

WORKSHOP MEETING
SEPTEMBER 4, 2019

Board Members Present: Mayor Richard Frost
Trustee Craig Miller
Trustee Bryan Woleben

Board Member Absent: Trustee Art Miller
Trustee Carol Horlacher

Present: Scott Jagoda, Village Clerk/Treasurer
Peter D. Clark, Village Attorney
MJ Stafford, Observer
Nancy Furman
Sue Conklin (4:45)
Paul Bigelow (4:45)

Mayor Frost opened the regular meeting with the pledge to the flag at 4:32 p.m.

Public Comments: Paul Bigelow voiced concerns about the fencing around 10 E. Main St. which has blocked the entryway to his barn in the alleyway. The board will address this issue and work with Paul to find a solution.

Sue Conklin addressed a letter she received from the Village regarding her basketball hoop being on the Village right-of-way. Peter Clark explained it is not her property therefore she is not to have it on the right-of-way due to safety concerns. Peter also noted the board would consider a local law in the future for vote to specifically make basketball hoops illegal on or near roadways. Even though the Village does not have a law against this, it is still not allowed under the right-of-way laws.

New Business: The Mayor introduced the dog control report for August 2019.

The Mayor introduced the senior citizens receipts for July and August 2019.

The Clerk noted that Al Kowski thanked the electric department for a quick response time on a Sunday.

The Clerk introduced a quote for the electric department from Stuart C. Irby Co. for three new capacitors to be replaced on Highland Avenue due to a lightning strike in the amount of \$2,628.75. A motion was made to accept this quote by Trustee Bryan Woleben with a second by Trustee Craig Miller, voting was unanimous, motion carried.

RESOLUTION NO. 38-2019

CLASSIFYING THE VILLAGE OF BROCTON CENTRAL AVE
WATER MAIN REPLACEMENT IN THE VILLAGE OF BROCTON
AS A TYPE II ACTION.

Board Member Bryan Woleben presented the following resolution and moved that it be adopted, and it was seconded by Board Member Craig Miller.

BE IT RESOLVED BY THE BOARD OF THE VILLAGE OF BROCTON AS FOLLOWS:

WHEREAS, the Village of Brocton Board (“Village”) has determined that it is appropriate to apply for grant funding to assist in the financing of the various capital improvement projects; and

WHEREAS, the capital improvements, known as the (“Central Avenue Water Project”), being considered includes the replacement of water main on Central Ave; and

WHEREAS, pursuant to the requirements of the State Environmental Quality Review Act (“SEQRA”), the Village must consider pursuant to criteria set forth in SEQRA the environmental implications of the Project; and

WHEREAS, certain actions are classified under SEQRA as Type II actions; and

WHEREAS, Type II actions are those actions, or classes of actions, which have been found categorically to not have significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQRA review, and Type II actions do not require preparation of an Environmental Assessment Form, a negative or positive declaration, or an Environmental Impact Statement; and

WHEREAS, Type II actions do not require any further SEQRA review; and

WHEREAS, the Village has considered under SEQRA the environmental impact of which will be separately considered, and finds that each of the actions meets the requirement for a Type II action; and

WHEREAS, pursuant to 6 NYCRR Section 617.5 (c), the Project is determined to be Type II actions because they involve the following requiring no further review by the Village:

617.5 (c) (1) maintenance or repair involving no substantial changes in an existing structure or facility;

617.5 (c) (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4;

617.5 (c) (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;

617.5 (c) (7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;

617.5 (c) (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF BROCTON, NEW YORK AS FOLLOWS:

1. The Project discussed above hereby is determined to constitute SEQRA Type II Actions as defined under said regulation and do not require an environmental impact statement or any other determination or procedure.
2. The Village hereby authorizes the preparation and submittal of such grant applications to the Environmental Facilities Corporation as may be deemed necessary to obtain assistance in funding the subject projects.

This resolution shall take effect immediately.

Duly put to a vote as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
<u> 3 </u>	<u> 0 </u>	<u> 2 </u>

September 4, 2019

Scott Jagoda
Village Clerk/Treasurer

Workshop: The Board and Peter Clark continued discussion on updating the Village local laws.

Old Business:

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

A motion was made by Trustee Craig Miller, seconded by Trustee Bryan Woleben to approve August 21st minutes as presented in written form. Vote was unanimous, motion carried.

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

With no further business brought before the Board, a motion was made to adjourn the meeting at 5:23 p.m. by Trustee Bryan Woleben seconded by Trustee Craig Miller. Vote was unanimous, motion carried.

Respectfully submitted by,

Scott Jagoda
Village Clerk/Treasurer