

**\*\*\*2023\*\*\* RE-ORGANIZATIONAL MEETING**  
**TOWN OF SHERMAN**  
**January 5, 2023**

The Town of Sherman re-organizational meeting was held on Thursday, January 5, 2023 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
	Brant Henning	Councilman
	Howard Crump	Councilman
	Ben Nickerson	Councilman
	Tamera M Weise	Town Clerk
	Dennis Sweatman	Highway Superintendent

GUESTS: Greg Osman – CEO, Joel SeaChrist – Town Attorney, Marty Proctor – County Legislator, Gary Emory – Town Resident

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

Councilman James Higginbotham made a motion, seconded by Supervisor Mark Persons to enter into an Attorney Client Conference to discuss the matter of a potential litigation. CEO Greg Osman and Highway Superintendent Dennis Sweatman were asked to take part in the meeting.

**MOTION CARRIED**

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

At 7:55 p.m. Councilman Howard Crump made the motions, seconded by Councilman Ben Nickerson to resume the regular Town Board Meeting.

**MOTION CARRIED**

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

**CEO Greg Osman gave his monthly report as follow:**

- Greg Osman – CEO gave his monthly report as follows:
  - Number of inspections for Dec. are 15
  - Number of inspections for year are 204
  - Number of Permits issued for Dec. are 1
  - Number of Permits for this year is 25
  - Dollar amount of Permits for Dec. are \$0
  - Dollar amount of Building this year is \$1,094,000
  - Miles traveled for December is 76

Permits Issued:

Gloria Neal, 205 Park St for a remodel and new electrical panel.

**RESOLUTION #1**

**APPROVAL OF MINUTES**

Councilman Brant Henning made the motion, seconded by Councilman James Higginbotham to approve the minutes of the last meeting.

**MOTION CARRIED.**

**RESOLUTION #2**  
**ABSTRACT CLAIMS**

Councilman James Higginbotham made the motion, seconded by Councilman Ben Nickerson to approve payment for General Claims #1 through # 14 in the amount of \$ 4,005.63 and Highway Claims #1 through #2 in the amount of \$2,411.88.

MOTION CARRIED.

**JUDGE'S REPORT**

Judge Cooper's Dec. report shows fines of \$940.00, Civil fees of \$0, and Surcharges of \$744.00 for a total of \$1,684.00.

**CLERKS REPORT**

Clerk Tamera Weise presented the following to the Town Board:

- Oath of Offices were presented and signed by the re-elected/ appointed officials. Councilman, Brant Henning and CEO Greg Osman.  
Clerk Weise will give the Oath of Office to Deputy Town Clerk/Registrar Theresa L. Tallman and Court Clerk Jody D'Anthony for their signatures.
- The Town Board member's along with Highway Superintendent Dennis Sweatman signed the 2023 Agreement to Spend Town Highway Funds.
- 2022 Registrar and Town Clerk/Registrar's Reports for the year will be submitted at the Feb. meeting after the December bank statement has been received and balanced.
- Year End Report from Dog Control Officer Kelly Thornton was presented to the Board.

**HIGHWAY SUPERINTENDENT'S REPORT**

- The Towns excavator is on the blink again. The estimate for parts and labor to replace the part is estimated to be \$6,000 - \$8,000. Unfortunately it is no longer under warranty.
- The following 3 truck quotes were presents:

\*Warren Midtown Motors

2023 F250 4x4 Stylelside Pickup/142

\$46,500 with no trade in allowance

\*Ed Shults Chevrolet

2023 Chevrolet Silverado 2500HD / 4WD Crew Cab

\$54,125.00 with a trade in allowance of \$33,000

\*Rock City Chrysler Jeep Dodge

2023 2500 Tradesman Reg Cab 4x4

\$51,607 plus \$350 for a remote start. Trade in allowance \$30,000

All of the above said that it could take up to 1 year to receive any of the above trucks. The Board asked Dennis to continue looking and report back at the Feb. meeting.

## **SUPERVISOR'S REPORT**

Supervisor Mark Persons presented the following to the board:

- Supervisor Persons spoke to the Towns CPA about the Highway Machinery Account. The recommendation was in 2024 to set up a Machinery Account in both the DB and DA Highway accounts to help use up the surplus of funds.
- Town of French Creek, Mina and Sherman met with Town Assessor Heather Young-Dyell on Jan. 4<sup>th</sup> to discuss the upcoming year. Heather said she will continue to help the Town Clerks with splits and changes on tax bills before they are sent out in the mail. The Towns did agree to give Heather and additional 7 hours of personnel time and that if schools are closed due to bad weather that she can work from home on her laptop.

### **Budget Amendments:**

Supervisor Persons recommend that the Cemetery Equipment A8810.2 be increased to \$10,500 and that the Mortgage Tax Revenue A3005 be increased by \$7,000 which would bring it to \$17,000.

### ***REORGANIZATION 2023***

#### **RESOLUTION #3**

A blanket motion was offered by Councilman Brant Henning, seconded by Councilman Howard Crump to approve the following appointments, rates and designations for the Town in 2023:

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 salaries of town officials will be the same as stated on the approved budget for 2023. 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 for Larry Jackson (term Oct. 1, 2020 through September 30, 2025). James Weise will be paid \$100 (term being Oct. 1, 2022 through September 30, 2026).

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.

Kelly Thorton will be dog control officer, with a \$15.60 per hour rate of pay.

PRIMARY – Small Town Shelter, 118 118 Franklin St, Sherman, NY 14781  
\$15.00 per day Boarding Fees for 5 Days and a one-time \$15.00 DL-18 Processing Fee per dog.

SECONDARY - 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 2023 will be a maximum of \$8.00 a ton.

The Highway 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 \$300 annually.

The court clerk will be Jody D'Anthony at a rate of pay of \$6,830 annually.

\$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 2023 with the Stanley Hose Co., Inc. is \$43,828.00 as set in the 2023 budget. This amount will be paid to the Village on June 1, 2023.

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 2023 will be \$.60 per mile.

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

Cory Emory will be the Saturday morning basketball director; Fred Gable Jr. & Kelly Gable will be the director 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 \$10,000.00 annually for a family policy, \$8,000.00 for an employee + child \$9,500 for an employee + spouse and

\$6,000.00 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 \$22.63 per hour, Michael Zencik \$21.91 per hour, and Ryan Robson \$21.84 per hour. Mr. Courtney's hourly rate includes a \$.25 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 \$25.00 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 \$16.10 per hour and assistant will be paid \$14.20 per hour.

**MOTION CARRIED.**

Supervisor Mark Persons – AYE

Councilman Brant Henning - AYE

Councilman James Higginbotham – AYE

Councilman Ben Nickerson - AYE

Councilman Howard Crump - AYE

- Discussion and questions were held regarding the 2023 Youth Program. Supervisor Mark Persons presented the following Youth Budget for 2023;

## 2023 YOUTH RECREATION PROGRAM BUDGET

### TOWN OF SHERMAN

Saturday Morning Basketball	Director's Salary	\$ 500.00
	Expenses	\$
	Misc. Expenses	\$
Tee-ball, Pee-wee, & Little League	Directors' Salary (2)	\$ 800.00
	Expenses	\$
Liability & Medical Insurance		\$ 356.00

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TOTAL BUDGETED EXPENDITURES	\$ 1,656.00
<b><u>REVENUE BUDGET</u></b>	

Village of Sherman	\$2,000.00
Town Of Sherman	\$2,000.00

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TOTAL REVENUE 2023	\$4000.00
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1/5/2023 Youth Checking Account Balance	\$ 287.80
1/6/2022 Youth Savings Account Balance	\$3,374.47

If Sherman Central School does a program for the Summer of 2023 the Town will discuss an amount to contribute to the program.

**RESOLUTION #4**

Councilman Ben Nickerson made the motion, seconded by Councilman James Higginbotham to accept the 2023 Youth Recreation Program Budget as presented.

**MOTION CARRIED.**

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

Councilman James Higginbotham made the motion to adjourn the meeting.

MEETING ADJOURNED AT 8:30 p.m.

Respectfully submitted,

Tamera M Weise, Town Clerk