

**VILLAGE BOARD MEETING
MAY 22, 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, Treasurer Cindy Schilling, Officer-in-Charge Joe Alessi

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

Public Present: Jack Torrance

Motion 45-07. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve the minutes of the May 8, 2007 Village Board meeting as presented. Motion carried 5-0.

PUBLIC PARTICIPATION

Jack Torrance gave the Planning Board report:

“On Monday, May 14, at the regularly scheduled meeting of the Planning Board spent time fulfilling training requirements by studying the ‘Special Use Permits & Permit Conditions’ as prepared by the New York Municipal Insurance Reciprocal. There will be a quiz that each Board member needs to complete to receive training credit.

Several initial census graphics prepared by Chris Crawford, Cattaraugus Planning and Tourism, are attached to the May 14th minutes. The graphics will be used at the next Planning Board workshop. The topic for that workshop is “How Gowanda is perceived by the survey respondents.”

Comments are requested from the Village Board concerning examples of the forms to a) request a Special Use Permit; and b) request a zoning change.

The next scheduled Planning Board meetings are set for June 4, 2007 a workshop to continue work on the survey starting at 6:30 and June 11, 2007, a regularly scheduled meeting starting at 7:00 p.m.”

Mr. Torrance thanked the highway department for the assistance provided with tree planting on May 2nd. Twenty-two trees were planted throughout the Village. They also assisted the school with planting 5 memorial trees on school property.

Phil Palen presented some pictures of an overlook on Chautauqua Lake for the Board members' review in terms of how the Cattaraugus Creek scenic overlook might be finished up.

BUILDING/BUSINESS PERMITS

Village Clerk Mohawk advised that she requested an Animal Control Report from Mary Dankert but did not receive one. Treasurer Schilling suggested that a written request might be in order. Village Clerk Mohawk advised that Ms. Dankert stated that the article in the paper indicated that residents would have to pay for the service so no one called. Village Clerk Mohawk also advised that Animal Control Officer Dankert's telephone was out of service for a few days. Treasurer Schilling indicated that the Village Board never officially appointed Mary Dankert as the Animal Control Officer at the organizational meeting.

Motion 46-07. Motion by Trustee DeCarlo, seconded by Trustee Nephew to appoint Mary Dankert as Animal Control Officer for the Village of Gowanda, to be confirmed with a letter to her regarding her duties as such. Motion carried 5-0.

Jack Torrance asked about the Animal Control Local Law and whether there were any other things the Village Board would like included. Trustee Nephew indicated that perhaps a nuisance law would serve the purpose better. Mr. Torrance advised there is currently a nuisance law in the Municipal Code but it is rather loose; it only deals with dogs. Mr. Torrance advised that the Planning Board will rewrite the Animal Control Local Law to include a nuisance section.

Village Clerk Mohawk received a request from the Gowanda Lions Club for a carnation sale on June 8th in the Village.

Motion 47-07. Motion by Trustee DeCarlo, seconded by Trustee Certis to approve the carnation sale for the Gowanda Lions Club on June 8th. Motion carried 5-0.

Village Clerk Mohawk advised that Building Inspector/Code Enforcement Officer has completed about 17 inspections out of a total of 39 so he has been busy with paperwork and reports. He has also issued about 24 permits for a total of \$1,851.

Village Clerk Mohawk advised that a request was received from Tri-County TLC Hospital Auxiliary for Tag Day on June 1st.

Motion 48-07. Motion by Trustee Sheibley, seconded by Trustee DeCarlo to approve the request of Tri-County TLC Hospital Auxiliary for Tag Day on June 1st. Motion carried 5-0.

POLICE

Officer-in-Charge Alessi gave his report:

“The Gowanda Police will be holding our bike rodeo on June 9th, 2007 at the St. Joe’s parking lot from 10 AM to noon.

The age groups are 5 yrs and under, 6 to 10 yrs. and 11 to 14 yrs.

We will have free helmets and 2 new bikes to raffle off which were gratefully donated by Mr. Jim Fort.

