

REGULAR BOARD MEETING:

ASSET MANAGEMENT

The mayor said the village had a full inventory inspection done by CHA Consulting, Michael Miller, from Indiana who was impressed with our procedures and facilities, as well as our website and minutes. The inspection covered all aspects of our operations. It was noted that we are doing a good job, and that our rates are low. The inspector said we should be watching our budget and increasing our rates every year. The mayor told him that we are working on other revenue sources to help offset some of the expenses, ensuring the burden isn't so heavy on our residents. The management assessment is a full assessment, not only of our plans for replacing the 15-year (short-term) life items that need to be cycled out, but budgeting and reserving for future projects including replacing the treatment plant in the future. It also assessed how we are managing our finances and operations, including equipment maintenance, budgeting, paying our employees, and staffing needs, etc.

DEPARTMENTAL REPORTS FROM CHIEF OPERATOR

SEWER

- We had some issues with the sludge going to the landfill, one load had to be retested, but this is all sorted out now.

WATER

- The water building is good.
- The installation of the fence is complete along the Chase property.
- The lead pipe inventory is about 90% complete. We are using Diamond Maps, and if we input all the pipe data that we've verified into the Diamond Map app, it will be able to generate future reports, which will save us a lot of time. Everything is on track for submission by the due date.

STREETS

- Streets Superintendent, Doug Crane has finished preparation for the cement in front of 110 and 114 West Main Streets, but there have been new ADA requirements which have delayed the cement pour. Neighboring property owner, Cris Loutzenhiser questioned the delay and discovered that the new ADA requirements would also affect his property. The State mandated ADA updates require additional railings and ramps which Mr. Crane has spoken to all the relevant property owners about for a second time. The mayor commended Mr. Crane and said that this project should be completed before the bad weather.
- Fall leaf pick up is underway. Residents must rake their leaves to the edge of the street.

CAPITAL PROJECT UPDATES

STORMWATER

- The last of the DI's are being installed and Legend is working on the final curb stops and paving.
- We are waiting for approval from CDBG for a change work order for Church Street.

- A future proposed change order includes adding a curb and sidewalk along Franklin Street from The Cornerstone to the bridge. USDA-RD is in support of these changes, but we are waiting for approval from Homes and Community Renewal, who administer the CDBG grant.
- A second proposed change order involves closing in the creek behind the athletic field for an additional 200ft. We have asked for jurisdictional opinion from the DEC and US Army Corps of Engineers. This is required as part of the NEPA (National Environmental Policy Act) process since we are using federal funds from both USDA and CDBG (administered through NY State, but still federal funds). After speaking to David Spann, from Soil and Water, these sites are clearly not on any DEC or US Army Corps maps. The stream doesn't have a large flow of water, and definitely doesn't flow all the time.
- Clarification is needed on the new project as the original bid quoted DI and piping at \$850/sq ft, but the current estimate is \$2,700/sq ft. We didn't use all the earlier stock, which should reduce the total cost, so the engineers are looking at the numbers.
- The change order also pushes some of the work out to spring as it can be completed on the other side of the year.
- The final steps to completing the athletic field involve seeding and fencing, which has been postponed. Legend will remove all equipment from the site until after homecoming, and then finish
- The trustees looked over the drawings of the Church Street and Franklin Street change orders. With regards to Franklin Street, people are in agreement about adding a sidewalk and a skirting to the parking area, which will remain unpaved at this time. The greater stormwater project will include green spaces within the black top area of the parking lot, i.e., more green infrastructure tied into the paving.

SEWER

- The planer was the last piece of the project, and it is now on site. The final invoice is being paid with this meetings voucher, USDA-RD have the serial number and their photographs of the equipment. The project is officially closed!

COMMITTEE & AGENCY UPDATES

Solar Project – Solar Array has been active since July, and the interconnection for Solar Array II is expected to be completed by Feb 2025.

Steering Committee / Stakeholders Committee – are meeting on Monday October 14, 2024, at 6:30pm to review of the Village's NY Forward application, a copy of which is also being sent to the trustees for review before submission.

Restore NY Grant – another round of Restore NY opened, and the village will submit a letter of intent by Wednesday, October 23, and the full application, which is due Friday, December 20, 2024.

Preserve NY Grant – We are working with Clinton Brown Company Architecture regarding the Technical Assistance Grant (TAG) to review the conditions of the Peter Ripley House. There is a lot of water damage to the upstairs ceilings and the roof will also need to be reviewed. We were able to get a lot of good photos, including some arial shots with the village drone, for the application. It is a \$4,000 grant requiring a \$1,000 match if we are awarded the grant and is due on October 18th.

NY Forward Grant – in association with NYS DOS through the WNY REDC (Regional Economic Development Council) this grant is also due on October 18th, and whether we get the grant or not, this has been a wonderful process. It has generated a lot of discussion regarding so many important topics, including the back alley (behind the attached row building on the north side of Main Street) which is actually not an alley. This grant is our primary focus right now, and after our submission the clerk will work on a dedicated website.

Sherman Chamber of Commerce – meet today Wednesday, October 9, at 9am, in the Village Office and talked about the successful Sherman Music Festival and finalized the details of the upcoming Christmas week and Lighted Tractor Parade. It was noted how good it is to see the different businesses and organizations working together, each participating or taking responsibility for an event and actively sharing the load. Last year, the majority of the events were organized and managed by Michelle Emory, and a lot were hosted by the Cooler Bar & Grille. This year more of the Main Street businesses are getting involved with the Christmas week.

MAYOR

- JMA (Johnson, Mackoviak, and Associates, LLP) has started our Single Audit and we have already given them access to multiple documents. The mayor told trustees JMA could be reaching out to any of them during this process.
- Night at the Museum was held Thursday, September 26th, at 6pm at the French Creek Yorker Museum for the NY Forward Application. It was the perfect setting with the sun setting and the sting lights. All the buildings were available for residents to tour, and it initiated a lot of discussion about the potential of the museum, especially from Historical Society members, which was very encouraging. All the proposed projects were presented, which generated a lot of interest and comments from all those who attended the event. We would like to host another event at the museum, next time with music and dinner (by reservation).
- We have secured a spot in the Chautauqua Visitors Guide, at the discounted price to advertise the next Night at the Museum, which will be held on September 25, 2025.

PUBLIC PARTICIPATION

There was no public participation.

FINANCIAL REPORTS FROM CLERK-TREASURER:

Community Bank Accounts:

General Checking Account: Balance (10/09/2024) is \$35,643.15 & book balance \$3,685.34
NYS Fund Bank Account: Balance (10/09/2024) is \$92,821.41 & book balance \$17,781.41
Sewer Project Bank Account: Balance (10/09/2024) is \$16.49 & book balance (\$24,091.31)
Bldg/Wtr Project Bank Acct: Balance (10/09/2024) is \$3.12
Parks Fund Account: Balance (10/09/2024) is \$800.46
Stormwater Fund Account: Balance (10/09/2024) is \$20,746.97 & book balance (\$456,714.16)
Climate Smart Account: Balance (10/09/2024) is \$14,031.03
Debt Service Account: Balance (10/09/2024) is \$47.73
Reserve Account: Balance (10/09/2024) is \$32.97
NYCLASS Account: Balance (10/09/2024) is \$695,512.07
Of which is: General Funds \$215,479.07
Capital Funds \$411,810.59

Contains Stormwater BAN proceeds and Water Proj. Balance

Debt Funds \$40,352.15
Repair Reserve Funds \$27,870.26
Receipts: Total \$74,992.81

RES 2024-10-09.4: VOUCHER #5 2025

Motion to accept Voucher #5 for \$555,081.26 for September 2024, of which \$3,383.75 is from the NYS Special Fund, \$24,107.80 is from the Sewer Project Fund, \$0 is from the Water Project Fund, \$0 is from the Parks Fund, \$477,461.13 is from the Stormwater Project Fund, and \$0 is from the Climate Smart/Economic Development Fund.

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

NEW BUSINESS:

RES 2024-10-09.5: APPLICATION TO THE NY FORWARD PROGRAM

Motion to approve the Village of Sherman's application the NY Forward Program:

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH A NY FORWARD GRANT

WHEREAS, the Village of Sherman has determined it is in the best interests of the community that the Village in concert with its residents and local and regional stakeholders revitalize our downtown through a number of transformative projects; and

WHEREAS, New York State has allocated \$100 million in funding to assist communities in implementing transformative projects that revitalize their downtown; and

WHEREAS, the Village of Sherman has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of an application under the NY Forward Grant program; and

WHEREAS, the NY Forward Grant could provide funding to the Village of Sherman in the amount of \$4.5 million; and

WHEREAS, if awarded, the Village of Sherman will be required to establish a Local Planning Committee who will work with a consultant and a NYS Project Manager through a planning process focused on the development of a Strategic Investment Plan; and

WHEREAS, the Strategic Investment Plan will define the community's vision, goals, and strategies for revitalizing our downtown while identifying a suite of complementary and transformative projects, which will be submitted to the State for review and selection for funding;

NOW THEREFORE BE IT RESOLVED, that the Village Mayor is authorized to submit an application for a NY Forward Grant and to execute all documents necessary for the implementation of this work relating to the financial and/or administrative processes of the grant program; and

BE IT FURTHER RESOLVED, that the Village of Sherman has committed to working with local and regional stakeholders to identify and obtain the additional funding necessary to carry out these projects; and

BE IT FURTHER RESOLVED, to the extent any or all actions hereby authorized have been executed and/or performed by the mayor all are hereby ratified and confirmed and this Resolution takes effect immediately.

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

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

Church Street – design plan additions to lower Church Street

RES 2024-10-09.6: MAIN ST STORMWATER CHANGE ORDER #1 – CONTRACT 1A

Motion to approve and authorize the mayor to sign the first Change Order for the Main Street Stormwater Improvement Project with Legend Excavating, LLC, the general contractor; extending the duration of the project into spring of 2025, includes the following changes to scope (*relating to the Church Street area*), and an increase of \$58,335.00 in contract price; with Rural Development approval; pending Community Development Block Grant – Homes & Community Renewal approval.

This change order includes a change in scope to include the stormwater infrastructure and restoration work shown on Sketch SK-2 – Church Street Phase 2. The additional scope includes installation of new drainage pipe and inlets near the south end of Church Street, as well as full depth pavement restoration, new curbing and sidewalk to facilitate positive drainage to new structures and piping, and restoration of vegetated areas along Church Street. The cost of this change in scope will be \$158,335.00. The change in scope will result in the use of 100-percent of the Miscellaneous Work Allowance (Payment Item 46) in the bid allowance amount of \$100,000 and, accordingly, the Contract Price will be increased by \$58,335 from \$1,078,808.88 to \$1,137,143.88 to cover the remaining costs. This change order also includes a +249-day time extension to allow for final surface restoration through the spring of 2025.

Change in Contract Price

Original Contract Price: \$ <u>1,078,808.88</u>	Original Contract Times: Substantial Completion: <u>September 25, 2024</u> Ready for final payment: <u>October 25, 2024</u>
[Increase] [Decrease] from previously approved Change Orders No. 1 to No. _____ \$ <u>0.00</u>	[Increase] [Decrease] from previously approved Change Orders No. 1 to No. _____ Substantial Completion: _____ Ready for final payment: _____
Contract Price prior to this Change Order: \$ <u>1,078,808.88</u>	Contract Times prior to this Change Order: Substantial Completion: <u>September 25, 2024</u> Ready for final payment: <u>October 25, 2024</u>
[Increase] [Decrease] this Change Order: \$ <u>58,335.00</u>	[Increase] [Decrease] this Change Order: Substantial Completion: <u>+249 days</u> Ready for final payment: <u>+249 days</u>
Contract Price incorporating this Change Order: \$ <u>1,137,143.88</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>June 1, 2025</u> Ready for final payment: <u>July 1, 2025</u>

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>Absent</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 2024-10-09.7: ADVERTISING IN THE 2025 CHQ COUNTY TRAVEL GUIDE

Motion to approve advertising in the 2025 Chautauqua County Travel Guide not to exceed \$600, with the intent of advertising the 2025 Night at the Museum event promoting the Village of Sherman’s French Creek Yorker Museum.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 4 Nays: 0 Carried

RES 2024-10-09.8: PRESERVE NY GRANT APPLICATION FOR YORKER MUSEUM

Motion to approve the Village of Sherman’s application to the Preservation League of NYS for a Preserve NY – Technical Assistance Grant for a Limited Conditions Assessment of the Peter Ripley House within the French Creek Yorker Museum; and approve the engagement of Clinton Brown Company Architecture for the purposes of applying for the Preserve NY Grant, (applications due October 18th, 2024); and serving as the appointed firm to prepare the Limited Conditions Assessment; with the estimated grant award of \$4,000, and the Village of Sherman herein commits to the match of \$1,000; and to approve and authorize the mayor to sign all related documents.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 4 Nays: 0 Carried

RES 2024-10-09.9: RESTORE NY HERITAGE RESOURCES ENGAGEMENT

Motion to approve and authorize the mayor to sign the engagement letter with Heritage Resource, LLC for the purpose of reapplying to the Restore NY Program Grant for the 124 E Main Street, We Rock the Spectrum – Sherman project, and for professional services not to exceed \$2,000.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 4 Nays: 0 Carried

RES 2024-10-09.10: EXTEND TOWN OF CHERRY CREEK CONTRACT

Motion to approve and authorize the mayor to execute the extension of the contract with the Town of Cherry Creek with no changes for October 2024-October 2025, with the exception of the mileage rate dependent on the IRS mileage rate.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 4 Nays: 0 Carried

RES 2024-10-09.11: HCC INSURANCE POLICY EXTENSION

Motion to extend the current insurance policy under Tokio Marine / HCC Insurance effective 11/11/2023-11/11/2024 through to 06/01/2025, at the current rates; and approve the mayor to execute all related documents and authorize payments to WNY Insurance Agency.

Moved by Trustee Crane Seconded by Trustee Emory
Ayes: 4 Nays: 0 Carried

Motion to move into Executive Session at 6:59p.m. to discuss legal and contractual issues, with possible action to be taken following the executive session.

Moved by Trustee Crane Seconded by Trustee Emory
Ayes: 4 Nays: 0 Carried

Returned to the regular meeting at 7:53pm.

Motion to adjourn the meeting at 7:53pm.

Moved by Trustee Crane Seconded by Trustee Watson
Ayes: 4 Nays: 0 Carried

Respectfully submitted,
Jeanette Ramm
Clerk-Treasurer

Next Meeting: Special Meeting November TBD
Regular Meeting November 13, 2024, at 6pm.