

**VILLAGE BOARD MEETING  
JANUARY 10, 2017**

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.

Present: Mayor Heather McKeever  
Trustee Carol Sheibley  
Trustee Wanda Koch  
Trustee Paul Zimmermann

Trustee Aaron Markham was absent.

Village Employees: Village Clerk Kathy Mohawk, Village Attorney Deb Chadsey,  
Public Works Superintendent Jason Opferbeck

Media Present: Andrew Kuczkowski, Observer  
Rich Place, Gowanda Press

Public Present: Phil Palen, Traci Hopkins, Jack Broyles, Margaret Moritz

Motion 209-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to approve the minutes of the December 13, 2016 Village Board meeting as presented. Motion carried 4-0.

Motion 210-16. Motion by Trustee Sheibley, seconded by Trustee Koch to approve the minutes of the December 22, 2016 Special Village Board meeting as presented. Motion carried 4-0.

Motion 211-16. Motion by Trustee Zimmermann, seconded by Trustee Sheibley to approve the minutes of the December 30, 2016 Special Village Board meeting as presented. Motion carried 4-0.

Motion 212-16. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to approve the Abstract dated January 10, 2017 on all funds as follows:

General Fund	\$27,758.10
Water Fund	3,225.51
Sewer Fund	25,532.77
Trust and Agency	1,306.06
Total	\$57,822.44

Motion carried 4-0.

**PUBLIC PARTICIPATION**

Village Clerk Mohawk advised that John Walgus wished to address the issue of the UDAG offer for 27 Jamestown Street but he would be late due to a prior commitment.

Mayor McKeever asked Public Works Superintendent Opferbeck about the contents of the building. He stated he thinks there is nothing worth anything inside. Village Clerk Mohawk will follow up with the Seneca Nation Legion who previously had expressed some interest in purchasing the bar. Village Attorney Chadsey suggested that Mr. Opferbeck do an inventory of the contents.

John Walgus spoke on behalf of the UDAG committee who wants to revisit the offer for 27 Jamestown Street. He feels that the bar and back bar are the only items that anyone might want.

### **TREASURER**

Mayor McKeever advised that Mark Adamchick will be done as Treasurer, effective January 15<sup>th</sup>, and Traci Hopkins starts January 16<sup>th</sup>.

Motion 213-16. Motion by Trustee Zimmermann, seconded by Trustee Sheibley to remove Mark Adamchick as a check signer on all Village accounts, effective January 15, 2017. Motion carried 4-0.

Motion 214-16. Motion by Trustee Sheibley, seconded by Trustee Koch to authorize Treasurer Traci Hopkins as an additional check signer on all Village accounts, effective January 16, 2017. Motion carried 4-0.

There was some discussion about the upcoming budget process. Mayor McKeever advised that she would like the Trustees to be more active in the process and has presented a list of trustees to work with the various departments. Mayor McKeever prepared a charge to the Village of Gowanda Board of Trustees:

“To work with Treasurer and respective department heads per the assigned departments Per your assigned departments, review the status of current budget and projected outlook through the fiscal year ending 5/31/2017. Based on your assigned departments, develop recommendations for the Budget Committee relevant to the 2017/18 budget. Each trustee is encouraged to assist the Budget Committee in their goal to identify expense controls and revenue opportunities, through study of the budgets, comparisons to other similar municipalities and exploration of opportunities for shared services. Your recommendations are due to the Budget Committee for review by January 31, 2017.”

Motion 215-16. Motion by Trustee Koch, seconded by Trustee Sheibley to accept the charge from Mayor McKeever for the recommended 2017/18 budget process and schedule as presented. Motion carried 4-0.

Mayor McKeever presented the list of budget committee members: Trustee and Finance Liaison Carol Sheibley, Treasurer Traci Hopkins, Public Works Superintendent Jason Opferbeck and Village resident Representative, Andy Burr. Their purpose is to review the current status of the Annual Operating Budget and develop recommendations to the Mayor in preparation for the 2017/18 budget. The Committee may also review Village borrowing and investments making recommendations as needed. The Committee's goal

is to identify expense controls and revenue opportunities, through study of the budgets, comparisons to other similar municipalities and exploration of opportunities for shared services.

Mayor McKeever presented the tentative schedule for the 2017/18 Village of Gowanda budget process. It will be the responsibility of the village trustees, treasurer, department heads and budget committee to meet appropriately to meet deadlines for recommendations. The schedule provided is for group budget work sessions between the village board and budget committee. Village Clerk Mohawk advised that a public hearing will also need to be scheduled at an appropriate time.

Motion 216-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to accept the budget committee members as presented and the tentative schedule of budget work sessions as prepared by Mayor McKeever. Motion carried 4-0.

Village Clerk Mohawk will see that the schedule is put on the website. Trustee Zimmermann asked Traci Hopkins for a copy of the up to date budget/expenditures that she received from Treasurer Adamchick.

Because of the scheduled work sessions and increased involvement of the Village Trustees, Mayor McKeever asked Village Clerk Mohawk to make sure that all trustees have a key to the main office.

### **PUBLIC PARTICIPATION**

Phil Palen asked about the parking on South Water Street next to the Olympia Restaurant. He indicated there is a No Parking/Standing from here to Corner sign at that location but he feels it should be moved back at least another car length. Public Works Superintendent Opferbeck agreed there have been traffic issues on that stretch of road and suggestions have been made to make the street one-way with a turn on Walnut Street. Mr. Palen also indicated that the green sign indicating the Erie County and Cattaraugus County business districts on South Water Street, coming from Commercial, is very faded.

Phil Palen advised that the far left corner of the new Zoar Valley Clinic is only about a foot from the sidewalk. It was discussed that Building Inspector Brecker was going to speak to Savarino about some sort of safety barricade for that corner. Mr. Palen feels there should be a fence put up for the safety of pedestrians. Public Works Superintendent Opferbeck will talk to Code Enforcement Officer Larry Green about it. There was also discussion about the lamp poles. Village Attorney Chadsey stated that the Village should remind Mr. Savarino of his promises regarding the lamp poles.

### **BUSINESS/BUILDING PERMITS**

Village Clerk Mohawk reported on the Palmer Street property. She indicated that notices were sent to the resident and the owner and Code Enforcement Officer Green will be ticketing them to Court.

Motion 217-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to form a Community Improvement Task Force to work the with Code Enforcement Officer. Motion carried 4-0.

Mayor McKeever spoke about the formation of a Village of Gowanda Police Committee: “In my role as Mayor for the Village of Gowanda I assume the responsibility as Commissioner of the Gowanda Police Department. As the Village of Gowanda Police Department is a part-time department with a part-time Officer in Charge it is my duty to supervise the Department. Note that members of the Village Board of Trustees do not have any authority to supervise or direct subordinate Village Officers or employees, for this reason I think it is critical that a Village of Gowanda Police Committee be formed so that the Village Board of Trustees have the ability to assist the mayor in monitoring our Police Department to include but not limited to: Maintaining and updating current Standard Operating Procedures, Developing Policy as needed, Employee Performance and New Hires, Code Enforcement Division, PAARI (Police Assisted Addiction and Recovery Initiative), Community Policing Efforts, Southern Tier Regional Drug Task Force Partnership, Police Department Budget, Police Officer Training and Certifications. Charge to Village of Gowanda Board of Trustees: To form the Village of Gowanda Police Committee (herein referred to as The Committee).

As the Committee you are charged with the responsibility to develop a structure in which you will work with the Officer in Charge and respective areas of the Gowanda Police Department per the assignments listed on page 2 of this memo. The Committee will be asked to monitor and assess each respective assigned area and make recommendations to the Mayor in an effort to develop a strategic plan that will keep the Gowanda Police Department operating with the highest of standards. My goal in forming The Committee is to keep the Gowanda Police department accountable as it is our agreed upon vision that the Gowanda Police Department is a valuable asset to our community and its purpose is to improve the quality of life for our residents and business community by provision of the highest quality of police services. The Committee will monitor the Gowanda Police Department to see that our Officer in Charge and Police Officers maintain respect for all human rights; will promote mutual respect and courtesy, and work to build strong, effective, mutually beneficial police-community relations and partnerships.

The Committee will work towards organizational values that include integrity and dedication to better our Village. This also includes continuing a good working relationship and partnerships with neighboring agencies to include New York State Police, Cattaraugus County Sheriff and Erie County Sheriff. It will be The Committees’ goal to remain committed to working in collaboration with community organizations and residents to clearly identify and resolve issues that impact public safety. The Committee is in place to encourage the active participation and input from all levels of our organization as well as participation from all individual residents, businesses and visitors of the Village of Gowanda. As a Village Board we are committed to nurturing public trust by holding the Village of Gowanda Police Department accountable to the highest standards of professionalism and ethics. The Committee will dedicate its efforts to keeping the Village of Gowanda Police Department to the highest standard of professional law enforcement and public service through an open system of

communication, community partnerships, improved and professional department management, professional development and training opportunities for our officers, enhanced operational procedures, problem solving methods, and overall developing strategies that put into action community input.”

Motion 218-16. Motion by Trustee Koch, seconded by Trustee Zimmermann to approve the formation of the Village of Gowanda Police Committee as presented. Motion carried 4-0.

Motion 219-16. Motion by Trustee Sheibley, seconded by Trustee Koch to move forward with the implementation of a time clock for the police department employees. Motion carried 4-0.

Mayor McKeever advised that the committee will work with the police department to set up policies and procedures.

Mayor McKeever reported that she has talked with Cattaraugus County regarding the Southern Tier Drug Task Force. There are 2 potential candidates that can be interviewed for the position. Village Clerk Mohawk will e-mail the board members to get a time next week when they can interview the candidates.

Village Clerk Mohawk read the December 2016 police report:

“Total calls for service – 185; domestics – 1; motor vehicle accidents – 9; arrests – 16; traffic summons issued – 13; total patrol mileage – 3,864.”

## **LEGAL**

There was more discussion about the Supervisor’s contract. There is an Appendix to the contract which is the wage scale. There is also a term of appointment for the Deputy Superintendent of Public Works. The substance of the contract is proper but Village Attorney Chadsey indicated some minor language changes need to be made. Section 3 will be removed.

Motion 220-16. Motion by Trustee Zimmermann, seconded by Trustee Sheibley to approve the 2016 Supervisory Unit Contract for June 1, 2016 through May 31, 2019, retroactive to June 1, 2016. Motion carried 4-0.

Motion 221-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to appoint Gary Denea as Deputy Superintendent of Public Works for the length of the contract. Motion carried 4-0.

Village Attorney Chadsey advised there is nothing more on the Peter Cooper negotiations. It was reported that GARC received the American Public Works Association 2016 Environmental Restoration Award for the Zoar Valley Gateway Park. There will be an awards banquet on February 2<sup>nd</sup> at 6:00 at Statler City, 107 Delaware Avenue in Buffalo. Village Attorney Chadsey stated this is a prestigious award. She

indicated there are probably not 4 sites in the entire United States that were Superfund sites that have been successfully turned into parks.

John Walgus indicated a late afternoon meeting would be best for GARC, the Village Board and Village Attorney to meet to further discuss the PRP negotiations.

Mayor McKeever advised the Village did a payroll audit. It was determined that only full-time employees should be covered by third party disability insurance.

Motion 222-16. Motion by Trustee Sheibley, seconded by Trustee Koch to cover only full-time employees with third party disability insurance. Motion carried 4-0.

There was discussion about an employee health reimbursement issue. Village Attorney Chadsey advised that he is entitled by the contract to receive \$3,000 per year. There is an unresolved matter in an amount of \$11.36 from 2012 and his benefit card has been frozen because of it. The Village never paid for any claims from 2015-2016. Village Attorney Chadsey said the Village should pay the \$3,262.86 minus the \$11.36 overpayment from 2012. The employee has a contractual right under the union contract. The employee's card should be reactivated for this contract year.

Motion 223-16. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to authorize the reimbursements for the years 2012-2016. Motion carried 4-0.

## **PUBLIC WORKS**

Public Works Superintendent Opferbeck reported on a conference call with the Department of Corrections. The Village has a proposed \$3 million project for Wastewater Treatment plant updates. Mr. Opferbeck presented percentages to Corrections for their share of the projects. He is presently getting proposals for the work. Village Attorney Chadsey asked Public Works Superintendent Opferbeck to get a written commitment from the Department of Corrections.

Public Works Superintendent Opferbeck reported the Village received one bid for the timber RFP. The amount is \$141,833 and the consultant gets 10%. Public Works Superintendent Opferbeck requested authorization to aware the bid. Trustee Koch asked if there was anything about how the property would be left. Village Attorney Chadsey asked if any of this timber was on property on Cemetery Hill Road as she just finished up the quit claim deed for that property. Mr. Opferbeck indicated it was not.

Motion 224-16. Motion by Trustee Sheibley, seconded by Trustee Koch to award the bid to RAM Forest Products for \$141,833 and to authorize Village Attorney Chadsey to draft a contract in accordance with the bid specs. Motion carried 4-0.

Public Works Superintendent Opferbeck advised that the dumpsters at the sewer plant are always full. He contacted Casella about getting a cardboard dumpster which they supplied to the Village at no cost.

Public Works Superintendent Opferbeck reported on an award that was received from Senator Cathy Young for Thatcher Brook work. The funds will be split with the Towns of Persia and Dayton as well. The Village can hire someone with the funds to dredge the creek, clean out under the Chapel Street bridge, cut up the trees along the bank, etc. It was a \$51,000 member item from the Senator's office. He requested authorization to hire Good Neighbor Tree Service for an amount up to \$10,000 to do the tree work. They will walk the entire length of Thatcher Brook beginning at the Cattaraugus Creek and heading up to Dayton. The trees will be cut into smaller pieces. All the works needs to be done before April 1<sup>st</sup> in order to utilize the grant money. This is 100% reimbursable. The work will all be done on foot also, no machines.

