

**VILLAGE BOARD MEETING  
AUGUST 10, 2010**

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 Carol Sheibley  
Trustee Heather McKeever  
Trustee John Certis  
Trustee Dale DeCarlo

Village Employees: Public Works Superintendent Mike Hutchinson, Village Clerk Kathy Mohawk, Treasurer Cindy Schilling, Village Attorney Deb Chadsey

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

Public: Robert Black

Trustee Sheibley requested a moment of silence for Joseph Troutman who had been a member of the Recreation Commission in the 1980's.

Motion 109-10. Motion by Trustee DeCarlo, seconded by Trustee Certos to approve the minutes of the July 13, 2010 Village Board meeting as presented. Motion carried 5-0.

Motion 110-10. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve the minutes of the July 26, 2010 Special Village Board meeting as presented. Motion carried 5-0.

Trustee Sheibley asked about the Southern Tier West website maintenance design. Treasurer Schilling indicated that the Village has had a website for awhile.

Motion 111-10. Motion by Trustee Certis, seconded by Trustee DeCarlo to approve Abstract #3 dated August 10, 2010 as revised on all funds as follows:

General Fund	\$ 92,862.08
Water Fund	\$ 10,896.73
Sewer Fund	\$ 22,773.84
UDAG Fund	\$ 462.03
Capital Fund HP17	\$ 972.37
Flood Fund	\$274,657.27
Joint Activity	\$ 924.63
Total	\$403,548.95

Motion carried 5-0.

## **PUBLIC PARTICIPATION**

Phil Palen stated that the Village really stepped up after the last meeting regarding the beautification issues.

Mr. Palen asked if there was a Village ordinance regarding putting signs on the poles. Mayor Klancer asked the press to put an reminder to the residents about the signs and the damage done to the poles when the signs are taken down.

## **POLICE**

Village Clerk Mohawk read the July 2010 police report:

“185 reported calls, 21 arrests, 40 traffic tickets, 7 violent domestics, 2 motor vehicle accidents.

The SRO contract has expired and the school would like to extend the program for the 2010 and 2011 school year. School Superintendent Mr. Rinaldi sent a Memorandum of Understanding for Board approval as no changes have been made from the previous Memorandum of Understanding.

We would like to congratulate Superintendent Mike Hutchinson for the Cattaraugus County Brooks Patterson Community Leadership Award. Gowanda is very fortunate to have Mike on our Village team.”

Treasurer Schilling spoke about the SRO contract. The previous contract allowed for a cost of living increase each year which would allow Officer Alessi to be paid \$52,756. The school decided to go back to \$48,000 and Officer Alessi has agreed to take that amount. It will result in a decrease in the amount Officer Alessi is paid. The increase is not in the new contract because the school does not want to pay it. Mayor Klancer asked if the contract can be approved but allow him the opportunity to speak with the school. Village Attorney Chadsey advised that the agreement can always be modified if both sides agree to the terms.

Motion 112-10. Motion by Trustee McKeever, seconded by Trustee DeCarlo to approve the 2010-2011 Memorandum of Understanding with Gowanda Central School for the School Resource Officer, pending further discussion between the Mayor and the school. Motion carried 5-0.

Village Clerk Mohawk read a letter to Chief Alessi:

“Please accept this letter of resignation. I have been offered a job at a full time agency and will be accepting it. Thank you for the opportunity to have worked for the Village of Gowanda Police Department. Sincerely yours, Joseph R. Oishei, Jr.”

“Please accept Officer Joe Oishei’s resignation from our department as he has been hired full-time with the Amherst Police Department.”

Motion 113-10. Motion by Trustee Certis, seconded by Trustee DeCarlo to accept the resignation of Joseph Oishei, Jr. from the Gowanda Police Department. Motion carried 5-0.

Village Clerk Mohawk will send a letter to Officer Oishei.

“Please accept the hiring of Christy Cooper for police officer. Christy has a Bachelor’s degree in Criminal Justice from Canisius College and is working as a program manager in a home for abused teenagers plus she is fluent in speaking Spanish and Portugese. We have used Christy in the past as a translator for our department along with the Persia Court. We feel she would be a perfect candidate.”

