

Minutes

West Main Street, Gowanda, NY 14070

April 8, 2021

Workshop 6:30pm on Acme Contract

All stand for the Pledge of Allegiance

Deputy Robert Dingman calls meeting and public hearing for Local Law 2021-1 to order at 7:00pm

Notice of said public hearing for Local Law 2021-1 was posted in the Observer on March 13th and the 20th, with same being posted on the Persia Website and the Persia Bulletin Board.

Roll Call:

Supervisor: John T. Walgus: absent
Councilperson: Theresa A. Girome: present
Councilperson: Gloria J. Tomaszewski: present
Councilperson: Robert O. Dingman: present
Councilperson: Seth H. Howard: present

Others present:

Town Clerk: Denise M. Trumpore
Highway Superintendent: Daniel H. Ackley
Tom Povhe: Court Officer

Supervisor John T. Walgus: * absent

Highway Superintendent Daniel H. Ackley: * Read highway bills. * I looked over the Shared Services contract with Catt. Co. and I would approve signing the contract but, I would like to state that I do not agree with the contract that if something breaks while you are borrowing it you are liable, I feel there is a difference between abusing equipment, and it breaks and equipment breaking because it needed regular maintenance done to it. * The 2006 is back up and running. * We cleaned up scrap around the yard and have a check for \$508.93 that I would like to go into highway savings. * Gravel screener is running well. * Received information, last

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year we got a reduction of 20% from our CHIPS, Extreme Weather and PAVE NY money and we will be getting 15% of that back. * Also learned we will be getting an increase in our CHIPS, Extreme Weather and PAVE NY monies. * I did not yet get the material bids sheet for this year. * I will know more at the next month's meeting with information on a new pickup.

Councilperson Theresa A. Girome: * There will be a special Planning & Zoning meeting with the help of Deb Brown within the next two weeks. We will be discussing the Thatcher Brook and Paul Zimmermann from the Village of Gowanda Board will also attend. * I make a motion to hire a part-time, on call Constable.

Councilperson Robert O. Dingman: *I would like to open the public hearing for comment on the proposed Local Law 2021-1 – the purpose of said law is providing that no exemption under Real Property Tax Law Section 487 be applicable with respect to any solar or wind energy system or farm waste energy system. * I have paid the pre-pays and have processed payroll. * I ask for a resolution to accept the financial statement from Bahgat & Laurito Bahgat. * On March 16th I had a conversation with Jack Searle, who is the Cattaraugus County Administrator regarding the “American Rescue Plan”. This plan is part of the 1.9 trillion-dollar stimulus package. A few notes of interest I took away from the conversation are as follows:

1. *The Federal Government Is now in the rule making stage at the Division of the Budget, Department of the Treasury.*
2. *After certification of need (no definition provided), Town funds, including Persia's \$250,000 are shown to come directly from the Treasury to the Town; however, it may be with some NYS involvement. I suspect the complications of included village funding, which is not defined as to amount at this time, might cause NYS participation.*
3. *Funds will be paid ½ at inception (up front) and 2nd half at the end of year (fiscal?). Possibly spendable until 2024.*
4. *Expenditure categories that are eligible are:*
 - a. *COVID -19 expenses incurred such as overtime pay for employees or purchasing of mitigation supplies (masks, cleaning supplies, configuration changes, etc.)*
 - b. *Aid to impacted businesses.*
 - c. *Public works, such as water or sewer projects, for example, likely the most productive category for consideration.*

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5. *There is a PPP (payroll protection plan) contained in another section of the ARP, so legislators have been advised by Jack to be cautious about trying to aid specific businesses in addition to that program.*
6. *The funding will be heavily audited as a result of the political "second guessing" of this sizeable funding package and its tenuous connection to the COVID-19 Pandemic in my opinion.*

* The Town received the New York Municipal Insurance Proposal from NIMIR; there has been no increase from last year's price. * I received word back from our attorney; he has reviewed the Acme Business contract and stated it is acceptable. * I have the contract for shared Highway Services with Cattaraugus County here if anyone would like to look it over and ask for a motion to approve the contract with the changes I made to it by resolution. * I close the public hearing for comment on Local Law 2021-1 and move to pass by resolution.

Councilperson Seth H. Howard: * I attended a meeting of the Gowanda Ambulance Board on March 16th via ZOOM. There were 133 calls in the month of February, with 3 of them being within the Town of Persia and outside the Village of Gowanda. 1 call was missed in the month due to limited staffing on the night shift. One employee has gone from part time to full time and one employee was terminated, resulting in an okay staffing level. All EMT's and Paramedics are encouraged to apply. Lastly, there are no major mechanical issues with any part of the fleet. * I attended a special meeting of the Gowanda Ambulance on March 26th regarding the purchasing of two major pieces of medical equipment with a deadline of agreement by March 30th. The request was to purchase two Lucas Devices. To the common individual with no EMS experience, like myself, A Lucas Device basically does CPR completely mechanically without rest, allowing the medical professionals to focus on other needs of the patient. The board agreed to purchase one of the two requested units. Hopefully, we will never need to see this device utilized in the field. Our next regularly scheduled meeting will take place at the Ambulance Hall on April 20th. I would like to make a motion to object to the closing of the Gowanda Correctional Facility. * I make a motion to have a workshop on May 13th at 6:30pm to discuss Highway Dept. figures. * I make a motion to approve the Acme Business contract. * I make a motion to split the ammo cost for qualifying the Constables with the Town of Collins.

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Councilperson Gloria J. Tomaszewski: * Read general bills.

Assessor Kate Harrington: (by email) * The 2021 exemption deadline was March 1st. Reminders were mailed to all Agricultural Assessment and applicants who had not returned their renewal mid-February. This notice reminded applicants that renewals would not be accepted after the deadline. All Persia Agricultural Assessments were renewed. * Six building permits were reviewed for 2020. My office received building permit information from Town Code Enforcement Officer Mel Shaw, but we have still not received building permit information from Village Code Enforcement Officer Gary Brecker. Additionally, one property owner requested an assessment review, which will take place in April, along with one internal review. * The Town of Persia has chosen to discuss grievances with property owners in person. Please let my office know if any grievance forms (RP-524) are sent to the Town Hall so that we can keep BAR information. * I have completed the requirements of the basic training for the designation of State Certified Assessor pursuant to the Real Property Tax Law and 20 NYCRR 8188. A copy of the certification has been given to your office. * Four property transfers were added for the month of February.

Town Clerk Denise M. Trumpore: *

Total transactions for March: 138

Total Collected: \$ 1,608.00

Towns Portion: \$ **845.60**

*I ask for a resolution to accept the minutes from March 11th. * March 22nd was the last day Deputy Hubbard worked for the Town. In her resignation she said "It has been an interesting 9 years and I wish everyone the best of everything. "* I ask for a resolution to hire Tammy Grimmer as my new deputy, it will be beneficial because she is also the towns dog warden. * I also ask for a motion to destroy old records old dog licenses and town clerk records from 2013.

Public Participation

Tom Povhe: * Stated as that all Town Constables must qualify every year and with the rising cost of ammo, the Town of Collins agreed to split the cost of ammo with Persia. * Asked the board to approve the hiring of another part-time on call basis Constable.

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RESOLUTION # 25 Audit of Claims

On a motion of Councilperson Girome
Seconded by Councilperson Howard
The following was
ADOPTED AYES – 4 Girome, Howard, Tomaszewski, Dingman
NAYS – 0

RESOLVED that the bills contained on Abstract #4 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:

Abstract 4 – General Vouchers # 49 to #64 Total: \$ 17,751.78

Abstract 4- Highway Vouchers # 12 to # 19 Total: \$ 5,859.71

RESOLUTION #26 Approval of Minutes

On a motion of Councilperson Girome
Seconded by Councilperson Howard
The following was
ADOPTED AYES – 4 Girome, Howard, Tomaszewski, Dingman
NAYS - 0

RESOLVED to approve the minutes from March 11th.

RESOLUTION # 27 Financial Report

On a motion of Councilperson Tomaszewski
Seconded by Councilperson Howard
The following was
ADOPTED AYES – 4 Tomaszewski, Howard, Girome, Dingman
NAYS - 0

RESOLVED to accept the financial report for March 2021.

RESOLUTION # 28 Local Law 2021-1

On a motion of Councilperson Howard
Seconded by Councilperson Girome
The following was
ADOPTED AYES – 4 Howard, Girome, Tomaszewski, Dingman
NAYS - 0

A Local Law Providing that no exemption under Real Property Tax Law Section 487 be applicable with respect to any solar or wind energy system or farm waste energy system.

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Section 1. Legislative Intent. It is the intent of this Local Law to provide no exemption from taxation as authorized in Real Property Tax Law Section 487, with respect to any solar or wind energy system or farm waste energy system.

Section 2.

- A. Exemption from Taxation. No exemption from Cattaraugus County taxation, under Real Property Tax Law Section 487, Shall be applicable to with respect to any solar or wind energy system or farm waste energy system.**
- B. No Exemption from taxation as authorized in Real Property Tax Law Section 487 be applicable with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment.**

Section 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgement shall have been rendered.

Section 4. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION # 29 Tammy Grimmer - Deputy Town Clerk

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Howard

The following was

ADOPTED AYES - 4 Tomaszewski, Howard, Girome, Dingman

NAYS - 0

RESOLVED to hire Tammy Grimmer as Deputy Town Clerk effective March 23rd.

RESOLUTION # 30 Shared Services

On a motion of Councilperson Howard

Seconded by Councilperson Girome

The following was

ADOPTED AYES - 4 Howard, Girome, Tomaszewski, Dingman

NAYS - 0

RESOLVED to sign contract with Cattaraugus County for Shared Services.

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RESOLUTION # 31 Objection to the closing of Gowanda Correctional Facility

On a motion of Councilperson Howard

Seconded by Councilperson Tomaszewski

The following was

ADOPTED AYES – 4 Howard, Tomaszewski, Girome, Dingman

NAYS – 0

RESOLVED

WHEREAS, the closure of the Gowanda Correctional Facility will drastically impact more than 500 NYS Correction Officers and Police Benevolent Association (NYSCOPBA) positions and 140 civilian jobs, and

WHEREAS, the loss of at least \$51 million in payroll for the aforementioned jobs will disrupt the family lives of thousands and devastate communities, and

WHEREAS, multiple FOIL requests have been submitted seeking the analysis behind the State's contention that closing Gowanda, along with two other correctional facilities, will save \$89 million, and

WHEREAS, the Department of Corrections and Community Supervision (DOCCS) and/or the Governor's office have not provided information that demonstrates cost savings or compliance with the Article VII executive authorization used to close Gowanda Corrections despite several FOIL requests, and

WHEREAS, a lack of transparency starting from the very beginning, when the community was closed out of the decision-making process, to the failure of the state to provide cost-benefit analysis, is unacceptable, and

WHEREAS, compounding the issue are the millions in construction projects, purportedly approved for Gowanda Correctional, that will have to be honored, even though the facility will be empty, which represents a colossal waste of taxpayer money and calls into question the actual savings due to this closure, and

WHEREAS, prison violence is at near record levels and the closure of this correctional facility will only serve to condense the prison population and further jeopardize the safety of NYSCOPBA Members and the inmate population as a whole, and

WHEREAS, the NYSCOPBA has urged the Governor and the State Legislature to halt any closure plans and address violence escalation within the prison system, and

WHEREAS, in the absence of the cost-savings data, the closure of Gowanda Correctional should be halted until those documents can be provided and evaluated, and

WHEREAS, the closure of the Gowanda Correctional facility will have a drastic and devastating economic impact on individuals and communities in Cattaraugus County, at a magnitude that will likely exceed any cost savings, and

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WHEREAS, the decision to close Gowanda Correctional in one that requires full public disclosure of the costs and benefits involved and shouldn't be made in haste, now, therefore, be it

RESOLVED, that the Persia Town Board hereby strongly urges Governor Cuomo to halt the closure of the Gowanda Correctional Facility and reverse this action and keep our corrections officers, their families and our communities safe by keeping this essential facility open, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Governor Cuomo; Senate Majority Leader Stewart-Cousins; Assembly Speaker Heastie; Senators Borrello, Gallivan, Ryan, Orts and Kennedy; Assembly Member Giglio, New York State Association of Counties; and the Western New York Inter-County Association.

RESOLUTION # 32 Old Records

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Girome

The following was

ADOPTED AYES – 4 Tomaszewski, Girome, Howard, Dingman

NAYS – 0

RESOLVED to destroy old records from 2013.

RESOLUTION #33 Acme Business Contract

On a motion of Councilperson Howard

Seconded by Councilperson Girome

The following was

ADOPTED AYES – 4 Howard, Girome, Tomaszewski, Dingman

NAYS – 0

RESOLVED to sign the contract with Acme Business.

RESOLUTION # 34 Workshop on Highway Dept. figures

On a motion of Councilperson Howard

Seconded by Councilperson Girome

The following was

ADOPTED AYES – 4 Howard, Girome, Tomaszewski, Dingman

NAYS – 4

RESOLVED to have a workshop on May 13th at 6:30pm to discuss Highway Dept. figures.

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RESOLUTION #35 Split cost on Ammo for Constables to qualify

On a motion of Councilperson Howard

Seconded by Councilperson Girome

The following was

ADOPTED AYES – 4 Howard, Girome, Tomaszewski, Dingman

NAYS – 0

RESOLVED to split the cost of ammo for the Town Constables to requalify with the Town of Collins.

RESOLUTION # 36 Part-time Constable

On a motion of Councilperson Girome

Seconded by Councilperson Howard

The following was

ADOPTED AYES – 4 Girome, Howard, Tomaszewski, Dingman

NAYS – 0

RESOLVED to hire a part-time on-call Constable.

Hearing no objection, Deputy Supervisor Dingman closed the meeting at 8:08 pm.

Respectfully submitted,
Denise M. Trumpore

Town Clerk

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