

VILLAGE OF SHERMAN
MINUTES OF THE
MEETING OF THE MUNICIPAL ZONING BOARD,
REGULAR MEETING OF THE BOARD
Wednesday, June 17, 2026 at 6:00pm

Mayor Meeder called the meeting to order at 6:00pm and lead everyone in the Pledge of Allegiance. Board members Colleen Meeder, Ryan Sanders, Gary Emory, Dennis Watson, and Danielle Crane; and Clerk-Treasurer Jeanette Ramm were in attendance. Director of DPW Jay Irwin was responding to an emergency call.

RES 2026-06-17.1: MINUTES

Motion to accept the previous minutes of the Regular Meeting of the Village Board of Trustees held Wednesday, May 20, 2026.

Moved by Trustee Sanders Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

MUNICIPAL ZONING BOARD MEETING

No Report or Action

REGULAR BOARD MEETING:

DEPARTMENTAL REPORTS FROM DPW DIRECTOR

Streets, Water, and Sewer Departments

- East Street is scheduled to be milled Thursday, June 18, and next week it will be paved.
- Six concrete sites have been completed for multiple small sidewalk sections, including two bench areas at Franklin Street and on the trail.
- Franklin Street reclamation and tree planting along 100-104 West Main Street, across from the mural is underway.
- Chautauqua County provided a dozer for the clean up behind the Weise Garage along French Creek.
- At the recommendation of Johnston's Nursery the trees are being fertilized, especially the one along the bank that is struggling (probably due to the acid wash along the sidewalk), and the flowering trees along Hart Street.
- Preparation for the Dog Park along the Water & WWTP drive is improving, this includes tree removal and stump grinding.
- Tuesday, June 16th, Eric Joyce, USDA RD conducted the three-year inspection of equipment and took pictures of the reclamation work at the dry detention pond.
- For a Veolia expert to diagnose and/or fix the programming issues with the Hydrotech Disc filters and the alarms that it is giving, the cost includes all expenses for travel, per diem, hotel, and rental car: \$ 9,067.05. If the Veolia Expert is only on site for 1 day, then \$1,880 will be deducted from the final invoice. This amount is primarily for diagnosing only, with an onsite visit... not necessarily a repair nor does not include any replacement parts. Cole Electric has been on site to determine if it is a fixable electric problem.

- Jared Oehlbeck rented a stump grinder to clean up the remaining tree stumps at the Village Commons.

CAPITAL PROJECT UPDATES

COMPREHENSIVE STORMWATER IMPROVEMENT PROJECT

- The Village successfully closed on long-term financing with USDA RD for the stormwater project. The annual principal and interest (1.25%) for 35 yrs = Approx \$52,000/per annum.
- Work Status:
 - Upper Basins – CCSWCD has begun restoration at the dry detention pond. Reclamation will continue at North Haven/Sherman Apartments off Church Street. Northrup will be returning to complete upper Miller Street, and then CCSWCD will be hydroseeding by end of July 2026.

COMPLETE STREETS:

CREDC Chautauqua Region Economic Development Corporation

- Matt Zarbo of Square Engineering and Mayor Colleen Meeder met with the NYSDOT on Thursday, June 11, as DPW Director Jay Irwin attended by zoom, for an early meeting on the Main Street Conceptual Design.
- The agenda included: traffic calming measures, pedestrian crosswalks, existing rail to trail crossing on East Main St, and roadway cross section for parking, bike lanes, and sidewalks.
- While there are strict limitations on what can be done under the statutes of the manual, there are opportunities as well to make significant improvements to the downtown corridor.
- Speed and pedestrian studies will need to be requested and meet certain criteria to warrant signage and crosswalks across Main Street. At this time, it doesn't look like the number of pedestrians is sufficient to meet the criteria for signage and crosswalks, but narrowing the road is an option.
- Improvements to the Village of Hamburg on Rt 62 and the City of Dunkirk on Rt 5 were discussed as examples.

CDBG is conducting the post-closing review and audit of the three Village projects including the first CDBG Housing Project #1071HR118-20, the second CDBG Housing Project #1071HR324-23, and the CDBG Co-Funded Infrastructure Project for the Main Street Stormwater Improvements #1071PR103-23; beginning Tuesday, June 23rd.

CHRIC HOUSING PROJECTS

- **CDBG Housing Project #1071HR324-23** – Final Report to be submitted.
- **MMHR** - The Mobile & Manufacture Home Replacement Grant Meeting with CHRIC and then HCR to determine the strategy for application to the CFA due July 31st – the Village is planning to apply to another MMHR grant to stack the funds toward the replacement of three mobile homes in the village.

FOOD PANTRY GRANT – The Sherman Area Food Pantry was awarded the FeedMore WNY grant of \$4,000 to cover the rental expense of the 123 West Main Street, rear location.

The 2025 Downtown Revitalization Initiative (DRI) and NY Forward (NYF) Program awards were announced Friday for the WNY Region. In Chautauqua County, the City of Jamestown

was awarded their second \$10M DRI and the Village of Falconer was awarded the \$4.5M NYF, (along with the Village of Hamburg in Erie County). The Village of Sherman will continue to pursue opportunities for community and economic development. The Village Board and Steering Committee, along with our partners at Chautauqua County Partnership for Economic Growth will discuss the plan for future NY Forward applications.

COMMITTEE & AGENCY UPDATES

TRAILS

- Chautauqua Lake Central School's technology department led by Dan McCray, and the Chautauqua Lake Manufacturing Club built a three-bike rack/bench combo that was installed by the students on the Rosie Billquist Trail, CR2T.

SHERMAN CHAMBER OF COMMERCE

- Next Meeting Thursday, July 9th, 2026 in the Village Office at 9am.

SHERMAN DAY COMMITTEE

- Next Meeting Tuesday July 7th, 2026 at 6pm at the Cooler.

MAYOR

- Focus is currently on the Fiscal Year End May 31, 2026, Financial Statements and related reporting requirements which are due July 31, 2026, followed by the Single Audit to be performed by Johnson, Mackowiak, & Associates.
- Meeting with the insurance company's Senior Risk Control Representative for Tokio Marine HCC – Public Risk Group, as part of their annual review. This will involve discussion of policy implementation and law adoption.
- The mayor thanked the Sherman Chamber of Commerce for their donation of \$200 toward the cost of the Main Street hanging flower baskets.
- Mayor Meeder, ZBA Chair Ken Labuskes, and Planning Board Member Rose Van Volkenburg attended the June 3rd, Planning and Zoning Workshop with NYCOM's Wade Beltramo and Neil Robinson from Robinson Law Office.
- ZBA (Zoning Board of Appeals) members are needed.
- **MEMORIAL DAY**
 - The Village of Sherman is very grateful to Mike Ganske, CIA - Retired, Clymer, NY who was the keynote speaker of the Memorial Day Remembrance ceremony following the parade; also, to Pastor Tim Minge who will be leaving the Sherman area for warmer weather in Arizona, and the message from Town Clerk, and Sherman Town Historian Annette Swan.
 - Courtney Taylor, SCS teacher, and leader of the local Girl Scout Troop discussed ideas to encourage more involvement from the students, athletes, and band members. The Village truly appreciates the Girl Scout Troop's representation at the Sherman Memorial Day Event.

PUBLIC PARTICIPATION

There was no public participation.

FINANCIAL REPORTS FROM CLERK-TREASURER

- The Clerk has begun collecting taxes and the notice was posted in the paper.
- All Fire Contract payments have been received in order to process the July payment to Stanley Hose Company, *in full*. As a reminder, all Fire Contract amounts are paid completely – in full to the Stanley Hose Company. The Village does not retain any funds collected for the Fire and EMS Services.
- The Property, Liability, and Cyber Policies are all set to begin and end in alignment with the fiscal year 6/1-6/1.

Community Bank Accounts:

General Checking Account: Balance (06/17/2026) is \$49,666.82 & book balance \$103,387.36

NYS Fund Bank Account: Balance (06/17/2026) is \$15,000

Parks Fund Account: Balance (06/17/2026) is \$804.47

Climate Smart Account: Balance (06/17/2026) is \$0.00

NYCLASS Account: Balance (06/17/2026) is \$42,308.37

Of which is: General Funds \$595.22

Capital Funds \$72.21

Contains Stormwater BAN proceeds and Bldg Proj. Balance

Debt Funds \$577.63

Repair Reserve Funds \$41,063.31

Receipts: Total \$99,139.37

RES 2026-06-17.2: VOUCHER #1 2027

Motion to accept Voucher #1 for \$1,464,307.17 for May 2026, of which \$0 is from the NYS Special Fund, \$0 is from the Parks Fund, and \$0 is from the Climate Smart/Economic Development Fund.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

OLD BUSINESS:

RES 2026-06-17.3: CONFLICT OF INTEREST DISCLOSURE STATEMENT

PREVIOUS PROPOSED RES 2026-05-20.3:

Motion to accept from the Village personnel and Board members, a completed Conflict of Interest Disclosure Statement, including whether they have nothing to disclose or listing any significant financial interests, businesses, and other non-profit affiliations related to the Village of Sherman: All Village board members, clerk-treasurer, and department heads are to sign this statement annually.

Colleen Meeder, Mayor – Westfield Memorial Hospital Foundation (board member and secretary), Sherman Central Audit Committee, Private Accounting Business

Ryan Sanders, Deputy Mayor - none

Dennis Watson, Trustee - none

Gary Emory, Trustee – Olive Lodge #575

Danielle Crane, Trustee - Sherman Day Committee and Ottaway & Woods Auto Parts

Jeanette Ramm, Clerk-Treasurer - None

James Irwin, Director DPW – Whit's Pit

Greg Gormley, Enforcement Officer - None

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

NEW BUSINESS:

RES 2026-06-17.4: RECORDS MANAGEMENT – RECORDS DISPOSAL

Motion to record the disposal of records including and prior to Fiscal Year 2018-19 in compliance with Records Retention and Disposition Schedule LGS-1, (*adopted by RES 2020-11-04.9*).

Moved by Trustee Sanders Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

RES 2026-06-17.5: CLOSE OF FISCAL YEAR END

Motion to approve the close of activity for Fiscal Year End May 31, 2026, with the receipt of all invoices to date June 17, 2026, (any delayed invoicing of activity for May 31, 2026 and prior, will be recorded in Fiscal Year June 1, 2026 – May 31, 2027).

Moved by Trustee Emory Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2026-06-17.6: SANITARY SEWER INSPECTION FEE SCHEDULE

Motion to approve the fee schedule for the Sanitary Sewer Application for Inspection, (*typically requested at time of sale*), as follows:

Inspection Compliance Letter (per bldg.)	\$ 45.00 per letter
Residential Property Inspection Fee (up to 2 units per parcel)	\$100.00
Commercial Property (per bldg.)	\$150.00 per building
Commercial Property, Multi Unit Apt., (per bldg.)	\$300.00 per building

Moved by Trustee Crane Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2026-06-17.7: ACCESS CHAUTAUQUA (CHANNEL 5) DONATION

Motion to approve a \$250 donation to Access Chautauqua, Channel 5, in providing public service announcements and local information to the residents of our community.

(Did not receive a motion.)

RES 2026-06-17.8: LL 2-2026 PROPOSED DRAFT VOS FIRE DEPT POLICY

Motion to record the introduction and first reading for the proposed LL 2-2026 for the adoption of the **Village of Sherman Fire Department Policy** wherein the roles of the Village of Sherman Board of Trustees, the Village of Sherman Volunteer Fire Department, Chief and Assistant Chiefs, Council of the Fire Department, and Stanley Hose Company and its shared members are defined according to the Consolidate Laws of New York State.

PURPOSE: To bring the Village of Sherman's, Village of Sherman Fire Department and cooperative relationship with the Not-for-Profit Corporation, Stanley Hose Company (Inc.) into statutory compliance with required oversight, reporting, and operations concerning volunteer membership and fiscal accountability, among other responsibilities and liabilities, as stated in the Consolidated Laws of New York, including, but not limited, to the:

EXC - Executive Law,
GML - General Municipal Law,
LFN - Local Finance Law,
MHR - Municipal Home Rule,
NPC - Not-For-Profit Corporation,
PBO - Public Officers Law (incl. FOIL and Open Meetings Laws)

VIL - Village Law,
 VOL - Volunteer Firefighters' Benefit, and
 WKC - Workers Compensation Law; and
 NYCRR – NY Codes, Rules and Regulations, and
 WHEREIN, decisions of case law and the opinions of the New York State
 Comptroller and Attorney General have deliberated and delivered on the subject.

Attach proposed Local Law to the end of the minutes.

Moved by Trustee Crane Seconded by Trustee Watson

Ayes: 5 Nays: 0 Carried

RES 2026-06-17.9: RECORD FIRE CONTRACT REVIEW

Motion to accept and record the **Village of Sherman Board of Trustees Review** of the current fire contracts:

	<u>Contract Amount</u>	<u>Tax Rate per \$1,000 Assessment at 100% of Market Value (accounting for Uniform %)</u>
Town of Mina	\$ 5,000	EMS Support
North Lake Fire Dist.	\$10,112	\$0.782857, ** incl. more than VOS/SHC Contract distributing \$420,918 over entire Chautauqua district (previously \$0.5382 - 2024, for VOS/SHC Contract)
Town of Westfield	\$11,695	\$0.491856 - specifically for VOS Fire Dept. & SHC
Town of Sherman	\$46,511	\$0.493086 - only VOS Fire Dept. & SHC
<u>Village of Sherman</u>	<u>\$26,382</u>	<u>\$0.877211 - at 1.78 times more than the towns</u>
Total of Contracts	\$99,700	to which the VOS contributes 26.5%

The Village of Sherman Fire Department financial commitment extends beyond the contract with Stanley Hose Company of \$26,382, to liability coverage, workers compensation coverage, hydrants, original cost and maintenance of the Village of Sherman Fire Department Fire Engine to date, which is being donated to the Stanley Hose Company to recoup the remaining value toward new equipment to be purchased by Stanley Hose Company at their discretion.

The Village of Sherman Board of Trustees herein requests from Stanley Hose Company the formula or basis for the contracted amounts.

Moved by Trustee Emory Seconded by Trustee Crane

Ayes: 5 Nays: 0 Carried

RES 2026-06-17.10: AMEND RES 2026-05-20.4 HCC INSURANCE

Motion to amend the previous RES 2026-05-20.4 for the annual property and liability insurance with Tokio Marine / HCC from the previous not exceed amount of \$34,000, to the amended amount not to exceed \$36,000.

Moved by Trustee Watson Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

Motion to move into Executive Session at 6:55p.m. to discuss legal and personnel issues, *with no action to be taken following the executive session.*

Moved by Trustee Crane Seconded by Trustee Emory

Ayes: 5 Nays: 0 Carried

Returned to the regular meeting at 7:41pm.

Motion to adjourn the meeting at 7:42pm.

Moved by Trustee Emory Seconded by Trustee Sanders

Ayes: 5 Nays: 0 Carried

Respectfully submitted,

Jeanette Ramm

Clerk-Treasurer

Next Meeting: **Regular Meeting Wednesday, July 8, 2026, at 6pm.**

Future: July – endorsement of 2026 CFA Application(s).

VILLAGE OF SHERMAN

***PROPOSED* LOCAL LAW No. 2 of 2026**

**A Local Law whereby the Village of Sherman adopts the
Village of Sherman Fire Department Policy**

Be it enacted by the Village Board of the Village of Sherman, County of Chautauqua, and State of New York,
as follows:

SECTION 1. AUTHORITY.

This local law is promulgated pursuant to the authority granted by:

- A. Article IX of the New York State Constitution, § 2(c)(10);
- B. New York Statute of Local Governments, § 10(1) and (7);
- C. New York Municipal Home Rule Law, § 10(1)(i) and (ii) and § 10(1)(a), (11), (12), and (14);
- D. New York Village Law Section 4-412.

SECTION 2. TITLE.

The Village Board of Trustees of the Village of Sherman hereby adopts the Village of Sherman Fire Department Policy as follows:

SECTION 3. PURPOSE AND INTENT.

The purpose of which is to highlight the roles, responsibilities, and relationship of the Village of Sherman Board of Trustees, Village of Sherman Fire Department, Stanley Hose Company, and its shared members, as articulated in the statutes provided in NYS Law and opinions of the

Comptroller and Attorney General; clarifying the minimum standards to our best understanding and ability to bring the organizations into compliance to most effectively serve the community and members, and limit liability. This policy is not a substitute for NYS laws and is not a comprehensive list of requirements.

SECTION 4. INTRODUCTION.

New York State General Municipal Law (GMU / GML) applies to all government, quasi government, taxing entities, and special districts in New York State.

“Fire company” means the volunteer fire company ***of a Village Fire Department***, (whether or not any such company has been incorporated under any general or special law);

“Governing board of the political subdivision” means the governing board of the Village of Sherman, ***where the fire company is under the general control of***, or recognized as a fire corporation, by the Board of Trustees of the Village of Sherman; and

The “political subdivision”, being the ***Village of Sherman, is the employer*** under the volunteer firefighters' benefit law, section two hundred seven-a of this article, the workers' compensation law, or any other comparable law.

Village Law under the Consolidated Laws of New York State (VIL) is the law NY State adopted for the governance and powers of villages specifically. This is not to be confused with Village Local Law, which indicates the adoption of laws and ordinances by the Village of Sherman, for the Village of Sherman granted by GML, MHR, and others.

The Not-for-Profit Corporation, Stanley Hose Company Inc., though a separate entity having its own governance structure, is under the umbrella of the Village of Sherman for its purpose in serving and supporting the Village of Sherman Fire Department and its members.

The Village of Sherman is tasked with the responsibility of overseeing the stable and reliable continuance of fire and emergency medical services for the community and contracted territories. Following these procedures outlined herein, the Village of Sherman with the Stanley Hose Company of the Sherman Fire Department of which it is a part secures and provides for the protection of the assets (both human and capital resources) and their availability to serve the community into the future. This ensures members are eligible and appropriately covered by benefits and that the exposure to risk and liability is minimized for the members, Stanley Hose Company, the Village of Sherman and the municipalities served.

SECTION 5. DEFINITIONS.

Village of Sherman – is the ‘political subdivision’ of the State, a distinct government entity, and a municipal corporation. (VOS, Village)

Volunteer Fire Department – is the Village of Sherman Fire Department. (VFD, Fire Dept.)

Council of the Fire Department – consists of the Line Officers of the Village of Sherman Fire Department. (Fire Council)

Fire Chief – Village of Sherman Department Head, Line Officer, President of the Council of the Fire Department presiding over meetings of the fire department (VIL §10-1018, NYCPTTR Op. No. 90-19)

Fire Protection District – the geographic area the Village of Sherman Fire Department is contracted with to provide fire protection and/or emergency medical services with the cooperation of the resources held by Stanley Hose Company. “An area of a town outside of villages for which the town contracts to receive fire protection services from another entity”, i.e., Village Fire Dept. (NYSOSC ‘Fire Protection in New York State: How Is It Provided in Your Community?’ March 2017)

Stanley Hose Company – is an incorporated Not-for-Profit Corporation. (SHC, Hose Company, Inc.) Stanley Hose Company (Inc.) consists of volunteer firefighter membership and is incorporated under the provisions of the Not-for-Profit Corporation Law and constitutes the Fire Department of the Village of Sherman, which is headed by the Fire Chief. The Village Board of Trustees is authorized to adopt rules and regulations governing the fire department and fire company.

The Village of Sherman Fire Department may be herein abbreviated to ‘Fire Dept.’ and the incorporated Stanley Hose Company to ‘Inc.’, for clarity.

SLANG, COLLOQUIALISMS, or other NUANCES:

Fire Company – “company” may or may not refer to an incorporated non-profit organization. Fire Company is often used as a generic term in the statutes which refers to a fire house, hose company, or engine company, but does not automatically designate it as an incorporated Not-for-Profit Corporation. Herein, Fire Company is used when mentioned in the statutes as abbreviated language but holds no specific definition or delineation within the Village of Sherman Fire Department Policy.

Fire District – “district” herein is slang shortening the actual term of “fire protection district” that comprise a geographical area which is provided fire protection pursuant to a contract.

Board of Fire Commissioners – wherever the term ‘Board of Fire Commissioners’ is found within the statutes it describes the authority, duties, and responsibilities of the “Village Board of Trustees”. (VIL § 3-308)

SECTION 6. VILLAGE BOARD OF TRUSTEES.

VOS Responsibility of the Volunteer Fire Department

The Village Board of Trustees exercises administrative control over the Volunteer Fire Department. (VIL §10-1000; NYCPT Op. No. 89-15,90-15, 90-57, 91-12; NY AG Inf. Op. No. 98-33)

The Village of Sherman has the responsibility and liability of the Fire Department.

Actions and decisions of the Village of Sherman Fire Department are subject to the approval of the Village Board of Trustees under Village Law Article 10-1000. This may include, but is not limited to, adopting rules for the admission, suspension, removal and discipline of the members, officers, and any other paid or non-paid employees of the Fire Dept. and may prescribe their powers and duties. Also, the Village Board of Trustees may adopt rules and regulations governing the fire company (Inc.) and fire department, prescribing the duties of the members thereof, and may enforce discipline and provide for public drills, parades, funerals, inspections and reviews of the Village of Sherman Fire Department, or Stanley Hose Company (Inc.), or any unit thereof, within the village or at other places within the state, and any adjoining state, or in Canada.

*While such rules and regulations shall not interfere with the duties of the Fire Chief or the Assistant Fire Chief(s) at such times as the Fire Dept., or any squad thereof is on duty.

The Village Board of Trustees may adopt rules and regulations protecting and preserving the property and apparatus of the Fire Dept. (VIL §10-1002). Other key references incl. subjects on location of fire station: NYCPT Op. No. 7081 from 1955, NYCPT Op. No. 64-1011, NYCPT Op.

No. 75-268, NY AG Inf. Op. No. 118 from 1975; no secession: NY AG Inf. Op. No. 83-21; order of incorporation NYCPTR Op. No. 353 from 1953, NYCPTR Op. No. 94-18.

VOS Responsibility of and Relationship with the Not-for-Profit Corporation

Negotiated Contracts. The Village of Sherman Board of Trustees must approve and authorize the mayor to execute any contractual agreement engaging the Village of Sherman Fire Department. This includes, but is not limited to, contracted territories outside the village, county fly car or EMS services and mutual aid services, and those involving any billing or fee collection. (GML §209-b(4)) Accordingly, to fully execute an agreement, it requires that a signature is applied for consent from an appointed Administrative Officer of the Stanley Hose Company as designated in the Company's bylaws, excluding any Line Officers serving on the Council of the Fire Department. (GML §209-d)

Trustees Ethics and Conflicts. Trustees of the Village Board who are affiliated with the VFD should recuse themselves from voting on those portions of the budget that affect the Fire Department. Exceptions can be made if the VOS Board has established a rule if the public interest would best be served; also, if the majority of the Trustees serve as members of the VFD, the Mayor shall engage the Village Attorney to consult on how to proceed. (NY AG Inf. Op. No. 94-31, NY AG Inf. Op. No. 91-21)

SECTION 7. FIRE DEPARTMENT.

The administration of the Village of Sherman Volunteer Fire Department is governed by Article 10 of Village Law (§10-1000 et seq.)

The Village of Sherman Fire Department has established an emergency rescue squad and ambulance services therein. (GML §209-b, NPC §1402[e][3])

The Village of Sherman Fire Department is herein authorized to impose fees for emergency medical and transport services rendered by members of the volunteer fire department as the option was given to local governments as provided within the 2022-2023 NY State Budget.

The policies adopted by the Village of Sherman extend to the management and operations of the Fire Department, as a department of the municipal government, including, but not limited to, those related to records management (see Records Retention and Disposition Schedule LGS-1), cybersecurity and mandatory reporting, ADA compliance (incl. website accessibility), and the Code of Ethics and Disclosure of Conflicts of Interest.

SECTION 8. COUNCIL OF THE FIRE DEPARTMENT.

Council of the Fire Department consists of the Line Officers of the Village of Sherman Fire Dept.

Line Officers:

Fire Chief, 1st Assistant Chief, 2nd Assistant Chief, 3rd Assistant Chief
EMS Captain, 1st Assistant, 2nd Assistant
Fire Police Captain, 1st Assistant, 2nd Assistant

The Fire Council is vested with all the powers, duties, and liabilities listed in Article 10-1014 of Village Law, except the council may only make recommendations to the Village Board of Trustees for approval on issues of membership and appointment of officers.

The Fire Council – Line Officers are:

- 1.) elected by a majority vote of the quorum of the active members of the Fire Dept.,
- 2.) nominations are to be delivered to the Village Clerk for approval by the Village Board of Trustees.

OATH OF OFFICE

The Fire Council – Line Officers are to take the Constitutional Oath of Office before the Village of Sherman within 30 days of approval by the Village Board of Trustees; to be administered by the Village Clerk at the convenience of the officers, which does not require the line officers to attend a Village Board Meeting. This is of particular importance; the office becomes vacant if the officer refuses or neglects to take and file their oath of office within the time required by law. (PBO Sec 30). *The Oath of Office is also to be taken by all members of the Fire Police Squad, (GML §209-c).*

OATH OF OFFICE FOR ALL FIRE POLICE

A member of a fire police squad shall take an oath of office as a fire police officer in the following form: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of New York, and that I will faithfully discharge the duties of the Office of Fire Police Officer of the Village of Sherman Fire Department, according to the best of my ability." Such oath shall be filed in the office of the village clerk in the case of a firefighter of a fire department or fire company in a village. (GML §209-c)

SECTION 9. FIRE CHIEF.

The Fire Chief (and members of the Fire Council) are elected by a majority of the quorum of active members within the Fire Dept. The elected fire council members, otherwise referred to as Line Officers, are submitted to the Village Clerk for ratification or approval from the Village Board of Trustees. On the occasion where the Village Board of Trustees rejects the nomination submitted by the Village Fire Department for Fire Chief, the procedure for the incumbent chief or assistant chief to perform the functions of chief until the new appointment is outlined by the NYS Comptroller in the 92-38 Opinion. The Village Board and/or Mayor does ***not*** appoint the Fire Chief; this is a position decided upon by a majority of the quorum of the active volunteer fire department membership, with the final approval or ratification by the Village Board of Trustees.

The Fire Chief and Assistant Chiefs must be residents of New York State. The Village of Sherman herein requires the Fire Chief and Line Officers to be residents of the village, or to reside within a territory outside of the village which is afforded fire protection by the Fire Department of the Village of Sherman and the Stanley Hose Company (Inc.) pursuant to a contract for fire protection. The Fire Chief and Assistant Chiefs may not appropriate purchases or services for the Village of Sherman without the approval of the Village Board of Trustees. The Fire Chief and Assistant Chiefs may not hold the office of mayor or trustee of a village. (NY AG Inf. Op. No. 98-33)

The Fire Chief of the Village of Sherman Volunteer Fire Department cannot consent on behalf of the Stanley Hose Company (Inc.). NYCPTR Op. No. 90-19, Village of Millport, June 7, 1990.

DUTIES OF FIRE CHIEF & ASSISTANTS

The duties of the Fire Chief and Assistant Chiefs include, but are not limited to, exclusive control of the members at all fires and inspections. When required, chiefs may report to the board the condition of the property in use by the Fire Dept. and such other information as may be required, respecting the request. The Fire Chief and Line Officers of the Fire Council shall hold the members, officers, and employees of the Village of Sherman Fire Department strictly to account for neglect of duty. (VIL §10-1018)

SECTION 10. MEMBERSHIP.

All volunteer members of the Fire Department and squads thereof are non-paid employees of the Village of Sherman. Section eighteen of article one of the State Constitution states that the relationship between the political subdivision, i.e., Village, is liable for benefits under this Volunteer Firefighters' Benefit Law Chapter 64-A, Art. 1, and a volunteer firefighter entitled to such benefits is that of **employer and employee within the meaning of such provision of the state constitution**.

As such, there are state requirements including, but not limited to, Labor Law, Workers' Compensation Law, Volunteer Firefighters' Benefit Law, along with Civil Service Law (GML 10 §204), that the Village of Sherman Board of Trustees and the Fire Council led by the Fire Chief and fellow Line Officers must ensure are kept in compliance with.

Active membership in the Village of Sherman Fire Department is a dual process with election by the Fire Dept. and ratification by the Village Board of Trustees (VIL §10-1006(12)). The secretary of the fire company (Inc.) shall provide written notice of the election of membership to the Village Clerk for the Village Board of Trustees to approve and ratify within forty days of receipt. (VIL §10-1006(2)(6))

The Village of Sherman Fire Department Policy does not cover the very specific certificates, training or ongoing training, recertification, operations and responsibilities of firefighters, ambulance volunteers, or fire police; all of which must be directly referenced within the laws and agencies that provide for such certifications and accreditations and authorities, including, but not limited to, the NYS Office of Fire Prevention and Control (OFPC), NYS Department of Health (DOH), NYS Division of Criminal Justice Services (DCJS), NYSDOS Uniform Fire Prevention and Building Code (Uniform Code), and Vehicle & Traffic Law (VTL), and the Village of Sherman local laws adopted that impose higher or more restrictive standards, authorized by Executive Law §379.

Nor does this policy cover the benefits available to the members. However, executing the two-step election and ratification of new members, **keeping a current list of active members**, and following these procedures outlined herein best ensures the members are eligible and appropriately covered by such benefits and minimizes the risk and liability to the members, Stanley Hose Company (Inc.), the Village of Sherman and the municipalities served. The definition in the Volunteer Firefighters' Benefit Law of a "volunteer firefighter" is an **active volunteer member** of a fire company.

ELIGIBILITY

The Line Officers need to verify the certification, or accreditation that has been achieved to serve as a firefighter, ambulance worker, EMT, or the like. Notwithstanding any other provision of law to the contrary, a member of a fire department, fire police squad, rescue squad, or EMS squad, shall have satisfied any requirement for training as provided by any general or local law if the person has satisfactorily completed a training course offered by the State Office of Fire Prevention and Control, or an equivalent course as approved by the State Office of Fire Prevention and Control.

"The fire chief shall cause the applicant's background to be checked pursuant to [Executive Law § 837-O \(Search for arson and sex offense conviction records of volunteer firefighter applicants\)](#) for a criminal history involving a conviction for arson and conviction of a crime which requires the person to register as a sex offender under article six-C of the correction law." (NPC §1402[c][5])

Background checks must be performed for:

- ✓ Arson Conviction - disqualifies the prospective member, (VIL §10-1006(18)(19), EXC §837-o)
- ✓ Sex Offender Conviction * subj. to review by the Village Board of Trustees (VIL §10-1006(19))
- ✓ Prior Criminal Convictions (Corrections Law (COR) Art. 23-A)

RESIDENCY FOR FIRE DEPARTMENT MEMBERSHIP

To reaffirm, or if not previously adopted, the Village of Sherman Board of Trustees herein does not require a member to reside in the Village of Sherman or the Town of Sherman.

The Village of Sherman permits a resident of the village, or in a territory outside of the village which is afforded fire protection by the Fire Department of the Village of Sherman and the Stanley Hose Company (Inc.) pursuant to a contract for fire protection, or a resident in the vicinity of their usual occupation who may be available to render active service as a volunteer in the village or in a territory outside of the village which is afforded fire protection pursuant to a contract. (VIL §10-1006)

HOWEVER, BY LAW, A PERSON CANNOT BE A MEMBER OF MORE THAN ONE VFD OR FIRE COMPANY.

The Village Fire Dept. and Company (Inc.) cannot permit non-resident membership to exceed 45% of the actual active membership of the Fire Dept. or Company (Inc.). (VIL §10-1006(7))

Other key references include subjects on accepting services of a non-department member: GML §209-i, NY AG Op. No. 99-2

DISCIPLINE OF MEMBERS

See GML §209-l; A volunteer firefighter is entitled to due process (*Bigando v. Heitzman*, 187 AD2d 917 (3rd Dept. 1992), *Matter of Armstrong v. Centerville Fire Co.*, 83NY2d 937 (1994)); and Actions by department members or officers subject to Article 78 (*Brown v. Camillus Fire Dept.*, 288 AD2d 932 (4th Dept. 2001)).

EMPLOYEES OF THE VILLAGE

Multiple New York State statutes recognize volunteer firefighters (and other fire department members of emergency squads) as employees of the Village. This establishes the responsibility the Village of Sherman has in providing benefits and administering or ensuring the required regulatory policies are implemented, followed, and recorded with the Village Clerk.

EMPLOYMENT POLICIES

For the purpose of reporting abuse or harassment, the Village of Sherman shall designate personnel (whether paid or unpaid) to accept complaints or receive reports of concerns, this shall include a minimum of two members of the Fire Dept., who then report to the Village Mayor or Deputy Mayor.

All State and local government entities must conduct annual Sexual Harassment Prevention Training as developed by the State's Division of Human Rights and maintain records of compliance. This mandate extends to all volunteer members as non-paid employees of the municipality. (LAB §201-g)

All State and local government entities must conduct annual training on Workplace Violence Prevention to identify risks and threats and provide education for reporting incidences. This mandate extends to all volunteer members as non-paid employees of the municipality. (LAB §27-b)

The Village of Sherman Drug and Substance Abuse Policy and other employment policies may extend to the volunteer members of the Fire Department.

Paid employees of the Village of Sherman, serving in the Streets, Water, or Sewer Departments, etc. must review other employment policies as it may relate to time serving as a volunteer while working for the municipality; this may include, but not be limited to, the Vehicle Use Policy and leave sections within the Employee Handbook to clearly delineate when they are in service as a member of the volunteer fire department for benefit purposes.

The Village of Sherman Volunteer Fire Department Policy merely outlines the roles and responsibilities, while highlighting some of the statutory regulations, subject to change, but it does not intend to include a comprehensive list of mandated agency requirements, i.e., OSHA standards, training, and other possible requirements of the Fire Chief and members.

SECTION 11. STANLEY HOSE COMPANY.

Stanley Hose Company's incorporation was recorded on May 3, 1946, in the Minutes of the Meeting of the Village of Sherman Board of Trustees, pg. 529.

A committee of members of the Sherman Fire Department, then acting as an unincorporated association (i.e., *unincorporated fire company*) executed the incorporation of "The Stanley Hose Company, Inc." pursuant to the Membership Corporations Law on Sept 27, 1946, filed with NYSDOS Oct 28, 1946; then amended it under the now Not-for-Profit Corporations Law on Jun 8, 1999, recorded by NYSDOS Jun 16, 1999, stating 'the organization is organized exclusively for charitable purposes under section 501(c)(3) of the Internal Revenue Code'. This action provided the once unincorporated members with the ability to raise funds as an incorporated organization; however, it did not change the administration, governance structure, or responsibility of the **actual** Volunteer Fire Department, i.e., 'Village of Sherman Fire Department', a.k.a. the "Sherman Fire Department".

Not-for-Profit Corporation Law defines a fire corporation as a charitable corporation. Stanley Hose Company is 'separate and distinct from the village municipality, although, the Village authorities exercise a certain degree of control over their organization, incorporation, governance and membership eligibility'. The fire company's constitution and bylaws are subject to the approval of Village Board of Trustees. (NYCPTR Op. No. 90-19); (VIL § 10-1000[6], 10-1004, 10-1006, 10-1010; GML § 204-a; NPC § 1402[e][1]; see also NYCPTR Op. No. 88-55, p 111; Op. No. 87-76, p 113; Op. No. 87-66, p 100; Op. No. 81-53, p 55).

The Stanley Hose Company governance board consists of the Administrative Officers, a five-member Board of Directors with officers: President, Vice President, Financial Secretary, Treasurer, and Record Secretary. The Administrative Officers are elected by the members and do not require ratification by the Village Board of Trustees. Stanley Hose Company shall provide the Village Clerk the updated list of SHC Administrative Officers as a courtesy for informational purposes.

The Stanley Hose Company (Inc.), under the control of the Village government, must adopt a **Code of Ethics** and have a procedure for disclosure of interest in contracts. (GML §209-ee)

Stanley Hose Company (Inc.) owns the hall property and makes the social rules; however, the liability of the active members is that of the Village of Sherman, whenever the actions or activity of an active member is directly associated with Stanley Hose Company or the Village Fire Department. This includes the junior members.

EQUIPMENT AND SUPPLIES

The Stanley Hose Company (Inc.) owns, services, and maintains the real property used as the fire station and recreation hall located at 122 Park Street and recreational park on Klondyke Rd., Sherman, New York, along with the engine(s), ambulance, rescue vehicles, apparatuses, emergency medical equipment, and inventory of supplies.

Periodically, the Village Clerk is to be provided an updated list of capital equipment, a brief description of its condition, and the Village Board of Trustees may request a multi-year plan for maintenance and capital improvement or replacement of equipment and apparatuses.

The volunteer members of the Village of Sherman Fire Department, as members of Stanley Hose Company, use equipment in service to the Village of Sherman and territories outside the village through contractual agreements and mutual aid assistance and are to properly use the equipment for municipal firematic and EMS response related purposes for the cooperative mission of providing fire and emergency medical services for health, safety, prevention, and protection.

PROPERTY & LIABILITY INSURANCE

Stanley Hose Company (Inc.) is to maintain property and liability insurance on all real property, the fleet of vehicles, and capital equipment owned by Stanley Hose Company, and to insure the fiscal activity when managing and raising funds for the benefit of the Village of Sherman Fire Department.

Stanley Hose Company is to provide a copy of the declaration pages and have the Village of Sherman Volunteer Fire Department listed as an additional insured with waiver of subrogation as follows:

**Village of Sherman
Village of Sherman Fire Department
111 Mill St, PO Box 629
Sherman, NY 14781**

As the employer of the active volunteer members, the non-paid employees of the Village of Sherman Fire Department, the Village of Sherman has the liability for all actions of the active volunteer members whether serving in the capacity of the Fire Dept. or Hose Company; they are under the umbrella of the village municipality.

Therefore, the Village of Sherman maintains liability coverage on the Volunteer Fire Department and all its related operational activity on the municipal liability insurance and cybersecurity policies.

Annually, the Village of Sherman shall reciprocate by providing a Certificate of Insurance (COI).

STANLEY HOSE COMPANY must keep in compliance with applicable state regulations and statutes, including, but not limited to the following:

FREEDOM OF INFORMATION LAW (FOIL)

The Public Officers Law Article 6, Freedom of Information Law applies to the VFD as a department of the Village of Sherman, and it also applies to the Not-for-Profit Corporation, Company (Inc.). Stanley Hose Company (Inc.) shall maintain compliance with FOIL and requirements for records management, retention, and disposition, and the handling of timely responses, exempt records, and noting that this includes all electronic communication which may extend to personal accounts.

OPEN MEETINGS LAW (OML)

The Public Officers Law Article 7, Open Meetings Law applies to the Volunteer Fire Department and to Stanley Hose Company (Inc.). To the extent practicable, the meetings held by either the Fire Dept. or the Hose Company (Inc.) are to comply with the Committee on Open Government with regards to Notice of Meetings, the instance of an “Emergency Meeting”, Executive Session, Public Participation, and the rest. (Hayes v. Chestertown Vol. Fire Co., 93 AD3d 1117 (2010))

FUNDRAISING

Fundraising is under the exclusive auspices of the Company (Inc.). (GML § 204-a(4))

The Company (Inc.) must provide the Village Board of Trustees with written notification and a description of the fundraising activities to be approved by the Board of Trustees within 30 days of filing notice with the Village Clerk. (GML §204-a(8)(a), NY AG Op. No. 90-64, NYCPTTR Op. No. 88-55)

Adapted Except of:

GML Art.10 § 204-a. Raising of funds for fire company purposes.

1. Definitions. As used in this section:

a. "Fire company" means: A volunteer fire company ***of a village fire department***, (whether or not any such company has been incorporated under any general or special law).

b. "Fundraising activity" means a method of raising funds to effectuate the lawful purposes of a fire company.

c. "Governing board of the political subdivision" means the governing board of the village, where the fire company is under the general control of, or recognized as a fire corporation, by such governing board.

2. Subject to the provisions of this section, a fire company may engage in a fundraising activity.

3. A fundraising activity shall not be conducted contrary to the bylaws, rules or regulations of the fire company or ***of the fire department of which it is a part***.

4. A fundraising activity must be conducted within the state of New York. It shall be under the exclusive auspices of a fire company and shall not be conducted in partnership with any other person, organization, firm or corporation. The acceptance of such aid and assistance shall not subject the political subdivision (***Village of Sherman***) to any liability as an employer under the volunteer firefighters' benefit law, section two hundred seven-a of this article, the workers' compensation law, or any other comparable law.

6. The governing board (village board of trustees) of a political subdivision may, by resolution,

(a) prohibit the fire company from engaging in fundraising activities or in any general or specific type of fundraising activity,

(b) require the fire company, at its expense, to provide any insurance protection which such governing board (village board of trustees) deems necessary to protect the political subdivision against claims and actions for damages by third parties arising out of or in connection with a fundraising activity.

7. Participation by volunteer firefighters in fundraising activities shall not be deemed to constitute "duty as volunteer firefighters" within the meaning of section two hundred five-b of this article.

8. Notwithstanding the foregoing provisions of this section, the provisions of this subdivision shall be applicable only in relation to fundraising activities for which benefits would be paid and provided pursuant to paragraph m of subdivision one of section five of the volunteer firefighters' benefit law:

(a) Before engaging in a fundraising activity the fire company shall cause the governing board of the political subdivision to be notified in writing that it proposes to conduct such activity. Any such notice shall contain a general description of the method which will be used to raise funds and shall specify the time or times when, the place or places where, and the period or periods during which the activity will be conducted and shall set forth the names of the firefighters who will serve on each of the committees or subcommittees in connection with the activity. Any such notice shall be filed with the (village) clerk of such governing board (village board of trustees). In the event that no action is taken by such governing board prohibiting such activity within thirty days after the filing of such notice, then it shall be deemed that the governing board has no objection to such activity and the fire company may proceed to conduct the same.

(b) Sales of tickets for admission to or in connection with a fundraising activity shall be by persons appointed as a committee for such purpose and shall be for or in relation to a fundraising activity to be held within sixty days after the sale of the tickets commences.

(c) Members of the fire company conducting the fundraising activity who attend or participate in the activity for their own pleasure or convenience, and not as a worker in connection therewith, shall not be deemed to be engaged in the conduct of such activity.

Adapted Except of:

ARTICLE I BILL OF RIGHTS §9.

2. Regarding: ...the conduct of one or both of the following categories of games of chance commonly known as: (a) bingo or lotto, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random; (b) games in which prizes are awarded on the basis of a winning number or numbers, color or colors, or symbol or symbols determined by chance from among those previously selected or played, whether determined as the result of the spinning of a wheel, a drawing or otherwise by chance. If authorized, such games shall be subject to the following restrictions, among others which may be prescribed by the legislature: (1) only bona fide charitable or nonprofit organizations of volunteer firefighters and similar non-profit organizations shall be permitted to conduct such games; (2) the entire net proceeds of any game shall be exclusively devoted to the lawful purposes of such organizations; (3) no person except a bona fide member of any such organization shall participate in the management or operation of such game; and (4) no person shall receive any remuneration for participating in the management or operation of any such game. Unless otherwise provided by law, no single prize shall exceed two hundred fifty dollars, nor shall any series of prizes on one occasion aggregate more than one thousand dollars. The legislature shall pass appropriate laws to effectuate the purposes of this subdivision, ensure that such games are rigidly regulated to prevent commercialized gambling, prevent participation by criminal and other undesirable elements and the diversion of funds from the purposes authorized hereunder and establish a method by which a municipality which has authorized such games may rescind or revoke such authorization.

FINANCIAL REPORTING

Stanley Hose Company is to file a copy of the adopted budget with the Village Clerk. The SHC adopted budget is a public document that the company secretary must make available to the

public. The fiscal activities of the fire funds are primarily confined within SHC for central purchasing and storage of materials and supplies and the servicing, garaging, and maintenance of all equipment.

Transparency of the Stanley Hose Company Budget is required, particularly in that SHC uses funds procured by levied tax dollars from multiple municipalities.

The Village of Sherman requests the annual Stanley Hose Company budget for the purposes of the Village Fire Department insurance rating on the Village of Sherman liability insurance policy.

SHC – FISCAL ACCOUNTABILITY - AUDITS

Fire companies that contract with municipalities or fire districts to provide fire services and have revenues of more than \$400,000, must also obtain an annual audit of revenues and expenditures in connection with such contract or contracts. The audit must indicate whether the fire company has filed IRS form 990, Return of Organization Exempt from Income Tax, and any report required pursuant to Section 30-a of the General Municipal Law (i.e., receipts and disbursements of foreign fire insurance premium tax moneys). If such filings are required, but not made, the audit must examine all revenues, expenditures and resources from any source. Upon completion of the audit, a certified copy must be provided to the fire company and the village, as the primary contracting municipality, within 180 days of the end of the fiscal year. All fire company audits must be conducted in accordance with the AICPA Not-for-Profit Audit and Accounting Guide. (NYSOSC, ARM-FDS; Sec 209-z of the GML; see NYSOSC Fire Company Audit Guidance.)

RE: The Village Annual Financial Report (AFR), the Company (Inc.) is under the general control of an elected Board of Trustees of the Village of Sherman. The Village of Sherman is the Primary Government (PG) with the power to require the levy of taxes on real property and contract for shared fire and emergency services. For Financial Reporting purposes under the NYSOSC, Stanley Hose Company may be determined by the Office of the State Comptroller to be a Component Unit (CU) as it states, “Fire Companies may constitute a CU or, as in the case of a village fire department, a blended unit”, and neither the Stanley Hose Company, Inc. nor Sherman Fire Department, are a special purpose unit otherwise directly reporting to NYSOSC. (NYSOSC ARM Apr 2024, pg 46.)

The Village of Sherman has treated and considered Stanley Hose Company as a separate but related organization because the Village Board of Trustees does not directly appoint the Stanley Hose Company (Inc.) governing board, Administrative Officers, who are elected by the SHC members.

Note Disclosures may be necessary within the Village of Sherman’s Annual Financial Report. The notes should also include information about how to obtain the separate financial statements of individual CUs, i.e., Stanley Hose Company. (NYSOSC ARM Apr 2024.)

AUXILIARY

The individuals that make up the Stanley Hose Company Auxiliary, also known as the Stanley Hose Ladies Auxiliary, are not active members of the Village of Sherman Fire Department. There is no mention of the word “auxiliary” in Village Law Art. 10, or other state statute in this context. The County’s self-funded Workers’ Compensation Plan follows the laws and rules established by New York State General Municipal Law and Workers’ Compensation Law which do not provide benefits for nor recognize auxiliary members, unless they were to meet statutory requirements to be active members on the roster of the fire department.

Not-for-Profit Corporation Law Section 1402 Fire Corporations states under (c)(2) in the Appointment of firefighters, that if a fire corporation becomes part of a fire department of a village, a person shall not be eligible to be elected as a member or to continue as a member except as

provided by law for the volunteer members of the fire company(s) in such village, (city or fire district as it may be).

SECTION 12. JR VOLUNTEER MEMBERSHIP.

NYS State provisions for establishing a Youth Program for the Volunteer Fire Department and Fire Company are found in General Municipal Law Article 10 (GML § 204–b Youth Programs).

All aspects of the Village of Sherman Volunteer Fire Department policies also apply to junior members as non-paid employees of the Village of Sherman, without exception. This includes the Sexual Harassment Prevention Training; however, consideration should be given to find age-appropriate training material. All federal and state child labor laws must be followed.

Junior members CANNOT participate in any actual emergency operation or hazardous activities. Such activity would be ground to deny any claims made.

Junior members could be covered under the Workers' Compensation Plan and Volunteer Firefighters' Benefit Law; however, the Fire Department and members must be aware of and adhere to all the restrictions that come with junior members as they are not covered exactly like any other fire member. Generally, junior members are only covered under the following conditions:

- ❖ The fire department must have bylaws that classify junior members as "active members" or "active trainees".
- ❖ The junior member must be 16 or 17 years of age. (Typically, 15 and younger cannot be included and their participation would be limited to activities and programs not covered by the Volunteer Firefighters' Benefit Law.)
- ❖ Junior members can only be covered for permitted training programs, administrative and non-hazardous duties "authorized" by the department.

RE: Stanley Hose Company, Inc., Not-for-Profit Corporations Law 1402 Fire Corporations (c)(1) Appointment of firefighters, states: "A person shall not be eligible to be named in the certificate of incorporation of a fire corporation unless he shall be at least eighteen years of age and a resident... where the fire corporation intends to operate."

SECTION 13. OTHER ITEMS.

HYDRANTS

The Village of Sherman Water Department provides for the installation of yard hydrant systems connected to the public water supply system in accessible locations; presently expensed within the Water Fund without reimbursement for purchase, installation, or maintenance expense from the Fire Department. (VIL §10-1002)

SECTION 14. CONTRACTUAL AGREEMENTS.

The Board of Trustees of this Village shall, by resolution, authorize the Mayor of this Village to enter into an agreement, in the name of this Village municipality and the Village of Sherman Fire Department, with the written expressed consent of an authorized member of Stanley Hose Company (Inc.), and together form an agreement with other governments or agencies to carry out

the terms of this local law, provided that such agreement does not violate any provision of the Consolidated Laws of New York State, or any other applicable law.

SECTION 15. AMENDMENTS.

The Board of Trustees of this Village shall, by local law, adopt amendments to the Village of Sherman Fire Department Policy.

SECTION 16. PARTIAL INVALIDITY.

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 17. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Section to be inserted:

SECTION: WORKERS COMPENSATION & DISABILITY

Enhanced Cancer Disability Benefit

Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York, Executive Department of the State of New York along with General Municipal Law (GML §205-cc) provide for the enhanced cancer disability benefit under the authority of The Division of Homeland Security and Emergency Services, Office of Fire Prevention and Control to establish rules and regulations pertaining to the benefit. (9 NYCRR §210 Volunteer Firefighter Enhanced Cancer Disability Benefits Program)

Annually, the Fire Department must submit an attestation to the Office of Fire Prevention and Control that the department or company will provide the enhanced cancer disability benefit by carrying an insurance policy issues by an insurance company authorized to engage in the business of insurance in this State sufficient to cover its eligible volunteer firefighters and provide a death benefit to their beneficiaries. (9 NYCRR §210.5)