

**Village of Gowanda  
Board Meeting  
November 14, 2017  
Minutes**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor David Smith at 6:01 pm at the Municipal Hall. The pledge of allegiance was recited.

Present: Mayor David Smith  
Trustee Carol Sheibley  
Trustee Wanda Koch  
Trustee Paul Zimmerman  
Trustee Aaron Markham

Village Employees: Village Clerk Danielle Wagner, Treasurer Traci Hopkins, Public Works Superintendent Jason Opferbeck, Village Attorney Deb Chadsey, Fire Chief Nick Crassi, Officer in Charge Dennis Feldman, Building Inspector Larry Green, Phil Palen

Media Present: Phil Palen; Cable Channel 22, Andrew Kuczkowski observer

Public Present: Richard Kota, Laurie Kota, Robert Gaylord, Jill Smith, Paula Stockman

**Agenda Approval**

**Motion 11-151**- Motion to approve the agenda for November 14, 2017 Village Board Meeting. Motion made by Trustee Sheibley, seconded by Trustee Zimmerman

**Mission Statement**

Mayor Smith read the Village Mission Statement

**Minutes**

**Motion 11-152**- Motion to approve the minutes of the October 17, 2017 Village Board Meeting. Motion made by Trustee Zimmerman, Seconded by Trustee Wanda. Motion carried 5-0.

**Public Participation**

The Village of Gowanda and Mayor Smith wanted to give thanks and honor Mr. Richard Kota. Mr. Kota is retiring after 31 years of service as a State Trooper.

Mayor Smith gave thanks to Tim McKeever for reaching out and making him aware of Mr. Kota's retirement.

Mr. Kota expressed that he is honored to be recognized for his years of Service. He has assisted with police service for over 40 towns including Gowanda, but Gowanda has always been his home.

Mayor Smith presented Mr. Kota with a Letter of Thanks from the Village Board of Trustees.

### **Mayoral Updates**

#### **a. Perrysburg Fire District Agreement**

Gowanda will continue to provide service to the Prospect St area, due to the ability of Gowanda accessing that area 7 to 8 minutes faster and Gowanda possess a ladder truck which will help reach the second floor of the Gowanda Central Schools. After negotiations with Dennis Stopen, before his passing, it was agreed that payment to Gowanda for coverage of that area would be \$2,000 for the remainder of the 2017 calendar year and the year of 2018 would be re-negotiated. When Jen Dabolt became Perrysburg Supervisor, she inherited a budget that only included \$2,000 for the year 2018. Mayor Smith spoke to Jen and it was decided to leave it at \$2,000 for the year of 2018 with re-negotiations to take place for the year of 2019. Mayor Smith expressed for Gowanda it not about the money, it's always about public safety and proper service to that area. Mayor Smith congratulated Jen Dabolt in being elected the new supervisor for Perrysburg.

#### **b. American Legion Post Veterans Day Dinner**

On Saturday 11/11/17 there was a Parade from the American Legion Post to the Library, with a public ceremony to honor our veterans. Mayor Smith had the pleasure of speaking at the ceremony along with George Stark. That evening was the dinner at the Legion which Mayor Smith attended along with Trustee Sheibley. It was another opportunity to thank the 2.3million living veterans and pay tribute to the 1.1 million who gave the ultimate sacrifice.

Mayor Smith offered a moment of silence in honor of the veterans.

#### **c. Camden Group**

Ken Scherrieble has started as our consultant at the sewage plant. He provided an update to the board with everything that is in the works. Mayor Smith expressed that Ken will be a great addition to our sewage plant, maximizing efficiency.

#### **d. Cattaraugus County Collaboration Award**

On October 18, 2017, Traci Hopkins, Andy Burr and Mayor Smith attended the awards in Olean and the Village received a Certificate of Recognition from Senator Cathy Young for being inclusive in all things that represent a healthy livable community.

#### **e. Hollywood Theater Chicago Cover Band**

On October 21, The Hollywood Theater sponsored a Chicago Cover Band performance at It was a great success and a great night for the Village of Gowanda.

**f. Army Corp of Engineers Update**

On Sunday November 5, 2017 Thatcher Brook came to a cresting point, but did not go over. Senator Cathy Young made available to us some short term mitigation money that was used this past summer by Jason Opferbeck and the DPW crew to clean out Thatcher Brook under the Chapel Street Bridge and surrounding areas. The code red system reached out to the Village residents as well as through the school's broadcast system. Mayor Smith gave a special thanks to Nick Crassi, Village engineer Mark Burr, Gary Denea and Brian Bylbie who were out at Point Peter to help.

Concerning long term flood mitigation, the Village has been in weekly contact with the Army Corp of Engineers. We have recently received news that we have a viable project which means the benefit to cost ratio exceeds the required limit to have the project move forward.

Trustee Zimmerman acknowledged that the Thatcher Brook Task Force is coordinating a date to introduce a plan to solving the flood issues in the Village. Then a public hearing will be scheduled the beginning of next year.

**g. DRI Update/Kiwanis Club Presentation**

We have employed Jeff Telcky from Wendel Engineering to help put together a preliminary plan requested by Empire State Development. The funds are not a loan and do not require any funding to match it.

Wendel Engineering created a plan to enhance the Waterfront Development by improving waterfront access, adding a kayak launch to Creek side Park, improving access at the end of Gateway Park and water access under the Aldrich Street Bridge. Also plans to finish up the parking lot behind the Hollywood Theater with better lighting, handicap parking and better drainage are being incorporated.

Mayor Smith will be presenting an update to the Kiwanis Club on Thursday November 16.

**h. Boundless Gowanda/HCA**

Boundless Gowanda is a partnership between the Healthy Community Alliance and Gowanda Central Schools. It's a support program to help students with drug and alcohol abuse and provides coping skills to help with domestic violence and divorce in the home.

**i. Halloween**

Halloween was a nice success. Mayor Smith mentioned that he had over 700 kids trick or treating at his house.

**j. Happy Thanksgiving.**

Mayor Smith wished everyone a Happy Thanksgiving.

### **Correspondence**

- a. EPA letter of acknowledgement stating that the Village of Gowanda will be pursuing \$200,000.00 in Brown Field opportunity funding submitted by C & S on the Villages behalf.
- b. We received a Thank You from the Gowanda Boosters Club thanking the Village for the donation for the Spirit of Gowanda Parade and helping in making the Spirit Parade a success.
- c. The Village received an event application from the Gowanda Area Chamber of Commerce for Christmas in Gowanda.

**Motion 11-153-** To approve the event application from the Gowanda Area Chamber of Commerce for Christmas in Gowanda on December 1 and December 2, 2017. Motion made by Trustee Koch, seconded by Trustee Markham. Motion carried 5-0.

### **Board Round Table**

- a. Persia water/Sewer District Agreement  
Trustee Sheibley spoke Town of Persia Supervisor, John Walgus who said this would be taken care after the first of the year.

### **Official Business**

**Police-Officer in Charge Dennis Feldmann**

Officer Feldmann reported that there were 338 calls of service for the month of September. Officer Milks has completed the D.O.T. training and has been completing a training program for the members of the Police Department.

- **Business District Cameras-** Not ready to proceed with this yet as he's still working on quotes and preparation of a plan to bring back to the board. Will bring to the board for discussion at the next meeting on December 12, 2017.
- **Police Vehicle Equipment-** The police department is operating with 4 vehicles now, Officer Feldmann is looking for input from the board on whether to drop the Crown Victoria vehicle from the insurance policy and send the car to surplus for auction. The vehicle is in need of some repairs and right now it's used as a backup car should another one go down. Otherwise, it's just sitting in the garage not being utilized. Expenses will be reviewed for further discussion in December.
- **Employee/Investigator Duties-**Officer Hotnich does additional investigator duties; paperwork and transports state evidence to labs for processing while receives many phone calls at home. Officer Feldmann is requesting the board's approval to give Officer Hotnich an extra \$1.00 an hour in pay. The money is in the budget to cover the increase. He would also stay at the same hours.

**Motion 11-154-** To approve giving Officer Hotnich \$1.00 pay increase, November 19, 2017 at the recommendation of Dennis Feldmann. Motion made by Trustee Zimmerman, seconded by Trustee Sheibley, motion carried 5-0.

Officer Feldmann also mentioned that he will be doing some preliminary interviews of candidates for a female officer.

**Code Enforcement-Larry Green**

Larry Green reported that with construction slowing down in the Village he will start to work property maintenance issues and fire safety inspections. The asbestos report was back for 11 Buffalo St and demolition should commence in one week. He sent a 30 day notice to PNC Bank to remove the garage at 93 Buffalo St. The fire at 56 E Main St, waiting on insurance for demolition. Received a complaint from the Fire Department about the stairway on to 53 E Main St Upper. An order to remedy has been issued and has received the permit application to rectify the situation.

**Disaster Coordinator-Nick Crassi**

Nick commented that the trash rack on Route 62 was very instrumental preventing flooding this past week. He keeps an eye on it all the time and makes sure it's cleaned out. He commends the Town of Persia and others who help keep it cleaned out at all time. After the possible flood on Sunday November 5 the rack was full and took 2 days to clean it.

**Fire- Nick Crassi Carol Sheibley/Paul Zimmerman**

Trustee Sheibley thanked the fire department volunteers who displayed the large flag for the Veterans Day Service, utilizing the Aerial Truck.

Nick Crassi shared that the aerial equipment was inspected and tested for the insurance company, everything passed.

**Environment- Phil Palen**

Nothing new at this time.

**UDAG Committee- Wanda Koch**

Mayor Smith mentioned 27 Jamestown St will soon be "14070" a restaurant in Gowanda.

**Joint Activity/Recreation- Carol Sheibley/Aaron Markham**

Trustee Sheibley is seeking approval to hire Karen Speers for Roller skating.

**Motion 11-155**- To hire Karen Speers for \$11/Hour for the Roller Skating Program effective December 4, 2017 at Academy Place each Monday from 6-7:30 pm. Motion made by Trustee Zimmerman, seconded by Trustee Koch, motion carried 5-0.

Trustee Sheibley is seeking approval to name Mike Bergmann Adult Basketball Volunteer.

**Motion 11-156**- To approve Mike Bergmann as a volunteer for the recreation Adult Basketball program. Motion made by Trustee Koch, seconded by Trustee Sheibley, motion carried 5-0.

Trustee Sheibley mentioned at 3pm today they had a Recreation Commission Meeting and as soon as the minutes are done, they will give a copy to the board members as well as the Village Office.

**Legal-** Deb Chadsey

SMG Machine Mr.Casoni has withdrawn his UDAG loan application for a business expansion he was planning in the Village, he thanked everyone.

Deb is seeking approval to sunset the UDAG Program. The program has run its course and is completed. The money that the Village has in the account is money that has been paid back; those dollars are no longer covered under UDAG, as the program doesn't exist. The money will continue to be used by the Village either in a new program to be developed by the Village or in some other manner to assist in the development and quality of life in the Village. The money that is currently in the UDAG account will be transfer over to The Special Projects Account.

Trustee Koch mentioned that as a liaison to the UDAG committee, the UDAG committee is in full agreement with this.

**Motion 11-157-** To approve the resolution to discontinue the Village of Gowanda UDAG Program according to the advice of the Village Attorney. Motion made by Trustee Koch, seconded by Trustee Zimmerman. Motion carried 5-0.

**A RESOLUTION OF THE VILLAGE OF GOWANDA BOARD OF TRUSTEES TO DISCONTINUE THE VILLAGE OF GOWANDA USAG PROGRAM**

WHEREAS, the Village of Gowanda (the "Village") has operated an Urban Development Grant Program which was originally funded by a grant from the US Government, for the purpose of providing low interest loans to businesses in the community that would otherwise be ineligible to obtain loans from traditional lenders; and

WHEREAS, the federal program sunset more than a decade ago and the federal commitment under the grant was fully discharged; and

WHEREAS, as there was money in the Village program as a result of repayment of certain of the locally-granted loans, the Village continued to operate the local program after the federal program was ended; and

WHEREAS, the Village Board of Trustees has the authority to discontinue the local program and commit those funds remaining to other programs within the Village or to create a new community development program, in their discretion and as permitted by law.

NOW, THEREFORE, BE IT:

RESLOVED, that the former federal urban development program which was implemented by the Village as the UDAG program is hereby discontinued; and be it further

RESOLVED, that any funds remaining in the UDAG program, expecting out funds currently committed to approved loans, shall revert to the Village and shall be used in a manner consistent with the principles of community development, whether at the discretion of the Village Board of Trustees or under any new program the Village Board of Trustees shall establish; and be it further

RESOLVED, this resolution shall take effect immediately; and be it further

RESOLVED, that a copy of this Resolution be filed in the office of the Clerk of the Village of Gowanda.

Response letter to the Peter Cooper Group, the letter was reviewed at one point then went back to GARC, who made some additional changes. GARC revised the letter to include that the PRP's agree to rate increases on the sewer use charge. There is a contractual agreement between the PRP's and the Village that sets that rate, we can negotiate for it but we can't compel them to change their position.

**Motion 11-158**- To approve the PRP letter as it stands relevant to the Peter Cooper Site. Motion made by Trustee Sheibley, seconded by Trustee Markham. Motion carried 5-0.

**Treasurer**- Traci Hopkins

Treasurer Hopkins presented an abstract of unpaid bills to the board for approval.

**Motion 11-159**- Approval to pay the abstract bills from the General Fund totaling \$95,065.78. Motion made by Trustee Sheibley, seconded by Trustee Markham. Motion carried 5-0.

