

**SPECIAL VILLAGE BOARD MEETING
FEBRUARY 6, 2014**

The Village of Gowanda Board of Trustees special meeting was called to order by Mayor Heather McKeever at 6:10 p.m. at the Municipal Hall. The pledge of allegiance was recited.

Present: Mayor Heather McKeever
Trustee Carol Sheibley
Trustee Pete Sisti
Trustee Paul Zimmermann
Trustee Barb Nephew

Village Employees: Village Clerk Kathy Mohawk, Officer-in-Charge Joe Alessi,
Village Attorney Deborah Chadsey (vis conference call)

Public Present: Mike Benson, Esq. (attorney for Joe Alessi)

Mayor McKeever indicated the personnel matter to be discussed was the contract with Officer-in-Charge Alessi. The Village Board desires to terminate contracts with all employees who are not union members. The expiration date of the current agreement with Officer-in-Charge Alessi is June 7, 2016. Village Attorney Chadsey indicated that the Village Board needs to be consistent with the employees so they cannot have non-union employees with contracts.

Trustee Sheibley advised that this contract was put in place by a previous board and NYCOM indicated that the present board does not have to be bound by those actions.

Motion 259-13. Motion by Trustee Sheibley, seconded by Trustee Sisti to go into Executive Session for a personnel matter at 6:20 p.m. Motion carried 5-0.

Motion 260-13. Motion by Trustee Sisti, seconded by Trustee Zimmermann to come out of Executive Session at 6:30 p.m. Motion carried 5-0.

Motion 261-13. Motion by Trustee Sisti, seconded by Trustee Zimmermann not to renew the contract of Officer-in –Charge Alessi. Motion carried 5-0.

Mayor McKeever stated she is in agreement not to renew the contract of Officer-in-Charge Alessi.

Mr. Benson asked some questions seeking clarification of the auto-renewing part of the contract. Mayor McKeever suggested amending the prior motion.

Motion 262-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti that the contract will not auto-renew on June 8, 2014. The Village is giving notice of non-renewal. However, the contract did auto-renew on June 8, 2013 and it has a three year

term so that Officer-in-Charge Alessi cannot be terminated or have his hours reduced beyond the 16 minimum hours per week in the contract until after June 7, 2016. Motion carried 5-0.

There was discussion about the Safe Routes to School grant. Mayor McKeever advised the Village is trying to work with the school who has indicated they do not want this project on school property. She indicated the DEC would be willing to take over the multi-use pad and the property the pump house sits on. Mayor McKeever advised the Village does not own the property the pump house sits on; the school does.

Superintendent Rinaldi advised the school would like to offer this project on a public referendum this spring. This would allow the DOT to begin the design. Mayor

McKeever read an e-mail from Treasurer Schilling:

“I called Mike about the land that the pumphouse was on as I assumed he had some knowledge about it. He did. He says that the school does, indeed, own it. He said the pumphouse was built in 1959 and improvements were made in 1989. He also stated that there are easements and right-of-ways. He claims there are right-of-ways for the road, sewer and bridge but there has never been anything in writing. . . . He also reminded me that the school owns the landfill. We had some waste there so had to do all that remediation that we bonded for years ago and also had to take care of as a result of the flood with FEMA money. He says that they could opt to build on it (a garage or what not) and we would have no say. Is this something we might want to talk to them about as well? There is about 3-6 acres. You may want to have a conversation with an attorney about it as we continue to do maintenance, mowing and groundwater monitoring there. It is however out of the village limits.”

Mayor McKeever feels the Village should let the school present a referendum to the public for them to decide. The school wants to give all the property to the Village.

Trustee Sisti stated he has no problem with this if there is no cost to the taxpayers.

Trustee Zimmermann indicated the pumphouse is the Village responsibility anyhow.

Trustee Nephew feels the Safe Routes to School grant is a vehicle to get this project completed. Trustee Sheibley asked who would be voting on the referendum and why would all the school district voters get to vote on a Village project. Mayor McKeever reminded the Village Board that this is a \$650,000 no match grant.

Motion 263-13. Motion by Trustee Nephew, seconded by Trustee Zimmermann to begin discussion with the school in an effort to take over the property within the Village limits and figure out how to get this project into a May referendum. Village Clerk Mohawk polled the Village Board:

Trustee Sisti – yes

Trustee Zimmermann – yes

Trustee Nephew – yes

Mayor McKeever – yes

Trustee Sheibley – no

Motion carried 4-1.

Motion 264-13. Motion by Trustee Zimmermann, seconded by Trustee Sheibley to go into Executive Session at 7:00 p.m. for a legal matter. Motion carried 5-0.

Motion 265-13. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to come out of Executive Session at 7:17 p.m. Motion carried 5-0.

Motion 266-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adjourn the special Village Board meeting at 7:18 p.m. Motion carried 5-0.

The next Village of Gowanda Board meeting is February 11, 2014 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk