

## Perrysburg Town Board

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

**PRESENT:** Jennifer Dabolt, Town Supervisor • 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.  
John Grennell, Attorney for the Town  
Kirk Trumpore, Village of Gowanda Water Dept.  
Sam Lauer, Village of Gowanda Sewer Dept.  
Keith Evans, Municipal Disaster Consultants, Inc.  
Dick Gernatt  
Lisa Towne  
Jim & Mary Stuhr  
J. David Swift  
Tim Mesch

---

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

**GOOD OF THE COMMUNITY:** None

**PUBLIC COMMENTS/QUESTIONS:** One form received from David Swift to address the Town Board to discuss Assessor reappointment agenda item

**MINUTES OF THE PREVIOUS MEETING:** Motion by Councilman Lord to approve minutes of the August 12<sup>th</sup> regular meeting and September 3<sup>rd</sup> special meeting as submitted

ALL AYE

MOTION CARRIED

### REPORTS:

**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

**Town Clerk Report:** Town Clerk collected \$5,899.40 for the month of August. \$1,585.54 was the Town portion paid to the Supervisor. Reminder to all Departments to submit budget requests by September 20

**Highway Supt. Report:** mowing roadsides, oil & stoning completed, Novapave coming soon, they are about three (3) weeks behind, fixing cross pipes & shoulders, salt hauled in, mixing sand and salt

**Water Dept. Report:** Kirk Trumpore reported repair of 3 broken meters, 5 UFPO's, sent samples out for testing from Edwards Corners Road well. Town is

---

out of replacement meters, Village of Gowanda has about 100 radio read meters the Town could purchase. Following discussion, Kirk will obtain more information about meter options and pricing.

2020 budget request for a callout system for Central Water District at an estimated cost of \$5,000 - \$7,000 and \$30 monthly communication charge after one year. Request to be submitted to Town Clerk by Sept. 20

Kirk spoke with Alianello Engineers and the Seneca Nation regarding Versailles fire hydrants, was informed no restrictions; contacted Versailles Fire Chief and informed him hydrants ready to go

**Sewer Report:** Sam Lauer stated nothing to report. Inquired about the chemical feed pump to help keep grease build up out of sewer lines

Vote to approve purchase of 24/7 Linebacker chemical feed pump for sewer district

Becker – AYE Dabolt – AYE Gabel – AYE Lord – AYE Parker – AYE

**Justice Report:** Justice Dankert closed the following cases: 24 V/T, 3 Penal Law and 1 Animal Control case. Reported \$4098 to the State Comptroller

**Dog Control Officer's Report:** Picked up 2 strays that were claimed by owners

**Assessor's Report:** None

### PROSPECT STREET

Supervisor Dabolt asked Attorney for the Town John Grennell to provide report on Prospect Street project

Attorney Grennell reported that a demand letter has gone out from Hodgson Russ Attorneys to Nussbaumer & Clarke giving ten (10) days for response; he took part in a 3 way conference call with Henry Zomerfeld of Hodgson Russ Attorneys and FEMA Consultant

Highway Supt. Dan Stang addressed the Town Board: "hopefully decision made at September 3rd meeting does not jeopardize the \$1.3 million" FEMA funding. He expressed concern that if litigation or courts involved FEMA may not pay until resolved; Highway Supt. Stang opined that a hasty, wrong decision was made by the Town Board to get lawyers involved; if all parties would have sat down including Town Attorney, Town officials, Nussbaumer & Clarke and the FEMA consultant, this could have been worked out without any expense to the town; what are we going to do for the public and surrounding communities after spending this much money to open this road and make it safe? It is his opinion that once lawyers are involved, too time spent waiting and time is of the essence right now. He stated past hastily made decisions by the Board have cost the town money and inquired what would it have mattered if the Town Board heard the presentation from Hodgson Russ and waited until tonight's meeting to decide how to proceed. We need Nussbaumer & Clarke to say road is safe, not safe or if we continue the project someone has to put a stamp on the project. Hopefully decision does not jeopardize the \$1.3 million. Town can handle \$250,000 project but cannot handle \$1.3 million funding project that FEMA approved if the Town does not get reimbursed. The work that was done at the site is on the engineer's drawing and the stone that was put into project is on the drawing. Everyone has to come together  
Supervisor Dabolt stated "we went on the advice of our Town Attorney"

Councilman Gabel stated his opinion: sitting down and talking with all parties involved should have been discussed; he stated that the Highway Superintendent should be involved in every decision about this road. Every time someone visits the site with anyone, the Highway Superintendent should be on site and he should have been included in the Attorney Client privilege meeting on September 3<sup>rd</sup>. Councilman Gabel expressed concern that we are running out of time and it is imperative to get the road open and concerns about plowing the road in the winter months for safe vehicle passage

### **RESOLUTION #18 of 2019 – JUSTICE COURT GRANT APPLICATION**

Motion by Councilman Gabel, second by Councilman Lord

**WHEREAS**, the Perrysburg Town Justice has asked for authorization to apply for a \$10,683 grant from the Justice Court Assistance Program for work to include painting of lower level entrance and stairway, stairs refinished, upper level court entrance to get three (3) new lights and replacement of suspended ceiling in Courtroom with new ceiling tiles and lights

**RESOLVED** that the Perrysburg Town Board grant such authorization and to ensure that all monies gained from this grant shall be used in the manner defined by the Justice Court Assistance Program.

**GABEL – AYE LORD – AYE BECKER – AYE  
DABOLT – AYE PARKER – AYE**

### **CORRESPONDENCE**

- Southwestern Regional Emergency Medical Services asking for support to extend ambulance services – Supervisor Dabolt signed and returned
- Village of Gowanda – request for the Town of Perrysburg to pay 50% share (cost not to exceed \$2,000) of storm drain repair at the Maltbie/Hill Street intersection. Highway Supt. Stang reported that in 2009 the Town of Perrysburg unplugged the line from Stafford Road to the Maltbie/Hill Street intersection; the Village of Gowanda did not clear their end of the line. Following discussion the Town of Perrysburg declined to pay any cost of the storm drain repair
- County of Cattaraugus Industrial Development Agency – informational letter regarding proposed revisions to the Uniform Tax Exemption Policy

### **ASSESSOR APPOINTMENT OCTOBER 1, 2019 TO SEPTEMBER 30, 2025**

Contract between County of Cattaraugus and Town of Perrysburg for Assessing Services to be signed by Town Supervisor.

**BECKER – AYE DABOLT – AYE GABEL – AYE LORD – AYE  
PARKER - NAY**

### **OLD BUSINESS**

- 12388 Cole Road property clean up / house that burned to ground – Motion by Supervisor Dabolt for Sanders Excavating, Inc. to clean up property for \$1,500, no 2<sup>nd</sup>. Following discussion, table until next month. Town Attorney will follow up with Code Enforcement officer

### **BOARD MEMBER COMMENTS**

- Building project is done with exception of handicapped ramp; ramp will be complete before winter

**ABSTRACT #9 of 2019, Vouchers #346-388 – Audit of Claims**

General Fund Townwide	A	\$ 8,295.10		
Highway Fund Townwide	DA	\$ 117,409.97		
Gowanda Prospect St. Water	GW	\$ 30.00		
Capital Projects Fund	H	\$ 14,865.98		
Central Water	PW	\$ 1,109.80		
Street Lighting	SL	\$ 552.98		
Special Residential	SR	\$ 646.93		
Special Sewer	SS	\$ 1,398.81		
Versailles Water	VW	\$ 741.07		
<b>Total:</b>		<b>\$ 145,050.64</b>		

Totals from each fund were read by the Town Clerk. Motion by Councilman Gabel, second by Supervisor Dabolt to pay all audited vouchers #346-364 and #366 thru #388 in the amount of \$136,063.64

Voucher #365 Nussbaumer & Clarke Invoice #94967 in the amount of \$8,987.03 was not approved for payment

**BECKER - AYE DABOLT - AYE GABEL - AYE LORD - AYE PARKER - AYE**

8:07 p.m. Motion by Supervisor Dabolt to adjourn

Respectfully Submitted,

---

Tamara A. Utley, Town Clerk