

**VILLAGE BOARD MEETING  
And Organizational Meeting  
APRIL 7, 2014**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Heather McKeever at 7:05 p.m. at the Municipal Hall. The pledge of allegiance was recited.

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

Village Employees: Village Clerk Kathy Mohawk, Village Attorney Deborah Chadsey, Fire Chief Mark Hebner, Building Inspector Gary Brecker

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

Public Present: Dr. Robert Heichberger, Pete Johnson

Village Clerk Mohawk presided over the swearing in of newly-elected Trustees Peter Sisti and Barbara Nephew.

Dr. Heichberger read the following poem and presented a plaque to Mayor McKeever and the Village Board:

“The Valley Between the Hillsides

Between the bountiful hillsides With meadows and trees all sublime, There is a valley with splendid texture And a running creek flowing in prime.

The hills are arrayed with choice splendor Whatever season or time of the year, They dress with colorful adornment Giving to many, an abundance of cheer.

Here is where the Amish trail arrow points southward With a bountiful picturesque so serene; Pristine farms and woodlands of beauty What a natural and spectacular scene.

The gleaming waters of the creek flow like crystals Over rocks and glimmering shoals; They are the waters from the beautiful hillsides Into Cattaraugus Creek with rippling unfolds.

The Valley between the lush-filled hillsides Is a precious sight .. truly to behold With people, tree lined streets, and colored gardens A precious sight and a joy to unfold.

There is the Hollywood theatre standing so proudly Being renovated to the state of the art And Academy Place with pride and with firmness Meeting the needs of the people who take heart.

There are the places where people assemble And gather to shop and converse After a bit, with the time moving forward Each group goes on their way to disperse.

There are men and women busily doing The things that need to be done Working, shopping, and caring for others And doing everything else under the sun.

There is the hustle and bustle of children Going to school, or to the park, and giving cheer. They are caring and helpful to others And from others, they receive a smile with a tear.

There are volunteers and helpful first responders Who willingly give of their time There are businesses, professionals, and so many others Who thoughtfully share their talents sublime.

This is the valley .. between the bountiful hillsides Where thoughtful people work and reside. It is a remarkable and friendly little Village GOWANDA is its name .. and we say it with pride.”

Mayor McKeever asked that the plaque be hung in the Village hall.

Motion 1-14. Motion by Trustee Sist, seconded by Trustee Zimmermann to approve the official appointments as follows:

Deputy Mayor	1 year	Paul Zimmermann
Village Clerk/Deputy Treasurer	1 year	Kathleen Mohawk
Deputy Clerk	1 year	Dawn Spires
Treasurer	1 year	Cynthia Schilling
Affirmative Action Officer	1 year	Kathleen Mohawk
Animal Control Officer	1 year	Justin Wallschlaeger
Registrar	1 year	Kathleen Mohawk
Deputy Registrar	1 year	Becky Kuhs
Sub Registrar	1 year	Dawn Spires
Officer-in-Charge	1 year	Sean Hotnich
Building Inspector		Gary Brecker
Historian		Phil Palen
Disaster Coordinator		Nick Crassi
Village Engineer		Mark Burr
Village Attorney		Deborah Chadsey

Motion carried 5-0.

Motion 2-14. Motion by Trustee Zimmermann, seconded by Trustee Nephew to approve the committee assignments as follows:

Audit Committee	Barbara Nephew	Carol Sheibley
Beautification	Barbara Nephew	
Building Inspector	Heather McKeever	
Building Maintenance	Carol Sheibley	
Cattaraugus Creek Basin Task Force	Heather McKeever	Paul Zimmermann
Disaster Coord Liaison	Heather McKeever	
Employee Negotiation	Peter Sisti	Heather McKeever
Police Commissioner	Heather McKeever	
Fire Commissioner	Paul Zimmermann	Carol Sheibley
Gowanda Central School Lighting	Paul Zimmermann	Heather McKeever Carol Sheibley
	Carol Sheibley	

Main Office and

Administration	Heather McKeever		
Neighborhood Watch	Heather McKeever	Peter Sisti	
Ordinances	Barbara Nephew		
Parks (Creekside and Chang Hu)	Barbara Nephew		
Public Works Departments	Peter Sisti	Heather McKeever	
Recreation	Carol Sheibley	Peter Sisti	
Safety Officer	Peter Sisti		
Sidewalks	Carol Sheibley		
Solid Waste & Recycling	Carol Sheibley		
Thatcher Brook Task Force	Paul Zimmermann	Heather McKeever	Carol Sheibley
	Peter Sisti	Barbara Nephew	
Tree Commission	Barbara Nephew		
Tri County Memorial Hospital	Carol Sheibley	Heather McKeever	Barb Nephew
Water and Sewer Committee	Peter Sisti	Carol Sheibley	

Motion carried 5-0.

Mayor McKeever presented the annual motions:

- A) The regular meeting of the Board of Trustees shall be held on the second and fourth Tuesdays of the month at 7:00 P.M.
- B) That the Gowanda Office of Community Bank, NA, MBIA/CLASS, and Chase Bank be designated as depositories of Village funds for the ensuing year.
- C) That the Village Clerk or Treasurer be authorized and directed to draw an order for the amount of the reasonable expenses of Village Officials and employees attending the regular monthly meetings of the Erie County Village Officials Association, the Cattaraugus County Village Officials Association, Southtowns Planning and Development, and Association of Erie Co. Governments.
- D) That the Department Heads of the Police, Water, Highway, Sewer and Recreation and Clerk’s Office be authorized to approve their department payrolls within the structure of the budget.
- E) That the Mayor of the Village be and hereby is authorized and empowered to execute such application and documents necessary to apply to the proper state agency regarding a youth recreation program for the Village of Gowana.
- F) That the policy of the Village of Gowanda shall be for all Department Heads to purchase whenever practical such items as Gasoline, Tires, Blacktop, Street Oil, Chlorine and any other such items as directed by the Board, from the New York State Office of Standards and Purchase on what is commonly known as “State Bid”. The authorized purchasing agents for the village of Gowanda are attached.
- G) That the Treasurer be authorized by law to temporarily invest moneys not required for immediate expenditure in time open or day to day deposit accounts in financial institutions authorized by New York State Department of Audit and Control.
- H) That any non-profit Village-oriented organization be allowed use of the Village parking lots for approved special events on a no fee basis. Requests must be filed

at least thirty (30) days in advance with a certificate of insurance. The organization involved shall be responsible for all clean up as directed by the Public Works Department.

- I) The official newspaper of the Village of Gowanda is hereby officially designated as the Evening Observer.
- J) That the Village departments will make all purchases in accordance with the Village Purchasing Policy and Procedures as attached.
- K) That all Village investments are made in accordance with the Village of Gowanda Investment Policy and Guidelines as attached.
- L) The Village's Safety policy will be adhered to and remains in effect as per attached.
- M) The Drug and Alcohol Policy will be obeyed and remains in effect as per attached.
- N) The meetings will follow the Rules of Procedure for meetings.
- O) The Village's Prohibition of Sexual Harassment Policy will be adhered to and remains in effect as per attached.
- P) The Village's Information Technology policy will be adhered to and remains in effect as per attached.
- Q) The Village's Workplace Violence Prevention Policy will be adhered to and remains in effect as per attached.

Motion 3-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the annual motions as presented. Motion carried 5-0.

Trustee Sheibley indicated that a name was omitted from the public present section of the March 25, 2014 meeting minutes: Laurie Kota. Village Clerk Mohawk indicated that she apparently did not sign in and she is not known by Ms. Mohawk. The correction will be made to the minutes.

Motion 4-14. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to approve the minutes of the March 25, 2014 Village Board meeting as amended. Motion carried 5-0.

Motion 5-14. Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve Abstract #11 dated April 7, 2014 on all funds as follows:

General Fund	\$49,411.64
Water Fund	15,574.40
Sewer Fund	31,525.56
Superfund Project	338.63
Total	\$96,850.23

Motion carried 5-0.

**FIRE**

Fire Chief Hebner spoke first about the request to purchase Scott Air packs. He indicated there is only one provider of this type of pack. Treasurer Schilling advised that if the fire

company could get a letter from the supplier of this fact, the items would not need to go to bid. Fire Chief Hebner requested authorization to purchase 2 Scott Air packs with voice amps from Dival Safety Equipment for the cost of \$12,235. This cost would come out of next year's budget.

Motion 6-14. Motion by Trustee Nephew, seconded by Trustee Sisti to authorize the purchase of 2 Scott Air packs from Dival Safety Equipment for the price of \$12,235. Motion carried 5-0.

Trustee Zimmermann reported on the groundbreaking ceremony at the fire hall for the brick memorial walkway. He indicated it was a very nice ceremony. Pete Johnson also thanked everyone who came and was pleased with the media exposure they received. He indicated that Gordie Ackler is the point of contact for anyone interested in purchasing a brick.

### **BUSINESS/BUILDING PERMITS**

Building Inspector Brecker spoke about the business permit submitted by Tammy Yetter to open a motorcycle repair/sale shop at 15 West Main Street. He has been investigating the location. He indicated that the fire hazard for this type of business is less than it was for the former NAPA Auto Parts store which was located there. Mr. Brecker indicated the walls have 3 hour fire rating. The Village code does allow this type of business at that location.

Building Inspector Brecker advised that he has been accepted at the 3-day 300 level NIMS training course which will be held May 13 – 15. This will prepare him to become an emergency disaster technician.

The Village Board set a workshop date to begin the SEQR process for 42 Jamestown Street for April 29<sup>th</sup> at 6:00 p.m. Village Clerk Mohawk will advertise the meeting and advise Mr. Greenan of the date.

There was discussion about the zoning codes and amendments that are necessary. The Village Board agreed to hold a public hearing on April 22 at 7:30 p.m. to amend the local zoning laws to clarify some uses.

Motion 7-14. Motion by Trustee Nephew, seconded by Trustee Zimmermann to hold a public hearing on April 22<sup>nd</sup> at 7:30 p.m. to amend the local zoning laws to clarify some of the current uses. Motion carried 5-0.

It was determined that if a SEQR is necessary to make the revisions to the code, the Village will name itself as lead agency.

Motion 8-14. Motion by Trustee Sisti, seconded by Trustee Nephew to name the Village as lead agency if a SEQR is required for revisions to the zoning laws. Motion carried 5-0.

The Village Board further discussed zoning issues and building code enforcement issues. Village Clerk Mohawk advised the Board that there is a current Zoning Board of Appeals. Mayor McKeever indicated that the members should be appointed every 3 years. She will contact the current members to see if they are still interested in serving. Village Clerk Mohawk will also advertise for letters of interest from anyone who might be interested in serving on the board. There may be a residency requirement. Deadline for applications will be April 30<sup>th</sup>.

Mayor McKeever also indicated she may be interested in appointing a second person to help Code Enforcement Officer Brecker. Letters of interest will also be accepted until April 30<sup>th</sup> for that position.

### **JOINT ACTIVITY**

Trustee Sheibley advised that Recreation Director Benton requested authorization to purchase six pairs of roller skates and six pairs of ice skates with the surplus funds.

Motion 9-14. Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve the purchase of six pairs of roller skates and six pairs of ice skates at a cost of \$749.40 from Laux Sporting Goods. Motion carried 5-0.

Trustee Sheibley advised that the State Recreation report is being prepared.

Trustee Sheibley also reported that she spoke again with the realtor about the Industrial Place property.

Trustee Sheibley reported that she was advised of a huge tree in the creek behind Shop 'N Save. Highway Superintendent Denea will be notified.

Mayor McKeever reported that Gowanda Harley Davidson will be holding an electronics recycling event to benefit Camp Good Days on April 28<sup>th</sup> through April 30<sup>th</sup>.

### **DISASTER COORDINATOR**

The Village Board members discussed the Code Red proposal which was presented at the last board meeting. The cost will be allocated among the departments, with \$500 from each and \$1700 from the Village office.

Motion 10-14. Motion by Trustee Sheibley, seconded by Trustee Sisti to authorize the purchase or the Code Red system as presented based on the recommendation of the Disaster Coordinator and Fire Chief Hebner. Motion carried 5-0.

## **TREASURER**

Mayor McKeever advised that the Village Board is not yet ready to adopt Local Law No. 1 for the property tax levy in excess of 2%.

Motion 11-14. Motion by Trustee Sisti, seconded by Trusete Zimmermann to accept the Blue Cross/Blue Shield insurance proposal for the upcoming year for the Village employees. Motion carried 5-0.

## **LEGAL**

Village Attorney Chadsey indicated she is still waiting on Board members comments for the employee handbook revisions. She advised that the handbook can always be amended. Trustee Sheibley also advised that the code of ethics policy should also be incorporated. Village Clerk Mohawk will provide the current code and Trustee Sheibley's proposed code to the Board members for their review.

Motion 12-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adopt the employee handbook with the latest revisions. Motion carried 5-0.

Village Attorney Chadsey provided a license agreement with the Hollywood Theater for storing organ parts at the Industrial Place building.

Motion 13-14. Motion by Trustee Zimmermann, seconded by Trustee Nephew to authorize Mayor McKeever to sign the license agreement and forward it to the Hollywood Theater. Motion carried 5-0.

## **ADMINISTRATION**

Village Clerk Mohawk presented the 2014-2015 Water/Sewer relevies for approval.

Motion 14-14. Motion by Trustee Sheibley, seconded by Trustee Nephew to approve the 2014-2015 Village water/sewer relevies in the amount of \$24,507.21 for Erie County and \$35,137.92 for Cattaraugus County. Motion carried 5-0.

There was more discussion about the upcoming Zoar Fest. Village Clerk Mohawk advised that she spoke with Mr. Shelters and informed him of the insurance requirements but has not heard back from him. Village Clerk Mohawk will follow up with him.

Village Clerk Mohawk reported that the Village received the money from the insurance company for the repairs to the damaged water department truck.

Village Clerk Mohawk advised that the telephone at the highway garage is out of service. The Village does not have maintenance for the lines inside the building. She will contact an electrician to see if they can do this type of work.

**PUBLIC WORKS**

Highway Superintendent Denea presented information from DFT Communications requesting approval to install a fiber optic box at the corner of Aldrich and Allen Streets. Highway Superintendent Denea indicated it was not in the road right-of-way and Building Inspector Brecker reported that it would not interfere with the sight at that intersection.

Motion 15-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the placement of a fiber optic box at the corner of Aldrich and Allen Streets. Motion carried 5-0.

Motion 16-14. Motion by Trustee Sisti, seconded by Trustee Zimmermann to declare the old Craftsman 150 psi 30 gallon, 6 hp air compressor as surplus. Motion carried 5-0.

There was discussion about street repairs and milling/paving or oiling/stoning them. Highway Superintendent Denea presented a list of high priority streets. Trustee Sheibley indicated that there are so many streets in need of repair, perhaps the Village should evaluate the worst streets and get a price for the work and perhaps think about bonding for it. It was suggested that if CHIPS money could be used for paying toward a bond the Village wouldn't need to borrow as much money. Trustee Sheibley and Trustee Sisti will work on whether this project should be bonded out or if it is feasible for the Village crews to do the work. Mayor McKeever also asked Trustee Sisti to talk with Highway Superintendent Denea to see what it would take to get upper Buffalo Street open. Phil Palen feels the state should share some responsibility for that section of the road.

**ENVIRONMENT**

Phil Palen advised that Jack Torrance order 16 new trees. Planting should take place before the end of the month. Mr. Palen also indicated that 2 trees that were previously planted are leaning and will be replanted.

Trustee Sheibley feels that Village Attorney Chadsey should get involved with the Time Warner negotiations.

Village Clerk Mohawk advised that Superintendent Rinaldi has been asked to attend the work session on April 22 at 6:00 p.m.



Motion 17-14. Motion by Trustee Sisti, seconded by Trustee Sheibley to adjourn the Village Board meeting at 8:30 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is April 22, 2014 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk  
Village Clerk