

Perrysburg Town Board

Minutes of the Regular Monthly Meeting of the Town Board, Town of Perrysburg, Cattaraugus County, NY, December 9, 2019 at the Town Hall

ABSENT: Jennifer Dabolt, Town Supervisor

PRESENT: Richard Gabel, Councilman • Dennis Parker, Councilman • Andy Lord, Councilman/Deputy Town Supervisor • Michael Becker, Councilman

ALSO PRESENT: Tamara A Utley, Town Clerk
Dan Stang, Highway Supt.
Dan Spitzer, Hodgson Russ LLC
Henry Zomerfeld (via speakerphone) Hodgson Russ LLC
John Grennell, Attorney for the Town
Rod Utley, Jr.
Steve Elsholz
Robert Fisher
Kirk Trumpore, Gowanda Water Dept.
Sam Lauer, Gowanda Sewer Dept.
Gary Lauer
Jake Hansen-Ivett, Gowanda Water Dept.
Lisa Towne, Zoning Secretary
William Cain
J.D. Swift

Deputy Supervisor called the meeting to order at 7:00 p.m. with the Pledge of Allegiance

PUBLIC COMMENTS/QUESTIONS: NONE

MINUTES OF THE NOVEMBER REGULAR MEETING: Approve the minutes of the November 18, 2019 meeting ALL AYE MOTION CARRIED

REPORTS:

Building & Code Enforcement Officer: none

Planning & Zoning: given by Andy Lord, work continuing on master plan

Assessor: Liz & Carrie attended RPS V4 Custom Reports training & attended three hour training in Randolph, Assessing Office corresponded with several property owners about their assessment, tax bills and exemptions

Supervisor's Financial Report prepared by Bahgat & Laurito-Bahgat: On file in the Town Clerk's office

Town Clerk Report: Town Clerk collected \$2257.75 for the month of November. \$880.50 was the town portion paid to the Supervisor. A copy of the reorganizational meeting resolutions of 2019 have been placed in Board

members folders for review/change for the 2020 January Reorganizational meeting. Town Museum will be closed for the months of December, January, February and March

Highway Supt. Report: Winter plowing - more ice than snow; got truck engine codes under control, last Monday truck went down with an oil pump, repaired by Thursday, winterizing the summer equipment; continuing with downed trees and signs due to the heavy winds

Water Dept. Report: Perrysburg processed 1,756,707 gallons for November. Edwards Corners Road well is running
Shut off water at two locations; daily usage is up 10,000 gallons per day, checked abandoned houses for leaks, if anyone sees anything please report it; Versailles processed 194,898 gallons;
Discussion regarding the creation of an agricultural and/or bulk water rate, Town Board will table until next meeting;
Discussion about Perrysburg purchasing ten (10) meters from the Village of Gowanda at a cost of \$185, per the contract, for installation in Central Water District, Board agreed to purchase meters before end of year;
Power outage on Sunday morning, wells were off for 3 hours, Kirk suggested investing in a call out system

Sewer Report: Everything working as it should, nothing to report

Justice Report: Closed the following cases: 14 V/T and 1 Animal Control. Total reported to the State Comptroller \$1962.00

Dog Control Officer's Report: None

CORRESPONDENCE

- James Everetts will no longer be able to care for the West Perrysburg Road cemetery

Councilman Gabel will inquire as to who does maintenance on Route 39 cemetery, Councilman Parker will inquire with Jeremy Neu, he does maintenance at the Versailles cemetery

PROSPECT STREET PROJECT

Henry Zomerfeld, via speakerphone, introduced Hodgson Russ partner Dan Spitzer who is present at this evening's meeting

Henry provided the following update:

- Weather delayed surveyor and geotech but they have been to the site
- Based on a conference call with them last Friday, preliminary survey work is done

Dan Spitzer asked Henry if he is aware that the Board is in public session, Henry confirmed that he will provide this update in public session but will move to an Attorney Client privilege session

- Experts have been doing their work, it is in the process of being completed and expects to hear in short order

- After speaking with the expert based on preliminary review the road will remain closed until further notice, this is their opinion as of right now;
- Last meeting there were questions about whether the road would be open to one lane, while that remains a possibility, it is not something that can happen right now

Henry asked for questions:

- Rod Utley Jr. resident at 10815 Prospect Street at the bottom of Indian Hill Road stated that Wednesday evening on trip home via Indian Hill Road, with NYS DOT not plowing or salting the road, he had to travel 2mph down the hill for access to his home, that was with only a couple of inches of snow; if NYS DOT is not going to maintain that road what is he supposed to do? He is not going to risk his life going up or down that hill and with Prospect Street closed what are you going to do?
- Henry responded that it is his understanding that NYSDOT has been plowing and salting the road
- Mr. Utley responded it was 9:00pm Wednesday, when coming home, the road was not plowed or salted, the next morning the road still had not been plowed or salted; Tamara Utley stated she took photos that morning. Mr. Utley stated it is an accident waiting to happen
- Henry inquired as to where Rod lives, response: 10815 Prospect Street, Perrysburg at the base of Indian Hill Road

Statement by Highway Superintendent Dan Stang

- as an elected official, under the powers and duties of Highway Superintendent he is in charge of maintaining highways in the Town of Perrysburg
- The DOT will not come in from the westerly side so he has to open a road to get access to the bottom (of Indian Hill Road),
- It is his duty to maintain a passable road and the road will be open from the bottom for ice and snow removal and emergency situations
- The road will be opened and evaluated on a day-to-day basis
- Correspondence regarding road issues should go through the Highway Superintendent
- Looking at all options; If you have another option it will be heard but the only way to enter is to proceed in from the east side that's why pavement was put down and signs made for a safe flow of traffic

7:32 p.m. Motion by Councilman Becker, second by Councilman Lord to enter Attorney Client privilege ALL AYE MOTION CONFIRMED

Highway Superintendent Stang requested to stay
Town Clerk Tamara Utley requested to step out by Deputy Supervisor Andy Lord

8:26 p.m. Motion by Councilman Becker, second by Councilman Gabel to return to Regular Session

BUDGET TRANSFERS:

General Fund
 \$2,500 FROM A1110.1 JUSTICE CLERK PERSONAL SERVICES
 TO A1110.4 JUSTICE CONTRACTUAL

\$500 FROM A.1990.4 CONTINGENT ACCOUNT
 TO A3510.4 ANIMAL CONTROL CONTRACTUAL
Budget transfers for miscellaneous budget overages during the year

Sewer Fund

\$5,000 FROM SS1910.4 CONTINGENT ACCOUNT
 TO SS8130.4 SEWAGE TREATMENT & DISPOSAL
 CONTRACTUAL

Motion by Councilman Gabel, second by Councilman Becker to approve Budget Transfers ALL AYE MOTION CARRIED

NEW BUSINESS

- Year end meeting scheduled for December 30, 2019 at 7:00 p.m.
- January audit dates for Fire Departments, Town Justice, Town Clerk/Tax Collector/water billing clerk – scheduled for January 13, 2020 beginning at 6:00 p.m. Town Clerk will contact Town Justice and Fire Departments

BOARD MEMBER COMMENTS

Councilman Gabel reported that the emergency brickwork at Town Hall completed. Estimate of \$3,000 provided for other brick work that requires attention, Councilman Gabel will get three (3) quotes

ABSTRACT #12 of 2019, Vouchers #495–530 Audit of Claims

General Fund Townwide	A	\$ 7,212.23		
Highway Fund Townwide	DA	\$ 15,693.73		
Gowanda Prospect St. Water	GW	\$ 64.50		
Capital Projects Fund	H	\$ 14.57		
Central Water	PW	\$ 15,761.29		
Street Lighting	SL	\$ 650.05		
Special Residential	SR	\$ 770.66		
Special Sewer	SS	\$ 1,900.15		
Versailles Water	VW	\$ 3,981.31		
Total:		\$ 46,048.49		

Totals from each fund were read by the Town Clerk. Motion by Councilman Parker, second by Councilman Becker to pay all audited vouchers #495-530 in the amount of \$46,048.49

Parker - AYE Becker - AYE Lord- AYE Gabel - AYE

8:39 p.m. Motion by Councilman Gabel, second by Councilman Becker to adjourn

Respectfully Submitted,

Tamara A. Utley, Town Clerk