

REGULAR MEETING, PUBLIC HEARING ON THE PRELIMINARY BUDGET
TOWN OF SHERMAN
Nov. 3, 2022

A regular meeting of the Town of Sherman Board was held on Thursday Nov. 3, 2022 at the Town of Sherman Office Building, 111A Mill St, Sherman, NY, 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
	Brant Henning	Council Member
	Ben Nickerson	Council Member
	Tamera M Weise	Town Clerk
	Dennis Sweatman	Highway Superintendent

Guests: Greg Osman – CEO

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

APPROVAL OF MINUTES

RESOLUTION #42

Councilman Brant Henning made the motion, seconded by Councilman Howard Crump to approve the minutes from the last board meeting. MOTION CARRIED.

RESOLUTION #43

ABSTRACTS/CLAIMS

Councilman James Higginbotham made the motion, seconded by Councilman Ben Nickerson to approve payment of General Claims #156 through #172 in the amount of \$4,673.64. Highway Claims #112 through #118 in the amount of \$5,613.30.

MOTION CARRIED.

JUDGE’S REPORT – No Report

CLERK/REGISTRAR’S REPORT

Clerk Weise presented the following to the Town Board:

- Recommended changing the Dec.1st Board Meeting to Dec. 8th and schedule the Year End meeting to be held on Thurs. Dec. 29th at 9:30 a.m.

RESOLUTION #44

Supervisor Mark Persons made the motion, seconded by Councilman James Higginbotham to change the December Town Board meeting from Dec. 1st to Dec. 8th at 7:00 p.m. and the Year End Board Meeting to be set for Dec. 29th at 9:30 a.m. Both meetings to be held at The Sherman Town Office, 111A Mill St., Sherman, NY.

MOTION CARRIED

- National Grid contacted the office and asked to provide proposals to upgrade the current lighting to LED lighting in both the Town Office and Highway building. The scope of work for the Town Hall would be to retrofit the existing lighting fixtures with new LED bulbs and new drivers (ballasts). For the Highway Dept. it would be to upgrade the older exterior lighting with new LED exterior fixtures. The cost for the projects would be \$1,466.26 for the office and \$1,484.46 for the highway building.
After discussion it was decided to get a quote from Cole Electric.

ASSESSOR’S REPORT – No Report

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent presented the following to the Board:

- Highway Superintendent Dennis Sweatman presented the following quotes for a new lawn mower:

State Bid Quote from LandPro Equipment LLC, 8926 W. Main St., Clymer, NY 14724

JOHN DEER Z950M ZTrak with 72” Rear Discharge Mower Deck	\$14,047.11
Trade in Allowance	\$ 3,595.00
Balance due after Trade in	\$10,452.11

RESOLUTION #45

Councilman James Higginbotham made the motion, seconded by Councilman Howard Crump to accept the State Bid from LandPro and purchase the John Deer Z950M ZTrak mower with the Rear Discharge at the cost of \$10,452.11. **MOTION CARRIED**

Supervisor Mark Persons – AYE	Councilman Howard Crump – AYE
Councilman James Higginbotham – AYE	Councilman Ben Nickerson - AYE
Councilman Brant Henning – AYE	

- Dennis asked the board on their thoughts of getting quotes for a new pick-up truck as the current one is almost 5 years old. The Board agreed that Dennis should work on getting quotes.

Preliminary Hearing on 2023 Budget:

RESOLUTION #46

After no further discussion of the Preliminary Budget Councilman James Higginbotham made the motions, seconded by Councilman Howard Crump to adopt the Revised Preliminary Budget as the Final Budget. **MOTION CARRIED.**

Supervisor Mark Persons – AYE	Councilman Howard Crump – AYE
Councilman James Higginbotham – AYE	Councilman Ben Nickerson - AYE
Councilman Brant Henning – AYE	

SUPERVISOR REPORT

- Supervisor Persons reported that he had met with Brenda Ireland in regards to the 2023 insurance. The biggest issue in the policy was the Clerks building. The insurance company had put a \$600,000 price on the building. Brenda was able to work and get it down to \$535,000. Brenda is looking into what the cash value would be for the building. Further discussion will be held at the December Board meeting.
- Supervisor Persons shared with the Board about 1ST Amendment Audits and how it is effecting the work place along with ideas of how to protect the employees.
- Information on the Chautauqua County Tea Party was handed out to board members for them to read and will be discussed more at the Dec. 8th meeting.
- The Information of The Town of Sherman's Opposition to New York States Actions Restricting the 2nd Amendment Rights was presented to the Town Board as follows:

TOWN OF SHERMAN OPPOSITION to New York State Actions Restricting 2nd Amendment Rights

WHEREAS, On July 1st, 2022 Kathy Hochul, the Governor of New York State Signed into law the Concealed Carry Improvement Act (CCIA) that was drafted in close collaboration with the New York State legislature; and

WHEREAS, the Governor and the legislature surreptitiously rushed the CCIA through passage under a message of necessity and during an 'extraordinary session' bypassing the traditional rules and procedures of the legislature; and

WHEREAS, many of the provisions of the CCIA that went into the effect on September 1st, 2022 place unprecedented and overly restrictive conditions on applying for, obtaining, utilizing, maintaining and recertifying a conceal carry permit for personal protection and other legal uses that are protected by the Constitution of the United States; and

WHEREAS, The New York State Sheriffs' Association recognized these new laws as "punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment rights"; and

WHEREAS, The Town of Sherman has a strong history of upholding the Constitution of the United States and supporting lawful citizens in their pursuit of 'Life, Liberty and the Pursuit of Happiness' and that The Town of Sherman recognizes that these are essential elements of the freedoms that we enjoy as United States citizens; and

WHEREAS, the Sherman Town Board also recognizes and respects the inherent right of our private law abiding citizens to 'keep and bear arms' as a means of protecting their property, self and family; therefore

LET IT BE KNOWN, that the Sherman Town Board is vehemently and with full resolve opposed and request the immediate repeal of the CCIA as being unjust, ineffective, vague, and an impingement on Second Amendment rights; and be it further

MOVED, That the Sherman Town Clerk is hereby directed to forward copies of this motion to New York State Governor Kathy Hochul, State Senator George Borello, Assemblyman Any Goodell, the New York State Association of Towns, and all others deemed necessary and proper.

After no further discussion or questions:

RESOLUTION #47

Councilman Brand Henning made the motion, seconded by Councilman Ben Nickerson to accept The Restricting 2nd Amendment Rights for the Town of Sherman. MOTION CARRIED.

Supervisor Mark Persons – AYE
Councilman James Higginbotham – AYE
Councilman Brant Henning – AYE

Councilman Howard Crump – AYE
Councilman Ben Nickerson - AYE

- Supervisor Persons presented the Town Board with the tentative Local Law No. 2 of 2022 Providing For The New York State Uniform Fire Prevention and Building Code for The Town of Sherman.

RESOLUTION #48

Councilman James Higginbotham made the motion, seconded by Supervisor Mark Persons to set the Public Hearing for Local Law No. 2 of 2022, A Local Law Providing For the Administration and Enforcement of The New York State Uniform Fire Prevention and Building Code in the Town of Sherman for Dec. 8, 2022 at 7:00 p.m. at The Town of Sherman Office, 111A Mill St., Sherman, NY 14781. MOTION CARRIED

Supervisor Mark Persons – AYE
Councilman James Higginbotham – AYE
Councilman Brant Henning – AYE

Councilman Howard Crump – AYE
Councilman Ben Nickerson - AYE

Councilman James Higginbotham moved to adjourn the meeting.

MEETING ADJOURNED AT 8:00 P.M.
Respectfully Submitted,

Tamera M Weise
Sherman Town Clerk