

**SPECIAL VILLAGE BOARD MEETING
APRIL 14, 2015**

The Village of Gowanda Board of Trustees special 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 Pete Sisti
Trustee Barb Nephew
Trustee Paul Zimmermann

Village Employees: Village Clerk Kathy Mohawk, Public Works Superintendent Jason Opferbeck, Officer-in-Charge Steve Raiport, Fire Chief Mark Hebner

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

Public Present: Joe Gorenflo, Jim Anderson, Charles Beaver, Mr. and Mrs. Frank Markewitz, John Walgus, Jack Broyles, Cattaraugus County Legislator Paula Stockman, Anne and Earl Clabeaux, Monica Nephew, Joe Sweda, Aaron Markham, Cattaraugus County Legislator Dick Klancer, Tom Povhe, Charlie Maine, Lew and Jean Gabel, Carol Regan, Terry and Pam Howard, Joe Vogtli, Don Offhaus, Elton Hansen, Dorothy and Lou Selan, Rollin and Karen Besse, John Girome, Andy Burr, Eric Zielinski, David Schwedt, Charles and Vicki Toy, Bonnie and Bob Gabel, Janet Vogtli, Susan Bettker, Randy Latona, Cliff Lincoln, Kathy Schwedt, Terri DeHos, Sharon and Dale Hartlieb, Dave Latona, Charity Sweda, Deb Bennett, Kim Syracuse, Wanda Koch, Mr. and Mrs. Glende, Thomas Kielar

Motion 19-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to open the public hearing for the 2015-2016 budget. Motion carried 5-0.

Mayor McKeever advised the hearing was for the purpose of public input for the upcoming budget. The previous discussion during the work session regarding the garbage options was also part of the budget process.

Elton Hanson said he is in favor of keeping the garbage service as it is, but raising the sticker price up double. He also stated the Village needs to enforce the regulations against violators.

John Girome feels the Village should start fining the violators of the garbage regulations. He mentioned 45 Palmer Street and said he doesn't feel the majority of the residents should have to pay for the violators.

There was discussion of a tanker cab dumping at the foot of Broadway Road. Public Works Superintendent Opferbeck advised that Cattaraugus County is dumping leachage from Five Points. The County has issues with the other sewage treatment plants in the County. They will dump about 10 loads per day. It is a state of emergency for the County and the Village has a shared services agreement with the County. The Village will receive payment for the use of the sewer.

Andy Burr stated he is opposed to putting trash charges on the water bill. He reported on the Village of South Dayton refuse program. They self perform the trash pickup. The Village of South Dayton receives about \$15,500 in ticket revenues, the cost of the program is \$12,000 and the tipping fees are \$4,000. He suggested the Village purchase a 1-ton pickup truck with a trailer and maybe increase the sticker prices. Mr. Burr asked the Village to investigate the cost of self-performance. Mr. Burr also stated that the 2009 flood damage is now showing in the budget for repayment.

Janet Vogtli is a property owner in the Village and she pays to have the garbage taken away. She said the Village could be thinking of closing the office one day a week to save money. Ms. Vogtli asked about the full time police officer who gets paid overtime. Mayor McKeever indicated it has been a good benefit for the Village in terms of safety.

Trustee Sheibley asked why the Village is looking for an offsetting issue for garbage but not for other departments. She is not in favor of a garbage tax. Janet Vogtli asked how the Village is going to assess all the apartments in the Village. How about the not-for-profits? Trustee Sheibley also asked whether the County would collect the unpaid garbage on the unpaid water bills. They do not collect for lawn mowing services. Several residents felt the violators should be fined but Mayor McKeever advised that the towns get the money for any tickets that are issued.

Charity Sweda asked why the police budget went from \$217,000 to \$245,000 for payroll. Mayor McKeever advised the Village is looking at shared services between the Village and the County to share another full-time officer 20 hours per week. That one position will be paid \$17,000 by the Village. Andy Burr stated that police is actually under budget for personal services. Mayor McKeever indicated the Village may also do away with the D-line shift which is only once per week. Officer-in-Charge Raiport indicated some of the extra cost for personal services involves transports, extra training, etc. Ms. Sweda asked about the Village getting its own Court. Public Works Superintendent Opferbeck advised there is an initial set-up and the staff would be paid between \$50-80,000 per year. Officer-in-Charge Raiport said that state law takes precedence over the Village ordinances.

Wanda Koch said the Village needs a full time person in the police department to know the Village and the people. The Village will be working with the Southern Tier Task Force to have an undercover officer in the Village.

A resident asked if the Village employees have to be Village residents. Mayor McKeever said the Village tries to give preference to Village residents.

Joe Gorenflo, Frederick Street, stated he is against adding a garbage tax to the water bill. This is excessive especially for the older residents who only got 1.5% raise on their Social Security.

Kathy Schwedt asked who is going to pick up her garbage? She indicated she doesn't want the Village to cut the police protection due to the drug problems in the Village.

Dave Latona asked why the garbage company picks up any garbage bags without whole stickers. Trustee Sisti advised the garbage is more likely to get picked up in the summer months for odor control. Trustee Sisti agreed this is an ongoing issue to look at more thoroughly going forward. He indicated the Village Board will continue to look at the issue and they have heard some strong opinions from the public.

