

VILLAGE OF SHERMAN

MINUTES OF THE REGULAR MEETING OF THE BOARD & MEETING OF THE MUNICIPAL ZONING BOARD

Wednesday, June 15, 2022 at 6:00pm

Mayor Meeder called the meeting to order at 6:01pm and lead everyone in the Pledge of Allegiance. Board members Colleen Meeder, Ryan Sanders, Dennis Watson, Gary Emory, and Chris Labuskes, Chief Operator James Irwin, Clerk-Treasurer Jeanette Ramm, and residents Heath and Ronnie Reed, and the press were in attendance.

RES 2022-06-15.1: MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held April 20th, 2022, and the Special Meeting held May 6th, 2022.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

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

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

ZEO / CODE / GENERAL ENFORCEMENT

- Mr. Gormley has been working with Triple E on construction matters including the sprinkler system with Doug Crane and the flood plain concerns with Dave Haney (B&L) as this would require expensive FEMA insurance. He and Mr. Haney met with the contractor and the surveyor regarding flood plains to determine that this was not necessary.
- Mr. Gormley got a permit from the DEC for the beavers on French Creek.
- He has been working on vacant property fees, and Mr. Van Geisen may join us via zoom to discuss his vacant property.
- There are currently two fence violations Mr. Gormley is working on. After receiving several complaints, the zoning officer sent a notice to both 145 and 149 East Main Street for being in violation of Section 616 of the Village Zoning Law regarding Fences and Walls. These adjacent properties both have some type of fencing on the property line which is prohibited unless it is exempt for agricultural use. Pets, privacy, or conflicts with neighbors are the most common reasons for putting up a fence; all three are applicable in this case. Presently, the 2 ft variance from the property line is under consideration because of the maintenance complications it presents. The height of 4 ft may be appropriate in the front yard for visibility and character, but a standard 6 ft fence should be permissible in the side and backyards without a special use permit. However, all of this requires careful consideration by the Steering Committee, Planning Board, ZBA, and Municipal Zoning Board before an amendment to the law is proposed.

Heath Reed addressed the Board of Trustees regarding the violation notice. With the use of photographs, he showed board members the agricultural fence which he erected in order to keep his dogs off the neighbor's property and showed how it closed the gap from their perimeter fence which is more than the specified 2ft from the property line to accommodate mowing behind the fence.

The Village's Zoning Law is currently being reviewed to be updated. The first priority is Section 616 Fences and Walls because it is the most common reason to convene a meeting of the Zoning Board of Appeals "ZBA". The Village's Municipal Zoning Board, made up of the Village Trustees, decided based on the recommendation of the Zoning Enforcement Officer, to suspend the violations regarding fence variance and special use for this particular fencing issue on adjacent properties along East Main Street while Section 616 for Fence/Walls is under review by the Steering Committee and Planning Board for amendment.

RES 2022-06-15.2: SUSPENSION OF ENFORCEMENT OF FENCE VIOLATION

Motion to suspend the violations for 145 E Main St, SBL 328.11-1-36 and 149 E Main St, SBL 328.11-1-35 regarding fence variance and special use.

Moved by Trustee Labuskes Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2022-06-15.3: ANNUAL DUMPSTER SPECIAL USE PERMIT

Motion to approve the following annual dumpster permits:

153 West Main Street – residential with no conditions

Moved by Trustee Watson Seconded by Trustee Labuskes

Ayes: 5 Nays: 0 Carried

RES 2022-06-15.4: TOWN OF SHERMAN POLE BARN

Motion to approve the Code Enforcement Officer's recommendation to wave the \$400 building permit for the Town of Sherman.

Moved by Trustee Labuskes Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

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

Moved by Trustee Emory Seconded by Trustee Labuskes

Ayes: 5 Nays: 0 Carried

REGULAR BOARD MEETING:

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

- **SEWER** – The wastewater construction is moving ahead on schedule. The SBR tanks are being delivered next Wednesday which will heighten activity.
- **WATER** – Pump #1 has been shut down and power for pump #2 is coming from the WWTP so Northrup can demolish the pump house in the next few weeks.
- **STREETS** – Sidewalk repairs between Kipp and Church Streets will continue when Doug Crane returns from his holiday, he is lowering the sidewalk to alleviate the water build up. The sidewalk on Franklin next to the bridge is also being worked on. DI work is being done at the alley way on Park Street, and the Sheldon French Creek Park is being cleaned up for Rosie's Run. Additional mowing was done along Hart Street along the French Creek past the plant. Clasps and solar lights are on order to finish putting up the last few business signs. The sign in front of the old Ford Garage will be ready this week.
- **STORMWATER** – the sidewalk along West Main Street in front of the Inn is being regraded.

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

EV Charging Stations – we are going out to bid

Status of Outstanding Grant Applications (non-CFA):

RBDG (Rural Business Development Grant) – there are ten 4x8 double-sided signs which have been stained and are being prepared to hold the local business signs. The first sign is up at the old Ford Garage, with flower holders made by Walt Covert. The other signs won't have the flowers and will be placed along routes into the village. As soon as other signs are ready, we will place them out near Brushwood and the Blue Heron events, drawing summer visitors to our local businesses. We have solar lights which will illuminate these signs at night as well. These signs are mobile so we can place them strategically along the snowmobile trail during winter, and at events like the Blue Heron, Brushwood and the music festival. We are also having signs made regarding the trails and the music festival and a banner for the Town of Sherman's bicentennial. These are not part of the grant, but they will further promote Sherman. Jessica Ramm was commissioned to create the music festival flyer, along with the local business signs, Sherman Day signs based on the committee's mardi gras cow, and a banner for the Town's bicentennial which was approved by the Town Historian, Annette Swan. The old building behind the office is going to be cleaned up and four of the business signs will be placed on the wall.

CAPITAL PROJECT UPDATES

COMPREHENSIVE PLAN

- **NYMS-TA - Downtown Feasibility Study**

Clinton Brown has prepared the final concept plans for the Steering Committee, property owners and NYSOGR. We are moving into the implementation phase and Alma Brown has met with every business owner on Main Street which we have expanded to include businesses from Kipp Street all the way down to Willard Street. The first phase requires preapplication forms from the businesses so that we can apply for the \$500,000 NYMS grant in July. Right now, we need every business with an awning to submit a letter of interest since every property will be involved in the project.

- **CDBG (Community Planning) - Downtown Market Analysis**

Mayor Meeder gave each trustee a copy of Camoin's final Downtown Market Analysis report, 86 pages containing all the information they compiled, including the data they collected at the last open house. The first 13 pages are their recommendations and our next steps. Mayor Meeder highlighted some of their suggestions including capacity (staffing), economic and community development, village inventory, marketing, etc. The full report is on the Sherman website at shermanny.org under government, under village projects. She spoke about identifying short-term and long-term priorities. Our next steps include meeting with Nate from the IDA and investigating funding opportunities e.g., the CFA for economic development opportunities.

The Steering Committee and the Planning Board will be involved in researching a Downtown Business District – a unique district distinguishing between Main Street businesses and others like Graham's Market or the Farmer's Mill. They will consider things like, what is its purpose? Do we want all the business signs to have the same shape? Should the awning

upgrades include skylights (we will be installing a sample skylight at Feelin' Saucy to see if it's practical, if it sheds light onto the front of the building and into the building)? Do we need additional lighting? Should we change the color underneath the awning to brighten it up? If a building burned down, to what specifications should it be restored? The district may end up being just the attached row buildings along Main Street or broader.

SEWER

- The Screw Press is going to bid soon.
- We met with National Grid regarding efficiencies and incentives for our variable speed blowers and other new appliances, things are looking favorable.
- The concrete for headworks building has been poured and the walls set in place. Things are moving ahead nicely.
- Tom Becker, USDA RD Area Specialist, toured the WWTP project progress following the monthly progress meeting, with all the contractors and engineers, on June 1st.

WATER

- The SBR's (Sequencing Batch Reactors) should be arriving soon.
- Reclamation is in progress, there are a few areas that still need to be completed.

COMMITTEE UPDATES

Trail Committee – the mayor spoke with Bill Ward, CR2T President, and Jacob Bodway, Friends of the Greenway and had the following outcomes:

- Approval to hang Erie to Pittsburgh signs along CR2T
- Village design of 4x4' sign on Trails (CR2T & Erie to Pittsburgh)
- Titus trailhead improvements, including future installment of a new kiosk
- Sherman local trail design, along French Creek & the Titus to Rosie trailhead
- CR2T Wine Walk July 23rd, possibility of Sherman hosting a future wine walk
- Attended CLCS's installation of the kiosk in Mayville behind Boxcar Barney's

Steering Committee – met Monday, June 6th and discuss:

- Name that Street – the committee went through all the suggestions and narrowed the selection to – Creekside Lane, Dorman Drive, French Creek Lane, Sperry Lane and Wake Lane. People can vote up until the parade on Sherman Day, August 6th. The winning name will be announced on Sherman Day.
- Business District – defining the purpose and determining which properties to include, as discussed earlier.
- Review and update Section 616 Fence/Walls of the 2009 Zoning Law
- Next meeting will be scheduled in August.

Planning Board – met on Monday, June 6th, reviewed the NYMS grant application progress, discussed defining the Business District (which came from the future land use section of the Comprehensive Plan), each member was provided a copy of the current zoning law and the materials being reviewed by the Steering Committee in updating Section 616 Fence/Walls of the 2009 Zoning Law. The Planning Board was joined by the Village Trustees for the presentation by Rob Gauchet of Solar Liberty.

Jeanette Ramm & Village Employees involvement in:

- The Sherman Area Chamber of Commerce – design of Music Festival Flyers and posters, Chamber Facebook page has been reactivated (last active in 2016),
- Sherman Day Committee – sign printing, activities pamphlets for Alumni letters, etc.
- Sherman Historical Society – printing of French Creek Yorker Museum flyers
- Minerva Free Library – printing of Photo contest flyers and preparation of display at 121 West Main Street, mowing of library property, and planned removal of front bushes
- Community Yard Sale – with the help of Michelle Emory, coordinated the June 18th yard sale including maps

MAYORAL REPORT

- Memorial Day parade and ceremony was organized by the Village this year, due to the ageing VFW members becoming less active and a member's spouse asking for our help. The mayor organized Pastor Tim Minge to do the address at the ceremony.
- Fire Chief, Matt Oehlbeck, requested a survey go out regarding the Memorial Day parade to determine the best time to have the parade i.e., after Finley Lake's parade or at the same time, to find out what people want and to encourage new people or another organization to help run the event.
- Mayor Meeder attended the NYCOM conference in Ellicottville with Jeanette Ramm, Gary Emory, and Chris Labuskes on May 19th regarding the essentials of village officials.
- The mayor attended the NYCOM webinar on Open Meetings with Jeanette on June 15th which mainly addressed video conferencing and video conferencing policies.
- Mayor Meeder also attended the NYCOM Main Street Revitalization conference in Syracuse on June 8th & 9th with a focus on:
 - Community branding (the community embraced the Chamber of Commerce's cow competition and now the Sherman Day committee has the Mardi Gras cow), events, place making, art, social media, and on-line sales (a one-stop on-line approach was discussed).
 - Adapting to a post COVID economy (how we assist local businesses in this climate).
 - Parking (a lot of good ideas which will be readdressed at a later date).
 - Funding through NYMS, Restore NY, and NY Forward Funding.
 - Land Bank 101 was proposed, and the mayor has scheduled a meeting with CC Land Bank Exec Director Gina Paradis to further investigate this partnership.
- The mayor attended the June 2nd Town of Sherman meeting to discuss the Bicentennial Banner, Sherman's social media presence and a Town of Sherman, NY Facebook page, the possibilities and challenges with a billboard along I-86 (on Jim Mayshark's property).
- Attended the June 14th, Hazard Mitigation Planning Meeting coordinated by Chautauqua County Emergency Services, and Barton & Loguidice's stormwater management team – David Hanny and Jayme Breschard; discussed stormwater and transportation issues, i.e., flooding, I-86, and the increasing concerns about the traffic on Main Street, particularly at the intersections of state roads Route 76 and Route 430. At the meeting the mayor learned that the Village of Sherman is the only Climate Smart Community in Chautauqua County.
- The mayor told the trustees she'd received a complaint about speeding along Mill Street, as short as it is. There is a 30m/h speed limit throughout the village. It was suggested that the trucks and louder vehicles are also an issue. Speed bumps and signs were discussed, but no solution seemed feasible.

FINANCIAL REPORTS FROM CLERK-TREASURER:

General Checking Account: Balance (05/20/2022) is \$107,342.11 & book balance \$92,675.15
NYS Fund Bank Account: Balance (05/20/2022) is \$0
Sewer Project Bank Account: Balance (05/20/2022) is \$246,761.77 & book balance (\$23,134.83)
Water Project Bank Account: Balance (05/20/2022) is \$9,050.34 & book balance (\$2,879.34)
Stormwater Project Account: Balance (05/20/2022) is \$89,130.10
Parks Fund Account: Balance (05/20/2022) is \$24,717.22
Climate Smart Account: Balance (05/20/2022) is \$215,000 & book balance 208,402.50
CD Account: Balance (05/20/2022) is \$0
CD Transfer: N/A
Account Adjustments: N/A

General Checking Account: Balance (06/15/2022) is \$221,647.48 & book balance \$211,307.04
NYS Fund Bank Account: Balance (06/15/2022) is \$0
Sewer Project Bank Account: Balance (06/15/2022) is \$960 & book balance (\$493,465.43)
Water Project Bank Account: Balance (06/15/2022) is \$0 & book balance (\$132,636.04)
Stormwater Project Account: Balance (06/15/2022) is \$89,130.10 & book balance \$86,332.60
Parks Fund Account: Balance (06/15/2022) is \$24,717.22 & book balance \$24,327.97
Climate Smart Account: Balance (06/15/2022) is \$198,958.75
CD Account: Balance (06/15/2022) is \$0
CD Transfer: N/A
Account Adjustments: N/A

RES 2022-06-15.5: VOUCHER #12 2022

Motion to accept Voucher #12 for \$552,945.52 for April 2022, of which \$0 is from the NYS Special Fund, \$261,566.60 is from the Sewer Project Fund, \$12,004.68 is from the Water Project Fund, \$0 is from the Parks Fund, \$3,325.00 is from the Stormwater Project Fund and \$6,597.50 is from the Climate Smart/Economic Development Fund. The General Fund includes \$22,500 for the CDBG Market Analysis Study, \$6,865 for Solar, \$2,700 for NYMS-TA project, and \$205,754.74 for the Sewer Capital Project.

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

RES 2022-06-15.6: VOUCHER #1 2023

Motion to accept Voucher #1 for \$1,178,016.06 for May 2022, of which \$0 is from the NYS Special Fund, \$491,505.43 is from the Sewer Project Fund, \$120,706.36 is from the Water Project Fund, \$389.25 is from the Parks Fund, \$507,783.61 is from the Stormwater Project Fund and \$0 is from the Climate Smart/Economic Development Fund. The General Fund includes \$20,000 for the CDBG Market Analysis Study, \$710.45 for Solar, and \$12,700 for NYMS-TA project.

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

Tax Bill No. 11 to Louise Waite in the amount of \$902.39 is to be reduced by \$787.81, resulting in the final amount due of \$114.58. This is an Error in Essential Fact because the parcel has been erroneously assessed with a residential dwelling that is not situated in the Village of Sherman. This correction was initiated by the Estate of Louise Waite and the Assessor after discovering the dwelling was listed on the wrong lot since its initial build in the 1950's.

RES 2022-06-15.7: APPLICATION FOR CORRECTED VILLAGE TAX ROLL

Motion to approve the Application for Corrected Village Tax Roll, form RP-554-v, reassessing the vacant property owned by Louise Waite on Klondyke Rd, SBL 328.06-1-11; resulting in the reduction of Tax Bill No. 11 by \$787.81.

Moved by Trustee Labuskes Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

TAX COLLECTION REPORT

The mayor handed each trustee copies of their own property tax bills for the last ten years, showing them how minimal the tax changes have been. She explained the tax levy, tax warrant, assessed value and tax rate, and explained some errors on previous years' bills, for example, the tax levy erroneously including the water and sewer relevy.

OLD BUSINESS:**RES 2022-06-15.8: 2022-2023 WAGES EFFECTIVE DATE - AMEND RES 2022-04-20.8**

Motion to amend RES 2022-04-20.8 accepting the 2022-2023 payroll schedule effective beginning pay ending June 12th, 2022, payable Monday, June 13th, 2022 to include the wage increases for Larry Meeder, Jay Irwin, and Doug Crane.

Moved by Trustee Labuskes Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

NEW BUSINESS:**RES 2022-06-15.9: BARTON & LOGUIDICE (VDE) VILLAGE DESIGNATED ENGINEER**

Motion to approve and authorize the mayor to sign the amendment to the agreement between the Village of Sherman and Barton & Loguidice for professional services for Village Designated Engineering (VDE) Terms Services in the amount of \$5,000 consistent with the adopted 2022-23 Village of Sherman 'General Fund Operating' Budget.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2022-06-15.10: SCREW PRESS – DEWATERING EQUIPMENT BID

Motion to authorize the Clerk-Treasurer to publish the advertisement for bids in the local newspaper for the "screw press" dewatering equipment for the Wastewater Treatment Plant Project, at the discretion of the mayor.

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2022-06-15.11: EV CHARGING STATION CONSTRUCTION & EQUIPMENT BIDS

Motion to authorize the Clerk-Treasurer to publish the advertisement for bids in the local newspaper for the electric vehicle construction and equipment, at the discretion of the mayor.

Moved by Trustee Labuskes Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

PUBLIC PARTICIPATION

Marty Proctor asked about our regulations for food trucks and learned that we don't have any. He then talked about the expected increase to the Workers Compensation for next year. Worker's comp will now be based on wages and not property values.

Motion to move into Executive Session at 8:22pm to discuss legal and contractual issues, with no action to be taken following the executive session.

Moved by Trustee Emory Seconded by Trustee Labuskes

Ayes: 5 Nays: 0 Carried

Motion to adjourn the meeting at 9:16pm.

Moved by Trustee Labuskes Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

Respectfully submitted

Jeanette Ramm

Clerk-Treasurer

Next Meeting: Regular Board Mtg Wednesday, July 13th, 2022 at 6pm