SHERMAN
MINUTES OF THE PUBLIC HEARING OF THE 6/2021-5/2022 BUDGET
& THE REGULAR MEETING OF THE BOARD
Wednesday, April 14th, 2021 at 6:05pm

The Mayor opened the regular meeting, which was held in person at the Village Office, and led everyone in the Pledge of Allegiance. Board members Colleen Meeder, Ryan Sanders, Donna Higginbotham and Dennis Watson, Clerk-Treasurer Jeanette Ramm, Chief Operator Jay Irwin, resident Gary Emory, Marty Proctor, and the press were present. Trustee Kirk Ayers sent his apologies.

RES 2021-04-14.1: MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held March 3rd, 2021, the Special Meetings held on March 22nd, 2021, and April 7th, 2021.

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

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

Moved by Trustee Higginbotham Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

PUBLIC HEARING:

2021-2022 BUDGET

Mayor Meeder handed out spreadsheets with the breakdown of each fund's budget. She pointed out that we do intend to increase the tax levy by 2.75% which is \$5,715 more than last year. The reason we can do this is because we did have a large increase in new assessed value. Over \$400,000 of this increase was utility reassessment. This higher assessed value translates into a reduction in the tax rate of about 4%. She added that unless residents made renovations/improvements to their property, or experienced a market adjustment, they will likely see a decrease in their actual tax bill. For example, if a resident's assessed value is \$50,000, they will see a \$22 decrease in their taxes, if their assessed value is \$75,000, they will see a \$33 decrease, and if the assessed value is \$100,000, they will see a \$44 decrease.

Fiscal Year	2018-2019	2019-2020	2020-2021	2021-2022	Increase
Levy Increase	1.8%	2.92%	1.00%	2.75%	
Tax Levy	199,894	205,735	207,792	213,507	5,715
Tax Rate	10.913731	10.629224	10.754763	10.322867	
Assessment	18,315,825	19,355,600	19,320,960	20,682,916	1,369,156

Assessed Value	50,000	75,000	100,000
Expected Savings	\$22	\$33	\$44

Mayor Meeder said that the Village could have raised the tax levy another \$1,000 this year, but just because the tax cap allows us to do it, does not mean we should go up that high. Last year the tax cap allowed us to increase the rate by \$13,000 but since the assessed value had gone down about \$35,000, it would have translated into a 6% increase to the tax rate, which would have really hurt

residents. We did not utilize that money and now it is no longer available to us. The tax cap is not a straight 2%, as people think, it is more complicated. Our goal is to keep the tax rate stable. During the open time of questions, the mayor revised the Village's debt service as follows:

Sewer Project Fund	EFC/SRF (short-term revolving fund)	\$300,000
Water Project Fund	EFC/SRF	\$160,000
General Fund	USDA (2 x Streets Equipment)	\$216,600
Total Debt		\$676,600

Mayor Meeder said that the Sewer Fund was set to pay the last installment of \$40,000 to the General Fund. This amount includes a 5% interest amount of \$5,000, as recommended by the Office of the State Comptroller. The mayor also highlighted the \$4/month increase to the sewer base rate, which is stipulated in the Sewer Rents Law of 2020. She noted that it becomes effective on June 1st, 2021 and will show on the sewer bills going out in August. She reviewed the wage and salary expenses for each fund and the individual wage increases. Mayor Meeder concluded by summarizing the budget for June 1st, 2021 – May 31st, 2022 as follows:

General Fund	\$516,557
Water Fund	\$198,700
Sewer Fund	\$280,296
Total Budget	\$995,553

Motion to close the Public Hearing and enter into the meeting of the Municipal Zoning Board.

Moved by Trustee Sanders Seconded by Trustee Higginbotham

Ayes: 4 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

RES 2021-04-14.2: SPECIAL USE PERMIT - SIGNS

Motion to approve the sign permit for North Shore Specialties, Inc. at 100 W. Main Street, and for Chautauqua Rails to Trails, Rosie's trail head sign on Park Street, for the purpose of delineating the end of the trail; and to waive the fee in an effort to support local business in this critical time.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.3: SPECIAL USE PERMIT - SHED

Motion to approve the special use permit for 151 Kipp Street to put a pre-built 12x24 shed on the property, roughly 100 feet from the road. (*No variance required.*)

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.4: SPECIAL USE PERMIT - DUMPSTER

Motion to approve the annual dumpster permit for 148-158 W. Main Street – commercial with no conditions.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.5: SPECIAL USE PERMIT – LIQUOR LICENSE

Motion to approve the special use permit for the Cooler Bar and Grill at 114 W. Main Street; this is a special use permit for a bar in commercial district one (C1), by right, no hearing required.

Moved by Trustee Sanders Seconded by Trustee Watson

Ayes: 4 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 Watson

Ayes: 4 Nays: 0 Carried

REGULAR BOARD MEETING:

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

- **SEWER** – Andrew Norton has completed and passed his 2A Operator License, which means that the Village now has two certified operators. He is scheduling an appointment with the DOH to complete his Water Certification.
 - Kyle Rhebergen is scheduled to do his DOH Water course in May and his Basic Operations of Wastewater Treatment course in June.
- **WATER** – There are now 212 meters installed. The meters we ordered months ago have finally been delivered but they do not have endpoints. Once the endpoints come in, we will install the next 100 meters.
- **STREETS** – We have started reclaiming along First Street and working on the drainage along Kendrick Street where old sidewalk and skirts were dug up. Previously there was no drainage along Kendrick, but now we have added 4-5 DI's. – We still have the 2015 loader because the counter bid of \$60,000 was declined. Originally the OSC told us not to take the trade-in, which was \$60,000, as we could get more from an auction. Unfortunately, this is the second time we have put this loader on auction, and no bid has matched the trade-in value. There is an offer of \$55,000 for the loader which will be put to vote later in this meeting.
 - The trackless vehicle which we were bidding on sold for more than \$15,000 to another bidder. This vehicle is a sidewalk plow, streets snowplow, and a lawn mower. It can hold a bucket, a blower, or a sweeper, which makes it a particularly useful, multipurpose vehicle. We need a second mower, and it would replace the current sidewalk plow which can no longer go into reverse. We are also looking at buying our own basket for the loader, so we do not have to schedule times to borrow the County's basket.
 - We are not allowed to paint the bridge along Franklin Street, so we are drafting a letter to NYS DOT listing this, and other items we have identified that need their attention, which we will send asap.
 - Spring cleanup should be completely done by Friday morning.

CAPITAL PROJECT UPDATES:

COMPREHENSIVE PLAN

- An Open House is scheduled for Monday, May 24th, at 6pm at the Stanley Hose Fire Hall. The Comprehensive Plan began under the guidance of the Steering Committee, with the assistance of the Barton & Loguidice consulting team, and includes input collected at the Community Visioning Workshop. An invitation to the Open House is included in the Village

newsletter which will be going out next week, as well as with Sherman Central School's newsletter which reaches a larger group of people. People can review the draft plan after the Steering Committee has met.

- The Steering Committee is meeting on Monday, April 26th, at 6pm at the Village Office. After this meeting the draft will be completed, and final draft will be posted on the website on May 17th. At the open house residents will be invited to review and comment on the draft Comprehensive Plan.
- The Board will then approve the Comprehensive Plan at the Regular Board Meeting in June. This plan will then allow us to address other related areas such as our zoning, and it will also open up other grant opportunities.
- The Village was awarded the NYMS-TA (NY Main Street – Technical Assistance) Grant for \$20,000 which will help us study the businesses (not Village owned buildings) along Main Street. This will help develop building condition surveys and prepare them for actual future grants through CHRIC and other grant sources. This is similar to the renovation grant done in 2006 under Mayor Wolfe.
- CDBG/CDOL (Housing Rehabilitation Grant) – 25 Village residents submitted applications for this grant, and we are still waiting to hear which municipality has been awarded the grant.

STORMWATER USDA RD APPLY

- USDA-RD secured the entire \$3.5m stormwater long-term financing at 1.25% to cover our Stormwater project. We will not need this full amount, but we do not have other funding sources lined up yet. We have other applications for the financing, i.e., GIGP, WQIP, and CDBG, which will reduce the amount needed from the USDA-RD. Due to our good working relationship with them, they underwrote the full amount to ensure the project goes ahead. This is an excellent rate, and it means that whatever amount we have to finance in the long-term will not exceed 1.25%.
- Sherman Central School has put the Nature Center on the proposition to donate or sell (for \$1) to the Village. The vote takes place on May 18th. If the vote is in our favor, we can invest the money to correct the stormwater issues there. If the vote is not in our favor, we will focus our resources on other stormwater issues.
- The mayor and chief operator have inspected the Firster property just north of the Nature Center, which will be particularly important to the stormwater project.

