

Village of Gowanda  
Board Meeting Minutes  
December 14, 2021

The Village of Gowanda Board of Trustees meeting was called to order by Mayor Smith at 6:00 PM.

Present: Mayor David Smith, Trustee Paul Zimmermann, Trustee Peter Sisti, Trustee Wanda Koch, Trustee Carol Sheibley

Employees Present: Clerk Danielle Wager, Treasurer Traci Hopkins, WWTP Supervisor Andy Carriero, Water Supervisor Kirk Trumppore, OIC Dennis Feldmann, Attorney Deb Chadsey-*left at 7:10pm*, Code Enforcement Gary Brecker-*left at 6:45pm*

Public Present: Don and Theresa Girome, John Girome, Mr. & Mrs. James Sanderson, Robert Dingman, Phil Palen, Christina Lee, Hanna Wenki, Michael Hahn, Brando Willet, Georgia Willet, John Ratka, Dan Willet, Harley Zarnoch, Ryan Abram, Jack Broyles, Tracy West

### **Agenda and Minutes**

**Motion 12-129**-Motion by Trustee Koch, seconded by Trustee Sheibley to approve the agenda for the December 14, 2021 board meeting. Motion carried.

**Motion 12-130**-Motion by Trustee Zimmermann, seconded by Trustee Koch to approve the minutes from the November 9, 2021 board meeting. Motion carried.

***Public Hearing-Opting out of adult use cannabis retail dispensaries and on-site consumption. Opened by Mayor Smith at 6:06 PM***

The Village board needs to rescind the motion to opt out of the Cannabis Dispensaries law act. When it was done in September it was done incorrectly.

**Motion 12-131**-Motion by Trustee Sisti, seconded by Trustee Koch to rescind the prior vote from September, 2021. Motion carried.

### **Public Comment**

John Girome-is against the cannabis, gave reasons why

Theresa Girome-against the cannabis, gave reasons why

Mr. Sanderson-Love Inc.-runs a clean and sober place in the Village-against-gave reasons why.

Bob Dingman-against, gave reasons why

Phil Palen-gave history of marijuana-in favor for cannabis.

Christina Lee-talked about some research she did-gave reasons for in favor of.

Brandon Willet-In favor of-gave reasons why.

Ryan Abram-in favor of-gave reasons why.

Tracey West-works with Veterans-there are reasons why people use cannabis.

Mayor Smith closed public hearing at 6:41 PM.

**Code Enforcement-Gary Brecker**

A business permit application from Brandon Willet was provided to the board for approval for a retail store at 18 Jamestown St.

**Motion 12-132**-Motion by Trustee Koch, seconded by Trustee Sheibley to approve the business permit. Motion carried.

#### **Public Participation**

Jack Broyles-Families have seen problem over drugs and alcohol. He doesn't know enough about it to say if he's in favor of or against cannabis. Merry Christmas to everybody.

Attorney Chadsey asked the board if they would like to approve Dollar General to start operations this week. The board can approve the permit tonight with conditions.

**Motion 12-133**-Motion by Trustee Zimmermann, seconded by Trustee Sisti to approve in advance a business permit for the Dollar General operated by their parent group the Broadway Group conditioned on the appropriate paperwork being filed. Motion carried.

Phil Palen-about half dozen street lights out and gave a tree update.

#### ***Legal-Deb Chadsey***

The board needs to approve to have a special meeting to vote on the opt in or opt out of dispensary and onsite consumption in the Village.

**Motion 12-134**-Motion by Trustee Sisti, seconded by Trustee Sheibley to set the special meeting for Monday December 20, 2021 at 6 PM in the Village Hall. Motion carried.

The Village Board is interested in passing a local law to have point of sale inspections on vacant and abandon properties. A public hearing needs to be set.

**Motion 12-135**-Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve a public hearing for point-of-sale inspections on vacant and abandoned properties at the January 11, 2021 board meeting at 6:05 PM at the Village Hall. Motion carried.

The agreement with MRC Disposal for big trash pickup in the Village has been provided to the board.

**Motion 12-136**-Motion by Trustee Sheibley, seconded by Trustee Koch to approve the agreement with MRC Disposal for big trash pick up in April 2022. Motion carried.

An amendment to the memorandum of understanding between the Village and GARC was provided to the board for approval in respects to the management of the Peter Cooper Operation and Maintenance Trust Fund accounts and joint projects.

**Motion 12-137**-Motion by Trustee Zimmermann, seconded by Trustee Koch to approve the Peter Cooper OM&M Trust account management resolution between the Village and GARC. Motion carried.

#### ***Police-Dennis Feldmann***

**Motion 12-138**-Motion by Trustee Koch, seconded by Trustee Zimmermann to appoint Ryan Grey as part time patrolman effective December 14, 2021. Motion carried.

**Motion 12-139**-Motion by Trustee Sisti, seconded by Trustee Sheibley to appoint Dallas Brown as part time patrolman effective December 14, 2021 for an anticipated start date of January 1, 2022. Motion carried.

**Motion 12-140**-Motion by Trustee Koch, seconded by Trustee Sisti to accept the resignation of officer Kuhn effective October 1, 2021. Motion carried.

**Motion 12-141**-Motion by Trustee Sisti, seconded by Trustee Sheibley to accept the resignation of officer Echevarria effective November 26, 2021. Motion carried.

**Motion 12-142**-Motion by Trustee Koch, seconded by Trustee Zimmermann to accept the resignation of officer Farina effective January 1, 2022. Motion carried.

A draft of the Police Services body worn cameras policy was provided to the board. A few changes will need to be made before approval at the advice of the Village Attorney.

Dennis Feldmann provided the board with body camera purchase agreement. The total cost \$3,351.00 which is less than the previous quote the board received in September.

**Motion 12-143**-Motion by Trustee Sisti, seconded by Trustee Zimmermann approve to authorize D. Feldmann to purchase 3 Vista HD Wifi Wearable Body Cameras. Motion carried.

A copy of the agreement with master agreement with Motorola Solutions to provide support for the body worn cameras.

**Motion 12-144**-Motion by Trustee Koch, seconded by Trustee Sheibley to authorize D. Feldmann to enter into a Master Customer Agreement with Motorola Solutions to provide Warranty, Technical Support, Service and License if needed. Motion carried.

### **Mayor Updates**

- Covid update-numbers are still rising. Due to the rise of numbers the board has decided to close the January Board meeting.
- Veterans Ceremony-was at the Gowanda Library on 11/11.
- Veterans Recognition Dinner-at the legion on 11/13.
- Brownfield Opportunity Step 2 Update-A meeting took place, the step 2 is coming to an end on March 30<sup>th</sup>. Hoping to fulfill step 3.
- Cattaraugus County Health Analysis Call-Mayor Smith was chosen to participate on 11/30.
- Cattaraugus County Health Board Meeting-Meeting was 12/1.
- Christmas in Gowanda was on 12/4.
- The Marquee is back at the Hollywood Theater.
- Merry Christmas and Happy New Year.
- Thatcher Brook Update-Meeting was on 11/19. The Corp is applying for additional funding, if they get this funding it will lower the Villages share for the project.

### **Correspondence**

- Risk Management Letter form NYMIR
- NYS Department of Public Service-low-income household water assistance program

### **Official Business**

**Highway**-Peter Sisti-Gary Denea not in attendance

**Motion 12-145**-Motion by Trustee Sheibley, seconded by Trustee Sisti to declare the Deluvo Street Sweeper as surplus. Motion carried.

The Deluvo Street Sweeper sold on Auctions International for \$18,810.00

**Motion 12-146**-Motion by Trustee Koch, seconded by Trustee Sisti to accept the bid for the Deluvo Street Sweeper. Motion carried.

***Sewer-Andy Carriero***

The renewal contract with Cattaraugus County for the Leachate Disposal was provided to the board.

**Motion 12-147**-Motion by Trustee Zimmermann, seconded by Trustee Koch to approve the Cattaraugus County Leachate Disposal Agreement. Motion carried.

J. Wilson has completed all the courses and exams and is now certified Operator. The recommendation is to move him to an operator position.

**Motion 12-148**- Motion by Trustee Koch, seconded by Trustee Zimmermann to approve the recommendation to appoint J. Wilson as WWTP Operator effective December 14, 2021 upon successful completion of license certification and Civil Service Review. Motion carried.

***Water-Kirk Trumppore***

The board discussed a water law recommendation for a leak forgiveness policy. This policy will determine if a resident who has a leak can have any of their bill forgiven by following a standard formula. It is eligible to residents who had a leak for twice their normal water consumption, they had the leak repaired within 60 days and cannot be granted a leak forgiveness within the last 12 months.

**Motion 12-149**-Motion by Trustee Zimmermann, seconded by Trustee Sheibley to approve the Water Law Recommendation and Leak Forgiveness Program Policy. Motion carried.

A water hearing was held for a water leak at 57 Union St. and a recommendation was made to the board.

**Motion 12-150**-Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve the water hearing recommendation. Motion carried.

***Clerk-Danielle Wagner***

There is no evidence that Village does not follow Roberts Rules of Order, the Village has their own procedures and guidelines that gets adopted by the board every year at the organizational meeting.

The clerk made an error in the August minutes by not including the appointment of Trustee Sisti. There was not motion but it should've been mentioned.

**Motion 12-151**-Motion by Trustee Koch, seconded by Trustee Zimmermann to amend the August 10, 2021 minutes to include the appointment and swearing in of Trustee Sisti. Motion carried.

***Fire-Carol Sheibley***

A recommendation is being made to dissolve the ariel company due to lack of membership. The ariel truck will still be functional and be serviced by members of the other companies.

**Motion 12-152**-Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve the recommendation of the Fire Department to dissolve the Ariel Company. Motion carried.

The annual fire protection contract with the Town of Perrysburg has been provided to the board.

**Motion 12-153**-Motion by Trustee Zimmermann, seconded by Trustee Koch to approve the 2022 Town of Perrysburg Fire Protection Contract. Motion carried.

**Joint Activity-Carol Sheibley**

An adult recreation program at Academy Place will start January 11, 2022 6-7:30 PM.

**Motion 12-154**-Motion by Trustee Sisti, seconded by Trustee Sheibley to approve the adult recreation program. Motion carried.

**Treasurer-Traci Hopkins**

**Motion 12-155**-Motion by Trustee Koch, seconded by Trustee Zimmermann to approve budget modification request #4 for the General, Water and Sewer fund. Motion carried.

**Motion 12-156**-Motion by Trustee Sisti, seconded by Trustee Zimmermann to approve the abstract bills to pay as follow General Fund \$137,576.59, Water Fund \$14,681.79, Sewer Fund \$41,281.79, Capital Projects \$350,000.00 and Community Development Special Projects \$1,779.80. Motion carried.

**Next Meeting**

The next meeting will be January 11, 2022 at 6:00 PM-will be closed to the public.

Special meeting will be December 20, 2022 at 6:00 PM for the Opting out of dispensaries.

**Adjournment**

**Motion 12-157**-Motion by Trustee Koch, seconded by Trustee Sisti to adjourn the board meeting at 7:58 PM. Motion carried.

Respectfully Submitted

Danielle Wagner

Clerk