

**VILLAGE BOARD MEETING
DECEMBER 18, 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 Pete Sisti
Trustee Barb Nephew
Trustee Paul Zimmermann

Village Employees: Treasurer Cindy Schilling, Village Clerk Kathy Mohawk, Village Attorney Deborah Chadsey, Public Works Superintendent Jason Opferbeck

Media Present: Phil Palen, Cable Channel 22

Public Present: Joe Gorenflo, Wayne and Lucinda Osburn

Mayor McKeever noted a correction to the meeting minutes of November 18, 2014. On Page 6 in the last paragraph, it should be noted that the “creek walk money CAN be used to upgrade Village sidewalks”, not CANNOT.

Motion 223-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the minutes of the November 18, 2014 Village Board meeting as corrected. Motion carried 5-0.

Trustee Sheibley commented on Abstract #7 dated December 18, 2014 that the Village needs to watch spending. She also asked to see the backup paperwork for all credit card charges.

Motion 224-14. Motion by Trustee Sheibley, seconded by Trustee Sisti to approve Abstract #7 dated December 18, 2014 on all funds as follows:

General Fund	\$50,063.19
Water Fund	15,630.34
Sewer Fund	29,299.22
Superfund Project	107.90
FEMA 2014 Flood Recovery	11,065.80
Joint Activity	74.16
Total	106,240.61

Motion carried 5-0.

PUBLIC PARTICIPATION

Wayne Osburn of South Water Street asked about the status of the Savarino project. He is one of the neighboring homeowners and wanted to go on record as in support of the project. Village Attorney Chadsey advised she got the technical drawings today. After review, the paperwork will be submitted to the Village Board. Building Inspector Brecker was on a conference call yesterday with the architects.

Village Attorney Chadsey also reported there is nothing new on the 42 Jamestown Street project.

POLICE

There was discussion about Officer-on-Charge Raiport's request for higher holiday pay for the officers. Trustee Sisti indicated it is almost time and a half for the holidays. Trustee Zimmermann indicated this amounts to \$192 extra for payroll during the holiday. The holidays listed are Easter, 4th of July, Thanksgiving, Christmas and New Year's Day. Sean Campas being full-time actually gets paid anyway for any of these days. Officer-in-Charge Raiport advised it would begin with this coming Christmas holiday.

Motion 225-14. Motion by Trustee Zimmermann, seconded by Trustee Nephew to authorize a higher pay rate for the police officers who work on the stated holidays: Easter, 4th of July, Thanksgiving, Christmas and New Year's Day. The rate adopted is \$25.00 per hour. Motion carried 5-0.

Village Clerk Mohawk advised the Village received \$\$6,271.73 as reimbursement for the bullet proof vests, \$250 for court fines from the Town of Collins, and \$2,897.25 for the 2013 STOP-DWI program.

Village Clerk Mohawk presented the November 2014 report:
"total calls for service – 190, domestics – 3, motor vehicle accidents – 3, arrests – 10, traffic summons issued – 10, total patrol mileage – 4,229".

Mayor McKeever commended the police department, stating they have been working with both counties and the Southern Tier Task Force.

JOINT ACTIVITY

Trustee Sheibley requested authorization for appointment of some as-needed winter recreation programs: Brianna Stelley, Jenna Stelley and Ben Tessmer. They would be hired at minimum wage. Treasurer Schilling asked if the requirements for the increase in the minimum wage on January 1st were being taken into account. Trustee Sheibley indicated they would.

Motion 226-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the appointment of the as-needed winter recreation employees as noted. Motion carried 5-0.

FIRE

Trustee Sheibley spoke about the Town of Perrysburg fire contract. She asked the Fire Chief to provide the additional information relative to the number of calls and proof of insurance.

Motion 227-14. Motion by Trustee Sisti, seconded by Trustee Nephew to adopt the 2015 Perrysburg fire contract in the amount of \$5,961 as presented. Motion carried 5-0.

Trustee Sheibley reminded everyone of the annual installation banquet scheduled for January 17, 2015 at the Gowanda Fire Department.

DISASTER COORDINATOR

Trustee Sheibley reported in Disaster Coordinator Crassi's absence. She advised that the current FEMA representative for the Village has moved to another project and we are waiting to get the name of the new representative. The Village is waiting for the engineering study to be completed. Mr. Crassi indicated a final draft should be done by Monday. He, Village Engineer Burr and Simmons will meet after the draft report. Three of the PW's were signed and submitted to FEMA. Two PW's are in limbo for questions to be answered. The new FEMA representative will need to be filled in on the problems of the reservoir. Trustee Sheibley indicated that the money for the patching (asphalt) manhours, and equipment PW should be coming soon.

