

**VILLAGE BOARD MEETING
And GRIEVANCE DAY
FEBRUARY 20, 2007**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Richard Klancer at 4:12 p.m. in the Board room, Municipal Building. The pledge of allegiance was recited.

Present: Mayor Richard Klancer
Trustee Barb Nephew
Trustee John Certis
Trustee Dale DeCarlo
Trustee Carol Sheibley

Village Employees: Village Clerk Kathy Mohawk, Public Works Superintendent Mike Hutchinson, Assessor George Stark, Treasurer Cindy Schilling, Village Engineer Mark Burr (arrived at 5:30), Village Attorney Deb Chadsey (arrived at 5:50 p.m.)

Media Present: Mary Pankow, Gowanda Pennysaver
Tim Latshaw, Observer (arrived at 5:50 p.m.)

Public: Karen Burr, Joe Vogtli, Jack Torrance, Randy Wing (both arrived at 6:20), Dennis Stopen, Steve Meyers (both arrived at 6:30), Vincent Cocca (arrived at 6:35)

Motion 243-06. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve the minutes of the January 23, 2007 Village Board meeting as presented. Motion carried 5-0.

Motion 244-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to approve Abstract #9 dated February 20, 2007 on all funds as follows:

General Fund	\$121,786.54
Water Fund	\$120,883.30
Sewer Fund	\$102,195.28
Joint Activity	\$ 1,604.55
Total	\$346,469.67

Motion carried 5-0.

Assessor Stark presented a grievance application from Joe and Janet Vogtli for 17 and 19 Jamestown Street. They paid less than the property is assessed for. This year's equalization rate is 18.57. He indicated that he would make some comparables with properties of 2 story concrete block buildings for the next meeting, such as Soles Unlimited, Mark Thrasher's building, Masonic building, etc.

Assessor Stark advised that Tim Horton's is currently assessed at \$106,168 making a full value of \$571,720 with the new equalization rate. He advised that he spoke with the Town of Concord, the Town of Pomfret and the Town of Hanover to inquire what they have their building and land assessed for the Tim Horton's located in their communities.

He also asked about square footage. He divided the building only full value by the square feet, came up with an average square foot value and then multiplied it by the equalization rate to come up with a new assessment of \$106,168. He advised that the \$571,720 full value amount is pretty accurate. Assessor Stark indicated this is an increase of \$59,338 from the old assessment on the property. Assessor Stark provided a breakdown of various businesses in the community and what their assessments and full market values are.

Assessor Stark advised that assessors have no control over the equalization rate. Full market value is divided into assessment value to determine equalization rates. Treasurer Schilling asked if the equalization rate is based on the market rate that Assessor Stark sets. He advised that is not so. Treasurer Schilling indicated that revaluations should be done regularly to keep the assessments current. Assessor Stark indicated that the Village went through an inventory process but it was never completed. He advised that the Village Board at that time did not want to go through with the revaluation. Treasurer Schilling asked if the property record cards were updated. Assessor Stark said that they were. Village Clerk Mohawk indicated it was 1999. Assessor Stark indicated it is against the law to raise an assessment based upon the sale price. Trustee DeCarlo advised that revaluations should be done every 3 years to keep the assessments current.

Building Inspector/Code Enforcement Officer Bowers arrived at 5:00 p.m. He reported that a new law has made it mandatory for all municipalities to do fire and safety inspections of all places of public assembly. The State will do the inspections if the local building inspector does not do them. He presented his plan for doing the required inspections:

“Send letters to all businesses and places of assembly in the Village. Village Clerk Mohawk has the letter (copy enclosed) to all businesses and assembly places located in the village.

Those areas responding to the letter may schedule an appointment for inspection. After May 1, I will call and set up inspections as I can do them.

The inspection will take 1 to 2 hours each on site, then about 1 hour in the office to do a report. Then a copy of the report will be sent back to the site and a copy will be kept in the Code Enforcement Office.

Violations found shall be repaired in a timely manner. The CEO will be notified of repairs done and have to do a second inspection.

As this will require more time on the part of the CEO, plus supplies, the requested budget reflects this.

The Planning Board should review the Village ordinances to suggest and recommend a change to any ordinances that conflict with NYS CRR requirements.

A priority list should include the stores and businesses in the central business area, special hazards (gas stations), Gowanda Municipal Building and then small office space, lawyers clinics, home business, etc.

Public places in multiple residences need to be done every 18 months.

With over 100 businesses listed in Gowanda, just the inspections with follow-up where needed will increase the CEO workload to possibly a full time job in a short while.”

Mr. Bowers indicated that the inspections will involve a simple walkthrough, checking entrance/exit doors to make sure they are clear, fire extinguishers are present, etc.

Trustee Sheibley indicated that the fire company last year eliminated the position of fire inspection officer. That individual was trained and was able to do what Building Inspector Bowers will be doing. She was unaware whether the fire company would be willing to reinstitute the position. Mr. Bowers advised that none of the firemen have taken the appropriate training for the inspections.

Building Inspector Bowers indicated that 6 firemen were removed from active status and this will affect their taxes.

Trustee Sheibley stated that the Village Board will need to give Building Inspector Bowers some direction on what they wish him to do with respect to these inspections. Trustee Certis indicated that sending a letter indicating that this inspection is a state mandate should assist the business owners with understanding that it needs to be done. Mr. Bowers advised that a lot of communities are not doing this yet. He feels that the Village inspector doing it would be better than the State doing it. Trustee Sheibley asked how this would impact the liability of the Village with respect to an inspection not being done and something happened. Trustee DeCarlo stated that the fact that the Village is doing it at all should be sufficient to cover the liability issues. Trustee Sheibley stated that part of the process is an education process for the people that will be affected. She feels that once people are aware of the process and the fact that the State has mandated this will help them understand it. Mayor Klancer suggested putting an article in the Pennysaver for a few weeks advising residents of what is going to happen. He also advised Building Inspector Bowers to set a priority list of those businesses that need to be done first. Building Inspector Bowers also advised that New York State has developed a checklist to use for the inspections. Trustee Nephew indicated that a higher priority might be those businesses that have a higher number of people involved. Mayor Klancer asked Mr. Bowers to supply a list of the businesses and what he will be doing.

Assessor Stark indicated that market value is established by the State. It is determined by assessed value divided by equalization rate. Assessor Stark advised that he took all of the parcels in the Town of Persia and projected the tax rates if the Village assumed the Town of Persia tax roll. He gave examples of several that would go up. Assessor Stark indicated that the Village may not be able to use the town rolls since the Village is in two towns and two counties with two different assessment rates. Towns are mandated to keep their equalization rates at 100%.

Joe Vogtli arrived at 5:50 p.m. to grieve the assessments on 19 and 17 Jamestown Street. Assessor Stark advised that the purchase price of 19 Jamestown is \$3,000 and of 17 Jamestown Street is \$5500. Assessor Stark has them assessed at \$35,200 and \$41,000. Based on last year's equalization rate the full market values are \$20,579 and \$107,632.

Mr. Vogtli asked what the assessment is based on. Is it the condition of the building? Mr. Vogtli indicated that 17 Jamestown Street is in poor condition. Assessor Stark

advised Mr. Vogtli that Cattaraugus County has a website that has all kinds of information on any property in the County, including the condition of the building, lot size, square footage, number of stories, etc. What an individual pays for a property is no indication that the assessment is incorrect. Mr. Vogtli stated that the assessment on the property is figured in his determination of whether to fix the building up or tear it down. The Village Board advised Mr. Vogtli that he would be notified in writing of their decision.

Motion 245-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to open the public hearing on proposed changes to the parking ordinance at 6:00 p.m. Motion carried 5-0.

Village Clerk Mohawk advised that one of the new additions was no parking from Tim Horton's driveway to Buffalo Street. Trustee Sheibley said that parking on Torrance Place has always been restricted from Industrial to Jamestown Street. Since there is no longer the truck traffic to Industrial, she questioned why that section of Torrance would still be included. Public Works Superintendent Hutchinson indicated that around the bend there are issues of safety. Trustee Sheibley indicated it should be changed to no parking from the access road to Jamestown Street, not on the straight section of the street. The Village intent is to restrict the parking around that bend.

Trustee Nephew commented on Section C: No parking is permitted on any public sidewalk or within the space lying between such sidewalk and the nearest curb or gutter or any adjacent highway within the residential district of the village. She asked about no parking on lawns. Public Works Superintendent Hutchinson indicated that residents can park on their lawns, just not on the tree lawn. Trustee Nephew asked about parking on Water Street when turning right from Main Street. Public Works Superintendent Hutchinson indicated that is allowable parking. The issue on Aldrich Street is that the parking is in a traffic lane. There is a lot of truck traffic on that street, plus detours this summer will put more traffic on that road. Trustee Certis requested clarification of the Chapel Street parking, regarding North and South Chapel Streets.

Trustee Sheibley asked if there would be an education process with this. Public Works Superintendent Hutchinson indicated there would be some time for implementation for signage as well. It would be at least 90 days to get this done.

Village Attorney Chadsey indicated that parking law changes on certain streets made in the 90-day interim would need to be formally changed by Board resolution.

Motion 246-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to close the public hearing at 6:20 p.m. Motion carried 5-0.

BUILDING/BUSINESS PERMITS

Village Clerk Mohawk advised that the Chinese restaurant has been rapidly working on getting their business going. Building Inspector Bowers has held off on their business permit until they get the electrical work finished.

Village Clerk Mohawk reported that Building Inspector Bowers, as well as Planning Board members Jack Torrance, Steve Meyers, Marilyn Utley and Dennis Stopen, have all registered to attend Southern Tier West for Planning and Zoning Board training. Ms. Mohawk also advised that Bob Tiller and Ted Andolsek are attending one in Erie County on March 1st. This is required training for them.

Assessor Stark presented a letter from Paula Winship asking about the alternate veterans exemption. There are several veterans in Gowanda. Many World War II veterans got mustering out money. If it was used to invest in property in the Village, it is exempt from taxation. The alternate exemption is 25% for combat vets, 15% for war vets. Assessor Stark presented a printout of the impact this would have on the Village. He advised that he will contact Mrs. Winship to let her know that at this time the Village cannot afford to offer the alternate veterans exemption. Towns allow alternate veterans exemptions and she already gets a combat veterans exemption on the property. Mr. Vogtli asked if this would impact the taxes that much, \$1.00 per thousand.

Assessor Stark presented a letter from the Gowanda Moose Club asking for 100% exemption based on the fact that they are a benevolent association, a permissive class according to the New York State Real Property Tax. This decision is up to the Board to allow the exemption. Mr. Stark advised that if the Moose is allowed this exemption, he did not see how the Slovenian Club and the Masonic Lodge would be any different. If this is allowed, taxes would go up about \$.30/thousand.

The Board will make a decision the next time on the alternate veteran's exemption and the request from the Moose for 100% exemption.

Vincent Cocca presented his survey results to the Village Board.

“The 2006 Community Needs Survey was distributed on every street in the Village of Gowanda. Over 500 surveys were hand delivered to Village residents and storeowners. 175 surveys were returned to the Village Hall within a week after the December 18th deadline.

Residents and storeowners received a survey with a brief cover letter. The hand delivering process was meant to encourage a high response to the survey. Ideally the resident would be home to accept the survey and have any questions answered. Encounters were kept brief due to time limitations. If the resident was not home then the survey was left in a conspicuous place near any visibly used entrance. Some homes had no visibly used entrance or safe place to leave a survey. For that reason, not every home in the Village received a survey.

A postage paid envelope was included to encourage a higher response than the 1997 survey. Residents could either send the completed survey right back to the Village Hall

or drop if off themselves. While mail service could have been avoided altogether, this was less expensive than sending surveys out with a return envelope.

This profile assumes the most popular responses in all categories to create an image of the average resident. On average a village resident has lived here for 30 years on property that they own. The range was from 0 to 90 years of residence. People who live in the village normally don't own a business, but if they do, then they own the property. The average Village resident works in the Village and their income falls between \$29,501 and \$50,000. While the survey sample was small it does reflect Cattaraugus County records. From the Cattaraugus County 2000 self-portrait, Gowanda's median income was \$29,565. The Cattaraugus County self-portrait is an in depth summary of census data from the 2000 census.

The profile is also a good tool for comparison. Some things have not changed between the 1997 and this 2006 survey. Residents are still interested in having more shopping choices. A great desire for more grocery choices was expressed specifically in the new survey. The need for housing supply hasn't budged. Residents were unsure of the need for new housing and disagreed with more apartment supply in the last survey. On the current survey residents expressed that the Village isn't crowded and there is adequate apartment availability.

Demand for the Hollywood theater has increased since the last survey. This is evident in the higher percentage of responses from a similar question. The importance of industry is also clear in the new survey compared to the 1997 response.

This profile was put together using all returned surveys from residents and businesses. If a separate profile were done for businesses in the village, it would be very similar to the village profile. The biggest difference between business owner and resident profiles is the average number of years in the Village. Most residents have been around for 30 years and most business owners have been around for 24 years.

One set of data that the survey did not collect was actual age of residents. However, the Cattaraugus County self-portrait gathered this information for the 2000 census.

It seems that Village residents have a disloyalty to local business. The variety and lower prices of commodities that people want are found outside of Gowanda. While the stores in the Village cater to most every need, people still want bargains over convenience. It is very clear that housing is not an issue. Everyone has plenty of elbowroom and nobody lives on an empty block. The need for a community center rises above most other things. Many comments were made about the need for a place where kids can be active. Public transportation is not a major issue in the village. Even though the profile respondent makes between \$29,501-\$50,000, income in the village is much more diverse than that. The spread of income is actually evenly divided between the three answer choices. People seem to want a stable environment in which to live and play."

Mr. Cocca advised that this survey can lead to possibly more analysis but also working with the Erie County and Cattaraugus County Planning Boards.

Mr. Torrance advised that residents are interested in hearing the results. He suggested that perhaps a Planning Board corner could be published in the Pennysaver. Perhaps this will lead to some changes to the Master Plan. There was discussion about the Hollywood Theater relative to an accounting of the fund raising. There was discussion about

analysis of the results weighting for things such as age, income, length of time in the Village, etc.

Mr. Cocca stated that most people were aware of Peter Cooper but didn't know much about it. He suggested that community education might be necessary. Another comment that was of some concern was truck traffic, especially on Buffalo and Jamestown Streets. Mr. Torrance advised that it is necessary to focus on the most important issues to deal with those that can be changed. Mr. Cocca will supply an electronic copy to Treasurer Schilling for publication on the website. Everyone thanked Mr. Cocca for the good job he did on the survey.

POLICE

Village Clerk Mohawk gave Officer-in-Charge Alessi's January police report: "148 reportable calls; 15 arrests, 14 traffic tickets issued; 3 violent domestics; 8 motor vehicle accidents.

The Cattaraugus County Sheriff's Department installed a new live scan fingerprint system in our booking room with a mounted digital camera.

This system will eliminate paper printcards with the prints automatically sent to Albany over the internet with a response time feedback in 15 minutes or less.

We would like to thank Sheriff Dennis John, Captain Joe Grube and Cindy Lauer for securing this instrument for our department as this system cost \$17,000 dollars and was funded through a state grant with two other Cattaraugus County Departments (Olean and Salamanca) getting this system.

I am requesting permission to accept bids for a new or newer K-9 truck. Funding for the K-9 truck will be paid for by a \$20,000 dollar grant from Senator Young's office.

Requesting funding (not to exceed \$1,000 dollars) for a new floor, paint and countertop with a base for our booking room. The work will be completed by the Gowanda Police officers."

Motion 247-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to authorize Officer-in-Charge Alessi to solicit bids for a new K-9 truck. Motion carried 5-0.

Treasurer Schilling advised there is not enough money left in the building budget for the booking room floor. It will be necessary to amend the budget to pay for it.

Motion 248-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to amend the budget by \$1,000 to allow for the repair of the booking room floor. Motion carried 5-0.

JOINT ACTIVITY

Trustee Nephew reported that the ski program is going well. The roller skating program is going well with a good sound system. The program runs through April.

Trustee Nephew advised that she will look into designated walking routes in the community.

FIRE

Trustee DeCarlo advised the fire department has had 22 calls so far this year. He thanked the residents who have been shoveling out the fire hydrants near their homes.

TREASURER

Treasurer Schilling advised that the closing documents on the New York State grant for the play structure were submitted.

Treasurer Schilling advised that the insurance renewals have come in. Because of the lack of claims, the Village premiums have been reduced by \$2500. Treasurer Schilling will be scheduling a work session with the insurance company and Village Attorney Chadsey indicated she would like to be present. It will be important with the Peter Cooper negotiations.

PUBLIC WORKS

Trustee Sheibley requested authorization to award the bids for chlorine and ferric chloride.

Motion 249-06. Motion by Trustee Certis, seconded by Trustee DeCarlo to award the bid for ferric chloride to PVS Technology at \$464 per ton. Motion carried 5-0.

Motion 250-06. Motion by Trustee Sheibley, seconded by Trustee Certis to award the chlorine bid to Jones Chemical for \$750 per ton. Motion carried 5-0.

Trustee Sheibley advised that the garbage bids are out.

Public Works Superintendent Hutchinson indicated that the DOT will be doing some bridge work this summer on Route 62 and detouring traffic through the Village. This could have an impact on the Village street closing permit request for summer events.

Public Works Superintendent Hutchinson indicated that Village Engineer Burr has the bid specifications ready to go to bid for the Frederick Street storm drainage project. He requested that the bids be scheduled for Friday, March 23rd, at 2:00 p.m.

Motion 251-06. Motion by Trustee Nephew, seconded by Trustee Certis to authorize the bid date of March 23rd for the Frederick Street storm drainage project. Motion carried 4-0.

Trustee Sheibley reported on the hospital public meeting which was held last Thursday at the Moose Club. It was well attended by both residents and officials. As a follow-up to the meeting, Trustee Sheibley called the Governor's office and suggested that perhaps the Governor come out and visit this portion of New York State. The Governor's aide

suggested that the Village send a letter to the Governor expressing the concerns, wants and needs of the community and invite him to come to visit. Village Attorney Chadsey advised that the legislators are the ones to lobby. She advised that officials from communities need to lobby together for the Western New York Contingent. Trustee Certis agreed that the Governor should be invited. Trustee Nephew advised that the Seneca Nation met yesterday and could be a major factor in this. Letters of support from USET and the BIA had been sent. She advised that Bruno and Silver need to be lobbied. Village Attorney Chadsey advised that she does not feel that any of the legal challenges will be upheld.

Trustee Sheibley requested Village Clerk Mohawk send a letter of thanks to the American Legion and the Moose for agreeing to host the meeting and actually hosting the meeting.

PLANNING

Jack Torrance was present on behalf of the Planning Board. He reported: “Dennis Stopen proposed that 2 of the 4 hours required Planning Board Member training for this year be satisfied by the members attending the 2 hour training session scheduled February 27, 2007 by Southern Tier West. After discussion it was also agreed to fulfill the remaining 2 hour requirements by completing the Certification Program “Land Use Training” of the New York Municipal Insurance Reciprocal as recommended by the New York State Planning Federation.”

Mr. Torrance advised that this training involves passing five separate courses. This certification program is free.

Motion 252-06. Motion by Trustee DeCarlo, seconded by Trustee Nephew to approve the proposed training program presented by Planning Board members Dennis Stopen and Jack Torrance. Motion carried 5-0.

Village Attorney Chadsey presented the revised Chapter 31, Article I, Subdivision Regulations, Chapter 31, Article II, Site Plan Review Procedures, and Chapter 31-A, Landscape Regulations. She advised that the Village Board members make sure they review them as they are not insignificant modifications. She advised that the Board members put it on the agenda for approval at the next Board meeting. She strongly emphasized that it should be reviewed as there are very specific requirements in the landscape local law. Mr. Torrance advised that he received a call today from an architect regarding Academy Place asking about what site plan review is required. Trustee Certis stated that the Planning Board has been working on this for quite some time. Trustee Nephew advised that much of the landscape information came from the Tree Local Law. Trustee DeCarlo stated that he was not comfortable with passing it since he has not reviewed all the changes that were made. Mr. Torrance indicated that this law has been presented to the Village Board several times. Village Attorney Chadsey indicated that Chapter 31-A04 does provide a modification provision. It allows some discretion in applying these provisions. The Planning Board is a recommending body; the Village board is the decision making body.

Village Clerk Mohawk asked if the law has been changed since the last meeting. The Village Board members should have 10 days to review the law prior to its adoption. Village Attorney Chadsey advised that the wording changes to the Site Plan Review provisions were made with the suggestions of the Village Board so the 10 day review has been done. If the Landscape provisions are as Mr. Torrance indicates with no changes from their first submittal, then more that 10 days have elapsed and the Board members have had sufficient time to review them.

Motion 253-06. Motion by Trustee Nephew, seconded by Trustee Certis to adopt Chapter 31, Article 2, Site Plan Review and Chapter 31-A, Landscape Regulations. Motion carried 5-0.

ADMINISTRATION

Village Clerk Mohawk reported that as a member of the Erie County CDBG Urban County Consortium, it is necessary to appoint an Affirmative Action Officer.

Motion 254-06. Motion by Trustee Nephew, seconded by Trustee DeCarlo to appoint Village Clerk Mohawk Affirmative Action Officer. Motion carried 5-0.

Village Clerk Mohawk requested authorization to dispose of some broken office equipment: a calculator and 2 printers.

Motion 255-06. Motion by Trustee Certis, seconded by Trustee DeCarlo to authorize destruction of the broken office equipment. Motion carried 5-0.

Village Clerk Mohawk reported on requests for weddings at Chang-Hu Park: one for May 12th and one for July 14th.

Village Clerk Mohawk presented a copy of the event application for the Pioneer Days Festival on May 17th, May 18th, May 19th, and May 20th.

Village Clerk Mohawk requested authorization to publish the advertisement seeking a replacement for Louise.

Motion 256-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to authorize the placement of an advertisement seeking a replacement for Louise. Motion carried 5-0.

Village Clerk Mohawk read a Proclamation for the American legion Birthday:
“WHEREAS, The American Legion was formed in 1919, shortly after the termination of World Ward I hostilities; and
WHEREAS, The American Legion is an organization of wartime veterans united by a common bond of continued service to God and country; and

WHEREAS, The American Legion will observe the 88th anniversary of its founding as part of an organization comprised of nearly 3 million men and women who have served their country with honor during one of the wars since the 20th century; and

WHEREAS, By giving meaningful service in conjunction with the theme “Still Serving America”, Legionnaires have made significant contributions to American thoughts and deed; and

WHEREAS, Endeavors of The American Legion, which strengthen our freedom and perpetuate our free institutions, characterize this gigantic fraternity of service as one of the great bulwarks of the American way of life; and

WHEREAS, The American Legion has achieved its position of high esteem through program of service to community, state and nation; and

WHEREAS, American Legion Post 409 has provided such programs in our community and they have become an integral part of Gowanda, New York, and American Legion Post 409 will celebrate with a birthday dinner Saturday, March 17th for its members and their guests; now

THEREFORE

I, Richard Klancer, Mayor of Gowanda do hereby proclaim the week of March 11th – 17th 2007, as American Legion Week, and do call upon all citizens, companies and organizations to join with me in commending the good works of this organization, especially American Legion Post 409, as an expression of appreciation for the wartime and peacetime services of our Legionnaires. They are truly “Still Serving America.””

Motion 257-06. Motion by Trustee Certis, seconded by Trustee DeCarlo to issue this proclamation on behalf of the American Legion. Motion carried 5-0.

Village Clerk Mohawk requested authorization for the Mayor to sign a support letter for Healthy Community Alliance as follows:

“This letter is a notification to you that the Village of Gowanda has received an amount of \$150,000 from the Erie County Community Development Block Grant funding program. It is the intention of the Village to pass this money on to Healthy Community Alliance for use on the Academy Place project.”

Motion 258-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to authorize the Mayor to sign the support letter for Healthy Community Alliance. Motion carried 5-0.

Village Attorney Chadsey advised that she has been working with the attorney for the school. They need a separate survey for the creek walk so that a property description can be drawn. Public Works Superintendent Hutchinson indicated that it was already done, including the subdivision with the parking lot. Village Attorney Chadsey suggested that the Town of Persia give the Village an easement for the creek walk. Trustee Sheibley asked what the benefit is to the Village of owning that parking lot. She feels it puts the Village at a liability. Trustee Sheibley asked who would be responsible for maintaining it. If the Village wants the parking lot, they have the first shot at it. Otherwise, it will transfer to the Town of Persia. Village Attorney Chadsey advised that with the right agreement with the developer there should be no worry about liability. She advised that there is no guarantee the Village will get ownership of the parking lot.

Village Clerk Mohawk reported on funds received: \$54.18 from AT&t Communications for gross receipts tax; \$3.23 from 1-800-Reconex for gross receipts tax; \$41,550.95 from Cattaraugus County for 4th quarter sales tax; \$22,400.00 from Erie County for the street lighting project; \$17.46 from 1-800-Reconex for gross receipts tax; and \$17,715.39 for amended 2006 quarterly utility tax payments from NYSEG.

Village Clerk Mohawk reported on a complaint about the tree at the corner of Buffalo Street and Allen Street. It is causing a hazard for visibility. The tree is on the Bylbie property. Trustee DeCarlo suggested that the street should be made one way to alleviate the problem.

ENVIRONMENT

Trustee Nephew reported that she had an opportunity to take the NFTA bus trip to Hamburg. It cost \$2.25, \$3.50 for an all day pass. Senior citizens are charged less than that. Dennis Stopen suggested that an article should be written in the Pennysaver advising people where they can ride and how much it costs.

Motion 259-06. Motion by Trustee Certis, seconded by Trustee Nephew to go into Executive session at 8:16 p.m. Motion carried 5-0.

Motion 260-06. Motion by Trustee Certis, seconded by Trustee DeCarlo to come out of Executive session at 9:30 p.m. Motion carried 5-0.

Motion 261-06. Motion by Trustee Nephew, seconded by Trustee Sheibley to adjourn the Village Board meeting at 9:30 p.m. Motion carried 5-0.

The next Village of Gowanda Board meeting is March 13, 2007.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk