

**VILLAGE BOARD MEETING
NOVEMBER 15, 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 Wanda Koch

Village Employees: Village Clerk Kathy Mohawk, Public Works Superintendent Jason Opferbeck, Account Clerk Kathleen Ellis, Treasurer Mark Adamchick

Media Present: Phil Palen, Cable Channel 22
Rich Place, Gowanda Press

Public Present: John Walgus, Lori Crassi, Janet Vogtli, Rocky Reid, Jack Broyles, Steve, Stacey and Emily Raiport, Lisa Crassi, JoAnn Waite

Motion 162-16. Motion by Trustee Markham, seconded by Trustee Koch to approve the minutes of the October 11, 2016 Village Board meeting as revised. Motion carried 4-0.

Motion 163-16. Motion by Trustee Sheibley, seconded by Trustee Markham to approve the minutes of October 19, 2016 Special Village Board meeting as presented. Motion carried 4-0.

Motion 164-16. Motion by Trustee Markham, seconded by Trustee Koch to approve the abstract dated November 15, 2016 on all funds as presented, except those being paid by the upcoming BAN – the water meter project and FEMA which are both in the general fund; the waterline improvements in the water fund.

General Fund	\$477,537.35
Water Fund	54,304.65
Sewer Fund	45,798.09
Total	\$577,640.09

Motion carried 4-0.

PUBLIC PARTICIPATION

Lisa Crassi, Bader Avenue, told the Village Board that she likes the new sidewalks that were installed on Caroline, Allen and Seneca Streets. Between Bader Avenue and Caroline on Seneca there is no sidewalk. She feels the addition of sidewalks on this section would create a safer walk to school and improve the quality of life for the families living along there.

JoAnn Waite, Palmer Street, spoke about the deplorable conditions at 45 Palmer Street. The sidewalk is all dug up in front, there are numerous unregistered cars in the yard, the fence is falling down. Public Works Superintendent Opferbeck stated that he spoke with Mr. Grill and advised him he could be reimbursed for sidewalk replacement. It has been several weeks since they were removed. Rocky Reid said that an individual up the road has a wheelchair and has to take another route to downtown due to no sidewalk. Trustee Markham feels a letter should be sent to Mr. Grill and Mr. Ellis, the owner, advising them they have a certain number of days to rectify the situation or come to the village Board to advise when it would be rectified. Public Works Superintendent Opferbeck indicated it could cost about \$3,000 to repair if it becomes necessary for the Village to do the work. Village Clerk Mohawk will work with Code Enforcement Officer Green to compose a letter to be sent. John Walgus indicated that the neighbors plan to go to the Town of Persia Board of Assessment Review to get reductions of their property values.

Janet Vogtli asked about the proposed sign on Jamestown Street. The sign permit was denied by Building Inspector Brecker and now must go to the Zoning Board of Appeals for a variance. Village Clerk Mohawk will work with Zoning Board Chairman Bob Tiller to begin the process.

PROJECT UPDATES

The Smart Growth Initiative -- Creekside improvements project is almost finished. Public Works Superintendent Opferbeck advised there is about \$24,000 left and the Village may use it for some chains, benches, pole repair. Phil Palen also has some ideas for a veterans memorial for the site. He would like a commemoration to Colonel Parker who was the foremost military man in Cattaraugus County. He headed the 64th New York State militia during the Civil War and the proposed plaque would site on a site very near his original tailor shop.

Account Clerk Ellis indicated that a change order in the amount of \$7,717.50 was recommended by Village Engineer Mark Burr for some additional work that was required at the site.

Motion 165-16. Motion by Trustee Markham, seconded by Trustee Sheibley to approve the change order in the amount of \$7,717.50 to S. Tabone Construction Company for additional work necessary as part of Contract #3 South Water Street Parking Lot (Paving & Site Improvement). Motion carried 4-0.

Public Works Superintendent Opferbeck advised that grant funds were received from Complete Streets to purchase the stripers.

Mayor McKeever advised that Christmas in Gowanda will be held the first weekend in December. She will post a schedule of events on the website.

John Walgus spoke about the Western New York Rail Initiative. He indicated that \$4.3 million was received from the Corridor last year for rail rehabilitation and \$2.4 million will come this year to continue the work. Mayor McKeever read the resolution: "Whereas the Board of Trustees of the Village of Gowanda expresses our support for the New York & Lake Erie Railroad's (NY&LE's) grant application through the Passenger & Freight Assistance Program (PFRAP) for the rehabilitation of 5.46 miles of track between Cherry Creek and Conewango Valley. This portion of track is part of the Buffalo to Jamestown rail corridor, which we believe is important to be saved intact as it could serve to facilitate and enhance tourist activity throughout the length of the corridor; and Whereas the NY&LE operates in the Village of Gowanda and the Town of Persia; and Whereas a grant would allow the track to be upgraded from Excepted status to Class 2, and allow the NY&LE to resume tourist passenger rail excursions to Conewango Valley. These excursions will bring tourist dollars to our local businesses as well as lay the groundwork for future passenger trains to operate between Buffalo and Jamestown; and Whereas the economic stimulus which would be created by tourist trains operating between Gowanda and Conewango Valley in the short term, and the larger plan of operating passenger trains between Buffalo and Jamestown, the investment in this corridor will ensure its long-term viability and existence for use by future freight rail shipped along the corridor; and Therefore, be it resolved that the Board of Trustees of the Village of Gowanda endorses the NY&LE's plans to resume tourist rail excursions between Gowanda and Conewango Valley as a vehicle to keep the larger Buffalo to Jamestown rail corridor viable for the future, and we support their PFRAP grant application; and Copies of this resolution be forwarded to: Senator Catherine Young, Senator Patrick Gallivan, Assemblyman Joseph Gigliom, Chairman Paula Stockman, Legislator Richard Klancer of the Cattaraugus County Legislature, Vincent Horrigan, Chautauqua County Executive, Robert Keis, Chair, Southern Tier West Regional Planning and Development Board; and Mr. Matthew J. Driscoll, Commissioner, New York State Department of Transportation, Raymond F. Hessinger, P.E., Freight & Passenger Rail Bureau, New York State Department of Transportation, John Walgus, Town of Persia Councilman, and Patrick Meredith, Assistant Commissioner, New York State Department of Transportation."

Motion 166-16. Motion by Trustee Markham, seconded by Trustee Koch to adopt the foregoing resolution in support of the Western New York Rail Initiative. Motion carried 4-0.

POLICE

Officer-in-Charge Raiport reported 36 arrests have been made through the Task Force and 61 individuals have been referred to rehabilitation. The Community Connections program is working. Phil Palen commented on the nice article in the Observer about the Community Connections program.

Officer-in-Charge Raiport presented the October police report:

“Total calls for service – 268; domestics – 1; motor vehicle accidents – 8; arrests – 8; traffic summons issued – 13; total patrol mileage – 2,879.”

Motion 167-16. Motion by Trustee Koch, seconded by Trustee Sheibley to accept the resignation of Alison Crosson from the Gowanda Police Department, effective November 27, 2016. Motion carried 4-0.

Officer-in-Charge Raiport reported that two residences have been broken into recently. He suggested installing some trail cameras in different locations to help with security. The cost is about \$190 each.

Motion 168-16. Motion by Trustee Markham, seconded by Trustee Koch to authorize the purchase of 2 trail cameras at a cost not to exceed \$500. Motion carried 4-0.

Officer-in-Charge Raiport reported that participation forms are starting to come in for the Christmas in Gowanda parade. He has been working with Gary Patterson about Christmas trees. Mayor McKeever suggested using the money that was marked as “community funds” which was originally for the K-9. Since there is no longer a K-9, Treasurer Adamchick advised the Village could use the funds for fireworks for this community event. Officer-in-Charge Raiport advised that the Village will be honoring first responders this year at the tree lighting. Mayor McKeever advised the Village is putting the final touches on the World War II dedication which will be shown at the Hollywood Theater during Christmas in Gowanda.

Motion 169-16. Motion by Trustee Koch, seconded by Trustee Markham to transfer \$2,000 of community funds to the events budget line. Motion carried 4-0.

TREASURER

Treasurer Adamchick reported that the BAN is being offered on the 17th and the money should be in the bank by December 1st. He presented the November Treasurers report and stated the Village is doing well financially. Having this BAN should free up more money for paying bills and should avoid having to take another RAN in the spring. Treasurer Adamchick is working on a 5-year projected plan to be ready for the December meeting.

Mayor McKeever advised that the Comptroller’s office is offering a 75-day comment period and she would like to offer some comments.

Public Works Superintendent Opferbeck advised that residents have been receiving their rebates from the State. Mr. Walgus indicated that the town, village and school all stayed under the cap.

Mayor McKeever proposed a special meeting on November 29th at 6:00 to go over some of the legal issues as well as permit approvals, the zoning board proposal, the supervisor’s contract, and the proposed changes in office personnel.

BUSINESS/BUILDING PERMITS

A business permit was submitted to an automobile repair shop at 271 Buffalo Street. This location is the old Carrier Coach business and is properly zoned for this type of business.

Motion 170-16. Motion by Trustee Markham, seconded by Trustee Koch to approve the business permit submitted by Chris Stockwell for an automotive repair business at 271 Buffalo Street. Motion carried 4-0.

Building Inspector Brecker called in to the meeting and reported that the resident at 45 Palmer Street is putting in 2 new driveways. He also reported that Savarino was notified that a secure fence is required on the job site on South Water Street. Rick Diamond is the project manager at the site. Building Inspector Brecker and Code Enforcement Officer Larry green are going to the Free Methodist Church this week to see if the Certificate of Occupancy can be issued.

There was also some discussion about the rezoning request of Mr. Emborski for the property on Memorial Drive.

JOINT ACTIVITY

Trustee Sheibley reported that a second ski signup will be held on Monday, November 21st from 6-7:30 p.m. at the Village Hall. Roller skating will begin on Mondays at Academy Place from 5:30-7:00. Trustee Sheibley advised that Chautauqua Opportunities purchased 12 pairs of roller skates for the program and she requested that a thank you be sent.

FIRE

Trustee Sheibley reported that Friday evening is the Hidi Turkey party at 7:00 p.m.

DISASTER COORDINATOR

Public Works Superintendent Opferbeck advised that the contractor at the reservoir has pulled out for the season. No further work can proceed until the dam permit is received.

Account Clerk Ellis reported that a change order has been submitted to FEMA for their review.

PUBLIC WORKS

Public Works Superintendent Opferbeck presented information on the Employment Training Program offered by the New York State Office for People with Developmental

Disabilities. He requested approval to keep Zak Fisher employed through this program until April. They the Village will need to budget for him

Public Works Superintendent Opferbeck presented a Technical Assistance proposal from Cattaraugus County Soil and Water Conservation for FEMA stream repair and hazard mitigation projects in Thatcher Brook. They will do the work for 10% of the cost. This work will be funded by FEMA.

Motion 171-16. Motion by Trustee Koch, seconded by Trustee Markham to approve the Technical Assistance Proposal submitted by Cattaraugus County Soil and Water Conservation for FEMA stream repair and hazard mitigation projects in Thatcher Brook. Motion carried 4-0.

Public Works Superintendent Opferbeck reported on the meter replacement project. There are about 250 meters left to install. National Metering will be leaving on Saturday. The residents will be sent a letter indicating the replacement needs to be done. Mr. Opferbeck indicated that Village code says the Village can shut off water wince the Village has the right to access their equipment. Some homes are vacant, some have poor pipes, some have leaks. Mr. Opferbeck advised that Master Meter is coming out on December 1st to set up the computer and the meter readers.

Trustee Markham asked about the leaf machine being in South Dayton and why it wasn't picking up leaves in the village. Public Works Superintendent Opferbeck advised that the leaf machine in South Dayton broke and the Village was sharing services. Mayor McKeever advised she would like to see a shared services agreement with South Dayton as they have helped the Village in the past.

Public Works Superintendent Opferbeck presented a list of items to be surplus and sold on Auctions International. He requested the removal of Lots 21 through 24.

Motion 172-16. Motion by Trustee Koch, seconded by Trustee Markham to declare the proposed items as surplus and offer them for sale, excluding Lots 21 through 24. Motion carried 4-0.

Public Works Superintendent Opferbeck thanked Gernatt's for helping with the dredging of Thatcher Brook. Village Clerk Mohawk will send a letter thanking them.

ADMINISTRATION

Village Clerk Mohawk reported that the UDAG committee has requested and received all the necessary information from Buffalo Street Apartments LLC and is recommending a loan of \$20,000 for 2% for a term of five years. The real property will be pledged as collateral.

Motion 173-16. Motion by Trustee Markham, seconded by Trustee Koch to approve the loan to Buffalo Street Apartments LLC based on the recommendation of the UDAG

committee, with all the associated filing fees to be incorporated into the loan. Motion carried 4-0.

Mr. Dingman arrived later and indicated he spoke with the DEC Air Division about noxious air emissions associated with diesel smoke regarding the Western New York Rail Initiative.

Village Clerk Mohawk presented the 2016-2017 Erie/Cattaraugus County Special Assessments for the unpaid taxes that will be turned over to the respective counties for collection. Erie County is \$30,043.96; Cattaraugus County is \$51,213.20.

Motion 174-16. Motion by Trustee Sheibley, seconded by Trustee Koch to approve the 2016/2017 Erie/Cattaraugus County Special Assessments for unpaid taxes as presented. Motion carried 4-0.

Account Clerk Ellis advised that due to the new time clocks at the public works department, it has been suggested that the pay periods be changed from Wednesday-Tuesday to Sunday at midnight until Saturday at 11:59.

Motion 175-16. Motion by Trustee Markham, seconded by Trustee Koch to change the pay period dates to Sunday-Saturday from Wednesday-Tuesday as suggested by Account Clerk Ellis and the payroll service. Motion carried 4-0.

Village Clerk Mohawk asked to close the office the day after Thanksgiving.

Motion 176-16. Motion by Trustee Markham, seconded by Trustee Koch to allow Village Clerk Mohawk to close the office the day after Thanksgiving. Motion carried 4-0.

Village Clerk Mohawk reminded the Village Board of the CDBG project tour to be held on Thursday, November 17th. The committee will be in Gowanda at 12:00.

Village Clerk Mohawk presented a Legal Notice for a Resolution Designating offices to be filled and their associated terms for the March 21, 2017 Village election.

Motion 177-16. Motion by Trustee Markham, seconded by Trustee Koch to publish the Legal Notice for the upcoming March, 2017 Village election. Motion carried 4-0.

ENVIRONMENT

Phil Palen advised the tree committee planted 15 trees last Thursday. He indicated the Village will need to transfer money from the Tree Reserve to the Shade Tree fund. That line is over by \$5,850. Mr. Palen also asked to reserve \$1100 for next spring tree planting.

Motion 178-16. Motion by Trustee Markham, seconded by Trustee Koch to transfer \$7,000 from the tree reserve fund to pay the current bills. Motion carried 4-0.

Public Works Superintendent Opferbeck advised he is still attempting to get some reimbursement from the Safe Routes to School grant since some of the trees that were taken down were because of the sidewalk project.

Mr. Palen thanked the residents who watered trees during the dry summer. He advised the Village has been designated Tree City USA for the 14th year.

Motion 179-16. Motion by Trustee Markham, seconded by Trustee Koch to go into executive session to discuss personnel at 8:15 p.m. Motion carried 4-0.

Motion 180-16. Motion by Trustee Markham, seconded by Trustee Koch to come out of Executive session at 9:28 p.m. Motion carried 4-0.

Motion 181-16. Motion by Trustee Sheibley, seconded by Trustee Koch to adjourn the Village Board meeting at 9:30 p.m. Motion carried 4-0.

The next Village of Gowanda special board meeting is November 29, 2016 at 6:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk