

Agenda

Town of Persia Regular Board Meeting

8 West Main Street, Gowanda, NY 14070

August 13, 2015

Supervisor Paula Schueler calls meeting to order at 7:00PM.

*Everyone stands for the Pledge of Allegiance to the Flag

Roll Call:

Supervisor: Paula Schueler: present

Highway Superintendent: Daniel Ackley: present

Councilperson: John Walgus: present

Councilperson: Linda Boats: absent

Councilperson: Gloria Tomaszewski :present

Councilperson: Robert Dingman: present

Town Clerk: Denise Trumpore: present

Others present:

Gowanda News: Richard Westlund

Legislature Paula Stockman

Legislature Richard Klancer

Bill and Michelle Emborski

Jack Broyles

Gerald and Jackie Emborski

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Official Reports of Department Heads:

Supervisor Paula Schueler: I have processed payroll. * I ask the bills for abstract #8 for General and Highway be approved by resolution.* I ask the Supervisors report for accepted by resolution. *I need a resolution to accept the financial report for July. * On July 22nd I sat in on a webinar on Local Sales Tax Collection and Distribution Statewide System. It has been in effect sine 1965. Counties and cities can impose up to 3% and some things are exempt (charities, food for home consumption, drugs, etc.). Its hard to estimate what our revenue will be, and this effects our 2% tax cap, and the recent trend of collections has been dropping off. The strongest growth is in NYC and the Capital District. The strongest decline has been in the Mohawk Valley and the Southern Tier. * Dan and I have been working on getting shared service agreements with adjoining towns. * Our new loader is here and our insurance will have to be adjusted.

Highway Superintendent Daniel Ackley: read highway bills. * I would like to have the 1982 CAT 930 declared as surplus so it can be sold. There are some small issues I would like to fix on it before it is sold.

Councilperson John Walgus: * I would like to present for resolution our support for the NY&LE railroad' grant application. * I have a copy of the first five year report for the Peter Cooper Superfund Site. * I also have the preliminary water district contract with the Village. Our attorney is looking it over. * As a member of the West Valley Citizen Task Force we did a study on how the climate is going to effect the Mitigation of the nuclear plant in West Valley. One of the things is excess rain water and the radio nuclei that is washed down the Cattaraugus Creek into Lake Erie and now the Niagara River and Lake Ontario. I have a copy of this study if anyone would like to see it. * In regards to Gateway Park, more grading, excavating, silt fence, more top soil, tree planting and survey will be done. * WILMA which stands for We Invite Local Manufacturers and Artisans will be held at the Cattaraugus Fair Grounds on October 24th and 25th .It is free admission and will be held indoors. * I have a copy of a letter I sent to the Commissioner of Juries in regards to a trial that was held here at the Town Court. I wrote this letter because I witnessed a horrible example of the justice system in action. 50 potential jurors were summoned to appear and only 1 was from Perrysburg and

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none were from Persia or Dayton. Potential jurors came from Portville, Hinsdale, Olean and Arcade. I ask why the 50 candidates for jury duty could not be selected from our immediate area. I would appreciate it if Legislature Stockman and Klancer who are here tonight could look into this.

Councilperson Linda Boats: * absent

Councilperson Gloria Tomaszewski: 1. Attended the Healthy Community Fund board meeting on July 15th. The board reviewed the tax returns and approved the filing of the same. There are no vacancies in the apartments and there is a waiting list. There is also a vacancy on the board which hopefully will be filled this year. The next meeting is in October. 2. Talked with Judge Andolsek who stated the glass block windows are being installed now. 3. Judge Andolsek asked for a resolution to apply for the JCAP grant. He would like to put in for a door for the downstairs room, chair rail behind the bench and a handrail. If anyone has any suggestions please let him know as long as they are court related. The handrail and outside elevator door should be painted this year or in the spring.

Councilperson Robert Dingman: I was wondering if the Town could assist the Village with the building codes and enforcement.

Assessor Mary Bailey: * For those who wish to apply for Enhanced STAR (65 years of age or older), they will need their 2014 income tax. Their total adjusted gross income (minus IRA distributions) must be under \$84,550 or less. * The enhanced STAR Exemption is not to be confused with the Sr. Citizen exemption (which is mentioned on tax bills). This is for much LOWER income earners. Total income (not gross, including Social security, pensions, interest income, disability, gambling, etc.), cannot exceed \$24,200. * The deadline for all exemptions is March 1st.

Town Clerk Denise Trumpore:

Total transactions for July: 112

Total Collected: \$ 3244.00

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Towns Portion: \$ 1204.10

* Bob Freeman, Executive Director for Committee on Open Government will be coming to the Cattaraugus County Municipal Clerks meeting on September 16th. He is a wealth of knowledge for all members of government. This will be a question and answer meeting and all are invited and encouraged to come. I have flyers on the meeting if anyone would like one. The meeting will be held at the West Valley Fire Hall.

Building Inspector Mel Shaw: (by email) the following have been issued since last report.

1. Allen -Point Peter Road for a home and garage. Garage plans are approved but the home plans are pending.
2. Wilkins -Broadway Road for a pool.
3. Malak - Broadway Road for an addition tear-off and rebuild.
4. Clabeaux - Broadway road for a roof over a deck.
5. Trumpore - Persia Road for a barn/garage.
6. Gibbs - Route 353 for a agriculture barn/garage.
7. Ellis - Point Peter Road for a home and garage.
8. Bailey - Maple Hill Road to demo existing home.

