

**VILLAGE BOARD MEETING  
OCTOBER 13, 2015**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Heather McKeever at 6:05 p.m. at the Municipal Hall.

Motion 146-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann to enter into an Executive Session to discuss personnel matters. Motion carried 5-0.

Motion 147-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to come out of Executive Session at 7:15 p.m. Motion carried 5-0.

The meeting resumed with the reciting of the pledge of allegiance. Mayor McKeever advised that Village Clerk Mohawk was absent due to illness.

Present: Mayor Heather McKeever  
Trustee Carol Sheibley  
Trustee Pete Sisti  
Trustee Barb Nephew  
Trustee Paul Zimmermann

Village Employees: Village Attorney Deb Chadsey, Public Works Superintendent Jason Opferbeck, Treasurer Mark Adamchik, Village Engineer Mark Burr, Disaster Coordinator Nick Crassi, Building Inspector Gary Brecker, Officer-in-Charge Steve Raiport

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

Public Present: Ralph Hill, Ron Clabeaux, Doug Wright, Andy Burr, Cattaraugus County Legislator Paula Stockman, Janet Vogtli, Jack Broyles, Councilman John Walgus, Douglas Dunn and Bill Devlin of Casella Waste, Bill Emborski, Dennis Abrascek, Karen and Rollin Besse, Dave Latona

Motion 148-15. Motion by Trustee Zimmermann, seconded by Trustee Nephew to approve the minutes of the September 2, 2015 Special Village Board meeting as revised. Motion carried 5-0.

Motion 149-15. Motion by Trustee Sisti, seconded by Trustee Sheibley to approve the minutes of the September 8, 2015 Village Board meeting as revised. Motion carried 5-0.

Motion 150-15. Motion by Trustee Nephew, seconded by Trustee Sisti to approve Abstract #11 dated October 13, 2015 on all funds as follows:

General Fund	\$85,525.48
Water Fund	8,810.39
Sewer Fund	12,879.72

UDAG	12,909.33
Joint Activity	46.60
Total	\$120,171.52

Motion carried 5-0.

**PUBLIC PARTICIPATION**

Fire Chief Mark Hebner presented information for the purchase of 2 air packs for \$11,046.40. These funds would come out of his 201 and 203 line items. These are necessary pieces of equipment for stay up with the New York State safety standards. Mr. Hebner also spoke about fire prevention. He advised the fire company is finding places with no Co2 detectors, no smoke detectors, hanging wires, etc. when responding to calls. The fire company will now begin reporting these violations to the code enforcement officer and the Village. Some of the tenants do not know the landlord or how to get in touch with him.

Mayor McKeever advised that anyone wishing to discuss water bill questions will need to speak with Village Clerk Mohawk. Janet Vogtli indicated she came to the Village Hall and couldn't get any answers relative to her bills. She asked if the due date could be extended since they are due in 10 days. She continued to question the Village Board and Mayor McKeever asked that Officer-in-Charge Raiport escort her out of the meeting.

Motion 151-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann to go into the public hearing for the Community Development Grant funding at 7:30 p.m. Motion carried 5-0.

Mark Burr spoke first about the Hollywood Theater ongoing \$4.5 million restoration. He indicated they have about \$1 million left to do. The next phase would repair/replaster the lobby walls, repaint and do HVAC work. An amount of \$30,000 has been allotted from Empire Development for painting. The Hollywood Theater is requesting \$65,900 funding from CDBG to finish the lobby work. Mark Burr asked for a "Resolution to support Gowanda's Historic Hollywood Theater in their efforts to secure CDBG grant funds in the amount of \$65,900. Funds would be part of a \$131,815 project that includes HVAC work in the Theater Lobby area and additional paint and plaster restoration.

LET IT FURTHER BE RESOLVED THAT: the project be ranked by this body and that Mayor McKeever be authorized to submit an application and to execute a contract with the County if funds are awarded."

Phil Palen mentioned the South Water Street parking. He would like the Village to extend the municipal parking lot along the entire street. He suggested that the Village acquire the last lot owned by China King or get an easement for that strip of land.

Mayor McKeever mentioned Rural Transit.

Trustee Sheibley suggested waterline improvements. Disaster Coordinator Crassi indicated that it would take about \$180,000 to fix Water Street.

Motion 152-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to close the public hearing at 7:36 p.m. Motion carried 5-0.

Ralph Hill asked about the letter to the editor which indicates the Village Board wants drawings of all the houses. He was advised by Mayor McKeever that is not true. She indicated that some of the language in the proposed Landlord/Tenant law was taken out of context.

Mr. Hill also spoke about child safety. He asked why the crosswalks on Buffalo Street are not marked. Public Works Superintendent Opferbeck advised that the Safe Routes to School grant will be implementing some of those types of things relative to safety.

Ron Clabeaux spoke to Phil Palen indicating the piece of property he spoke about on South Water Street is owned by China King.

Mr. Clabeaux asked why the No Trucks signs were taken down on Torrance Place. He then thanked the Village for having all the wires ripped off his house.

Doug Wright asked why the fire hydrant at the bottom of Beech Street is running non-stop. He also thanked the Village for the apology he never received for the pictures that were taken of his children. Public Works Superintendent Opferbeck advised that the hydrant on Beech Street is running because he has not been able to keep enough residue for the residents on Palmer Street.

Andy Burr advised he spoke with Mark Adamchik about the cash collection in the water account. He asked the Village to take some action on the water law to allow for more stringent collection of late fees.

Jack Broyles asked if the Village has a financial committee that includes people that are not Board members. He asked if Andy Burr is working with the Village. Mayor McKeever advised that he has been appointed to the budget committee.

Town of Persia Councilman John Walgus spoke about the frozen waterlines on West Main Street which were of concern during the winter for Mrs. Brown and Mrs. Reid. Both of them have contacted him about a deep cavity around the curb box on that side of the street. He feels it should be fixed before winter and it freezes again.

Bill Emborski thanked everyone who has been involved with him purchasing and applying for rezoning of the old hospital site on Memorial Drive which is now listed as 106 Memorial Drive.

Dennis Abraszek feels the new recycling center should be open more hours than it is to be more convenient for the residents. He also indicated he will try to run for the Village Board at the next election.

### **PROJECT UPDATES**

Village Engineer Burr reported on the Smart Growth project. Bids were received last Friday for the asbestos removal and demolition of the old China King building. The only bid received was from Pierce Services from Fredonia for \$21,600 which is within the budget. Assuming that amount is approved by Erie County, the project can move forward. The drainage, memorial placement and landscaping will be done in the spring.

Public Works Superintendent Opferbeck advised that he requested a six month extension for the Asset Management grant.

Town of Persia Councilman John Walgus reported on the BOA grant. He advised that most of the steering committee members met with C&S Companies at the Hollywood Theater last week. They will be working to identify any brownfield sites that can be developed within the Village.

Mayor McKeever reported on the Christmas in Gowanda which is scheduled for December 4<sup>th</sup> and 5<sup>th</sup>. A big planning meeting will be held tomorrow night at 5:00 p.m.

### **BUSINESS/BUILDING PERMITS**

Village Attorney Chadsey explained the origin of the property and zoning law, or the landlord/tenant rental law. She said the former planning board tried to deal with problems of rental properties. There were concerns about mismanaged rental residences. Ms. Chadsey drafted a law that had several of the provisions of surrounding towns who have dealt with the same problems. She feels that landlords need to be regulated since all renters deserve a safe place to live and neighboring homeowners also deserve a property next door that is being maintained. These are two issues that make up the proposed law. Mayor McKeever said the laws on the books now need to be better enforced. Village Attorney Chadsey indicated that the biggest pieces of this proposed legislation are registering landlords so the Village knows who to contact when necessary and that the burden of staying up to code becomes the responsibility of the landlord. It should not be the responsibility of the other homeowners to burden those charges. Mayor McKeever stated the Village will not be passing the law the way it is now. Village Attorney Chadsey advised it is a work in progress.

Building Inspector Brecker reported that most of the apartments he goes into are usually because the tenant is being evicted and they have a bone to pick with the landlord.

Mr. Emborski would like a zoning change for the property on Memorial Drive. Building Inspector Brecker spoke with Village Attorney Chadsey regarding any relevant state codes but he supplied Mr. Emborski with a full Environmental Assessment form, a

building permit application, the site plan requirements, etc. Any rezoning application will use the Zoning Board as a planning board in the absence of such. Village Attorney Chadsey indicated a full SEQRA will be necessary prior to any rezoning.

Building Inspector Brecker received communication from the Buffalo Erie Niagara Land Improvement Corporation with an attached list of properties currently eligible for foreclosure. The County would be interested in purchasing them through foreclosure. Mr. Brecker is currently doing inspections on all the vacant properties. The County wants to know which are the worst and if purchased, they will either demolish the properties or refurbish and offer for resale. The deadline for submittal for this program is December 1, 2016. By next meeting, Building Inspector Brecker will have all the inspections completed with his recommendations.

### POLICE

Public Works Superintendent Opferbeck advised that the No Trucks signs were taken down since there is nothing official in the code about the weight on the streets. Village Attorney Chadsey commented since there is nothing in the Village Code regarding trucks and truck weight, it would be unfair to have Torrance Place posted when other streets are not. Public Works Superintendent Opferbeck advised the only way to get trucks in to Industrial Place is on Torrance Place. Officer-in-Charge Raiport advised that a State truck tried to go through there, dumped his load of millings at the public works building, left the truck box up and caught the wires. Public Works Superintendent Opferbeck indicated the millings are being dumped there rather than along Thatcher Brook as before. If the Village dumps along Thatcher Brook, everyone else will also and then the same problem will arise. Mr. Opferbeck stated that the Village has received about \$30,000 worth of millings through shared services with the State at no cost to the Village.

Officer-in-Charge Raiport gave his monthly report for September.

“Total calls for service – 225; domestics – 5; motor vehicle accidents – 5; arrests – 12; traffic summons issued – 10; total patrol mileage – 3,657.

Members of the Gowanda Police Department and the Southern Tier Drug Task Force executed a search warrant on September 25, 2015. As a result of the continuous investigation of drug activity within the village, 6 individuals were picked up and remanded to the Cattaraugus County Jail. These arrests have put a damper on some of the drug activity here.

On Wednesday, October 7, 2015, Gowanda officers and the Drug Task Force arrested another individual that was in possession of crack cocaine and it was packaged for distribution to hit the streets of Gowanda. That person resided on St. Johns Street. Our officers are taking a hard stand on the drug dealers in Gowanda; we are not going to tolerate this activity and will remove these individuals one by one off from our streets.” Officer-in-Charge Raiport said the department is taking a harsh stand against drug activity and residents need to continue to provide whatever information they have. The drug task force number is 373-2773. He indicated they will form a coalition and meet on October 24<sup>th</sup> to try to stem this problem.

REVISED

Mayor McKeever said the Gowanda Police Department will meet with the school superintendent to work on a community fun night this fall.

“The Village of Gowanda Police Department has been awarded two out of the three grant proposals that were submitted to the NYS Governor’s Traffic Safety Committee. We were awarded \$1,190 to participate in the statewide police traffic services program. This program targets traffic safety, seat belt compliance, etc. The original proposal was submitted for 400 hours of patrol services. The grant committee cut it down to 70 hours. We will participate in the statewide click it or ticket campaigns.” Some of these funds can be used to enforce traffic compliance at crosswalks. Ralph Hill said the many of the crosswalks are not laid out correctly and are striped incorrectly. Trustee Nephew said that a lot of this is public education. Officer-in-Charge Raiport advised that state highway markings must be done through the state.

“We were also awarded \$2,200 for the NYS Child passenger Safety Seat program. Our original request was \$2800. This funding allows the Police Department to purchase child safety seats and provided certified technicians to inspect child safety seats for their safe use. It also pays for half the cost of the tuition to send additional officers to become certified as safety seat technicians. We currently one have one officer certified (Brad Mohawk) and would like to have 3 more certified.” Officer Mohawk is the only certified officer and he paid for this out of his own pocket.

“On October 7, 2015, officers participated and assisted the Healthy Community Alliance with their walk to school day. The event attracted 134 individuals that met at 1 School Street for a water and healthy breakfast bar. The students and staff from Gowanda Central walked together in a group to school. The event was a great success. We are very fortunate to have such dedicated people at Healthy Community Alliance to organize such great events for our youth and community. It is a pleasure to work hand in hand with this organization.”

Officer-in-Charge Raiport advised that crosswalks will be adjusted as part of the Safe Routes to School project.

“After speaking to the agents at the Drug Enforcement Administration in Buffalo, they helped us out in securing a permanent drug drop off box to be secured in the Village Hall. A letter was sent to the Erie County Sheriff’s office as which they have the box for us. Just a formal written request was needed and was sent out last week. Once the box is installed, residents will be able to drop off unwanted prescription drugs at any time during village business hours.”

Motion 153-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to participate with the Erie County Sheriff’s Office drug drop off box program. Motion carried 5-0.

“The guys are gearing up for the holiday season. We have been meeting with the Lions Club and will once again team up for the annual toy drive. Last year, 255 children received gifts as part of the “Holiday Helping Hands” program. We are also gearing up

for the annual Christmas in Gowanda December 4 & 5. This year we are hoping for a bigger and better parade on December 4<sup>th</sup>.”

There was discussion about the event application submitted by Joe DeCarlo to hold a lawn mower ride to benefit the American Legion. It is scheduled for October 31, 2015 from 10:00 a.m. until 4:00 p.m. Twenty dollars of the event fee will go to the American Legion; \$5.00 to the Hollywood Theater.

Motion 154-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve the event application for the Lawn Mower Ride pending receipt of the appropriate insurance certificate. Motion carried 5-0.

There was discussion about the bids for garbage pickup. Public Works Superintendent Opferbeck wants to discuss other options before making any decision. He asked the gentlemen from Casella that were present about containers for cardboard which are located in the Village. Mr. Opferbeck stated that he would like to know where they are located to pass the information on to the residents. Mr. Devlin indicated there are some containers in the Village and they will get that information to the Board.

## LEGAL

Mayor McKeever reported that Village Clerk Mohawk has had some discussions with SMG/Harson about making interest only payments on their UDAG loan. Village Attorney Chadsey stated that they have tried very hard to keep their payments current. This would just be a temporary situation until the first of the year.

Motion 155-15. Motion by Trustee Nephew, seconded by Trustee Zimmermann to authorize SMG/Harson to make interest only payments for a specified time. Motion carried 5-0.

Mayor McKeever advised that reorganization is taking place in the Village office. She requested approval to hire Kathleen Ellis, Keyboard Specialist on Civil Service, for \$30,000 per year with no benefits. This position will work a minimum of 25 hours per week, a maximum of 38 hours. There will be no paid vacation. Non-paid vacation will be allotted with approval of the Village Board. Ms. Ellis will be responsible for water billing, budget, finance management expenses, paralegal liaison with Village Attorney, assist as Clerk in Public Works, grant management and help the Disaster Coordinator on an as-needed basis.

Motion 156-15. Motion by Trustee Nephew, seconded by Trustee Zimmermann to appoint Kathleen Ellis as Keyboard Specialist for the Village. Mayor McKeever polled the Board: Trustee Sisti – yes; Trustee Zimmermann – yes; Trustee Nephew – yes; Trustee Sheibley – yes. Motion carried 5-0.

Village Attorney Chadsey advised she still does not have the Time Warner contract finalized.

Village Attorney Chadsey reported on the damage to the pole. Village Clerk Mohawk sent a claim to the insurance company. The insurance company countered with an offer that is less than the cost of the pole, citing depreciation. She feels the Village needs the full replacement value of the pole and that the Village Board should reject the offer. A letter will be sent indicating such.

There was further discussion about acting on the water service law. Village Attorney Chadsey stated that Trustee Sheibley was diligent and went through the revisions twice. There are still four substantive issues that need to be resolved. Village Attorney Chadsey agreed with Andy Burr that the current law lacks the requirements for stringent collection of water costs. Trustee Sisti suggested holding a special meeting to discuss this law this. There is no current means to shut off water to customers who do not pay. Mayor McKeever reminded those in attendance at the meeting that the Village Board took the middle option when looking at rate increases. This would still include combining services with other municipalities and adopting the water law. A special meeting was scheduled for Tuesday, October 27<sup>th</sup>, at 6:00 for a work session on the proposed water law.

### **TREASURER**

Motion 157-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to regretfully accept the resignation of Treasurer Cindy Lauer. Motion carried 5-0.

Motion 158-15. Motion by Trustee Sisti, seconded by Trustee Nephew to appoint Mark Adamchik as Treasurer at \$25,000 per year with benefits. Motion carried 5-0.

Andy Burr will still serve as a volunteer consultant as the resident community liaison.

Treasurer Adamchik advised the Village Board will now begin seeing regular financial reports. He reviewed an action plan and closed out last year. This fiscal year financials are up to date. He reported that Step 1 was to close out last year. Step 2 was to get the current year up to date. He is now working on Step 3 to do cash forecasting. He advised that the Clerk's office has been using an archaic system wherein all cash transactions have to be entered into the computer 3 times. He has proposed one point of entry and hopes that within 3 months this will all be changed with new software. Treasurer Adamchik reported that the fund balances are not terrible but there are some issues. The water billing is done 3 months after the service is incurred which causes a problem with cash management. He indicated that penalties and making sure people pay is at the top of the list of priorities. The sewer fund is healthy especially because of the Corrections monthly payments. He is working on the general fund cash analysis. He thinks the Village will be okay but caution should be taken. The new Quickbooks program will be easier to see just what was spent line by line. Cindy Lauer had previously indicated that some of the due to/due froms dated back pretty far. Treasurer Adamchik recommended that the numbers from last year going forward should be sufficient. He really didn't see any benefit to going back to 2009.



Andy Burr feels that \$100,000 is closer to the real number that water owes to the general fund. There was more discussion about the long-term borrowing and the Village Board agreed they would be ready to vote on this at the November meeting.

### **DISASTER COORDINATOR**

Disaster Coordinator Crassi requested authorization to accept the bid from Greenman-Pedersen to do repair work at the Pt. Peter Reservoir as per the scope of services and schedule submitted in the amount of \$134,647.87.

Motion 159-15. Motion by Trustee Sisti, seconded by Trustee Nephew to accept the proposal for engineering services from Greenman-Pedersen for the work at Pt. Peter Reservoir as presented. Motion carried 5-0.

There was some discussion about a contract modification submitted by Simmons Recovery Consulting. Disaster Coordinator Crassi advised that prior submittals for administrative work have been submitted to FEMA and they have not been denied. This is part of the \$1.3 million cost of repairs to the reservoir. This contract amendment shall not exceed 45 days and not exceed \$50,000. Mayor McKeever advised the Village has already spent \$65,000 with Simmons and it is covered 100% by FEMA. Village Attorney Chadsey feels that Simmons should submit a scope of work and cost estimates, indicating what they have done already, what this work entails and where they are going from here. Public Works Superintendent Opferbeck advised this is a huge project that the Village needs to get done. Mayor McKeever said the Village needs some protection for the uncovered indirect costs. Disaster Coordinator Crassi will get more details from Simmons.

Disaster Coordinator Crassi spoke about the Pt. Peter Reservoir cleanup. He said it should be filled with spring water before winter with the mitigation project being done in the spring of 2016. He said there were "very good prospects" the reservoir will be filled by December 1, 2015. Silt needs to be dredged from the reservoir which will be trucked to Gateway Park on Palmer Street.

Disaster Coordinator Crassi said New York State is funding a cleanout of Thatcher Brook. The piled rocks next to the South Chapel Street bridge should be replaced with stacked or set blocks which are more stable in high water situations. Mr. Crassi advised there are some right-of-way issues to be resolved for access to Thatcher Brook.

A resolution was presented to adopt the Erie County Multi-Jurisdictional Hazard Mitigation Plan:

"WHEREAS, the Village of Gowanda, with the assistance from URS Corporation, has gathered information and prepared the Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update (the "Plan"); and  
WHEREAS, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Gowanda is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Village of Gowanda has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED, by the Village of Gowanda Board of Trustees that the Village of Gowanda adopts the Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan."

Motion 160-15. Motion by Trustee Zimmermann, seconded by Trustee Nephew to adopt the Erie County Multi-Jurisdictional Hazard Mitigation Plan. Motion carried 5-0.

Disaster Coordinator Crassi has been working with Jim Casey from FEMA on project work orders. He feels the Village is still owed about \$157,000 on the village hall damages but FEMA says it is only about \$65,000. Mr. Crassi also advised the Village should receive about \$200,000 from FEMA for the Pt. Peter pump house. Riprap should be erected at Allen Springs.

Disaster Coordinator Crassi gave an update on Crestwood Drive. Curbing and gutters were installed to repair the flood damage. Every agency involved has signed off on the project work orders, but the village was denied the funds. No denial letter has been found. Mr. Crassi said \$170,000 is due. The Village has appealed twice; there are no more appeals allowed. Arbitration may be the next step to recover the funds.

Disaster Coordinator Crassi said that in 2009, then-Governor Paterson promised the Village \$700,000. As of January 2014, the village received \$314,115. Mr. Crassi said the village is still owed \$386,838. Disaster Coordinator Crassi stated he requested electronic payment receipts to verify how much has been received.

Disaster Coordinator Crassi stated he has been going door-to-door to businesses and homes with a survey of flood damages to be used as in-kind services for the U.S. Army Corps of Engineers study.

The Village received a request for a letter of support for Mercy Flight of Western New York indicating a "public need" for their services.

Motion 161-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann to write a letter of support for Mercy Flight. Motion carried 5-0.

### **JOINT ACTIVITY**

Trustee Sheibley reported that Learn to Ski signups will be October 21<sup>st</sup> from 6:00 to 7:30 p.m. in the Board room.

**FIRE**

Fire Chief Hebner spoke earlier requesting purchase of Scott Air Parks for \$11,436.43 on state bid.

Motion 162-15. Motion by Trustee Sisti, seconded by Trustee Nephew to purchase Scott Air packs as recommended by Fire Chief Hebner. Motion carried 5-0.

The Halloween celebration was discussed. The parade forms at 5:00 p.m. on Panther Drive and proceeds to the fire hall on Aldrich Street. A costume party with refreshments will be held at both the main fire hall and also at Hidi Fire Company. The Gowanda Free Methodist Church has "Trunk or Treats" from 4:00 – 8:00 p.m. The Haunted Theater is at the Hollywood Theater. Trick or treating will take place from 5:30 – 7:30 p.m.

Trustee Zimmermann reminded everyone that this is Fire Prevention Week.

Hidi Fire Company requested a file cabinet from the public works building.

Motion 163-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann to move a metal file cabinet from the public works building to Hidi Fire Company. Motion carried 5-0.

**PUBLIC WORKS**

GARC Board member John Walgus displayed a scale model prototype of an aluminum sign showing a map of Gateway Park with boundaries marked with dashed lines. There will be four or five of them with "You Are Here" marked at various locations. It will inform park visitors where the limits of the park are, and where private property begins. The Cattaraugus County sign shop will make the signs at no cost to the Village.

Motion 164-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann, to have the county sign shop print the signs for GARC for Zoar Gateway Park. Motion carried 5-0.

Motion 165-15. Motion by Trustee Zimmermann, seconded by Trustee Nephew to ask for extension of permits for removal of gravel in Thatcher Brook at South Chapel Street bridge. Motion carried 5-0.

Public Works Superintendent Opferbeck advised that bids were accepted for the asbestos removal and demolition of 24 South Water Street, the old China King building.

Motion 166-15. Motion by Trustee Zimmermann, seconded by Trustee Nephew to award the contract for the above work to Pierce Construction, upon receipt of the New York State certification of compliance with bid specifications. Motion carried 5-0.

There was discussion about the garbage collection bids. The low bid of \$141,000 is about \$22,000 less than the current contract. Dave Bartlett was the only local bidder and

he was \$6,000 higher than the low bid. No action was taken pending board discussion of the matter when they meet to discuss changes to the water law.

Public Works Superintendent Opferbeck announced a class at lunchtime on October 21 for licensing credit for water and sewer department staff. A speaker from Serve Line will speak on insurance against leaks, freezing, etc. at a rate of \$2 per quarter. Cattaraugus County Legislator Paula Stockman cautioned against getting involved with private property issues.

Public Works Superintendent Opferbeck advised that Palmer Street would be milled from Broadway Road, past Gateway Park and up the hill to Beech and High Streets on Wednesday, October 14. Palmer Street will be paved with asphalt from Broadway to the east end of Gateway Park this month, approximately 2,600 feet, with the remaining 2000 feet to be paved next spring. Gernatt Asphalt Products is donating material and equipment to pave the first half mile of Palmer Street. GARC will contribute \$10,000 to the project. The Village can use CHIPS money for the project. Mr. Opferbeck said the road will be trued and leveled with a uniform width, even at the curve. The pavement will be moved away from the hill at the wide spot in the road. The street will be chip sealed with oil and stone next year.

### **ADMINISTRATION**

The Village Board agreed to pay out-of-pocket to purchase a \$65.00 ad in the 2016 Valley Bugle to congratulate the graduating seniors at Gowanda Central School.

Trustee Sheibley will have the Village Board's name put on a memorial brick at the fire department Memorial Walkway.

### **ENVIRONMENT**

Phil Palen read the bids received from contractors for tree services. Low bidder for stump grinding was Gary Mitchell of Silver Creek at \$1,880. Other bidders were Latona Tree Service at \$3,065, Tree Services of WNY at \$2,705 and Good Neighbor Services at \$2,165.

Low bidder for pruning and removals was Good Neighbor at \$8,125. Other bidders were Latona Tree Service at \$9,300 and Tree Services of WNY at \$11,095. Mitchell does not do pruning or removals of trees, just stump removal.

Stumps cannot be ground until the trees are removed. The Board decided to have Mitchell start with the leftover stumps from 2014. Since standing hazardous trees take priority over stumps, this year's stumps may be deferred until the 2016-2017 fiscal year. Since the overall tree budget is \$8,500 and the Village needs to reserve \$750 for the 2014 tree stumps and \$2,000 for tree purchases in the fall and spring, Good Neighbor will start with the most hazardous trees and do as much work as the remaining budget will allow. Public Works Superintendent Opferbeck indicated the Safe Routes to School grant may

pay for removals where sidewalks are impacted by trees. If that is so, then additional removals may be done.

Motion 167-15. Motion by Trustee Nephew, seconded by Trustee Sisti to hire Gary Mitchell to grand the 2014 stumps for \$750. Motion carried 5-0.

Motion 168-15. Motion by Trustee Sisti, seconded by Trustee Zimmermann to hire Good Neighbor Tree Service to do prioritized pruning and removals within the tree budget. Motion carried 5-0.

Public Works Superintendent Opferbeck advised that Erie County has surplus office equipment and will deliver it upon request. He and Collins Town Supervisor Tessmer looked at some of it.

Motion 169-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adjourn the Village Board meeting at 10:15 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is November 10, 2015 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk  
Village Clerk  
(notes provided by Phil Palen)