

**VILLAGE BOARD MEETING
MARCH 11, 2014**

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 Barbara Nephew
Trustee Paul Zimmermann
Trustee Pete Sisti

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

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

Public Present: Lin Boats, Town of Persia Councilperson, Mark Hebner, Kenneth Lee, John Girome, Pauline Murphy, Jay Frantz, Esq.

Motion 290-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the minutes of the February 6, 2014 Special Village Board meeting as presented. Motion carried 5-0.

Motion 291-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the minutes of the February 25, 2014 Village Board meeting as presented. Motion carried 5-0.

Trustee Sheibley advised the amounts for the general, water and sewer funds on Abstract #10 were adjusted to reflect the proper amounts being deducted for the retirement payment which was originally wired out of the general fund. She reported the corrected amounts for Abstract #10.

Motion 292-13. Motion by Trustee Sheibley, seconded by Trustee Sisti to approve Abstract #10 dated March 11, 2014 on all funds as follows:

General Fund	\$151,611.74
Water Fund	30,822.29
Sewer Fund	82,572.95
Superfund Project	452.44
Joint Activity	1,850.00
Total	\$267,309.42

Motion carried 5-0.

PUBLIC PARTICIPATION

John Girome presented pictures of a trash/dumpster situation at 28 Broadway Road. He asked that something be done about it before summer.

BUSINESS/BUILDING PERMITS

Village Clerk Mohawk advised that a business permit was paid for last year but denied. The Village will return the \$25 permit fee to the vendor.

POLICE

Village Clerk Mohawk advised the Village received \$100 in Court fines from the Town of Persia.

Village Clerk Mohawk read the February 2014 police report:
“225 reportable calls, 29 arrests, 6 motor vehicle accidents, 3 violent domestics, 17 traffic tickets issued for Collins Court, 9 traffic tickets issued for Persia Court, 6 assist other police, 4 mental health calls.

Congratulations to Officer Shane Miller and Andrew Carriero for completing the 25th basic Police Academy at the Rural Police Training Academy in Batavia, NY. Channel 2 news did a feature store on Drew and can be seen on WGRZ.com.”

JOINT ACTIVITY

Trustee Sheibley reported that the winter programs are winding down.

Trustee Sheibley thanked the Town of Persia for their annual contribution to the recreation program.

There was discussion about the proposed Time Warner franchise agreement which was received. Trustee Sheibley will work with Mike Caton at Computel Consultants on negotiating points.

Trustee Sheibley reported that Building Inspector Brecker provided a building layout of Industrial Place for her listing the square footage of the rooms and the building. A suggestion was made to contact a commercial realtor to see about selling or renting the space. Trustee Sheibley also advised that she contacted Crystal Abers in Cattaraugus County to advise the Village has space available for sale or lease.

Motion 293-13. Motion by Trustee Sisti, seconded by Trustee Zimmermann to assign Trustee Sheibley to move ahead with marketing office space at Industrial Place. Motion carried 5-0.

It was suggested that the Hollywood Theater supply a release for storing equipment including the pipe organ from the theater at the Industrial Place facility.

Motion 294-13. Motion by Trustee Sheibley, seconded by Trustee Nephew to allow the Hollywood Theater to store items at the Industrial Place facility at their own risk for purposes of going forward with the renovations, contingent upon a release being provided to the Village. Motion carried 5-0.

Mayor McKeever advised that office space upstairs in the Municipal Building will be offered to GARC as of April 1st. Village Attorney Chadsey advised that a waiver and insurance certificate should be requested of them as well as a permanent lease for \$1 per year. She will prepare a document for the next meeting. Trustee Sisti indicated that GARC needs to have a permanent place for files and a permanent mailing address to be in compliance with grant requirements.

FIRE

Fire Chief Mark Hebner was present to request authorization to purchase 2 new 2013 integrated Scott Air packs for the department. These air packs will put the company in compliance with VFPA. The cost is \$5700-5800 apiece. There is money in the budget for these air packs. Mr. Hebner advised it takes 6-8 weeks to get them. Village Attorney Chadsey advised this purchase is subject to the procurement policy and will need to be bid as the entire cost is over \$10,000.

Trustee Sheibley reported that the fire company did a walkthrough of the Hollywood Theater. She thanked Deb Harris and Aaron Markham for setting it up. Fire Chief Hebner indicated the fire company learned a lot about the layout of the building and where the power boxes are.

Mayor McKeever presented a National Poison Prevention Week Proclamation:
“WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week in 1961, and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances, and

WHEREAS, Each year, the Nation’s poison centers answer more than 4 million calls; and

WHEREAS, Approximately 90 percent of poisonings occur in people’s homes; and
WHEREAS, Over 50 percent of poisoning exposures involve children under age 6 and the vast majority take place in the home.

WHEREAS, The people of Gowanda, New York recognize the importance of coming together as a community to educate ourselves on poison prevention, and pledge our commitment to ensuring the safety of ourselves, our families, and our community;
NOW, THEREFORE, I, Heather McKeever, Mayor of the Village of Gowanda, hereby proclaim March 16-22, 2014 to be National Poison Prevention Week in the Village of Gowanda, New York and encourage all to join in this observance.”

Motion 295-13. Motion by Trustee Zimmermann, seconded by Trustee Nephew to adopt the foregoing Proclamation as presented. Motion carried 5-0.

TREASURER

Village Clerk Mohawk advised that Superintendent Rinaldi has offered to speak to the Village Board regarding the upcoming school budget. She will invite him to an upcoming work session.

Village Clerk Mohawk presented a timeline for the budget and the possibility of an override of the 2% property tax cap. Treasurer Schilling advised that most other communities are passing the legislation just to be safe.

Motion 296-13. Motion by Trustee Nephew, seconded by Trustee Zimmermann to hold a public hearing for an override of the 2% property tax cap on March 25, 2014 at 7:30 p.m. Motion carried 5-0.

Treasurer Schilling advised the Village received \$337,000 from FEMA. The final paperwork was submitted today for work which was done on the municipal hall.

LEGAL

Village Attorney Chadsey incorporated the concerns Trustee Sheibley had about the employee handbook and asked the other Village Board members to review and advise if they had any other suggestions or concerns. She will circulate an updated version of the handbook to the Village Board members prior to the next meeting. Treasurer Schilling advised that the employee training is scheduled for March 26th.

Village Attorney Chadsey advised she will follow up on a letter from Louis Martina regarding an Article 78 proceeding he brought against the Gowanda Police Department and the Collins Town Court.

PUBLIC WORKS

Trustee Sisti reported that Highway Superintendent Denea has been getting quotes from other vendors for the truck purchase/lease.

There was much discussion about the claim submitted by a local business woman regarding the costs associated with frozen pipes on West Main Street. Water Superintendent Dubaj indicated that perhaps the Village codes should be changed to further clarify the homeowner's versus Village's responsibilities. A determination needs to be made as to whether it is the Village's responsibility since the waterlines run under the street. Trustee Sisti asked for authorization to reach out to the vendor to ask what they did for 23 hours that didn't fix the problem. This issue was tabled to the next meeting.

There was discussion about the potholes and the closing of upper Buffalo Street. Mayor McKeever advised the closing was for the safety of the residents.

Mayor McKeever spoke about a new look for the website and design suggestions through Nicholas Gunnar. This issue will be discussed at the work session on March 25th.

ADMINISTRATION

Village Clerk Mohawk presented information on a blighted property on upper Buffalo Street for follow up by the Village Board through Land Bank funding from Erie County.

There was much discussion about the event application submitted by Don Shelters for Zoar Fest to be held May 10th. He requested boat access and camping. He will need to supply an insurance certificate for Village property. Village Clerk Mohawk will follow up with Mr. Shelters for more information including whether or not alcohol will be offered.

ENVIRONMENT

Phil Palen advised the Village was recognized as a Tree City USA community for the 12th year in a row. He advised that Mayor McKeever was invited to participate at the Eighth Annual Recognition ceremony at the Albany Hilton Hotel in downtown Albany.

Phil Palen spoke about the tree maintenance. He advised that the original low bidder is now out of business. He spoke to the next lowest bidder, Tree Services of Western New York, who advised that he will stick to his original price. Phil indicated he would meet with Treasurer Schilling on Thursday to determine how much money is left to reserve \$1200 for the spring planting. He also wants to determine if the tree reserve transfers were made. Mr. Palen indicated there are priority trees which need to come down, most notably the one on Crestwood Drive. He indicated that when the tree trimming is bid the next time, stump grinding should be bid as a separate item. Trustee Sisti advised there is a big black walnut tree on Chestnut Street. Mr. Palen advised that is a heritage tree.

Motion 297-13. Motion by Trustee Sisti, seconded by Trustee Zimmermann to go into Executive Session at 8:10 p.m. Motion carried 5-0.

Motion 298-13. Motion by Trustee Zimmermann, seconded by Trustee Nephew to come out of Executive Session at 9:50 p.m. Motion carried 5-0.

Motion 299-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to hire an outside neutral agency to investigate a workplace violence claim previously assigned to Trustee Nephew. Motion carried 5-0.

Motion 300-13. Motion by Trustee Zimmermann, seconded by Trustee Nephew to replace Joe Alessi as Officer-in-Charge with Sean Hotnich. Motion carried 4-1. Trustee Sheibley opposed the motion because she indicated that Officer-in-Charge Alessi should have been advised of this action prior to Board action.

Motion 301-13. Motion by Trustee Sisti, seconded by Trustee Sheibley to name the Village as lead agency for the SEQR for the 42 Jamestown Street project as directed by Cattaraugus County Court. Motion carried 5-0.

Village Clerk Mohawk will follow up with the trustees to schedule meetings to begin this process.

Motion 302-13. Motion by Trustee Zimmermann, seconded by Trustee Nephew to adjourn the Village Board meeting at 9:55 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is March 25, 2014 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk