

VILLAGE OF SHERMAN
MINUTES OF THE REGULAR BOARD MEETING
And Meeting of the MUNICIPAL ZONING BOARD
Wednesday, October 2nd, 2019 at 6pm

The Mayor welcomed everyone and opened the meeting with the Pledge of Allegiance. Board members Colleen Meeder, Isaac Gratto, Donna Higginbotham, Mary Reyda and Kirk Ayers, Clerk-treasurer Jeanette Ramm, Street and Water Superintendent Doug Crane, Chief Wastewater Operator Jay Irwin, ten members of the public and the press were in attendance.

RES 2019-10-02.1:

Motion to accept the previous minutes of the Regular Board Meeting and Municipal Zoning Board Meeting held September 4th, 2019.

Moved by Trustee Ayers Seconded by Trustee Gratto

Ayes: 5 Nays: 0 Carried

RES 2019-10-02.2:

Motion to suspend the regular meeting and enter into the meeting of the Municipal Zoning Board.

Moved by Trustee Higginbotham Seconded by Trustee Gratto

Ayes: 5 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING:

PERMITS & PROPERTY MAINTENANCE REPORT FROM ZONING OFFICER

The mayor updated the trustees on the various cases that the ZEO is working on.

RES 2019-10-02.3: ZONING REPORT

Motion to accept the report from the Code and Zoning Enforcement Officer (s):

Previous open cases now closed

- Jeff Winton, 157 W Main St. – VACANT – sold to new residents

Cases currently open

- Farmers Mill – on-going
- Cooler Café – dumpster, repeated notices
- Rear upper apt. at 111 W Main St. – trash spilling onto neighboring property

Vacant Properties – registrations not completed

- Chandra Hannold, Cornish St.
- Michelle Reinken, Hart St.

Vacant Properties – new registrations on file

- Farmers Mill

Properties in Clean Up Status

- Kulpa – cleaning up, still monitoring situation
- Chandra Hannold - Cornish St., Zoning & Code Officers reviewing status of case

- Amanda Lutgen – is working with Zoning Officer
Moved by Trustee Ayers Seconded by Trustee Gratto
Ayes: 5 Nays: 0 Carried

RES 2019-10-02.4 Town of Sherman – Salt Shed

Motion to reduce the building permit fee (Invoice #17064) for the Town of Sherman to \$150.00.
Moved by Trustee Gratto Seconded by Trustee Higginbotham
Ayes: 5 Nays: 0 Carried

RES 2019-10-02.5

Motion to close the Municipal Zoning Board Meeting and resume the Regular Meeting of the Board.
Moved by Trustee Gratto Seconded by Trustee Ayers
Ayes: 5 Nays: 0 Carried

REGULAR MEETING OF THE BOARD RESUMED

MAYORAL ADDRESS

CAT PROJECT (Trap Treat & Release): There has been a good response from the community, beginning with people volunteering to provide several of the cats in question. This will be an ongoing project and we will continue to accept donations for the Sherman Community Cat Project.

WESTFIELD MEMORIAL HOSPITAL FUND (WHMF): Allegheny Health Network’s (AHN) Westfield Hospital is 15 miles from Sherman. As the closest hospital to Sherman, it serves a critical role in our community. While healthcare and health insurance rules change, having the Westfield Hospital available ‘in NY’, in our corner of the county is vitally important to the health and wellness of our community.

Everyone knows about the RED campaign which updated the Emergency Department, but a recent tour revealed the 3-D Mammography Technology, Physical Therapy facility, and more. The Westfield Hospital is bringing in top eye surgeons and other quality providers without having to travel to Erie or Buffalo to see them.

The Annual Fund Drive of the Westfield Memorial Hospital Foundation serves the Westfield Hospital exclusively, all donations support the Westfield location of Allegheny Health Network. The WMHF is raising funds for new ultrasound equipment and other essential needs. In lieu of making a direct donation, the Annual Fund Drive letter was included in a Village mailing. This was an opportunity for the Village to support the Westfield Memorial Hospital Foundation, without expending any resources beyond a simple mailing. Colleen Meeder is adding her position as WMHF member to the Conflict of Interest Disclosure Statement.

SIGNS: Mayor Meeder met with Mayor Schneider of Panama, Superintendents Mike Ginestre, and Bert Lictus of Panama. The decision was made to have one well designed sign as opposed to multiple cluttered signs at the Village entrances. She showed a picture of the new draft, with all the athletic championships related to Sherman youth, school or otherwise. The intention is to install the sign after the state highway department has cleaned-up the corner.

GROCERY STORE: Our initiatives to help bring in businesses are proprietary in nature and require confidentiality. It is looking like an announcement will be made before the end of October and we'll present information at the November board meeting.

1ST COMMUNITY VISIONING WORKSHOP: Our first workshop was led by John Steinmetz and Bob Murphy of Barton & Loguidice, and there were 54 community members in attendance. The engineers began with the changing demographics. They explained the purpose of the Comprehensive Plan, and the Steering Committee's role to make the Plan specific to Sherman. They also reviewed various street and landscapes stirring discussion about what people in Sherman desire for our community. The group divided up to do a SWOT analysis – current Strengths, Weaknesses, and future Opportunities and Threats. This stimulated long lists in each category.

Strengths included the school, which enrolled additional students this week; and today Business First announced Sherman Central is ranked #1 out of 431 districts in Upstate New York on the Achievement Index - measurement of academic performance versus poverty rates.

Threats included cost of living in Sherman and New York in general. A more in-depth tax analysis will be provided once our data has been updated. It was noted that for 2018-2019 Sherman Central School was the lowest tax rate in Chautauqua County with the exception of 4 schools with lake front property.

John Steinmetz and Bob Murphy are going to correlate the data and the Steering Committee is scheduled to meet again on Nov 12th. We all know the saying about the “half glass” but the question is, is it perceived to be half full or half empty? The participation was excellent, leading to many other topics of discussion which may lead to smaller committees. We are pleased with this first step in moving our community forward.

WELCOME CENTER/VISITORS CENTER: Rose Crane mentioned that when people inquire about Sherman's Welcome Center, she directs them to Edie Wall at Rose Lynn's Emporium. That is very appropriate given her location, she is open, and has years of knowledge in this community. We plan to put together a Sherman Visitors Guide with the Sherman Chamber of Commerce and investigating the Welcome Center idea further.

WELCOME PACKET FOR NEW RESIDENTS: Mayor Meeder, Jeanette Ramm and Doug Crane have discussed the need for a brochure covering everything a new resident would need to know, welcoming them to Sherman. Martha Sanders has both the experience and the insight into what should be included. Martha and Jeanette will be working on pulling together a Welcome to Sherman brochure.

AMERICAN LEGION: Regarding the donated properties, the Legion inquired as to whether there could be dedicated space for the Legion where their banners, flags and memorabilia could be kept on display and a hall or conference room to fit a dozen comfortably. They of course offered to pay rent or related costs for the space. Basically, they are looking for a dedicated space to hold their meetings. This is absolutely possible and will be noted as we discuss the properties. However, the mayor explained that in their current state, the properties are far from suitable for occupancy.

PROPERTY DEEDS - the mayor updated the board on each property's status:

- Bittinger/Edmunds Park Property – we've received the deed – settled.
- Swan Property/Sewer Project – attorney is working on lien releases.

- Van McConnon Properties – contract is signed, titles are being reviewed by Chautauqua Abstract Company, the appraisal is progressing and the attorneys are moving towards closing. No decisions have been made regarding the future of any property use, beyond the permanent home of the Food Pantry.

The engineers are very excited to take a look at the possibilities. The ‘Old Ford Garage’ will require a Phase 1 environmental review to start.

FOOD PANTRY: ACAC (Area Christian Action Council) - Sherman Area Food Pantry.

In order to meet USDA Inspection and NYS Code – Certificate of Occupancy, the Village of Sherman Streets Department has spent several days improving the alley and the remodeling the rear space at 123 West Main Street. Our costs for materials purchased for the bathroom and flooring is \$3,610.

- The Clymer Hill Reformed Church – Compass Ministry donated \$450 for remodeling the space to serve the Food Pantry.
- The Rural Center updated the electric in the building, replaced a window, cleaned, and painted (in part after selling some equipment in the building).
- Perry Douglas and Helen Reynolds were awarded a grant to cover \$250/month of costs (payable to the Village of Sherman) for twelve months.
- The mayor also acknowledged Jeanette Ramm, Doug Crane and his crew for their time and effort. There have been two on-site inspections, and we anticipate an approved move in date this October.
- As the Village of Sherman takes ownership of the property, it secures this space as the permanent location for the Food Pantry.

YORKER MUSEUM / SHERMAN HISTORICAL SOCIETY: In a previous meeting, a letter was received from the Sherman Historical Society. Doug Crane and Mayor Meeder met with them at the Yorker Museum to discuss the fence and other needs. They brought in someone to weld and secure the fence poles. Mr. Crane will repair the chain link later this Fall.

The Sherman Historical Society has been very active in promoting the museum. A few recent examples include:

- Roberta Tenpas presented to the Rotary
- Pam Warner contributed to a Post Journal article on the history of the Museum
- Recently hosted the Community Church Sunday Service
- Hosted the Chautauqua County Municipal Clerks Association
- Routinely give tours to schools and other groups

The property and buildings are assets of the Village, and they have been well looked after and managed by the Sherman Historical Society: painting, securing, pest control, repairing, and writing grants to see that this precious asset belonging to the greater Sherman community is enjoyed long into the future. The focus of their next project is to make foundation repairs to the log cabin and church.

PLANNING BOARD /STEERING COMMITTEE: A letter will be sent out with the upcoming W&S mailing. This is essentially an invitation for people to get involved in an area of their choosing, in the vision development and steering sub-committees. Only people getting involved in the “zoning” sub-committee need to be village residents otherwise, any stakeholder can get involved. The Planning Board members will be sworn in by the clerk at their first meeting later this month.

WORK ORDER / SCHEDULE PRIORITIZATION / AUTHORITY: The mayor can prioritize the work schedule and place work orders for the village crews. Mayor Meeder explained prioritization of work orders, although there are some things outside our control, such as scheduling with other municipalities, weather, state and federal requirements, emergencies and deadlines. Sometimes the delay is based on authority, i.e. is it a village, state or county road; is it a right of way, is it a storm water or DI water issue? Even when Mr. Crane puts in a work order, it is then subject to the schedule and priority of the relevant authority.

SEWER REPORT FROM CHIEF SEWER OPERATOR:

Appreciation was expressed to Barton & Loguidice for sponsoring our “Open House”. We had a successful event, with many in attendance and a lot of information was shared. The Sewer Project has received it’s USDA RD Award Letter. The mayor handed out copies and explained the letter of conditions and prior-to-bid letter. She noted that our fiscal advisor, attorney, and bond counsel is in place but we still need to appoint an auditor and chartered accountant. We also need to work on our vulnerability and response plan, amend our insurance, create reserves, etc. All these requirements need to be met before the start of construction. Mr. Irwin explained how the SBR (Sequential Batch Reactor) will be an improvement on the current blowers, and although it wasn’t included in the original plan, it will not change the initial \$6.2 million. The inclusion of the SBR is going to be discussed at a meeting with Melanie Stein (DEC), Jay Irwin, Matt Zarbo (B&L), Isaac Gratto, and Colleen Meeder.

WATER AND STREETS REPORTS FROM DPW SUPERINTENDENT:

We are beginning Phase 1 of the SEQR process for the Water Project funding at this meeting, which does not require a public hearing. We will report details of we are doing at a public hearing when we cover the bond resolution.

In addition to working on the Food Pantry, the guys have been working on the water drop inlet (DI) and drainage grate at the corner of Klondyke and Rt 430. The water main is complete on First Street, but the individual lines cannot be connected until the Department of Health certifies the main. The intention is still to apply the binder to the road in the upcoming weeks.

PUBLIC PARTICIPATION:

Brandon Van Curen suggested offering the vacant “Ford Garage” as a new location for the Cross Roads Craft and Farm Market. Mayor Meeder explained that anything that involves food, or youth, or even the American Legion, will require a Phase 1 Environmental Study to be done on that property. Phase 1 would cost a couple of thousand, and depending on that outcome we would have to pursue grants to remodel it. There have been many suggestions for that property, but until ownership is final, we will not make any decisions.

FINANCIAL REPORT FROM CLERK-TREASURER:

General Checking Account:	Balance (10/02/2019) is \$27,704.57 - book balance is \$1,576.66
Special Bank Account:	Balance (10/02/2019) is \$2,500.00 – book balance \$2,500.00
CD Account:	Balance (10/02/2019) is A\$150,065.03, B\$105,000.00
CD Transfer:	N/A
Unpaid Taxes	Were due 10/1/2019, unpaid submission to County 10/7/19
Account Adjustments:	N/A

RES 2019-10-02.14: SEQR – WATER ENVIRONMENTAL STUDY

RESOLUTION NO. 2019-10-02.14

Proposed Action: Village of Sherman Water System Improvement Project

RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF SHERMAN VILLAGE BOARD TO ACT AS LEAD AGENCY

WHEREAS, the Village of Sherman (Village) is proposing the Water System Improvement Project (Project), located in the Village of Sherman, Chautauqua County, New York; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, it is the intent of the Village of Sherman Village Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA/SERP assessment of the Project; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed, reviewed by the Village of Sherman Village Board, and will be circulated to all Interested and Involved Agencies for purposes of establishing the Village of Sherman Village Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Mayor of the Village of Sherman hereby is authorized to sign Part I of the Full Environmental Assessment Form (page 13); and it is further

RESOLVED AND DETERMINED, that the Village of Sherman will send said Part I of the Full Environmental Assessment Form to the attached list of “Interested and Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under SEQRA/SERP; and it is further

RESOLVED, that the Mayor of the Village of Sherman and Village Board are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

<i>Colleen Meeder, Mayor</i>	<i>Aye</i>
<i>Isaac Gratto, Trustee</i>	<i>Aye</i>
<i>Donna Higginbotham, Trustee</i>	<i>Aye</i>
<i>Mary Reyda, Trustee</i>	<i>Aye</i>
<i>Kirk Ayers, Trustee</i>	<i>Aye</i>

LOAN RESOLUTION
(Public Bodies)A RESOLUTION OF THE Village Board of TrusteesOF THE Village of ShermanAUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
public wastewater treatment

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Village of Sherman*(Public Body)*

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Three Million Nine Hundred Twenty-Two Thousand & 00/100pursuant to the provisions of subject to NYS Local Finance Laws; and**WHEREAS**, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association;**NOW THEREFORE**, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