**Motion 11-160**- Approval to pay the abstract bills from the Water Fund totaling \$26,993.77. Motion made by Trustee Markham, seconded by Trustee Koch. Motion carried 5-0.

**Motion 11-161**- Approval to pay the abstract bills from the Sewer Fund totaling \$43,475.32. Motion made by Trustee Koch, seconded by Trustee Markham. Motion carried 5-0.

**Motion 11-162**- Approval to pay the abstract bills from the Capital Projects Fund totaling \$133,471.00. Motion made by Trustee Sheibley, seconded by Trustee Koch. Motion carried 5-0.

**Motion 11-163**- Approval for the Unpaid Tax Assessments for Erie County Totaling \$27,087. and Cattaraugus County totaling \$42,243.79. Motion made by Trustee Sheibley, seconded by Trustee Markham. Motion carried 5-0.

Treasurer Hopkins presented the board with an IT agreement from Prizm for IT technical services in the Village.

**Motion 11-164**- To approve IT contract for Prism to provide IT services to the Village starting 12/1/17. Motion made by Trustee Markham, seconded by Trustee Sheibley. Motion carried 5-0.

The Employee Post Retirement Health Insurance Policy will be revisited at the December board meeting. Deb Chadsey will work on the details.

Treasurer Hopkins is looking for approval to be added as an authorized signer on the OM & M trust account for Gateway Park and Peter Cooper.

**Motion 11-165**- To approve Treasurer Hopkins to be added as an authorized signer on the OM & M trust Account. Motion made by Trustee Koch, seconded by Trustee Sheibley. Motion carried 5-0.

Treasurer Hopkins would like to have Rob Gaylord be copied on the statements from the OM & M Trust account. He is the treasurer for GARC Park and he can monitor the account to see the invoices coming in and out.

**Motion 11-166**- Approval to have Rob Gaylord copied on the statements for the OM & M trust account. Motion made by Trustee Koch, seconded by Trustee Markham. Motion carried 5-0.

Treasurer Hopkins had to provide documentation to Smart Growth, Erie County, including documentation that the board approved Smart Growth bills to pay. There were some Smart Growth expenses on the May 9, 2017 board abstract. However due to an oversight on the May 9<sup>th</sup> minutes the motion the bills to pay abstract was left out. Approval is needed to amend those minutes to reflect a motion to approve the May 9, 2017 abstract bills to pay.

**Motion 11-167**-To approve amending the May 9, 2017 Board Meeting Minutes to include a motion to approve the bills to pay abstract for May 9, 2017. Motion made by Trustee Koch, seconded by Trustee Sheibley. Motion carried 5-0.

Mayor Smith on behalf of the Village Board would like to formally congratulate Town of Persia Supervisor elect John Walgus.

#### **Public Works-** Jason Opferbeck

The Village received a letter from the Department of Environmental Conservation regarding the Village composting facilities, Jason spoke to Ken Sherrieble-consultant and noted that everything is still there for the building to be able to compost. Ken will handle it with the D.E.C.

Jason and Mark haven't had a chance to go over and review the bid specs for the Thatcher Brook Repair Project and are not ready at this time to award the bid. Will revisit at the next board meeting.

Jason mentioned that the water filters stopped working and were filling up with sand. Jason went over estimates he received to replace the media in filters.

**Motion 11-168**- To approve the Water Filter Media Replacement with funds from the water system reserve Account for a total of \$37,042.50. Motion made by Trustee Koch, seconded by Trustee Zimmerman. Motion carried 5-0.

Trustee Sheibley mentioned that the Erie County Committee came out for a review of our CDBG Grant and thanks Jason for accompanying the committee and herself. They went and looked at all the sights on the street.

Phil Palen thanked Public Works for installing the Colonel Parker Plaque on South Water Street.

Mayor Smith thanked Public Works for the work they did on the windows on the Reds side of the Village Hall.

**Next Meeting**

The next meeting is December 12, 2017 at 6 pm. There is a 5pm workshop for Gowanda Area Redevelopment Corporation as well as Wendel Engineering to update the board and any members of the public on the plans for the Smart Growth/Downtown Revitalization Money.

**Executive Session**

Mayor Smith announced that they will be moving into an Executive Session for a personnel issue. There will be no voting action other than to formally adjourn the meeting.

**Motion 11-169**- To Adjourn into executive session at 7:25pm. Motion made by Trustee Markham, Seconded by Trustee Zimmerman. Motion carried 5-0.

**Adjournment**

**Motion 11-170**- To adjourn the Executive Session Board Meeting at 8:12 pm. Motion made by Trustee Sheibley, seconded by Trustee Koch. Motion carried 5-0.

Respectfully Submitted,

Danielle Wagner



