

VILLAGE OF SHERMAN
**MINUTES OF THE PUBLIC HEARING OF THE
RESTORE NY COMMUNITIES INITIATIVE PROGRAM,
& THE REGULAR MEETING OF THE BOARD**
Wednesday, September 14, 2022 at 6:00pm

Mayor Meeder called the meeting to order at 6:03pm and lead everyone in the Pledge of Allegiance. Board members Colleen Meeder, Ryan Sanders, Dennis Watson, Gary Emory and Chris Labuskes; Chief Operator Jay Irwin, Clerk-Treasurer Jeanette Ramm, Resident Carol Chase, and County Legislator Marty Proctor were in attendance. The press joined the meeting via Zoom.

RES 2022-09-14.1: MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held August 10, 2022, and the Special Meeting held on August 31, 2022.

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

In response to questions by Trustee Labuskes, Mayor Meeder reviewed the business from the Special Meeting held on August 31 which Trustee Labuskes was unable to attend. She also explained that the Village is applying for two grants at this time, the first is the NY Forward Grant which requires people to get involved, therefor our Steering Committee, Planning Board, and other stakeholders had a meeting yesterday, September 13th. The second grant is Restore NY, which is why we are having this public hearing. New York State Empire State Development wants the public to be aware that these funds are available. These are public funds, but the municipality is the applicant.

Motion to suspend the regular meeting and enter into the Public Hearing of the application to the Restore NY Communities Initiative program.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

PUBLIC HEARING OF THE RESTORE NY APPLICATION:

The “Restore NY” program is administered by New York State Empire State Development (ESD) and is providing \$250 million in new funding from the 2022-23 State Budget over two rounds, of which \$100M will be awarded in the first round (Round 6), applications due Tuesday, October 11, 2022, by 3:00pm EST; and \$150M in the second round (Round 7), applications due on or around January 11, 2023. Restore NY provides grants **to the local municipality** as the project applicant for restoring buildings, and the municipality **subgrants to** businesses, non-profits, and private individuals as the municipality sees appropriate, based on how they plan to execute the commercial and residential projects eligible for rehabilitation, reconstruction, deconstruction, or demolition. The project match required is a minimum of 10%. Restore NY grants are reimbursable; *funding will be awarded upon project completion.*

**** New York State Restore New York, Property Assessment List for the Village of Sherman application for the Building Renovation is for 130 West Main Street Project at the site of 130 West Main Street of 8,000 sq ft of Commercial property to be Reconstructed/ Rehabilitated from its current Vacant status. ****

The mayor showed everyone how to navigate the Village Website at www.shermanny.org and where to find the Village Projects (Under the Government Tab), and the Restore NY project. She reviewed all the documents and application information. She then worked through the Feasibility Study conducted by Clinton Brown Company Architecture (CBCA) focusing on the building at 130 West Main Street. The Feasibility Study is CBCA's suggestions for redevelopment and how this building can be rehabilitated and repurposed.

No one had questions regarding our application to Restore NY so the mayor then described other ways that Restore NY can be used by commercial or non-profit entities for both commercial and residential purposes. Village resident Beth Arms recently approached the mayor regarding the vacant building with good ideas for its repurpose, including a children's sensory center or a senior citizen's meeting place. We have received many quality recommendations which we plan to investigate, including micro businesses that possibly utilize the space once a week, for example, the County Foster Program for onsite visits.

There were no questions or comments from the public. Mayor Meeder reminded everyone that the due date for the Restore NY application is October 11, 2022 and encouraged them to have a look at the information on the Village's website.

Motion to close the Public Hearing and resume the regular meeting of the Board of Trustees.

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

No new business for the Municipal Zoning Board Meeting.

REGULAR BOARD MEETING:

ZEO / CODE / GENERAL ENFORCEMENT

- Mr. Gormley sent out letters informing residents of what the law states regarding "travel trailers" i.e., campers. These letters went out to all those properties with campers on them, they were not violation notices, just to inform them of what the law states. We have had complaints about trailers within the village. Our law states that you cannot live in the "travel trailer" for more than 14 days. Exceptions can be made, for example, if someone has family coming to stay for 6 weeks, they can apply for a special use permit.

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

- **SEWER** – the \$4/month increase to the sewer base charge (as per Local Law 3-2020) will show on the next sewer bill.
- **WATER** – Badger's supply issues have delayed our project, but we will be receiving more endpoints this month. A new water service line was put in on Park Street.
- **STREETS** – the hole in front of Edna Keith's house is being caused by an issue on Main Street; a plugged or collapsed DI which we'll be working on this month.
- **STORMWATER** – we are working on the drainage problem on the West side of Franklin Street and along Creekside Lane. We now anticipate needing to work on Miller, Main and Church Streets as well, which is not in our stormwater budget. We can apply for CDBG (Community Development Block Grant) assistance for our infrastructure but not until we've

completely spent the \$1.25M we have now from CDBG for the WWTP upgrades. We are currently wrapping this up, which means we could be eligible to reapply in July 2023. But this is not an immediate fix, because if awarded we will then need to do a study and following that, start construction potentially in 2024 or later. This is why we are building up reserves, for these unplanned emergencies.

CAPITAL PROJECT UPDATES

SEWER

- The project is moving along smoothly. The blowers have all come in and the UV equipment should arrive at the end of the week. Until our screwpress is delivered, BDP Industries has lent us one to empty the tanks and we have already processed roughly 30,000 gallons in the last two weeks. The driveway is one of the areas that overlap both the water and sewer capital projects. The water project has more funding available, so our preference is to do the driveway under the water project. Both projects also require a backup generator, and we're looking into sharing one between the water and sewer, as we did with the old system. We are waiting for a quote from BECC to run lines from the generator at the sewer plant to the water pump house. We will need to do a change order for this project since the "unlined" pipe is no longer available, and we now plan to use stainless steel which is more costly.

WATER

- With pump #1 out of commission, and pump #2 having intermittent problems, we aim to have the new pump #1 online in the next two weeks, but this is dependent on the recertification of the well and getting County approval. Until then we are stretching the life of the existing old pump. In response to a question, Mr. Irwin said that the reservoir could supply water for one day, this is largely due to the current supply system's many leaks. We do have an emergency arrangement with Heil to transport water up to our reservoir if needed.

Update on other Grant Funding Applications (non-CFA):

EV Charging Stations – The chargers are on order but only due to arrive in March 2023. Unfortunately, it has taken a long time to get some of the approvals, which delayed the project, and we took out the original bond in March 2022 so we may have to take out another bond in March 2023. Bids for the construction of the stations are due on September 21st, 2022. Once the bids have been assessed, the Board will meet on September 26th, to award the bid.

RBDG (Rural Business Development Grant) – the sign project is now in its final stage. The closing documents will be submitted, and the grant is being closed out. We have some last semi-permanent signs still to be put up on the wall behind the office, as well as the solar lighting, and then the project is complete.

RESTORE NY Application – this was reviewed in the Public Hearing.

NY FORWARD Application – This is similar to the Restore NY application but doesn't require a public hearing. We have already had a Stakeholder's Meeting, and the Steering Committee and Planning Board have met with the following notes:

- 1st Anchor project should encompass the streetscape, creating a defined gateway, expansion of the local trail, and stormwater, including engineering of the roads, with DOT approval.
- This should include a focus on reducing large, loud, trucks, and traffic, increasing pedestrian safety and returning Main Street to a tranquil inviting space.
- 2nd Anchor project could include a chic, industrial space, for example, a brewery in the Weise Garage. This project could be anything that includes community and economic development. Our stakeholder meeting included realtors, investors, business owners, etc. The idea is to find the right people, at the right time, with the right interests. Community development could include early childhood care, business space, place making, etc., to attract new businesses, more residents, and more tourists/foot traffic.
- Work toward a higher quality of living for residents, a lot of this hinges on extending the trail system, which would bring in investors, new business opportunities and additional foot traffic and tourists.
- Meet the demand for short-term rentals and apartments by rehabilitating the vacant second and third story spaces and apartments among the historic attached row buildings, resulting in more foot traffic into Main Street businesses.
- Improve the alleys with a focus on rear building façade improvements, versatile parking and event space, providing a maintained, well lit, and inviting area.
- Continue parks improvements along French Creek and the Nature Center connected by local trails; and improve our part in the greater Chautauqua Rails to Trails and Erie to Pittsburgh Trails.
- Complete streets and unfinished sidewalks to improve walkability in the Village, this includes Chautauqua County adding a pedestrian walk on the Hart Street bridge.
- Establish a ‘village’ brand... create a “billboard” to Sherman. Ideas of what this could include are:
 - Promoting the Trail Town Designation = Economic Development.
 - Connecting Sherman to Clymer, by CR2T (Chautauqua Rails to Trails).
- Supplemental projects involving seasonal businesses (e.g., an ice cream shop), businesses related to trail tourism (e.g., bike store/repair shop), and Amish culinary, crafts, and wood products.
- We want weekend business! This would need extended business hours for current businesses, new businesses that support holiday and weekend traffic, providing experiential shopping with artisans and farmer’s market.
- Art and cultural elements related to the agricultural heritage, images, and history of Sherman through murals, sculpture, and events – placemaking.
- Improve lights and visibility under the Walkable Awning along Main Street, and along Osborne Street off the I-86.

COMMITTEE UPDATES

Trail Committee – Patrick Johnson (CR2T & Erie to Pittsburgh Trail board member) is meeting with area residents regarding their support of the trail on their property between Sherman & Clymer. Colleen Meeder is attending the Trail Summit in Ford City, PA on Friday September 16th.

Steering Committee – Met on August 22nd, where they discussed the Sherman “business district”, reviewed the Fence Law, NY Forward and Restore NY grant applications.

Planning Board – Met on August 22nd to review the applications through the CFA for the GIGP Main Street Streetscape and the Climate Smart Communities Nature Center Pond Stormwater Retrofit project, the upcoming NY Forward and Restore NY applications, and discussed leveraging the opportunities.

Tree “Beautification” Committee – Accepting tree orders for delivery in October; Doug and Georgia are meeting to discuss the type and placement of the ‘matching trees’.

MAYOR

- **Josh Cole of Cole Electric is going to sponsor a Community Garden.** The Village will need to find a location and gather those interested in organizing and participating in 2023.
- **1st Annual Sherman Music Festival** organized by the Sherman Chamber of Commerce, sponsored by the Cooler Bar & Grille, Triple E Manufacturing, and the Village of Sherman, was staffed by the Hard Heads, Chamber volunteers, and had over 230 people in attendance.

PUBLIC PARTICIPATION

FINANCIAL REPORTS FROM CLERK-TREASURER:

General Checking Account: Balance (09/13/2022) is \$229,173.50 & book balance \$199,794.51
NYS Fund Bank Account: Balance (09/13/2022) is \$0
Sewer Project Bank Account: Balance (09/13/2022) is \$572.74 & book balance (\$507,972.89)
Water Project Bank Account: Balance (09/13/2022) is \$24,766 & book balance (\$259,438.94)
Stormwater Project Account: Balance (09/13/2022) is \$83,007.60
Parks Fund Account: Balance (09/13/2022) is \$23,774.82 & book balance \$20,445.54
Climate Smart Account: Balance (09/13/2022) is \$198,958.75 & book balance \$192,958.75
CD Account: Balance (09/13/2022) is \$0
CD Transfer: N/A
Account Adjustments: N/A

RES 2022-09-14.2: VOUCHER #4 2023

Motion to accept Voucher #4 for \$942,940.41 for August 2022, of which \$0 is from the NYS Special Fund, \$614,680.22 is from the Sewer Project Fund, \$259,498.94 is from the Water Project Fund, \$3,329.28 is from the Parks Fund, \$0 is from the Stormwater Project Fund and \$6,000 is from the Climate Smart/Economic Development Fund.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.3: ADDITIONAL VOUCHER APPROVAL

Motion to approve the payment of \$1,440.00 to Slab City for topsoil and fill, and the payment of \$2,300 to Keith Cady for the pad under the pavilion at Edmund’s Park, (submitted by the Streets Superintendent following the preparation of Voucher #4).

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.4: AUTHORIZATION FOR ON-LINE PAYMENTS

Motion to approve and authorize the clerk-treasurer to make electronic payments on-line to the utility companies, newspaper legal notices, and the credit card service, initiated from the companies’ website. *All EFT Electronic Fund Transfers through ACH Automated Clearing Houses are reported on the monthly vouchers.*

Moved by Trustee Watson Seconded by Trustee Labuskes

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.5: 2023 ANNUAL FIRE CONTRACTS

Motion to authorize the clerk-treasurer to draft and distribute the 2023 Fire Contracts with a 2% increase, as directed by the Stanley Hose Company; to authorize the mayor to sign acceptance of said contracts; and to authorize the June 2023 collection and July 2023 remittance of said funds.

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

OLD BUSINESS:

No old business was discussed.

NEW BUSINESS:

RES 2022-09-14.6: STANLEY HOSE/VILLAGE OF SHERMAN 2023 FIRE CONTRACT

Motion to approve the annual fire contract reflecting a 2% increase over the previous year, totaling \$24,860.56 for the 2023 contract; and authorize the mayor to enter into the 2023 agreement between the Village of Sherman and the Stanley Hose Fire Company.

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.7: AMENDED BOND RESOLUTION CERTIFICATION - STORMWATER

Motion to accept the Clerk-Treasurer’s certification of the Bond Resolution adopted by the Village Board **RES 2022-08-10.5**, subject to permissive referendum. Following the legal publication on August 13, 2022, in the Post Journal, and the August 11, 2022, posting of notices in 6 public places within the Village of Sherman, no valid petition for a permissive referendum was submitted and filed with the Village and the period of time for such submission and filing has elapsed.

Moved by Trustee Sanders Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.8: B&L SOLAR AGREEMENT AMEND #2 FOR PROJECT INSPECTION

Motion to approve Amendment No.2 to the agreement between the Village of Sherman and Barton & Loguidice for professional services for the SL Sherman Project originally dated February 23, 2021 and approve and authorize the mayor to sign the agreement. This amendment is for an additional

escrow amount of \$10,000 for services including the final review and project inspection which will be the responsibility of Solar Liberty.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.9: ZONING BOARD OF APPEALS

Motion to appoint new board member Ken Labuskes to the Zoning Board of Appeals.

Moved by Trustee Sanders Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.10: e&b² AMENDMENT FOR WWTP RESIDENT INSPECTOR

Motion to approve Amendment No. 1 to the agreement between the Village of Sherman and e&b Squared for the professional services for the WWTP resident inspector originally dated February 2, 2022 and approve and authorize the mayor to sign the agreement. This amendment is for an additional \$22,000 in services. (*Within the \$100,000 budgeted amount for resident inspection.*)

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.11: RESTORE NY APPLICATION

Motion to reaffirm the previous RES 2022-08-31.1 and approve the application to NYS Empire State Development for \$2 million for the proposed \$2,222,222 project to rehabilitate 130 West Main Street for the use as a community center, and approve and authorize the mayor to sign all related documents and pay the \$500 application fee; final application due October 11, 2022, by 3:00 pm.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.12: NY FORWARD APPLICATION

Motion to approve the application to NYS Dept of State for the NY FORWARD program for \$2.25 or \$4.5 million for downtown revitalization, and approve and authorize the mayor to sign all related documents; final application due to the REDC Regional Economic Development Council on September 23, 2022.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.13: 2022 HALLOWEEN TRICK OR TREAT HOURS

Motion to approve setting the “trick or treat” hours from 5pm until 7pm on Monday, October 31.

Moved by Trustee Emory Seconded by Trustee Labuskes

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.14: SOLAR LIBERTY OPTION TO LEASE AGREEMENT REVISIONS

Motion to approve and authorize the mayor to sign the revisions to the Option to Lease Agreement between Solar Liberty and the Village of Sherman for purposes of establishing community Solar Array 1 and Solar Array 2, along Rt 430, W Main St, involving minor language revisions, and no changes to financial terms to the original agreements approved under **RES 2020-11-04.12: SOLAR – OPTION TO LEASE AGREEMENT (1st ARRAY)** and **RES 2021-01-20.4: SOLAR – OPTION TO LEASE AGREEMENT (2nd ARRAY)**.

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.15: ACCESS CHAUTAUQUA (CHANNEL 5) – DONATION \$250

Motion to approve a \$250 donation to Access Chautauqua, Channel 5, in providing public service announcements and local information to the residents of our community.

Moved by Trustee Labuskes Seconded by Trustee Watson

Ayes: 4 Nays: 1 (Emory) Carried

RES 2022-09-14.16: COMMUNITY DEVELOPMENT CORPORATION MEMBERS

Motion to appointment three members to the Community Development Corporation as formed under RES 2020-03-04.15 as follows:

Colleen Meeder Brian Bates and Joel Fisher (*pending his acceptance*)

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 4 Nays: 1 (Labuskes) Carried

RES 2022-09-14.17: ADVERTISING IN THE 2023 CHQ COUNTY TRAVEL GUIDE

Motion to approve advertising in the 2023 Chautauqua County Travel Guide, not to exceed \$1,000.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

RES 2022-09-14.18: BUSINESS SIGN INVOICES

Motion to approve the invoicing of the business signs organized under the RBDG Grant, at a rate of \$7.50 for a 2’x2’ sign and proportionally related, and \$150 for the 4x8’ semi-permanent metal signs; therefore, approving an additional (approximation) \$2,200 in Village expense for the Sign Project.

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

Motion to move into Executive Session at 8:47 to discuss contractual and legal issues, with no action to be taken following the executive session; and Trustee Labuskes requested time in Executive Session.

Moved by Trustee Emory Seconded by Trustee Labuskes

Ayes: 5 Nays: 0 Carried

Future business items requested by trustees:

- Establish two policies regarding**
- 1.) Board Members and zoom for public meetings
 - 2.) Public access to public meetings via zoom

Motion to adjourn the meeting at 10:45 pm.

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

Respectfully submitted

Jeanette Ramm

Clerk-Treasurer

**Next Meeting: Special Mtg Monday September 26, 2022 at 6pm
Regular Board Mtg Wednesday October 12th, 2022 at 6pm**