Deb Bennett is opposed to a garbage increase on the water bill. People are retired and live on strict budgets. Continuous increases will drive residents out of the community and eventually businesses.

Anne Clabeaux stated that the minimum price for water went up. If the Village adds a garbage tax to someone who barely has garbage, the elderly residents will be paying for other people. She stated that is not fair.

Phil Palen, historian and videographer, gets paid \$900. He indicated he would take no compensation for either job. He would like to see a picnic table placed on the Union Street Village property at the entrance to Creekside Park. He indicated that people eat lunch there. He offered to add the \$900 to the tree budget.

Monica Nephew indicated she is willing to pay for what she uses, but not for what everyone else uses.

Mayor McKeever advised that \$163,000 price from Casella does not include recycling. To add recycling would be over \$200,000.

Public Works Superintendent Opferbeck spoke about the grants the Village has received: \$155,000 for Creekside Park, the Safe Routes to School grant, the BOA grant, and asset management grant.

Joe Vogtli stated that the Town of Collins bills have a breakdown on how much of the tax money goes for each item. Village Clerk Mohawk indicated the Village bills used to have the breakdown on the back. She will inquire why this was discontinued and ask if it can be reinstated.

Public Works Superintendent Opferbeck advised the Village cut close to \$200,000 from last year's budget. The big items, i.e., retirement, utility costs, BAN charges, expenses have all increased. Andy Burr stated there is \$1 million in bonding, \$85,000 for bonding

expenses, the uncertainty of reserve funds, and the \$50,000 contingency for unexpected expenses all included in the 2015-2016 budget.

Village Clerk Mohawk read a statement presented by Dale DeCarlo, 117 Broadway Road:

“I would like this letter into the minutes as a matter of public record.

Starting with the water increase, it was strongly suggested to the Board multiple times over the past several years for a periodic small increase in rates. This was shot down by the majority.

Next is the garbage issue. Unfortunately if costs go up, you pass the cost on. I suggested an increase in stickers as a way to avoid the possible changes. This was again shot down. One reason given was that the elderly couldn't afford a dollar increase. How is someone who doesn't drive going to go to Dayton or Collins dump?

I object to the comment in today's paper “We're in this situation because of misuse of the system.”

We're in this situation because no one wants to increase stickers. Had the suggestion to increase stickers been implemented, we may not be in this situation.

The Board needs to plan more for the future than just now.

Back to the garbage stickers, Casella would give a list of “violators” to Kathy and not pick up the bags. If needed, the “violators” would be contacted, and the issue resolved.”

Motion 20-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to close the public hearing at 8:40 p.m. Motion carried 5-0.

Motion 21-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to open the public hearing on Local Law No. 3 of the year 2015 authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c at 8:40 p.m. Motion carried 5-0.

Janet Vogtli stated that any efficiency plan the Village presents will not be implemented if the Board adopts an override of the tax levy. She stated it is unfair that the taxpayers have to pay more money because the former treasurer wasn't doing her job.

Jack Broyles said if the Village adopts the override, there is no limit to how high the tax rate can go. Legislator Paula Stockman advised that 1.68% is the tax limit for the Village.

Eric Zielinski asked about the proposed budget at 5.22%. Does that mean the Board will already go over that?

Treasurer Lauer stated that almost \$250,000 is owed back to the general fund for the 2009 flood. If the taxes go up that high, it is catching up and is only a one-time charge. If the levy is at or under the limit, and the Village submits an efficiency plan by June 1, 2015, all residents will get a rebate. If the Village doesn't do both of these things, the people will not get their rebates.

Motion 22-15. Motion by Trustee Sheibley, seconded by Trustee Nephew to close the public hearing at 8:55 p.m. Motion carried 5-0.

Motion 23-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adopt Local Law No. 3 of 2015 authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c. Motion carried 5-0.

Mayor McKeever thanked Legislators Stockman and Klancer for their efforts at getting the old China King property transferred to the Village. She advised the Village received a \$155,000 no match grant for the project.

Public Works Superintendent Opferbeck indicated the Village is seeking approval to use the old dump site on Palmer Street. They would fill in the old pump house reservoir with the debris removed from Thatcher Brook. Mr. Opferbeck and Trustee Sheibley met with the Town of Persia and Cattaraugus County regarding this issue. He reported that the property is for sale for \$1400 from Cattaraugus County.

Motion 24-15. Motion by Trustee Nephew, seconded by Trustee Zimmermann to purchase the property, tax map No. 17.021-01-6, from Cattaraugus County for the cost of \$1400, to be used for cleanup of the Thatcher Brook property.

Mayor McKeever thanked Trustee Sheibley, Councilman Walgus, and Legislators Stockman and Klancer for this effort.

Mayor McKeever advised that some students from the University of Buffalo have developed a flood mitigation device. It is a brick wall. They have an interest in using the Village as a model to try the device.

Mayor McKeever scheduled two more budget workshops: April 21 at 6:00 and April 28 at 6:00.

She indicated that if a new RFP for garbage services is necessary, the Village Board needs to know within a week. Trustee Sheibley indicated that the Board must reject or accept the bid from Casella now that the price has been divulged. The Village cannot talk to anyone else.

Motion 25-14. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adjourn the special Village Board meeting at 9:20 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is May 12, 2015 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk