

**VILLAGE OF PEMBERVILLE  
COUNCIL MEETING  
May 1, 2012**

Mayor Bowman opened the May 1, 2012 meeting at 7:00pm with a prayer and led those present in the Pledge of Allegiance.

Roll Call: Present at the regular meeting of council were Campbell, Bockbrader, Cox, Fuerst, Rothenbuhler, and Schuerman. Others present were Joanne Busdeker, Douglas Wegman, Ed Wozniak, Harold Brown – Sentinel Tribune, Vic Schuerman, Michael Pniewski, Gene Steele, John Stewart, and the clerk.

**Minutes:** Campbell asked that the previous minutes show that he requested the BPA come to a Council meeting to discuss the Well issues. Fuerst moved and Schuerman seconded to approve the April 17, 2012 minutes with the correction. The motion passed unanimously.

**Treasurer's Report:** Cox made a motion to approve payment of bills in the amount of \$2,037.73 and Bockbrader seconded. The motion passed unanimously.

**RESOLUTION 726 - RESOLUTION AUTHORIZING THE TRANSFER OF PREVIOUSLY APPROPRIATED FUNDS** –3<sup>rd</sup> reading

Cox moved and Rothenbuhler seconded to pass resolution 726. The motion passed unanimously.

**Michael Pniewski, US Army Corps of Engineers:**

Mr. Pniewski discussed options available to assist with flooding issues in Pemberville. See handout 1.

**Campbell:**

Campbell moved and Fuerst seconded to purchase 11 Stop Signs to replace existing sign that are worn. The cost would be \$32 each for a total cost of \$352. The motion passed unanimously.

Campbell presented a quote from Wolf's to replant the planters in the downtown business area for \$600. This is the same price as last year. Campbell moved and Cox seconded to hire Sue Wolf to replant the planters at a cost of \$600. Motion passed unanimously.

Campbell presented quotes for Street Sweeping. Additional information will be obtained and Campbell will bring to the next meeting.

**Cox:**

Tree Commission celebrated Arbor Day with a tree planting ceremony on April 27. Tree Commission members, Mayor Bowman and Pemberville Elementary second graders attended the ceremony.

Efficiency Smart was in the Village on April 26 and 27 distributing energy efficient light bulbs.

**Rothenbuhler:**

The Planning Commission has received a request to change the Village Zoning ordinance to provide for Urban Farming. The commission is gathering additional information at this time.

**Schuerman:**

Work continues at the pool. Schuerman thanked Matt Lenke for the use of his tools during the repairs.

Mayor Bowman explained grant monies were received for chairs at the pool. Schuerman will work with Bowe to get the chairs ordered.

**Other:**

Doug Wegman expressed an interest in a committee being formed to help open communication between owners of areas in need of attention and the Village to determine their plans for the future.

Vic Schuerman reminded everyone of the Spaghetti Dinner on Friday. He asked for volunteers the fund raiser.

Campbell explained he had been contacted by Rollo's requesting replacement of the tree that was removed during an emergency utility water line repair. Cox will follow up on this.

Mayor Bowman adjourned the meeting at 8:51pm.

## Handout 1:



**US Army Corps  
of Engineers®**  
Buffalo District

January 2011

### **Program Fact Sheet** **FLOOD DAMAGE REDUCTION** Section 205 of the 1948 Flood Control Act, as amended

**Authority and Scope:** Section 205 of the 1948 Flood Control Act, as amended, authorizes the U.S. Army Corps of Engineers to develop and construct small flood damage reduction projects. Each project is limited to a Federal cost of \$7,000,000, and must be economically justified, environmentally sound, and engineeringly feasible.

**Project Phases and Funding:** Section 205 projects have two phases: Feasibility (study phase) and Design and Implementation Phase (detailed project design and construction). The first \$100,000 of Feasibility Phase costs are financed at 100% Federal costs. All Feasibility phase costs above \$100,000 are cost-shared 50% Federal and 50% non-Federal in accordance with a Feasibility Cost-Sharing Agreement (FCSA). If the project advances to the Implementation Phase all costs are shared 65% Federal and 35% non-Federal in accordance with a Project Partnership Agreement (PPA) prepared for the project.

The sponsor must contribute in cash a minimum of 5 percent of the total project cost. The sponsor must also pay for and obtain all lands, easements, rights of way and relocations (LERR) for the project. If the value of LERR plus the cash contribution does not equal or exceed 35 percent of the project cost, the sponsor must pay the additional amount necessary so that the sponsor's total contribution equals 35 percent of the project cost. Total Federal project funding is limited to \$7,000,000. All project costs above this limit are 100% non-Federal.

**Non-Federal Responsibilities:** Formal assurance of local cooperation must be furnished by a local sponsoring agency. The local sponsor must be a tribe, municipality or public agency, fully authorized under applicable laws to give such assurances and must be financially capable of fulfilling all measures of local cooperation. In New York State, if a state or local governmental body wants to pursue a Section 205 Project, by state law, the New York State Department of Environmental Conservation acts as the non-Federal sponsor. The sponsoring agency must normally agree to:

- a. Provide without cost to the United States all necessary lands, easements, rights-of-way, access routes and relocation of utilities necessary for project construction and subsequent operation and maintenance of the project. Costs associated with these items may be creditable towards the non-Federal cash contribution for the project.
- b. Provide cash contribution of not less than 5 percent of the project cost.
- c. Assume the full responsibility for all project costs in excess of the Federal cost limitation of \$7,000,000.
- d. Hold and save the United States free from claims for damages which may result from construction and subsequent maintenance of the project, except damages due to the fault or negligence of the United States or its contractors.
- e. Assume all responsibilities and costs for operation and maintenance of the project.

**How to Request Assistance:** A study of a prospective small flood damage reduction project under Section 205 will be initiated after receipt of a written request (see sample below), from an authorized sponsoring agency (see Non-Federal Responsibilities above), and provided Federal funds are available.

**For Further Information, Contact:**

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