

**VILLAGE BOARD MEETING
OCTOBER 29, 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 Dale DeCarlo
Trustee Paul Zimmermann

Trustee John Certis was absent.

Village Employees: Village Clerk Kathy Mohawk, Treasurer Cindy Schilling, Village Attorney Deborah Chadsey

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

Public Present: Lou and Dorothy Selan, Irene Koch, Don Lazar, David Konwiczka, Kelly Konwiczka

Trustee Sheibley suggested a correction on the first page of the minutes of the October 8, 2013 Village Board meeting. Richard Sterben is not with the Observer; he was just an observer at the last meeting.

Motion 169-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to approve the minutes of the October 8, 2013 Village Board Organization meeting as corrected. Motion carried 4-0.

Motion 170-13. Motion by Trustee Zimmermann, seconded by Trustee DeCarlo to go into Executive Session for legal issues at 7:05 p.m. Motion carried 4-0.

Motion 171-13. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to come out of Executive Session at 7:45 p.m. Motion carried 4-0.

PUBLIC PARTICIPATION

Irene Koch spoke about the proposed project at 42 Jamestown Street. She indicated that the New York State Department of Environmental Conservation establishes requirements for SEQR studies but does not police them. It is up to the Courts to determine if a party is out of compliance. She feels that the Cattaraugus County IDA is out of line giving a tax abatement to the Savarino project since it is not a new enterprise but rather a new location.

POLICE

Motion 172-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to reject the bid from John Carpenter in the amount of \$528.00 for the 2003 police car as Officer-in-Charge Alessi prefers to keep it for parts. Motion carried 4-0.

Village Clerk Mohawk reported that the Gowanda police officers completed their range training and Officer-in-Charge thanked New York State Corrections for the use of their facility.

JOINT ACTIVITY

Trustee Sheibley requested approval to appoint Jack Gaylord as a coach for co-ed basketball at Academy Place at the rate of \$8.00 per hour beginning Monday, December 2nd. There was further discussion about paying a coach as opposed to using volunteers which had been discussed at a prior Board meeting. Mayor McKeever indicated that volunteer coaches could be used.

Motion 173-13. Motion by Trustee DeCarlo, seconded by Trustee Sheibley to appoint Jack Gaylord as a coach for co-ed basketball at a rate of \$8.00 per hour. Motion carried 3-1. Mayor McKeever cast the dissenting vote.

Trustee Sheibley reported that last night 25 young people registered for the Learn-to-Ski program. There will be another sign up event on November 25th from 6:00 until 7:30 p.m. Trustee DeCarlo stated that the program should not use chaperones from out of town.

Mayor McKeever requested approval of the Smart Growth Design Approval Document.

Motion 174-13. Motion by Trustee Zimmermann, seconded by Trustee DeCarlo to approve the Smart Growth Design Approval Document with the NYSDOT. Motion carried 4-0.

Village Clerk Mohawk advised that the Safe Routes to School authorizing resolution previously approved at the September 10th meeting needed to be more formal.

Motion 175-13. Motion by Trustee Zimmermann, seconded by Trustee DeCarlo to adopt the following resolution:

“Authorizing the implementation, and funding in the first instance 100% of the Federal-Aid eligible costs, of a Transportation Federal –Aid Project, to fully fund the local share of Federal-Aid eligible and ineligible projects costs, and appropriating funds therefor. WHEREAS, a Project, to provide Safety Education for Elementary School Children in the Village of Gowanda, known as the Gowanda Safe Routes to School Project, PIN 5760.71 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds, and 0% Non-Federal funds; and

WHEREAS, the Village Board of Trustees of the Village of Gowanda duly convened does hereby

RESOLVE, that the Village Board of Trustees of the Village of Gowanda hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village Board of Trustees of the Village of Gowanda hereby authorizes the Healthy Community Alliance to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Educational (Non-Infrastructure) phase of the Project or portions thereof; and it is further

RESOLVED, that the sum of \$150,000 is hereby appropriated from Healthy Community Alliance and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the amount required to pay 100% of the full Federal and Non-Federal shares of the cost of the project's Educational (Non-Infrastructure) phase exceeds the amount appropriated, the Village of Gowanda shall convene its Board of Trustees as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Gowanda be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Village of Gowanda with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible projects costs and all Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED this Resolution shall take effect immediately.”

Motion carried 4-0.

There was discussion about the electronic recycling. Trustee Sheibley indicated that Regional Computer Recycling will no longer accept CRT's for free. Three options were presented if the Village wished to continue to accept these items: 1) it can be done free of charge and the Village will assume the entire cost; 2) it cannot be done at all; or 3) the Village can impose a fee to offset the charge from Rochester Recycling. Trustee Sheibley indicated the fee to dispose of these items is about \$.25 per pound.

FIRE

Trustee Zimmermann reported two new members of the Gowanda Fire Department: Ashley Dankert joined Rescue company and Hunter Simmons joined Hidi Fire Company. Village Clerk Mohawk will send letters to the new recruits.

Trustee Zimmermann updated the Village Board on the Thatcher Brook Task Force. They are still working toward an agreement for the in-kind services that will be provided

by the municipalities. He requested authorization for Mayor McKeever to send a commitment letter regarding the in-kind services.

Motion 176-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to authorize Mayor McKeever to send a commitment letter regarding the in-kind services for the Thatcher Brook project. Motion carried 4-0.

TREASURER

Treasurer Schilling requested approval to attend the NYSGFO holiday seminar at a cost of \$45 at Templeton's Landing in Buffalo on December 12th. Topics to be covered include fiscal stress reporting and consolidated services.

Motion 177-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to approve the attendance at the NYSGFO holiday seminar at a cost of \$45. Motion carried 4-0.

Treasurer Schilling reminded the Village Board that Drescher and Malecki will be at the work session at 6:00 on November 12th.

Treasurer Schilling requested approval of the Corrective Action Plan for the Village audit.

Motion 178-13. Motion by Trustee Zimmermann, seconded by Trustee DeCarlo to approve the Corrective Action Plan prepared in response to the Village audit. Motion carried 4-0.

Treasurer Schilling advised that the Traveler's Risk Assessment needs to be addressed. Many items were proposed in the assessment including the initial screening of new employees, checking for clean licenses, etc. Section 1306 deals with Entity Risk Transfer/user risk. Section 1305 talks about agility testing and polygraph testing. Trustee DeCarlo advised these items can be expensive. He also advised that Section 1303 is an OSHA requirement. The assessment also mentions defensive driving training. Treasurer Schilling advised she is working on scheduling training with PESH. The Travelers Risk Assessment was tabled until the next meeting for more discussion and action.

PUBLIC WORKS

Village Clerk Mohawk advised that Highway Superintendent Denea agreed to accept the bid from Jerry Rochez of \$276 for the 1-ton dump box.

Motion 179-13. Motion by Trustee Zimmermann, seconded by Trustee DeCarlo to accept the bid of \$276 from Jerry Rochez for the 1-ton dump box. Motion carried 4-0.

Highway Superintendent Denea requested approval to purchase a scan tool. With the purchase of this tool they could eliminate much of the outsourcing that has been done lately. Mr. Denea indicated the highway department could fix many of the problems themselves except in extreme situations where they do not have the tools. Trustee Sheibley asked what maintenance and repairs jobs is the Village capable of doing at the highway garage. Would they have the ability to make the repairs once they knew what the problem was. Trustee Sheibley will ask Highway Superintendent Denea for specific information on this request.

Village Clerk Mohawk advised that bids are out for the repair of big blue.

Highway Superintendent Denea requested permission to be paid for unused vacation time due to the workload. His anniversary date is February 24th and the Village Board indicated that he may be able to take his vacation by that time.

Trustee Sheibley presented a water/sewer bill for St. Joe's rectory which was extremely high because of an underground water leak that no one knew about. It was discussed that the sewer portion of \$187.22 be waived since the water did not go through the sewer.

Motion 180-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to waive the \$187.22 sewer charge to St. Joe's Rectory due to an underground water leak. Motion carried 4-0.

PLANNING

Both Randy Pratt and Tim McKeever submitted letters of resignation from the Planning Board.

Motion 181-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to accept the resignations of Randy Pratt and Tim McKeever from the Planning Board. Motion carried 4-0.

ADMINISTRATION

Village Clerk Mohawk advised that the August Treasurer's report has been filed.

Village Clerk Mohawk advised that the damaged tree at the corner of Aldrich Street and Allen Street has been reimbursed by the insured driver.

Village Clerk Mohawk advised that the Village Board room will be used next Tuesday for the elections.

Mayor McKeever advised that the next Christmas in Gowanda meeting is November 14th.

Trustee Sheibley advised that the heater at the Hidi Fire Company does not work. She requested the use of funds from the Buildings Other line item in the budget for the purchase of a space heater.

Motion 182-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to authorize the expenditure of not more than \$500 including installation for the purchase of a space heater for the upstairs of the Hidi Fire Hall. Motion carried 4-0.

Mayor McKeever reminded the public of the Halloween trick-or-treating hours on Thursday from 5:30 to 7:30 with the parade leaving the bus barns and going to the fire hall beginning at 5:00 p.m. Mayor McKeever advised that curfew will be enforced.

ENVIRONMENT

Phil Palen presented a quote from Paul Waterman for an emergency takedown in Creekside Park for \$325. Mr. Waterman will work with Highway Superintendent Denea to remove the tree.

Motion 183-13. Motion by Trustee Zimmermann, seconded by Trustee DeCarlo to authorize the expenditure of \$325 for an emergency tree takedown in Creekside Park. Motion carried 4-0.

Mr. Palen advised the tree committee ordered the trees for the fall planting and are just waiting to hear when they will be available. He advised that about 2/3 of the trees on the previous list for removal/trimming can be taken care of. He feels the fall planting of trees should take place around the middle of November.

Phil Palen asked the Village Board to consider having a budget line item for park trees rather than just for street trees.

Motion 184-13. Motion by Trustee DeCarlo, seconded by Trustee Zimmermann to adjourn the Village Board meeting at 8:40 p.m. Motion carried 4-0.

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

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk