

**VILLAGE BOARD MEETING
JANUARY 9, 2007**

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Richard Klancer at 7:00 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, Village Attorney Deborah Chadsey

Media Present: Tim Latshaw, Observer
Mary Pankow, Gowanda Pennysaver
Phil Palen, Cable Channel 22

Trustee DeCarlo asked for a moment of silence for Trustee Sheibley's brother who passed away two weeks ago and Sgt. Jason Dunford from Cattaraugus who passed away in Iraq.

Motion 218-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to approve the minutes of the December 12, 2006 Village Board as presented. Motion carried 5-0.

Motion 217-06. Motion by Trustee Certis, seconded by Trustee Nephew to approve Abstract #8 dated January 9, 20007 on all funds as follows:

General Fund	\$84,598.42
Water Fund	\$22,609.99
Sewer Fund	\$38,321.76
Capital Fund HP19	1,174.05
Capital Fund HP 22	104.13
Joint Activity	\$ 728.70
Total	147,537.05

Motion carried 5-0.

PUBLIC PARTICIPATION

Jack Torrance reported that Public Works Superintendent Hutchinson inquired what the Planning Board did with respect to the Center Street School support. Mr. Torrance indicated that on June 13, 2005, the following was recorded in the minutes: "The property known as the Center Street School is presently spot zoned B-1, per Gowanda Zoning code. The surrounding area is zoned either R-2 or R-3. The Gowanda Planning Board strongly endorses the issuance of a Special Use Permit for the property known as

Center Street School to the Healthy Community Alliance Inc. for a) a portion of the property for senior apartments, b) a portion of the property for educational space, and c) a portion of the property for several uses listed in the Section of the Gowanda Zoning Code portion of the Municipal Code Book, permitted uses in a B-1 zone. The endorsement is contingent upon the successful transition of title from the Gowanda Central Schools to the town of Persia and subsequently to Healthy Community Alliance, Inc.”

Public Works Superintendent Hutchinson advised that another application is being submitted and another letter of support from the Village indicating the project is consistent with the Master Plan would be helpful.

Motion 218-06. Motion by Trustee DeCarlo, seconded by Trustee Sheibley to authorize the Mayor to sign a letter of support for Healthy Community Alliance for Academy Place. Motion carried 5-0.

Jack Torrace gave the Planning Board report.

“On Monday, January 8, the Planning Board met. The main topics were a) the status of the Landscape Article, b) the update on the survey results by Vincent Cocca, c) Planning Board 2007 budget request and d) Planning Board training requirements.

- a) Since no action was taken by the Village Board at the December Village Board meeting with respect to the Planning Board proposal regarding Article VII Site Plan Review and Article VIII Landscape Requirements of Chapter 30 Zoning, it was moved by Dennis Stopen, seconded by Randy Wing, and passed unanimously to request that the Village Board schedule a work session with the Planning Board in an effort to get these two proposed Articles enacted.
- b) Vincent Cocca reported that 181 of the 500 Master Plan survey forms were returned. A preliminary review of the data was presented. [The average time of residence was 30 years, 82% of the people were retired and 79% owned their homes.] After discussion it was agreed based upon Vincent’s availability that he will make a presentation of results to the Village Board at the February Village Board meeting. He has to complete the comparison of survey results against the present Master Plan articles.
- c) Dennis Stopen agreed to head a subcommittee to analyze Planning Board training needs and make recommendations for this coming year. He indicated that he would be taking advantage of the offer of assistance made by the Cattaraugus County Planning Department representative.
- d) Marilyn Utley agreed to head the subcommittee to put together a tentative budget for the Planning Board for the 2007-2008 year.

The next Planning Board meeting is scheduled for February 12, 2007 at 7:00 p.m.”

Village Attorney Chadsey advised that she had revisions to the municipal code that the Planning Board submitted. She feels the code change is to Chapter 31, not Chapter 30. The Village has a Subdivision of Land Local Law. Chapter 1 is the appropriate place to have Subdivision of Land and Site Plan review rather than under Zoning. Village Attorney Chadsey indicated that some of the provisions proposed are inconsistent with

Village Law and need to be reviewed. The tentative date set for a work session with the Village Board and the Planning Board is Tuesday, January 30th, at 6:00 p.m.

BUILDING/BUSINESS PERMITS

Village Clerk Mohawk presented Building Inspector Bowers 2006 report: 20 permits in Erie County, 59 permits in Cattaraugus County, 1 permit was denied, 1 is still pending more information, 6 fire and safety inspections.

Village Clerk Mohawk advised that a business permit has been submitted for 2 South Water Street for relocation of the Chinese Restaurant. It can be acted on at the next meeting. Village Clerk Mohawk also advised that another business permit was submitted by the new owner of Bella Bodyworks. She advised that she will follow up with Building Inspector Bowers regarding whether a new permit was needed.

POLICE

Village Clerk Mohawk gave Officer-in-Charge Alessi's 2006 yearly report: "1975 reportable calls; 266 arrests; 547 traffic tickets issued; 67 violent domestics; 63 motor vehicle accidents; 72 911 hang-ups; 87 burglar alarms; 92 harassment complaints; 27 fight assaults; 16 missing person complaints; 92 larceny reports; 16 DWI arrests; 102 criminal mischief; and 20 juvenile arrests."

JOINT ACTIVITY

Trustee Nephew reported that the first weekend for the ski program should be this coming weekend.

Trustee DeCarlo asked if any meetings have been held with the Recreation Commission. She advised it would be after the first of the year.

Trustee Nephew advised that the Village of Gowanda will receive \$2,523 from the Cattaraugus County Youth Bureau for the 2007 recreation program. She indicated that she was concerned about having to use it for the summer program and that no charges could be levied. Trustee Sheibley indicated the funds can be used for any portion of the program budget. Trustee Sheibley indicated there were some unallocated funds and after she made a presentation on behalf of the Village, more funds were allocated to Gowanda. She requested a letter be sent to Anthony Evans and Aimee Kilby and the other members of the Youth Board thanking them for the additional funding. Trustee Certis thanked Trustee Sheibley for getting the extra funding.

FIRE

Trustee DeCarlo advised the fire department has had 3 calls to date this year, one in Zoar Valley yesterday.

Trustee DeCarlo advised the fire company is holding a spaghetti dinner on Wednesday, January 17th, at the American Legion at 4:00 p.m.

Trustee DeCarlo indicated the fire company is still working on the funding for the new building.

TREASURER

Village Clerk Mohawk reminded the Village Board that they should be working on the Workplace Violence policy.

PUBLIC WORKS

Trustee Sheibley requested authorization to bid chlorine and ferric chloride. Public Works Superintendent Hutchinson indicated this is put out for bid each year.

Motion 219-06. Motion by Trustee Sheibley, seconded by Trustee DeCarlo to go out to bid for chlorine and ferric chloride. Motion carried 5-0.

Public Works Superintendent Hutchinson indicated it is necessary to have a single audit for the parks grant and he recommended using the current accountants.

Motion 220-06. Motion by Trustee Certis, seconded by Trustee Nephew to hire Drescher & Malecki to do a single audit of the parks grant. Motion carried 5-0.

Trustee Sheibley requested approval to open the bid process for the garbage contract which expires May of 2007.

Motion 221-06. Motion by Trustee DeCarlo, seconded by Trustee Sheibley to open the bid process for the garbage contract which expires May Of 2007. Motion carried 5-0.

Trustee Sheibley reported that the North Water Street system improvement project is completed. Once the lines are disinfected and approved by the Health Department, the services to the line will be connected.

Public Works Superintendent Hutchinson stated that there have been concerns about the inadequate lighting in the West Main Street parking lot. He indicated that he would like to put a light on the pole that belongs to the firemen. NYSEG has agreed to let the Village put a light fixture on that pole. Trustee DeCarlo will follow up with the fire company to make sure this is okay with them.

Trustee Sheibley reported that the lights, poles and bases are installed for the Creekside lighting project.

Trustee Sheibley reported on the instrumentation temperature control project at the compost facility. She was given a tour by Andy Carriero. There are 24 probes with a computer screen for the temperatures. Every three minutes the temperatures are recorded. She thanked Mr. Carriero for the tour.

Trustee Sheibley indicated that she received a letter from Assemblywomen Mary Lou Rath and Senator Quinn and a letter of support from the Town of Cherry Creek regarding retaining services at Tri-County Hospital. She indicated that January 29th at the American Legion will be a meeting for the community and surrounding communities for information on the TLC situation.

Village Clerk Mohawk indicated that a poster was hung in the front office regarding a letter-writing campaign on behalf of the hospital. Sample letters are available in the office.

Trustee DeCarlo indicated he also received a letter from Senator Young.

Trustee Sheibley reported that she received a memo from Public Works Superintendent Hutchinson thanking the women in the office for their efforts in getting the water bills out on time.

Trustee DeCarlo asked if any regionalism grants were ever pursued. Public Works Superintendent Hutchinson indicated that there are many regionalism initiatives going on with the Village but no grants were ever obtained. He feels many opportunities exist, especially with the Town of Persia.

Trustee Sheibley stated that many articles have been written recently about Time Warner Cable removing certain channels. She indicated that local channels are not supposed to be touched according to our contract. Village Attorney Chadsey advised that if the Village believes certain sections of the contract are being breached, the Village can complain to Time Warner Cable.

Motion 222-06. Motion by Trustee Certis, seconded by Trustee DeCarlo to authorize the Mayor to sign the Shared Services Agreement with the County of Cattaraugus. Motion carried 5-0.

ADMINISTRATION

Village Clerk Mohawk reported that the training for the Planning and Zoning Board members was discussed at the Planning Board meeting last night. More discussion will take place with Cattaraugus County before a resolution is adopted indicating what training will be done and by what method.

Village Clerk Mohawk reported a letter was received from Gowanda Central School: "On December 6, 2006 the Gowanda Board of Education passed a resolution to place a referendum before the voting public. The referendum seeks approval of a \$1,900,000

capital improvement project for the purpose of constructing a 9-bay bus garage on Panther Drive.

The public referendum is scheduled for February 6, 2007. The public hearing is scheduled for January 30, 2007.”

Superintendent Rinaldi advised that he would come speak to the Village Board about the project if they desire. Village Clerk will invite Superintendent Rinaldi to come to the next Village Board meeting.

Village Clerk Mohawk advised the January Rabies Clinic for dogs, cats and ferrets will be held Saturday, January 13th, in Little Valley at the County DPW Garage on Route 242 from 9:00 a.m. until noon.

Village Clerk Mohawk advised there will be a Computers and Textiles Recycling Day on Saturday, January 13th, from 9:00 a.m. until 1:00 p.m. at the Buffalo Zoo to recycle computers, electronic items, clothes and textiles.

Village Clerk Mohawk advised that the Gowanda Area Chamber of Commerce requested an advertisement in the Spirit of Gowanda Awards brochure.

Motion 223-06. Motion by Trustee Certis, seconded by Trustee Nephew to place an advertisement the same as last year. Motion carried 5-0.

Village Clerk Mohawk requested a resolution stating the polling place and the hours the polls will be open.

Motion 224-06. Motion by Trustee DeCarlo, seconded by Trustee Certis to adopt a resolution stating that the polling place will be the Gowanda Municipal Hall and the hours the polls will be open are from 12:00 noon until 9:00 p.m. Motion carried 5-0.

Village Clerk Mohawk reported on funds received: \$70.73 from PAETEC Communications for gross receipts tax; \$3.23 from 1-800-Reconex for gross receipts tax; \$14.56 from IDT Corporation for gross receipts tax; \$5,022.98 from National Fuel for return of utility tax; and \$10,000.00 from the State of New York which is the member item for the play structure.

Village Clerk Mohawk read :

“I have enclosed a check in the amount of \$21.60 for the commission on the drink machine located at St. John’s Park. There were several factors why this number is low. First, I didn’t get the machine placed at the park until the middle of August. Second, the compressor broke on the machine in September and will be fixed this spring. Third, the dollar bill validator broke and will also be fixed in the spring. Since it was so late in the year, I didn’t feel it was necessary to invest in the repairs until the spring. Once the machine is back in working order, I anticipate the sales will do well with a whole year to draw upon. Thank you for the opportunity to be a service to the community. Sincerely, Mark McHale”

Village Clerk Mohawk reported on more funds received: \$2,357.75 from Erie County for the 2005 STOP-DWI program; \$1,000 from Dr. Hu for another donation to Chang-Hu Park, \$7.51 from Trinsic Communications for gross receipts tax; \$10,998.96 CHIPS money for the drainage project; \$17.77 from 1-800-Reconex for gross receipts tax; \$2,880.16 from Erie County for mortgage tax; \$128.91 from MCI for gross receipts tax; \$56.81 from AT&T for gross receipts tax; \$2,921.59 from NYSEG for return of utility tax; \$34,604.01 from Erie County for 4 ¾% sales tax for October, November and December; and \$2.47 from Trinsic Communications for gross receipts tax.

ENVIRONMENT

Trustee Nephew advised that Dennis Crouse has painted the picnic tables at Chang-Hu Park every year for 5 years. She requested approval to use the \$1,000 donated from Dr. Hu to purchase 2 new picnic tables for the park.

Trustee Nephew advised that NFTA has changed their schedule. She feels it is important to keep residents advised of the schedule so the service will be utilized. Village Attorney Chadsey advised the new schedule is on-line.

Trustee DeCarlo presented some information on Veterans' Memorial Park and suggested that some sort of dedication should be made to the veterans in the community.

Motion 225-05. Motion by Trustee Certis, seconded by Trustee DeCarlo to go into Executive session to discuss personnel and contractual issues at 8:05 p.m. Motion carried 5-0.

Motion 226-06. Motion by Trustee Certis, seconded by Trustee DeCarlo to come out of Executive session at 8:35 p.m. Motion carried 5-0.

Motion 227-06. Motion by Trustee Certis, seconded by Trustee Nephew to advertise for and hire a part-time employee for the Village office. Motion carried 5-0.

Motion 228-06. Motion by Trustee Certis, seconded by Trustee Sheibley to adjourn the Village Board meeting at 8:35 p.m. Motion carried 5-0.

The next Village of Gowanda Board meeting is January 23, 2007.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk