

Perrysburg Town Board

Minutes of the Regular Monthly Meeting of the Town Board, Town of Perrysburg, Cattaraugus County, NY, November 18, 2019 at the Town Hall

PRESENT: Jennifer Dabolt, Town Supervisor • Richard Gabel, Councilman • Dennis Parker, Councilman • Andy Lord, Councilman/Deputy Town Supervisor

ABSENT: Michael Becker, Councilman

ALSO PRESENT: Tamara A Utley, Town Clerk
Dan Stang, Highway Supt.
John Grennell, Attorney for the Town
Jody Shaw, Historian
Sam Lauer, Gowanda Sewer Dept.
Kirk Trumpore, Gowanda Water Dept.
Jake Hansen-Ivett, Gowanda Water Dept.
Connie Soroky
Rich Stang
Rod Utley Sr.
Rod Utley Jr.
David Swift
Tim Mesch

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

GOOD OF THE COMMUNITY:

- Veteran's Day Buffalo News article highlighting veteran Dick Gabel
- Versailles Community Bazaar November 23rd from 9:00am-3:00pm
- Perrysburg Fire Company Meat Raffle November 23rd at 7:00pm

PUBLIC COMMENTS/QUESTIONS: Forms received from the following individuals

- Rich Stang regarding water district rate. In July Mr. Stang asked for Board consideration to review water rate and has not heard anything. Mr. Stang asked for late fee forgiveness as he has been waiting for a response from the Board on this issue. Due to water quality issue the cows were moved off pond water and put on public water, water bills are now averaging \$800/quarter, a cost the farm cannot afford. Discussion about rate structure options, tabled until next Board meeting

Motion by Councilman Parker, second by Supervisor Dabolt to forgive late fees on the Rich Stang dairy farm water account. ALL AYE MOTION CARRIED

- Rod Utley Jr. & Rod Utley Sr. regarding emergency service access to the Utley Jr residence located on Prospect Street, the only home at the base of Indian Hill Road located on the Indian Hill Road side of the road closed barriers. What is the status of getting Prospect Street open?

Supervisor Dabolt responded: she referred to first geotech and surveyors reports from 2014 and 2015, "if anybody read them, they are forty nine pages (49), it specifies that #1) The entire area is an area of instability so the engineer did not include the whole area to begin with for the project which no one realized;

- Another issue "Mark Burr told us a road has to meet a stability requirement of a 1.2 to a 1.4 in order for it to be allowed to open". "If you read the report, that report back then shows it did not meet that requirement at that time. Even though it was open to one lane it never should have been. Now we have more road sinking, sloughing off, we have more problems down there. The engineer and contractor won't sign off on the FEMA project so we could not finish the project.
- We have no report saying project completed, road safe, go ahead and use it; engineer would not provide it when asked; that is what we need to close the FEMA project to be done with it.
- Demand letter sent to engineer and contractor because of what we believe is wrong. Surveyor and geotech worked for both companies (engineer and contractor). Town had to get an outside company
- Site Exploration plan will include aerial determinations, walk the ground, put all instruments in to determine stability of the area, if the road is continuing to move, where the problems are, the work that was done on the road, if it was done correctly or incorrectly and what we need to do to fix it.
- Determine if we can put in for FEMA funding to fix the other section of the road that is failing. They should start mobilizing tomorrow or Wednesday; they were coming last week but we got snowstorm. About a week we should start getting answers from them then will call a special board meeting, max time is two (2) weeks
- Councilman Gabel inquired if the samples come back in our favor can road be open to one lane? Supervisor responded yes
- Councilman Gabel stated that he inquired about a week ago about the Town's liability if there is an emergency at the bottom of Indian Hill Road if plows cannot get down the hill to the residence? Councilman Gabel stated he is not for sending a Town plow down a dangerous hill that the State won't plow. Supervisor stated "I don't know what the liability is, they would have to sue us and then we would find out what happened". Attorney Grennell commented the Town has made a good faith effort to obtain proper plowing and salting through DOT and also through Town Highway Dept. Town liability is marginal to non-existent.
- Tamara Utley inquired if Town's insurance is aware of the State DOT letter that states the "unnecessary risk to their operator's" as the reason they will not plow; Supervisor Dabolt confirmed yes
- Other options discussed, Councilman Lord suggested parking a Town Highway Dept. truck/vehicle at the bottom of the hill.

- David Swift Town Board Resolution #4 of 2019 – "Be it resolved that each Department will have a written report for the Town Board at each meeting. Be it further resolved that each Board Member will be expected to speak with the Department they are Liaison for before each board meeting. If an employee from said Department will not be present at the Board meeting said Board member will request and read the report from said Department." Remind Town Board to read the reports per the Town resolution

REPORTS:

Historian: Connie Soroky presented the Town Museum with 1879–1881 Gowanda Enterprise bound book that was in the home of her Aunt Ellen Drake Wiley. The book will be on display in the Town Museum. Historian Jody Shaw presented a collection of the Dunkirk Evening Observer front page stories beginning in the early 1900's, a gift from Inez Edler in memory of John L. Edler. Jody presented a copy of the 1932 Gowanda Valley Bugle yearbook that will be on display. Volunteers are needed, please contact Jody Shaw

Building & Code Enforcement Officer: On file in the Town Clerk's office

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

Planning and Zoning: Councilman Lord reported maps received by the County of the water and sewer districts; Board will meet Wednesday

Assessor's Report: read by Councilman Parker; staff is in the process of filing Perrysburg assessment documents; Kate attended training October 1, took Tax Enforcement and Tax Mapping classes; October 18th Kate, Jason and Liz completed the Ethics component of the training requirements for new and re-appointment assessors in New York State; corresponded with several property owners about assessments, tax bills and exemptions; seven (7) property transfers were added for the month of September

Town Clerk Report: Collected \$2360.40 for the month of October. \$1238.48 was the town portion paid to the Town Supervisor; received notification from NYS Dept. of Health that Governor signed legislation allowing adoptees to receive a copy of their birth certificate when they turn 18 years old. This Act takes effect January 15, 2020; received Certificate of Appreciation from the NYS DEC and Cattaraugus County Fish and Wildlife Management Board for having the highest 2018 Habitat & Access Stamp sales in Cattaraugus County. The revenue from the sale of the stamps goes directly into a special fund used to protect and conserve fish and wildlife habitat and improve public access for fish and wildlife related activities.

Highway Supt. Report: Last minute paving and milling, getting trucks set up for winter; trees to clean up from wind storm; working on truck engine codes

Water Dept. Report: Kirk reported Edwards Corners well test results were good; air stripper repaired; Councilman Gabel reminded Kirk to work the hydrants; processed 185,000 gallons of water in Versailles; no monthly report for Central Water District due to downed meter

Sewer Report: Sam Lauer reported the backup pump for Route 39 station came back from Dunkirk electric; State Chemical rep installed heating blanket and enclosure for chemical feed

Justice Report: Judge Dankert closed the following cases: 15 V/T and 6 Penal Law; total reported to State Comptroller \$3090

Dog Control Officer's Report: 4 strays claimed by owners, notice to 3 people to get dogs licensed; took stray dog to SPCA; dog euthanized that was hit by car; issued 6 tickets for expired licenses; issued 5 tickets for dogs running at large and 3 nuisances

BUDGET TRANSFERS

General Fund:

\$5 from A1990.4 Contingent Account
To A1220.4 Supervisor Contractual

\$852 from A1990.4 Contingent Account
To A1910.4 Special Items Unallocated Insurance

Budget transfers for miscellaneous budget overages during the year

\$2,317 from A1355.1 Assessor Personal Services
To A1355.4 Assessor Contractual

Budget transfer required for change to County Assessing service contract

Highway Fund:

\$200 from DA9060.8 Employee Benefits Hospital & Medical
To DA9055.8 Employee Benefits Disability Ins.

Budget transfer for miscellaneous budget overages during the year

Central Water Fund:

\$2,100 from PW8320.1 Source Supply Personal Services
To PW8330.4 Purification Contractual

Budget transfer for miscellaneous budget overages during the year

Motion by Councilman Gabel, second by Councilman Lord to approve budget transfers
ALL AYE MOTION CARRIED

ABSTRACT #11 of 2019, Vouchers #447- 494 – Audit of Claims

General Fund Townwide	A	\$ 34,071.82		
Highway Fund Townwide	DA	\$ 135,107.70		
Gowanda Prospect St. Water	GW	\$ -		
Capital Projects Fund	H	\$ 2,480.00		
Central Water	PW	\$ 2,225.16		
Street Lighting	SL	\$ 593.47		
Special Residential	SR	\$ 1,210.40		
Special Sewer	SS	\$ 7,806.36		
Versailles Water	VW	\$ 676.20		
Total:		\$ 184,171.11		

Totals from each fund were read by the Town Clerk. Motion by Councilman Parker, second by Councilman Gabel to pay all audited vouchers #447- 494 in the amount of \$184,171.11

PARKER- AYE GABEL - AYE LORD - AYE DABOLT - AYE

8:34p.m. motion by Supervisor Dabolt, second by Councilman Gabel to adjourn

Respectfully Submitted,

Tamara A. Utley, Town Clerk