

REGULAR MEETING/PUBLIC HEARING
April 17, 2024

Board Members Present: Mayor Craig Miller
Trustee Bryan Woleben
Trustee Ed Bellando
Trustee Drew Ransom

Board Member Absent: Trustee Kari Doino

Present: Scott Jagoda, Village Clerk/Treasurer
Peter Clark, Attorney
Braden Carmen, Observer
Ken Becker, Streets Supervisor
Rich Lewis, WWTP
Dave Hazelton
Bill Hussey, Fire Chief
Matt and Emily Pokoj
Tammy Thompson
Malinda Marsh
Julie Putter

Mayor Miller opened the public hearing/meeting with the pledge to the flag at 6:00 p.m.

Dave Hazelton suggested increasing the tentative budget \$50,000 under revenue line A1640 Ambulance Charges Revenue and line-item expenses A9501.9 Fire Equipment after the EMS billing funds have started being paid.

Public Comments: Malinda Marsh questioned Trustee Bellando if it is standard to search deeds when petitioning for signatures. Trustee Bellando denied searching deeds and stated he got information from X hunt.

Tammy Thompson noted that St. Stephen's Café will be getting new gutters installed from May 6-8 and requested barricades be set up on the sidewalk for safety purposes. The village will coordinate to ensure the safety of this area.

Julie Putter requested use of Ryckman Park once again for the summer concert series hosted by the Ahira Hall Library. The board had no issues. A motion was made by Trustee Drew Ransom seconded by Trustee Bryan Woleben to donate \$500 towards the summer concert series, voting was unanimous, motion carried.

A motion was made by Trustee Bryan Woleben seconded by Trustee Drew Ransom to donate \$400 each to Ahira Hall Library, Brocton-Portland Little League, Blue Star Mothers, and The Brocton-Portland Historical Society from Arch Fest proceeds, voting was unanimous, motion carried.

The Ryckman Park Revitalization committee noted they have set up an account at Cash Kings for can redemption donations.

Department Reports:

Scott Jagoda, Village Clerk/Treasurer – Mayor Miller noted the upcoming rabies clinic on Saturday, May 4, 2024 at the fire hall from 9:00am-12:00pm and will share the cost with the Town of Portland which will be \$300.00 total.

A motion was made by Trustee Bryan Woleben seconded by Trustee Ed Bellando to accept the bid for masonry work at village hall for the sign and time capsule from Tri-County Restoration at a cost of \$3,400.00 coming out of the community beautification line, voting was unanimous, motion carried.

Fire Department – Bill Hussey Fire Chief – Mayor Miller introduced the monthly fire department report for March 2024, there were 23 calls for the month. Chief Hussey thanked Ken Becker for fixing the fire hydrant on Pullman Street.

Village Attorney Peter D. Clark – Peter noted he is working on easements for the drainage project on Railroad Ave.

Peter noted he is working with Wendy on pending court cases for violators who continue to evade the process.

Ken Becker, Streets Dept. – Ken noted they have started brush pick-up, removing dead trees, mowing, and the basketball hoops at the fire hall are completed.

Wendy Spinuzza, Code Enforcement Officer – Mayor Miller introduced the code enforcement officers report for March, there were 5 permits issued and 9 violations.

Rich Lewis - Wastewater Treatment Plant – Rich noted he is waiting on AT&T to respond to EYW to move forward with the communication project.

Rich noted the infiltration issue will be need to be dealt with soon once he finds the source causing overflow during rainstorms.

Electric Department – Joe Majkowski, Electric Lineman – The mayor introduced a monthly report for the electric department.

Committee Reports:

Trustee Bryan Woleben – No report.

Trustee Kari Doino – No report.

Trustee Drew Ransom – Trustee Ransom noted Arch and Seller Days will take place May 31 - June 2 and thanked Christopher Moore for the name and Michelle Deland for the idea of an attic and seller days.

Trustee Ed Bellando – No report.

Mayor Report: - Mayor Miller noted alternatives to the Ryckman Park playground other than identical replacement after fallen tree to try and save on the cost initially provided from GameTime.

New Business:

RESOLUTION 03-2024

APPROVE NEW FIRE DEPARTMENT MEMBER

WHEREAS, Chief Bill Hussey has requested to accept Tina M. Colston pending a background check as a member of the Brocton volunteer fire department,

NOW THEREFORE BE IT RESOLVED, authorization is approved to acknowledge and accept Tina M. Colston as a volunteer firefighter.

Resolution was introduced by Trustee Bryan Woleben, second by Trustee Drew Ransom with vote as follows:

__3__ ayes __0__ nays __1__ absent

Date: April 17, 2024

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 04-2024
Designate Proxy Voter for 2024 Annual NYMPA Meeting

At a regular meeting of the Board of Trustees of the Village of Brocton, New York, held on April 17, 2024, the following resolution was adopted:

Moved by Trustee Drew Ransom, seconded by Trustee Bryan Woleben

WHEREAS, the Board of Trustees of the Village of Brocton, New York, is a municipal member of the New York Municipal Power Agency, and

WHEREAS, the Annual Meeting of the Agency will be held on May 21st, 2024 in Syracuse, NY, and

WHEREAS, in accordance with the bylaws of the New York Municipal Power Agency, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that (the NYMPA Board of Directors or another delegate as the municipal may desire) be and is hereby designated as the accredited delegate of the Village of Brocton, New York.

On roll call: Affirmative: ___3___ Negative: ___0___ Absent: ___1___

I certify that this resolution was adopted by the Board of Trustees of the Village of Brocton, New York on the 17th day of April, 2024.

Signature

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 05-2024

RELEVY WATER/SEWER LIENS TO TAXES

WHEREAS the Village Clerk/Treasurer has presented to this Board a list of delinquent water and sewer rentals due to the Village of Brocton, now therefore

BE IT RESOLVED that said delinquent amounts, together with penalties as provided by law, shall be entered into or attached to the minutes of this meeting, and

BE IT FURTHER RESOLVED that such delinquent water and sewer rentals are hereby levied against the real property liable for such payment in the same manner as Village taxes and said amounts shall be set forth in a separate column in the annual tax rolls of the Village, and

BE IT FURTHER RESOLVED that the amounts so levied shall be collected in the same manner and at the same time as provided by law for the collection of the Village taxes, and

BE IT FURTHER RESOLVED that said delinquent water and sewer rentals, together with penalties, be forwarded to the County of Chautauqua Department of Finance to be included on the 2024/2025 Village taxes for the real property liable for said amounts.

SBL #	OWNER	WATER	SEWER	TOTAL
145.17-3-51	EDWARD WOOD		\$ 63.95	\$ 63.95
145.17-3-2	EDWARD WOOD (WOODS REPAIR)	\$ 328.79	\$ 310.56	\$ 639.35
145.17-2-27	MICHAEL CAVE	\$ 613.60	\$ 350.00	\$ 963.60
145.17-3-43	WILLIAM SHREVE	\$ 351.44	\$ 422.85	\$ 774.29
145.17-3-47	TIMOTHY SMITH	\$ 136.50	\$ 50.00	\$ 186.50
145.17-2-47	HEATHER AND JACOB MONTGOMERY	\$ 136.50	\$ 51.10	\$ 187.60
145.13-1-19	THOMAS BROOKS	\$ 824.99	\$ 768.75	\$ 1,593.74
145.13-1-32	FAITH POWELL AND CHRIS NAUS	\$ 517.49	\$ 180.78	\$ 698.27
145.17-1-2	DUSTIN RANSOM	\$ 454.99	\$ 126.15	\$ 581.14
144.20-2-17	WILLIAM BILLS	\$ 803.57	\$ 242.98	\$ 1,046.55
145.17-1-8	RICHE LAZARCZYK	\$ 164.41	\$ 136.98	\$ 301.39
144.20-1-21	ESTATE OF CHARLES LOVELAND	\$ 524.28	\$ 412.22	\$ 936.50
144.20-1-16	JEFF ABBEY	\$ 413.84	\$ 359.96	\$ 773.80
144.20-3-8	AMANDA LUDWIG	\$ 588.49	\$ 266.09	\$ 854.58
144.20-2-29	JAMIE CARON	\$ 721.28	\$ 254.24	\$ 975.52
144.16-2-28	KAREN RANSOM	\$ 359.52	\$ 177.67	\$ 537.19
144.16-2-28	TROY INGERSOLL	\$ 360.29	\$ 277.40	\$ 637.69
145.09-1-11	DAWN BATES (KRISTIN ZAPPIE)	\$ 971.19	\$ 168.21	\$ 1,139.40
144.20-1-34	AMY FROST	\$ 239.42	\$ 107.62	\$ 347.04
144.20-1-5	WILLIAM ANZALONE	\$ 125.71	\$ 25.01	\$ 150.72
144.12-1-24	DAVID PAYNE	\$	\$	\$

		325.47	124.29	449.76
144.16-2-7	TAYLOR APPEL	\$ 245.00	\$ 74.33	\$ 319.33
144.20-3-31	NEIL JOHNSON	\$ 593.80	\$ 200.00	\$ 793.80
145.17-1-62	SCOTT KAUS	\$ 605.39	\$ 144.35	\$ 749.74
145-17-2-25	LAUREN GARZON		\$ 48.50	\$ 48.50
145.09-1-2	PAUL BURTON	\$ 369.16	\$ 320.48	\$ 689.64
144.16-2-2	NICKEL PLATE DEPOT (JULIE NOBLE FORTNER)	\$ 1,786.05	\$ 1,050.38	\$ 2,836.43
144.16-2-54	MARION SPINUZZA	\$ 314.98	\$ 301.16	\$ 616.14
144.16-2-53	CHRISTOPHER PETERMAN	\$ 414.01	\$ 349.56	\$ 763.57
144.20-1-4	ELAINE DORIS HOGAN	\$ 144.34	\$ 118.98	\$ 263.32
144.16-2-16	JACOB SOBECKI	\$ 382.91	\$ 335.34	\$ 718.25
144.20-2-8	ROSEMARY POWLESS	\$ 707.00	\$ 248.20	\$ 955.20
144.20-2-2	CHRISTOPHER WDOWIASZ	\$ 806.80	\$ 599.11	\$ 1,405.91
144.20-1-35	TIMOTHY JOY	\$ 357.78	\$ 311.12	\$ 668.90
		\$ 15,688.99	\$ 8,978.32	\$ 24,667.31

Resolution introduced by Trustee Ed Bellando, second by Trustee Drew Ransom with vote as follows:

__3__ ayes __0__ nays __1__ absent

Dated: April 17, 2024

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 06-2024

APPROVAL OF 2024/2025 GENERAL BUDGET

WHEREAS, THE Mayor has presented the 2024-2025 General Budget to the Village Board, and a Public Hearing having been held on April 17, 2024, as provided by law,

NOW THEREFORE, the Village Board of Trustees adopts the budget for the fiscal year commencing June 1, 2024 and ending May 31, 2025 making appropriations for the conduct of Village Government and establishing the rates of compensation for officers and employees for such period. Employees will receive a 4% pay increase.

NOW THEREFORE, BE IT RESOLVED THAT there be levied and assessed against the real property of the Village of Brocton the following sums for Village Government and other charges for the fiscal year 2024/2025 at a tax rate of \$9.817182 per thousand assessed valuations.

Total Taxes:	\$264,708.00
Delinquent Water/Sewer Charges:	\$ 24,667.31
Total Real Property Taxes & Other Charges on the roll	\$289,375.31

BE IT FURTHER RESOLVED that the Village Clerk-Treasurer be and is hereby directed to levy, assess and apportion upon the real and personal property liable to taxation of the Village of Brocton a tax rate of \$9.817182 per thousand dollars of valuation upon said assessment roll and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute a warrant to the Village Treasurer as required by law, and

BE IT FURTHER RESOLVED that the warrant to the Village Clerk-Treasurer be executed and delivered for the collection of unpaid taxes and assessment, water and sewer rentals outstanding and unpaid together with interest and penalties as provided by law, and

BE IT FURTHER RESOLVED that the warrant is executed and delivered to Village Treasurer as required by law.

NOW THEREFORE, the Village Board of Trustees adopts the budget for the fiscal year commencing June 1, 2024 and ending May 31, 2025 making appropriations for the conduct of Village Government and establishing the rates of compensation for officers and employees for such period.

The Village of Brocton hereby approves the 2024 – 2025 General Budget in the amount of \$853,792 with expected revenues of \$439,084; \$150,000 from the unreserved fund balance and \$264,708 to be raised from taxes.

AND BE IT FURTHER RESOLVED, that copy of said budget is attached to these minutes.

Resolution introduced by Trustee Drew Ransom, seconded by Trustee Bryan Woleben with the following votes cast:

Trustee Kari Doino	<u> ABS </u>
Trustee Bryan Woleben	<u> AYE </u>
Trustee Ed Bellando	<u> AYE </u>
Trustee Drew Ransom	<u> AYE </u>
Mayor Craig Miller	<u> AYE </u>

 4 ayes

 0 nays

 1 absent

Dated: April 17, 2024

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 07-2024

APPROVAL OF 2024 – 2025 WATER BUDGET

WHEREAS, The Mayor has presented the 2024 – 2025 Water Budget to the Village Board and,

WHEREAS, a Public Hearing having been held to review the 2024 – 2025 Water Budget on April 17, 2024,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby approves the 2024 – 2025 Water Budget in the amount of \$314,669 with expected revenues of \$314,669 and \$0 from the unreserved fund balance.

Resolution introduced by Trustee Bryan Woleben seconded by Trustee Drew Ransom with the following vote:

Trustee Kari Doino	<u> ABS </u>
Trustee Bryan Woleben	<u> AYE </u>

Trustee Ed Bellando _AYE_
Trustee Drew Ransom _AYE_
Mayor Craig Miller _AYE_

__4__ ayes __0__ nays __1__ absent

Dated: April 17, 2024

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 08-2024

APPROVAL OF 2024 – 2025 WASTEWATER BUDGET

WHEREAS, the Mayor has presented the 2024 – 2025 Sewer Budget to the Village Board, and

WHEREAS, a Public Hearing having been held to review the 2024 – 2025 Sewer Budget on April 17, 2024,

NOW THEREFORE BE IT RESOLVED that the Village of Brocton Board of Trustees hereby approves the 2024 – 2025 Wastewater Budget in the amount of \$467,000 with expected revenues of \$467,000 and \$0 from the unreserved fund balance. Employees will receive a 4% pay increase.

