

**VILLAGE BOARD MEETING  
NOVEMBER 9, 2010**

The Village of Gowanda Board of Trustees meeting was called to order by Deputy Mayor Carol Sheibley at 7:00 p.m. in the Gowanda Fire Hall. The pledge of allegiance was recited.

Present: Mayor Richard Klancer (arrived at 7:10 p.m.)  
Deputy Mayor/Trustee Carol Sheibley  
Trustee Heather McKeever  
Trustee John Certis  
Trustee Dale DeCarlo

Village Employees: Village Clerk Kathy Mohawk, Public Works Superintendent Mike Hutchinson

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

Public Present: Irene Koch, Mr. and Mrs. Tom Kielar

Deputy Mayor Sheibley indicated that Mayor Klancer would be late.

Motion 186-10. Motion by Trustee DeCarlo, seconded by Trustee McKeever to approve the minutes of the October 26, 2010 Village Board meeting as presented. Motion carried 4-0.

Motion 187-10. Motion by Trustee Certis, seconded by Trustee McKeever to approve the minutes of the November 3, 2010 Special Village Board meeting as presented. Motion carried 4-0.

Motion 188-10. Motion by Trustee Certis, seconded by Trustee McKeever to approve Abstract #6 dated November 9, 2010 on all funds as follows:

General Fund	\$ 49,744.63
Water Fund	\$ 6,264.56
Sewer Fund	\$ 39,892.49
UDAG Fund	\$ 817.84
Capital Fund	\$ 115.71
Public Works	\$ 721.89
Flood	\$122,294.71
Municipal Building	\$ 8,989.23
Joint Activity	\$ 1,571.86
Total	\$230,412.92

Motion carried 4-0.

**PUBLIC PARTICIPATION**

Irene Koch spoke about the Gowanda Pharmacy closing. She advised that other states require a 30-day notice prior to any closing of a pharmacy. New York State does not require any notification. She has sent letters to the New York State Board of Pharmacy requesting that a regulation be put in place requiring notification when a pharmacy is closing. She also indicated that the sale might not be legal under the anti-trust laws as it would make Rite Aid the only pharmacy within at least a 12 mile radius of the Village. Mrs. Koch indicated that even if this was common practice, it doesn't justify what happened. She sent faxes and e-mails to the Federal Trade Commission Board of Competition, the New York State Attorney General's Office, Department of Justice, New York State Pharmacy Board of Review, U.S. Department of Housing and Human Services. She wants to see an injunction to keep the pharmacy open for 30 days to give people time to get their records and prescriptions taken care of.

Thomas Kielar spoke reported on a street light that is out on the corner of Walnut and Jamestown Streets. He also presented a complaint about a slow response from the 911 services for an incident this afternoon. He indicated that the Village should have a mutual aid system with surrounding communities.

**BUSINESS/BUILDING PERMITS**

Village Clerk Mohawk advised that Building Inspector Brecker issued a building permit to 27 East Main Street for the building renovations. Village Clerk Mohawk also reported that the Village received \$250 from Rite Aid for their additions/renovations.

**POLICE**

Village Clerk Mohawk requested action on some old business. She reported that at the last meeting Officer-in-Charge Alessi was asked to renegotiate with Lexis Nexis for the Accurint for Law Enforcement system. Officer-in-Charge Alessi presented a new quote of \$95 per month plus \$.50 for each real time call.

Motion 189-10. Motion by Trustee DeCarlo, seconded by Trustee Certis to approve the contract with Lexis Nexis for the Gowanda Police Department at \$95 per month plus \$.50 per real time telephone call. Motion carried 5-0.

Village Clerk Mohawk requested action on the new police car. The original quote on the car was \$20,498 but it left out some items like the spot light, the Kevlar lining, radio noise suppression, inoperation kit for the rear doors and roof wiring for the lightbar. This increased the price to \$21,148.24 which is still cheaper than the other two quotes.

Motion 190-10. Motion by Trustee Certis, seconded by Trustee McKeever to accept the increased price of \$21,148.24 for the new police car. Motion carried 5-0.

Village Clerk Mohawk read the October 2010 police report:

“185 reported calls, 42 arrests, 65 tickets issued, 4 violent domestics, and 10 motor vehicle accidents.

Our department would like to thank the Neighborhood Watch for assisting the police department during Halloween.

We have moved to the public works building on Industrial Place on a temporary basis. Anyone that needs assistance please call 532-2020 or 532-3750.

The new price for Lexis Nexis has been submitted to Cindy Schilling.”

Trustee McKeever advised that the next Neighborhood Watch meeting is December 3<sup>rd</sup>.

### **JOINT ACTIVITY**

Trustee Sheibley requested the appointment of Bryan Brawdy to the Gowanda Recreation Commission.

Motion 191-10. Motion by Trustee Sheibley, seconded by Trustee Certis to approve the appointment of Bryan Brawdy to the Gowanda Recreation Commission. Motion carried 5-0.

Trustee Sheibley reported that the Town of Collins voted to approve their share of the license plate reader warranty. The Town of Persia previously did the same.

### **FIRE**

Trustee DeCarlo reported that on Friday, November 19, at 7:00 p.m. the Hidi Fire Company is holding their annual ham and turkey party.

Trustee DeCarlo advised that the Gowanda Fire Company is totally separate from the Gowanda Ambulance. He advised that the ambulance does have a backup plan.

### **DISASTER COORDINATOR**

Village Clerk Mohawk presented a letter from Tri-County Disaster Recovery regarding a meeting on Tuesday, November 16, 2010 to bring emergency preparedness plans together. It will be held at the Perrysburg United Methodist Church at either 4:00 or 7:00 p.m.

### **PUBLIC WORKS**

Public Works Superintendent Hutchinson presented a change order for Manno Construction. Some quantity and work adjustments were made to get the contract back in line with the Board expectations on the local share. It changes their initial contract from \$1,211,711 to \$2,171,999. The Village highway department will be doing \$15,294 in additional force account work to cover the \$14,137 of additional local share costs.

Motion 192-10. Motion by Trustee Certis, seconded by Trustee Sheibley to accept the Manno change order as presented. Motion carried 5-0.

Public Works Superintendent Hutchinson indicated that the Village hall renovations are going well. He thanked Officer-in-Charge Alessi for agreeing to relocate to the public works building for a week to allow the asbestos removal to be completed within a week. The plumbing and electrical work was completed last week. The entrance to the Village hall is complete. A wrought-iron railing will be added.

### **ADMINISTRATION**

Village Clerk Mohawk requested a resolution regarding the offices to be filled in the March 2011 Village election and stating the polling place.

Motion 193-10. Motion by Trustee Certis, seconded by Trustee DeCarlo to adopt a resolution designating the offices to be filled at the 2011 Village election and their associated terms as a Mayor and two trustees for two years each. Motion carried 5-0.

Motion 194-10. Motion by Trustee Certis, seconded by Trustee McKeever to designate the Gowanda Fire department on Aldrich Street as the polling place for the March 2011 Village election. Motion carried 5-0.

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

Village Clerk Mohawk asked if the Water hearing board wanted to have hearings regarding unpaid out of town water bills. Mayor Klancer indicated he would contact Supervisor Merle Harvey of the Town of Collins regarding the creation of a water district for the Town.

Trustee DeCarlo asked about the status of the unpaid UDAG customer. Village Clerk Mohawk advised that she spoke with the company and received one payment this past week. She will continue to follow up and ask Village Attorney Chadsey to intervene.

Trustee McKeever advised of the Christmas Open House on Saturday and Sunday in the Village.

Public Works Superintendent Hutchinson reported that the light on the corner of Walnut and Jamestown Streets was checked by NYSEG. The lamp head needs to be replaced.

Village Clerk Mohawk reported that the documents were received from Munters today. The records clerk started yesterday and doesn't appear to be afraid of the task in front of her. Village Clerk Mohawk advised that the original documents were also returned and should be kept in a separate location from the cleaned and copied ones.

Village Clerk Mohawk asked about upcoming meetings in December. The regular meeting would be December 14<sup>th</sup>. She indicated Trustee Sheibley has a conflict with that

date because that is the same date as the Youth Board meeting. She asked what the Mayor wants to do about meetings in December. Trustee Sheibley indicated that the December meeting is historically the meeting when the allocation of funds takes place and she would like to attend that meeting. It was decided to have the meeting on December 7<sup>th</sup>.

**ENVIRONMENT**

Phil Palen advised that 22 trees were planted last Thursday. There were 6 volunteers and 2 DPW workers. Trustee McKeever advised that Phil Palen has been appointed Chairman of the Tree Committee. The official appointment will take place later.

Motion 195-10. Motion by Trustee Certis, seconded by Trustee DeCarlo to adjourn the Village Board meeting at 7:55 p.m. Motion carried 5-0.

The next Village of Gowanda board meeting is November 23, 2010 at 7:00 p.m.

Respectfully submitted,

Kathleen V. Mohawk  
Village Clerk