



Code Enforcement Officers: Greg Gormley, Enforcement Officer (Zoning & Code)  
 Dave Heckman, Inspection Officer – Consulting Basis  
*Jeff Messenger, Building & Safety Inspector (BSI)*  
*w/ the approval of proposed RES 2023-05-17.7*

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

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 has advanced approval for utility payments (with department head approval), 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 2023-2024.
- 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), and Stanley Hose Fire Company
- Workers Compensation covers all Village employees (paid and unpaid) 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.

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 11/11/2023-11/11/2024  
 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 65.5 cents per mile)

Personal vehicle use reimbursement: Chief Operator, Jay Irwin: \$30/m for plowing, South & Ctr, etc.

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

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

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:

**Schedule of Fees RES:2019-05-01.15**

*Recodification Local Law Sec 402 Authorized*

	Residential 1 & 2 Family	Agricultural Agricultural	Commercial & Multi-Dwellings
<b>A</b> 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>B</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
<b>C</b> 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	Initial Special Use Request	50.00	40.00	50.00
	Special Use Requiring Annual Renewal	30.00	30.00	30.00
H	Variance Request	150.00	100.00	200.00
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

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 2020-02-05.7
Water Emergency Response Plan	Reaffirm the Drinking Water System ERP 2020-05-06.23 (Update every three years.) (Currently being updated.)
Records Retention:	Reaffirm the Records Retention and Disposition Schedule LGS-1, adopted by RES 2020-11-04.9
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 2021-09-08.12
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

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

**RES 2023-05-17.1: ANNUAL ORGANIZATIONAL ITEMS**

Motion to approve the annual organizational items as presented.

Moved by Trustee Watson    Seconded by Trustee Emory

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.2: DEPUTY MAYOR**

Motion to reaffirm the authority of the deputy mayor to act on behalf of the mayor in her absence.

Moved by Trustee Crane      Seconded by Trustee Watson

Ayes: 4      Nays: 0      Abstained: 1 (Sanders)

**RES 2023-05-17.3: 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 Emory      Seconded by Trustee Sanders

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.4: PLANNING BOARD MEMBER APPOINTMENT**

Motion to reappoint Kelly Jo Becker to the Planning Board, for a 5-year term ending May 2028.

Moved by Trustee Watson      Seconded by Trustee Sanders

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.5: MUNICIPAL ZONING BOARD**

Motion to reaffirm the Village Board of Trustees to the Municipal Zoning Board, in accordance with the Village Zoning Law.

Moved by Trustee Emory      Seconded by Trustee Crane

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.6: ZONING BOARD OF APPEALS**

Motion to reappoint the following members to the Zoning Board of Appeals, 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

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

**RES 2023-05-17.7: BUILDING & SAFETY INSPECTOR**

Motion to appoint Jeff Messenger to the position of Building & Safety Inspector, to be called upon in the absence of the Code Enforcement Officer or in the event of a conflict of interest; to be compensated at a rate of \$20/hour and to be reimbursed mileage.

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

**RES 2023-05-17.8: SEQRA – LL 2-2023 PEST REMEDIATION**

Motion to approve the Negative Declaration of SEQRA for the LL 2-2023 Pest Remediation:

**RESOLUTION OF THE VILLAGE OF SHERMAN VILLAGE BOARD DETERMINING THAT THE ACTION TO EXECUTE THE PROPOSED LOCAL LAW NO. 2 OF 2023 (VILLAGE OF SHERMAN PEST REMEDIATION 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 2023 (Village of Sherman Pest Remediation Local Law) (the “Action”), which will establish the approved process for remediation of infestations of insects, rodents, or other pests and vermin in violation of NYS Law, for the purpose of protecting and securing the health, safety, welfare, and quality of living within the Village of Sherman;

**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 2023 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 2023, 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 FEAF 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 FEAF 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 Sanders, 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>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 17<sup>th</sup> day of May, 2023.

**RES 2023-05-17.9: SEQRA – LL 3-2023 SEWER RENT LAW AMENDMENT**

Motion to approve the Negative Declaration of SEQRA for the LL 3-2023 Sewer Rent:

**RESOLUTION OF THE VILLAGE OF SHERMAN VILLAGE BOARD DETERMINING THAT THE ACTION TO EXECUTE THE PROPOSED LOCAL LAW NO. 3 OF 2023 (VILLAGE OF SHERMAN AMENDMENT OF SEWER 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. 3 of 2023 (Village of Sherman Amendment of Sewer Rent Local Law) (the “Action”), which will allow the Village of Sherman to amend the Sewer Rent Law section of Schedule of Fees for those receiving services from the Village of Sherman;

**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. 3 of 2023 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 2023, 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 FEAF 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 FEAF 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 Sanders, 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>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 17<sup>th</sup> day of May, 2023.

**RES 2023-05-17.10: LOCAL LAW 2-2023 PEST REMEDIATION**

Motion to adopt the proposed Local Law 2-2023 Pest Remediation Law, providing the approved process for enforcing the remediation of infestations and removal pests as defined by New York State Property Maintenance Code, part of the New York State Uniform Fire Prevention and Building Code.

**PEST REMEDIATION**

**Local Law No. 2 of 2023**

*(The full law is attached at the end of the minutes)*

Moved by Trustee Emory      Seconded by Trustee Crane

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.11: LOCAL LAW 3-2023 SEWER RENTS LAW AMENDMENT**

Motion to adopt the proposed Local Law 3-2023 Amendment of the Sewer Rent Law, providing the approved process for updating the schedule of fees and adoption of rates for the sewer rent by resolution of the Board of Trustees.

**Village of Sherman**

**SEWER RENT LAW**

**AMENDMENT**

**Local Law No. 3 of 2023**

*(The full law is attached at the end of the minutes)*

Moved by Trustee Watson      Seconded by Trustee Emory

Ayes: 5      Nays: 0      Carried



**RES 2023-05-17.12: TAX BILL NOTIFICATIONS & AWQR NOTIFICATIONS**

Motion to insert notice that the Annual Water Quality Report (once approved by the DOH) and proposed/adopted local law 2-2023 and local law 3-2023 are available on the website and from the Village Office upon request, into the Village Property Tax Bills and include the same notice with the June water and sewer bills.

Moved by Trustee Crane      Seconded by Trustee Sanders

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.13: EMPLOYEE BENEFIT BALANCES**

Motion to record in the minutes the balance of employee benefits as of pay ending May 14, 2023; and approve the full roll over of any unspent “unused paid time off”, accrued vacation and personal time from fiscal year 2022-23, into the fiscal year 2023-24.

Employee benefit balances as of May 14, 2023:

COMP TIME      UNUSED PAID TIME OFF

27      Larry      Using the balance of his time & added 2023-24 accrual thru 7/11/23

69 ¾      Kyle      Gave 2wks notice, balance of time and added partial 2023-24 accrual

36 ¾      Jeanette      40-hrs

42 ¼      Doug

Moved by Trustee Watson      Seconded by Trustee Emory

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.14: UNUSED VACATION TIME**

Motion to approve the payment of \$6,457.16 to the Chief Operator for the inability to take all vacation time during the 2022-2023 fiscal year; *with 0 hrs vacation to carry over into 2023-24.*

Moved by Trustee Crane      Seconded by Trustee Watson

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.15: 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 2022-09-14.6: 2023 Village of Sherman Contract of \$24,860.56 is payable July 2023; and as of May 17, 2023, the Village has \$125,522 allocated to a minor special fund for Fire.

Moved by Trustee Emory      Seconded by Trustee Crane

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.16: STANLEY HOSE COMPANY**

Motion to allocate another \$16,000 of General Funds to the minor special fund for Fire.

Moved by Trustee Watson      Seconded by Trustee Crane

Ayes: 5      Nays: 0      Carried

**Previous projections  
presented for of 2023 and  
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 2023-05-17.17: SEWER BASE INCREASE, WATER & SEWER FEE SCHEDULE**

Motion to approve the increase of the base sewer service charge to \$57/month per equivalent dwelling unit (EDU), effective June 1, 2023, with the adoption of and filing of LL 3-2023 Sewer Rents Law Amendment with the NYS Department of State under RES 2023-05-17.11; and record the following Water and Sewer Fee Schedule for fiscal year June 1<sup>st</sup>, 2023 – May 31<sup>st</sup>, 2024

\*\*\*\*\*Water Base \$30.00/month/EDU (increase of \$2.50/month LL 1-2022)

(no-change) Water Use Rate \$4.60/100 CuFt

\*\*\*\*\*Sewer Base \$57/month/EDU (increase of \$4.00/month LL 3-2023)

(no-change) Sewer Use Rate \$4.00/100 CuFt

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

**RES 2023-05-17.18: 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-hrs) Trustee, Dennis Watson (6-hrs) Trustee, Danielle Crane (6-hrs).

Moved by Trustee Sanders Seconded by Trustee Crane

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 Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

**MUNICIPAL ZONING BOARD MEETING:**

Zoning Board of Appeals (ZBA) had their second public hearing to hear cases for variances so that residents could come into compliance with the local law (LL 4-2022) amending Zoning Law Section 616 regulating Fences, Walls, and Hedges. All the variances were approved, except for one which was given a period to correct their fence. Less than 10% of the violations required work to fix or change something on their property, the other properties were simply getting their paperwork up-to-date, and there was no charge for the variance. This process was made as easy as possible. The ZBA is as essential to the village as the board of trustees. They make serious

decisions with a limited amount of information, and there is not always a perfect solution. They are a group of discerning people with different skill sets and we have only had good reports about them. One of the questions from the public was about a wall being ‘grandfathered’ in since it has been there for so many years. ‘Grandfathering’ is no longer accepted. Typically, the property owner has 6-months to comply, but we are giving residents 12-months to get into compliance and not charging for the variance. We made this as simple as possible, our enforcement officer even filled out most of the paperwork.

Update on West Main Street – the individual from the 189 West Main Street case didn’t show up for court again and the judge is trying to determine the next steps. The judge sees such a diverse range of cases and has reached out to his resources in Albany. Having someone local who specializes in this type of issue, and a local prosecutor, is why we are pushing for a local housing court here in Chautauqua. At this time our local counsel is looking into asking the DA to see if they will allow our local attorney to act as prosecutor for us.

Update on Park Street – Mayor Meeder showed photographs of the progress of the cleanup at 170 Park Street. The trash has been removed, mowing has started, and David Conrad, of Conrad Contracting, has been asked to secure the building. Nothing was removed from inside the accessory structure, and Doug Crane managed to close the door on the ground floor and secure the upper door which was hanging dangerously. There have been trespassing issues which the State Troopers have been dealing with, and this should help. We have already received gratitude for the cleanup, and we haven’t finished yet. We will be billing this accordingly, and if unpaid, it will be levied onto the tax roll for next year.

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

Moved by Trustee Watson    Seconded by Trustee Emory

Ayes: 5    Nays: 0    Carried

## **REGULAR MEETING OF THE BOARD**

### **RES 2023-05-17.19: MINUTES**

Motion to accept the previous minutes of the Regular Board Meeting, Municipal Zoning Board Meeting and the Public Hearings of the 2023-2024 Budget and the Proposed LL 1-2023 (Purchase Money Mortgage) held on April 19, 2023; and the Special Meeting of the Village Board and the Municipal Zoning Board Hearing on May 1, 2023.

Moved by Trustee Emory    Seconded by Trustee Crane

Ayes: 5    Nays: 0    Carried

## **DEPARTMENTAL REPORTS FROM CHIEF OPERATOR**

### **SEWER**

- Jay Irwin told the trustees that Kyle Rhebergen has put in his 2-weeks’ notice, and we have cancelled the payment for his final certification test through the state. The job will be posted on Indeed and we will consider both full-time and part-time applicants, either way the person will still need to become a certified operator. It was decided that the wage range will be between 18-24 depending on their level of experience. We are waiting for the final determination of our upgraded plant, whether it will remain a 2A or be classified as a 3A.

Paul Fisher has a 3A certification and could be an assistant operator until December 2023 when his certification expires.

- Mr. Irwin will be away for his annual Wastewater Operators conference for 3 days next week.

## **WATER**

- The trailer on Klondyke Street is being replaced, which means we won't lose an EDU (Equivalent Dwelling Unit).

## **STREETS**

- The cleanup on 170 Park Street was covered in the municipal zoning portion of the meeting.
- Preparation for the new volleyball courts is underway at Edmunds Park, and the hole to begin the foundation work for the restrooms has been dug. The materials for both family-style restrooms are coming in so the water and sewer pipes and hookups will need to be prepared. The restrooms will also have a changing table and showers. This would serve volleyball players, bikers, trail users, and Edmunds Park users. The hours the restrooms will be open will be determined by the Edmunds Park committee at a later date.
- Doug bought a broom and is adding an arm to it so that it can be attached to the trackless, which will save us \$7,000.
- The Town's truck which we use to lay the black top is being repaired at this time.

## **STORMWATER**

- The superintendent is working at the end of Church Street, where in an attempt to save money, he is trying to share the concrete load with the EV Station work. Unfortunately, they used the whole truck load and so this delayed us from pouring the sidewalk concrete along Main Street.

In response to a question about the number of full-time employees the Village now had, the mayor said there would be 4 full-time employees, including the clerk-treasurer, as of June 1<sup>st</sup>.

## **CAPITAL PROJECT UPDATES**

### **SEWER**

- We anticipate starting operations on June 5<sup>th</sup>.

### **WATER**

- Northrup in coordination with Solar Liberty paved the Hart Street driveway, the rest of the driveway will be completed through the WWTP project.
- Northrup is completing yard reclamation and cutting down curb stops, basically completing all the punch list items for the water project.
- The loop on West Main Street, along the upper drive to the WWTP is done, Northrup contracted it out to H&K, and the formal approval by the DOH has been received so we will officially approve it this evening. Mr. Irwin said they flushed it today, will chlorinate it tomorrow and then test it next week before putting it into operation.

## **STORMWATER**

- We are scheduling a meeting with Charlie Phillion of CDBG and B&L about the upcoming application to CDBG for a Public Infrastructure Grant for the Stormwater Management Improvement Project – the Main Street Infrastructure Project in particular.
- The mayor explained the timeline for applications, awards, bids, construction and pay apps which the Federal government is condensing. This shortened timeline, along with NEPA (National Environmental Protection Agency) and SEQRA and other environmental requirements, makes it very difficult to meet the grant requirements and our current WWTP project must be running and available to everyone before we can even apply for a new CDBG grant.
- We will need to perform a survey of Main Street this summer in preparation for a Dec 2023 award and the shovel-ready requirements. The mayor handed out maps and discussed the proposed Main Street Infrastructure Project.

## **UPDATES ON OTHER PROJECTS/GRANTS:**

Complete Streets Planning Project – We were awarded \$12,000 from the County to do a complete Streets Planning Project to determine what we need and what opportunities we have. Now we are coordinating with CHN (Chautauqua Heath Network) for a Complete Streets Workshop to be held with GOBike. Our engineers have given us a contract for \$12,000 (less than the quoted \$15,000) because they see the value of what GOBike will bring to the project, which means we will not pay more than what the Complete Streets grant was. It's a reimbursable grant, so we will be reimbursed the full cost, and it will only actually cost us time.

EV Charging Stations – The blacktop and concrete work is done in the parking lot on Church Street. The next step is installing the electrical panels and charging units, and the project is expected to be completed in June.

Preserve NY Grant & CRCF Grant – The mayor went with the Sherman Historical Society to meet with the Chautauqua Regional Community Foundation (CRCF) regarding the grant application for the Yorker Museum, nothing has been heard yet and the Preserve NY Grant awards should be announced in July.

## **COMMITTEE UPDATES:**

The Steering Committee met on Tuesday, April 24, and selected all the properties that applied to be awarded 60%, (up to \$50,000) of the NYMS award funds. The Committee is awaiting final quotes/bids on the awning restoration portion of the NYMS Project. This is a multifaceted project including getting sign quotes, repairing some portions of the awning, installing the electrical wires, lights, sound system and speakers, and getting the electricity across the street.

Edmunds Park Committee – Along with the bathrooms, an elaborate playground has been selected and approved by Harold Wake, to be paid for by additional donations from the Wake Family Charitable Foundation.

Trail Committee - There will be an open house style meeting at Mayville Park's Carlson Center on Tuesday, May 30<sup>th</sup> at 6pm to present trail information to the Friends of the Chautauqua County Greenway (FCCG) led by Jacob Bodway. Also, the Chautauqua Lake students have built and distributed a few kiosks, including one for the Sherman trail head (Rosie Billquist Trail) which

they will put together and our Streets Superintendent, Doug Crane, will help them set it up. This kiosk initiative was spearheaded by Jacob Bodway (FCCG Director) and Bill Ward (Rails-2-Trails President).

Tree Committee – we are getting ready to apply for the Tree Maintenance & Tree Planting Grant (25% Match). The application is due in August.

## **MAYOR**

- **The CCIDA** is meeting in Jamestown on Tuesday, May 23 at 10am, the approval of the Sherman solar projects' Payment in lieu of Tax (PILOT) is on the agenda; (zoom attendance is available).
- **Memorial Day Observance:** The Memorial Day parade starts at 10am, followed by the service at the monument. Pastor Scott Linden of the Sherman Community Church and Town Supervisor Mark Persons will be speaking.
- **American Rescue Plan Act (ARPA / SLFRF)**

The allocation of the Federal Stimulus Funding of State and Local Fiscal Recovery Funds for the \$69,000:

- *Main Street economic and community development, including Main Street Building Restoration and Improvements, the building condition survey and feasibility study, and 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*

*(The report is attached at the end of the minutes)*

## **Cash & Disbursements Report and 2023-2024 Projections**

Mayor Meeder handed out spreadsheets and went over each line in detail of the current fiscal years' operating budget, income and expenditures, and the new fiscal year's projections.

## **PUBLIC PARTICIPATION**

Greg Rater joined the meeting briefly and asked if he could have 2 minutes of the board's time at the next meeting.

## **CHAMBER OF COMMERCE**

Jeanette Ramm shared that the Sherman Chamber of Commerce is currently running another fun creative competition. This time participants will decorate a gnome. They are also working hard preparing for the next Sherman Music Festival which will have no cover charge this year, and preparation has started in anticipation of another hugely successful Lighted Tractor Parade.

## **FINANCIAL REPORTS FROM CLERK-TREASURER**

General Checking Account: Balance (05/16/2023) is \$80,431.81 & book balance \$20,975.91

NYS Fund Bank Account: Balance (05/16/2023) is \$31,555.50

Sewer Project Bank Account: Balance (05/16/2023) is \$187,284.41 & book bal. (\$157,025.44)

Water Project Bank Account: Balance (05/16/2023) is \$10,118.20 & book balance \$7,906.04

Stormwater Project Account: Balance (05/16/2023) is \$83,007.60  
Parks Fund Account: Balance (05/16/2023) is \$31,786.61 & book balance \$26,054.08  
Climate Smart Account: Balance (05/16/2023) is \$136,817.75  
CD Account: Balance (05/16/2023) is \$0  
Account Adjustments: N/A

The clerk told the trustees that all the bank accounts are being changed to interest bearing accounts. When she started working here all the accounts were non-interest-bearing accounts, and she was recently alerted by the Community Bank Manager, Terry Warner, that other municipalities do earn interest and so all the accounts have been updated. After speaking with our municipal banker, the debt service and loan accounts will become money market accounts, as they will not be accessed frequently, and can therefore earn more interest.

The mayor added that our municipal banker, along with other professionals in the financial industry, are saying that interest rates will go up again, and then are expected to flatten out or even lower next year. We are looking at our bond resolutions later in the meeting. There is a 5-year bond for our smaller equipment which will be two lawn mowers and other streets equipment; we no longer need the sweeper. The second bond resolution is for a proper snow blower and a UTV which will be a 10-year bond. This is based on the value of the equipment, according to municipal finance law. We are also looking at working on two buildings with a 15-year bond. The office building has outside issues including the corner crumbling, the ramp needs repair, outside areas are retaining water – windowsills, soffits, etc. The other project is to convert the old drying bed into cold storage which would involve pouring a concrete floor, wrapping it in metal and leaving the front open to store equipment in. Our fiscal advisors suggested that we use our local bank for these smaller projects, as the slightly higher interest rate is balanced out by the saving on not having fiscal advisors put out the maturity schedule, put the bond out for sale and all the other costly requirements, which go away with us going directly through the bank.

**RES 2023-05-17.20: VOUCHER #12 2023**

Motion to accept Voucher #12 for \$229,274.04 for April 2023, of which \$0 is from the NYS Special Fund, \$204,758.69 is from the Sewer Project Fund, \$2,232.16 is from the Water Project Fund, \$5,732.53 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 Watson    Seconded by Trustee Crane

Ayes: 4    Nays: 0    Abstained: 1 (Emory)

**RES 2023-05-17.21: TAX WARRANT**

Motion to accept the Village of Sherman Tax Warrant for April 25, 2023 for \$276,164.87, including the approved budgeted General Fund Property Tax amount of \$226,365 and Unpaid Water/Sewer/Misc. amounts totaling \$49,799.87: of which the final amount of \$43,318.37 in unpaid water and sewer balances is re-levied unto the Village Tax Bill; the amount of \$750 in unpaid general fund invoices; and the amount of \$5,731.50 in water and sewer base charges is levied unto the Village Tax Bill for vacant and other storage properties.

Moved by Trustee Emory    Seconded by Trustee Crane

Ayes: 5    Nays: 0    Carried

**LAND LEASE PAYMENT UPDATE**

Outstanding balances (due 5/17/2023) for land lease payments include: the Reed Farms for the 2021 and 2022 seasons in the amount of \$3,600, which will incur the initial late fee of 5% totaling

\$3,780; and the Nickerson Farms for the 2021 and 2022 seasons in the amount of \$2,635.20, which will incur a late fee of 5% totaling \$2,766.96. All of which will incur an additional 10% late fee if payment is not received by 6/14/2023; after which, collection proceedings will commence.

**LOW INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM (LIHWAP) UPDATE**

According to Catherine Reese, we received an email (5/4/2023) informing us that “the water and wastewater systems (and eligible customers) only have until the end of this year to take advantage of the LIHWAP program. NYS has almost \$30M in grant remaining.” We will put this information in with the next mailing of the water and sewer bills.

**OLD BUSINESS:**

**RES 2023-05-17.22: 2023-2024 WAGES**

Motion to take from the table and approve the 2023-2024 Wage Schedule under the previous motion moved by Trustee Emory and seconded by Trustee Crane (Motion 2023-04-19.8) to accept the payroll schedule for the Village employees' hourly wages, beginning pay period ending June 11<sup>th</sup>, 2023, payable Monday, June 12<sup>th</sup>, 2023.

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

**NEW BUSINESS:**

**RES 2023-05-17.23: WWTP CHANGE ORDER #4– CONTRACT 1A - GENERAL**

Motion to approve and authorize the mayor to sign the fourth Change Order for the Wastewater Treatment Plant Improvement Project with H&K Services, the general contractor, extending the duration of the project by 35 days and moving the substantial completion date to June 30, 2023, and the final completion date to August 4, 2023; with no change in scope and no change in contract price.

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

**RES 2023-05-17.24: WWTP CHANGE ORDER #3– CONTRACT 1B – ELECTRICAL**

Motion to approve and authorize the mayor to sign the third Change Order for the Wastewater Treatment Plant Improvement Project with BECC Electric, the electrical contractor, extending the duration of the project by 35 days and moving the substantial completion date to June 30, 2023, and the final completion date to August 4, 2023; with no change in scope and no change in contract price.

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

**RES 2023-05-17.25: WWTP CHANGE ORDER #3– CONTRACT 1C – MECHANICAL**

Motion to approve and authorize the mayor to sign the third Change Order for the Wastewater Treatment Plant Improvement Project with Allied Mechanical, the mechanical contractor, extending the duration of the project by 35 days and moving the substantial completion date to June 30, 2023, and the final completion date to August 4, 2023; with no change in scope and no change in contract price.

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



**RES 2023-05-17.26: BOND RESOLUTION – EQUIP. 5 YRS (LAWNMOWER & EQUIP)**

Trustee Crane presented the following resolution and duly moved that it be adopted and was seconded by Trustee Sanders:

BOND RESOLUTION DATED MAY 17, 2023, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF SHERMAN, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF MAINTENANCE EQUIPMENT, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

**WHEREAS**, the purpose hereinafter described consists of the acquisition of equipment authorized to be undertaken by the authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

**WHEREAS**, the Village hereby determines and finds that the proposed action hereinafter described constitutes a “type II” action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder (“SEQRA”) which will not result in any significant adverse environmental impacts in that the purpose consists of the purchase of equipment, and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

**RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF SHERMAN, NEW YORK** (hereinafter referred to as the “Village”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Sherman shall undertake the acquisition of equipment, machinery or apparatus, including, without limitation, mowers and a street sweeper, which may include apparatus required in connection therewith (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount up to \$35,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$35,000, and said amount is hereby appropriated, therefore. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivisions 28 and 32 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will not be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to

the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Sherman.

Section 7. The faith and credit of the Village of Sherman, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution shall be published in full by the Village Clerk of the Village of Sherman together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

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 17<sup>th</sup> day of May, 2023.

#### **RES 2023-05-17.27: BOND RESOLUTION – EQUIP. 10 YRS (SNOWBLOWER & UTV)**

Trustee Watson presented the following resolution and duly moved that it be adopted and was seconded by Trustee Emory:

BOND RESOLUTION DATED MAY 17, 2023, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF SHERMAN, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF MAINTENANCE EQUIPMENT, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

**WHEREAS**, the purpose hereinafter described consists of the acquisition of equipment authorized to be undertaken by the authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

**WHEREAS**, the Village hereby determines and finds that the proposed action hereinafter described constitutes a “type II” action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder (“SEQRA”) which will not result in any significant adverse environmental impacts in that the purpose consists of the purchase of equipment, and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

**RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF SHERMAN, NEW YORK** (hereinafter referred to as the “Village”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Sherman shall undertake the acquisition of a ribbon snowblower with sidewalk chute and a utility vehicle, which may include apparatus required in connection therewith (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount up to \$38,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$38,000 (\$19,000 for each of the snowblower and utilities vehicle), and said amount is hereby appropriated therefore. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 28 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten (10) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures,

if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Sherman.

Section 7. The faith and credit of the Village of Sherman, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Sherman together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Sherman, pursuant to Section 36.00 of the Local Finance Law.

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 17<sup>th</sup> day of May, 2023.

**RES 2023-05-17.28: CORRECTION TO VILLAGE TAX ROLL AND W&S BILLING**

**WHEREAS**, the Village of Sherman conducted a survey of the Village of Sherman Incorporated Boundary; and

**WHEREAS**, the Town Assessor identified the home located at 140 Cornish St, known as SBL 328.14-1-20 and historically known as 105-1-15.1 to be assessed and taxed in the Village of Sherman;

**WHEREAS**, the Town Assessor and Surveyor verified that the home is physically situated on the parcel 328.00-1-12 outside the Village limits.

**NOW, THEREFORE BE IT RESOLVED**, that the Village of Sherman accept the correction of parcel 328.14-1-20 as a vacant property for the upcoming 2023 Assessment Roll of the Village of Sherman; and

**BE IT FURTHER RESOLVED**, that the Village of Sherman water rent charges and sewer rent charges are billed in accordance with the outside status.

Moved by Trustee Emory      Seconded by Trustee Watson

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.29: CORRECTION TO VILLAGE TAX ROLL AND W&S BILLING**

**WHEREAS**, the Village of Sherman conducted a survey of the Village of Sherman Incorporated Boundary; and

**WHEREAS**, the Town Assessor identified the Maynard Damcott barn on Sherman Clymer Rd, currently known as SBL 328.14-1-19 and historically known as 106-1-12 to be assessed and taxed in the Village of Sherman;

**WHEREAS**, the Town Assessor and Surveyor verified that the home is physically situated on the parcel 328.00-1-13 outside the Village limits.

**NOW, THEREFORE BE IT RESOLVED**, that the Village of Sherman accept the correction of parcel 328.14-1-19 as a vacant property for the upcoming 2023 Assessment Roll of the Village of Sherman; and

**BE IT FURTHER RESOLVED**, that the Village of Sherman water rent charges are billed in accordance with the outside status.

Moved by Trustee Crane      Seconded by Trustee Watson

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.30: STREET LIGHTS PARK STREET, SHERMAN CENTRAL SCHOOL**

Motion to approve the changes with National Grid as follows:

- Upgrade pole #11 to 96 Watt LED and face NORTH (Corner of Park St & Willard St)
- Addition of 96 Watt LED to poles #12, #13, #15 (on Park St. facing N – SCS Building)

Moved by Trustee Emory      Seconded by Trustee Sanders

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.31: LAND SURVEY – STORMWATER CAPITAL PROJECT**

Motion to accept the quote from Barton & Loguidice in the amount of \$11,825 for the survey of East and West Main Street Sherman for the purposes of the Stormwater Infrastructure Improvement Project and approve and authorize the mayor to execute the said agreement.

Moved by Trustee Crane      Seconded by Trustee Watson

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.32: WWTP CONTRACTUAL SERVICES**

Motion to approve and authorize the mayor to execute contractual agreements for services provided by the Wastewater Treatment Department, including, but not limited to, the delivery of sewage to be processed, or the rental of the mobile screwpress dewatering system; and be it further resolved the Board of Trustees will approve the Schedule of Fees for such services.

Moved by Trustee Watson      Seconded by Trustee Crane

Ayes: 5      Nays: 0      Carried

**RES 2023-05-17.33: WWTP SEWAGE PROCESSING SERVICES**

Motion to approve the Schedule of Fees for the Wastewater Treatment Department providing services for other municipalities and private haulers:

Accepting Septic Sewage for Processing 2,000 gallon capacity \$96.00  
Moved by Trustee Emory Seconded by Trustee Crane  
Ayes: 5 Nays: 0 Carried

**RES 2023-05-17.34: WATER & WWTP SHARED OPERATIONS CONTRACT**

Motion to approve and authorize the mayor to execute contractual agreements for shared services provided by the Village of Sherman water and sewer operator(s) for other municipal entities, in accordance with the previous intermunicipal shared operations agreement (*RES 2019-06-05.15 with the Village of Little Valley*), applying the current employment costs.

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

**RES 2023-05-17.35: WATER PROJECT – CHANGE ORDER #5 – MAIN STREET LOOP**

Motion to approve the fifth change order with contractor J.D. Northrup for the Water Improvement Project:

Change Order No. 5

To provide a critical water main system loop, (on the west end of West Main Street); the change order is for equipment and labor only as the Village is supplying the water main materials.

The increase from Change Orders 5 totals \$19,550, bringing the No. 1A – General Construction cost total to \$1,367,434.94.

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

**RES 2023-05-17.36: SCHEDULE PUBLIC HEARINGS: CBDG & BOND RESOLUTIONS**

Motion to schedule the public hearing for the proposed 15-year Bond Resolution of \$61,000 for Streets Equipment through the Rural Development Community Facilities Program, and the second public hearing of the 2020 CDBG Program Grants awarded to the Village of Sherman, and the public hearing of the proposed 2023 CDBG Program Application through the CFA, including but not limited to the CDBG Co-Funded Infrastructure Grant for \$1,250,000 for the Main Street Stormwater Infrastructure Improvements, followed by the June Regular Meeting of the Board of Trustees for Wednesday, June 14<sup>th</sup>, at 6:00pm; to be held at the Village Office; and post the notice at the Post Office, other public establishments, in the Post Journal and on the website.

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

**Motion for Executive Session to discuss contractual, legal & investigative matters, at 9:12p.m., with possible action to be taken following executive session.**

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

**Motion to adjourn at 10:25 p.m.**

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

Respectfully submitted,  
Jeanette Ramm, Clerk-Treasurer

**Next Meeting: Public Hearing CDBG Applications & Bond Resolution, June 14, 2023 at 6pm  
Regular Board Mtg Wednesday, June 14, 2023 at 6pm**