Motion 114-10. Motion by Trustee DeCarlo, seconded by Trustee Certis to approve hiring Christy Cooper as a police officer. Motion carried 5-0.

Village Clerk Mohawk advised that Robert Black submitted a bid for \$25.00 for the Ford Crown Victoria police car on Broadway Road. She advised that Officer-in-Charge Alessi indicated he could scrap the vehicle for more than that.

Village Clerk Mohawk sent a letter to the Cattaraugus County Probation Department advising that the Village Hall will be undergoing renovations so they should look for another location to hold probation meetings.

Village Clerk Mohawk advised that the Village received two \$50.00 checks from the Town of Persia for traffic fines.

Trustee DeCarlo asked if fines from building code violations come to the Village. Village Attorney Chadsey advised that those fees should come to the Village once they are paid.

### **JOINT ACTIVITY**

Trustee Sheibley acknowledged a donation from the Slovenian Club for Gowanda Recreation. Trustee Certis asked that a thank you note be sent to the Slovenian Club.

Trustee Sheibley advised this is the last week for recreation. Thursday is the talent show at 12:30. Awards for the fitness program will be given out at that time. Tomorrow is the last day for swimming.

### **FIRE**

Trustee DeCarlo advised that he spoke with Fire Chief Raiport about the purchase of a washing machine for the fire company. There is concern about what types of blood borne pathogens might be on the clothing. Village Attorney Chadsey indicated there might be some special considerations about how the clothing should be handled and how the discharge water should be handled.

Motion 115-10. Motion by Trustee Certis, seconded by Trustee Sheibley to approve the purchase of a washing machine for the fire company. Motion carried 5-0.

### **TREASURER**

Treasurer Schilling requested a meeting be set up to discuss the bond resolution and whether or not the Village Board wants to pursue bonding for the municipal hall renovations. The meeting was sent for Wednesday, August 18<sup>th</sup>, at 5:30 p.m.

Treasurer Schilling requested authorization to attend the NYCOM fall training. It was budgeted for her to attend.

Motion 116-10. Motion by Trustee Certis, seconded by Trustee McKeever to approve Treasurer Schilling to attend the NYCOM fall training. Motion carried 5-0.

Treasurer Schilling requested permission for the Village Board to cover the registration for Village Attorney Chadsey to attend the NYCOM fall training.

Motion 117-10. Motion by Trustee DeCarlo, seconded by Trustee McKeever to authorize the Village to cover the cost of registration for Village Attorney Chadsey to attend the NYCOM fall training. Motion carried 5-0.

### **PUBLIC WORKS**

Public Works Superintendent Hutchinson presented the Statement of Loss for the Pt. Peter reservoir. It includes the pump house electrical reconstruction and the gate valve house and inlet. Mr. Hutchinson indicated that Jim Casey from SEMO indicated he has about \$138,000 in donated resources for the FEMA A & B projects. All of this comes off the Village 12 ½% share.

Motion 118-10. Motion by Trustee Certis, seconded by Trustee Sheibley to approve the Statement of Loss for the Pt. Peter reservoir in the amount of \$78,660. Motion carried 5-0.

Public Works Superintendent Hutchinson requested authorization to go to bid for the heating and insulation of the DPW building. He provided a summary of expenses and revenues for the new highway barn. There is \$97,615.18 to use for this.

Motion 119-10. Motion by Trustee DeCarlo, seconded by Trustee Certis to authorize Public Works Superintendent Hutchinson to go to bid for the heating and insulation of the DPW building. Motion carried 5-0.

Public Works Superintendent Hutchinson presented Change Order #1 for Manno Construction. He advised that they are working at the reservoir, doing sheet piling on Torrance Place and doing debris removal on Torrance Place and South Chapel. They are

also doing the rip rap at the landfill. It is a credit for \$162,000 for concrete repair which they will not be doing for the dam and spillway. That is not FEMA-funded work and was way over-bid.

Motion 120-10. Motion by Trustee Certis, seconded by Trustee McKeever to approve Change Order #1 for Manno Construction for a credit of \$162,000. Motion carried 5-0.

Public Works Superintendent Hutchinson advised that the Village Board has all of the documents necessary to go to bid for the Village hall renovations. It will provide the Board with the prices but does not necessarily mean the contract will be awarded for the entire project. Treasurer Schilling indicated the bids should state that the contract will not be awarded until the 30 day waiting period and 20 day estoppel period have gone by. The bid cannot be awarded until the Board determines if and how the work will be financed.

Motion 121-10. Motion by Trustee DeCarlo, seconded by Trustee Certis to go to bid for the Village hall renovations. Motion carried 4-1. Trustee Sheibley opposed the motion.

Public Works Superintendent Hutchinson advised that he received two prices for the street sweeper engine but he is waiting on a third. The old engine has blown rings but he will get \$1800 in trade for the engine core. Treasurer Schilling advised that \$99,613 was the total proceeds from the fire which included the building, the truck and the difference with what the insurance company gave the Village for the sweeper and what was actually paid. The proceeds left will pay for the repairs to the sweeper engine.

Public Works Superintendent Hutchinson advised that three bids were received for the highway barn concrete flooring. He recommended the low bid.

Motion 122-10. Motion by Trustee Certis, seconded by Trustee DeCarlo to award the bid for the highway barn concrete floor to Wayne Gravel Products for \$38,900. Motion carried 5-0.

Public Works Superintendent Hutchinson advised there are still 3 contractors working in the Village on flood projects: Torrance Place sheet piling on Thatcher Brook, debris removal from the creek, South Chapel rip rap replacement, and pump house repairs including instrumentation. There is a break in the line from the gate house to the pump house. The gate house is being rebuilt from the water level up. The Allen Springs restoration/removal of the rip rap is being done. The 4-bay construction is underway. Crestwood Drive was paved yesterday. The curbing will increase and improve drainage on the street.

Public Works Superintendent Hutchinson advised that the Village will utilize Matt Smuda with Village work forces/summer help to help reduce his labor costs cleaning the gardens and parks and doing the landscape.

Treasurer Schilling advised that the Beautification Committee was never appointed by the Village Board. Anything done by those individuals is charged to the Chang-Hu Park line. She suggested that the Board may want to validate them as a committee. Public Works Superintendent Hutchinson advised that he is having the summer workers log how much time they spend doing what, where they are working, etc. so he can get a better look at which parks take more time to keep up and maintain. Trustee Sheibley and Trustee McKeever discussed the various volunteer committees and the need for communication to make them all work together toward the same goal. Trustee Sheibley commended all of the volunteer committees for their commitment to the community.

Motion 123-10. Motion by Trustee Certis, seconded by Trustee DeCarlo to authorize the Mayor and Public Works Superintendent Hutchinson to negotiate a price with Matt Smuda to work with the Village to clean up and landscape the parks. Motion carried 5-0.

Public Works Superintendent Hutchinson reported that the Utility Work Agreement from the Department of Transportation indicating that they are responsible for the landscaping, the road, the curbs and the drainage. The Village is responsible for the sewer line, water line and sidewalks. Village Attorney Chadsey advised that Village law states it is the homeowner's responsibility to take care of the sidewalk and the area between the sidewalk and the curb. Public Works Superintendent Hutchinson indicated that the Village specifically did not assume the responsibility for the brick pavers. He will continue to discuss the situation with the DOT.

Public Works Superintendent Hutchinson advised the Village has a map plan and report on the Dayton Road project.

Public Works Superintendent Hutchinson advised that the Section 205 study of Thatcher Brook should be completed and the Village should hear something by January whether the Federal Government will fund it. The Village needs to supply damage estimates to prove our damages. Public Works Superintendent Hutchinson advised that he would like to submit a number of \$20 million in damages. Village Attorney Chadsey suggested that the newspaper run an article requesting residents submit their flood damage costs including how much was reimbursed through insurance. This information is needed by the end of August.

Public Works Superintendent Hutchinson and Treasurer Schilling discussed the idea of private businesses putting banners on the lampposts which the Village owns. The Town of Clarence did it as a fundraiser. There was an application used with a damage waiver. The Town Board did not get involved or regulate it any way. The banners were only temporary. Mayor Klancer advised that the County has donated some "Amish Trail" banners to be put on the poles downtown. Public Works Superintendent Hutchinson asked for direction from the Village Board since the Village owns the poles.

## **ADMINISTRATION**

Village Clerk Mohawk read a letter from the County of Erie:

“Erie County was recently awarded funding through the Federal American Recovery and Reinvestment Act’s Homeless Prevention and Rapid Re-housing Program. As a result, Belmont Housing Resources of WNY along with Neighborhood Legal Services, Crisis Services and Catholic Charities have generously agreed to administer a program for the County called the Erie County Housing/Homelessness Outreach Program.

ECHO provides financial assistance, case management services, and legal advocacy to low-income tenants at risk of homelessness or who are already homeless. Its goal is to stabilize low-income families in their homes or to find new housing for clients through direct financial aid, which may be used to pay such costs as utility/rental arrears, security deposits, and moving expenses. The program benefits landlords and tenants alike by helping to ensure that past and future rent payments are made.”

Village Clerk Mohawk will provide this information in the front office.

Village Clerk Mohawk advised that she was contacted by the Erie County Election Commissioner regarding using the Board room for the upcoming elections. She indicated that the primaries will be okay to use the Board room but not for the November elections.

Village Clerk Mohawk advised that the next Village Board meeting is September 14<sup>th</sup>. She inquired whether the date will be changed or the location. It was decided that the next meeting will be held in the fire hall.

Village Clerk Mohawk read from a letter received from the Cattaraugus County Department of the Aging:

“. . . We have just about reached the one-year mark of the Gowanda flood. We are still dealing with some of the cases and hope to find some resolution eventually. We appreciate all that you did to help us during that time and since. We were able to reach hundreds of senior citizens and assist them. . . .

I am writing regarding a recent change in our services in Gowanda. We moved our Senior Wellness and Nutrition site from the Gowanda Free Methodist Church into the new Academy Place building. The site is up and running and well attended. . . . The site is bright and cheerful, and the hot noon meal and socialization so important to wellness. Please feel free to refer anyone you know that is 60 years of age or older; Age is the only eligibility criteria; . . .

. . . the Village has provided some snow plowing assistance to the county in the past. Is there any possibility that the Village could assist us in plowing the area surrounding the nutrition site . . .”

Public Works Superintendent Hutchinson indicated that the Village plowed the church parking lot previously as part of the shared services agreement with the County. Public Works Superintendent Hutchinson advised that the Village can only plow the part of the lot used for the Meals on Wheels program. He requested Board authorization to at least plow that location.

Motion 124-10. Motion by Trustee Certis, seconded by Trustee McKeever to authorize the Public Works Department to plow the part of the parking lot that serves Meals on Wheels at the new location. Motion carried 5-0.

No written agreement exists between the Town of Persia and the Village relative to what services they will provide for their portion of the PILOT funds. Village Attorney Chadsey will follow up with the Town of Persia attorney.

Village Clerk Mohawk reported on the 2010 Fall rabies clinics for dogs, cats and ferrets sponsored by the Cattaraugus County Health Department. They are scheduled for Tuesday, September 7<sup>th</sup>, at Markhams, Thursday, September 9<sup>th</sup>, in Allegany and Tuesday, September 14<sup>th</sup> in Franklinville at the DPW garages from 4:30 to 7:30 p.m. There is no charge but donations are accepted.

Village Clerk Mohawk reported that the May Treasurer's report has been filed.

Village Clerk Mohawk reported that the AFLAC representative will be in the Village Hall board room at noon tomorrow for anyone who is interested. Pizza will be supplied.

Motion 125-10. Motion by Trustee Sheibley, seconded by Trustee McKeever to go into Executive session at 8:25 p.m. Motion carried 5-0.

Motion 126-10. Motion by Trustee McKeever, seconded by Trustee DeCarlo to come out of Executive Session at 9:05 p.m. Motion carried 5-0.

Motion 127-10. Motion by Trustee DeCarlo, seconded by Trustee Certis to adjourn the Village Board meeting at 9:05 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is September 14, 2010 at 7:00 p.m. at the Gowanda Fire Hall.

Respectfully submitted,

Kathleen V. Mohawk  
Village Clerk