Resolution introduced by Trustee Drew Ransom, seconded by Trustee Ed Bellando, with the following vote:

Trustee Kari Doino _ABS_
Trustee Bryan Woleben _AYE_
Trustee Ed Bellando _AYE_
Trustee Drew Ransom _AYE_
Mayor Craig Miller _AYE_

4 ayes

 0 nays

 1 absent

Dated: April 17, 2024

RESOLUTION 09-2024

APPROVAL OF 2024 - 2025 ELECTRIC BUDGET

WHEREAS, the Mayor has presented the 2024 – 2025 Electric Budget to the Village Board and

WHEREAS, a Public Hearing having been held to review the 2024 – 2025 Electric Budget on April 17, 2024,

NOW THEREFORE, BE IT RESOLVED that the Village of Brocton hereby approves the 2024 – 2025 Electric Budget in the amount of \$1,049,606 with expected revenues of \$959,700 and \$89,906 from the unreserved fund balance. Employees will receive a 4% pay increase.

Resolution introduced by Trustee Drew Ransom, seconded by Trustee Bryan Woleben with the following vote:

Trustee Kari Doino	<u> ABS </u>
Trustee Bryan Woleben	<u> AYE </u>
Trustee Ed Bellando	<u> AYE </u>
Trustee Drew Ransom	<u> AYE </u>
Mayor Craig Miller	<u> AYE </u>

 4 ayes

 0 nays

 1 absent

Dated: April 17, 2024

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 10-2024

BUDGET TRANSFERS

WHEREAS, the Village Board of Trustees has reviewed the recommendations from its auditors/accountants, Bahgat/Laurito-Bahgat, regarding budget transfers which are set forth in their letter dated April 13, 2024 and find said recommendations to be in order,

NOW BE IT RESOLVED; the following budget transfers as set forth in said letter are hereby approved;

GENERAL FUND

\$5,000 From A5110.4 Maintenance of Road Contractual to A5132.4 Garage Contractual

Budget modification

Modify General Fund budget by increasing Revenue line A3501 State Aid, Consolidated Highway by \$3,200 & increasing Expenditure account A5112.2 CHIPS Capital Outlay by \$3,200

To reflect pass actual CHIPS funding allocation received from NYS

ELECTRIC FUND

\$2,000 From 363 Distribution Overhead Conductor to 365 Line Transformer

\$15,000 From 721.2 ZEC Expense to 721.1 REC Expense

\$2,500 From 781.8 Engineer to 781.2 Accounting Dept. Expense

\$1,500 From 899.6 Personal Services Other Employee to 899.11 Personal Services Overtime

Resolution was introduced by Trustee Bryan Woleben, second by Trustee Drew Ransom with vote as follows:

__4__ ayes

__0__ nays

__1__ absent

Date: April 17, 2024

Scott Jagoda
Village Clerk/Treasurer

Old Business:

A motion was made by Trustee Drew Ransom, seconded by Trustee Bryan Woleben to authorize payment of signed and approved vouchers. Vote was unanimous, motion carried.

A motion was made by Trustee Bryan Woleben, seconded by Trustee Ed Bellando to approve February 21st regular meeting minutes as presented in written form. Vote was unanimous, motion carried.

A motion was made by Trustee Drew Ransom, seconded by Trustee Bryan Woleben to approve April 4th emergency meeting minutes as presented in written form. Vote was unanimous, motion carried.

A motion was made by Trustee Bryan Woleben, seconded by Trustee Ed Bellando to approve the written reports as presented. Vote was unanimous, motion carried.

A motion was made by Trustee Drew Ransom seconded by Trustee Bryan Woleben at 7:15pm to enter executive session to discuss possible litigation, voting was unanimous, motion carried.

A motion was made by Trustee Drew Ransom seconded by Trustee Bryan Woleben to enter back into regular session at 7:35pm, voting was unanimous, motion carried.

A motion was made by Trustee Drew Ransom seconded by Trustee Ed Bellando to hold a special meeting Monday, April 22, 2024 at Village Hall at 5:00pm to review the Central Ave. water main bids, voting was unanimous, motion carried.

With no further business brought before the Board, a motion was made to adjourn the meeting at 7:35p.m. by Trustee Drew Ransom seconded by Trustee Bryan Woleben. Vote was unanimous, motion carried.

Respectfully submitted by,

Scott Jagoda
Village Clerk/Treasurer