

**VILLAGE BOARD MEETING  
MARCH 25, 2014**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Heather McKeever at 7:10 p.m. at the Municipal Hall. The pledge of allegiance was recited.

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

Village Employees: Village Clerk Kathy Mohawk, Treasurer Cindy Schilling, Officer Dave Hock, Highway Superintendent Gary Denea, Bryan Bylbie

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

Public Present: Deb Skinner, Irene Koch, Bob Dentice, Ryan McKeever, Tom Povhe, John Girome, Pauline Murphy, Dorothy Selan, Juanita Reid, John Walgus, Joe and Janet Vogtli, John Gibbs, Mae Horth, Alice Covert, Charity Sweda, Michael Benson, Esq., Michelle Kielar, Karen Miller, Bob and Linda Tiller, Fran Feldman, Margaret Moritz, Sam Castellano, Tim Greenan (Savarino Companies), Todd Cygan, John and Theresa Tonello, Betty Moyer, Julie Vogtli, Ken Vogtli, Amy Miller, Don Shelters, Roseann Haynoski, Jan Samarra, Michelle Hanes, Eric and Stella Schlegel, Thomas Barone, Chris Moppert, Nicholas Hodak, Laurie Kota

Trustee Sheibley asked for a moment of silence for Village Attorney Chadsey's brother who passed away this past week.

Motion 306-13. Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve the minutes of the March 11, 2014 Village Board meeting as presented. Motion carried 4-0.

Motion 307-13. Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve the minutes of the March 17, 2014 Special Village Board meeting as presented. Motion carried 4-0.

**PUBLIC PARTICIPATION**

Mr. Shelters and Mr. Dentice were present to discuss the Zoar Fest and answer any questions the Village Board members had. Mr. Shelters was advised that he needs to have insurance coverage listing the Village as an additional insured. Village Clerk Mohawk indicated there is a form CG2026 rider which should be attached to the certificate. The policy limits should be \$1 million, \$2 million in the aggregate. The Village Board was advised that there would be no camping or vendors on Village

property. Mr. Dentice confirmed that the event would be held on private property but he has also requested insurance coverage from Mr. Shelters.

Juanita Reid was present to check on the status of her claim of frozen water pipes. She indicated she was told she is not responsible, that the Village is. Mayor McKeever advised the claim has been forwarded to the Village's insurance company.

Irene Koch questioned the procedure for selecting the Village attorney. She asked if the position is advertised. She encouraged local attorneys to apply.

Janet Vogtli asked why Officer Jen Alessi was removed as an Investigator. She asked when the draft budget will be available for review. She asked who is paying for the new full-time police officer.

Deb Skinner asked what houses on upper Buffalo Street were being considered for the Erie County Land bank. She also indicated that once the street is repaired she would like it to be posted for a weight limit to deter some of the big trucks from going down that stretch of road.

Tim Greenan from Savarino Companies asked about the site plan approval for 42 Jamestown Street.

Michael Benson asked if Mayor McKeever was trying to renegotiate the SRO contract with the school. He also questioned who he should contact about the harassment claim.

Fran Feldman asked the Village Board when answers will be forthcoming to the questions residents are asking.

Motion 308-13. Motion by Trustee Zimmermann, seconded by Trustee Sheibley to open the public hearing at 7:30 p.m. to consider adoption of a Local Laws to override the real property tax levy limit. Motion carried 4-0.

Fran Feldman asked why the Village needs to raise the taxes? She mentioned the Village hiring out of town people. She wants her street fixed.

Joe Vogtli feels that once a government is given money, they spend it. He feels the Village should be looking at bonding projects over longer time periods to help pay for them. He feels the Village should attempt to live within their means.

Janet Vogtli urged the Village Board to vote no on the tax cap. She indicated that the \$5,000 in the current year budget which was slated for discretionary raises could be put to better use somewhere else.

Bob Tiller stated that people cannot continue to pay tax increases as the local atmosphere does not supply enough jobs for people.

Mayor McKeever stated the Village has passed this local law for a couple of years now. Last year the Village did not go over the tax cap. The Village stayed under. She indicated several municipalities pass this legislation. It is a safety matter for the Village to prevent huge fines in the event the Village goes over the tax cap.

Motion 309-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to come out of the public hearing at 7:40 p.m. Motion carried 4-0.

### **PUBLIC WORKS**

#### **RESOLUTION REQUESTING FEDERAL GOVERNMENT TO RESTORE AND STABILIZE FUNDING FOR WEST VALLEY DEMONSTRATION PROJECT CLEANUP.**

WHEREAS, the President's 2015 federal budget request included only \$60.5 million for the West Valley Demonstration Project (WVDP), and  
WHEREAS, when the Department of Energy issued its Decommissioning Environmental Impact Statement in 2010, it assumed that Phase 1 Decommissioning activities could be completed in ten years with an annual federal appropriation of \$75 million, and  
WHEREAS, since that time, the annual federal appropriation has generally been between \$60 and \$65 million, and this level of funding has significantly impacted the 10-year schedule for Phase 1 decommissioning activities, and  
WHEREAS, if the WVDP receives an annual federal appropriation of just \$60 million throughout Phase 1, it will take 20 years to complete, which is twice as long as DOE initially estimated when they assumed funding would remain at the \$75 million level, and  
WHEREAS, the extension of Phase 1 Decommissioning from 10 years to 20 years will add \$200 million to the total project cost, and  
WHEREAS, we strongly encourage the Department of Energy to restore WVDP funding to the \$75 million level that was anticipated when the Final Environmental Impact Statement was released in 2010, in order to continue the cleanup project on schedule and as expeditiously as possible, now, therefore, be it  
RESOLVED, that the Village of Gowanda Board of Trustees hereby requests the federal government restore WVDP funding to the current \$75 million that was anticipated when the Final Environmental Impact Statement and Record of Decision were issued in 2010, and be it further  
RESOLVED, that this level of funding be stabilized for 10 years to complete all Phase 1 decommissioning work, and be it further  
RESOLVED, that the Village Clerk is hereby directed to forward copies of the resolution to US Secretary of Energy Moniz, Senators Schumer and Gillibrand, Congressmen Reed, Higgins & Collins, Governor Cuomo, State Senator Young, Assembly Member Giglio, Bryan Bower, USDOE Director of the WVDP, and Paul Bembia, NYSERDA Director of the West Valley Site Management Program.

Motion 310-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adopt the foregoing resolution as presented. Motion carried 4-0.

Village Clerk Mohawk advised that the Village received \$158.80 from Energy Curtailment Specialists for the energy reduction program at the wastewater treatment plant.

Village Clerk Mohawk advised that the water department truck is being repaired after approval from the insurance company. The Village insurance company will pursue the person who hit the truck for the cost of the repairs and the \$500 deductible.

### **BUSINESS/BUILDING PERMITS**

There was some discussion about the business permit submitted by Tammy Yetter for a motorcycle repair and retail shop at 15 West Main Street. Building Inspector Brecker will be asked to attend the next Village board workshop for further information.

### **POLICE**

Mayor McKeever acknowledged receipt of \$50.00 in court fines from the Town of Persia.

In response to many questions regarding events taking place in the Gowanda Police Department, Mayor McKeever advised that the facts will come out at a future date but any actions taken by the Village Board have been with the advice and counsel of Cattaraugus County Civil Service.

### **JOINT ACTIVITY**

Trustee Sheibley advised that the flag was replaced at Hidi Park. She thanked the American Legion Sons of the Legion and the highway department crew for providing and replacing the flag.

Trustee Sheibley advised that the first large trash pickup is April 14<sup>th</sup>, the second Monday in April. She also reminded the residents that the electronics recycling was stopped as it was going to cost the Village for the service. Village Clerk Mohawk reminded residents that 8 tires per year can be dropped off at the wastewater treatment plant anytime the plant is open. Residents need to get a card from the Village Clerk's Office which is good for 3 years.

Trustee Sheibley reported that Recreation Director Benton contacted Corrections for a work crew for Make-A-Difference Day. They will be painting the Ruth Bareham Center and making a new sign. She also indicated that perhaps the crew could also paint the hall in the municipal building. The dates for this work are May 19 through 23, 2014.

Trustee Sheibley advised she took a tour of the Industrial Place building with a lady from Springville and Building Inspector Brecker.

## **FIRE**

Trustee Zimmermann extended an invitation to all Board members and residents to attend the Firemen's Memorial Walkway groundbreaking ceremony tentatively scheduled for April 5<sup>th</sup>.

Trustee Zimmermann reminded the residents that this coming weekend is continuing the Maple Fest.

Trustee Sheibley reported that she met with Tim Twitchell of the fire department regarding repairs and maintenance of the vehicles.

Treasurer Schilling advised she received a telephone call from Fire Chief Hebner regarding the request for air packs. According to Chief Hebner, the air packs they need are only available from one source so he is not able to solicit bids. Treasurer Schilling asked Chief Hebner to get a letter from the supplier indicating this company is the only place to purchase those particular air packs to attach to the invoice for the auditors.

Karen Miller advised of the last day of Ford test driving. Any test drive taken in particular Ford vehicles at Gowanda Ford provides a \$20.00 donation to the Gowanda Fire Department.

## **DISASTER COORDINATOR**

Mayor McKeever asked the Village Board members to review the information on the Code-Red for the next meeting.

## **TREASURER**

Mayor McKeever advised the Organizational meeting will be held on Monday, April 7<sup>th</sup> at 7:00 p.m.

Mayor McKeever suggested the public hearing on the budget be held on Tuesday, April 15<sup>th</sup>. Trustee Sheibley advised she had a conflict with that date.

Motion 311-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to hold the public hearing on the proposed budget on Thursday, April 10, 2014 at 7:00 p.m. Motion carried 4-0.

Village Clerk Mohawk presented copies of the 2014-2015 preliminary budget to the Village Board members. Treasurer Schilling advised it is very preliminary as the Town assessed valuations had some quirks due to problems with some of the exemptions.

Treasurer Schilling reported on the meeting she attended with NYMIR, the new insurance company for the Village. She indicated they are very much behind their clients and will defend them. Treasurer Schilling advised they have a very informative website

with lots of information available. There are also many training programs online and it will be able to track training for all employees.

### **LEGAL**

Village Attorney Chadsey was not present so no new revisions have been received for the employee handbook.

Mayor McKeever advised that Village Clerk Mohawk will check all trustee schedules and set up a workshop to begin the SEQR process again for the 42 Jamestown Street project. Tim Greenan of Savarino Companies asked to be invited to any workshop that is held.

### **ADMINISTRATION**

Village Clerk Mohawk advised that all Fair Housing officers must receive training at least every three years to allow the municipality to continue to be eligible for CDBG funding. She will attend the training on Tuesday, April 29<sup>th</sup>, in Orchard Park at 11:00 a.m.

Village Clerk Mohawk reported that the January and February Treasurer's reports have been filed.

There was some discussion about the insurance certificate presented by Tri-County Crisis Pregnancy Center for the "Walk for Life". Village Clerk Mohawk will follow up with them to get the certificate corrected.

Village Clerk Mohawk reported that she will be attending training by the United States Postal Service regarding the IMsb Tool which provides many services for small business mailers. She will invite Clerk Dawn Spires to attend as well.

### **ENVIRONMENT**

Village Clerk Mohawk reported that the Village received a \$1,000 donation for Chang-Hu Park. She read a letter:

"Please send an acknowledgement of this gift to Dr. June Fay, the Changs daughter. . . . As their daughter, I know Dr. Norris and Mrs. Donna Frank would be pleased to honor Drs. Hu and Chang in this way. June Frank Pearson".

Phil Palen advised of 5 trees pruned and 2 taken down last week in the Village.

Motion 312-13. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adjourn the Village Board meeting at 8:10 p.m. Motion carried 4-0.

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

Respectfully submitted,

Kathleen V. Mohawk  
Village Clerk