

REGULAR MEETING, PUBLIC HEARING ON PUBLIC HEARING
REGARDING CABLE TELEVISION Agreement Between Spectrum & The Town
of Sherman
May 6, 2021

A regular meeting of the Town of Sherman Board was held on Thursday, May 6, 2021 at the Town Office Building, 111A Mill St, Town of Sherman, Chautauqua County, New York at 7:00 PM.

Present:	Mark D. Persons	Supervisor
	James L. Higginbotham	Council Member/ Deputy Supervisor
	Howard E. Crump	Council Member
	Bessie V. Endress	Council Member
	Ben Nickerson	Council Member
	Dennis Sweatman	Highway Superintendent
	Tamera M Weise	Town Clerk

Absent:

Guests: Greg Osman – CEO, Bill Ward – County Legislator

Supervisor Persons called the meeting to order at 7:00 and led the Pledge to the flag.

*Greg Osman- CEO gave his monthly report as follows:

Number of inspections for April 22
Number of inspections this year is 65
Number of Permits issued for April 2
Number of Permits for this year is 3
Dollar Amount of Permits for April \$39,000
Dollar amount of Building this year are \$39,000
Miles traveled for April 88

Permits issued to:

Josh Cole, 7881 Baily Hill Rd for a pole barn garage.
Kie Mihalko, 208 Park St for and electrical service.

PUBLIC HEARING

At 7:05 Councilman James Higginbotham made the motions, seconded by Councilman Howard Crump to enter into the Public Hearing. MOTION CARRIED

Supervisor Persons opened the Public Hearing regarding the granting of a cable television franchise agreement by and between the Town of Sherman and Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications.

May it be noted that no one from the public was in attendance for this hearing.

After discussion and questions were answered Councilwoman Bessie Endress made the motion, 2nd by Councilman Howard Crump to approve the following Resolution:

Town of Sherman, New York
Resolution No. 36

WHEREAS, an application has been duly made to the Town Board of the Town of Sherman, County of Chautauqua, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. (“Charter”), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, New York 14305, for the approval of a renewal agreement for Charter's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission; and

WHEREAS, the franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

WHEREAS, a public hearing was held in the Town of Sherman, New York on May 6, 2021 at 7:05 P.M. and notice of the hearing was published in the Jamestown Post-Journal on April 27, 2021; and

WHEREAS, the Town Board finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law;
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Sherman for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence; and be it further

RESOLVED, that the Town Board hereby confirms acceptance of this franchise renewal agreement.

The foregoing having received a **YES** vote and was thereby declared adopted.

Adopted	Mark Persons -	AYE	Howard Crump	AYE
	James Higginbotham	AYE	Ben Nickerson	AYE
	Bessie Endress	AYE		

Dated: May 6, 2021

Tamera M Weise
Town of Sherman Clerk

A copy of the Entire Franchise Agreement is on file in the Town Clerks Office.

Motion to Close Public Hearing and enter into Regular Board Meeting:

Councilman Ben Nickerson made the motions, seconded by Councilman James Higginbotham to adjourn the Public Hearing and move into the regular monthly meeting.

MOTION CARRIED

APPROVAL OF MINUTES

RESOLUTION #37

Councilman Howard Crump made the motion, seconded by Councilwoman Bessie Endress to approve the minutes from the last board meeting with the following corrections: To add Joel Seachrist – Town Attorney as a meeting guest, on the bottom of page 1 change from Councilman to Councilwoman for Bessie Endress, and on page 3 Resolution #32 should read May 6, 2021 not May 2, 2021 for The Public Hearing.

MOTION CARRIED.

RESOLUTION #38

ABSTRACTS/CLAIMS

Councilman James Higginbotham made the motion, seconded by Councilwoman Bessie Endress to approve payment of General Claims #56 through #72 in the amount of \$3,155.22, Highway Claims #49 through #62 in the amount of \$22,216.69. MOTION CARRIED.

JUDGE’S REPORT

Judge Penfold’s monthly report show’s fines of \$1005.00, Civil fees of \$70.00 and surcharges of \$1023.00 for a total of \$2098.00.

CLERK/REGISTRAR’S REPORT

- The Rabies Clinic that was held on Tues. May 4th was a success. Vaccinated where 71 dogs, 55 cats for a total of 126 animals. The Town Clerks office was open that evening to sell those needing new or renewed dog licenses, a total of 18 licenses where sold that night.
- An email was received from CPA Laura Napoli from Bahgat & Laurito stating the Town of Sherman AUD’s has been submitted.

The Following Fund Balance was presented as follows:

Justice Holding	\$ 1,986.00
Highway	\$21,376.60
General	\$10,868.59
Youth Checking	\$ 189.42
Youth Savings	\$ 4,873.12

General CD’s	General CD	\$75,000.00
\$75,009.69		
\$75,009.69	Highway CD	\$75,000.00
Highway CD’S	Highway CD	\$75,000.00
\$75,009.69		
\$75,009.69		

Three CD’s to mature on 6/3/2021

All four CD’s are to mature on May 6, 2021

ASSESSOR'S REPORT

April Assessor's Report:

- There were 3 deeds recorded in February.
- Field review of all active building permits is on-going through April.
- Assessment change notices will be mailed in early May to property owners that have a change in value.
- I am currently reviewing the status of all non-profit organization exemptions in the three towns and will be requiring that current applications be filed in my office to determine that all properties satisfy their alignment with the mission of their organization.

HIGHWAY SUPERINTENDENT REPORT

- Highway Superintendent Dennis Sweatman reported that the town has not yet received the additional 2020 CHIPS monies.

SUPERVISOR

Supervisor Mark Persons brought the following to the Boards attention:

- Supervisor Persons supplied the Town Board with a copy of the letter that was sent to Senator George Borrello and Assemblyman Andrew Goodell regarding the consolidated Court system with the Towns of Mina, French Creek, Clymer and Sherman.
- Town resident Greg Rater has invited anyone from the Town board who is interested to attend a meeting at his business on May 14th @ 10:30, the DEC will be present for questions and discussion.

Councilman James Higginbotham made the motion, seconded by Councilman Howard Crump to adjourn the regular Board Meeting.

MEETING ADJOURNED AT 7:40 p.m.
Respectfully Submitted,

Tamera M Weise
Sherman Town Clerk