Motion 225-16. Motion by Trustee Sheibley, seconded by Trustee Koch to authorize the work by Good Neighbor Tree Service up to \$10,000 to clean Thatcher Brook. Motion carried 4-0.

A voucher was presented from Eagle Equipment in the amount of \$16,119.17 for work on the vacuum truck. Public Works Superintendent Opferbeck advised this money needs to come from the sewer equipment repair reserve fund.

Motion 226-17. Motion by Trustee Zimmermann, seconded by Trustee Koeh to move \$16,119.17 from the sewer equipment repair reserve to pay Eagle Equipment. Motion carried 4-0.

Trustee Sheibley stated she would advise Account Clerk Ellis to correct the coding for this voucher.

### **JOINT ACTIVITY**

Trustee Sheibley spoke about the resignation of Carol Lazar from the Gowanda Recreation Commission. Trustee Sheibley indicated that Mrs. Lazar has been a member for several years and only missed one meeting.

Motion 227-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to accept the resignation of Carol Lazar from the Gowanda Recreation Commission, with regret. Motion carried 4-0.

Village Clerk Mohawk will send a letter to Mrs. Lazar.

Trustee Sheibley advised that Kevin Regan, 72 Center Street, is interested in serving on the commission.

Motion 228-16. Motion by Trustee Sheibley, seconded by Trustee Koch to appoint Kevin Regan to the Gowanda Recreation Commission to fill the vacancy of Carol Lazar. Motion carried 4-0.

Motion 229-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to appoint Karen Speers as roller skating attendant. Motion carried 4-0.

Trustee Sheibley reported that Learn-to-Ski started on January 8<sup>th</sup> and will run for 8 weeks. Roller skating resumed last night and basketball begins tomorrow. Recreation Director Benton will handle the basketball program but requested appointment of Jack Gaylord to work on an as-needed basis.

Motion 230-16. Motion by Trustee Koch, seconded by Trustee Sheibley to appoint Jack Gaylord to work for the basketball program on an as-needed basis. Motion carried 4-0.

Trustee Sheibley acknowledged a \$400 donation from the Kiwanis Club for the Learn-to-Ski program.

### **FIRE**

Trustee Zimmermann extended an invitation to the annual installation banquet on January 21<sup>st</sup> at 5:00 p.m. at the Gowanda Fire Hall.

Trustee Zimmermann reminded all residents to keep the fire hydrants clear of snow.

Trustee Sheibley reported that elections were held in December. The New Fire Chief is Nick Crassi, 1<sup>st</sup> Assistant is Jack Wells, and 2<sup>nd</sup> Assistant is Mark Hebner.

Trustee Sheibley asked for approval for the second required payment for the Gowanda Fire Department pager upgrade in the amount of \$4,883.00.

Motion 231-16. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to approve the second required payment for the Gowanda Fire Department for their pager upgrade in the amount of \$4,883.00. Motion carried 4-0.

Trustee Sheibley reported that she met with Fire Chief Nick Crassi and he wanted the Village Board and the community to know they can call him at any time.

### **ADMINISTRATION**

Mayor McKeever requested authorization to change the next meeting date to February 7, 2017 rather than February 14<sup>th</sup>.

Motion 232-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to change the February meeting date to February 7, 2017. Motion carried 4-0.

Motion 233-16. Motion by Trustee Sheibley, seconded by Trustee Koch to not hold a Village registration day for the upcoming March 21, 2017 Village election. Motion carried 4-0.



Motion 234-16. Motion by Trustee Koch, seconded by Trustee Sheibley to hold the Village elections on March 21, 2017 in the Village board room from 12:00 noon until 9:00 p.m. Motion carried 4-0.

Motion 235-16. Motion by Trustee Koch, seconded by Trustee Sheibley to approve the Event Application for the Hollywood Happening for June 2-4, 2017, pending receipt of the appropriate insurance coverage. Motion carried 4-0.

Mayor McKeever asked if the Hollywood Theater or the Village got any notification from the RestoreNY funding.

Mayor McKeever reported that she attended the Governor's State of the State address and was pleased to see that Gowanda was on one of the slides for downtown revitalization efforts.

### **ENVIRONMENT**

Phil Palen advised that there were half a dozen trees downtown that were removed. The stumps need to be removed before replacement trees can be placed. He will research the cost of the stump removal.

Motion 236-16. Motion by Trustee Koch, seconded by Trustee Zimmermann to adjourn the Village Board meeting at 7:30 p.m. Motion carried 4-0.

The next Village of Gowanda board meeting is February 7, 2017 at 6:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk  
Village Clerk