PUBLIC PARTICIPATION

Bill Emborski: Mr. Emborski approached the board in regards to his intentions on buying the TLC property. He would like to make his residence on the property near the North end. He knows right now the property is zoned MF which is medical facility and would go through all the proper steps to have it changed to residential. The property is divided with half of the 6 parcels in Perrysburg. It is 13 acres. John Walgus said the board was upset to learn TLC declared the property worthless after the millions of

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dollars that was put into TLC with public funds. GARC or the Town would have taken over the property if given the opportunity. Bob Dingman wondered what the land value is. Paula Schueler stated the Town would need to have access to the creek. Mr. Emborski is looking for support from the Town so he can move forward to see if this is even a possibility. Mr. Emborski may sub-divide five years down the line if all goes as planned but only with taking the proper steps and keeping it single family housing.

Legislature Paula Stockman: In regards to the NY&LE grant; Bob and John should talk with Crystal Abers who is the director of Economic Development, Planning and Tourism to see if they can get a letter of support or a resolution from Cattaraugus County.

Jack Broyles: Approached the board with his concerns on if the Village did dissolve. If this did happen it would eliminate another layer of government. Paula Schueler agreed that she could see this happening in the future and the Town would have to assume the responsibilities.

RESOLUTION #65 Audit of Claims

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Dingman

The following was

ADOPTED AYES – 4 Tomaszewski, Dingman, Walgus, Schueler

NAYS – 0

RESOLVED that the bills contained on abstract #8 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:

Abstract 8 - General vouchers #149 to # 169 Total = \$ 8,789.86

Abstract 8 - Highway vouchers #57 to # 64 Total = \$ 96,397.71

RESOLUTION #66 Approval of Minutes

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On a motion of Councilperson Walgus

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 4 Walgus, Tomaszewski, Dingman, Schueler

NAYS - 0

RESOLVED that the minutes from July 9, 2015 are approved.

RESOLUTION #67 Supervisors report

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Dingman

ADOPTED AYES – 4 Tomaszewski, Dingman, Walgus, Schueler

NAYS - 0

RESOLVED to accept the Supervisors report for July 2015

RESOLUTION #68 Financial Report

On a motion of Councilperson Dingman

Seconded by Councilperson Walgus

ADOPTED AYES – 4 Dingman, Walgus, Tomaszewski, Schueler

NAYS - 0

RESOLVED to accept the financial report for July 2015.

RESOLUTION #69 Support for NY&LE railroad's grant application.

On a motion of Councilperson Walgus

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 3

ABSTAIN – 1 Dingman

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NAYS – 0

RESOLVED

WHEREAS the Persia Town Council expresses our support for the New York & Lake Erie (NY & LE's) grant application through the Passenger & Freight Assistance program (PFRAP) for the rehabilitation of 4.89 miles of track between South Dayton and Cherry Creek. This portion of track is part of the Buffalo to Jamestown rail corridor, which we believe is important to be saved intact as it could serve to facilitate and enhance tourist activity throughout the length of the corridor and

WHEREAS the NY&LE operates in the Village of Gowanda and the Town of Persia and

WHEREAS a grant would allow the track to be upgraded from Excepted status to Class 2, and allow the NY&LE to resume tourist passenger rail excursions to Cherry Creek. These excursions will bring tourist dollars to our local businesses as well as lay the groundwork for future passenger trains to operate between Buffalo and Jamestown and

WHEREAS the economic stimulus which would be created by tourist trains operating between Gowanda and Cherry Creek in the short term, and the larger plan of operating passenger trains between Buffalo and Jamestown, the investment in this corridor will ensure its long-term viability and existence for use by future freight rail shippers along the corridor and

THEREFORE, be it resolved that the Town Board of the Town of Persia endorses the NY&LE's plans to resume tourist rail excursions between Gowanda and Cherry Creek as a vehicle to keep the larger Buffalo to Jamestown rail corridor viable for the future, and we support their PFRAP grant application and

Copies of this resolution be forwarded to Senator Catherine M. Young, Assemblyman Joseph M. Giglio, Chairman Norman L. Marsh, Legislature Richard L. Klancer, Legislature Paula J. Stockman, Legislature Patrick J. Murphy and

Mr. Matthew J. Driscoll, Commissioner, New York Department of Transportation, 50 Wolf Road, Albany NY 12232

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Mr. Raymond F. Hessinger, P.E. , Freight & Passenger Rail Bureau, New York State Department of Transportation, 50 Wolf Road POD54, Albany, NY 12232

RESOLUTION # 70 to declare the 1982 CAT 930 as surplus

On a motion of Councilperson Walgus

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 4 Walgus, Tomaszewski, Dingman, Schueler

NAYS – 0

RESOLVED to declare the 1982 CAT 930 as surplus.

RESOLUTION #71 for court to apply for JCAP grant

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Dingman

ADOPTED AYES – 4 Tomaszewski, Walgus, Dingman, Schueler

NAYS – 0

RESOLVED for the court to apply for the JCAP grant.

With no further business, and hearing no objection

the meeting adjourned at 8:25 pm

Respectfully submitted,

Denise Trumpore

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Town Clerk