

**VILLAGE BOARD MEETING
MAY 14, 2013**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Heather McKeever at 7:00 p.m. at the Municipal Hall. The pledge of allegiance was recited.

Present: Mayor Heather McKeever
Trustee Carol Sheibley
Trustee John Certis
Trustee Dale DeCarlo
Trustee Paul Zimmermann

Village Employees: Village Clerk Kathy Mohawk, Treasurer Cindy Schilling, Village Attorney Deborah Chadsey, Animal Control Officer Mary Dankert, Assessor George Stark

Media Present: Phil Palen, Cable Channel 22
Samantha McDonnell, Observer

Public Present: Ann Strohmeier, Ron Clabeaux, Gloria Tomaszewski, John Walgus, Paula Schueler, Mark Hojnacki, Ed Palen, Joe Vogtli, Bill Reims, John Girome, Pauline Murphy, Peter Johnson, Irene Koch, Pam and Terry Howard, Janet Vogtli, Lou and Dorothy Selan, Kathy Schwedt, Don and Marie Girome

Motion 34-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to approve the minutes of the April 23, 2013 Village Board meeting as presented. Motion carried 5-0.

Motion 35-13. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve Abstract #12 dated May 14, 2013 on all funds as follows:

General Fund	\$72,960.92
Water Fund	14,027.21
Sewer Fund	42,002.41
Superfund Project	476.39
UDAG	16,240.00
Joint Activity	309.83
Total	146,016.76

Motion carried 5-0.

PUBLIC PARTICIPATION

Ann Strohmeier was present on behalf of the Trinity United Church regarding the No Parking situation on Park Street. The church has a very small parking lot and churchgoers use Park Street during church. She asked for a temporary exemption for parking for upcoming events at the church. She asked that the Village Board work with

her to resolve the parking problem. The church had previously requested signage to help a resident who had difficulty backing out of his driveway on Park Street. Village Attorney Chadsey asked if anyone ever got a ticket for parking on Park Street. Ms. Strohmeyer indicated they have. Village Attorney Chadsey will follow up to see if the Village can issue a temporary exemption to allow parking on the street. Ms. Strohmeyer indicated that the church will go along with whatever the Village says. Trustee Sheibley will work with Ms. Strohmeyer to see what can be done.

Joe Vogtli indicated that the state is doing repaving through the Village. He asked if the paving blocks downtown could also be fixed. Mayor McKeever indicated she would speak with Village Engineer Burr to see if anything can be done.

BUSINESS/BUILDING PERMITS

Motion 36-13. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to approve the Gowanda Kiwanis Club geranium sale for May 16th and May 17th in the Village. Motion carried 5-0.

POLICE

Village Clerk Mohawk presented the April 2013 police report:
“219 reportable calls, 23 arrests, 4 juvenile arrests, 46 tickets issued in Persia, 35 tickets issued in Collins, 7 violent domestics, 5 motor vehicle accidents, 15 assist other agencies. Officer Jen Alessi received the Erie County STOP-DWI award on May 3rd at the awards ceremony that was held at Kloc’s Grove in West Seneca. Jen has been instrumental in teaching the effects of drugs and alcohol for the last 12 years to her students.”

Village Clerk Mohawk will send a letter to Officer Alessi congratulating her and thanking her for her efforts with the pre-prom training exercise.

Mayor McKeever indicated that Officer-in-Charge Alessi has requested the possible institution of a D-line in the upcoming months because of all the police calls received lately.

JOINT ACTIVITY

Trustee Sheibley advised that interviews for summer recreation employees will be held the last week of May or the first week of June. The Recreation Commission meeting for the interviews will be announced at a later date. On July 1st, CPR, First Aid and Child Abuse training for the recreation workers will take place. Trustee Sheibley reported that the Recreation Director is working on getting the Cattaraugus County Health Department certificate.

Treasurer Schilling advised that she spoke with a representative from the Department of Labor about the Village Workplace Violence Prevention policy. Treasurer Schilling indicated he would supply a list of OSHA-mandated training that the Village needs and

he can also do the training. Treasurer Schilling advised that this would all be free of charge. The Village would only be responsible for sexual harassment, drug and alcohol and workplace violence policy training. During the compliance consultation, he will point out where the Village is lacking and what we need.

FIRE

Village Clerk Mohawk reminded the Village Board to follow up with the Town of Perrysburg about the fire contract.

Trustee DeCarlo reported that the Boy Scout troop leader is willing to have the scouts paint the fire hydrants for a community service project.

Motion 37-13. Motion by Trustee Certis, seconded by Trustee Zimmermann to allow the Boy Scout troop to paint the fire hydrants. Motion carried 5-0.

TREASURER

Motion 38-13. Motion by Trustee Zimmermann to authorize the budget transfers as presented. Motion carried 5-0.

Treasurer Schilling advised the Village has received \$637,000 out of the original \$1.3 million from FEMA. We are still owed \$662,000. Treasurer Schilling advised the Village is waiting to get the cost benefit analysis for the Crestwood Drive project.

LEGAL

Village Attorney Chadsey advised the Town of Perrysburg Municipal Services Agreement was sent out months ago.

Village Clerk Mohawk advised she spoke with Healthy Community Alliance about the commercial PILOT agreement. Sharon Mathe indicated she would like to meet with the Village Board about the one time payment of the present value of the future income stream. Village Attorney Chadsey will send a letter to Healthy Community Alliance presenting an amount.

Village Attorney Chadsey advised that the issue with the Municipal Hall HVAC system is in process.

PUBLIC WORKS

Mayor McKeever requested authorization to sign the negative declaration for the SEQR for Gateway Park.

Motion 39-13. Motion by Trustee Certis, seconded by Trustee Zimmermann to authorize the Mayor to sign the Negative Declaration for SEQR for Gateway Park. Motion carried 5-0.

Village Clerk Mohawk presented two proposals for water/sewer testing from Microbac and TestAmerica. She advised that both Water Superintendent Dubaj and Sewer Superintendent Carriero prefer Microbac because they pick up and deliver the samples. Village Attorney Chadsey indicated that the contract she reviewed needs some verbiage changes. Once she is in touch with the contact person at Microbac, she will be able to finalize the contract for the next meeting in May.

Motion 40-13. Motion by Trustee Zimmermann, seconded by Trustee Sheibley to open the Public Hearing for Amending Chapter 54 of the Village of Gowanda Municipal Code Entitled “Animals” at 7:30 p.m. Motion carried 5-0.

Paula Scheuler, Councilperson of the Town of Persia, spoke first. Her concern is that the Village never contacted the Town of Persia about making this change. She feels it will be an unbudgeted expense for the Town residents. She asked the Village to wait until the end of the year.

John Walgus, Councilperson of the Town of Persia, indicated that the fees collected by the Town of Persia for dog licenses is \$5100 per year for 510 licenses. After paying the Animal Control Officer, the town nets about \$100 per year. Mr. Walgus suggested that Mayor McKeever stated that Supervisor LeBar should have asked about the elimination of the positions at a previous meeting which Mayor McKeever disputed.

Gloria Tomaszewski, Councilperson of the Town of Persia, indicated that the Dog Control person for the Town of Persia only picks up dogs so any other animals will need to be handled by the police department.

John Girome, Broadway Road, stated it would be a mistake for the Village to eliminate the Animal Control position. He has contacted her many times to remove skunks, raccoons, possums, etc.

Bill Reims, Mechanic Street, stated animal control is for domestic animals, i.e., cows, chickens, ducks, etc. An animal control officer needs to be licensed by DEC to handle wild animals. He is for eliminating the position of Animal Control but not Dog Control. Mr. Reims stated that the Dog Control Officer of the Town is under no obligation to enforce the laws of the Village.

Irene Koch stated that saving \$4,000 is foolish. She feels that the Village residents are not the Town’s priority; the Village residents’ quality of life should be attended to by the Village. Irene Koch feels the Village residents need the Animal Control Officer.

Terry Howard stated that cats use his yard as a litter box and questioned what would happen now with dogs.

Mayor McKeever advised that no other villages supply animal control for wild animals. Bill Reims advised that the DEC has a list of people who will come to the homeowners' home at their expense to get rid of wild animals.

Pam Howard spoke in favor of the animal control officer.

Kathy Schwedt spoke in favor of dog control. She stated that she walks and has been bitten three times. If she can get the service through the town, that is fine, but she also expressed concern about habitually barking dogs. That is a service that the Animal Control officer has taken care of.

Village Clerk Mohawk read a letter from Duncan Lattanzio, Officer in Charge of the Gowanda Post Office:

“If is my understanding the Gowanda Village Board is deliberating on the possible suspension of the Animal Control Officer position.

As the Officer in Charge for the Gowanda Post Office, I endorse any coordinated efforts to keep community laws enforced when it comes to dogs.

Dog attacks continue to be an issue for postal employees. In 2012, nearly 5,900 postal carriers were attacked by dogs. That pales in comparison to the more than 4.5 million people bitten annually, the majority of victims being children.

In our community, the Animal Control Officer ensures dogs are properly restrained; stray dogs are removed from the streets and returned to their owners; and dog owners not in compliance with the law are corrected. All actions make a safer community for our residents, postal employees and other service providers.

Therefore, I request this position of Animal Control Officer be retained.

Thank you for your consideration and for keeping Gowanda postal employees in mind when you discuss this topic.

Mary Dankert stated that \$5,000 for performance review increases in the budget should cover the \$4,000 she is paid. Ms. Dankert indicated she has not had a raise since 1999.

Ann Strohmeier spoke in favor of keeping dog control. She feels a petition could be submitted to the Village Board to keep the Animal Control Officer.

Motion 41-13. Motion by Trustee Zimmermann, seconded by Trustee DeCarlo to close the public hearing at 7:55 p.m. Motion carried 5-0.

Motion 42-13. Motion by Trustee Sheibley, seconded by Trustee Certis to open the public hearing at 8:00 p.m. regarding Local Law No. 3 relating to the termination of the Village of Gowanda as an Assessing Unit. Motion carried 5-0.

Paula Schueler advised she used to be an Assessor. She stated this change will effect the budget in the Town of Persia. She said it will result in a big increase in assessments for the Village residents. Ms. Schueler feels that the residents should be educated in how this will effect their taxes.

John Walgus suggested that the Village send a letter to the Town of Persia advising them of the Village intentions to terminate the Assessor position.

Janet Vogtli indicated that she spoke with other towns who have taken over the assessing from the Village and there will be no added expense to the Town. The Town assessors are already doing the work.

Ann Strohmeyer stated she is against it because the exemptions are going to be different.

Assessor George Stark indicated that the Village is moving too fast. He feels the Village should educate the community about the changes.

Bill Reims feels the Village should eliminate a trustee rather than the Assessor position.

Motion 43-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to close the public hearing at 8:15 p.m. Motion carried 5-0.

Village Clerk Mohawk advised that bids are out for the sewer outfall improvements.

Mayor McKeever advised that the downtown flags belong to the Lions Club. They are willing to give the flags to any group that will put them up and down for the holidays since they are no longer able to do it. Mayor McKeever advised that she asked the American Legion if they would be able to do it. If the Legion cannot do it, other suggestions will be considered.

Mayor McKeever advised that Sam Lauer completed his certification examination for Wastewater Treatment Plant Operator Grade 2 with an almost perfect score. Village Clerk Mohawk will send a letter of congratulations.

Trustee Sheibley commended Highway Superintendent Denea and crew for removing the trees in Thatcher Brook that she reported at the last meeting.

ADMINISTRATION

Village Clerk Mohawk presented two bids for lawn mowing services. Mayor McKeever presented the idea that perhaps the Village doesn't need to take the lowest bid, but the Village Board might also consider incurring a service charge to deter residents from finding it cheaper to have the Village mow their lawns. Village Clerk Mohawk advised that past discussions have lead to the Village adding an 18% markup on the charge when the bill is relieved to the County. Janet Vogtli indicated that some municipalities add a \$100 charge as well as the 18% markup. Ms. Vogtli also advised that Building Inspector Brecker has a website for bank-owned property maintenance. Treasurer Schilling suggested imposing a surcharge for each callout.

Motion 44-13. Motion by Trustee DeCarlo, seconded by Trustee Sheibley to accept the bid of M&M Lawn Care Co. for lawn mowing services at \$24.00 per hour. Motion carried 5-0.

There was more discussion about adding a surcharge to the mowing charge.

Motion 45-13. Motion by Trustee Certis, seconded by Trustee DeCarlo to add a \$50 surcharge per call to the cost of mowing delinquent properties. Motion carried 5-0.

Motion 46-13. Motion by Trustee Certis, seconded by Trustee Zimmermann to approve the 2013-2014 Water/Sewer relevies as presented. Motion carried 5-0.

Mayor McKeever read the Tax Collectors Warrant:

“TO: Kathleen Mohawk, Village Clerk and Collector of Taxes of the Village of Gowanda, Cattaraugus and Erie Counties, New York
 YOU ARE HEREBY COMMANDED to receive and collect from the persons named in the assessment rolls the sums named in the last column thereof opposite their respective names for the 2013-2014 Budget of the Village of Gowanda.

Erie County	\$315,527.09
Cattaraugus County	\$674,961.91
Total	\$990,489.00

You will proceed to collect such taxes and assessment and all interest and penalties payable thereon in the manner provided by law.
 Given under my hand and seal of the Village of Gowanda on this 14th day of May, 2013.”

Motion 47-13. Motion by Trustee DeCarlo, seconded by Trustee Certis to accept the Tax Collectors Warrant as read. Motion carried 5-0.

Village Clerk Mohawk advised the only thing remaining for the Hollywood Happening is the insurance certificate which renews very close to the event. Village Clerk Mohawk presented a letter from the Theater inviting the Village Board members to participate in the opening ceremonies at 7:30 on May 31st.

ENVIRONMENT

Trustee Zimmermann reported that lighting at Chang-Hu Park has been damaged over the years. He is receiving quotes for repair.

Phil Palen advised that on May 7th the Village planted 19 trees with 9 volunteers and the Village Highway Department.

Phil Palen advised that all the lights to the South Water Street parking lot are all out. Village Clerk Mohawk will call Spoth Electric to make sure the main power was turned on.

Mayor McKeever asked Village Clerk Mohawk to begin attending the Planning Board meetings.

Mayor McKeever asked if the Village Board members were ready to vote on the Animal Control matter. Trustee Certis indicated that the public had a great deal to say about it. Trustee DeCarlo indicated that this matter has been discussed for a couple of years. The Animal Control and Assessor issues will be decided on at the next meeting in May.

Motion 48-13. Motion by Trustee Sheibley, seconded by Trustee DeCarlo to adjourn the Village Board meeting at 8:50 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is May 28, 2013 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk