

\*\*\*2021\*\*\*

**RE-ORGANIZATIONAL MEETING**

The Town of Sherman re-organizational meeting was held on Thursday, January 7, 2021 at the Town Office, Town of Sherman, Chautauqua County, New York at 7:00 P.M.

Present:	Mark D. Persons	Supervisor
	James L. Higginbotham	Deputy Supervisor /Councilman
	Bessie V. Endress	Councilwoman
	Ben Nickerson	Councilman
	Tamera M Weise	Town Clerk
	Dennis Sweatman	Highway Superintendent

GUESTS: Greg Osman – CEO, Justice Douglas Neal, Justice James VanVolkenburg

Supervisor Persons called the meeting to order at 7:00 p.m. and led the Pledge to the Flag.

- Justices Neal & VanVolkenburg where present to see what the Boards intentions were as the results of Judge Neal’s retirement. Supervisor Person explained at this time the Board had decided to proceed with one Judge. He explained he had spoken with the Town Attorney Joel Seachrist and that the wages of elected officials would have to stay as posted for the 2021 Budget. The only way they could be changed would be by a Public Hearing and Local law.  
Judge Neal said he would like to see them pay Judge VanVolkenburg the wage that Judge Neal was making of \$6700 yrl. Judge VanVolkenburg stated he felt since he would be the only Judge that he should receive Judge Neal’s former wage of \$6700 along with his wage of \$3000. The Board tabled the discussion until later in the meeting.
- Supervisor Persons presented Judge Neal with a card and plaque thanking him for his 18 years of service as the Town Justice.

**PUBLIC CONCERNS:**

- Greg Osman – CEO submitted his December as follows:
  - Number of inspections for Dec. are 9
  - Number of inspections for year are 243
  - Number of Permits issued for Dec. are 0
  - Number of Permits for this year is 27
  - Dollar amount of Permits for Dec. are \$0
  - Dollar amount of Building this year is \$1,141,000
  - Miles traveled for December is 39

Greg brought to the Boards attention that 2020 had \$116,000 more in permits that 2019.

**RESOLUTION #1**

**APPROVAL OF MINUTES**

Councilman Howard Crump made the motion and Councilwoman Bessie Endress seconded the motion to approve the minutes of the last meeting. MOTION CARRIED.

**RESOLUTION #2**

**ABSTRACT CLAIMS**

Councilwoman Bessie Endress made the motion, seconded by Councilman James Higginbotham to approve payment for General Claims #1 through #7 in the amount of \$18,147.05 and Highway Claims #1 and #6 in the amount of \$2,140.29 . MOTION CARRIED.

## CLERKS REPORT

Clerk Tamera Weise presented the following to the Town Board:

- Clerk Weise had been told by Chautauqua County Board of Elections that The Town Board needs to accept Judge Neals resignation letter by Resolution.

### **RESOLUTION #3**

Supervisor Mark Persons made the motion, seconded by Councilman James Higginbotham to accept Judge Douglas Neal's letter of resignation/retirement effect as of 12/31/2020.

MOTION CARRIED

- Oath of Offices were presented and signed by the re-elected/ appointed officials.  
Councilman, Ben Nickerson, and CEO Greg Osman  
Clerk Weise will give the Oath to Deputy Town Clerk/Registrar and Court Clerk Theresa L. Tallman for her signature.
- The Town Board member's along with Highway Superintendent Dennis Sweatman signed the 2021 Agreement to Spend Town Highway Funds.