Trustee Sheibley indicated there has been no movement on the FEMA trailers behind TLC. Village Attorney Chadsey indicated the TLC bankruptcy trustee should be put on notice to remove the trailers or the Village will remove them and sell them for salvage. The Village Board asked Public Works Superintendent Opferbeck to contact Mr. Anderson to advise him of the status of this issue. Mayor McKeever asked Village Attorney Chadsey the status of the TLC bankruptcy. Village Attorney Chadsey indicated the bankruptcy is winding down, getting closer to a sale of the property. Mayor McKeever asked Village Attorney Chadsey to contact Disaster Coordinator Nick Crassi to see if he has been in contact with Scott Butler of TLC.

TREASURER

Treasurer Schilling advised that the money for the 2 smaller PW's has been approved by FEMA and the money should be coming, for about \$23,000.

Treasurer Schilling advised that the borrowing for the reservoir project can't be determined yet. She needs the engineering estimate and an idea of when the work will begin before starting the borrowing process. Village Attorney Chadsey indicated that

FMSBonds.com will provide interest rates for free. Treasurer Schilling reported that the Village appealed the 2009 building remodeling PW and won, but indicated there will probably not be any more money coming from that.

Treasurer Schilling reported the Village received \$89,000 today from CHIPS.

Treasurer Schilling commented on the budget from last year. She indicated that when working on the budget, she was aware of the necessity of keeping under the 2% tax levy. She indicated she made a mistake by using the number from the year before. It was not bad for the Village, however, as the increase was 1.07% rather than 2.93%. She used the wrong budget for comparison but the Village did comply with the tax rate cap.

Trustee Sheibley advised that she attended the tax cap seminar. She reported that a plan must be in place by next year to combine services with other municipalities. The Village can go back to 2012 to show what has been done to consolidate services. Treasurer Schilling will make copies of the handouts from that seminar for the Board members.

Motion 228-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the budget transfers as presented. Motion carried 5-0.

Trustee Sisti asked if the water payroll is ahead now due to Water Plant Operator Dubaj and Public Works Superintendent Opferbeck not both being on the payroll for some period of time. Mr. Opferbeck indicated there was a lot of overtime paid out.

LEGAL

The Village Board authorized Village Attorney Chadsey to continue negotiating with Time Warner for a 7 year contract rather than 10 and to change the definition of revenue.

Village Clerk Mohawk presented Local Law No. 4 of 2014 Amending Chapter 81 entitled “Partial Tax Exemption for Persons over 65 years of age” of the Village of Gowanda Municipal Code.

Motion 229-14. Motion by Trustee Sisti, seconded by Trustee Nephew to adopt Local Law No. 4 of 2014 amending Chapter 81 entitled “Partial Tax Exemption for persons over 65 years of Age” as presented. Motion carried 5-0.

Village Clerk Mohawk presented Local Law No. 5 of 2014 adopting the alternative veterans’ exemption. Village Attorney Chadsey advised that it should be revised to not include the specific amounts of the deductions, but rather just state that it will be pursuant to the maximum exemption amounts allowable in Real Property Tax Law, Section 458-a, b and c.

Motion 230-14. Motion by Trustee Sisti, seconded by Trustee Nephew to adopt Local Law No. 5 of 2014 adopting the alternative veterans’ exemption as revised. Motion carried 5-0.

Village Clerk Mohawk indicated the local law numbers will probably change since they may not be filed until 2015.

There was more discussion about the Safe Routes to School contract. Mayor McKeever stated that all the money for this contract will be reimbursed at 100%. \$15,000 will stay with the Village and \$135,000 will be paid to Healthy Community Alliance quarterly over 3 years. HCA will need to provide a clearer budget at the beginning of each year. A specific line-by-line budget is necessary for everything they do each year. The creek walk trail funds will be used to upgrade sidewalks on Aldrich Street from West Main to North Water and around the park. The Village would like to put this into the design of the project.

Motion 231-14. Motion by Trustee Nephew, seconded by Trustee Sheibley to approve the draft agreement with Healthy Community Place for the Safe Routes to School project, with further work on the budget. Motion carried 5-0.

There was much discussion about the amendment of Schedule A to the supervisory union contract to add a wage schedule for Public Works Superintendent. Trustee Sheibley stated that the position has been part-time and the salary is \$10,000, not \$54,590 as written in the amendment. Trustee Sheibley feels that the public works superintendent position should also include the job duties of chief water plant operator since he will now be performing both jobs. Village Attorney Chadsey indicated that the position of Water Plant Operator will not be filled when Mr. Dubaj is gone. Village Attorney Chadsey indicated that Mr. Opferbeck should get a letter agreement indicating he gets an additional \$10,000 stipend for water plant operator duties. Mayor McKeever indicated the \$10,000 stipend should be included in the contract but Village Attorney Chadsey said no. She stressed that the existing contract cannot be changed while Water Superintendent Dubaj is still here. Once he leaves, wages will drop to \$53,000 for Chief Water Operator and another amendment will then be done. Village Attorney Chadsey advised that the \$10,000 stipend should be part of a letter agreement rather than being contracted. Then the Village would be obligated to pay that \$10,000 regardless. Public Works Superintendent Opferbeck will assume all the responsibilities of running the water plant. Village Attorney Chadsey reminded the Village Board that this is a negotiated union contract and the Village has civil service direction on what job titles can and cannot be used.

Village Attorney Chadsey advised that the Town of Collins code changes do not appear to have any major impacts that would affect the Village. She advised Village Clerk Mohawk to give the zoning section to Building Inspector Brecker for his review as soon as possible and then he should call her if he sees any red flags.

PUBLIC WORKS

Public Works Superintendent Opferbeck advised that the new plow truck is in.

The status of the part-time employee was discussed. Public Works Superintendent Opferbeck advised it would be beneficial to keep him for awhile to help with scrapping. The Village would give him a week's notice as he needs to be kept under 26 weeks.

Public Works Superintendent Opferbeck advised that leaf pickup for the fall is complete.

Village Clerk Mohawk presented information on the 2008 plow truck fuel tank replacement. Public Works Superintendent Opferbeck said the truck cannot be used without a replacement. He will get another estimate.

Village Clerk Mohawk advised the Village received \$340.00 for the energy curtailment program that the sewer plant follows each summer.

Officer-in-Charge Raiport presented information to the Village Board about a parking problem on Mechanic Street. It was determined that the police can put up No Parking signs on Village street. Public Works Superintendent Opferbeck, Officer-in-Charge Raiport and Building Inspector Brecker will discuss.

Trustee Sheibley reported on problems with the garbage pickup relative personal garbage being dumped in the trash receptacles downtown. It was decided to pull the trash receptacles.

Public Works Superintendent Opferbeck advised the Village received \$1,932.38 for scrap. He asked that the police car scrap be put back into the police budget.

Public Works Superintendent Opferbeck presented two letters for Mayor McKeever to sign: One to Asset Management for a grant through USDA for \$5,000 to use for summer help; the other was a pre-application to USDA to determine what kind of funding the Village could get to purchase equipment.

Public Works Superintendent Opferbeck requested authorization to declare the 2000 International dump truck with plow and sander as surplus and put them out to bid.

Motion 232-14. Motion by Trustee Nephew, seconded by Trustee Sisti to declare the 2000 International dump truck with plow and sander as surplus items and offer them for bid. Motion carried 5-0.

Public Works Superintendent Opferbeck talked about the public works building. He would like to move the highway office and the break room into the main building and then the other building could be used for extra storage. It then would not need to be heated or cooled.

There was discussion about the proposed water rate increase. The next Village Board meeting is January 13th and Trustee Sisti advised at that meeting the public hearing date would be set. It was suggested that January 27th be set as the public hearing.

Mayor McKeever indicated the Village Board would hold one official meeting per month on the 2nd Tuesday in 2015. Any other special meetings will be set for the 4th Tuesday of each month.

Motion 233-14. Motion by Trustee Zimmermann, seconded by Trustee Nephew to hold one official Village Board meeting on the 2nd Tuesday of the month and any special meetings on the 4th Tuesday of the month during 2015. Motion carried 5-0.

ADMINISTRATION

Village Clerk Mohawk discussed the invoice from the New York Planning Federation in the amount of \$250. Since there is no functioning planning board at the moment, the Village Board decided not to pay the due for the upcoming year.

Village Clerk Mohawk reported that the October Treasurers report has been filed.

Dawn Spires presented two separate quotes for blinds for the board room. This was tabled until the summer.

Village Clerk Mohawk requested approval for the office to close at noon on Christmas Eve and to be closed the Friday after Christmas.

ENVIRONMENT

Mayor McKeever acknowledged a \$150 donation from Ed Palen for the tree fund.

Motion 234-14. Motion by Trustee Nephew, seconded by Trustee Sisti to amend the budget line item A8560.430 to apply the \$150 tree donation. Motion carried 5-0.

Motion 235-14. Motion by Trustee Nephew, seconded by Trustee Sheibley to go into Executive Session to discuss the union contract at 9:25 p.m. Motion carried 5-0.

Motion 236-14. Motion by Trustee Sisti, seconded by Trustee Zimmermann to come out of Executive Session at 9:40 p.m. Motion carried 5-0.

Motion 237-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adopt the amendment to the Supervisory contract as presented. The \$10,000 stipend will compensate for all the paperwork necessary for assuming duties when there is no chief water operator. Motion carried 5-0.

Motion 238-14. Motion by Trustee Zimmermann, seconded by Trustee Nephew to adjourn the Village Board meeting at 9:45 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is January 13, 2015 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk