

REGULAR MEETING/PUBLIC HEARING  
MARCH 17, 2021

Board Members Present: Mayor Art Miller

Trustee Mark Belcher  
Trustee Bryan Woleben  
Trustee Craig Miller  
Trustee Greg Borst

Board Member Absent:

Present: Scott Jagoda, Village Clerk/Treasurer  
Rich Lewis, WWTP  
Peter Clark, Attorney  
Phil Gerace, Fire Chief (left at 7:30)

Meeting was held while observing NYS COVID-19 regulations.

Mayor Miller opened the public hearing with the pledge to the flag at 6:02 p.m.

**Public Comments:** With no public comments a motion was made by Trustee Bryan Woleben to close the public hearing at 6:06 and enter in regular session with a second by Trustee Craig Miller, voting was unanimous, motion carried.

**Department Reports:**

**Scott Jagoda, Village Clerk/Treasurer** – The clerk introduced a letter from Trustee Mark Belcher stating he was declining the stipend payment as a Trustee and the board will discuss where to best use these funds in the future.

**Village Attorney Peter D. Clark** – Peter noted the procurement policy should be updated. A motion was made by Trustee Bryan Woleben with a second by Trustee Craig Miller to allow the mayor to sign over titles of trucks belonging to CBI and recover the plates, voting was unanimous, motion carried.

**Ken Becker, Streets Dept.** – The clerk introduced quotes to repair the damage to the 2016 Ford F-250. A motion was made by Trustee Bryan Woleben with a second by Trustee Mark Belcher to submit the quote from C&P Collision to insurance for repair, voting was unanimous, motion carried.

**Wendy Spinuzza, Code Enforcement Officer** – The mayor introduced the code officers report for February. There was 1 permit issued and 3 violation letters.

**Rich Lewis - Wastewater Treatment Plant** – Rich noted Aaron Willebrandt has passed his 3A exam.

A motion was made by Trustee Craig Miller with a second by Trustee Greg Borst to accept the proposal from Koester of \$11,666.00 to repair the sewer pump station, voting was unanimous, motion carried.

**Fire Department – Phil Gerace, Fire Chief** – Chief Gerace introduced the monthly activity report, there were 24 calls for the month.

A motion was made by Trustee Bryan Woleben with a second by Trustee Craig Miller to accept the quote of \$17,000.00 from Apollo Concrete Coatings to repair the floor at the fire hall, voting was unanimous, motion carried.

A motion was made by Trustee Bryan Woleben with a second by Trustee Craig Miller to allow up to \$2,000.00 for fabrication on truck 201 for side dump repairs as long as the company can provide liability insurance, voting was unanimous, motion carried.

**Electric Department – Joe Majkowski, Electric Lineman** – The mayor introduced quotes to purchase an electric meter test system. A motion was made by Trustee Mark Belcher with a second by Trustee Craig Miller to purchase a portable test system from Radian Weco Company for \$7,513.00 which includes a 3 year warranty, voting was unanimous, motion carried.

**Committee Reports:**

**Trustee Bryan Woleben** – No report.

**Trustee Greg Borst** – No report.

**Trustee Craig Miller** – No report.

**Trustee Mark Belcher** – No report.

**Mayor Report:** - The Mayor discussed ongoing projects throughout the Village.

**New Business:**

**RESOLUTION 02-2021**

**ADOPT PANDEMIC OPERATIONS PLAN**

**WHEREAS**, Governor Cuomo signed “Pandemic Operations Plan” legislation into law ([Chapter 168 of the Laws of 2020](#)). This new law requires public employers to develop a plan for operations in the event of a declared public health emergency involving a communicable disease.

**THEREFORE**, the Village of Brocton has developed the following plan:

**Village of Brocton  
Pandemic Operations Plan**

The following is an action plan for the Village of Brocton to follow when deemed necessary to implement when dealing with a pandemic.

1. Levels of Actions
2. Personnel, health Assessment and Education
3. Essential Services/Employees, remote working
4. Community Center/Tenants/Village Office/Lodge
5. Resources
6. Costs
7. Vacation
8. Emergency housing
9. Whistle blower
10. Protector Personal Equipment
11. Public Meetings
12. De-escalation of the Action Plan

## **1. Levels of Actions**

The Village of Brocton needs to develop a process to activate levels of response to this public health issue. This will allow a coordinated effort and response by the Village of Brocton. Determination of the level of action will be made by the Village Mayor or Deputy Mayor.

Level 1: Active monitoring:

No cases in Chautauqua County

- More frequently clean common areas; including countertops, door hardware, etc.
- Communicate online or written memos to Village residents, employees, and board members
- Continue to monitor communication with Chautauqua County Department of Health
- Communicate to staff to stay home if sick
- Monitor illness among staff and board members
- Review and update emergency plans
- Weekly management meetings for updates
- Potentially limit all unnecessary work-related travel
- Potentially limit gatherings >50 persons to only essential events or consider postponing essential events

## Level 2: Containment

### Cases identified in Chautauqua County

- Increase disinfection process at all Village of Brocton facilities
- Develop contingency plans and review business continuation plans
- Continue all level 1 activities

## Level 3: Mitigation

Confirmed cases among employees, board members and staff of Community Center tenants

- The effected building will close for 24 hours while the local Department of Health investigates and sets forth a plan for further precautionary measures that the village must take to limit exposure
- Potentially cancel all Village events
- Communicate to staff about which employees are to report to maintain services and which employees work remotely
- Perform a deep cleaning of all areas
- Communications to Community and Employees

## 2. Personnel

Preventing the spread of illness is a community responsibility and needs to be a priority of the Village of Brocton. **We encourage all to practice the following healthy behaviors:**

- Frequent handwashing with soap and water for at least 20 seconds
- Avoid touching your eyes, nose, and mouth
- Cover coughs or sneezes with your elbow
- Stay home when sick and seek medical attention when necessary
- Avoid close contact with people who are sick or exposed
- Clean and disinfect frequently touched objects and surfaces such as counters, phones, doorknobs, and light switches, etc.

Employees are to submit their health assessment each day prior to the work shift beginning. Answer the three questions and take/record their temperature and initial calendar for each day (attached).

Employees should notify their supervisor and not report to work if they show symptoms of the virus, such as fever, cough, acute respiratory illness. The Village may require additional assessments be taken, such as, but not limited to, Covid-19 test, physician release order to return to work and or isolation if it has been determined the employee has been infected or exposed to the virus. Each circumstance will be handled individually and confidentiality while working with all guidance from the CDC, NYS and County Health.

The village will maintain flexible policies that permit employees to stay home to care for sick family members.

The village will pay all employees COVID19 sick time for any COVID19 related situation/illness. This will not be counted against the employee's sick time. This is per management's approval.

## **Education**

- Emphasize staying home when not feeling well, educate respiratory etiquette and proper hand hygiene by all employees.
- Instruct employees to clean their hands often with an alcohol-based hand sanitizer that contains at least 60-95% alcohol or wash their hands with soap and water for at least 20 seconds. Soap and water should be used preferentially if hands are visibly dirty.
- Provide soap and water and alcohol-based hand rubs in the workplace. Ensure that adequate supplies are maintained. Place hand rubs in multiple locations or in conference rooms to encourage hand hygiene.
- Advise employees before traveling to take certain steps:
  - Check the CDC's Traveler's Health Notices and NYS for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from China can be found on the CDC website.
  - Check for symptoms of acute respiratory illness before starting travel and notify supervisor and stay home if sick.
  - Ensure employees who become sick while traveling understand they should notify their supervisor and promptly call a healthcare provider for advice if needed.
  - If outside the US, sick employees should contact a healthcare provider or overseas medical assistance company to assist them with finding an appropriate healthcare provider in that country. A US consular officer can help locate healthcare services. However, US embassies, consulates and military facilities do not have the legal authority, capability, and resources to evaluate or give medicines, vaccines, or medical care private US citizens overseas
- Remote working: The Village will provide non-essential and essential employees the necessary equipment to work remotely when needed (refer to the handbook for use on Village owned equipment). The Village Manager will determine schedules for departments/employees as necessary (who is in the office and working remotely). The Village Manager will assess each

employee's environment to make sure it is safe and limited distraction to work from home. A daily/weekly outline will be provided to each employee the expectations of the job duties to be completed remotely.

### **3. Essential Services for the Village of Brocton:**

The Village has identified essential/ non-essential workers and essential services that we will maintain during a public health crisis. All non-essential and some essential employees can work from home via Village owned laptop devices. However, the Village Mayor will devise a staggered work schedule for the DPW, Office and Code Enforcement to limit the number of employees in direct contact. The DPW crew can work in two separate crews and the Village Office can stagger shifts and workdays to minimize contact between employees.

#### **Essential services are:**

##### Office:

- Communications to village residents, agencies, Village Board, staff
- Answer phones and e-mails
- Receive payment of bills
- Taxes, water billings
- Payroll
- Vouchers
- Budget preparation

##### Code enforcement

- Inspections of current construction
- Code Violations/emergencies
- Issuance of new permits

##### DPW

- Village owned property maintenance (mowing, shoveling snow)
- Water leaks
- Sewer blockages
- Weather related
  - Flooding
  - Wind
  - Power outages
  - Snow/ice

#### **Essential employees identified:**

All DPW/Electric/Sewer Employees  
Village Clerk  
Code/Building  
Deputy-Clerk

**Non-essential identified (to work remotely and on site when appropriate)**

Village and Zoning Board members

**4. Resources**

- Center of Disease Control and Prevention (CDC)
- NYS Department of Health
- Chautauqua County Department of Health
- Avoid using the news outlets or multimedia sources as a resource of information as they may not provide accurate information

**5. Costs**

The Village of Brocton will track costs throughout this event (labor, purchases, etc.) for possible reimbursement from FEMA/SEMO or other agencies.

**6. Vacation:** Employees will follow the State guidelines for traveling and adhere by the recommendations.

**7. Emergency housing:** Chautauqua County offers emergency housing if needed when home isolation is not available.

**8. Whistleblower:** The Village will provide an anonymous way (via outside drop box) of reporting concerns regarding Covid-19 related issues if the employee does not feel they can communicate with their supervisors and or Mayor/Deputy Mayor.

**9. Personal Protective Equipment:** The Village will maintain at least six months of PPE for all employees and keep them in a properly stored environment. The Village will follow CDC, NYS and County guidelines on mandating employees wear the appropriate PPE. Departments may vary from what is required.

**10. Public Meetings:** The Village will follow the Governor's guidelines on public meetings. The Village if possible, will offer in person meetings with social distancing as well as offering zoom meetings for residents/guests.

**11. De-escalation of the Action Plan**

Local conditions will influence the decisions that public health officials make regarding community-level strategies. The Village needs to remain in contact with NYS Department of Health and Chautauqua County Health Department to assess the progression of disease severity to determine de-escalation timing and plan.

*This policy does not replace any language in the Village of Brocton Employee handbook.*

**BE RESOLVED**, this Pandemic Operations Plan has been adopted by the Village of Brocton,

Resolution introduced by Trustee Bryan Woleben and second by Trustee Craig Miller with vote as follows:

  4   ayes

  0   nays

  0   absent

Dated: March 17, 2021

Scott Jagoda  
Village Clerk/Treasurer

**STATE OF NEW YORK**  
**Village of Brocton**  
**County of Chautauqua**

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In the Matter of the Granting of a Cable Television Franchise Held by **Spectrum Northeast, LLC** in the **Village of Brocton, County of Chautauqua**, New York

**RESOLUTION 03-2021 CABLE FRANCHISE AGREEMENT**

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**WHEREAS**, an application has been duly made to the Board of the **Village of Brocton, County of Chautauqua**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. (“Charter”), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara

Falls, NY 14305, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Village of Brocton, New York on March 17, 2021 at 6:00 P.M. and notice of the hearing was published in the Observer on March 4, 2021.

**NOW, THEREFORE,** the Board of the Village of Brocton finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the **Village of Brocton** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Village of Brocton** for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

**BE IT FURTHER RESOLVED** that the Board of the **Village of Brocton** hereby confirms acceptance of this franchise renewal agreement, and

**BE IT FURTHER RESOLVED** that the mayor is authorized to sign said agreement.

Resolution introduced by Trustee Bryan Woleben and second by Trustee Craig Miller with vote as follows:

\_\_4\_\_ ayes                      \_\_0\_\_ nays                      \_\_0\_\_ absent

Dated: March 17, 2021

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**Village of Brocton**  
**Scott Jagoda, Village Clerk**

**Old Business:**

A motion was made by Trustee Craig Miller, seconded by Trustee Greg Borst 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 February 17<sup>th</sup> regular meeting minutes as presented in written form. Vote was unanimous, motion carried.

A motion was made by Trustee Bryan Woleben, seconded by Trustee Greg Borst 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 7:44 p.m. by Trustee Bryan Woleben seconded by Trustee Mark Belcher. Vote was unanimous, motion carried.

Respectfully submitted by,

Scott Jagoda  
Village Clerk/Treasurer