

**VILLAGE OF SHERMAN**  
**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF TRUSTEES**  
**Wednesday, February 17<sup>th</sup>, 2021 at 6:00pm**

The meeting was held remotely via videoconference. Mayor Meeder welcomed everyone to the special meeting and opened the meeting at 6:02pm by leading everyone in the pledge of allegiance. Board members Colleen Meeder, Donna Higginbotham, Kirk Ayers, Ryan Sanders, and Dennis Watson, Clerk-Treasurer Jeanette Ramm, Chief Operator Jay Irwin, and Resident Gary Emory were in attendance.

**BUSINESS:**

Mayor Meeder said that she had met with Charlie Phillion from CDBG (Community Development Block Grant) regarding the \$1.25m Wastewater Treatment Plant Project. Barton & Loguidice are working with the DEC and the USDA as we move forward with the project. The following motions are standard requirements for CDBG projects.

**RES 2021-02-17.1: CDBG–WWTP: CERTIFY ENVIRONMENTAL REVIEW RECORD**

Motion to establish the Mayor as the certifying officer for the Village of Sherman’s Wastewater Treatment Plant Improvement Project’s Environmental Review Record.

***RESOLUTION NO. 2021-02-17.1***

***Proposed Action: Village of Sherman Wastewater Treatment Plant Improvements Project***

***RESOLUTION ESTABLISHING VILLAGE OF SHERMAN MAYOR AS THE CERTIFYING OFFICER FOR THE VILLAGE OF SHERMAN WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT’S ENVIRONMENTAL REVIEW RECORD***

***WHEREAS, the Village of Sherman (the “Village”) is proposing the Village of Sherman Wastewater Treatment Plant Improvements Project in the Village of Sherman, Chautauqua County, New York (the “Project”); and***

***WHEREAS, the Village must prepare an Environmental Review Record (ERR) in accordance with regulations governing the CDBG Small Cities, Towns and Villages Program; and***

***WHEREAS, the Village must appoint an Environmental Certifying Officer to be responsible for the activities associated with the preparation of the ERR;***

***NOW, THEREFORE, BE IT***

***RESOLVED, that the Mayor of the Village of Sherman is hereby designed Environmental Certifying Officer for the Village; and be it further***

***RESOLVED, that the Mayor is authorized to sign any and all appropriate and necessary certifications leading to the completion of the ERR.***

*The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:*

Colleen Meeder, Mayor Aye  
Ryan Sanders, Trustee Aye  
Donna Lee Higginbotham, Trustee Aye  
Kirk Ayers, Trustee Aye  
Dennis Watson, Trustee Aye

*The foregoing resolution was thereupon declared duly adopted.*

*Dated: 02/17/2021*

*I hereby certify that this resolution was adopted on February 17<sup>th</sup>, 2021 and is recorded in the Meeting Minutes of the Village of Sherman Village Board.*

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*Village Clerk-Treasurer*

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

**RES 2021-02-17.2: CDBG-WWTP: SECTION 3 PARTICIPATION PLAN/HOUSING POLICY**  
Motion to adopt the participation plan of Section 3 of the Housing and Urban Development Act of 1968; this motion is in conjunction with the Village of Sherman’s existing Fair Housing Policy prohibiting discrimination in housing.

Moved by Trustee Ayers                      Seconded by Trustee Watson  
Ayes:            Nays: 0        Carried

**RES 2021-02-17.3: SL SHERMAN SOLAR SEQRA – LEAD AGENCY**

This is to establish the Village of Sherman as the lead agency for the SEQRA (State Environmental Quality Review Act) for the solar project with Solar Liberty (SL). We did the same thing for the Water & Stormwater project, and the Sewer project. For this solar project the applicant is Solar Liberty Energy Systems, and the Village of Sherman is asking to be lead agency.

**RESOLUTION NO. 2021-02-17.3**

*Proposed Action: SL Sherman Project*

**RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF SHERMAN  
VILLAGE BOARD TO ACT AS LEAD AGENCY**

**WHEREAS**, the Solar Liberty Energy Systems, Inc. is proposing the SL Sherman Project (Project), located within the Village of Sherman, Chautauqua County, New York, and partially within the Town of Sherman west of the Village; and

**WHEREAS**, the Project has been preliminarily classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

**WHEREAS**, it is the intent of the Village of Sherman Village Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA assessment of the Project; and

**WHEREAS**, Part I of a Full Environmental Assessment Form (FEAF) has been completed, reviewed by the Village of Sherman Village Board, and will be circulated to all Interested and Involved Agencies for purposes of establishing the Village of Sherman Village Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b).

**NOW, THEREFORE, BE IT**

**RESOLVED AND DETERMINED**, that the Village of Sherman will send said Part I of the FEAF and associated site figure to the attached list of “Interested and Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under SEQRA/SERP; and

**IT IS FURTHER RESOLVED**, that the Mayor of the Village of Sherman and the Village Board, together with the Village of Sherman Attorney, Barclay Damon, LLP and Barton & Loguidice, are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Trustee	<u>Aye</u>
Donna Lee Higginbotham, Trustee	<u>Aye</u>
Kirk Ayers, Trustee	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 17<sup>th</sup> day of February 2021. I hereby certify that this resolution was adopted on February 17<sup>th</sup>, 2021 and is recorded in the Meeting Minutes of the Village of Sherman Village Board.

\_\_\_\_\_  
Village Clerk-Treasurer

Moved by Trustee Higginbotham      Seconded by Trustee Ayers  
Ayes: 5      Nays: 0      Carried

The Village will engage Barton & Loguidice for the purpose of reviewing the SEQRA in the interest of the Village Municipal Zoning Board, in accordance with Local Law 4-2020 regarding Regulations for Solar Energy Systems and the 2008 Zoning Law of the Village of Sherman.

**RES 2021-02-17.4: ENGAGEMENT WITH BARTON & LOGUIDICE**

Motion to approve contractual engagement between the Village of Sherman and Barton & Loguidice for purposes of providing civil and environmental review services for the SL Sherman (Solar) Project; and to approve and authorize the mayor to sign all related documents and contractual agreements.

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

The Village will engage Barclay Damon for the purpose of reviewing the SEQRA in the interest of the Village Municipal Zoning Board and representation of the interest of the Village Board of Trustees through the SL Sherman Project.

**RES 2021-02-17.5: ENGAGEMENT WITH BARCLAY DAMON**

Motion to approve the retainment of Barclay Damon, LLP, attorneys, and counselors at law, for the purpose of Legal Counsel for the Village of Sherman Board of Trustees and the Municipal Zoning Board in the matter of Annexation and Municipal Review; and to approve and authorize the mayor to sign all related documents and contractual agreements; and to approve the retainer payment of \$5,000.

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

**Motion to move into a brief Executive Session** to discuss legal contractual matter, no action to be taken.

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

**Motion to exit Executive Session and adjourn the meeting at 6:37pm.**

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

Respectfully submitted,  
Jeanette Ramm  
Clerk-Treasurer

**Next Meeting:              Wednesday, March 3<sup>rd</sup>, 2021 at 6pm via Zoom**