

**VILLAGE BOARD MEETING
FEBRUARY 9, 2016**

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: Village Clerk Kathy Mohawk, Village Attorney Deb Chadsey, Treasurer Mark Adamchick, Building Inspector Gary Brecker, Account Clerk Kathleen Ellis, Officer-in-Charge Steve Raiport

Media Present: Phil Palen, Cable Channel 22
Rebecca Cuthbert, Observer

Public Present: John Girome, Jack Broyles, Ivan Broyles, Bill Cain, Dave Latona, Dennis Abraszek, Mike Hutchinson, Rob Gaylord, John Walgus, Cattaraugus County Legislator Richard Klancer, Jacqueline Swift, Charles and Vicki Toy, Wayne Harvey, Joe Niezgoda

Motion 216-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the minutes of the January 26, 2016 Village Board meeting as presented. Motion carried 5-0.

Motion 217-15. Motion by Trustee Sheibley, seconded by Trustee Sisti to approve Abstract #25 dated February 9, 2016 on all funds as follows:

| | |
|-----------------------|-------------|
| General Fund | \$16,805.76 |
| Water Fund | 12,557.34 |
| Sewer Fund | 28,834.56 |
| Flood Recovery | 7,922.36 |
| Safe Routes to School | 8,553.13 |
| TOTAL | \$74,673.15 |

Motion carried 5-0.

Mayor McKeever reported on the project updates. For the Smart Growth Initiative – Creekside Improvements, the building is down and the site is being secured. For the Asset Management Grant, the Village is working on getting another intern. Another site analysis tour is being planned for the BOA for Saturday, February 27th, from 10:00 until 2:00 beginning at Industrial Park. For the Safe Routes to School, Account Clerk Ellis stated that Thursday, March 3rd at 6:00 is the date to meet with the landowners that will be affected by the upcoming construction.

Officer-in-Charge Raiport reported on the Community Connections program. He advised that the Gowanda Police Department is committed to working on the drug epidemic that has hit our community. Every community in America has been affected. Many people feel this only affects the “junkie” or ‘scumbag”; this epidemic is affecting every walk of life. Some of our own family members and friends are struggling with this. The community needs to stick together and erase the stigma of labeling these individuals and get them the help they need. The Gowanda Police Department has taken the initiative to partner with many organizations to help combat the drug epidemic. Officer-in-Charge Raiport advised that Community Connections is currently in the process of putting together a program to help educate the community. It will be held March 29th from 7:00 to 9:00 at Gowanda Central School. Being part of this initiative, it allows the Gowanda Police Department to refer users to clinics either locally or out of state. They have access to many inpatient facilities out of state for rehabilitation or detoxification.

Officer-in-Charge Raiport advised that a drug drop box has been installed at Healthy Community Alliance and one will be installed at the Village Hall as well.

Mayor McKeever commended Officer-in-Charge Raiport for his efforts. Cattaraugus County has also been instrumental with the task force. The City of Salamanca, Sheriff's department, State police, DEA agency, Seneca Nation, Gowanda Police, Zoar Valley Clinic, Behavioral Health and Healthy Community Alliance have all participated in this task force.

Officer-in-Charge Raiport advised that since January 20th, there have been 3 overdoses, 1 fatal.

Officer-in-Charge Raiport advised that he spoke with Village Clerk Mohawk and Trustee Sheibley about increasing the fees for solicitor permits. Our current fee is \$5 per person per day. He feels that raising the fees would be more in line with the surrounding towns and villages. He feels that the solicitors that come to town, if they are serious about their product, they should have no problem paying a higher fee.

Officer-in-Charge Raiport also asked the Board to put Cori Kowalski back on the roster as competitive, part-time, rather than just part-time.

PUBLIC PARTICIPATION

Mike Hutchinson, Rob Gaylord, and John Walgus were present as members of the Board of GARC. The presentation on the Zoar Valley Park included some pictures that John Walgus put together showing what the property looked like at the time GARC took possession of it. Mike Hutchinson advised that the 5 year review is now complete and the site can be de-listed by the EPA. About ¾ of the landscape work is done. Mr. Hutchinson advised that the community input made the decision of what they would like the site to look like. From the surveys that were returned, 76% wanted passive recreational use, 72% wanted active recreational use and 44% wanted commercial. The

Village wanted a high level of reuse which meant a higher level of remediation had to be done. None of this was paid for by Village residents; it was all paid by the principal responsible parties. \$2.6 million went into remediation. Mr. Hutchinson explained that for the passive recreation component, the design calls for a naturalistic state with walking trails. More active recreation includes fishing and boating access and sports fields. A \$76,000 grant was received for engineering design. There is also a trust account set up by the PRP's which pays the Village's operating and maintenance costs. Mr. Hutchison advised that there were many pieces of this project. There was a \$250,000 construction grant, a \$500,000 parks grant which was used for the finish grading, \$200,000 worth of material from Dan Gernatt, \$200,000 of casino funds from Cattaraugus County, and the road paving was completed with forces from Dan Gernatt Gravel, GARC, the Village, the Towns of Persia and Collins and Cattaraugus County equipment.

John Walgus said the intention of GARC is to let the creekbank go back to a natural state.

Mike Hutchinson indicated that \$80,000 as spent for the play structure and 97 trees were planted this year. About \$100,000 is left to finish the landscaping. Rob Gaylord again stressed the cooperation among the different agencies that helped on this project. Mr. Hutchinson advised that none of this \$2.6 million project has any impact on the Village finances. The Village has received reimbursement for all the labor. The last payment was in September for \$3,541.93. Rob Gaylord said GARC has paid for any equipment repairs as well. Mr. Hutchinson advised that GARC owns the property and the Village leases it.

Jacqueline Swift asked who the target audience is for the sports fields? Mike Hutchinson answered that it is the Gowanda residents mainly, but it is really a regional park.

Bill Cain asked if it was necessary to add more items like a play structure or sports field to this area. He made reference to a letter to the editor that he wrote and information he presented on the Stella Niagara Preserve vision plan. He feels the area should be left more in its natural state for people to enjoy. He doesn't want it to become an "urban" park.

John Walgus advised that he walked from Palmer Street along the creek, behind the houses and along the rail line across Brown Shoe Company property. He advised that Brown Shoe Company has no desire to turn that property over to anyone at the present time.

John Walgus advised he is working with the railroad and both the Erie and Cattaraugus County IDA's to plan 5 excursions this year.

Jack Broyles asked if there were a lot of taxes due on the property when GARC took ownership. Mike Hutchinson advised that the entity defaulted on the taxes and sold to an individual who intentionally didn't pay knowing the County wouldn't foreclose because they didn't want to be responsible.

Joe Niezgoda and Brian Baty of Western New York Insurance presented their proposal for public entity insurance to the Village Board. The proposal presented was with Brit Insurance. Mr. Baty explained some of the coverages to the Board. For Inland Marine, the equipment cost is all replacement cost. The auto deductible went to \$1,000 from \$500. For the public officials liability, the deductible is half what it is with the NYMIR policy. The umbrella/excess is \$5 million per occurrence. Flood and earthquake coverage is up to \$1,000,000 per occurrence. All have prior acts coverage and there would be no gap in coverage. Trustee Sheibley asked if this insurance proposal needed to go out for bid. Mr. Baty said no as it is a professional services contract. When asked about references, Mr. Niezgoda indicated he works with the Village of South Dayton, Village of Sloan, Town of Busti and Town of Sherman for examples. He also indicated they insure farms and businesses. Since this was the first presentation of a competitive bid for insurance, it was agreed to hold a special meeting tomorrow at 5:00 to make a decision on the insurance. This would give the Village Board and Village Attorney Chadsey time to review the coverages line-by-line.

The fire company is quoted through VFIS and it was agreed to stay with them.

