

**VILLAGE BOARD MEETING
JUNE 14, 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. Mayor McKeever asked for a moment of silence in memory of Larry Wroblewski, the Pennysaver editor who recently passed away.

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

Village Employees: Village Clerk Kathy Mohawk, Public Works Superintendent Jason Opferbeck, Village Attorney Deb Chadsey, Account Clerk Kathleen Ellis, Treasurer Mark Adamchick, Officer-in-Charge Steve Raiport

Media Present: Phil Palen, Cable Channel
Andrew Kuczkowski, Observer

Public Present: Mark and Karen Burr, Cattaraugus County Legislator Paula Stockman, Jack Broyles, Margaret Moritz, Janet Vogtli, Jeanne Ebersole, Town of Collins Assessor, John Walgus, Charlie Smith

Motion 71-16. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to approve the minutes of the May 10, 2016 Village Board meeting as presented. Motion carried 5-0.

Motion 72-16. Motion by Trustee Koch, seconded by Trustee Zimmermann to approve the minutes of the May 25, 2016 Village Board meeting as presented. Motion carried 5-0.

Motion 73-16. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to approve Abstract #36 dated June 14, 2016 on all funds as follows:

General Fund	\$33,881.88
Water Fund	5,525.91
Sewer Fund	18,269.31
Flood Recovery	8,306.50
Joint Activity	206.34
BOA	14,855.00
Total	\$81,044.94

Motion carried 5-0.

Motion 74-16, Motion by Trustee Sheibley, seconded by Trustee Koch to approve Abstract #1 dated June 14, 2016 on all funds as follows:

General Fund	\$7,732.00
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Motion carried 5-0.

PROJECT UPDATES

Mayor McKeever reported that the groundbreaking for the Zoar Valley Clinic is June 28 at 11:00 a.m. A reception will be held onsite. The Commissioner of Mental Health will also be present.

Village Engineer Mark Burr advised that a pre-construction meeting was held yesterday. The contracts and Notice to Proceed are ready to be signed and work will begin on June 27th.

Public Works Superintendent Opferbeck reported that the Asset Management Grant is moving along. He is working with the Cattaraugus County GS program and Dan Martonis. There is a detailed mapping program that is available that will be backed up in the County.

Mayor McKeever reported that there is still time for community input into the BOA grant project.

Officer-in-Charge Raiport reported that he has been working with the new Program Director at the Zoar Valley Clinic. He indicated there are 53 or 54 people in a program.

Mayor McKeever asked if bids had gone out yet for the Safe Routes to School project. Public Works Superintendent Opferbeck indicated they have not. Construction was to begin on this project in late summer.

PUBLIC PARTICIPATION

John Walgus, President of Hidi Hose Company, presented information on the historic marker which will make 100 years of existence. He also presented an invitation to the centennial celebration which is scheduled for July 16 at the Slovenian Club.

John Walgus also reported that the Town of Persia has cleaned the trash rack. They hauled 34 truckloads (600 tones) of gravel from there. The Village has been removing the debris at the South Chapel Street bridge.

Public Works Superintendent Opferbeck reported that Traci Hopkins of Healthy Community Alliance wants to hold a community meeting for the Complete Streets project on Tuesday, July 19th, at 6:30 p.m., tentatively, to discuss the cross walks and the funding.

Public Works Superintendent Opferbeck reported the Village applied for the second stage of BOA funding but was denied. He will be scheduling a conference call with Allison Devine from the U.S. EPA to discuss what the Village did wrong with the application. He invited Account Clerk Ellis and Dan Riker as well to participate in the conference.

Mark Burr spoke about the 18th Hollywood Happening which has come and gone. He requested a resolution from the Board supporting further grant funding for the theater. "Resolution supporting Gowanda's Historic Hollywood Theater's Grant applications WHEREAS, Gowanda's Historic Hollywood Theater, Ltd. is applying for a grant to the **New York State Office of Parks, Recreation and Historic Preservation** in accordance with provisions of Title 9 of the Environmental Protection Act of 1993 to continue historic restoration at 39 West Main Street located in the Gowanda Village Historic District, and

WHEREAS, a requirement under the rules of this program dictates that Gowanda's Historic Hollywood Theater must obtain the approval/endorsement of the governing body of the municipality in which the project is located, and

WHEREAS this body is aware of local and county studies conducted over past years that agree that restoration of the Hollywood Theater is a key element to the preservation and enhancement of the Gowanda Village historic District and is expected to create jobs and enhance cultural tourism,

NOW THEREFORE BE IT RESOLVED, the Gowanda Village Board does approve and support the applications of Gowanda's Historic Hollywood Theater, Ltd. for the continued restoration of the 1926 Historic Hollywood Theater.

Motion 75-16. Motion by Trustee Markham, seconded by Trustee Koch to adopt the foregoing resolution as presented. Motion carried 5-0.

Trustee Zimmermann asked what the next phase of the funding would be used for. Mr. Burr indicated it will finish the plaster work, and get some painting, draperies, balcony seating, carpeting, etc.

Jeanne Ebersole, Assessor for the Town of Collins, was present to explain the computer problem that caused a small handful of residents to receive \$.00 tax bills. The mistake happened when the changeover occurred from the Village to the Town rolls. She indicated the good news is that this money wasn't anticipated when the budget was done. The total difference is about \$3,781.39. She indicated the affected residents have the right to grieve how as this difference will be added next year as an omitted tax. Ms. Ebersole indicated that Village could also opt to leave it as it is if they choose. The Village cannot collect more than the tax warrant is for. These omitted taxes will not be collected until 2018. Ms. Ebersole is formulating a letter to send to the taxpayers advising them of the mistakes once the Board determines what route the Village desires to take. She indicated these were the lowest income seniors on the Erie County side of the Village. Ms. Ebersole advised these errors have already been corrected on the upcoming roll. She advised that the difference in total assessed value in 2014-2015 was (146,882) and the difference in the total taxable was (966,665). For the 2015-2016 year, the taxable value is a positive \$186,443. The equalization rate for the Town of Collins is

down to 59%. She stressed the importance of receiving all building permits timely so the upgrades to the properties can be properly recorded. Ms. Ebersole indicated that the Collins tax bills are online and much information about the properties can be obtained at www.collins.oarsystem.com.

Margaret Moritz asked why her tax bills don't match the village percentages up and/or down. Mayor McKeever explained that it is based on the overall tax assessment and how much sales tax is received. Treasurer Adamchick stated the overall value of the Village has decreased.

Ms. Moritz then asked who is going to pay the cost of the water meter replacements. She asked for some sort of justification for why it is necessary. Public Works Superintendent Opferbeck advised that meters are only warranted for 20 years.

Janet Vogtli asked for some better signage for the municipal parking in the Village so that out-of-town visitors know where to go.

Charlie Smith was prepared to answer whatever questions the Village Board had relative to his business permit. Mayor McKeever indicated there had been some drainage issues at the previous location on Hill Street. The location has now been changed to Buffalo Street. The Board now has an issue with traffic. There was some discussion about Building Inspector Brecker doing a site plan review of the new location. Mr. Smith indicated that Mr. Brecker sent a letter approving his permit pending Board approval. Village Attorney Chadsey advised that he cannot do that without first doing a SEQR review.

TREASURER

Treasurer Adamchick reported that the financials are squared away for 2015. All funds show a surplus, although the majority of the general fund surplus is the RAN money. The good news is that the Village had more come in than anticipated and spent less. Treasurer Adamchick stated that all transactions are being reviewed and final adjustments will be made and then he will prepare the AUD.

Treasurer Adamchick stated that he needs project information for a solid project before the bank will move forward with the bonding. Public Works Superintendent Opferbeck stated the project is set; it just needs FEMA approval.

Trustee Sheibley stated she would like to see a revenue calendar month by month. Treasurer Adamchick advised he showed both Becky and Village Clerk Mohawk how to pull up the budget information.

DISASTER COORDINATOR

Trustee Sheibley reported she had a conference call today with Senator Schumer's office and FEMA. The \$326,000 in mitigation seems to be the hangup. Trustee Zimmermann

asked if there was any time frame for this to be finalized. Trustee Sheibley indicated that the PW for the reservoir work hasn't been signed yet because changes keep being made to the scope. She stated it is imperative that the appropriate paperwork is signed off on. Public Works Superintendent Opferbeck advised that Disaster Coordinator Crassi has two blue books on 2 projects that are ready to go. Treasurer Adamchick indicated that a budget should be in the accounting system for each project so they can be tracked.

LEGAL

Village Attorney Chadsey requested that the Village Board approve the Time Warner franchise agreement.

Motion 76-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to approve the Time Warner franchise agreement as negotiated by Village Attorney Chadsey. Motion carried 5-0.

Village Attorney Chadsey spoke about the delinquent UDAG loan. She sent a letter demanding that the property not be sold. Village Attorney Chadsey advised that the debtor contacted Village Clerk Mohawk and gave her the name of his attorney. Village Attorney Chadsey will work with him. The Village has alien on the property and could actually go in and seize the property.

Motion 77-16. Motion by Trustee Koch, seconded by Trustee Markham to go into executive session to discuss an employee issue at 8:55 p.m. Motion carried 5-0.

Motion 78-16. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to come out of Executive Session at 9:05 p.m. Motion carried 5-0.

BUSINESS/BUILDING PERMITS

Village Attorney Chadsey questioned the fact that Savarino is ready to open their new building but the Village doesn't have a release from the lawsuit. She will contact Mr. Greenan.

Trustee Koch read the Code Enforcement Report:

"As of June 10, 2016 the Village has received five complaints regarding property maintenance, this includes code violations, lawn maintenance and the accumulation of garbage and rubbish (furniture, appliances, etc.) All complaints have been addressed and are in compliance at this time. Complaint forms are available at the Village Clerk's office or police department."

Officer-in-Charge Raiport also mentioned that the garbage on Hill Street and the issue on Center Street were taken care of. There is still a problem with garbage on Chestnut Street.

Officer-in-Charge Raiport indicated that Officer Larry Green has 18 months to get his certification for code enforcement/building inspection. He will need to get Parts 9A, 9B and 9C and is scheduled for the necessary classes in December. The number for any code violations is 800-7796. The animal control number is the same as it was: 238-4994.

POLICE

Motion 79-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to regretfully accept the resignation of John Bennett from the Gowanda Police Department. Motion carried 5-0.

Officer-in-Charge Raiport presented his police report:

“Total calls for service – 226; domestics – 3; motor vehicle accidents – 4; arrests – 8; traffic summons issued – 18; total patrol mileage – 4,038.

“Captain Robert Yehl from the Cattaraugus County Sheriff’s Office and I interviewed individuals to be hired to fill the vacancy left by Josh Bartholomew on the drug task force. We were limited on who we could interview as an employee, the county had to offer their position to individuals that were recently laid off. To keep the same arrangements as with Josh, where the county supplied the vehicle and gas to be used by the officer and supplying the radio and other necessary equipment, we came to a consensus to offer the position to Allison Crosson. I am respectfully asking the Village Board to approve and appoint Allison to the position of Police Officer for the Village of Gowanda and be assigned to the drug task force. I have attached her resume for your review and as you can see, she has prior experience working on the drug task force and also a school resource officer at Salamanca School. I would ask that we hire her competitive part-time (which she is eligible for) with an effective start date of June 15, 2016. Allison will be working the same allocated hours as Josh did. She will take over Josh’s ongoing investigations in the Village.”

Motion 80-16. Motion by Trustee Sheibley, seconded by Trustee Zimmermann to appoint Allison Crosson to the position of part-time police officer, effective June 15, 2016, on the recommendation of Officer-in-Charge Raiport. Motion carried 5-0.

“I submitted the voucher to NYS Governor’s Safety Committee for reimbursement for extra patrol hours for traffic enforcement. A total of \$1,041.75 for the hourly wages for the hours worked for traffic enforcement off the grant.”

Officer-in-Charge Raiport presented information from BAS on an Integrated Property System which is a building code enforcement software. He feels there should be some sort of tracking for complaints and many other municipalities have the same software. When codes change, the software automatically updates. Each module costs \$1200 and \$900 per year for maintenance.

JOINT ACTIVITY

Trustee Sheibley presented the list of summer recreation employees per the recommendation of the Gowanda Recreation Commission:

Lifeguards – Oliver Kohler, Nate Brawdy

Assistant Playground Director – Sarah Grubbs

Second and third year playground counselors – Meagan Lulas, Carter Benton, Isaiah Utley

First year employees – Kevin Stapleton, Emily Raiport

Motion 81-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to approve the appointment of the foregoing individuals for summer recreation employees. Motion carried 5-0.

Trustee Sheibley reported that the CPR/First Aid training will take place on June 28th at 8:30 in the Village board room.

Trustee Sheibley reported that recreation sign-ups will take place June 30th from 5:30 p.m. to 7:00 at St. John's Park.

Trustee Sheibley reported that she received a telephone call from Recreation Director Benton that Chatauqua Opportunities will provide a \$3,000 grant for recreation, perhaps to be used for field trip transportation and needed equipment.

Mayor McKeever noted the money that was raised by the volunteers running the hot dog sale for recreation. Village Clerk Mohawk will send a letter to those who volunteered.

Village Clerk Mohawk presented an invoice for N.E.S.T. membership for the coming year.

Motion 82-16. Motion by Trustee Markham, seconded by Trustee Sheibley to authorize the payment of the N.E.S.T. membership for the coming year in the amount of \$203.18. Motion carried 5-0.

Trustee Sheibley reported that a group from the Arcade Historical Society toured the municipal building. They want to use their fire hall bays for a new historical building. Trustee Sheibley indicated that the outside of the windows of this building new to be painted. The corner of the building upstairs is in bad shape as well.

Mayor McKeever asked about the painting of the Orchard Place pillars. Public Works Superintendent Opferbeck indicated the employees will do it but asked that Phil Palen help pick out the proper color.

FIRE

Motion 83-16. Motion by Trustee Zimmermann, seconded by Trustee Markham to regretfully accept the resignation of Donald Dehos as the Hidi Hose Fire Company cleaner, effective June 1, 2016. Motion carried 5-0.

Mayor McKeever commended him for his many years of service.

Trustee Zimmermann reminded everyone that tomorrow night is the annual fire department equipment on West Main Street at 6:30 p.m.

Trustee Zimmermann advised that the issue with the Hidi truck may be with the equipment at E-One and not the truck.

Trustee Zimmermann asked about the garbage pickup at the fire halls. Public Works Superintendent Opferbeck advised that the Village pickup at the municipal building contains a great deal of garbage from Gowanda Ambulance. Village Clerk Mohawk was asked to send a letter to Gowanda Ambulance advising them to get their own garbage pickup service.

PUBLIC WORKS

Public Works Superintendent Opferbeck spoke about the new meter project. He indicated he would like to put together a committee to gather all the information for the project, including the cost sharing component, the type of meters, the implementation process, and then be able to answer any questions the public has. He proposed the committee members be himself, Trustee Sheibley, Trustee Koch, Janet Vogtli, representing the Town of Collins, Andy Burr and Margaret Moritz. He wants to have all this information ready for the July meeting. Mr. Opferbeck suggested presenting this information at 5:30 before the next meeting or at the work session.

Public Works Superintendent Opferbeck reported that he spoke with Cattaraugus County Civil Service about a replacement for Dominic. The Village will need to hire off the list. Mr. Opferbeck indicated he would like someone to start before Dominic leaves as he has 30 years of knowledge.

Public Works Superintendent Opferbeck advised that the tree at the corner of Beech and High Streets will be replaced.

Public Works Superintendent Opferbeck advised the Village will be vacating the highway building in the near future.

Public Works Superintendent Opferbeck advised the Village fixed 3 water leaks on Sand Hill. The problem is an old pipe with a 2" diameter. The Village needs to replace a 500 foot line. He indicated it would cost between \$800-1,000 in materials and could be done as an emergency repair. Mr. Opferbeck indicated he has done this type of repair in the

past. According to Cattaraugus County's Eric Wohlers, the Village doesn't need an engineer report to do this replacement.

Public Works Superintendent Opferbeck advised he was asked if the Village could add glass to their recycling and he indicated he would look into it.

Public Works Superintendent Opferbeck indicated that he and Trustee Markham would like authorization to speak with foresters about logging. The Village Board indicated it would be okay.

Mayor McKeever reported that the Village insurance company broker, Crown Benefits, offers a wellness program and she was interested in offering it to the employees. She advised that Gowanda Fitness will offer some discounts to the gym in conjunction with the program. The goal is a 10% body mass loss.

Village Clerk Mohawk presented a contract for shared highway services with Cattaraugus County.

Motion 84-16. Motion by Trustee Markham, seconded by Trustee Sheibley to authorize Mayor McKeever to sign the contract for shared highway services with Cattaraugus County. Motion carried 5-0.

Trustee Sheibley and Public Works Superintendent Opferbeck met with Mr. Kennedy to discuss his large water bill. It was agreed that he would pay \$601.16, half of the total due, as settlement of the bill, to be paid by June 30, 2016.

Motion 85-16. Motion by Trustee Koch, seconded by Trustee Markham to accept the settlement offered to Mr. Kennedy by the water committee. Motion carried 5-0.

ADMINISTRATION

Motion 86-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to adopt the Post Retirement Employee Health Insurance policy as presented by Account Clerk Ellis. Motion carried 5-0.

Mayor McKeever thanked Trustee Sheibley and Account Clerk Ellis for their work on the policy.

Brenda Merrill, Shirley Troutman, and Village Clerk Mohawk submitted letters of resignation from the UDAG committee. Mayor McKeever indicated that Village Clerk Mohawk could not resign.

Motion 87-16. Motion by Trustee Markham, seconded by Trustee Zimmermann to regretfully accept the resignations of Brenda Merrill and Shirley Troutman from the UDAG committee. Motion carried 5-0.

Village Clerk Mohawk presented a bill for membership with Southern Tier West.

Motion 88-16. Motion by Trustee Zimmermann, seconded by Trustee Koch to pay the basic membership to Southern Tier West for 2016. Motion carried 5-0.

Village Clerk Mohawk advised that the first funds from the collection agency for lawn mowing were received. Trustee Sheibley feels the Village code should be amended to allow the code enforcement officers to take the offenders to court and assess a fine. Mayor McKeever also indicated there should be a bigger fine for repeat offenders.

Motion 89-16. Motion by Trustee Koch, seconded by Trustee Markham to adjourn the Village Board meeting at 10:00 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is July 12, 2016 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk