

REGULAR MEETING

July 12, 2021

A regular meeting of the Sherrill City Commission was held at 7:00 p.m. on July 12, 2021. Present were Mayor W. Vineall, Commissioners T. Dixon, D. Hyle, P. Hubbard, J. Shay, City Manager B. Lovett, and City Clerk M. Holmes.

MINUTES

Motion was made by J. Shay and seconded by D. Hyle that the minutes of the previous meeting be approved as written.

AYES: Dixon, Hubbard, Hyle, Shay

ABSTAIN: Vineall

BILLS

Motion was made by P. Hubbard and seconded by J. Shay that the following bills be approved for payment and P. Hubbard be authorized to sign the warrant.

Fund	Warrant No.	Date	Dollars
City Claims on	13	07/12/2021	\$146,013.60
Sewer Claims on	13	07/12/2021	\$16,094.80
P&L Claims on	13	07/12/2021	\$170,151.37
Trust & Agency Claims on	13	07/12/2021	\$1,250.00

AYES: Dixon, Hubbard, Hyle, Shay, Vineall

WASTEWATER PROJECT

B. Lovett reported that Hubbard Construction reported to the engineer that they made a mistake on their bid submitted amounting to almost \$500,000 and they are looking to adjust or withdrawal. Barton and Loguidice recommended that the City rescind the award and award to the 2nd low bidder on the construction bid and award only at the base bid pricing. The City has some grant applications pending and if the grant money comes to fruition, then it could add some or all of the bid alternates, back to the contract. A motion was made by T. Dixon and seconded by J. Shay to rescind the award approving bid resolution from the June 28, 2021, meeting.

AYES: Dixon, Hubbard, Hyle, Shay, Vineall

Lovett passed along the Engineer's recommendation and the following motion was made by J. Shay and seconded by T. Dixon that

CITY OF SHERRILL

**RESOLUTION AUTHORIZING THE REVISION OF AWARD OF
THE BASE BID FOR THE
WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM
IMPROVEMENTS PROJECT**

WHEREAS, the City of Sherrill (City) is the owner of the Wastewater Treatment Plant and Collection System Improvements Project ("Project"); and

WHEREAS, pursuant to New York State Municipal Law, bids for Contract No. 1A – General Construction, Contract No. 1B – Electrical Construction, and Contract No. 1C – Sanitary Sewer Rehabilitation were received, publicly opened and read aloud on June 11, 2021 at the City Hall, 377 Sherrill Road, Sherrill, NY 13461; and

WHEREAS, the City's Engineering Consultant, Barton & Loguidice, D.P.C. (B&L), tabulated and analyzed the bids received, and by letter dated June 28, 2021, had originally recommended award of the City of Sherrill Wastewater Treatment Plant and Collection System Improvements Project as follows:

1. Contract No. 1A – General Construction: Base Bid and Additive Bid Items A-1, A-2, A-3, A-4, A-5, and A-6;

2. Contract No. 1B – Electrical Construction: Base Bid and Additive Bid Items B-3, B-4, B-5, B-6, and B-7;
3. Contract No. 1C – Sanitary Sewer Rehabilitation: Base Bid.

WHEREAS, the General Contractor M. Hubbard Construction, Inc. has noticed a mistake in their bid pricing which would increase the contract price; and

WHEREAS, the City’s Engineering Consultant, Barton & Loguidice, D.P.C. (B&L), revised the recommendation of award, and by letter dated July 12, 2021, has recommended that the City of Sherrill rescind the RESOLUTION AUTHORIZING THE AWARD OF BASE BID AND ADDITIVE BID ITEMS FOR THE WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM IMPROVEMENTS PROJECT dated June 28, 2021 and award the City of Sherrill Wastewater Treatment Plant and Collection System Improvements Project as follows:

4. Contract No. 1A – General Construction: Base Bid;
5. Contract No. 1B – Electrical Construction: Base Bid;
6. Contract No. 1C – Sanitary Sewer Rehabilitation: Base Bid.

NOW, THEREFORE, BE IT RESOLVED that based on the recommendation of B&L, the City of Sherrill City Commission hereby rescinds the RESOLUTION AUTHORIZING THE AWARD OF BASE BID AND ADDITIVE BID ITEMS FOR THE WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM IMPROVEMENTS PROJECT dated June 28, 2021 and awards the City of Sherrill Wastewater Treatment Plant and Collection System Improvements Project as follows:

1. Contract No. 1A – General Construction to M.A. Bongiovanni, Inc. for the Base Bid in the amount of \$4,706,340.00;
2. Contract No. 1B – Electrical Construction to S.C. Spencer Electric, Inc. for the Base Bid in the amount of \$437,900.00;
3. Contract No. 1C – Sanitary Sewer Rehabilitation to Green Mountain Pipeline Services, LLC. for the Base Bid in the amount of \$169,980.00, and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Mayor William Vineall	AYE
Commissioner Dixon	AYE
Commissioner Hubbard	AYE
Commissioner Hyle	AYE
Commissioner Shay	AYE

UNSAFE BUILDING – 152 ELMWOOD PLACE

At the previous meeting, June 28th, B. Lovett spoke to the Commission regarding the issue with 152 Elmwood Place. At that time the formal adoption of the ordered issue notice was not laid out, thus the hearing was postponed for this evening and the following motion was offered:

ADOPTION OF ORDER & ISSUE NOTICE UNSAFE BUILDING – 152 ELMWOOD PLACE

Motion was made by J. Shay and seconded by T. Dixon that the commission acknowledge receipt of the report from Jim Whitcombe and that in accordance with the Sherrill Local Ordinance No. 28 issue an order of repair to the property owner (and all interested parties, if any) in accordance with Sherrill Local Ordinance No. 28 Section 4.

Additionally, in accordance to Sherrill Local Ordinance No. 28 Section 5 issue a notice of unsafe building to the home owner (and all interested parties, if any). The notice (a copy of which is attached to these minutes and the minutes of June 28, 2021) orders that work commence within 30 days and is completed within 60 days after service and further sets a hearing to be held

by the City Commission on August 2, 2021, at 7:15 p.m. at which time the owner (and all interested parties, if any) shall have the right to appear and be heard on the matter.

AYES: Dixon, Hubbard, Hyle, Shay, Vineall

PUBLIC HEARING – PROPOSED ORDINANCE #32 – STORAGE STANDARDS

There was one member of the public present; Mayor Vineall opened the public hearing at 7:15 p.m. B. Lovett explained the proposed ordinance. No members of the public spoke.

Mayor Vineall closed the public hearing at 7:20 p.m.

RESOLUTION TO ADOPT ORDINANCE #32 (STORAGE STANDARDS)

The following motion was offered by T. Dixon and seconded by J. Shay that:

WHEREAS, the City Manager and City Clerk have recommended adopting Ordinance No. 32 (Storage Standards) of the City of Sherrill; and

WHEREAS, a public hearing has been held on the question of the adoption of the proposed ordinance after notice of such hearing was published in the Rome Daily Sentinel on July 6, 2021; and

NOW, THEREFORE, be it Ordained by the City Commission of the City of Sherrill, New York, as follows:

PROPOSED ORDINANCE NO. 32

STORAGE STANDARDS

Any shipping container use as an accessory building, storage building, or living unit is prohibited.

The intent of this ordinance is to protect the public health and safety and the aesthetic quality of the city.

No person shall place or cause to be placed or use or permit the use of any shipping container as an accessory building, storage building, or living unit within the City of Sherrill.

Allowed use:

Shipping Containers/Connex Boxes may be used temporarily for 90 calendar days, unless written permission from City Manager to extend. In no circumstances shall City Manager extend time beyond 150 days. Request to place unit on property must be done so in writing, and permission with removal date will be provided by City Manager.

1. Storage shall be wholly within this unit, and the unit shall be placed in the side or rear yard. There shall be no storage in any required front yard or flanking street yard.

There is no “grandfather clause” any existing units as date of ordinance being ratified, must be removed within 90 days.

The Ordinance shall take effect July 12, 2021.

§1. This ordinance shall become effective upon adoption by the Sherrill City Commission and the filing thereof with the City Clerk.

A roll call was taken on the motion which resulted as follows:

Mayor Vineall	AYE
Commissioner Dixon	AYE
Commissioner Hyle	AYE
Commissioner Shay	AYE
Commissioner Hubbard	AYE

MARIJUANA REGULATION & TAXATION ACT (MRTA)

At the previous meeting there were roughly ten residents present commenting on the MRTA. All who spoke suggested that the Commission opt-out of allowing the sale within the City of Sherrill. The Commission generally felt the same way and asked M. Holmes to draft up the Local Law in conjunction with the City Attorney for the proposal at the next meeting. Holmes will have a proposed local law for the next meeting.

Motion was made by J. Shay and seconded by D. Hyle to adjourn.

AYES: Dixon, Hubbard, Hyle, Shay, Vineall

Michael Holmes
City Clerk