- 2020 Registrar and Town Clerks Report for the year was submitted as follows:

### **Registrar's Report 2020**

40 Death Certificate @ \$10.00	\$400.00
12 Marriage Certificates @ 10.00	\$120.00
11 Birth Certificates - NC	
<b>TOTAL FOR THE TOWN</b>	<b>\$520.00</b>

### **Town Clerk Report 2020**

Conservation	\$1,203.87
Marriage License	\$ 192.50
Dog Licensing	<u>\$1,096.00</u>
<b>TOTAL LOCAL SHARES REMITTED</b>	<b>\$2,492.37</b>

Amt paid to NYS Dept. of Health	\$ 247.50
Amt. paid to NYS Ag & Markets	\$ 292.00
Amt. paid to NYS Environmental Conservation	<u>\$23,727.13</u>
<b>Total Non-Local Revenues</b>	<b>\$26,759.00</b>

## HIGHWAY SUPERINTENDENT'S REPORT

Highway Superintendent Dennis Sweatman brought the following to the Boards attention:

- Dennis brought his concern of the Towns Liability of updated snowmobile trails now being on a couple of The Town Roads (Bement & Stebbins Rd).  
After discussion it was decided that Supervisor Mark Persons will present the issue to Town Attorney Seachrist along with Edwards Insurance and report back at the Feb. meeting.
- Dennis asked the Board to approve him spending \$100 - \$1200 on some new tools along with a lock cabinet for the Highway Building.

#### **RESOLUTION #4**

Councilwoman Bessie Endress made the motion, seconded by Councilman Ben Nickerson for Highway Superintendent Dennis Sweatman to spend up to \$1200 on new tools and a locking cabinet for the Highway Building. MOTION CARRIED

#### **SUPERVISOR'S REPORT**

- Supervisor Persons opened up discussion on the Justice's and the thoughts of wages for Judge VanVolkenburg. After discussion the following resolution was offered:

#### **RESOLUTION #5**

Councilman James Higginbotham made the motion, seconded by Councilwoman Bessie Endress to increase Justice James L VanVolkenburg's salary to \$5,000 for the year 2021, which is an increase of \$2,000 from the amount specified in the Town's preliminary budget and to hold a Public Hearing on Thursday, Feb. 4<sup>th</sup>, 2021 at 7:05 p.m. at 111A Mill St., Sherman, NY, regarding the adoption of Local Law No. 1 of 2021, entitled "A Local Law to Increase the 2021 Salary of Town Justice James L. VanVolkenburg.

MOTION CARRIED

5 - YES 0 - NO

- Further discussion was held on filling Justice Doug Neal's position. After review and continued discussion the Board determined it was in the best interest of the Town to not fill Justice Neal's position. Supervisor Persons will contact the Town Attorney Joel Seacrist to see what appropriate measures need to be taken to facilitate the process of eliminating the position and operating the Sherman Town Court with one Justice.
- Supervisor Persons presented the Board with a letter in regards to the Town of Sherman 2020 Judicial dockets/records be presented to The Town Board for audit.
- Undesignated 2021 Starting Fund Balance  
Highway \$83,000  
General \$67,000

#### **RESOLUTION #6**

A blanket motion was offered by Councilwoman Bessie Endress made the motion, seconded by Councilman James Higginbotham to approve the following appointments, rates and designations for the Town in 2021:

Agree to renew the Library Contract of \$10,000.00.

The Jamestown Post-Journal will be the official newspaper.

Review Local Law #2-1992 covering Public Officials. This law is still in place.  
This is covered through Edwards Insurance.

Community Bank, N.A., Sherman Branch was designated as depository for the Town.  
Community Bank will also be used for investment purposes.

The Town Board meetings will continue to be held on the first Thursday of each month at 7:00 PM. Meetings will be held at the Town Office Building. If the first Thursday falls on a holiday, then the meeting will be held the following Thursday.

The Supervisor was authorized to invest any idle funds in accounts covered by FDIC or those which are backed by government agencies. The investment policy was signed by the board members and the supervisor.

The salaries of town officials will be the same as stated on the approved budget for 2021. The Assessor, Highway Superintendent, Court Clerk, Town Clerk, Bookkeeper and Highway employees will be paid every two weeks. The Code Enforcement officer, Town Supervisor, Board Members and Justices will be paid monthly. The Cemetery workers as well as the dog control officer will be paid as their vouchers are turned-in.

The rate of pay for the Board of Reviews will be \$110.00 for Chairman, Paul Sears (term running from October 1, 2018 through September 30, 2023), and \$100.00 each for Norman Rater (term October 1, 2016 through September 30, 2021) and Larry Jackson (term April 27, 2018 through September 30, 2020).

Joel Seachrist will be the Town attorney.

It was agreed to authorize the Highway Superintendent to spend a maximum of \$500.00 for the purchase of small tools and equipment without prior Board approval.

Constables will remain: Norman Rater and Victoria Rater. The rate of pay will be \$15.00 per hour, when needed.

Sandra Kochanowski will be dog control officer, with a \$12.50 per hour rate of pay. She will be paid \$1.00 per dog for enumeration.

The Town will continue the contract with CHAUTAUQUA COUNTY HUMANE SOCIETY to take care of boarding stray dogs in the Town of Sherman as follows: \$15 per day board fee, \$50 for each dog euthanized & cremated, \$5 for each dog to cover administrative fees.

The purchase of gravel for 2021 will be \$4.50 a ton.

The Superintendent was authorized to advertise for various road postings and necessary material bids.

All board members will serve on the Highway and Drainage Committee, Shared Services Committee, Ethics Board, and the Machinery and Building Committee.

Approval to continue shared services was given. The County Law Department will be notified of this.

Annette Swan was appointed as the Town Historian and be paid \$100 annually.

The court clerk will continue to be Theresa Tallman at a rate of pay of \$15.00 per hour.

\$25,000 Employee Dishonesty including forgery and alteration coverage are included on the 2021 insurance policy. Excess limit of Employee Dishonesty coverage scheduled for Town Clerk/Tax Collector and Town Supervisor at \$100,000 each.

The Fire Contract for 2021 with the Stanley Hose Co., Inc. is \$42,126.00 as set in the 2021 budget. This amount will be paid to the Village on June 1, 2021.

The code enforcement officer will be Greg Osman. He is responsible for approving and delivering building permits.

Theresa Tallman will remain the deputy town clerk and deputy registrar.  
Mileage for 2021 will be \$.55 per mile.

James Higginbotham will remain the deputy supervisor. He will be paid \$100.00 annually.

Summer Rec. Program will be sub contracted with Sherman Central School.  
Cory Emory will be the Saturday morning basketball director; Fred Gable Jr. & Kelly Gable will be the directors for the summer baseball program.

The Sherman Historical Society will be paid \$400.00 for the regular annual contribution amount.

The rate for the Towns contribution for health insurance will be \$9,500.00 annually for a family policy, \$7,500.00 for an employee + child \$9,000 for an employee + spouse and \$5,500.00 annually for a single policy. The amount will be divided equally over the employees' scheduled pay periods.

The sexual harassment policy remains in place.

The drug and alcohol contract remains effective with Langford Testing & Consulting, LLC.

Terms and conditions of employment will remain in effect.

Work Rules will remain in effect.

Highway employees rates of pay are: Michael Courtney \$19.87 per hour, Michael Zemic \$19.57 per hour, and Joe Britton \$16.32 per hour. Mr. Courtney's hourly rate includes a \$.15 incentive for being the Deputy Superintendent.

Graves at Sherman Cemetery and Sherman Valley Cemetery will stay at \$400.00 per grave. Wait Corners Cemetery will be \$250.00 per grave (a baby lot will be \$150.00). The cost of opening a grave is \$300.00 per adult grave. Ashes or a baby grave opening will be \$150.00. There will be an additional \$100.00 charge for any burial that occurs on a weekend or holiday. Foundations will be \$20.00 per cubic foot, with a minimum charge of \$100.00.

The agreement to spend highway funds was approved and signed in duplicate by the board members, supervisor, and superintendent.

Marriage licenses will remain at \$40.00.

The Cemetery Sexton will be paid \$15.00 per hour and assistant will be paid \$12.50 per hour.

**RESOLUTION # 6 was APPROVED UNANIMOUSLY.**

MEETING ADJOURNED AT 8:00 p.m.

Respectfully submitted,

Tamera M Weise, Town Clerk