John Walgus spoke to the Village Board about the frozen waterlines on West Main Street. He advised they froze again this year.

TREASURER

Treasurer Mark Adamchick spoke about the RAN and indicated that it is tied to the projects. He is waiting for that information from Public Works Superintendent Opferbeck. A meeting is scheduled for Thursday, February 18th, at 5:30 to meet about the RAN with Mayor McKeever, Trustee Sheibley and Treasurer Adamchick.

Treasurer Mark Adamchick advised the the cash balance is dwindling. The general fund is always borrowing from other funds. He asked the Village Board to be conservative with spending.

Treasurer Adamchick submitted the budget sheets to the department heads and wants them back by the end of the month.

LEGAL

Village Attorney Chadsey has no update on the Time Warner contract.

Village Attorney Chadsey advised that a judgment search is being conducted in the water issue in the Town of Collins.

Village Attorney Chadsey reported that she met with the UDAG committee to discuss the purpose and use of the funds going forward. The committee will prepare a proposal for Village Board approval. The current loan applicant will be asked to submit business financials rather than his personal financials.

Village Attorney Chadsey advised she has been working with GARC. The PRP's want the Village to take over but the PRPs will still need to fund the work. The Village is under no obligation to take it over without the correct compensation package.

There was discussion about the garbage RFP. Account Clerk Ellis will make the changes that were previously discussed and resubmit the package to Village Attorney Chadsey. Ms. Chadsey advised it would make more sense to rebid the whole package because no one is going to want to do just the recycling. Mayor McKeever feels the public wants it to be bid out as it used to be. Trustee Sisti feels the recycling should have been bid at the same time when it was done before. Trustee Nephew feels the RFP needs to be done. Trustee Sheibley stated she wished the Village had gotten pricing for the recycling before. The Village Board was all in agreement that the garbage needs to be put out to bid.

Jack Broyles asked if the Board considered lowering the bid bond. Mayor McKeever said they put a 2-month bid bond in the current RFP. Account Clerk Ellis indicated the RFP was written so that any bid must include Option #4. She asked the Board what their intent was; did they want a company to do it all. Trustee Sisti feels Option #4 should be included if the Village wants bulky waste pickup. Village Attorney Chadsey asked if it should be included as a separate line item. Trustee Sisti feels it should be included if the Village is going to offer it at all. Trustee Sheibley asked if it could be included in Option #1 and Option #2 and also be left as a separate line.

Trustee Nephew stated that bulky trash can be taken to Dayton. She thinks the bulky trash should be reduced to 2 times. Trustees Sisti and Sheibley were okay with 2 times. Trustee Sisti thinks it is more important to have it curbside. Trustee Zimmermann asked about yard waste. The highway department might need to help with picking up tree limbs.

Motion 218-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann to reject all the garbage bids that were returnable October 2, 2015. Motion carried 5-0.

Motion 219-15. Motion by Trustee Sisti, seconded by Trustee Nephew to put out the RFP for garbage services returnable on March 4, 2016 at 2:00 p.m. Motion carried 5-0.

There was more discussion about the insurance proposals. Village Attorney Chadsey advised that the existing claims already have a decision from the current carrier. They talked about claims made policy and occurrence made policy. The latter covers any occurrence that happens when the policy is in effect. Village Attorney Chadsey stated that the Brit policy looks good and the company is stable. Trustee Sheibley asked Ms. Chadsey if she was satisfied with the answer about not having to put insurance out to bid since it is a professional service. Village Attorney Chadsey said she was satisfied.

Account Clerk Ellis indicated that the water notification letter and the barium letter are set to go out tomorrow.

Motion 220-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann to go into Executive session at 9:35 p.m. Motion carried 5-0.

Motion 221-15. Motion by Trustee Sheibley, seconded by Trustee Sisti to come out of Executive Session at 9:45 p.m. Motion carried 5-0.

BUSINESS/BUILDING PERMITS

Building Inspector Brecker and Fire Chief Hebner want the Village Board to authorize the Fire Chief to do courtesy walk-throughs on request to check detectors. These code inspections will be turned over to Building Inspector Brecker. Trustee Sisti said he wants to make sure there isn't any liability to follow if something was missed during the inspection. Trustee Sheibley said the Board needs to get the necessary language to prepare a resolution for the next meeting. Account Clerk Ellis stated that perhaps NYCOM could provide some guidance on the liability issue.

JOINT ACTIVITY

Trustee Sheibley acknowledged a donation from Pioneer Credit for the ski program. She reported that all the winter programs are going well.

FIRE

Trustee Sheibley reported that at the last Hidi meeting a discussion was held that the members would like to see some sort of a memorial plaque to Stuba Scrabec placed in Hidi Park. He was a member of Gowanda's early town football team which played against other town teams and he died from a head injury sustained during a game. Trustee Sheibley stated it would be nice to recognize the entire team. Phil Palen advised this was Dan Povhe's uncle.

Trustee Sheibley advised that Monday is the dedication for the new fire truck at the fire hall prior to the fire corporation meeting at 7:00 p.m.

Trustee Sheibley advised that she will research getting EVAC training through the insurance company.

Motion 222-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to utilize Emerling Insurance for the fire department through VFIS for \$13,030. Motion carried 5-0. Trustee Sheibley requested confirmation that Hidi Fire Hall is covered under the regular Brit Insurance policy.

DISASTER COORDINATOR

Mayor McKeever reported that Don Offhaus has agreed to continue serving on the Thatcher Brook Task Force.

Trustee Sheibley advised that Disaster Coordinator Crassi was unable to be at the meeting but presented his report and indicated that he has been working with FEMA and is doing a good job.

PUBLIC WORKS

Village Clerk Mohawk presented the request from Sewer Superintendent Carriero about the lack of fire and intrusion alarms at the sewer plant. She reported that the quote from Simplex Grinnell was the state bid. It will be discussed at the next work session and Mayor McKeever requested that Sewer Superintendent Carriero be present to explain the urgency.

There was discussion about a pooled sewer loan at 2% interest. Account Clerk Ellis will get some information on the DEC application. Village Clerk Mohawk will contact Jeff Smith at Municipal Solutions to get more information about the program.

Motion 223-15. Motion by Trustee Sisti, seconded by Trustee Nephew to authorize Account Clerk Ellis to apply for the wastewater treatment plant NYS pooled loan based on the recommendation of Jeff Smith. Motion carried 5-0.

Trustee Sheibley brought up a \$2.5 million Department of State Municipal Restructuring fund grant. Two rounds of funding with the first application due March 15, 2016 and the second round of funding dealije is July 12, 2016. Funds may be used for services and shared services relating to water, code enforcement, highway, etc. projects.

ADMINISTRATION

Village Clerk Mohawk presented an event application from LOVE, Inc. for the 11th Annual Cabin Fever Walk scheduled for April 3, 2016.

Motion 224-15. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to approve the Event Application for the Annual Cabin Fever walk pending appropriate insurance certificates. Motion carried 5-0.

Village Clerk Mohawk presented an event application from the Gowanda Ministerial Association for the Stations of the Cross Walk scheduled for March 25th.

Motion 225-15. Motion by Trustee Sisti, seconded by Trustee Nephew to approve the event application for the Stations of the Cross Walk pending appropriate insurance certificates. Motion carried 5-0.

Account Clerk Ellis reported that upon reviewing the water billing system, she found an incorrect usage that is outside the Village but has been billed at the inside rate. She indicated that Village needs to notify the property owner.

Trustee Sisti asked about time sheets being filled out by salaried employees. Mayor McKeever asked Village Clerk Mohawk to put that on the next work session agenda.

Motion 226-15. Motion by Trustee Nephew, seconded by Trustee Sisti to adjourn the Village Board meeting at 10:00 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is March 8, 2016 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk