

VILLAGE OF SHERMAN
**MINUTES OF THE REGULAR MEETING OF THE BOARD,
& MEETING OF THE MUNICIPAL ZONING BOARD**
Wednesday, July 10, 2024 at 6:00pm

Mayor Meeder opened the meeting with the Pledge of Allegiance at 6:02pm. Board members Colleen Meeder, Gary Emory, Ryan Sanders, Dennis Watson, and Danielle Crane; Chief Operator Jay Irwin; Clerk-Treasurer Jeanette Ramm; Residents David and Pam Hinman; County Legislator Marty Proctor; and the press were in attendance.

RES 2024-07-10.1: MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held Monday, June 17, 2024.

Moved by Trustee Watson Seconded by Trustee Emory
Ayes: 5 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 Sanders
Ayes: 5 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

The mayor updated the board about the remediation of 189 West Main Street which was carried out on July 9th. She handed each trustee a report with photographs from Mr. Gormley, the enforcement officer. The sheriff was also on the scene, and it was noted that there is a squatter in the house. There is still more to address but for now the trash has been removed and the property owner is planning to mow the grass.

Mayor Meeder introduced the trustees to Dave and Pam Hinman who purchased property situated along Chautauqua Rails to Trails. The trail runs along the east and southern side of their property. The Hinman's are trying to enhance the property by establishing more lawn, mowing, and planting trees, with the intention of trail users enjoying some fruit as they walk down the trail and reading signs informing trail users about the local foliage and trees. Unfortunately, disrespectful trail users are not staying on the trail and riding ATV's, dirt bikes, and golf carts which are tearing up their property. The trespassing dirt bikes ripped up the newly planted trees and one of the dirt bikes leaked oil on their property, which is right along French Creek, causing additional concerns. The Hinman's are requesting a special use permit to put up temporary signs that would be removed during the snowmobile season, indicating where the trail is, and signs identifying native plants and natural elements.

The Sherman Hotel and Saloon has requested to close off Church Street from Main Street to the alley for a block party on Sherman Day. The event will start after the parade and end at 11pm and will involve live music. This was discussed with the Sherman Day Committee President and Streets Superintendent, and the Board's only concern is cleaning up the street after the party, which would be conveyed to the Sherman Hotel crew.

RES 2024-07-10.2: SHERMAN HOTEL – CHURCH ST – BLOCK PARTY

Motion to approve the block party permit request by the Sherman Hotel to close Church Street on Sherman Day, August 3, following the parade until 11pm and to have live entertainment.

Moved by Trustee Watson Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

Regarding the private property situated on the Chautauqua Rails to Trails, experiencing challenges with non-compliant use of the trail and trespassing, leading to damage in the rear of their property.

RES 2024-07-10.3: SPECIAL USE PERMIT – HINMAN – SIGNS ON TRAIL

Motion to approve the Special Use Permit for Dave & Pam Hinman, located at 180 East Main Street, to install signs regarding appropriate trail use and highlighting natural elements along the trail, at no cost to the property owner.

Moved by Trustee Emory Seconded by Trustee Crane

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 Emory Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

REGULAR BOARD MEETING:

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

SEWER

- The installation of the manhole inserts has begun.

STREETS

- The streets superintendent was pleased to repurpose the mounds of soil at the Solar Project entrance which he used to level off Edmund’s Park, among other things. He has completed the cement work around the Edmunds Park bathrooms and is working on meeting the ADA requirements for railings and access around the bathrooms, pavilion and in the parking lot. Mr. Crane is also working on some issues with the sidewalk in front of the old hardware store, this is being worked around the improvements being made to the Cooler. The new ADA compliant sidewalk will eventually run from the old Hardware shop all the way down to NAPA.

CAPITAL PROJECT UPDATES

STORMWATER

- Additional information is required before the motion (RES 2024-07-10.6) regarding the Sherman Stormwater Management and Flood Resiliency Project can be adopted. The mayor explained that we are using 36’ pipe which needs to be AIS approved, not DOT approved, as the pipes are on the athletic field and not the state road. This will be discussed in detail at the special meeting to be held later this month. We are currently also trying to get permission

from the DOT for stormwater improvements on Church Street now so that we can work on Church Street in September. We have had no issues with permitting, and everything for this portion of the project is quite standard, while the upper basin will be more complex.

SEWER

- Tom Becker has informed us that all our paperwork must be closed out by the end of August.
- Fortunately, Doug Crane, our Streets Superintendent, did the upper driveway so now H&K can close out their paperwork. The DOT will complete the paperwork for this upper driveway and H&K will be released from their bond.
- BECC is not ready to close out their paperwork. They are considering pricing out a new panel for the sludge pumps, but Ken Knutsen from B&L says that won't happen in time to be considered part of the project. There is still \$28,000 remaining on BECC's contract.

WATER

- We currently have a rough outstanding payment of \$10,000 for BECC and \$16,000 for Northrup, which the EFC has paid into our account, but we are holding until their punch items have been completed.
- We are still waiting for the curb stop corrections from Northrup and the electrical and insulation adjustments from BECC.
- EFC has closed this project out. Unlike USDA-RD who funded the sewer project, they won't release the money until they receive all their requirements.

NYMS AWARD – We received the \$13,500 reimbursement back for the awning project, and David Conrad has submitted the paperwork for reimbursement for work on the Sherman Hotel. No one else has submitted their final paperwork at this time.

COMPLETE STREETS – We are waiting for the final report from Barton & Loguidice so that we can submit all the paperwork to CCPEG (Chautauqua County Partnership for Economic Growth).

EV Charging Stations – The NYSDEC rebate is now waiting for an updated In-Service Agreement from EV Connect with a correction to the hardware they installed.

COMMITTEE & AGENCY UPDATES

Solar Project – The fields still need to be addressed. There have been crews going in and out which is why they have delayed the planting. The first Solar Array was turned on for testing, and Matt Effler from Catalyze is setting up a meeting for the mayor to discuss the community credits.

Steering Committee / Complete Streets Stakeholders Committee will meet on Monday, July 15th, at 6:30pm to do a walk through the village to review the latest Complete Streets plans, and discuss storage laws, and prioritize the remaining grant funds available for the NYMS project.

Edmunds Park Committee – The committee has just shy of \$5,000 left and there are still a few things the committee would like to address. The Village will use CHIPS money to install ADA cement paving and railing around the bathrooms, and the committee's funds can be used to repair the aging front face of the pavilion and wrap the pavilion's poles, and add fencing if funds allow.

Preserve NY Grant for the Yorker Museum – unfortunately we were not awarded the Preserve NY grant. Our next goal is to have Janna Rudler, from the Preservation League of New York State, come and meet with our Historical Society to determine what the next steps should be. We are so grateful to Chautauqua Regional Community Foundation for their support, but they would like us to branch out to larger funding sources.

Restore NY – The application was submitted and now we are waiting for the announcement about the award. We have sent a letter of thanks to Nate Aldrich from CCPEG (Chautauqua County Partnership for Economic Growth) for their award of \$6,000 to assist with the application.

Trails – Doug Crane, streets superintendent, will go over the trail with the mayor, and then meet with Jacob Bodway to determine what other areas are available around CR-430 and the French Creek for snowmobilers. A meeting will also need to be set with Dave Scrivens in August to determine the permanent route, especially since our permanent poles have been placed. Hopefully the snowmobilers will have a permanent trail this winter.

Chamber of Commerce – The chamber met this morning and noted that the Sherman Central School art students had finished their “welcome to Sherman” sign, which Doug Crane will put up. Their next meeting will be Wednesday, August 14th, at 9am, in the Village Office.

MAYOR

- **The Open House** for the completed water and wastewater projects was successful, with many in attendance including Assemblyman Andy Goodell, NYS Senator George Borello, USDA Specialist Tom Becker, County Executive PJ Wendel and several supportive residents. The mayor was commended for her outstanding foresight and diligence in keeping this little community at the forefront in utility operations.
- **Congressional Vietnam** – William ‘Bill’ Sanders and Dennis Kulpa were two of the Vietnam Veterans honored by Congressman Nick Langworthy at the Commemoration of the 50th Anniversary of the Vietnam War. The Vietnam Veterans Memorial in Washington DC lists the 58,318 who made the ultimate sacrifice “in service” during the war; but all the veterans gave their full body and mind, forever altering their future, with physical and mental wounds, loss of limbs, or dealing with the effects of Agent Orange. Whether they served at home or abroad, we are indebted to our veterans for the freedoms we enjoy, and so often take for granted. Freedoms we consider ‘God-given rights’ can be easily taken by the evils of man. “May God provide wisdom and strength to those protecting us today, and bless and comfort veterans and families who have and continue to sacrifice themselves in service to our great country.”
- **Yorker Museum** – the Historical Society has come up with a painting rotation plan which will begin with the gazebo, and include replacing the pillars and other repairs to the gazebo, and then move on to the next building. There is also a tree that needs to be removed.
- **Minerva Free Library** – 2 books by Oliver Willcox Norton, are being purchased with some of the donation made by Ron Moore from the Class of 1959.
- Thank you to the **Sherman Chamber of Commerce** for the \$600 donation toward the Main Street beautification i.e., the flowers along Main Street and the Franklin Street bridge. This beautification includes brackets to hang the flowers from each pillar, soil and plant food, etc.
- **Triple E Manufacturing** just celebrated their 40th Anniversary. We are also celebrating their success, and grateful that they chose to remain in Sherman.



Triple E

MFG. & DESIGN INC.

Celebrating 40 years of Ingenuity and Creativity

- Suppling quality products and services with a customer centered focus.
- Making continual investments in innovative equipment and technology.
- Committing to the substantial expansion of manufacturing operations in Sherman.
- Adapting and thriving through all regulatory and economic challenges.
- Marketing and attracting customers to the area.
- Presenting a professional establishment for the community to be proud of.
- Providing employment opportunities.
- Contributing generously to youth and non-profit organizations in the greater area.
- Participating in community events.
- Supporting fellow businesses, member of the Sherman Area Chamber of Commerce.

The Village of Sherman congratulates Triple E Mfg. & Design Inc.!

The Board of Trustees commends Heather White and Dick & Pam Watrous for their dedication and determination to continued growth. The success of Triple E Mfg. reflects positively on Sherman, benefiting the community and local economy.

Thank you for choosing Sherman!

Wishing Triple E Mfg. & Design Inc. much success over the next 40 years!

PUBLIC PARTICIPATION

There was no public present.

FINANCIAL REPORTS FROM CLERK-TREASURER:

General Checking Account: Balance (07/10/2024) is \$316,009.21 & book balance \$162,029.33
NYS Fund Bank Account: Balance (07/10/2024) is \$17,388.91
Sewer Project Bank Account: Balance (07/10/2024) is \$8.32 & book balance (\$7,200.33)
Water Project Bank Account: Balance (07/10/2024) is \$26,831.15
Parks Fund Account: Balance (07/10/2024) is \$4,815.18
Stormwater Fund Account: Balance (07/10/2024) is \$332,883.17 & book balance \$225,646.29
Climate Smart Account: Balance (07/10/2024) is \$14,022.22
Debt Service Account: \$40,133.59

Reserve Account: \$27,719.31
CD Account: Balance (07/10/2024) is \$0
Account Adjustments: N/A
Receipts: Total \$206,320.42

RES 2024-07-10.4: VOUCHER #2 2025

Motion to accept Voucher #2 for \$262,316.92 for June 2024, of which \$962.50 is from the NYS Special Fund, \$7,208.66 is from the Sewer Project Fund, \$0 is from the Water Project Fund, \$134 is from the Parks Fund, \$107,236.88 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: 5 Nays: 0 Carried

NEW BUSINESS:

RES 2024-07-10.5: CHAUTAUQUA COUNTY HAZARD MITIGATION PLAN

Motion to adopt the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan:

A RESOLUTION OF THE VILLAGE OF SHERMAN ADOPTING THE CHAUTAUQUA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, DATED 6/7/2024

WHEREAS the Board of Trustees recognizes the threat that natural hazards pose to people and property within Village of Sherman; and

WHEREAS the Village of Sherman has prepared a multi-hazard mitigation plan, hereby known as the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan, dated June 7, 2024, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan, dated June 7, 2024, identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Village of Sherman from the impacts of future hazards and disasters; and

WHEREAS adoption by the Village of Sherman Board of Trustees demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan, dated June 7, 2024.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE OF SHERMAN, NEW YORK, THAT: Section 1. In accordance with New York State Village Law, the Village of Sherman Board of Trustees adopts the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan, dated June 7, 2024. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Board of Trustees of the Village of Sherman by a motion from Trustee Crane and seconded by Trustee Emory, on July 10th, 2024, 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.

TABLED FOR SPECIAL MEETING

RES 2024-07-10.6: NYSDEC CLIMATE SMART COMMUNITY 2024 CFA APPLICATION

Motion to approve and authorize the mayor to apply to the:

RESOLUTION AUTHORIZING APPLICATION FOR A NEW YORK STATE CLIMATE SMART COMMUNITIES GRANT

WHEREAS, the Village of Sherman hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54, Title 15.

WHEREAS, the Village of Sherman certifies that it has identified \$[amount of match] of matching funds from [location – general fund, donation, etc.] pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

NOW THEREFORE BE IT RESOLVED, the Village of Sherman hereby authorizes Colleen Meeder, Mayor of the Village of Sherman, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$[amount requested], to be used for the Sherman Stormwater Management and Flood Resiliency Project.

Adopted this [date] day of [month], [year].

RES 2024-07-10.7: CFA - NYSDOS SMART GROWTH GRANT APPLICATION

Motion to approve and authorize the mayor to apply to the:

**DEPARTMENT OF STATE SMART GROWTH
COMPREHENSIVE PLANNING & ZONING GRANT PROGRAM**

WHEREAS, the Village of Sherman is applying to the Department of State Smart Growth Comprehensive Planning and Zoning Grant Program for a project entitled “Zoning Code Update” to be located in the Village of Sherman; and

WHEREAS, the applicant municipality may obtain the approval and endorsement of the governing body of the municipality or municipalities in which the project will be located; and

WHEREAS, the Department of State, pursuant to the Smart Growth Comprehensive Planning and Zoning Grant regulations requires an applicant to fund up to 10% of the total project cost, pursuant to the grant program; and

WHEREAS, the Village has secured up to 10% of the total project cost, pursuant to the grant program, in cash and/or in-kind services.

NOW, THEREFORE, BE IT RESOLVED that the governing board of the Village of Sherman hereby does approve and endorse the application for a grant under the Smart Growth Comprehensive Planning and Zoning Grant Program, for a project known as the “Zoning Code Update”, located within the Village of Sherman; and

BE IT FURTHER RESOLVED, that the Village of Sherman approves the “Zoning Code Update” project budget amount of \$84,000, with the Village approving the amount of \$8,400 toward the 10% matching contribution.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Board of Trustees of the Village of Sherman by a motion from Trustee Emory and seconded by Trustee Watson, on July 10th, 2024, the result of which vote was as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>

Dennis Watson, Trustee Aye
Gary Emory, Trustee Aye
Danielle Crane, Trustee Aye

The foregoing resolution was thereupon declared duly adopted.

Sherman Day 2024 is Friday, August 2nd – Sunday, August 4th

RES 2024-07-10.8: SHERMAN DAYS – OPEN CONTAINERS IN PUBLIC

Motion to approve and permit the consumption of alcoholic beverages during the community-sponsored public function called “Sherman Days” from Friday through Sunday, falling around the first Saturday of August, the festival or celebration includes any private party being conducted within the Village limits, municipal parks or recreation areas and/or any other publicly owned areas; this exception to open containers within the Village of Sherman is a temporary exception for the community’s annual celebration.

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

RES 2024-07-10.9: CLOSURE OF CREEKSIDE LANE – SHERMAN DAYS

Motion to accept the closure of Creekside Lane for Friday, August 2nd, Saturday, August 3rd and Sunday, August 4th for the festivities around Edmunds Park, for the Annual Sherman Days celebration.

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

RES 2024-07-10.10: VILLAGE OFFICE 111 MILL STREET RENOVATION PROJECT

Motion to approve the materials and design for the rehabilitation of the outside façade of the Village Office, 111 Mill Street; in concert with the adopted Class B 15 YR Bond Resolution 2023-06-14.4; not to exceed \$70,000.

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

Motion to move into Executive Session at 7:30p.m. to discuss legal and contractual issues, with possible action to be taken following the executive session.

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

Motion to adjourn the meeting at 9:40pm.

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

Respectfully submitted,
Jeanette Ramm
Clerk-Treasurer

**Next Meeting: Special Meeting July 23, 2024 at 6:45am.
 Regular Meeting August 14, 2024 at 6:00pm.**