

VILLAGE OF SHERMAN
MINUTES OF THE REGULAR BOARD
AND MUNICIPAL ZONING BOARD MEETINGS
Wednesday, November 4th, 2020 at 6:00pm

Mayor Meeder welcomed everyone and opened the meeting with the pledge of allegiance. Board members Colleen Meeder, Donna Higginbotham, Kirk Ayers, Ryan Sanders, and Dennis Watson; Clerk-Treasurer Jeanette Ramm, Chief Wastewater Operator Jay Irwin, resident Gary Emory and Press were in attendance.

Dennis Watson, the newly appointed trustee was sworn in by Clerk Ramm. Trustee Watson was appointed by the mayor to replace Trustee Isaac Gratto who has moved out of the area.

RES 2020-11-04.1: PREVIOUS MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held October 7th, 2020, and the Special Meeting held on October 28th, 2020.

Moved by Trustee Higginbotham Seconded by Trustee Ayers
Ayes: 4 Nays: 0 (Trustee Watson Abstained) Carried

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

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

MUNICIPAL ZONING BOARD MEETING:

Mayor Meeder updated the board members on what has been confirmed about residences on Main Street. This was following the request by the Cooler Café to have an apartment on the street level in downtown Sherman. She said that only single or two family detached dwellings are permitted in the C1 (commercial) district, and not at the street level.

RES 2020-11-04.2: SPECIAL USE PERMIT

Motion to approve the special use permit for a 6' fence at 115 Park St, for Mathew Wright.

Moved by Trustee Ayers Seconded by Trustee Higginbotham
Ayes: 5 Nays: 0 Carried

RES 2020-11-04.3: FEE WAIVER

Motion to waive the fee for Tex's Quick Stop and the Town of Sherman roof permits, in an effort to support local business in this critical time and in cooperation with the local municipality.

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

The mayor reported back on the recent Sign Regulation webinar, presented by Southern Tier West, which zoning board members and our code enforcement officer attended. Signs and other forms of expression, such as ribbons and banners, were covered. You can have restrictions, but you cannot have stricter rules for non-commercial than commercial since non-commercial is more stringently protected by freedom of speech rules.

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

REGULAR BOARD MEETING:

WATER AND STREETS REPORTS FROM SUPERINTENDENT

The water mains flushing was not done this month because the weather was good, and our priority was finishing First Street's driveway approaches and sidewalks. On the sidewalk side of the street its cement, on the other side of the street they will do the skirting with black top. The guys have also been busy with leaf pickup and tree planting. Village employees are allowed public holidays and time off i.e. vacation time, but hopefully the flushing will happen in November. There was a large tree impeding the area where we were doing the sidewalks on First Street, and we had this stump removed (paid by the Village of Sherman) so we could continue with the sidewalks. Two cement loads will be delivered tomorrow for First Street, which the school (shared services) will assist with pouring. Mr. Crane is still installing water meters in between all these other projects. Mayor Meeder did reiterate that on good weather days we work on streets and sidewalks, and on bad weather days we can pick up the buckets, flush lines and replace the Christmas lights. Mr. Irwin is also working on installing new lighting at Miss Laura's, Classy Clippers, and the Food Pantry. These are LED panels (not bulbs), and this upgrade will receive the National Grid rebate. Josh Cole will install new wiring at the Food Pantry and Classy Clippers and then dropped ceilings will be installed. Greg Gormley has purchased the fire alarms and extinguishers for these buildings and Jay Irwin has already started installing them. We have received our new truck which is being outfitted with a plow this week.

SEWER REPORT FROM CHIEF SEWER OPERATOR

Mr. Irwin said that after going to Watkins Glen to see their Glasco UV system and how it operates, it seems to fit our profile. We will be able to keep everything under a control building roof which will save money in the long run. We are continuing ahead with the engineering and design of the sewer project, even though there have been setbacks due to COVID-19. We will proceed as originally planned. The mayor added that the Watkins Glen system has the bulbs on the outside and the water runs through the tubes, as discussed at last month's meeting. No one in this area has this system, which is why we went all the way to Watkins Glen to investigate the UV system. Bulb replacement is more user friendly than the Trojan system, which requires a crane; and you have to use Trojan bulbs with the Trojan system while the Glasco UV system can accommodate any brand of bulb without jeopardizing the system's warranty. Another difference is that the Trojan pipes are quartz which pulls minerals out of the water causing problems with the clarity, while the UV system has plastic tubes, so we won't have this problem. It is also more compact and less expensive. Another good feature is that our system will be set up "inside-out" which means that when we change our screens we will get into the water that has been cleaned, while the Watkins Glen system is set up "outside-in" which requires them to get into the dirty water to change the filters. The mayor reiterated that the time spent at Watkins Glen was very informative.

Due to COVID-19 complications, Andrew Norton's wastewater laboratory course has been postponed until the second half of next year, but he is registered to do a water certification course in two weeks. This means Andrew be certified in water operations before he is certified in wastewater operations. We are required to have two certified operators.

CAPITAL PROJECT UPDATES:

SEWER

We are still working on the EFC for the short-term revolving fund which is set to go to their loan committee this month. We need this decision in order for Matt Zarbo to continue engineering. The Glasco UV System has already been addressed.

WATER

Everything is going ahead as discussed at the last meeting, and we still expect to close in early 2021.

STORMWATER

We are working on applying to USDA-RD Apply to have USDA-RD hold our actual loan at the end of the stormwater process. We aim at submitting all that paperwork before Thanksgiving, and then we should hear if we are approved in the first quarter of 2021.

MAYORAL ADDRESS

Mayor Colleen Meeder thanked the “Pumpkin Fairy”, who remains unknown at this time, for the decorative pumpkins that have been placed all around the village. It was a nice gesture that everyone is enjoying. She also thanked the Youth Volunteers from the First Baptist Church, the Westfield Rotary, Georgia Peck and Mary Swanson’s families, Roger and Jennifer TeWinkle, and the Snyder family for their hard work and help planting the new trees in the Village. A total of 58 trees were planted this Fall.

Our Sales Tax came in at \$23,007.24 which is only a few hundred dollars less than last year. Taxes collected in June, July, and August were paid to New York State in September, processed in October by the County, and then paid to the Village on November 5th. We had budgeted much more conservatively thinking COVID would have a bigger impact this amount. The mayor explained that a percentage of taxes from the sale of houses, cars, refinancing, etc., are also included in our sales tax, as well as the addition of online sales which has had a positive impact on this amount.

The mayor ended by reminding the trustees that our annual loan repayment for the old loader would come off the next day for the principal amount of \$6,700 and interest of \$931.12. At the special meeting on November 18th we will accept the top bid for the old loader, and the money from this sale will go to the USDA-RD to clear off the remaining debt.

PUBLIC PARTICIPATION

There was no public participation.

FINANCIAL REPORT FROM CLERK-TREASURER

General Checking Account: Balance (11/04/2020) is \$31,644.96 & book balance \$25,605.93

NYS Fund Bank Account: Balance (11/04/2020) is \$0

Sewer Project Bank Account: Balance (11/04/2020) is \$15,927.42

Water Project Bank Account: Balance (11/04/2020) is \$37.50

CD Account: Balance (11/04/2020) is A\$0 B\$0

CD Transfer: N/A

Account Adjustments: N/A

RES 2020-11-04.4: VOUCHER

Motion to approve Voucher #6 for \$ 71,501.54 as presented for October 2020, of which \$46,177 is from the General Fund for the truck, \$0 is from the NYS Special Fund, \$0 is from the Sewer Project Fund and \$0 is from the Water Project Fund.

Moved by Trustee Ayers Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2020-11-04.5: TAX WARRANT CORRECTION

Motion to accept the County Real Property Tax Office reduction of \$750 to the 2020-2021 Tax Warrant for #328.14-1-22 for Jennifer Bozza at 126 Cornish St, (who incorrected was charged with a re-levied amount due from #328.14-1-21 for Chandra Hannold at 138 Cornish St.) *This correction was approved by the Tax Assessor Heather Young Deyell and Mayor Colleen Meeder on 6/9/2020.*

Moved by Trustee Higginbotham Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

RES 2020-11-04.6: UNPAID PROPERTY TAX BALANCE

Motion to record in the minutes: The Village 2020-2021 unpaid property tax amount of \$39,637.68 was re-levied onto the 2021 County Taxes as of October 21st, 2020.

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

CHAUTAUQUA REGION COMMUNITY FOUNDATION- FOOD PANTRY GRANT

Jeanette Ramm, in working with Helen Reynolds of the Sherman Area Food Pantry, part of ACAC (Area Christian Action Council), was able to procure a \$2,500 grant to cover the rent and utilities of the pantry until May 2021. The Sherman Area Food Pantry and the Village of Sherman are very grateful for this award.

SEXUAL HARASSMENT

The clerk reminded everyone that it was time to do their annual sexual harassment training. Trustees and employees can log onto the website at www.shermanny.org and under the "info" tab select "sexual harassment" which will take you to the online interactive training. The completion certificate must be printed and given to Jeanette Ramm, or emailed to village.sherman@gmail.com.

CASH BUDGET REVIEW

As part of the cash review, Mayor Meeder clarified that we had paid for the truck and loader upfront, i.e. we have temporarily expensed \$205,000 for this equipment but would receive the funding back from the USDA-RD streets equipment grant. Although cash looks tight right now, this month's revenue includes sales tax and utility payments, which will more than cover costs until the grant funding of roughly \$216,000 comes in. On December 10th Tom Becker from the USDA-RD will come and inspect the new equipment and we will officially close. If the mayor is unable to sign the closing documents on the 10th because of her surgery, the deputy mayor will sign in her stead. At the same time, we will be closing on our sewer project, which means we will pay the BAN back and move to the short-term financing. Looking forward, the water project should close in January and in February we should receive roughly \$80,000 from the closing of that project. In February we must also pay our annual retirement withholdings of \$35,353 to NYSLRS (New York State and Local Retirement Systems). The mayor also discussed the possible expense for the Ron Lutgen property, which is not confirmed, but would also affect our cash flow. Once the SEQRA is done, we can take out a 5-year bond for the complete solar array. This Bond will be paid with the money from the Solar

Liberty lease. Mayor Meeder reiterated that although cash looks tight right now, the spreadsheet shows that our cashflow should be in a good position by the end of the year. As part of the open discussion the mayor said she would move the \$32,000 from capital projects for December to April 2021, since finishing First Street’s top coat would now have to wait until the asphalt supplier reopens and the County can schedule their equipment for our use.

OLD BUSINESS:

It was mentioned that the Village can remove any residents brush or compostable vegetation, which we take to the Village dump down Depot Road.

NEW BUSINESS:

RES 2020-11-04.7: TRUCK – AMENDMENT OF RES:2020-10-07.5

Motion to amend the previous RES: 2020-10-07.5 to purchase a 2020 Ford F550 diesel truck with a dump for \$58,800 from Warren Midtown Motors on government bid, to the following (original) specifications: 2020 Ford F350 gas 7.3 liter, V8, with a dump for \$46,177.05.

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

RES 2020-11-04.8: ACCEPT DELIVERY OF THE F350 DUMP TRUCK

Motion to accept delivery of the 2020 Ford F350 (gas) 7.3-liter V8, with 9’ bed.

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

RES 2020-11-04.9: RECORDS RETENTION POLICY LGS-1

RESOLVED, by the Village Board of Trustees of the Village of Sherman, that the Retention and Disposition Schedule for New York Local Government Records, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A: a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records after they have met the minimum retention periods described therein; b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

RES 2020-11-04.10: DEPUTY MAYOR APPOINTMENT

Motion to accept the appointment of Trustee Ryan Sanders to the position of Deputy Mayor, effective November 1st, 2020 through May 31st, 2021; to assume all duties of the Mayor in his/her absence, including signatory as the Village Chief Executive Officer in the absence of the Mayor. *The Clerk-Treasurer and Ryan Sanders will meet with Community Bank, NA to update the signatory list.*

Moved by Trustee Higginbotham Seconded by Trustee Ayers
Ayes: 4 Nays: 0 (Trustee Sanders Abstained) Carried

Deputy Mayor, Ryan Sanders, was officially sworn in by the Village Clerk, Jeanette Ramm.

The mayor explained the changes from our current 2020 insurance and the expected cost for 2021's insurance cover. The changes included the new buildings on Main Street, additional USDA-RD loan requirements for the Sewer project and our streets equipment, and the addition of our new loader and truck to our "fleet" insurance, which will come down once the old loader is sold.

RES 2020-11-04.11: ANNUAL INSURANCE RENEWAL - Trident

Motion to accept the insurance proposal from Joe Niezgoda, of WNY Insurance Agency, for Trident Insurance effective 11/11/2020; and authorize the payment, not to exceed \$17,000.

Moved by Trustee Ayers Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2020-11-04.12: SOLAR – OPTION TO LEASE AGREEMENT (1st ARRAY)

Motion to approve the Option to Lease Agreement between Solar Liberty and the Village of Sherman for purposes of establishing a Community Solar Array and authorize the Mayor to sign all related documents.

Moved by Trustee Sanders Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

RES 2020-11-04.13: PUBLIC HEARING– CHARTER COMMUNITCATIONS CONTRACT

Motion to schedule a public hearing on Wednesday, November 18th, 2020 at 6pm, to be held at the Village of Sherman meeting room at 111 Mill Street, Sherman, for the purpose of renewing the franchise contract between the Village of Sherman and Charter Communications.

Moved by Trustee Higginbotham Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

RES 2020-11-04.14: CODE ENFORCEMENT TRAINING COMPLETED

Motion to accept the certification of Gregory Gormley's completed Code Enforcement Training; in accordance with RES:2020-04-15.11 Gregory Gormley's hourly rate increases to \$15.75 effective pay ending November 1st. 2020.

Moved by Trustee Ayers Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

Motion to adjourn the meeting at 7:23pm.

Moved by Trustee Ayers Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

Respectfully submitted

Jeanette Ramm

Clerk-Treasurer

Next Meetings: Wednesday, November 18th, at 6pm Special Meeting
 Wednesday, December 2nd, at 6pm Regular Meeting