SEWER

- Although we did the Sewer Project SEQRA in 2019, the Environmental Review continues. As discussed earlier, Dr. Joe Stallman, a representative from the Seneca-Iroquois Nation did a walk through with Mr. Irwin to determine that there are no archaeological issues, and check proximity to the French Creek before we begin working there.

WATER

- We had 4 bids for the construction and 2 bids for the electrical. JD Northrop Construction and BECC Electric were awarded the contractual bids at the meeting held on April 7th. The proposal is \$500,000 under budget, which is excellent news.
- Construction for this project will begin June or July and should be completed this 2021 year. This project's loan is for 30 years, 60% is funded and the last 40% financing has 0% interest.
- Jay Irwin has 20 water easements for Kipp, Hart, Franklin and Osborne Streets. He will go door-to-door to collect the paperwork for these.

COMMITTEE UPDATES:

TREE 'BEAUTIFICATION' COMMITTEE

- The committee met on March 18th and reported 100 trees had been purchased to date. 90 trees have already been planted, another 10 will be planted this spring.
- We are taking new tree orders for planting in the Fall. Purchase forms are available from the village office or the website.
- There is an Urban Forestry Grant for \$100,000, which requires a \$1 to \$1 match. We are unsure whether the \$100,000 includes our match or not, but we do intend to apply for this in the future so we can address the dead trees, among other things, around the village.

PLANNING BOARD

- The planning board met on March 22nd, to update everyone on all the projects, and any possible upcoming projects.
- The next meeting is scheduled for Monday, May 3rd, at 6pm at the Village Office.

EDMUNDS' PARK COMMITTEE

- The committee is meeting on Thursday, April 29th at 10am at the George Edmunds Memorial Park to discuss how the donation should be spent and their overall plans for the park.

MAYORAL ADDRESS

- Mayor Meeder spoke to the Assessor, Heather Young-Deyell, regarding the Classification of Assessment of the Village owned properties. Heather is looking into this.
- The clerk found errors in the Solar Law (LL 4-2020) and it is now being updated by our attorney after which we will have another public hearing to implement a new solar law to replace the original one.
- The trail easements along the King and Turner properties were discussed. Chautauqua Rails to Trails (CR2T) and the Snow Mobile Club cross those properties to get from the trail to village property. Matt White has surveyed these properties and it is on the agenda to allow the mayor to sign any documents ensuring the continuation of the trail.

PUBLIC PARTICIPATION

No-one had any questions or comments about the 0221-2022 budget or the general meeting items.

FINANCIAL REPORT FROM CLERK-TREASURER:

General Checking Account: Balance (04/15/2021) is \$136,353.02 & book balance \$117,608.26

NYS Fund Bank Account: Balance (04/15/2021) is \$0

Sewer Project Bank Account: Balance (04/15/2021) is \$5,256.50

Water Project Bank Account: Balance (04/15/2021) is \$101,547.81 & book balance \$41,496.12

CD Account: Balance (04/15/2021) is A\$0, B\$0

CD Transfer: N/A

Account Adjustments: #148 remove estimated usage as resident was away.

The clerk reminded everyone about the upcoming relevy of outstanding water, sewer accounts and vacant property fees. The Annual Water Report comes out in May and residents will be notified that is available on the website.

RES 2021-04-14.6: VOUCHER #11

Motion to accept Voucher #11 for \$153,915.30 as presented for March 2021, of which \$0 is from the NYS Special Fund, \$12,945 is from the Sewer Project Fund and \$113,941.69 is from the Water Project Fund.

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.7: RELEVY OUTSTANDING BALANCES

Motion to approve the re-levy of the general outstanding accounts receivable which includes all outstanding water and sewer balances, as well as all Village vacant properties and other storage properties. (The final amount will be submitted to the CC Real Property Tax Office and reported at the next regular meeting of the Board.)

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

OLD BUSINESS:

RES 2021-04-14.8: LOADER - \$55,000

Motion to approve the mayor to negotiate the sale of the 621F 2015 Case Loader for the amount of \$55,000.

Moved by Trustee Sanders Seconded by Trustee Higginbotham

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.9: RESCIND WATER PROJECT BAN RESOLUTION

Motion to rescind the previous resolution **RES 2020-12-02.5** to approve and authorize the mayor to sign a one-year BAN not to exceed \$2,400,000, with an early redemption option for the Drinking Water System Improvement Project.

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

NEW BUSINESS:

RES 2021-04-14.10: 2021-22 BUDGET

Motion to approve the 2021-22 Budget for the Village of Sherman in the amount of \$995,553, with a tax levy of \$213,207, (a levy increase of 2.75%).

Noting the "tax rate" is effectively less: 44 cents per thousand (4%)

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.11: SALARY STREET SUPERINTENDENT

Motion to approve Doug Crane, Streets Superintendent, as a salaried employee, *being in a position of supervising two or more employees, and in a position to make decisions*, and to approve the salary of \$58,640 beginning pay period ending June 13th, 2021.

Moved by Trustee Sanders Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.12: 2021-2022 WAGES

Motion to except the payroll schedule for the Village employees' hourly wages, beginning pay period ending June 13th, 2021, payable Monday, June 14th, 2021, as follows:

- Clerk-Treasurer JR \$22.15
- Utility Workers: LM \$22.79, AN \$18.45, KR \$16.00
- Enforcement Officer GG \$16.36
- Building Inspector DH \$16.00
- Crossing Guard GR \$17.50

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.13: 2021-2022 MAYOR SALARY

Motion to approve the 2021-2022 salary of the Village of Sherman Mayor for \$6,000.

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 3 Nays: 0 Carried (Mayor Meeder Abstained)

RES 2021-04-14.14: 2021 LOCAL LAW PUBLIC HEARING SCHEDULED

Motion to schedule a public hearing on May 5th, 2021, at 6pm, for the purpose of reviewing the proposed 2021 Local Laws; followed by the Annual Organizational and Regular Meetings of the Board of Trustees and Municipal Zoning Board.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.15: WAGE INCREASE – MOWING / EMORY

Motion to approve the hourly wage of \$12.75 for Gary Emory, effective immediately.

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.16: CELL PHONE – ENFORCEMENT OFFICER

Motion to approve the monthly cellphone reimbursement of \$75 for the municipal enforcement officer.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.17: NYMS-TA GRANT AWARD

Motion to record in the minutes the acceptance of the NYMS-TA (NY Main Street – Technical Assistance) Grant Award in the amount of \$20,000 for purpose of studying the Main Street businesses, i.e., building condition surveys, etc.

Moved by Trustee Higginbotham Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

It was noted that the Village match for the NYMS-TA grant was \$2,500 of which Jim Mayshark contributed \$1,000 making the total amount \$22,500.

The mayor explained in detail how the Firster property would be used to remedy stormwater issues. After the issues have been addressed, the Planning Board and Village Board want to tie the Nature Center and Firster property together so that additional trails can be provided, enhancing and adding to our walking trails. We do not have a ski slope, winery, or lake, but we do have French Creek

and our trails. We are working with Chautauqua Rails to Trails to connect the Erie to Pittsburgh trail with the Sherman-Clymer connection, working to achieve a ‘trail town’ status.

RES 2021-04-14.18: FIRSTER LAND PURCHASE FOR STORMWATER

Motion to approve the Land Purchase Agreement with Albert Firster for \$400,000; for approximately 165 acres from the three properties SLB 328.07-2-1, 328.07-2-54 and 311.00-2-9, totaling approximately 190 acres, less two non-contiguous parcels of 5 acres (including residence and agricultural accessory buildings) and 20 acres of wooded ravine; the agreement will state Albert Firster has right of first refusal on the resale of any property listed herein and vice versa, the Village has the right of first refusal to the 5 and 20 acre parcels; the mineral rights to the gas wells will be retained by Albert Firster along with the existing addendum to the gas lease leaving the addendum intact for both the existing wells and future wells, these mineral rights will be kept by Albert Firster and his immediate heir after which they shall transfer to the Village of Sherman, an easement will be granted to Albert Firster for access to the gas wells and Albert Firster (as contracted in the addendum to the gas lease) will work with the Village of Sherman on agreeable right of way access to existing wells and future wells; the Village of Sherman shall work with Albert Firster in consideration of caretaking by way of agricultural land lease and land use in relation to the operational farm at 129 Kendrick Street on an annual basis; and to authorize the mayor to sign all related documents after review by the village attorney.

Moved by Trustee Higginbotham Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

RES 2021-04-14.19: TRAIL EASEMENTS

Motion to approve and authorize the mayor to enter into agreements with Gerald and Virginia King, and Florence Turner, for the purpose of establishing easements along the French Creek Trail, connecting Chautauqua Rails to Trails to the French Creek Sheldon Park.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

Motion to adjourn the meeting at 7:50pm

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

Respectfully submitted,

Jeanette Ramm

Clerk-Treasurer

Next Meeting: May 5th, 2021 at 6pm