

Minutes

Town of Persia Regular Board Meeting

8 West Main Street, Gowanda, NY 14070

July 9, 2015

Workshop – Economic Growth 6:00pm

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: present

Councilperson: Gloria Tomaszewski: present

Councilperson: Robert Dingman: absent

Town Clerk: Denise Trumpore: present

Others present:

Gowanda News Reporter/Historian: Phil Palen

Legislator Richard Klancer

Hon. Arnold Andolsek

Theresa Girome

Paul Bowers

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Official Reports of Department Heads:

Supervisor Paula Schueler: I have processed payroll. * I ask the bills for abstract #7 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 June.* We received the yearly statement for the employees on the retirement system.* Received notice from Blue Cross/Blue Shield that our monthly premium went down 6 cents for single coverage. * Received a letter from Cattaraugus County Public Works stating the legislature adopted Act #155-2015 on March 25th. It reads the Public Works committee may authorize the sale of surplus equipment to municipalities and school districts in Cattaraugus upon the payment of fair market value of such equipment, to be determined by an appraisal. * Thatcher Brook "In kind services" needs our hours, so if you have any hours please report them to me. Persia has \$3,291.20, Catt. Co. has \$2,147.56 and Dayton has \$ 59.43. * I have a proclamation for the Town of Persia that our historian Phil Palen written.

PROCLAMATION

Cattaraugus County was formed by an act of the New York State Legislature on March 11, 1808 from territory taken from Genesee County. It was provisionally annexed to Niagara County until there were 500 taxable inhabitants qualified to vote for a member of the Sate Assembly. The entire county was a single township called Olean. In 1812 this was divided into two towns on an east-west line, Ischua on the north, and Olean on the south. In 1814 the western portion of both towns was divided off as the Town of Perry, later Perrysburg, in honor of Oliver Hazard Perry, hero of the Battle of Lake Erie in the War of 1812. by 1817, there were enough qualified residents in the territory to elect a member of the Assembly, and an act organizing the County of Cattaraugus was passed March 26, 1817. Since then Cattaraugus County has been a separate political entity.

In 1835, Luther Allen, Chester Howe, Albert G. Burke, Truman Edwards, Ralph Johnson, Amasa Ladd Chaffe and others petitioned the board of Supervisors for a division of Perrysburg into two of more towns. On February 7, 1835 the Towns of Dayton and Persia were created from the mother Town of Perrysburg. The Persia Town records

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were destroyed in the great fire of April 30, 1856, so an accounting of the town's organization is impossible. Esek B. Nash was the first supervisor of Persia. Other early supervisors were John Thatcher, George W. White, Dr. Seth Field, and Amasa L. Chaffe.

WHEREAS, the Town of Dayton and Persia were created from the Town of Perrysburg on February 7, 1835, this year marking the 180th anniversary of the towns and concurrent with the 140th anniversary of the completion of the Buffalo & Jamestown railroad to South Dayton, and the 100th anniversary of the incorporation of the Village of South Dayton, and the 90th anniversary of the Zollinger family's ownership of the South Dayton Hotel, a joint celebration is to be held on Saturday July 11th in the Village of South Dayton,

THEREFORE, I, Paula J. Schueler, Supervisor of the Town of Persia, declare and proclaim Saturday, July 11, 2015 as a day commemoration of the above named events and invite all to a joint celebration beginning at 11:00am in the Village of South Dayton.

SIGNED AND PROCLAIMED, This 9th day of July 2015 in the Village of Gowanda, Town of Persia, and State of New York.

Highway Superintendent Daniel Ackley: read highway bills. * We will have to transfer \$50,407.70 from the highway savings to the highway equipment line to pay the down payment for the loader.

Councilperson John Walgus: I am asking for a resolution to the opposition of the abandonment of the former Tri-County Memorial Hospital Property. * I ask for a resolution to go into a shared highway services with adjoining Towns.

Councilperson Linda Boats: * I attended the Ambulance Board meeting on June 16th. I introduced Richard Bridges to the Ambulance Board for consideration. After a few questions the board passed a resolution to accept him on to their board. * On July 2nd it was my understanding that there was a prison board meeting. There was no meeting when I arrived. I have not heard any conformation of a new date.

Councilperson Gloria Tomaszewski: no report.

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Councilperson Robert Dingman: absent

Assessor Mary Bailey: *I picked up the Final Assessment Roll at the County and the legal notice was put in the observer.

Historian Phil Palen: I just want to invite the public to the festivities in South Dayton on Saturday July 11th.

Town Clerk Denise Trumpore:

Total transactions for June: 141

Total Collected: \$ 2054.00

Towns Portion: \$ 458.24

- I have presented the minutes from the June 11th meeting and ask it is approved by resolution. * I am happy to say that the Town now sells E-Z pass tags. It is a convenient way to save time and money. E-Z pass on the go allows the busy traveler to open an account without filling out and application or waiting in line. They cost \$25.00 each and you register online or by phone. The full \$25.00 is moved to a E-Z pass account once the tag is registered.

RESOLUTION #58 Audit of Claims

On a motion of Councilperson Walgus

Seconded by Councilperson Tomaszewski

The following was

ADOPTED AYES – 4 Walgus, Tomaszewski, Boats, Schueler

NAYS – 0

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RESOLVED that the bills contained on abstract #7 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:

Abstract 6 - General vouchers #127 to #147 Total = \$ 2,945.10

Abstract 6 - Highway vouchers #48 to #56 Total = \$ 57,217.18

RESOLUTION #59 Approval of Minutes

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Boats

ADOPTED AYES – 4 Tomaszewski, Boats, Walgus, Schueler

NAYS - 0

RESOLVED that the minutes from June 11, 2015 are approved.

RESOLUTION #60 Supervisors report

On a motion of Councilperson Boats

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 4 Boats, Tomaszewski, Walgus, Schueler

NAYS - 0

RESOLVED to accept the Supervisors report for June 2015

RESOLUTION #61 Financial Report

On a motion of Councilperson Boats

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 4 Boats, Tomaszewski, Walgus, Schueler

NAYS - 0

RESOLVED to accept the financial report for June 2015.

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RESOLUTION # 62 Opposition to the abandonment of the former Tri-County Memorial Hospital property.

On a motion of Councilperson Walgus

Seconded by Councilperson Boats

ADOPTED AYES – 5 Walgus, Boats, Tomaszewski, Schueler

NAYS – 0

RESOLVED

WHEREAS The United States Bankruptcy Court Western District of New York seeks to transfer real property located in the Town of Persia at 20 and 100 Memorial Drive, Gowanda New York, tax map IDs 8.075-1-48.1, 8.075-1-48.2, 8.075-1-48.3, 8.074-1-4.2, 8.074-1-4.1 and 8.082-1-16 referenced as case No. 1-13-13294-CLB (the property) by allowing the debtor TLC Health Network to abandon the vacant land and then transfer it to William Emborski and

WHEREAS the motion lists the value as inconsequential and not of a significant value and does not take into consideration that the property was assessed at hundreds of thousands of dollars and is the heart of the Village of Gowanda and

WHEREAS the Town of Persia has never been approached about what the public benefit of this property is and

WHEREAS the Town of Persia greatly values this property toward the health and welfare of our residents and

WHEREAS the town along with the Village of Gowanda and the Towns of Perrysburg, Collins and Dayton, the County of Cattaraugus, the State of New York, and the United States of America over the years have invested millions of taxpayer dollars at and for this property and

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WHEREAS this property was the scene of devastating flooding over the years, especially 2009 and 2014, which caused the loss of life and the destruction and then demolition of the former Tri-County Memorial Hospital and

WHEREAS these political subdivisions along with the United States Army Corps of Engineers, State of New York Emergency Management Agency and the Federal Emergency Management Agency are in the process of formulating a long term flood mitigation plan which encompasses this property and

WHEREAS necessary access by Village, Town, County, State and Federal agencies to and across these properties to prevent loss of life and significant property destruction from occurring again by flooding and

WHEREAS if these properties are abandoned and transferred there is the potential that the new owner(s) could ask an unobtainable fee for easements and

WHEREAS the properties could be abandoned and transferred to the Gowanda Area Redevelopment Corporation, a public benefit corporation which would enhance all surrounding Towns, Counties and Village and

WHEREAS that the Town Board of the Town of Persia objects to the property being abandoned and transferred to anyone who would not put the public benefit of the residents and taxpayers of the Village of Gowanda and the Towns of Persia and Perrysburg first and foremost and

BE IT NOW RESOLVED the clerk of the Town of Persia is hereby ordered to send copies of this resolution to, Governor Andrew Cuomo, Senator Charles Schumer, Congressman Tom Reed, Senator Catherine Young, Assemblyman Joseph Giglio, Cattaraugus County Legislatures Norman Marsh, Paula Stockman, Richard Klancer and Patrick Murphy, Gowanda Mayor Heather McKeever, Supervisors Dennis Stopen Town of Perrysburg, David Tessmer Town of Collins and Mark Smith Town of Dayton and

FURTHER BE IT RESOLVED that a certified copy of this resolution be sent to the United States Trustee for the Western District of New York, Olympic Towers, 300 Pearl Street, Buffalo New York 14202 Attn: Joseph W. Allen, Esq.

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RESOLUTION #63 to transfer \$50,407.20 from the highway saving account to the highway equipment account DA5130.2.

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Boats

ADOPTED AYES – 4 Tomaszewski, Boats, Walgus, Schueler

NAYS – 0

RESOLVED to transfer \$50,407.20 from the highway saving account to the highway equipment account DA5130.2.

RESOLUTION #64 to enter into highway shared services with adjoining Towns.

On a motion of Councilperson Walgus

Seconded by Councilperson Boats

ADOPTED AYES – 4 Walgus, Boats, Tomaszewski, Schueler

NAYS – 0

RESOLVED to enter into highway shared services with adjoining Towns.

With no further business, and hearing no objection

the meeting adjourned at 7:30 pm

Respectfully submitted,

Denise Trumpore

Town Clerk

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