

**VILLAGE BOARD MEETING
And Grievance Day
FEBRUARY 19, 2013**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Heather McKeever at 4:00 p.m. at the Municipal Hall. The pledge of allegiance was recited.

Present: Mayor Heather McKeever
Trustee Carol Sheibley
Trustee John Certis (arrived at 6:00 p.m.)
Trustee Dale DeCarlo (arrived at 6:00 p.m.)

Trustee Zimmermann was not present.

Village Employees: Village Clerk Kathy Mohawk, Assessor George Stark, Village Attorney Deb Chadsey, Treasurer Cindy Schilling

Media Present: Mary Pankow, Gowanda Pennysaver
Phil Palen, Cable Channel 22 (arrived at 6:35 p.m.)
Samantha McDonnell, Observer (arrived at 6:00 p.m.)

Public Present: Mark Medole, Emerling Insurance Agency, Joe Vogtli, Bill Cain, Janet Vogtli, Ed Palen, Tim McKeever, Mark Burr, Jay Ondus, Mike Hutchinson

Joe Vogtli was present to grieve the assessment on 8 Jamestown Street. He indicated the sale price was \$35,000 cash. The building needed substantial repairs. Mr. Vogtli feels the assessment should be \$35,000. Village Attorney Chadsey advised that evidence of income and expenses should be provided to Assessor Stark. Assessor Stark asked for an appraisal. Mr. Vogtli advised that the building is concrete block with brick veneer. Assessor Stark indicated that a comparable would be Randy Wing's brick building.

Mark Medole was present from Emerling Agency to discuss Village insurance. He indicated that the Village had a good year with no claims. The Village has been proactive in the past couple of years. He discussed the cost associated with the self-insurance worker's compensation program. Treasurer Schilling advised there are penalties for early withdrawal. Mr. Medole spoke about NYMIR which is \$2600 per year for a 5 year contractual insurance. This is for all Village and Towns in New York State. Flood coverage is still very limited. There was a great deal of discussion about doing backups of the Village information. Should it be an auto server or some type of cloud system. Mark Medole indicated that backups should be done every day. Treasurer Schilling will explore the costs of different systems and report back to the Village Board. Mr. Medole advised of some things that the Village needs to be very careful about: 1) employment practices lawsuits; 2) the necessity of an employee handbook or standard operating procedures for departments; 3) an appointed person to do training; 4) scaffolding labor law – certificates of insurance must be received from anyone who is

performing work on behalf of the Village; 5) need to keep property and vehicle listing updated; and 6) maintenance for older buildings. Village Clerk Mohawk will request an insurance certificate from Gowanda Ambulance. Mark Medole also advised that parents must sign waivers for recreation participants.

Village Engineer Mark Burr was present to request a resolution for continued Hollywood Theater restoration funding. He presented the following resolution:

“The Village of Gowanda wholeheartedly supports the continued historic restoration of Gowanda’s Historic Hollywood Theater. The Hollywood Theater is locally recognized as a key element to presentation and enhancement of the Gowanda Village Historic District. We look forward to completion of the project and the re-opening of the Theater as a regional center from the visual and performing arts.”

Motion 233-12. Motion by Trustee DeCarlo, seconded by Trustee Certis to adopt the foregoing resolution. Motion carried 5-0.

Motion 234-12. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve the minutes of the January 22, 2013 Village Board meeting as presented. Motion carried 5-0.

Motion 235-12. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve Abstract #9 dated February 19, 2013 on all funds as presented:

General Fund	\$188,238.90
Water Fund	38,945.02
Sewer Fund	90,158.24
Superfund Project	206.64
UDAG	105,153.00
Joint Activity	3,873.64
Total	\$426,575.44

Motion carried 5-0.

BUSINESS/BUILDING PERMITS

There was discussion about a few residents who continue to put garbage bags out every day of the week for pickup without the appropriate stickers attached. Trustee Sheibley advised that the Village code lists a system of fines to be assessed for failure to comply.

The Planning Board sent a letter to Savarino Companies regarding the building permit and site plan process. Mayor McKeever advised that a hearing will be held in Cattaraugus County about tax benefits for this proposed project. The hearing will take place on March 5th at 1:30 p.m. in the Gowanda Free Library. Joe Vogtli advised that boring holes were made in the parking lot at Burger King and never filled in. Village Clerk Mohawk will advise Building Inspector Brecker to check it out. Tim McKeever indicated that the planning board had several questions of Savarino since the original discussion relative to zoning and site use.

POLICE

Village Clerk Mohawk presented the 2012 police report and the January 2013 police report.

Motion 236-12. Motion by Trustee Sheibley, seconded by Trustee Certis to approve the Social Media Model Policy to be included in the Police Operations Manual. Motion carried 5-0.

JOINT ACTIVITY

Trustee Sheibley reported that the Village received \$1200.00 from the United Way which is down \$740 from last year.

Trustee Sheibley followed up on the request to hold roller skating on Friday nights at Academy Place. Recreation Director Benton advised that it was suggested that all programs only run Monday through Thursday evenings.

Mayor McKeever asked Village Clerk Mohawk to invite the Board members to a ribbon cutting on February 27th at 6:30 p.m. at roller skating to thank the Kiwanis Club for donating mats to the program.

DISASTER COORDINATOR

Mike Hutchinson indicated that the new Board members and supervisors need to take NIMS training.

Mayor McKeever advised that a support letter was sent for a Thatcher Brook Risk Management Feasibility Study. Another meeting of the Thatcher Brook Task Force will be held in 3 to 4 weeks.

TREASURER

Treasurer Schilling advised that Ron Tiller completed his probationary period. Village Clerk Mohawk will send a letter of congratulations.

Treasurer Schilling reported that the heating problems in the Village hall are in the hands of the Village Attorney.

Treasurer Schilling advised she spoke with Jim Casey at FEMA indicating that it will be about 45 days before funds are received.

Treasurer Schilling re-contacted Ed Rutkowski about using CHIPS for highway equipment.

LEGAL

Motion 237-12. Motion by Trustee Sheibley, seconded by Trustee DeCarlo to go into Executive Session for legal matters at 6:10 p.m. Motion carried 5-0.

Motion 238-12. Motion by Trustee Sheibley, seconded by Trustee Certis to come out of Executive Session at 6:45 p.m. Motion carried 5-0.

Village Attorney Chadsey advised that an updated ambulance lease has been prepared.

Motion 239-12. Motion by Trustee Certis, seconded by Trustee DeCarlo to present the lease to Gowanda Ambulance for their review and approval. Motion carried 5-0.

Village Attorney Chadsey advised that a meeting with Parise Mechanical, Wendel and the architects is scheduled for next week.

Village Attorney Chadsey advised that the Town of Perrysburg contract is out for review and approval. Mayor McKeever advised that a meeting has been scheduled with the Town of Persia for March 28th.

At 7:00 p.m. a presentation was made on the Zoar Valley Gateway Park by TVGA and members of the GARC board. Present were Mike Hutchinson, Janet Vogtli and Joe Vogtli from the GARC Board as well as Molly Vendura from PJS Company, and Maggie Cattarin, Ed Schiller, Terry Ried and Gina Wilkolaski from TVGA Consultants. Mike Hutchinson advised that this project began about 1999 and the environmental work is now done. The site is cleaned up and safe for human reuse. The polluters have become partners in the cleanup and provided funds for the cleanup and reuse. The community response from the public is that they wanted passive/active recreation. TVGA has been hired to turn this project into reality. Part 1 of the design stage has been proposed. Molly Vendura presented the Master Plan for Zoar Valley Gateway Park. It was explained that this project will be a long-term process as funding becomes available. It is necessary for the Village to be the lead agency for the long-form Type I SEQR review.

Motion 240-12. Motion by Trustee Certis, seconded by Trustee DeCarlo for the Village to be the lead agency for the long-form Type I SEQR review. Motion carried 5-0.

Mr. Schiller indicated that the \$57,000 design grant will be used this year. Village Attorney Chadsey asked what the \$250,000 will do. Mr. Schiller advised it will do grading and provide site material as far as it will go. Mr. Hutchinson feels it will provide one foot of cover along with the pile that is already there. Village Attorney Chadsey advised that the planning board will need to make sure that this site is properly rezoned for recreation.

PUBLIC WORKS

Village Clerk Mohawk presented two quotes for the price of the pressure washer that was requested by Highway Superintendent Denea. Mr. Denea also wanted some discussion about purchasing a welder/mig welder, lift, tire changer, and tire balancer for the highway department.

Mayor McKeever advised that Ron Tiller completed his probationary period and Andy Carriero passed his licensing test.

Mayor McKeever spoke about the Gowanda Lions Club paying to have the flags put up for holidays. The Lions do not have the funds to pay for someone to do this anymore and the request was for the highway department to put up the flags.

Village Clerk Mohawk reported that Highway Superintendent Denea was approached by the Town of Persia to use old cement and busted up sidewalk material alongside Thatcher Brook.

Motion 241-12. Motion by Trustee Certis, seconded by Trustee DeCarlo to allow the Town of Persia to use the old cement and busted up sidewalk material. Motion carried 5-0.

Village Engineer Mark Burr advised that the lights have been installed at Veteran's Park. National Grid needs to then them on.

Village Engineer Mark Burr indicated that repairs are necessary at the outfall at the wastewater treatment plant. He has prepared the design documents for the project.

ADMINISTRATION

Village Clerk Mohawk presented the Event Application from LOVE, Inc. for the Cabin Fever Walk. She requested an additional insurance certificate listing the Village as an additional insured.

Motion 242-12. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve the event application from LOVE, INC. for the Cabin Fever Walk on March 17, 2013 pending receipt of the appropriate insurance certificate. Motion carried 5-0.

Village Clerk Mohawk presented an estimate from an electrician for repair and parts for the Municipal Hall heating problem.

Village Clerk Mohawk reported that the December Treasurer's report has been filed.

Village Clerk Mohawk reported on the funds received from Cattaraugus County in 2012: \$39,742.77 Sales Tax Distribution, 4th qtr; \$50,787.36 for returned taxes; \$38,906.58 Sales Tax Distribution, 1st qtr; \$314.47 as a chargeback correction; \$1,709.07 for

mortgage tax; \$39,944.35 sales tax distribution 2nd qtr; \$40.80 water bill; \$49,809.37 sales tax distribution 3rd qtr; and \$2,888.34 mortgage tax for a total of \$214,139.11.

Village Clerk Mohawk asked if any action was necessary from the Executive Session or on the Benchmark Agreement.

Mayor McKeever spoke about an update on TLC. She requested a letter regarding extending the urgent care house. TLC indicated it was not possible at this time.

Village Clerk Mohawk advised that the huge load that was supposed to go through the Village did not in fact happen. A different route was proposed.

Motion 243-12. Motion by Trustee Certis, seconded by Trustee DeCarlo to adjourn the Village Board meeting at 8:10p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is March 12, 2013 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk