

**VILLAGE BOARD MEETING
DECEMBER 13, 2016**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Heather McKeever at 6:00 p.m. at the Municipal Hall. The pledge of allegiance was recited.

Present: Mayor Heather McKeever
Trustee Carol Sheibley
Trustee Aaron Markham
Trustee Paul Zimmermann

Village Employees: Village Clerk Kathy Mohawk, Public Works Superintendent Jason Opferbeck, Village Attorney Deb Chadsey, Account Clerk Kathleen Ellis, Ron Tiller

Media Present: Phil Palen, Cable Channel

Public Present: Traci Hopkins, John Walgus, Mike Hutchinson, Jack Broyles, Rob Gaylord, William Emborski

Motion 193-16. Motion by Trustee Markham, seconded by Trustee Sheibley to approve the minutes of the November 29, 2016 Special Village Board meeting as presented. Motion carried 4-0.

Motion 194-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to approve the Abstract dated December 13, 2016 on all funds as follows:

General Fund	\$166,156.13
Water Fund	14,044.40
Sewer Fund	30,370.57
Total	\$210,571.10

Motion carried 4-0.

BUSINESS/BUILDING PERMITS

Building Inspector Brecker spoke first. He presented a business permit application for a used car lot at 271 Buffalo Street. The zoning for this business is correct.

Motion 195-16. Motion by Trustee Sheibley, seconded by Trustee Markham to approve the business permit of Alan Scahefer for a used car dealership at 271 Buffalo Street. Motion carried 4-0.

Building Inspector Brecker reported on an application from DaVita Healthcare Partners for a dialysis center at 68 Allen Street. It is an R2 zone and will need a variance. They are planning to remove a check and put up a new 53,000 square foot medical facility. Village Attorney Chadsey asked about SEQRA and whether any environmental impacts may be involved. Mr. Brecker stated the only impact would be a parking lot. Village

Attorney Chadsey advised it is an unlisted action but will need to be rezoned to a MF listing. Village Clerk Mohawk will contact the Zoning Board to schedule a public hearing on the variance.

Village Attorney Chadsey advised the village could adopt a negative declaration for the proposed dialysis clinic pending the zoning hearing.

Motion 196-16. Motion by Trustee Sheibley, seconded by Trustee Markham to adopt a negative declaration for the proposed dialysis unit at 68 Allen Street. Motion carried 4-0.

Village Attorney Chadsey advised she would confirm whether a variance or a special use permit is necessary or just the rezoning.

Building Inspector Brecker presented an application for a proposed brewery at 26 West Main Street. He advised the applicant that state and federal licenses are required before production of beer can begin. Mayor McKeever indicated the Village Board is supportive of the project once he get the correct licenses. She feels this would help economic development of the area.

There was a great deal of discussion about the situation on Palmer Street with the removed sidewalk. It is a safety issue that has gone on too long. Code Enforcement Officer Larry Green will send a letter to the owner tomorrow giving him 30 days notice to repair his sidewalk.

PUBLIC PARTICIPATION

Representatives from GARC were present for an update on the Zoar Valley Gateway Park. Mike Hutchinson advised that this past year the trails were paved, grass was planted and is growing and the grading will be completed with Pt. Peter Reservoir fill material. The ball diamond is all laid out. GARC is looking for additional funding but need to have the site de-listed by the EPA. Mr. Hutchinson indicated that may be completed by next October. He advised that the landfill has been remediated and poses no threat to human health or the environment. John Walgus advised the PRP's will be responsible for the landfill in perpetuity. Mike Hutchinson stated that benefits of delisting the site include more availability of funding sources, increased property values, and improvements to the neighborhood. Mayor McKeever indicated she would like a work session with GARC to get a better understanding of the benefits. Mr. Walgus stressed that delisting would not remove the responsibility of the PRP's in case something should happen in the future. Mike Hutchinson indicated that any potential future uses depend on the delisting. He also advised this is a regulatory determination, not one the Village or GARC makes. Mr. Hutchinson indicated one of the next steps is some creekbank stabilization and design for creek access. He reported that GARC received \$104,374.78 for payment of the paving. Rob Gaylord advised that \$50,000 was held in retainage. He advised that GARC got a \$300,000 line of credit last year from Community Bank. This way the work can be paid for upfront and when the reimbursements come in pay the line of credit back.

John Walgus advised that the Village, Town of Persia and Cattaraugus County have been nominated for the American Public Works Association Environmental Award for the collaboration of services with respect to Gateway Park.

Mike Hutchinson reported that GARC did the preliminary application to the Ralph Wilson Foundation for funding with the help of Traci Hopkins. He urged the Village to move forward with the PRP negotiations.

John Walgus indicated GARC had been asked to write a letter of support for the BOA grant and he requested a scope of services of the project. Village Attorney Chadsey advised it is an EPA Brownfields Assessment grant which does not include the park site since it will be delisted. Mayor McKeever stated that what is being asked of GARC is support of the development of the entire creek corridor which would also be consistent with GARC goals.

Mike Hutchinson indicated there has been some movement with Brown Shoe Company. They are interested in seeing the Moench Tanning property developed as it is a remediated compliant site. Mayor McKeever again suggested a Saturday PRP work session to discuss the importance of the delisting, getting a response to the PRP's and discussing the Moench Tanning site. Village Clerk Mohawk will schedule a January meeting with GARC and Village Attorney Chadsey, for 3 hours on an evening or Saturday morning.

Mayor McKeever advised the Hollywood Theater received \$478,000 grant from RestoreNY. Phil Palen advised that the lobby is finished.

GARC served as the pass-through for Christmas in Gowanda. As a 501© organization, they can collect donations from individuals who can then claim tax deductions.

William Emborski came to personally thank the Village for helping the rezoning matter. He is now working with the Town of Persia Assessor to consolidate the parcels. Village Attorney Chadsey indicated that once the consolidation is completed, the Village will put the water management easement in place.

LEGAL

Village Attorney Chadsey spoke about the Supervisor's contract. The only outstanding issue is Andy's 5 personal leave days. Effective upon signing, the supervisors will begin making contributions for their health insurance.

Motion 197-16. Motion by Trustee Zimmermann, seconded by Trustee Markham to go into Executive session at 7:20 p.m. to discuss legal matters. Motion carried 4-0.

Motion 198-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to come out of Executive session at 7:45 p.m. Motion carried 4-0.

Village Attorney Chadsey advised she will be preparing the Quit Claim Deed for the Cemetery Hill Road property.

There was some discussion about the proposal received regarding 27 Jamestown Street. Village Clerk Mohawk will schedule a meeting with the UDAG committee and Mr. Cygan to further discuss the plans.

Village Clerk Mohawk reported that a zoning hearing was held regarding the sign variance request submitted by Janet Vogtli. Chairman Bob Tiller has put a call in to the Department of Transportation to determine if there are any issues relative to rights-of-way on the highway. Once he receives an answer, the sign permit can be approved as all zoning board members were in agreement that it would pose no problems.

Mayor McKeever advised that the annual employee holiday party will be held on Monday, December 19th at noon in the board room. Village Clerk Mohawk was asked to invite all employees, retirees, committee members and police but a count is necessary by Friday. She and Public Works Superintendent Opferbeck will supply the meat.

Mayor McKeever reported that over 1,000 people rode the train during Christmas in Gowanda. A Rail Initiative meeting will be held with the Mayor of Jamestown in the near future.

Account Clerk Ellis advised that the Flouride grant was finished in November and she will be submitting the final claims for payment.

Mayor McKeever thanked Village Attorney Chadsey for sponsoring the Christmas in Gowanda event.

Mayor McKeever reported that Cattaraugus County Sheriff Whitcomb feels the Community Connections program has been successful.

Mayor McKeever reported that Larry Green has finished the first 3 courses for his code enforcement certification.

POLICE

Officer-in-Charge Raiport provided the November 2016 monthly report: "total calls for service – 135; domestics – 1; motor vehicle accidents – 3; arrests – 16; traffic summons issued – 11; total patrol mileage – 3,530.

New Hire: Task Force Position – On Thursday, December 1, 2016, Captain Robert Yehl, Lt. Ron Lott, who runs the Task Force and myself conducted interviews of potential candidates to fill the vacant position of Alisson Crosson. . . . In choosing a candidate, we interviewed candidates that resided in Cattaraugus County, as the county provides the take home under cover vehicle and fuel for it. The vehicle is equipped with radios also. .

On December 7 and 8th, 2016, Officer Larry Green attended the NYS Division of Criminal Justice course on Trauma. This course is designated to identify staff members and officers that are dealing with some sort of PTSD or trauma. The course is designed to help navigate an employee to resources that are available to assist them through their hard time.

Officer Kris Booth will be attending the NYS DCIS breathalyzer course January 16-18 in Jamestown at the Chautauqua County Sheriff's Academy. This course is required so the officer can be certified to administer a Breath Test after being arrested for DWI."

Motion 199-16. Motion by Trustee Sheibley, seconded by Trustee Markham to appoint the new member of the Task Force based on the recommendation of Officer-in-Charge Raiport. Motion carried 4-0.

JOINT ACTIVITY

Trustee Sheibley requested approval to appoint Darren North as the bus driver/chaperone for the Learn-to-Ski program.

Motion 200-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to appoint Darren North as bus driver/chaperone for the Learn-to-Ski program. Motion carried 4-0.

Trustee Sheibley was advised the Village should receive more State aid for the recreation program than in the past. Cattaraugus County received a member initiative to be able to provide more funds.

FIRE

Trustee Sheibley reported that she attended training for cold water rescue. She commented on the good rapport with the Gowanda Fire Department members and the Erie County Rescue Team and Advanced Life Emergency Response Team. She thanked all the good members of the fire department and indicated the Village should be proud of them. Mayor McKeever added that the police and fire vehicle rides during Christmas in Gowanda were a big hit.

Trustee Zimmermann advised the Installation banquet is scheduled for January 21st.

Village Clerk Mohawk advised that the Gowanda Ambulance has requested approval to install an outside electric service, at their expense, to keep the ambulances and medical supplies warm during the winter. They only have two bays. The Village Board asked Village Clerk Mohawk to check with the police to see if they have an extra bay for the ambulance to use.

PUBLIC WORKS

Mayor McKeever reported that Cold Spring Construction worked at Point Peter Reservoir from October 12th to November 10th. They have now ceased work until the spring.

Mayor McKeever reported that Trustee Sheibley, Public Works Superintendent Opferbeck and Account Clerk Ellis worked up some new cost estimates for coordination with the Department of Corrections which will offer some percentage of the big projects that need to be done at the wastewater treatment plant.

Motion 201-16. Motion by Trustee Markham, seconded by Trustee Sheibley to authorize Mayor McKeever to sign the letter to the Department of Corrections outlining the wastewater treatment plant upgrades. Motion carried 4-0.

Village Attorney Chadsey prepared an Equipment Storage Agreement with the Town of Collins.

Motion 202-16. Motion by Trustee Zimmermann, seconded by Trustee Markham to accept the Equipment Storage Agreement with the Town of Collins, pending the list of equipment for Schedule A. Motion carried 4-0.

ADMINISTRATION

The New York State Conference of Mayors and Municipal Officials asked each member to appoint an individual to serve as their legislative liaison.

Motion 203-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to appoint Trustee Sheibley as the legislative liaison to NYCOM for the Village of Gowanda. Motion carried 4-0.

Village Clerk Mohawk advised that the Christmas holiday would be observed on Monday, December 26th. She requested approval to take Friday, December 23rd, off as well. Mayor McKeever advised that as long as enough notice was given, Village Clerk Mohawk could close the office on Friday as well.

ENVIRONMENT

Phil Palen presented an Arbor Day Proclamation for Mayor McKeever to read. He indicated it is necessary for the Tree City designation.

“WHEREAS, in 1972 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I, Heather McKeever, Mayor of the Village of Gowanda, do hereby proclaim April 26, 2017 as *ARBOR DAY* in the Village of Gowanda and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.”

Motion 204-16. Motion by Trustee Zimmermann, seconded by Trustee Markham to adopt the foregoing Arbor Day Proclamation. Motion carried 4-0.

Motion 205-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to adjourn the Village Board meeting at 8:15 p.m. Motion carried 4-0.

The next Village of Gowanda board meeting is January 10, 2017 at 6:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk