

**Town of Sherman
Board of Selectman Monthly Meeting
March 23, 2023 at 7pm
Mallory Town Hall**

Member's Present: First Selectman Don Lowe, Selectman Bob Ostrosky, and Selectman Joel Bruzinski

Member's Absent: None

Audience & Invited: Treasurer Eric Holub, Business manager Liz LaVia, Attorney Lisa Buzaid, Public Works Supervisor Kris Fazzone, SBC Chair Pam Bonner, and residents from the community.

Clerk: Margaret Beatty

Call to Order/Pledge of Allegiance: First Selectman Don Lowe called the meeting to order at 7:01pm followed by the reciting of the Pledge of Allegiance.

Public Comment: Linda Hubbard of 6 Briggs Hill Road thanked the highway department for their prompt response to her roads missing street sign. The crew replaced it quickly with an old sign and was installed within a few hours of her call.

Correspondence: None

Administrative Items:

A) Approval of Minutes:

2/23//2023 Board of Selectman Monthly Meeting

Motioned by: Selectman Bob Ostrosky

Seconded by: Selectman Joel Bruzinski **All in Favor:** Unanimous

2/22/2023 Budget Intake Meeting

Motioned by: Selectman Joel Bruzinski

Seconded by: First Selectman Don Lowe **All in Favor:** Unanimous

(Note: Selectman Bob Ostrosky abstained from the vote, he was not present for the meeting)

2/25/2023 Budget Intake Meeting

Motioned by: Selectman Bob Ostrosky

Seconded by: Selectman Joel Bruzinski **All in Favor:** Unanimous

3/6/2023 Budget Workshop

Motioned by: Selectman Joel Bruzinski

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

3//8/2023 Budget Workshop

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Joel Bruzinski **All in Favor:** Unanimous

(Note: Selectman Bob Ostrosky abstained from the vote)

B) **Tax Refunds:** The Town accepts a refund of \$2,765.67.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

C) **Financial review:** Business Manager Liz LaVia provided the selectman with a snapshot of the general fund expenses rounding out the third fiscal quarter. She noted the Town is tracking normally, the Town received the LOCIP funding for 2023 in the amount of \$25,807. The Resident Trooper's grant was revised by the state and payments will be made through direct pay through the overtime system and the Town will no longer have to be involved with reimbursements and advancements.

D) **Appointments:**

Motion: Appoint Meredith Crouger, to replace a current commission member whose term ends 2025, on the Commission on Aging.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

Motion: Appoint Meegan Schaab, as an alternate commissioner, to the Inlands/Wetlands Commission for 2 years.

Motioned by: First selectman Don Lowe

Seconded by: Selectman Joel Bruzinski **All in Favor:** Unanimous

Information & Discussion:

A) **SVFD monthly report:** Fire Chief Chris Fuchs was unable to attend the meeting and could not provide a report, he was responding to an emergency. At this moment in time, no information has been provided. A conversation has been started about incentivizing the Public Works crew, some who are emergency responders, to respond to daytime EMS calls. First Selectman Don Lowe and Business Manager Liz LaVia will work out reimbursement and create a proposal to present to the Board of Selectman.

B) **Petition by Jay and Lisa Neugarten for the Town of Sherman to discontinue an unused portion of Cedar Lane:** Attorney Lisa Buzaid, representing the Neugarten's, provided/presented an in-depth packet of information at the February BOS Monthly Meeting explaining the circumstance. Attorney Lisa Buzaid has returned to re-petition the BOS to move the Neugarten's formal petition to a Town Meeting. First Selectman Don Lowe commented that, as presented, he is not inclined to move the petition to a Town Meeting but deferred to the other Selectman for thoughts. All Selectman agreed that giving up Town land creates a bad precedence for future petitions/requests.

Attorney Lisa Buzaid acknowledged that different options will be explored and presented to the BOS to address the situation and come to a resolution.

Andrew Pease of 17 LedgeWood Drive deduced, from the information presented/discussed by the BOS and the Neugarten's, that residents in the Deer Run Shores community are committing an act of trespass and believes that conversations pertaining to this petition are relevant to the future and the possibility of filing an adverse use lawsuit. Attorney Lisa Buzaid clarified that she did not imply that residents were trespassing on the road way but over private property. She also clarified that an adverse possession lawsuit cannot be brought upon a municipality.

- C) **Presentation by the Sherman School Building Committee:** Pam Bonner, the Sherman School Building Committee Chair, provided the BOS, Treasurer, and Business Manger documents for discussion of one proposed school design with the opportunity to provide the Town with a 6,000sq ft. ground level portion of property for community use. The segregated portion of the school can be used by the Town or be conserved for future use. The space is presented as an opportunity for an option to the BOS, no formal requests just up for consideration.

Selectman Bob Ostrosky questioned if the space was necessary for critical path to the school project. He believes that the community's appetite for a community space needs to be assessed. He also commented that its not the BOS's purview to accept a proposal without the community's consent.

First Selectman Don Lowe asked if the relinquishing of space would equate to a larger reimbursement from the state. Pam Bonner responded that the state mandates square footage based on enrollment in the school. He also questioned why losing space was beneficial when the first set of plans requires adding a new classroom and reconfigure current spaces. Pam Bonner replied that the school is not code compliant and is operating under a state waiver.

First Selectman Don Lowe reiterated that he would like to see a successful outcome with the school project but emphasizes a need to work cooperatively together.

- D) **Capital request from Park and Recreation to fund the repair of the lifeguard shed and storage shed to possibly bring to Town Meeting:** Projects will be put out to bid.
- E) **Public Works report:** Public Works Supervisor Kris Fazzone provided an update. The department worked through equipment problems during the winter storm but were successful in managing equipment and weather. Gentile will be spending a few more days in Sherman clearing trees. The department will continue to use the current Loader. Bids have been submitted for paving Saw Mill and Hubbell Mountain Rd, must be complete before May 15, 2023. The BOS will discuss at the next monthly meeting moving the oil/tank replacement to Town Meeting. The Avant is mowing, and the crew is learning it in the process.
- F) **Road sign replacement:** Open agenda item. The state has been phasing in larger street signs, as per the recommendation of NUCCD. The recommendations are for all signs, local/state roads. The signs measure at 9 inches tall with 6-inch lettering, the height of

the signs are based on approaching speed for clarity. The cost to replace all of the Town's signs, posts, and hardware amounted to \$12,000. No action has been taken by the board.

G) **Traffic enforcement report:** The Trooper is active, and the Town will continue with its efforts to curb speeding.

H) **Proposed Senior Center report:** The Town approved \$9,000 to pursue renderings for a new proposed Senior Center. The renderings will be presented to the public. The workshop group that has worked to create the vision is now looking to move into the next phase and form a building committee.

Motion: A motion to get permission from the Board of Selectman to create a Building Committee for the Senior Center.

Motioned by: First Selectman Don Lowe

Seconded by: Selectman Bob Ostrosky **All in Favor:** Unanimous

I) **School Building Committee report: Selectman Bruzinski:** Selectman Joel Bruzinski only comment addressed the lack of attendance at the SBC meetings. He values different opinions but hasn't seen enough participation. Meetings are hybrid, in person as well as ZOOM.

Other Business: None

Public Comment: Treasurer Eric Holub voiced concern about one of the line items submitted in an invoice by the school architect firm. He felt that the line item was not part of the scope of the project and appeared more like lobbying from the architectural firm. The invoice amounted to \$5500. He requested that portion of the invoice be brought back to the SBC. Secondly, he commented that having an SBC meeting at 6pm is difficult to attend for those who are working. Lastly, he stressed the need for decorum amongst boards/committees when discussing controversial projects in Town.

Kasey Diotte of 30 Hubbel Mountain Road referenced an interaction at a previous SBC meeting between an SBC member and First Selectman Don Lowe. She appreciated First Selectman Don Lowe's clarity on the differentiation between operating expenses versus how capital projects work. She emphasized how critical it is to take problems encountered from the past to shape the narrative moving forward. She also encouraged voters, board and/or committee members to look at the past history of the School project so that history doesn't repeat itself with the new proposed project moving forward.

Rowland Hanley of 19 Hillside Drive suggested using Nixle to inform the public of upcoming meetings. Secondly, he added that the scope of the building committee has been solely focused on renovations and/or building a new building. He expressed that some residents were hoping that a broader conversation was initiated on where the Town will be in 5,10, 20 years and where the school and public education fits into that plan. He expressed that there is a

segment of residents that want a more innovative approach to education other than throwing money at a building. He would like to see a more visionary dialogue with wisdom in Town.

Public Works Supervisor Kris Fazzone encouraged residents to drive by Deer Run Shores signs to get a visual of what the larger street signs typify.

Tim Laughlin, BOE member, commented that he will report back to the BOE about exploring discussion on different approaches to schooling. He emphasized continued effort to work in synchrony with the BOS to come to a desired outcome for the school.

Rosmarie D'Ostilio of 41 Cozier Hill Road commented that she felt it was counterproductive to criticize efforts of volunteers. She feels its inflammatory to question line item of bills without referring to the architectural firm. She also feels that questioning invoices is a way to discredit hard work.

Treasurer Eric Holub remarked that part of his job as Town treasurer is to sign off on expenses voted by the public. He emphasized that he went back to the notes of the Town warning that approved the funds for the architectural prints and it did not include referendum strategy by the architect. He will not approve funds that have not been appropriated by the Town voters.

Selectman Bob Ostrosky moved to adjourn the meeting at 8:30pm.

Motioned by: Selectman Bob Ostrosky

Seconded by: Selectman Joel Bruzinski **All in Favor:** Unanimous

Notes respectfully submitted by Margaret Beatty on April 15, 2023.