

VILLAGE OF SHERMAN
MINUTES OF THE REGULAR BOARD
AND THE MUNICIPAL ZONING BOARD MEETINGS
Wednesday, January 6, 2021 at 6:00pm

The meeting was held remotely via videoconference. Mayor Meeder welcomed everyone and opened the meeting at 6:00pm by leading everyone in the pledge of allegiance. Board members Colleen Meeder, Ryan Sanders, Donna Higginbotham and Dennis Watson, Clerk-Treasurer Jeanette Ramm, Chief Operator Jay Irwin, residents Gary Emory, and the press were in attendance. Trustee Donna Higginbotham was having difficulty with her connection.

RES 2021-01-06.1: PREVIOUS MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held December 2nd, 2020.

Moved by Trustee Sanders Seconded by Trustee Watson
Ayes: 3 Nays: 0 Carried

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

Moved by Trustee Watson Seconded by Trustee Sanders
Ayes: 3 Nays: 0 Carried

Trustee Higginbotham rejoined the meeting.

MUNICIPAL ZONING BOARD MEETING:

ANNUAL CODE ENFORCEMENT REPORT

Code Enforcement Officer, Greg Gormley, reported the following summary of the 2020 year:

- 40 building permits/extensions were issued - \$1,579.50
- 11 special use permits were issued
- 23 violation notices were issued of which 21 are closed, 1 is new and 1 is ongoing (189 West Main Street)
- Vacant, abandoned, and foreclosed properties are down to 3 properties (153 Miller Street, 105 Willard Street, and 118 Kendrick Street)
- 14 Dumpsters are currently in the village - \$400

RES 2021-01-06.2: ANNUAL DUMPSTER SPECIAL USE PERMITS

Motion to approve the following annual dumpster permits:

- 118 Columbia St – residential with no conditions
- 115 Prospect St – residential with no conditions
- Feelin’ Saucy – commercial with no conditions
- Stanley Hose Company – with no conditions
- Westfield Family Physicians – commercial with no conditions
- Cooler Café – commercial with no conditions

Moved by Trustee Higginbotham Seconded by Trustee Sanders
Ayes: 4 Nays: 0 Carried

RES 2021-01-06.3: STANLEY HOSE DUMPSTER PERMIT FEE \$0

Motion to waive the annual dumpster special use permit fee for the Stanley Hose Company.

Moved by Trustee Watson Seconded by Trustee Sanders

Ayes: 4 Nays: 0 Carried

RES 2021-01-06.4: ANNUAL DUMPSTER PERMIT PENALTY FEE

Motion to approve the penalty of 10% for all rebilling and reminders of existing dumpsters requiring an annual special use permit, as of February 1st.

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

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

Moved by Trustee Higginbotham Seconded by Trustee Watson

Ayes: 4 Nays: 0 Carried

REGULAR BOARD MEETING:

REPORT FROM CHIEF OPERATOR

Mr. Irwin told the board members that the Christmas light fittings had all been replaced. The hooks that hold the bulbs are now permanently fixed to the cables where previously they had to be put up every time we used them, and they were constantly falling off or getting tangled. Our new loader with the fork and county’s basket allows us to reach and change the bulbs quickly, four times faster than using the Town’s excavator. Mr. Irwin and Mr. Crane thought it would be a good idea to use the improved Christmas light fittings continuously throughout the year. This would mean different themed bulbs changed throughout the year, e.g., red, white, and blue for July 4th or orange and purple for October 31st. The new bulbs are all LED which makes them extremely efficient and more durable. It was noted that last year the Christmas lights were not taken down at the end of January because we were reliant on the Town for their excavator, which was out of commission at the time. Once it was fixed, we were working on spring projects such as roads and sidewalks. With all our big projects and the COVID issues, the lights were simply not a priority. But now with our own equipment we can work on our schedule. The idea of having plain white lights during the dark winter nights was also suggested.

Mr. Irwin also reported that any water meters that were solely working on estimations were first on the list for replacement. To date 96 new meters have been installed and are working well. The benefits include the alerts which allow us to sort out problematic backflows and leaks immediately.

CAPITAL PROJECT UPDATES

COMPREHENSIVE PLAN

- Comprehensive Plan is a \$36,000 project of which the Village received \$18,000 from the DEC Climate Smart Communities Grant. John Steinmetz from B&L previously presented our community visioning workshop, worked with our Steering Committee and is now gathering statistics on our demographics i.e., our people, housing, ages, income, taxes, etc. He is also identifying what our needs are, what services are available here and what makes Sherman unique. He is now finalizing the findings and is looking forward to a community presentation later this spring. This process is the first step in updating our zoning, identifying

and qualifying the Village for additional programs, i.e., building renovations and stormwater management, recreation, and other community development opportunities.

- NYMS-TA (NY Main Street - Technical Assistance) Grant is offered under the NY OCR (Office of Homes and Community Renewal); it has opened and is due by January 15th, 2021 through the CFA (Consolidated Funding Application). This is a \$20,000 grant requiring Village and Main Street property owners support, both in matching funds and expressed interest. This grant was scheduled for 2020, but due to the pandemic it was delayed until now. Last April we started going through all the requirements and had a public hearing in June, but since so much time has passed, we will have to through the process again. We already have a letter of support and financial commitment from Jim Mayshark and Mark Swanson.
- CDBG (Community Development Block Grant) is also offered under the NY OCR; it has also opened and is due by March 5th, 2021 through the CFA. The difference between this grant and the NYMS-TA grant, is that this grant will study the Village owned properties along Main Street. This is a \$50,000 grant requiring a Village match of \$2,500 for the evaluation of these properties. The grant will determine what needs to be done to make the buildings usable again. The old Ford Garage property will also be studied under this grant, including the second phase of the environmental study of that property.

Trustee Kirk Ayers joined the meeting.

STORMWATER USDA RD APPLY

- We are currently in the process applying for the USDA “RD APPLY”. This application is for the long-term financing for Stormwater Project (*it does not have a grant component*) and will be submitted January 26th, 2021.
- We are also working on the GIGP (Green Innovation Grant Program) grant through the DEC/EFC which is due by February 12th, 2021. This is for the Main Street and Park Street green infrastructure portion of the stormwater project. We may need an additional meeting on January 20th to take action on this grant application since many of the cost estimates have changed due to inflation, and since construction will only begin in 2022. The mayor clarified the estimated increases with the use of a table (see attached). The yellow line items show significant increases, while the green line items show savings. The purple line items are supplementary expenses which the engineers have experienced with other similar projects and have been added in the likely event they occur here as well. Examples could include relocating utilities; removing gas tanks or other objects found while excavating; we could also require different drainage or infrastructure; etc. As we all know, our Main Street was built up, and there have been multiple water systems, so we do not know what we will find under the ground. The purple expenses may or may not be incurred. The white and grey line items have basically remained the same. Originally our project was for Main Street and Park Street for a total of \$1.9M but after this revision, we are looking at Main Street only, and the project is estimated to be just shy of \$2.3M. Park Street will have to addressed that in next phase. The good news is that this stormwater project (including the Main Street streetscape) is 90% grant funded. These adjustments do increase our 10% match, but we can use in-kind services toward our contribution, lowering this cash amount. This is all part of the 2020 grant, and we will address Park Street and any additional areas in the next phase. The mayor also noted that the work on Park Street should wait until we have secured the WQIP grant to

address the source of the flooding along Park Street. The board members agreed that separating Park Street out of this phase was a good idea.

- Currently we are waiting for the WQIP (Water Quality Improvement Project) program grant to become available.

Timeline:	November 2021	Design
	February 2022	Land Acquisition
	March 2022	First bid for Main Street
	May 2022	Construction - Starts our multiyear project

“Land Acquisition” means that the Village will need to own the property or have permanent easements in order to make improvements to the property. The improvements along Main Street are all within our right-of-way or the State’s right-of-way but not the parking behind Murdock’s which we will be discussing with the new owner once that sale goes through.

SEWER

- EFC/SRF (Short-term Revolving Fund) is scheduled to close January 21st, 2021 and this is the funding to cover the engineering and construction. This SRF will replace the \$300,000 BAN on February 1st, and after construction the SRF will be rolled up in long term financing by a loan from the USDA.
- CDBG (Community Development Block Grant) co-funded infrastructure grant is now open and due by March 5th, 2021 through the CFA. This is a \$1.25 million application for construction. The WWTP Project cannot move forward, not even to ready the property, without first being awarded this grant. We have no set date for when to expect the award, but this is urgent. It was noted that the clock started on our 40-year project on the day we took out the BAN (which we did before Covid-19). Any delays in construction will reduce the number of years to repay the loan, increasing the annual repayment amount.
- Engineering is near completion and bids will concur with the CDBG award; award period is unspecified.
- EPG (Engineering Planning Grant) program through the DEC is open and due February 12th, 2021 through the CFA for the study of composting at the WWTP. This is a \$30,000 grant requiring a Village committed match of \$6,000 – some in-kind administrative services can be included (we estimate \$3-4,000 in cash). Mr. Irwin told the trustees that he has found one Chautauqua County sewer plant and four from Pennsylvania who want to bring their sludge to us for processing because it would save them money, help toward ‘going green’ and reduce landfill volume. We would convert the solids into a Class A Biosolid which can be used for yard reclamation, farming fields, and much more. Mr. Irwin added that this will enable us to further improve our environmental footprint and ecological responsibility, all our projects from Main Street improvements to solar are about ‘going green’. The composting will also provide at least two new jobs and it will make money. The study would determine the actual size of the operation, number of employees and hours of operation depending on amount of processing.

WATER

- EFC/SRF (Short-term Revolving Fund) is moving forward, we already did a motion to proceed with a BAN if the SRF does not happen in time.
- The Engineering Plan is complete and filed with the Department of Health for approval. We are planning to go out to bid later this month, which means the Water Project will happen this summer. The original project started in 2002 but after the funds ran out, we have only

managed to do small increments each year. This new project will complete the water project over the next two summers.

MAYORAL ADDRESS

- The Village Office will remain “Closed to the Public” through the rest of the first quarter. The Clerk is still working and if people need to come in and pay cash, or any other in-person business they can call ahead to make an appointment. Because Covid-19 is picking up in our area, we are encouraging people to use the drop box, mail in or on-line payments.
- The Village personnel all continue to work their normally scheduled hours.

PUBLIC PARTICIPATION

There was no public participation.

FINANCIAL REPORT FROM CLERK-TREASURER

General Checking Account: Balance (01/06/2021) is \$92,535.19 & book balance \$34,719.12
NYS Fund Bank Account: Balance (01/06/2021) is \$0
Sewer Project Bank Account: Balance (01/06/2021) is \$124,601.09
Water Project Bank Account: Balance (01/06/2021) is \$37.50
CD Account: Balance (01/06/2021) is A\$0, B\$0
CD Transfer: N/A
Account Adjustments: N/A

The clerk reported on the last three months of credit card expenses and told the trustees that credit card invoices can be reviewed at the office or emailed to them at any time. She also mentioned that the voucher this month includes \$35,353 for the annual NY State and Local Retirement payment.

RES 2021-01-06.5: VOUCHERS #7 and #8

Motion to accept Voucher #7 for \$52,503.43 for November 2020, reviewed and approved remotely under RES 2020-12-02.4; and to approve Voucher #8 for \$128,015.10 as presented for December 2020, of which \$0 is from the NYS Special Fund, \$60,100.13 is from the Sewer Project Fund, and \$0 is from the Water Project Fund.

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

RES 2021-01-06.6: NY State Special Fund – Checking Account

Motion to accept the closure of the NYS Special Fund Checking Account, ending number 3724; and re-establish a new NYS Special Fund Checking Account for the sole purpose of electronically receiving funds from NY State grantors, as required by the grantor.

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

GEORGE EDMUNDS MEMORIAL PARK

The George Edmunds Memorial Park is located at 328.10-2-37.2 along French Creek, between Hart Street and Franklin Street. George’s nephew, Harold Wake, previously of West Main Street, was greatly influenced by George Edmunds and became very successful. George and Harold had a close father-son relationship, and because of the impact George had on Harold, the Wake family have made a very generous donation to the George Edmunds Memorial Park, for which the mayor and trustees are very appreciative.

RES 2021-01-06.7: DONATION FOR EDMUND PARK

Motion to accept the generous donation of \$15,000 from the Wake Family Charitable Foundation for the George Edmund Memorial Park, and to:

- Establish a Parks and Recreation Fund (P&R minor fund under the General Fund) and establish an Edmund Park Fund (EP sub-fund of Parks & Recreation), to account for and allocate the donation to the designated purpose of maintaining and improving Edmund Park.
- Approve a Village of Sherman checking account for Parks and Recreation to deposit this donation.
- Organize a committee of George Edmund’s decedents to determine the best use of the donation at Edmund Park in coordination with the Community Comprehensive Planning initiative.

Moved by Trustee Higginbotham Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

OLD BUSINESS:

Regarding RES 2020-12-02.5: WATER PROJECT BAN

The Village has not pursued the BAN. There seems to be movement on the EFC Drinking Water Project SRF (Short-term Revolving Fund). If this proceeds in a timely manner the Village will not need to take out a BAN for the Drinking Water Improvement Project. This is the preferred option.

NEW BUSINESS:

The Village conducted a thorough hearing on June 3rd, 2020 of anticipated grant applications due in the July CFA (Consolidated Funding Application) that were postponed due to COVID-19 delays. Several grants have recently been posted and a few require an updated public hearing.

RES 2021-01-06.8: SCHEDULE PUBLIC HEARING FOR CDBG APPLICATIONS

Motion to schedule a public hearing on Wednesday, February 3rd, at 6pm, via Zoom, for the applications of the Community Development Block Grant (CDBG) co-funded Infrastructure Grant in the amount of \$1.25 million dollars for construction of the Wastewater Treatment Plant and the Community Development Block Grant (CDBG) for Community Planning in the amount of \$50,000, requiring a Village match of \$2,500 for the evaluation of Main Street properties; and to submit a legal notice of the public hearing in the Post-Journal and post notices at six local public spaces.

Moved by Trustee Watson Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

RES 2021-01-06.9: NYMS-TA 2020 UPDATE

Motion to **rescind** the previous motion for the application to the 2020 CFA for the NYMS-TA grant as it was resolved by **RES:2020-06-03.10**, due to the postponement of the 2020 CFA because of COVID delays;

AND

Motion to approve the application through the 2020 CFA (Consolidated Funding Application) to the NYS Department of Homes and Community Renewal for a New York Main Street Technical Assistance (NYMS-TA) grant in the amount of \$20,000, requiring a minimum 5% Village match; and to approve and authorize the mayor to sign all related documents and contractual agreements;

AND

Motion to approve the Village financial commitment to the NYMS-TA project of \$1,500, plus matching any private contributions up to an additional \$1,000; (not to exceed \$2,500 in Village contribution).

Including the \$20,000 grant, private business commitments to-date of \$1000, and Village match of \$2,500, it brings the total budgeted NYMS-TA project to \$23,500.

Moved by Trustee Higginbotham Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

Mayor Meeder thanked Jim Mayshark and Mark Swanson, of Bone Creek, for very happily agreeing to commit \$1,000 toward the Main Street project. They are very supportive of the Village and the efforts that are being done here, and we are very thankful to Bone Creek for that.

RES 2021-01-06.10: NYMS-TA 2020 APPLICATION FOR \$20,000

Motion made by Trustee Ayers.

Seconded by Trustee Watson

RESOLUTION by the Village Board of Trustees approving and endorsing the Village of Sherman in its application to NYS Homes and Community Renewal for funding under the New York Main Street – Technical Assistance (NYMS-TA) Grant.

WHEREAS, the Village of Sherman desires to apply for \$20,000 in financial assistance through the 2020 New York Main Street Technical Assistance Program; and

WHEREAS, the Village of Sherman will contribute a 15% match of \$3,500 bringing the total project amount up to \$23,500; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “Main Street” between Church Street and Miller Street; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of the Village of Sherman approves and endorses the 2020 NYMS-TA program application.

Passed by the following vote of the Village of Sherman members voting as follows:

Mayor Meeder	AYE
Trustee Ayers	AYE
Trustee Higginbotham	AYE
Trustee Sanders	AYE
Trustee Watson	AYE

I, Clerk Ramm, do hereby certify that Resolution 2021-01-06.10 was passed at a meeting of the Village Board of Trustees held on January 6th, 2021, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended, or revoked and is in full force and effect.

Jeanette Ramm
Clerk-Treasurer

RES 2021-01-06.11: SCHEDULE SPECIAL MEETING FOR GRANT APPLICATIONS

Motion to schedule a special meeting on Wednesday, January 20th, at 6pm, via Zoom, for the grant applications and contracts.

Moved by Trustee Higginbotham Seconded by Trustee Ayers

Ayes: 5 Nays: 0 Carried

Motion to move into a brief Executive Session at 7:38pm to discuss legal contract matters, no action was taken.

Motion to adjourn the meeting at 8:12pm.

Moved by Trustee Ayers Seconded by Trustee Higginbotham

Ayes: 5 Nays: 0 Carried

Respectfully submitted,
Jeanette Ramm
Clerk-Treasurer

Next Meetings: Wednesday, January 20th, 2021 at 6pm via Zoom
Wednesday, February 3rd, 2021 at 6pm via Zoom (Public Hearing)