

VILLAGE OF SHERMAN
MINUTES OF THE PUBLIC HEARING
ANNUAL REORGANISATIONAL MEETING,
MUNICIPAL ZONING BOARD AND REGULAR BOARD MEETING
Wednesday, May 8th, 2024, at 6pm

Deputy Mayor Sanders opened the meeting with the Pledge of Allegiance at 6:00pm. Board members Gary Emory, Ryan Sanders, Dennis Watson, and Danielle Crane; Clerk-Treasurer Jeanette Ramm; Chief Operator James Irwin; and the press were in attendance. Mayor Colleen Meeder joined the meeting after the public hearing.

Motion to suspend the regular meeting and enter into the Public Hearing of the Proposed Local Law 2-2024 Amendment of Water Rent Law and Local Law 3-2024 Amendment of Zoning Law adding the issuance of Operating Permits.

Moved by Trustee Watson Seconded by Trustee Crane

Ayes: 4 Nays: 0 Carried

PUBLIC HEARING

Clerk Ramm explained that LL2-2024 removes the fee schedule from the local law pertaining to Water Rents. As things stand a new law is passed every time an amendment is made to the fees. Since the original law, amendments have been passed as recently as 2018 and 2022 to adjust the water fee schedule. But from this point forward the fees will be amended and updated by resolution of the Board of Trustees of this Village of Sherman. She noted that neither the water base nor use fee is budgeted to be increased this year.

Clerk Ramm explained that LL3-2024 adds the term “operating permit”, in place of the implied ‘special use permits’, particularly pertaining to Mobile Food Vending. This authorizes the enforcement officer of code and zoning to approve the permit application without the request going before the Municipal Zoning Board, in cases where the application clearly falls in line with what is permissible by the local Zoning Law and Fire Code of New York State (FCNYS). This provides the flexibility to respond more quickly to the applications, without having to wait for a meeting of the municipal zoning board. Operating Permits are required under the FCNYS and are annually reported to NYSDOS, and this will provide that reporting mechanism.

Mayor Meeder arrived at the end of the public hearing.

Motion to close the Public Hearing and begin the Annual Reorganizational Meeting of the Board.

Moved by Trustee Sanders Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

ANNUAL REORGANIZATIONAL AGENDA

MAYORAL ANNOUNCEMENTS

Memorial Day Parade:	Parade begins at 10am, followed by service at the monument
Spring Clean Up:	Begins the 3 rd Monday of April
Sherman Days:	First weekend of August, (<i>weekend of 1st Saturday in August</i>)
Music Festival:	2 nd Saturday in September
Halloween:	“Trick or Treat” hours from 5pm until 7pm on October 31st
Tractor Parade:	2 nd Saturday in December

ORGANIZATIONAL ITEMS

Deputy Mayor:	Ryan Sanders
Code Enforcement Officers:	Greg Gormley, Enforcement Officer (Zoning & Code) Dave Heckman, Inspection Officer – Consulting Basis <i>Jeff Messenger, Building & Safety Inspector (BSI)</i>
Clerk's office hours:	Monday – Thursday from 9:00am – 4:00pm
Regular Board meetings:	Second Wednesday of each month, starting at 6pm.
Electronic Delivery:	Authority to deliver proposed local laws, notice of public hearings, scheduled meetings, and board materials by electronic means RES 2021-06-02.12
Village Attorney:	Peter Clark
Engineer:	Barton & Loguidice
Clerk/Treasurer/RMO/Tax Collector:	Jeanette Ramm
CPA Firm:	Johnson, Mackowiack and Assoc LLP
Primary Crossing Guard:	Geraldine Robson
Additional Crossing Guard:	Greg Gormley
Official Newspaper:	Post Journal
Official Depository:	Community Bank NA
Additional Banking Securities:	NYCLASS RES 2023-12-13.3
Checking Accounts:	General Checking – Operating Payroll Checking – Operating / Trust & Agency Parks & Recreation Checking – Operating / Trust & Agency Sewer Checking – Capital Water Checking – Capital Stormwater – Capital NYS Special Fund – secure receipt of NYS Program Funds Climate Smart / Environmental – EV Special Project Debt Service Checking – Reserved for Debt Payments Reserve Checking – Short-Term Asset Repairs & Replacement

Fiscal policies:

- Reaffirm the Procurement Policy RES 2017-09-15, revised RES 2021-09-08.8
- Mayor and Clerk co-sign payroll and voucher checks
- Clerk is authorized to make electronic transfers of T&A funds from general checking
- Clerk is authorized to make EFT from utility, legals, & credit card sites RES 2022-09-14.4
- Clerk is authorized to make electronic payments for T&A taxes and expenditures
 - T&A – Trust and Agency funds
- Clerk maintains NYS Special checking acct, *having no other electronic payments or receipts*
- Clerk will renew all CD's (cash in time deposits) with no changes
- Board will approve all CD deposits and withdrawals
- Clerk-Treasurer has advanced approval for utility payments, postage and other regular payments due before the regular meeting.
- Clerk-Treasurer authorized to pay salaries, the mayor shall approve each payroll roster.
- Re-establish the uniform system of accounts, and receipt practices, for this Fiscal Year
- Mayor is given the authority to send employees to conferences, meetings, etc. with expenses in accordance with Board Policy and budgets.
- Mayor is given the authority to make budget transfers with details made available to the trustees at regular meeting
- Certificates of Insurance with Sherman Central School District (for Sheldon Park / Harry Brosius Field), Stanley Hose Fire Company (for Fire Dept agreement), Sherman Historical Society (for management of the Yorker Museum), Sherman Area Chamber of Commerce (for the community celebration events), and Duane Woods & Joseph Bittinger (for volleyball easement)

- Workers Compensation covers all Village employees including Stanley Hose Co members
- Continuance of disability coverage for the Village of Sherman employees
- FMLA – decision not to opt-in to the FMLA’s paid family leave (PFL): RES 2018-03-07.4
- Re-establish the financial committee consisting of the mayor and the board of trustees.

Post Issuance Tax Compliance: Reaffirm Post-Issuance Tax Compliance and Continuing Disclosure Policy and Procedures for Tax-Exempt Notes & Bonds RES 2024-03-13.7

Investment Policy: Reaffirm Investment Policy adopted by RES 2019-05-01.21

Governance Policy: Reaffirm Governance Policy adopted by RES 2018-05-02.5 and revised by RES 2019-05-01.9

Insurance provider: WNY Insurance Agency: Policy expires November 11 each year
 Liability Coverage: \$1,000,000 / \$3,000,000 aggregate
 Clerk/Treasurer & Mayor Positions: \$200,000 / \$200,000
 Public Employee Dishonesty: \$300,000 (Letters of Conditions USDA RD, etc)

Reserve Requirements: WWTP: \$13,643 minimum per year, RES 2023-01-11.9

CC ALL-Hazard Mitigation Plan: Multi-Jurisdictional All-Hazard Mitigation Plan RES 2017-10-04.3
The updated County Mitigation Plan has been drafted (every 5yrs)

Mileage reimbursement rate: Set at current federal rate (currently is 67 cents per mile)

Cell phone reimbursement: Dpt Heads \$75/m, Clerk-Treas \$40/m, Other F/T employ \$25/m
 Mayor \$75/m RES 2022-04-20.11

Petty Cash: Set at \$150

Credit Cards: Mayor, Clerk/Treasurer, Chief Operator, combined \$10,000 limit

Refuse Bags: \$3.00 / Bag; Offsite Location Sales Disc. 15% RES 2021-05-05.24

Refuse Bag Offsite Location: Country General RES 2022-03-09.6

Trustee Annual Salary: \$1,300

Bldg Permit & Zoning Fee Schedule: Reaffirm the Schedule of Fees for Municipal Code, Building Code, Property Maintenance and Zoning Permits and Fees as previously adopted:

Village of Sherman - Bldg Code & Zoning Fee Schedule

Calculated by Enforcement Officer of Code & Zoning

Collected by Clerk-Treasurer

Schedule of Fees Last Revised RES:2023-07-12.5

Recodification Local Law Sec 402 Authorized

	Residential 1 & 2 Family	Rural Residential	Commercial & Multi-Dwellings
A Any work for which a permit is required but has not been issued (surcharge for prematurely commencing work) (or \$75/week, whichever amount is greater)	150.00	150.00	200.00
Churches, Library and Masonic Hall shall be deemed residential structures for purposes of this schedule:			
B New construction Minimum + \$.10 /sq ft	30.00	30.00	Not applicable
New construction Minimum + \$.15 /sq ft	Not applicable	Not applicable	40.00
Remodel + \$.10 /sq ft	30.00	30.00	Not applicable
Remodel + \$.15 /sq ft	Not applicable	Not applicable	40.00
Foundation Repair (when applicable)	25.00	25.00	30.00
Roof no alteration	20.00	20.00	25.00
Roof with alteration	30.00	30.00	40.00
Universal Solar Permit	30.00	30.00	40.00
Universal Solar Permit requiring variance request	150.00	100.00	200.00
Porches & Decks	30.00	30.00	40.00
Porches & Decks requiring variance request	60.00	60.00	75.00
Garage or shed	30.00	30.00	40.00
Garage or shed with stormwater drain	45.00	45.00	60.00
Garage or shed requiring variance request	60.00	60.00	75.00
Swimming Pool	20.00	20.00	20.00
Fence	25.00	25.00	30.00
Fence requiring variance request	45.00	45.00	50.00
Demolition (all inclusive utility inspection, etc.)	100.00	50.00	250.00
Demolition (structural accessory, and other)	50.00	30.00	100.00
Solid Fuel Burning Appliance Inspection	30.00	30.00	30.00
C Final Inspection and Issuance of Occupancy (& temporary)	25.00	25.00	30.00
Certificates of Compliance (& temporary)	20.00	20.00	20.00
Renewal Extension of Permit (Half of Original Total)	***	***	***
D Sign Permit	15.00	15.00	15.00
Sign installation prior to permit issuance	30.00	30.00	40.00

E	Dumpster for Temporary Construction (1st 60 days is included with building permit)	-	-	-
	Dumpster Commercial Use Annual Renewal	Not applicable	25.00	25.00
	Dumpster Residential Use 30 day permit	15.00	15.00	Not applicable
	Dumpster Residential Annual Special Use Permit	20.00		
	Dumpster discovered without permit issued	60.00	60.00	75.00

F	Fire Prevention Inspection		30.00	40.00
	Safety Inspection		30.00	40.00
	Combined Fire & Safety		50.00	60.00
	Water or Sewer Inspection	20.00	20.00	25.00
	Public Assembly Buildings inspections are charged in accordance with commercial in this part F.			

G		Residential	Rural	Commercial
		1 & 2 Family	Residential	& Multi-Dwellings
	Initial Special Use Request	50.00	50.00	50.00
	Special Use Requiring Annual Renewal (G&H - RES 2023-07-12.5)	30.00	30.00	30.00

Request heard before the Zoning Board of Appeals - ZBA (These amounts are in addition to other required permit fees.)

If both a special use permit and a variance is required, a variance must be sought first, and the combined fee is the greater of the two.

H	Special Use Requests heard by the ZBA	50.00	50.00	50.00
	Appeals, Requests for Interpretation and Determination	30.00	30.00	100.00
	Area Variance - Sec 616 Fence, Wall, Hedges & Sec 640 Accessory Structure	30.00	30.00	45.00
	Area Variance Request	150.00	150.00	200.00
	Use Variance Request will also require an additional escrow amount to...	250.00	250.00	250.00
	...cover review costs associated with legal, environmental, engineering, and related studies, i.e. traffic analysis			

I	Mobile Food Vendor - Special Use Permit (RES 2023-02-22.1)			40.00
	Mobile Food Vendor - Annual Vendor Permit (RES 2023-02-22.1)			100.00
	Mobile Food Vendor - Single Event Vendor Permit (RES 2023-02-22.1)			10.00
	Mobile Food Vendor - Penalty Fee per Violation (RES 2023-02-22.1)			150.00

At-large Cat permit fee (one time for life of one cat) 10.00
 At-large Cat Special Use Permit fee (exceeding the limit of cats) 50.00
 In addition to repaying the Village for the cost of seizure, treatment, and impoundment:
 Penalty Fee for non-permitted At-large Cat - 1st Offense 25.00
 Penalty Fee for non-permitted At-large Cat - 2nd Offense 40.00
 Penalty Fee for non-permitted At-large Cat - 3rd Offense 60.00
 Penalty Fee for non-permitted At-large Cat - 4th Offense* 100.00
 *and a fine of \$500 or confinement in jail not exceeding five days, or by both fine & imprisonment.

	Permanent / Semi-Permanent Covering Permit (RES 2023-03-08.7)	5.00	5.00	5.00
	Permanent / Semi Covering Penalty Fee per Violation (RES 2023-03-08.7)	150.00	150.00	150.00

- WWTP Sewage Processing Services: Accepting Septic Sewage for Processing 2,000 gal capacity = \$96 RES 2023-05-17.33
- WATER – Bulk Sales: **Proposed below**
- General Late Fee Penalty: Reaffirm the 10% penalty fee for general account balances past due RES 2020-05-06.3
- Sewer Emergency Response Plan Reaffirm the WWTP & Collection System ERP RES 2023-11-08.11
- Water Emergency Response Plan Reaffirm the Drinking Water System ERP RES 2020-05-06.23
(Update every three years.) (Drafted, Currently being updated.)
- Records Retention: Reaffirm the Records Retention and Disposition Schedule LGS-1, adopted by RES 2020-11-04.9
- Complete Streets Policy: **Proposed below**
- Pro-Housing Pledge: **Proposed below**
- Section 3 Participation Plan Reaffirm Section 3 Participation Plan RES 2021-02-17.2
- Fair Housing: Reaffirm Fair Housing Policy adopted by RES 2017-07-20.1 and revised by RES 2021-09-08.6
- Fair Housing Officer: Reaffirm CEO as Fair Housing Officer adopted RES 2021-09-08.6
- Minority Business Officer: Reaffirm Mayor as Minority Business Officer RES 2022-12-14.21
- Environmental Certifying Officer: Reaffirm Mayor at ECO adopted RES 2021-02-17.1, RES 2021-09-08.12, RES 2024-01-03.6a-c
- NYS Building Code: Reaffirm the 2020 Uniform Fire Protection & Building Code adopted by RES 2021-05-05.23
- Code Administration: LL 5-2022 Local Gov't Code Enforcement Program
- Equal Employment: Reaffirm Equal Employment Opportunity Policy adopted by RES 2017-07-20.2 and revised by RES 2021-02-17.2

Sexual Harassment:	Reaffirm Sexual Harassment Prevention Policy adopted by RES 2018-10-03.3a and revised by 2018-11-27.2
Drug Free Workplace:	Reaffirm Drug Free Workplace & Substance Free Policy adopted/revised by RES 2019-05-01.24
Employee Handbook:	Reaffirm Employee Handbook Policies as last updated by RES 2019-05-01.23 & 24 and RES 2021-05-05.9
Shared Operations Contract(s):	RES 2023-05-17.34 Town of Cherry Creek October
Municipal Zoning Board:	Reaffirm the Village Board of Trustees to the Municipal Zoning Board, in accordance with the Village Zoning Law
Zoning Board of Appeals:	Reaffirm the Zoning Board of Appeals members, for said terms:
	Martha Sanders Expiration May 31, 2027 Chair
	Jeff Lang Expiration May 31, 2028 Member
	Melissa Gormley Expiration May 31, 2025 Secretary
	Ken Labuskes Expiration May 31, 2026 Vice Chair
Planning Board:	Reaffirm the Planning Board members, for said terms:
	Kelly Jo Piazza Expiration May 31, 2028 Member
	Bill Piazza Expiration May 31, 2027 Member
	Garrett Spitzer Expiration May 31, 2026 Vice Chair
	Brian Bates Expiration May 31, 2025 Chair
Open & Active Committees:	Steering Committee est. RES 2019-09-04.9
	Tree 'Beautification' Committee
	Edmunds' Park Committee
	Historical Preservation Committee est. RES 2020-05-06.24
	Other: Trail Committee, Infrastructure Committee, Economic Development Committee
Community Health Promotion:	Westfield Memorial Hospital affiliation, RES: 2022-05-11.13
Current Rental Agreements:	M3P Realty - rear 123 W Main St, for Food Pantry
	Duane Woods – 130 W Main St, Basement
Current Lease Agreements:	SL Sherman, LLC & SL Sherman II, LLC for Rt 430 Solar Arrays
	Reed Farms for Titus properties

RES 2024-05-08.1: ANNUAL ORGANIZATIONAL ITEMS

Motion to approve the annual organizational items as presented.
 Moved by Trustee Watson Seconded by Trustee Crane
 Ayes: 5 Nays: 0 Carried

RES 2024-05-08.2: DEPUTY MAYOR

Motion to reaffirm the authority of the deputy mayor to act on behalf of the mayor in her absence.
 Moved by Trustee Emory Seconded by Trustee Watson
 Ayes: 4 Nays: 0 Abstained: 1 (Sanders) Carried

RES 2024-05-08.3: CONFLICT OF INTEREST DISCLOSURE STATEMENT

Motion to accept from the Village personnel and Board members, a completed Conflict of Interest Disclosure Statement, including whether they have nothing to disclose or listing any significant financial interests, businesses, and other non-profit affiliations related to the Village of Sherman: All Village board members, clerk-treasurer, and department heads are to sign this statement annually.
 Moved by Trustee Crane Seconded by Trustee Emory
 Ayes: 5 Nays: 0 Carried

RES 2024-05-08.4: TAX BILL NOTIFICATIONS & AWQR NOTIFICATIONS

Motion to insert notice that the Annual Water Quality Report (once approved by the DOH) and adopted local laws 2-2024 and 3-2024 are available on the website and a printed copy from the

Village Office is available upon request, into the Village Property Tax Bills and with the June water and sewer bills.

Moved by Trustee Watson Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.5: STANLEY HOSE COMPANY

Motion to record the fiscal responsibility to the Sherman Fire Department, as contracted with the Stanley Hose Fire Company under previous RES 2023-09-13.8: 2024 Village of Sherman Contract of \$25,357.77 is payable July 2024; and as of May 6, 2024, the Village has a fund balance of \$140,720.93 accounted for in a minor special fund for Fire, *before water use allocation*.

Moved by Trustee Crane Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.6: STANLEY HOSE COMPANY

Motion to record the remaining balance of the unexpended budgeted \$16,000 for fire and allocate another \$15,733.93 of General Funds to the minor special fund for Fire.

Moved by Trustee Watson Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.7: SEQRA – LL 2-2024 WATER RENT LAW AMENDMENT

Motion to approve the Negative Declaration of SEQRA for the LL 2-2024 Water Rent:

RESOLUTION OF THE VILLAGE OF SHERMAN VILLAGE BOARD DETERMINING THAT THE ACTION TO EXECUTE THE PROPOSED LOCAL LAW NO. 2 OF 2024 (VILLAGE OF SHERMAN AMENDMENT OF WATER RENT LOCAL LAW) IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Village of Sherman Village Board of Trustees (the “Village Board”) is reviewing issuance of Proposed Local Law No. 2 of 2024 (Village of Sherman Amendment of Water Rent Local Law) (the “Action”), which will allow the Village of Sherman to amend the Water Rent Law section of Schedule of Fees for those receiving services from the Village of Sherman; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617 (the “Regulations”), the Village Board desires to comply with SEQRA and the Regulations; and

WHEREAS, the Village of Sherman Village Board is identified as the agency directly undertaking the proposed action, and the Village Board is completing an uncoordinated review of the Action under the SEQRA Regulations; and

WHEREAS, pursuant to the Regulations, the Village Board has considered the impacts of the Action by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the Full Environmental Assessment Form (“FEAF”) for the Action, including the facts and conclusions of Parts 1, 2 and 3 of the FEAF, together with the proposed Local Law and other available supporting information, to identify and analyze the relevant areas of concern; and

WHEREAS, the proposed adoption of the Proposed Local Law No. 2 of 2024 is an Unlisted Action, as defined by 6 NYCRR Section 617.2(al); and

WHEREAS, there is no other Involved Agency identified in connection with the issuance of the Proposed Local Law No. 2 of 2024, as that term is defined in 6 NYCRR Section 617.2(t), and, as such, no notification to other agencies is required.

NOW THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the uncoordinated review requirements for Unlisted Actions in accordance with the SEQRA

Regulations, the Village of Sherman Village Board hereby confirms that the proposed Action meets the criteria for classification as an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEF and other available supporting information, and considering that the Action constitutes legislative adoption of a local law and that no other approval needs to be granted to enable the proposed Action to proceed, the Village Board determines that the Action will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Action; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Village Board directs the mayor to sign and complete Parts 1 and 3 of the FEF for the Action, in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

On the motion of Trustee Watson, seconded by Trustee Crane, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of May 2024.

RES 2024-05-08.8: SEQRA - LL3-2024 AMEND ZONING LAW – OPERATING PERMIT
Motion to approve the Negative Declaration of SEQRA for the LL 3-2024 Zoning Law:

**RESOLUTION OF THE VILLAGE OF SHERMAN VILLAGE BOARD DETERMINING
THAT THE ACTION TO EXECUTE THE PROPOSED LOCAL LAW NO. 3 OF 2024
(VILLAGE OF SHERMAN AMENDMENT OF ZONING LOCAL LAW) IS AN
UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT
ON THE ENVIRONMENT**

WHEREAS, the Village of Sherman Village Board of Trustees (the “Village Board”) is reviewing issuance of Proposed Local Law No. 3 of 2024 (Village of Sherman Amendment of Zoning Local Law) (the “Action”), which will allow the Village of Sherman to amend the Zoning Law section of Mobile Food Vendors, including the issuance of Operating Permits within the Village of Sherman; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617 (the “Regulations”), the Village Board desires to comply with SEQRA and the Regulations; and

WHEREAS, the Village of Sherman Village Board is identified as the agency directly undertaking the proposed action, and the Village Board is completing an uncoordinated review of the Action under the SEQRA Regulations; and

WHEREAS, pursuant to the Regulations, the Village Board has considered the impacts of the Action by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the Full Environmental Assessment Form (“FEAF”) for the Action, including the facts and conclusions of Parts 1, 2 and 3 of the FEF, together with the proposed Local Law and other available supporting information, to identify and analyze the relevant areas of concern; and

WHEREAS, the proposed adoption of the Proposed Local Law No. 3 of 2024 is an Unlisted Action, as defined by 6 NYCRR Section 617.2(al); and

WHEREAS, there is no other Involved Agency identified in connection with the issuance of the Proposed Local Law No. 3 of 2024, as that term is defined in 6 NYCRR Section 617.2(t), and, as such, no notification to other agencies is required.

NOW THEREFORE, BE IT RESOLVED, pursuant to and in accordance with the uncoordinated review requirements for Unlisted Actions in accordance with the SEQRA Regulations, the Village of Sherman Village Board hereby confirms that the proposed Action meets the criteria for classification as an Unlisted Action; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEF and other available supporting information, and considering that the Action constitutes legislative adoption of a local law and that no other approval needs to be granted to enable the proposed Action to proceed, the Village Board determines that the Action will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement (DEIS) with respect to the Action; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Village Board directs the mayor to sign and complete Parts 1 and 3 of the FEF for the Action, in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

On the motion of Trustee Watson, seconded by Trustee Emory, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of May 2024.

RES 2024-05-08.9: LOCAL LAW 2-2024 WATER RENT LAW AMENDMENT

Motion to adopt the proposed Local Law 2-2024 Amendment of the Water Rent Law, providing the approved process for updating the schedule of fees and adoption of rates for the Water Rent by resolution of the Board of Trustees.

LOCAL LAW No. 2 of 2024 Water Rent Local Law 2-2024

SECTION I. TITLE

The Village Board of the Village of Sherman hereby amends its Water Rent Law, including amendments Water Rent Law 1-2018, and Water Rent Law 1-2022, as follows:

SECTION II. FINDINGS AND RATES

The fees for the Water Rent are hereby amended to:

- A. The fees for the Water Rent Charges shall be established by resolution of the Village Board of Trustees of this Village of Sherman.
- B. Such Schedule of Fees may thereafter be amended from time to time by like resolution.

SECTION III. TERMS AND CONDITIONS

All other terms and conditions of the Village's Water Rent Law shall remain in full force and effect, except as may be amended herein.

SECTION IV. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York, in accordance with the Municipal Home Rule Law Section 27.

On the motion of Trustee Crane, seconded by Trustee Sanders, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of May 2024.

RES 2024-05-08.10: LOCAL LAW 3-2024 ZONING AMENDMENT

Motion to adopt the proposed Local Law 3-2024 ZONING AMENDMENT, for the purpose of defining an operating permit.

**LOCAL LAW No. 3 of 2024
AMENDING LL No. 1 of 2009 ZONING LAW – OPERATING PERMIT**

A LOCAL LAW AMENDING AND SUPERSEDING SECTIONS OF LOCAL LAW NO. 1 OF 2009 VILLAGE OF SHERMAN ZONING LAW AND AMENDING LOCAL LAW NO. 4 OF 2022 WHEREBY THE VILLAGE OF SHERMAN REGULATES MOBILE FOOD VENDORS AND THE ISSUANCE OF OPERATING PERMITS.

Be it enacted by the Village Board of the Village of Sherman, County of Chautauqua, and New York State, as follows:

SECTION 1. AUTHORITY.

This local law is promulgated pursuant to the authority granted by:

- A. Article IX of the New York State Constitution, § 2(c)(10);
- B. New York Statute of Local Governments, § 10(1) and (7);
- C. New York Municipal Home Rule Law, § 10(1)(i) and (ii) and § 10(1)(a), (11), (12), and (14);
- D. New York Village Law Section 4-412.

SECTION 2. PURPOSE AND INTENT.

This local law shall amend the Village of Sherman Zoning Code.

SECTION 3. INTENT.

Amendment of the Village of Sherman Zoning Code as follows:

- A. Add new definitions to Section 202 DEFINITIONS;
- B. Insert “herein defined as an ‘operating permit’ which is required under the Fire Code of New York State FCNYS” within Section 641(B)(1) MOBILE FOOD VENDORS - CONDITIONS;
- C. Insert “operating” between building and zoning permits within Section 702(A) DUTIES of the Administration by Enforcement Officer.

SECTION 4. DEFINITIONS.

The following definitions are hereby added to Section 202 Definitions of the Village of Sherman Zoning Code, the following terms shall have the meaning indicated:

OPERATING PERMIT – shall mean a permit issued pursuant to Section 12 of LL5-2022 Village of Sherman Code Enforcement Program.

MOBILE FOOD VENDING PERMIT – is an operating permit pursuant to Section 12(B)(2) xiii of LL5-2022 Village of Sherman Code Enforcement Program.

SECTION 5. MOBILE FOOD VENDORS.

Edits to Section 641 of the Village of Sherman Zoning Code, which shall hereby read as follows:

Section 641 MOBILE FOOD VENDORS

B. Conditions.

1. It shall be unlawful for any person to operate a mobile food vehicle within the Village of Sherman without first having obtained a valid mobile food vending permit, **herein defined as an ‘operating permit’ which is required under the Fire Code of New York State FCNYS**, from the Village of Sherman as prescribed in this section.

SECTION 6. PERMITS, UNDER DUTIES OF THE ADMINISTRATION BY THE ENFORCEMENT OFFICER.

Edits to Section 702 of the Village of Sherman Zoning Code, which shall hereby read as follows:

Section 702 DUTIES

- A. Permits** – Issue building/**operating**/zoning permits or refuse to issue the same and give the reasons for such refusal to the applicant in writing.

SECTION 7. TERMS AND CONDITIONS.

Conflicting Statutes - All ordinances, local laws, or parts thereof in conflict with the provisions of this local law are hereby repealed to the extent necessary to give this local law full force and effect during the effective period.

Severability - Should any clause, sentence, paragraph, subdivision, section, or other part of this local law be adjudicated by any court of competent jurisdiction to be invalid, such judgement, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or other part thereof directly involved in the controversy in which such judgement, decree or order shall have been rendered and to this end, the provisions of each section of this local law are hereby declared to be severable.

SECTION 8. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

On the motion of Trustee Crane, seconded by Trustee Emory, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>

Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of May 2024.

RES 2024-05-08.11: EMPLOYEE BENEFIT BALANCES

Motion to record in the minutes the balance of employee benefits as of pay ending April 28, 2024; and approve the full roll over of any unspent “unused paid time off”, accrued vacation and personal time from fiscal year 2023-24, into the fiscal year 2024-25.

Employee benefit balances as of April 28, 2024

COMP TIME		UNUSED PAID TIME OFF
3	GG	9 ½ hrs
28 ½	DG	0
50 ¾	JR	35 hrs
0	WDC	8 ½ hrs

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

**Previous projections
presented for the 2024
Sewer Rate Structure**

Capital Projects

Wastewater Treatment Plant Improvement Project

Projected Worst Case Scenario:

- Full \$7 million Project Cost
- Full 2.125% Interest Rate
- No additional grant funding
- No additional revenue to support debt service

Rate updates in 2023
 following review in 2023
 +\$4/month = \$57/month 6/23
 +\$3/month = \$60/month 6/24

Debt Service for 37 yrs		
2.125%	102,750	\$282/ EDU
Or Lower Interest, ex.		
1.25%	88,700	\$243/ EDU

RES 2024-05-08.12: SEWER BASE INCREASE, WATER & SEWER FEE SCHEDULE

Motion to approve the increase of the base sewer service charge to \$60/month per equivalent dwelling unit (EDU), effective June 1, 2024, in accordance with RES 2023-05-17.11 adopting LL 3-2023 Sewer Rents Law Amendment having been filed with the NYS Department of State; and record the following Water and Sewer Fee Schedule beginning fiscal year June 1st, 2024.

<i>(no-change)</i>	Water Base	\$30.00/month/EDU	<i>(increase of \$0/month LL 2-2024)</i>
<i>(no-change)</i>	Water Use Rate	\$4.60/100 CuFt	
*****	Sewer Base	\$60/month/EDU	<i>(increase of \$3.00/month LL 3-2023)</i>
<i>(no-change)</i>	Sewer Use Rate	\$4.00/100 CuFt	

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

RES 2024-05-08.13: BULK WATER SALES & SERVICES

Motion to approve the addition to the Schedule of Other Fees for the Water Department for providing services for other entities, including private haulers and individuals for bulk water purchases:

- **Bulk Water** - at a use rate of twice that of the Outside Water Use Rate
- **Service Fee** - is a fixed \$50.00 charge per bill

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

RES 2024-05-08.14: NYSLRS STANDARD WORK HOURS

BE IT RESOLVED, that the Village of Sherman (location code 40306), hereby establishes the following standard work days for these appointed and elected officials, and will report these officials to the New York State and Local Retirement System based on their record of activities: Mayor, Colleen Meeder (6 hours) Trustee, Dennis Watson (6 hours) Trustee, Danielle Crane (6 hours).

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

Motion to close the Annual Reorganizational Meeting of the Board and enter into the meeting of the Municipal Zoning Board.

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

MUNICIPAL ZONING BOARD MEETING:

RES 2024-05-08.15: ACCEPTANCE OF PLANNING BOARD RECOMMENDATIONS

Motion to accept the recommendations of the Village of Sherman Planning Board on May 2, 2024, regarding the special use permit application for self-storage at 104 Church Street, by Sherman Self Storage, LLC. This includes the referral to the Zoning Board of Appeals for an interpretation of “Storage Structure” as listed under the C1 Commercial District.

(Upon determination of the Zoning Board of Appeals, if permitted by right under the Zoning Law the special use permit will be granted, or otherwise the owner will apply for a use variance be granted.)

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

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

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

REGULAR MEETING OF THE BOARD

RES 2024-05-08.16: MINUTES

Motion to accept the previous minutes of the Regular Board Meeting, Municipal Zoning Board Meeting and the Public Hearings of the 2024-2025 Budget held on April 10, 2024; and the Special Meeting of the Village Board and Hearing held by the Municipal Zoning Board on April 24, 2024.

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

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

WATER & SEWER

- Nothing new under general operations

CAPITAL PROJECT UPDATES

SEWER

- Preparation for the Open House on June 20th is underway.
- There are still unfinished items on the punch list, we are waiting on RAFA, as well as Northrup and BECC Electric. The curb stops are the most pressing item, and we are waiting for Northrup to come and correct them.
- We are preparing to put a roof over the sludge storage bed, motion later in the meeting.

WATER

- We are still waiting for Northrup to correct the curb stop issues, which is delaying BECC since their work is contingent on Northrup's. We are withholding final payment for both Northrup and BECC until these final list items have been finished.
- Cole Electric has given a quote for the water service connection to the main treatment building, since the lower public works building does not have the correct size circuit breaker. We're looking at almost \$30,000 for the connection, of which \$14,000 is just the wire. We should break even within 7-8 years and then see suitable savings.
- The biggest concern for the water system is that there is no backup power until we have connected the system to the wastewater treatment system's generator. The WWTP requires on demand electrical services, but the water system does not.

STORMWATER

- A Pre-Construction meeting has been scheduled for Monday, May 13. There is still paperwork being processed including the notice to proceed, bonding and insurance documents, and another right of way.
- There is an issue on Kipp Street which might need to be our first change work order under the contingency portion of the stormwater project.
- \$950,000 BAN sale results: there were 3 bids, the lowest was from Roosevelt & Cross for 4.38%.

COMPLETE STREETS PLANNING PROJECT

- The Stakeholders Committee met on Thursday, April 18, and Thursday, May 2, 2024.
- The presentation/workshop will be held on Thursday, May 16, at the Fire Hall at 6pm.
- We are going to coordinate with SCSD regarding the proposed plans along Park Street at the school drop-off. This is still the preliminary phase, so this is all still part of the study.
- We will be partnering with Chautauqua Watershed Conservancy on the Tree Planting Initiatives. Twan Leenders, director of conservation, is involved with several agencies and will be assisting with street trees and permitting in our upper basin and along the trails.

EV Charging Stations – NYS DEC is now looking for an In-Service Agreement, since we are one of the first communities to go through this grant, and they are still working things out on their side. At this time, we have not received any reimbursement for this completed project.

RESTORE NY – there is a great opportunity for the 23,000sq ft property at 124 East Main Street and the current property owners have signed off that they are very supportive of this application. We are putting in a request for \$1M to Restore NY which requires a lot of work, in a short time period. Alma Brown (Heritage Resources) is working with us to prepare the formal proposal and there is a motion for this rehabilitation grant later in the meeting. Nate Aldrich (CCPEG) has offered some assistance which could share some of the application costs.

NY FORWARD – we are being strongly encouraged to reapply for the next round, which should become available soon since the NYS budget has now been passed. More details will be shared as they become available.

COMMITTEE UPDATES

Steering Committee - met Thursday, April 18, and Thursday, May 2, 2024, to review the Pro Housing and Complete Streets Policies, along with the proposed amendment to the Zoning Law regarding “Storage”; and as the Stakeholder’s Committee, they made recommendations on the pre-engineering plans for the Complete Streets Initiative.

Planning Board – also met in April to review the Pro-Housing and Complete Streets Policies.

Edmunds Park Committee – on April 12 and 13 volunteers came out from Stanley Hose Company, Sherman Central School, the First Baptist Church of Sherman, Cole Electric, while many community members donated food and drinks for the workers. It was cold and wet, but it didn’t stop this group from completing the playground installation with Parkitects; the entire playground was provided by the donation made by Harold & Wanda Wake of the Wake Family Charitable Foundation.

Trail Committee - Friends of the Chautauqua County Greenway FCCG led by Jacob Bodway

Chautauqua Watershed Conservancy - Twan Leenders, Director of Conservation and Carol Markham meet with the mayor on Monday, April 29th. Part of the meeting covered trees which also fall under Complete Streets and Stormwater. The Complete Streets project plans to put trees along CR 430 from 176 West Main Street out to the solar panels at the Village Boundary. Carol will be working closely with us to decide details of what to plant. She did mention that the pear trees in front of the Dollar General are invasive and was surprised that they were on the recommended list from National Grid. Carol Markham also informed the mayor that we cannot keep trimming back the bank along French Creek as this will increase the soil erosion. She will recommend some low-lying plants that help prevent erosion, while still allowing people to enjoy the creek.

MAYOR

Memorial Day Observance: the parade starts at 10am, followed by the service at the monument, Pastor Tim Minge of the First Baptist Church of Sherman will be sharing, and they are still looking for a speaker. Trustee Emory suggested Tom Nelson and said he would contact him.

Home Repair and Energy Fair – was held on April 18th in the Fire Hall and the mayor was happy to report that we had a really good turnout considering it was our first fair. There were visitors from as far as Irving. Sanfilippo Solutions made 13 appointments just from Sherman residents, and there were roughly 80 people who attended.

Home Grant (CHRIC) – there is a single-family home grant coming out soon and we will work with CHRIC to apply.

FINAL REPORT FOR THE AMERICAN RESCUE PLAN ACT (ARPA / SLFRF)

The allocation of the Federal Stimulus Funding of State and Local Fiscal Recovery Funds for:

- Main Street economic and community development, incl. Main Street Building Restoration and Improvements, the building condition survey and feasibility study, the community planning study of the Downtown Market Analysis

- Drinking Water Improvement Project expenditures, related to but not included in the infrastructure capital improvement project
- Stormwater Infrastructure Improvement Project expenditures
- Wastewater Treatment Plant capital improvements and purchases
- Electric Vehicle Charging Stations implementation project expenditures
- Trail Improvements off Kendrick Street, north of the Nature Center from Titus Road
- Matching funds supporting the Rural Business Development Grant Sign Project for the printing costs of the business signs
- Addition of four light poles on Osborne Street in fiscal year 2023-2024

FUNDS WERE ALLOCATED AS FOLLOWS:

ARPA									
SLFRF									
March 31, 2024				Total Cumulative Obligations	Total Cumulative Expenditures	Current Obligations	Current Expenditures	Status of Completion	
Program	2-Negative Economic Impacts	Assistance to Small Businesses							
	Program Expenditure Category (EC)	Technical Assistance, Business Planning	2.30						
	Project Name	Main St Revitalization							
	Recipient ID	VOS Main St							
	Downtown Market Analysis	Camoin	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00		
	Downtown Market Analysis	B&L 10/29/21-03/2/2022 CD-CDBG	1,564.50	1,564.50	1,564.50	1,564.50	1,564.50		
	Downtown Market Analysis	Other							
	Downtown Feasibility Study	Clinton Brown	12,900.00	12,900.00	12,900.00	12,900.00	12,900.00	Complete	
	Downtown Feasibility Study	B&L 10/29/21 Inv#120822B	120.00	120.00	120.00	120.00	120.00		
	Downtown Feasibility Study	Other							
	NY Forward	Barton & Loguidice	20,666.00	20,666.00	20,666.00	20,666.00	20,666.00	Complete	
	Restore NY	Barton & Loguidice	9,100.00	9,100.00	9,100.00	9,100.00	9,100.00	Complete	
	CFA Grant Application	Heritage Resources	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	Complete	
	Downtown Feasibility Study	Clinton Brown	(874.56)	(874.56)	(874.56)	(874.56)	(874.56)	Complete	
	Downtown Market Analysis	Barton & Loguidice	218.63	218.65	218.65	218.65	218.65	Complete	
	Downtown Market Analysis	Barton & Loguidice	742.50	742.50	742.50	742.50	742.50	Complete	
	RBDG- Business Sign Project		2,489.34	2,489.34	2,489.34	2,489.34	2,489.34	Complete	
Program	2-Negative Economic Impacts	Assistance to Small Businesses							
	Program Expenditure Category (EC)	Aid to Tourism Travel or Hospitality	2.35						
	Project Name	Gateway Lighting							
	Recipient ID	VOS Gateway Lighting							
	Lighting Project Osborne St/I-86	National Grid	14,009.27	14,009.27	14,009.27	14,009.27	14,009.27	Complete	
	Balance unallocated	(69,435.68)	69,435.68	69,435.70	69,435.70	69,435.70	69,435.70	Totals	
				38,341.93	38,341.93	38,341.93	38,341.93	4/1/22-3/31/23	
				14,009.27	14,009.27	14,009.27	14,009.27	4/1/23-3/31/24	

PUBLIC PARTICIPATION - There was no public present.

CHAMBER OF COMMERCE – Clerk Ramm reported that the Chamber will be hosting a Community Yard Sale on July 20th. They will be posting notices on their Facebook page for people wanting to be on the map.

FINANCIAL REPORTS FROM CLERK-TREASURER:

General Checking Account: Balance (05/08/2024) is \$53,754.68 & book balance \$69,045.99
 NYS Fund Bank Account: Balance (05/08/2024) is \$6,008.91 & book balance \$4,788.91
 Sewer Project Bank Account: Balance (05/08/2024) is \$85,279.12 & book balance (\$84,686.08)
 Water Project Bank Account: Balance (05/08/2024) is \$26,729.64 & book balance (\$95.84)
 Stormwater Project Account: Balance (05/08/2024) is \$23.21
 Parks Fund Account: Balance (05/08/2024) is \$13,568.21 & book balance \$11,545.13
 Climate Smart Account: Balance (05/08/2024) is \$7,784.81
 Reserve Account: Balance (05/08/2024) is \$13,986.38

Debt Service Account: Balance (05/08/2024) is \$44.21
CD Account: Balance (05/08/2024) is \$0
CD Transfer: N/A
Account Adjustments: N/A

RES 2024-05-08.17: VOUCHER #12 2024

Motion to accept Voucher #12 for \$41,991.88 for April 2024, of which \$1,220.00 is from the NYS Special Fund, \$0 is from the Water Project Fund, \$3,927.41 is from the Sewer Project Fund, \$2,015.90 is from the Parks Fund, \$0 is from the Stormwater Project Fund and \$0 is from the Climate Smart/Economic Development Fund.

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

RES 2024-05-08.18: TAX WARRANT

Motion to accept the Village of Sherman Tax Warrant for May 6th, 2024 for \$336,520.39, including the approved budgeted General Fund Property Tax amount of \$256,365 and Unpaid Water/Sewer/Misc. amounts totaling \$80,155.39: of which the final amount of \$58,437.50 in unpaid water and sewer balances is re-levied onto the Village Tax Bill; the amount of \$15,633.89 in unpaid general fund invoices; and the amount of \$6,084 in water and sewer base charges is levied unto the Village Tax Bill for vacant and other storage properties.

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

LAND LEASE PAYMENT UPDATE – Reed Farms 2024 Season due December 15, 2024.

W&S OUTSIDE SERVICE ACCOUNT BALANCES

As of May 8th, the following outside utility services were in arrears:

- Acc #84 Full amount \$575.07, overdue \$340.89 due 3/20/2024
- Acc #297 Full amount \$297.57, overdue \$174.54 due 3/20/2024

Local Law 2018-1, Section II under non-payment it states:

- ii. SHUT OFF: Outside properties with outstanding water or sewer balances after forty-five (45) days from the bill date are susceptible to shut off without board approved payment arrangements to remedy amounts in arrears. Shut off will commence within five (5) days' notice.

OLD BUSINESS:

No old business was addressed.

NEW BUSINESS:

RES 2024-05-08.19: WWTP REVISION OF FORM E #16

At a Meeting of the Village of Sherman, Chautauqua County, New York, held at the Village Hall, in Sherman, New York, on the 8th day of May, 2024, at 6:00 o'clock p.m., the following resolution was offered by Trustee Emory who moved its adoption, seconded by Trustee Sanders to-wit:

RESOLUTION OF THE VILLAGE BOARD, VILLAGE OF SHERMAN, CHAUTAUQUA COUNTY, NEW YORK, accepting Revisions to the “Village of Sherman Wastewater Treatment Plant Improvements Project”, Capital Project as administered through USDA Rural Development. The Village Board hereby modifies the following Administrative and Construction budget items to the upcoming Form E #16:

<u>A.2</u>	Bonding to be decreased by \$11,690.00	
<u>A.8</u>	Miscellaneous to be decreased by \$25.00	<i>(\$11,715.00)</i>
	And	
<u>A.3</u>	Net Interest to be increased by \$8.00	
<u>A.6</u>	Land to be increased by \$11,707.00	<i>\$11,715.00</i>

The reason for these modifications is to update the allocation of costs associated with the project and account for the unspent budget line items, reallocating funds to the Land & Rights of Way, closing out and reconciling project expenses.

THIS BUDGETARY MODIFICATION RESULTED IN NO CHANGE TO THE TOTAL BUDGET.

WHEREAS, the Village of Sherman, Village Board has reviewed the Form E Capital Outlay Budget category and,

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Village Board of the Village on May 8, 2024, the result of which vote was as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of May 2024.

RES 2024-05-08.20: MINERVA FREE LIBRARY BUILDING PERMIT / DONATION

Motion to approve the donation of \$40 for the Minerva Free Library for the cost of the building permit for the sign at 116 Miller St, (in connection to the Special Use Permit already approved under RES 2023-11-08.2).

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

RES 2024-05-08.21: PRO-HOUSING COMMUNITIES PLEDGE

Motion to adopt the Pro-Housing Communities Pledge for the Village of Sherman;

WHEREAS, the Village of Sherman (hereinafter “local government”) believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State’s economic growth and community well-being; and

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities; and

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities; and

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Village of Sherman, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities Pledge, which will have the Village of Sherman endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

On the motion of Trustee Emory, seconded by Trustee Sanders, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of May 2024.

RES 2024-05-08.22: COMPLETE STREETS POLICY

Motion to adopt the Village of Sherman Complete Streets Policy;

WHEREAS, the Board of Trustees endeavors to establish the Village of Sherman as a safe and accessible community by improving bicycle and pedestrian friendliness through consistent public realm design standards to a revitalized mixed-use downtown district; and

WHEREAS, the Village of Sherman shall plan for, design, construct, operate and maintain appropriate facilities for all transportation users in all new construction, retrofit and reconstruction projects; and

WHEREAS, streets that integrate multiple transportation choices for pedestrians, bicyclists, and transit, with special consideration for children, the elderly, and people with disabilities, contribute to the public life of a community, sustainable economic development and efficient movement of people and goods; and

WHEREAS, the Village of Sherman shall, to the maximum extent practical, scope, plan, design, construct, operate and maintain all streets to provide a comprehensive and integrated network of facilities for all users of all abilities; and

WHEREAS, any exception to applying this Complete Streets Policy to a specific roadway project must be approved by the Village Trustees with documentation of the reason for the exception. Exceptions may be made when the project involves a roadway on which non-motorized use is prohibited by law. In this case, an effort shall be made to accommodate pedestrians and bicyclists elsewhere; and

WHEREAS, this policy will create a comprehensive, integrated, connected transportation network for the Village of Sherman that balances access, mobility, health and safety needs for all residents. Planning, funding, designing, constructing, managing, and maintaining a complete multi-modal network, ensures this; and

WHEREAS, it is the intent of this policy to foster partnerships with the state, county, school district, citizens, businesses, interest groups and neighborhoods to implement complete streets; and

WHEREAS, the Village of Sherman shall adapt, develop and adopt departmental policies, design criteria, standards and guidelines based upon recognized best practices in street design, construction and operations including but not limited to the latest editions of American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets; AASHTO Guide for Planning, Designing, and Operating Pedestrian Facilities; AASHTO Guide for the Development of Bicycle Facilities; Institute of Transportation Engineers (ITE) Designing Walkable Urban Thoroughfares: A Context Sensitive Approach; National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide; U.S. Access Board Public Right-of-Way Accessibility Guidelines; Highway Capacity Manual and Highway Safety Manual; and

WHEREAS, the implementation of this policy shall reflect the context and character of the surrounding built and natural environments while enhancing the appearance of such. In doing so, The Village of Sherman shall consider methods of providing development flexibility within safe design parameters such as context-sensitive design solutions, and shall attempt to employ all solutions consistent with and sensitive to the context of the project; and

WHEREAS, Complete Streets should be continuously evaluated for success and opportunities for improvement sought. This policy encourages the regular evaluation and reporting of implementing complete streets through the following performance measures:

- Increase in the share of bicycles, pedestrians and transit users;
- Crash data;
- Use of new projects by mode;
- Compliments and complaints;
- Linear feet of pedestrian accommodations built;
- Number of ADA accommodations built;
- Miles of bike lanes/trails built or striped;
- Number of transit accessibility accommodations built;
- Number of street trees planted;
- Number of building permits issued along new complete street;
- Number of exemptions from this policy; and

WHEREAS, The Village of Sherman shall implement the following steps to ensure successful implementation of complete streets:

- Advisory Board: The Village of Sherman will establish an interdepartmental advisory board to oversee the implementation of this policy. The committee will include members of the village (board members, planning board, school board, highway department), county (planning department and highway department), the NYS Department of Transportation, the police department as well as representatives from bicycling, pedestrian, disabled, youth and elderly communities or any other organizations as deemed relevant. This committee will meet quarterly and provide a written report to the Village of Sherman's Board of Trustees evaluating progress and advising on implementation.
- Inventory: The Village of Sherman will maintain a comprehensive inventory of the pedestrian and bicycle infrastructure and will prioritize projects to eliminate gaps in the sidewalk and bikeway networks.
- Capital Improvement and Maintenance Project Prioritization: The Village of Sherman will reevaluate capital improvement and maintenance project prioritization annually to encourage implementation of pedestrian and bicycle improvements.
- Revisions to Existing Plans and Policies: The Village of Sherman will incorporate complete street principles into the comprehensive plan, zoning code and other plans and manual, rules, regulations and programs.

- Other Plans: The Village of Sherman will prepare, implement and maintain a Bicycle and Pedestrian Transportation Plan, a Safe Routes to School Plan, an Americans with Disabilities Act Transition Plan, and a Street Tree and Landscape Plan.
- Stormwater Management: The Village of Sherman will prepare and implement a plan to transition to sustainable stormwater management techniques along our streets.
- Staff Training: The Village of Sherman will train all pertinent staff on the content of the complete streets principles and best practices for implementing the policy.
- Coordination: The Village of Sherman will utilize inter-departmental project coordination to promote the most responsible and efficient use of fiscal resources for activities that occur within the public right of way.
- Street Manual: The Village of Sherman will create and adopt a Complete Streets Design Manual to support implementation of this policy.
- Funding: The Village of Sherman will actively seek sources of appropriate funding to implement complete streets.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Village of Sherman, in order to achieve the goal of building connectivity and increasing safety, adopts the Complete Streets Policy, which shall endeavor to take the important steps included herein, and engage the members of the community in creating a vision with the clear intent of understanding and accommodating all users and modes, and applying that to all streets projects and phases organizing an integrated network of streets, sidewalks, and trails for transportation and recreation connecting neighborhoods, businesses, placemaking, and parks; this must incorporate multi-jurisdictional cooperation in support of development and design within the character of the community and the vision established within the Village of Sherman’s Comprehensive Plan; while implementing performance measures ensuring success and effectiveness of strategies toward complete streets initiatives bringing safety, encouraging activity, and promoting overall health and well-being of our community and visitors.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

On the motion of Trustee Emory, seconded by Trustee Crane, the foregoing resolution was put to a vote as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted this 8th day of May, 2024.

RES 2024-05-08.23: 2024-2025 WAGES

Motion to approve the 2024-2025 Wage Schedule for the Village employees' hourly wages, beginning pay period ending June 9th, 2024, payable Monday, June 10th, 2024, as follows:

- Streets Superintendent DC \$31.00
- Clerk-Treasurer JR \$24.50
- Enforcement Officer GG \$22.25
- Crossing Guard \$20

Moved by Trustee Watson Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.24: PART-TIME EMPLOYMENT STATUS CHANGE

Motion to approve the employment status change of Chance Meeder to \$20.00 per hour as a Part-Time laborer in the Streets, Sewer or Water Departments.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 3 Nays: 1 (Watson) Abstain: 1 (Meeder) Carried

RES 2023-09-13.19: ACCEPT BID FOR GENERAL CONTRACTOR FOR VILLAGE HALL

Motion to approve and accept the bid from Conrad Contracting in the amount of \$44,500 for the general contractor of the façade and entry repair and residing of the Village Hall at 111 Mill St, under the previous adopted bond resolution for \$115,000, RES 2023-06-14.4. *(Final design and materials to be determined at a later date with Village Board approval and authorization.)*

Moved by Trustee Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.25: VILLAGE HALL FAÇADE RESTORATION

Motion to approve the Notice to Proceed for Conrad Contracting to “reconstruct the exterior of the Village Hall”, under the previously adopted \$115,000 Bond Resolution on June 14, 2023, for public “building reconstruction”, restoration and improvements, not to exceed \$50,000.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.26: EXTERIOR REPAIR TO COLD STORAGE ON CORNISH ST

Motion to approve and proceed with the purchase of material to be allocated to capital improvements under the previously adopted \$115,000 Bond Resolution on June 14, 2023, for the “exterior reconstruction at the cold storage building”.

Moved by Trustee Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.27: WWTP SLUDGE STORAGE SHED

Motion to approve and proceed with the purchase of material to be allocated to capital improvements under the previously adopted \$115,000 Bond Resolution on June 14, 2023, for the “reconstruction of buildings, including, without limitation, a new storage shed at the wastewater treatment plant”, not to exceed \$10,000.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.28: ELECTRIC

Motion to approve and proceed with the electrical connection between the public treatment buildings, not to exceed \$30,000.

Moved by Trustee Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.29: EDMUNDS PARK FENCE

Motion to approve and authorize the mayor to execute the installation of the fence on the East property line of Edmunds Park, not to exceed \$5,000.

Moved by Trustee Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2024-05-08.30: SEQRA – RESTORE NY REHABILITATION PROJECT

RESOLUTION DETERMINING THAT THE PROPOSED VILLAGE OF SHERMAN WRTS BUILDING REHABILITATION IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Village of Sherman (Village) is proposing the WRTS Building Rehabilitation (Project), located in the Village of Sherman, Chautauqua County, New York; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617 (the “Regulations”), the Village of Sherman Village Board desires to comply with SEQRA and the Regulations; and

WHEREAS, the Project has been classified as an “Unlisted Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.2; and

WHEREAS, pursuant to the SEQRA Regulations, the Village of Sherman Village Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the SEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the SEAF, together with other available supporting information, to identify the relevant areas of environmental concern.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Sherman Village Board hereby establishes itself as Lead Agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the SEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Village of Sherman Village Board’s knowledge of the area surrounding the Project, the Village of Sherman Village Board makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the Village of Sherman Village Board, as Lead Agency, hereby directs the Village of Sherman Mayor to sign the SEAF Part 3 – Determination of Significance indicating that the project will not result in one or more potentially large or significant adverse impacts (negative declaration); this Resolution shall take effect immediately.

WHEREFORE the foregoing resolution was put to a vote of the members of the Board of Trustees of the Village of Sherman by a motion from Trustee Emory and seconded by Trustee Watson on May 8th, 2024, the result of which vote was as follows:

Colleen Meeder, Mayor	<u>Aye</u>
Ryan Sanders, Deputy Mayor	<u>Aye</u>
Dennis Watson, Trustee	<u>Aye</u>
Gary Emory, Trustee	<u>Aye</u>
Danielle Crane, Trustee	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

RES 2024-05-08.31: HERITAGE RESOURCES, LLC

Motion to accept the proposal from Heritage Resources, LLC for grant assistance in the application to Empire State Development (ESD) for the Restore NY rural revitalization opportunity, due this May 22, 2024; and approve and authorize the mayor to execute the agreement for an amount not to exceed \$6,000.

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

RES 2024-05-08.32: SCHEDULE SPECIAL MEETING

Motion to schedule the Special Meeting of the Village of Sherman Board of Trustees for Thursday, May 16, at the Sherman Fire Hall following the Restore NY Public Hearing, beginning at 6:00pm, (to then be immediately followed by the Complete Streets Workshop).

Moved by Trustee Crane Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

Motion for Executive Session to discuss contractual and legal matters, at 8:11p.m., with no action to be taken following executive session.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

Motion to adjourn at 8:42p.m.

Moved by Trustee Sanders Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

Respectively submitted

Jeanette Ramm

Clerk-Treasurer

Next Meeting:

Special Meeting Thursday, May 16, 2024 after Restore NY Public Hearing & Complete Streets Workshop

Regular Board Mtg Wednesday, June 12, 2024 at 6pm