This event is open to Gowanda Central School District and St. Joe’s students.

We would like to thank Kathy Camp, Jim Penharlow and the Gowanda Fire police for a great job in directing traffic during Pioneer Days.

The Gowanda Police scholarship was awarded to James Maybee who is pursuing a law enforcement degree at Edinboro.”

Officer-in-Charge Alessi reported that he met with Legislator John Mills last week to discuss the problems the Village is facing getting the Erie County higher-ups to recognize that Gowanda is part of Erie County.

Officer-in-Charge Alessi requested approval for the Gowanda Police K-9 car show on July 14th. The event will feature Chiavetta’s car show and vendors who will sell crafts. Treasurer Schilling advised Officer Alessi that the vendors need to have certificates of insurance. Officer-in-Charge Alessi advised that if insurance certificates were necessary, they would have no vendors. Trustee DeCarlo advised that in the past years it was necessary where food was served. Village Clerk Mohawk indicated that insurance certificates have not been requested from the vendors for the Harvest Heritage event. Mayor Klancer indicated he would speak with Village Attorney Chadsey regarding the insurance coverage.

Motion 49-07. Motion by Trustee DeCarlo, seconded by Trustee Sheibley to approve the event application submitted by the Gowanda Police for the K-9 car show on July 14th. Motion carried 5-0.

JOINT ACTIVITY

Trustee Certis reported that the application deadline was May 18th so the committee will be reviewing them. The Recreation Director is working with the school regarding scheduling due to construction at the school.

Trustee Certis reported that Carol Lazar indicated an interest in serving on the Recreation Commission.

Motion 50-07. Motion by Trustee DeCarlo, seconded by Trustee Sheibley to approve the appointment of Carol Lazar to the Gowanda Recreation Commission. Motion carried 5-0.

Trustee Sheibley advised that tomorrow at 2:00 p.m. in Little Valley is a meeting about how to apply and report to the NYS Office of Childcare regarding funding. Village Clerk Mohawk asked the Recreation Director if he would like to attend but he was unable to. Trustee Sheibley indicated she would be attending.

PUBLIC PARTICIPATION

Mr. Lou Freschella from TLC Health Care Center was present for an update on the situation. He stated that they met a number of times with the Department of Health in conjunction with other hospitals in the area and presented a plan which would help to keep all the health care services that are currently provided in the area. He indicated that they are optimistic that the plan will be accepted and there will be improvements in TLC Healthcare.

Mr. Freschella advised that work is being done on the emergency room at Tri-County Hospital. He also advised that next Wednesday is an Open House at Tri-County Hospital emergency room from 12:00 until 4:00 p.m. with a ribbon cutting at 2:00 p.m. He thanked all of the elected officials, including Cathy Young, Joe Giglio, and Jack Quinn, as well as the Village Board, for helping to promote the hospital and improve the emergency department facilities.

Trustee Sheibley thanked Mr. Freschella for taking the time to update the Village Board on the status of Tri-County Memorial Hospital.

FIRE

Trustee DeCarlo advised the fire department has had 64 calls to date this year.

Trustee DeCarlo advised the fire department inspection will be held June 11th at 6:00 on West Main Street.

Trustee DeCarlo advised there will be a child safety seat inspection on June 9th from 10:00 until 2:00 p.m.

Trustee DeCarlo thanked the public for their support of the fire department tent during Pioneer Days.

Trustee DeCarlo advised that he would like to table any action of the letter of resignation from Nick Crassi as Disaster Coordinator until he has time to speak with Mr. Crassi.

Village Attorney Chadsey prepared a Resolution Declaring Property as Surplus, a Resolution Authorizing Transfer of Surplus Property to Gowanda Volunteer Fire Department, subject to Permissive Referendum and a Public Notice. Trustee DeCarlo questioned whether the Village Board should hold off on these resolutions until there is some written notice from the DEC with their approval. Based on the amount of land that the fire company stated they want, the amount of money involved is \$7500. Village Attorney Chadsey advised that since the land will continue to be used for public benefit,

perhaps the cost can be waived. Mayor Klancer questioned if the property is declared surplus, what does it mean if the property comes back to us. Trustee Sheibley questioned if this means that someone else could purchase property that is no longer needed. Trustee DeCarlo advised that a special meeting was being held on May 30th at 6:00 and all Board members were invited to attend.

TREASURER

Village Treasurer Schilling advised that the cost of police coverage for Pioneer Days was \$3280. Trustee Certis asked if this is about average.

Village Treasurer Schilling indicated there is about \$24,000 currently available in the Recreation budget. She has not yet transferred the \$18,000 budgeted in the 2006-2007 fiscal year. Treasurer Schilling suggested transferring \$10,000 instead which allows \$34,000 which is more than enough to cover the program.

Motion 51-07. Motion by Trustee Sheibley, seconded by Trustee Certis to transfer \$10,000 from the general fund to the recreation budget rather than the originally-budgeted amount of \$18,000. Motion carried 5-0.

PUBLIC WORKS

Trustee Sheibley reported that the Hollywood Theater has applied for a \$500,000 grant from New York State Historic Preservation to upgrade the electric and heating systems and requested a letter of support from the Village.

Motion 52-07. Motion by Trustee DeCarlo, seconded by Trustee Certis to authorize the Mayor to send a letter of support for the Hollywood Theater grant application. Motion carried 5-0.

Trustee Sheibley advised that the sidewalk replacement topic was discussed in the work session. Public Works Superintendent Hutchinson requested a reaffirmation of the price at \$2.00 per square foot for reimbursement. There was some discussion about the cost of sidewalk replacement and it was determined that the Village reimbursement rate is close to 50%.

Motion 53-07. Motion by Trustee Sheibley, seconded by Trustee DeCarlo to reaffirm the reimbursement rate at \$2.00 for the sidewalk replacement cost.

Public Works Superintendent Hutchinson presented a change order for the roof repair. Much of the brick on the upper part of the roof will need to be repaired. This is for the brick façade on the facade on the clock tower.

Motion 54-07. Motion by Trustee DeCarlo, seconded by Trustee Certis to approve the contract change order in the amount of \$5,423.00 for masonry repairs to the Village Hall clock tower. Motion carried 5-0.

ADMINISTRATION

Mayor Klancer read the Tax Collectors Warrant:

“TO: Kathleen Mohawk, Village Clerk and Collector of Taxes of the Village of Gowanda, Cattaraugus and Erie Counties, New York

YOU ARE HEREBY COMMANDED to receive and collect from the persons named in the assessment rolls the sums named in the last column thereof opposite their respective names for the 2007-2008 Budget of the Village of Gowanda.

Erie County \$297,174.75

Cattaraugus County \$586,868.62

Total \$884,043.37

You will proceed to collect such taxes and assessment and all interest and penalties payable thereon in the manner provided by law.

Given under my hand and seal of the Village of Gowanda on this 17th day of May, 2007.”

Motion 55-07. Motion by Trustee DeCarlo, seconded by Trustee Certis to authorize the Tax Collectors Warrant. Motion carried 5-0.

Village Clerk Mohawk reported that she is still waiting for the insurance certificate for the Hollywood Happening. Treasurer Schilling suggested that the Board consider approving the event pending receipt of the insurance certificate.

Motion 56-07. Motion by Trustee Nephew, seconded by Trustee Certis to approve the Hollywood Happening for June 1-3, 2007 pending receipt of the insurance certificate renewal. Motion carried 5-0.

Village Clerk Mohawk presented a flyer from Legislator John Mills regarding the Erie County Household Hazardous Waste Drop-Off Day on Saturday, June 16, 2007 from 9:00 a.m. until 2:00 p.m. at Erie Community College, South Campus.

Village Clerk Mohawk reported that Recreation Director Mark Benton requested the use of the board room on June 25th from 9:00 a.m. until 4:30 p.m. for CPR training for the recreation counselors.

Village Clerk Mohawk reported on a request to use St. John’s Park for a baby shower on June 10th. They requested use of the bathroom facilities and advised that they will remove all trash.

Treasurer Schilling asked how this impacts others who wish to use the park on a Sunday afternoon. There was discussion about the use of the bathrooms and the fact that recreation supplies are located in the shelter. Public Works Superintendent Hutchinson indicated that a door could be put on which would secure the kitchen area and the recreation supplies. Public Works Superintendent Hutchinson suggested that the Village get Port-A-Potties in that park. There are a lot of children who use the park every day. Trustee Sheibley commented on the vandals tipping over Port-A-Potties. Public Works

Superintendent Hutchinson stated it is a shame that a few vandals ruin the park for the majority of the residents. Treasurer Schilling agreed that the bathrooms should be open. Public Works Superintendent Hutchinson suggested that police presence on the hour would help deter vandalism. Mr. Torrance asked if the people had requested exclusive use of the park. The Village Board agreed that it would not be possible to offer exclusive use. There was discussion about locking the bathroom at night. Mayor Klancer and Public Works Superintendent Hutchinson will look at the shelter and the bathroom facilities tomorrow to determine what type of arrangements can be made to allow the public use of the facilities. The suggestion was made that the police take the responsibility to open up and lock up the bathroom facilities each day.

Motion 57-07. Motion by Trustee DeCarlo, seconded by Trustee Sheibley to approve the use of St. John's Park for a baby shower on June 10, 2007, with the provision that it is possible to open the bathrooms for use. Motion carried 5-0.

Public Works Superintendent Hutchinson mentioned once again the idea of a pavilion at St. John's Park. He advised that the possibility of supplies, equipment and volunteers could be available since it would be a popular project. Mayor Klancer indicated that a design would be required. Trustee Certis requested an estimate of the project. Public Works Superintendent Hutchinson noted that the Recreation Commission should determine what size pavilion they want and where they want it. There are also parking issues to deal with.

Village Clerk Mohawk reported on funds received: \$3,399.42 from Cattaraugus County for Mortgage tax apportionment from October to March; \$13.28 from IDT Corporation for gross receipts tax; \$46.06 from AT&T Communications for gross receipts tax; and \$25.00 from the Town of Collins for fines.

ENVIRONMENT

Trustee Nephew reported that the barrel planting was done over Memorial Day weekend. She thanked Sue Torrance, Gary Patterson and Carol Ognen for all their assistance.

Trustee Nephew read a letter from the Chamber of Commerce:

“At the last meeting of the Gowanda Area Chamber of Commerce, the Board of Directors voted to purchase a garden shed for Chang Hu Park. The shed would be 8 feet by 8 feet, made of natural wood that we would stain white. It would be placed near the electrical panel on the east side of the gazebo. This would be an unobtrusive spot that would not detract from the beauty of the park. Shelving would be added to the inside and a heavy-duty lock would be provided.

One of its purposes would be to house the grill, table, and other items that are used for selling refreshments during the Music In the Park concerts. This would help the people involved in the refreshment sale greatly as we are currently carrying everything in and out for each concert.

There would also be room for the parks ‘gardeners’ to store such things as rakes, shovels and other small equipment that is used for maintaining the gardens. This would be appreciated by the park volunteers!

The Board’s approval of this proposal at tonight’s meeting would allow the Chamber to order the shed and hopefully have it in place prior to the first Music in the Park Concert on Thursday, June 28th.”

Motion 58-07. Motion by Trustee Nephew, seconded by Trustee DeCarlo to approve the purchase of a garden shed for Chang-Hu Park by the Chamber of Commerce. Motion carried 5-0.

Trustee Certis advised the Village Board that the samples of the forms that the Planning Board requested for special use permits and site plan review have been in the Board packets three times. He suggested that the Planning Board select which one they prefer.

Motion 59-07. Motion by Trustee DeCarlo, seconded by Trustee Certis to adjourn the Village Board meeting at 8:25 p.m. Motion carried 5-0.

The next Village of Gowanda Board meeting is June 12, 2007.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk