

August 4, 2026

At 7:00 PM, Mayor Sherwood called the meeting to order, followed by the pledge to the flag.

The following were present:

Patricia Sherwood	Mayor
Steve Dominessy	Trustee
Anthony Giboo (7:02)	Trustee
Mary Farrington	Trustee
Brandon Stearns	Trustee

Clerk Gina Maltby

OTHERS PRESENT: Superintendent of Public Works Daren Smith, Code Enforcement Officer Chris Lexer, Dog Control Officer Jeremy Lavery, Fire Chief Jeff Holmes, Village resident Valerie Sullivan.

At 7:00 PM, Mayor Sherwood opened the scheduled public hearing on accessory structures. A legal was placed in the July 23rd Herald Courier advertising the public hearing.

Code Enforcement/Zoning officer Chris Lexer advised that updates to Zoning would include changing the minimum setback footage for accessory structures from 15 feet to 6 feet as well as corrections that were also needed. Board members were provided with a copy of Local Law 3 of 2026: Amending the Zoning Code to amend table 5.1 – table of dimensional regulations. Lexer advised that the board would need to vote on it at September’s board meeting as it must go through the County’s planning board. Chief Holmes inquired about extra storage behind the fire hall.

At 7:11 PM, it was moved by Trustee Farrington, seconded by Trustee Stearns to close the Public Hearing.

Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
5 ayes, 0 nays, 0 absent. Carried.

#700 FORWARD TO COUNTY PLANNING BOARD

Moved by Trustee Farrington, seconded by Trustee Giboo, to forward the proposed updates and changes on the Village Zoning Law to the County planning board. If in favor of, Village board can vote on at September meeting.
Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
5 ayes, 0 nays, 0 absent. Carried.

MINUTES

Trustee Farrington, seconded by Trustee Stearns, moved suspension of the reading of the Minutes of the previous board meeting July 7, 2026 as Board members had been supplied copies. Carried. Mayor Sherwood announced that corrections and alterations would then be heard, and concluding there were none, the minutes stand approved. Carried.

PUBLIC

Village resident Valerie Sullivan asked questions on the sewer project, the affordability of it for most residents and lots being too small per today’s regulations. Chris Lexer answered questions, advised that most lots in the Village are too small to have new septic system put in and would be difficult to replace. Explained that the WQIP grant application has been submitted and hopefully the Village will receive funds from that to cut down the cost and expense to residents. Village will have the opportunity to determine whether cost is placed on Village tax bills or to issue quarterly sewer bills.

REPORTS

Clerk Maltby read updates from Treasurer Edmunds to the board. Board members were each supplied with a copy of the monthly Treasurer Report. The AFR has been filed; did find one issue regarding water revenue since and will be requesting changes be made to the report. The updated revenue report for June reflects that correction. The reserve transfers for the fire department were made in July and will be reflected in the July report when it's done. Will be able to attend the NYCOM conference and voucher for it has been included in tonight's vouchers. A transfer in the amount of \$5,314.17 to garbage refuse is needed since that amount rolled into fund balance at the end of the year and now needs to be paid.

#701 TRANSFER OF FUNDS

Moved by Trustee Stearns, seconded by Trustee Farrington, to transfer funds in the amount of \$5,314.17 from A599 to A8160.410 Garbage Refuse.

Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
5 ayes, 0 nays, 0 absent. Carried.

#702 AUDIT OF THE BOOKS

Moved by Trustee Farrington, seconded by Trustee Dominessy, for two board members to audit the books annually. Board members agreed on Trustee Farrington and Trustee Giboo and for the audits to take place in August.

Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
5 ayes, 0 nays, 0 absent. Carried.

Fire Chief Jeff Holmes advised there were 31 calls for the month of July:

EMS CALLS

Village	10
Town of Yorkshire	10
Town of Freedom	2
Machias	2
Yorkshire	1
Franklinville	1

GOOD INTENT

Town of Yorkshire	3
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FIRE STANDBY

Farmersville	1
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AUTO ACCIDENT

Town of Yorkshire	1
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HAZARDOUS CONDITION

Village	1
Town of Yorkshire	1

In other news, the annual pump testing on the trucks will be taking place on August 24 at the Training Center. Testing will start at 8:00 PM and other departments will be bringing their trucks as well. The annual hose testing will be taking place on August 25, also at the Training Center and beginning at 8:00 PM. The department's next monthly meeting has been moved from 9/7 to 8/31 due to Labor Day. The replacement turnout gear that was ordered is here. Gave Clerk Maltby the check from Machias already; have not received the bill for it yet but should receive it any day.

Superintendent of Public Works Daren Smith reported the following:

- 1.) Traffic light has been hit multiple times recently. Had to direct traffic several times because of it and state crew had to come out. New light was not even up a week before it was struck again. Cannot raise the lights any higher.
- 2.) Received a call for a tree down on Mill Street on July 18th. Pushed it off the road with tractor.
- 3.) Spoke with absentee landlord about their tenant's parking on Village property.
- 4.) Picked up a no parking sign that got run over.
- 5.) Mowed only a couple of time, some areas only once this month since it's been so dry.
- 6.) Regular schedule with chipping brush. Took three days last week and got everything caught up.

- 7.) Cut back brush and branches at some intersections for better visibility as well as in creek banks to see around corners.
- 8.) Received a call from a resident last week whose water meter was leaking in the basement. Found out it had froze over the winter and was one of the leaks he couldn't find. Need to find out if meter is covered under warranty.
- 9.) Has been mowing, weed eating and taking care of downed limbs.
- 10.) Met with contractor and Chris Lexer about roof over Village garage. Need to look into further.
- 11.) Called and ordered chlorine; showed up today and was advised company has been dealing with back orders.
- 12.) Has gotten a lot of questions on sewer project. Refers individuals to Chris Lexer or Village office.

Clerk Gina Maltby reported the following:

- 1.) Prepared Vouchers and Abstract
- 2.) Cash receipts provided to each board member.
- 3.) Two parking tags issued in the month of July.
- 4.) Outstanding water to be collected: \$10,603.17.
- 5.) Outstanding taxes to be collected: \$17,980.36.
- 6.) Planning on mailing out September water bills on Friday, August 28th.

COMMUNICATIONS

- 1.) A letter was received from Williamson Law advising of a 4% increase to their annual software support fees in 2027.
- 2.) The following free rabies clinics will take place from 4:30 PM to 7:00 PM:
Thursday 9/3 at County DPW Garage in Dayton
Tuesday 9/8 at County DPW Garage in Allegany
Thursday 9/10 at County DPW Garage in Machias
Tuesday 9/15 at Lyndon Volunteer Fire Co
- 3.) Clerk Maltby provided board members with a copy of an e-mail received from Sarah with Southern Tier West on the inaugural Upstate Nuclear Summit on 9/17 in Waterloo, NY.
- 4.) Cattaraugus County deposit received in the amount of \$33,595.31 on 8/3 – Sales Tax Distribution – 2nd quarter 2026.

UNFINISHED BUSINESS

- 1.) **Sewer Project:** Code Enforcement officer Chris Lexer advised that the WQIP application was submitted at the end of July. Working on getting other applications out; quotes sent out by engineering company for surveying and wetland lineation. Discussed intermunicipal agreements with Arcade and Machias – need to work on setting up a meeting with Mayor, Village board members and himself with members from Machias.
- 2.) **Cattaraugus County meeting:** Trustee Dominessy advised the board what the EMS Plan meeting was about. Chief Holmes advised the board that a plan needs to be in place by middle of December.
- 3.) **Crossing Guard ad:** Clerk Maltby advised that the ad for crossing guard was in the paper on the 23rd and no one has reached out about it yet.

#703 CROSSING GUARD AD & LETTER

Moved by Trustee Giboo, seconded by Trustee Farrington, to approve Clerk Maltby running the ad for crossing guard in the paper again and to send a letter to the Elementary school office to see if the school board has any options.

Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
 5 ayes, 0 nays, 0 absent. Carried.

NEW BUSINESS

- 1.) Complaint Form: Lexer advised the board that a complaint form has been put together and each board member has been provided with a copy. If anyone receives a complaint from a resident, they can go to the Village office to fill out the complaint form and turn it into the Village Clerk. The form will be given to the appropriate department and is good to have since it provides a record.

#704 APPROVE COMPLAINT FORM

Moved by Trustee Stearns, seconded by Trustee Farrington, to approve the Village of Delevan complaint form. Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
5 ayes, 0 nays, 0 absent. Carried.

- 2.) Local Law 4 of 2026 Public Hearing:

#705 SCHEDULE PUBLIC HEARING

Moved by Trustee Farrington, seconded by Trustee Stearns, to schedule a public hearing on Tuesday, September 1, 2026 at 7:00 PM on Local Law No. 4 of the Year 2026: Amending the Zoning Code to prohibit Data Centers and Cryptocurrency Data Mines in the Village of Delevan.
Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
5 ayes, 0 nays, 0 absent. Carried.

- 3.) Lexer advised the board that a Village resident who is trying to have a business will be at the next board meeting. The resident will need to apply for sight plan application and the board will have to review the application and make decision. Will go over information at next month's meeting.

- 4.) Constable/Dog Control Officer Lavery provided the following report for the month of July:
Zero dog seizures, dog on dog attacks, dog on human attacks, dangerous dog complaints or unlicensed dogs found. Called a bunch of dog owners to get their dog licensed.
Received complaints of a dog running in the park. Spoke with owner.
Received complaint on dogs barking on Cobb. Spoke with owner.
Several complaints of loud music, called and told them to turn it down.
Complaint of someone at the park gazebo. He and Sheriff asked person to leave at 11:15PM.

Would like to setup meeting with Village attorney on Constable information such as writing tickets. Clerk Maltby to reach out to attorney on availability. Mayor Sherwood and trustee Farrington offered and agreed to attend.

- 5.) Trustee Stearns advised that he spent hours working on the Village clock across from the plaza and was unable to reset the time. There are two systems on the clock and he tried setting both. Will contact the company that serviced the clock a couple years ago to see if they would be able to walk him through it, got their phone number from Clerk Maltby.
- 6.) Clerk Maltby advised that a peddler/vendor permit was issued.
- 7.) Clerk Maltby advised that sexual harassment training needs to be completed for the year. Completed the employee list for 2026 and sent it to the company that issues the training; agreement for 2026 has been received.

#706 SEXUAL HARASSMENT TRAINING AGREEMENT

Moved by Trustee Farrington, seconded by Trustee Stearns, to approve Clerk Maltby to sign the 2026 sexual harassment prevention training agreement with Bond, Schoeneck & King, PLLC in the amount of \$280.00 for 14 users.
Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Giboo aye.
5 ayes, 0 nays, 0 absent. Carried.

PAY CLAIMS

The bills for the previous month of July were presented and audited. It was moved by Trustee Farrington, seconded by Trustee Stearns, to make payment of \$36,379.71 Abstract #003, \$34,548.23 General Fund Claims and \$1,831.48 in payment of Water Fund.

Trustee Dominessy aye, Trustee Farrington aye, Mayor Sherwood aye, Trustee Stearns aye, Trustee Gibbo aye.
5 ayes, 0 nays, 0 absent, Carried.

ADJOURNMENT

At 8:58 PM it was moved by Trustee Gibbo, seconded by Trustee Farrington to adjourn. Carried.

Village Clerk Gina Maltby