

- It is at the point where maintenance will become a regular costly concern
 - It still has a high trade-in value
 - It still has 2,100 hours
 - It is no longer under warranty
 - It is a critical and expensive piece of equipment (approximately \$150,000)
 - The Village uses it for snow removal, among many other projects
 - It is the item most often ‘shared’ in our municipal sharing with towns, county and our school
- Mayor Meeder has confirmed with others who do this regularly and this is the optimal point in the life of this equipment to make this decision.

The current USDA RD loan for the existing loader are as follows:

- Original amount \$100,000 at 3.25% interest, taken out 11/5/15 for 15 years (ending 2030)
- Annual principal payment is \$6,700 plus two interest payments (2018 \$2,814 in interest)
- We made an additional principal payment in 2018-19 of \$15,900
- Current loan balance is \$57,300

The goal of trading the loader in is to:

- Optimize the trade-in value
- Reduce maintenance i.e. new loader = minimal maintenance
- Take advantage of lower interest rates
- Refinance with USDA RD, with possible grant (know more in December)
- Possibly come out ahead in value

Dump Truck purchased in December

The 1985 Ford F-800 dump truck purchased in December cost \$7,000. The frame is in excellent condition, it has a newly built engine and an automatic Allison transmission. It has a gas engine (for easier maintenance) and will predominantly be used for routine projects around the Village. This was necessary as the Town no longer has a spare truck available, that we previously used as part of our shared services. This will not replace our need for Town and shared services when we coordinate large projects like paving streets. It will also be used to haul sewer sludge.

WATER PROJECT

The mayor shared Matt Zarbo’s (Barton & Loguidice) summary of our water system - “The Village of Sherman owns and operates a municipal water system containing two drinking water wells, a water storage tank, and several miles of water transmission/distribution piping. The water system has several deficiencies and many components have failed or are at risk of failure. The proposed project involves the installation of approximately 6,000 feet of new water mains, the demolition of the existing well house, the construction of a new treatment building, upgrades to the water storage tank, and various other improvements to the Village water system.” It is the Village’s intention to bond for \$3.206 million to allow flexibility in the final project scope (to possibly include water softening – this will be determined at a future date). Otherwise the project will *total approximately \$2.5 million*. The EFC anticipates the project to be \$3,302,180 including the closing costs – 0% financing.

WATER PROJECT - EFC HARDSHIP SCORE

The NYS Department of Health (DOH) has completed the evaluation for hardship funding for our water project. Mayor Meeder was pleased to inform everyone that the result of that evaluation is that the Village IS eligible for a Drinking Water State Revolving Fund (DWSRF) grant of \$1,981,263 and interest-free financing of \$1,320,842 for a term of up to 30 years for the project through the Environmental Facilities Corporation (EFC). This project has been added to the Intended Use Plan (IUP) via an amendment that became final as of January 2, 2020 and now appears with a public health priority ranking of 105 points.

According to CDBG our water rates are still significantly lower than what our MHI deems affordable, but we are hoping that they will look at our water and sewer rates combined. There were no reserves built up by either the water or sewer departments, in fact there was a negative fund balance at one time.

PLANNING BOARD REPORT

The Planning Board met on December 9th and January 6th. Their discussions included local businesses such as the hardware, grocery, bank/credit union, Farmer's Mill, Chase Antiques, liquor store, Ox & Rooster, and Rick Ayers' project. John Steinmetz met to review the Sherman statistics going into the Comprehensive Plan. John Goldberg was investigating opening a business in Sherman. Jay Irwin presented details of the sewer project to the board. The next Planning Board Meeting, which is a public meeting, is scheduled for Monday, February 3rd, 2020 at 4pm at the Village Office. Planning Board Minutes are available on the website www.shermanny.org under Government/Village Planning Board.

STEERING COMMITTEE

The Committee met with John Steinmetz on December 9th, at 6pm, and there were nine members present for the review of the first draft of the first phase of the Comprehensive Plan. This involves the collection of historical data and statistics on the Village, Town, and County, related to population, income, taxes, traffic numbers, and much more. They also reviewed the first Main Street concept plan in relation to green infrastructure and stormwater management.

MAYORAL ADDRESS:

Tree Planting Committee

This committee will be led by Mary Swanson and will be a sub-committee of the Parks and Recreation committee. We plan to establish this committee in January, and it will focus on trees along the streets, parks and French Creek. The trees will help counter erosion (stormwater issues) and beautify the area. This committee would also look at the health of our existing trees.

Rick Ayers Project

After the newspaper article regarding the possibility of this project being located in North harmony, many questions have come to light, such as, who determines whether a SEQR needs to be done? The Code Enforcement Officer, Municipal Board, Planning Board or Zoning Board? It's probably a combination of these depending on the phase of the project. We will be investigating this further.

Grocery Store

Mark Graham has started with renovations, moved an existing wall, extended the deli section and added an office. After numerous delays he is expecting to close this month.

Main Street Properties

- John Sundquist (B&L) has completed the Phase 1 Environmental Review of 130 West Main Street. His main concern being that there were tanks in the front which may still be there. Phase 2 will determine whether remediation of said tanks and possible contaminants in the drain will be necessary. The roof is also a concern.
- Village Attorney, Peter Clark has prepared draft lease agreements for all the tenants.
- Dan Maus requested permission to park trucks for sale at the parking lot of 130 West Main Street. Peter Clark sees no reason to object, so we have given him permission.

Tom Becker USDA RD

- Tom Becker is meeting here on January 16, 2020 to discuss the loader.
- The meeting will also include Community Facilities Program Grants for planning purposes in regard to future LGE local government efficiency grant opportunities to restore 130 W Main Street as a community center in a shared municipal venture. This could expedite this project.
- Section III requirements (due for the USDA RD Loan) and the letter of conditions will also be reviewed in this meeting.

Food Pantry

- A natural gas heater was installed in December.
- The Village of Sherman received a \$2,000 grant from the Carl Yngve and Lucille Adamson Fund administered by the Chautauqua Region Community Foundation, for the Area Christian Action Council – Sherman Pantry project (for rent and utilities at 123 West Main Street).

Consolidated Local Streets and Highway Improvement Program (CHIPS)

Our original 2019-2020 budget for CHIPS was \$15,000, but after making the decision to proceed with the \$110,000 streets improvement project, we expected to receive \$25,000 and are happy to report that we received \$35,276 in CHIPS funding in December.

FINANCIAL REPORT FROM CLERK-TREASURER:

General Checking Account: Balance (01/08/2020) is \$22,689.90 & book balance \$1,072.33
NYS Fund Bank Account: Balance (01/08/2020) is \$6,670.00 & book balance \$2,500.00
Sewer Project Bank Account: Balance (01/08/2020) is \$12,615.02 & book balance \$117.52
CD Account: Balance (01/08/2020) is A\$150,065.03, B\$0
CD Transfer: N/A
Unpaid Taxes: N/A
Account Adjustments: \$702.00

The Village of Sherman received a \$100 donation from Alan Levitt, of Brooklyn, NY. Mr. Levitt was the pharmacist in Sherman. He asked that it be used toward a Village of Sherman celebration.

The clerk is adding a local artisans page to the shermanny.org website to promote and support our local talent.

WHEREAS, the Board of Trustees now desires to authorize the Project and the financing of the cost thereof.

NOW, THEREFORE BE IT RESOLVED THIS JANUARY 8, 2020 BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SHERMAN, CHAUTAUQUA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:

Section 1. The construction, improvement or reconstruction of water distribution facilities in and for the Village, including the installation of approximately 6,000 +/- linear feet of new water main throughout the Village, demolition of the existing well house, construction of new treatment building, upgrades to the water storage tank, including site improvements, original furnishings, equipment, machinery, apparatus incidental thereto and all legal and professional costs, all as required for the purpose for which such Project is to be used, at a maximum estimated cost of \$3,206,000, (the "Project"), is hereby approved.

Section 2. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$3,206,000, or such lesser amount as may be necessary, of serial bonds or any bond anticipation notes, including renewals of such notes, in anticipation of the issuance and sale of the bonds of said Village, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations.

Section 3. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds 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 years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law.

Section 4. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The bonds and notes authorized hereby may be issued to the United States Department of Agriculture, Office of Rural Development, or any of its related offices or agencies, the New York State Environmental Facilities Corporation under any of its revolving fund programs or any purchaser in accordance with the provisions of the Local Finance Law.

Section 5. The Village Treasurer is hereby further authorized, at her sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 2 hereof, or a portion thereof, by a bond, and/or note issue of said Village. The Village Treasurer is hereby further authorized, at her sole discretion, to execute a project finance and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation and/or the United States Department of Agriculture – Rural Development, including amendments thereto, and including any instruments (or amendments thereto) in the

effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of the Village in the event of the sale of same to the New York State Environmental Facilities Corporation or to such other entity as may be designated by the United States Department of Agriculture – Rural Development.

Section 6. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to affect the issuance of the aforesaid bonds and/or notes without resorting to further action of this Board of Trustees.

Section 7. The following additional matters are hereby determined and declared:

- a. Pursuant to subparagraph (a)4 of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is forty (40) years; and
- b. Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- c. The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law for the capital purposes described in Section 1 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Village's General Fund. It is intended that the Village shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this resolution and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Village's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are reasonably expected to be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Sherman, Chautauqua County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the Village Clerk.

Section 10. The Village hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds with a schedule of substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated Official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 12. The law firm of Trespasz & Marquardt, LLP is hereby appointed bond counsel to the Village in relation to the issuance of the obligations authorized herein.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
2. 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 days after the date of publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This resolution shall be subject to permissive referendum and a summary hereof shall be published by the Village Clerk as provided by Village Law Section 9-900. This Resolution shall become effective 30 days after its adoption. Following such effective date, in the event that no petition for a referendum was timely submitted and filed, the Village Clerk shall

RES 2020-01-08.15: RENTAL WATER & SEWER AGREEMENTS

Motion to approve the Clerk-Treasurer to pay the Village of Sherman for Water & Sewer Charges for the properties of 130 W Main St, 129 W Main St, and 123 W Main St, as they are included in the terms of the rental lease agreements; also to pay for 121 W Main St as it is now the Village of Sherman's responsibility. These are accounts #64, 117, 119, and 336

Moved by Trustee Gratto Seconded by Trustee Ayers

Ayes: 4 Nays: 0 Carried

The trustees discussed Michael Beatman's interest in renting the upper bay at the old Ford Garage. It was decided that the mayor should quote Mr. Beatman \$100.00/month.

Motion to adjourn the meeting at 8:22pm

Moved by Trustee Sanders Seconded by Trustee Ayers

Ayes: 4 Nays: 0 Carried

Respectfully submitted

Jeanette Ramm
Clerk-Treasurer

Notes:

Planning Board	Mon, Feb 3 rd , 4pm, Village Office
COMP PLAN Steering Committee	Mon, TBA, 6pm, Fire Hall (upper room)
Public Hearing (Water & Stormwater CDBG)	Wed, Feb 5 th , 6pm, Village Office
Regular Board Meeting	Wed, Feb 5 th , 6pm, Village Office
Community Visioning Workshop #2	TBA

Future Meeting Items:

- 2018-2019 FY Audit by Financial Committee
- Collection Policy
- Draft Laws (amendments) 2020
- Budget 2020-2021