

REORGANIZATION
&
REGULAR MEETING
APRIL 22, 2015

Board Members Present: Mayor David Hazelton
Trustee J. Dale Abram
Trustee Dale Van Vlack, Jr.
Trustee Gary Planty

Board Members Absent: Trustee Bryan Woleben

Present: Sonia Luszczak, Village Clerk/Treasurer
Samuel Drayo Jr., Village Attorney
Tom Allen, Highway Superintendent
Ryan Hazelton, Wastewater Treatment Plant
Rich Lewis, Wastewater Treatment Plant
Ann Belcher, Observer
John Miller, Fire Department
Jimmy Reynolds, Exempt Fireman

Mayor Hazelton opened the regular meeting with the pledge to the flag at 7:30 p.m.

Public Comments: No public comments.

Department Reports:

Sonia Luszczak, Village Clerk/Treasurer – No report.

Sam Drayo, Jr. Village Attorney – No report other than still working on the water contract with DOCCS.

Tom Allen, Highway Superintendent – The Employees of DPW received a card and gift card from the Green Arch Restaurant from a resident with thanks for the snow removal job that they all did this winter. The Mayor again thanked them all for their hard work and dedication noting it was a terrible year. In reference to summer help, Connor Dolce has notified Tom that he would be available to start working May 16th if the Board approved. A motion was made by Trustee J. Dale Abram and second by Trustee Gary Planty authorizing the return of Connor Dolce, our existing summer help following his successful passing of the drug and alcohol testing effective, May 16th, 2015. Vote was unanimous, motion carried. Someone mentioned to Tom that the sign at the Fire Hall was looking shabby. Tom asked the Board if they would like him to get a quote from Mr. Morrison as well as one for the Ryckman Park sign that also needs to be repaired. The Board all agreed that it would not hurt to get the quote. Tom asked if it was possible to

get a complete listing of all employees in case of power outages, or in an emergency, etc. The Mayor stated that one would be provided to all employees tomorrow.

Alan Gustafson, Code Enforcement Officer – Alan provided his report for March and April with 7 building permits being issued and fees collected in the amount of \$2,387.04. A few highlights are the site preparation has begun at the future Dollar General site at 54 West Main Street. Alan spoke to the demolition contractor that has been retained by the owner of the former Huntley Manufacturing facility that asbestos has been found so this will delay the project some. Alan also met with Signe Rominger, Town of Portland Code Enforcement Officer regarding future shared services. This is ongoing. There was an inspection done at the request of our attorney, Samuel Drayo, Jr. and Joe Majkowski on Greenbush Street. A notice of violation will be issued to remove this debris from the Village property. Alan also attended training April 9th in Dunkirk that will serve as 4 hours towards his certification.

Ryan Hazelton, Waste-Water Treatment Plant – stated that there was some wind damage to the shingles on several of the buildings located at the Sewer Plant. The shingles never sealed properly and continues to be an ongoing problem. Ryan and Trustee J. Dale Abram are currently working on an avenue to get them fixed at no cost to the Village. Ryan provided a quote for purchasing a ladder to get into the equalization tank. This ladder is OSHA approved. The quote for the ladder is \$1,269.37, and freight of \$531.25. A motion was made by Trustee J. Dale Abram and second by Trustee Dale VanVlack to authorize the purchase of a 21 rung fixed steel with cage ladder at a cost of \$1,800.62. Vote was unanimous, motion carried. Ryan stated that the hydraulic ram that is on the press was broken and needed to be repaired at a cost of \$2,500.00 from Levi's Pneumatics and Hydraulics in Erie, PA. Trustee J. Dale Abram asked if we knew what the cost of a new ram would be, at which Ryan replied a little over \$4,000.00. A motion was made by Trustee Dale VanVlack and second by Trustee J. Dale Abram to get the ram repaired by Levi's Pneumatics and Hydraulics in Erie, PA at a cost not to exceed \$2,500.00. Vote was unanimous, motion carried. Ryan provided a quote to the Village Board to install natural gas at the Sewer Plant of \$758.75 and install a high efficiency gas furnace for \$2,974.00 with an additional cost of \$1,785.00 for parts needed to complete the installation. The Mayor passed to the Trustee's a history of the costs to currently heat the building with electric during the winter months. This would be a tremendous cost savings for the Sewer Department. After further discussion, it was tabled for the August meeting to review.

John Miller, Fire Department – Wanted to remind all Trustees of the upcoming fireman's banquet on May 2nd. Jim Rizzo, Fire Chief met with John Hertlien at Brocton Central School regarding setting up a mass destruction drill. The revac paperwork was signed and Jim met with Chautauqua County Medical Director. There will be a recruitment at the Fire Hall this Saturday, April 25th from 9:00 am to 4:00 pm. The Mayor commented that he felt the fire department was doing an excellent job.

Committee Reports:

Trustee Gary Planty – Told the Board members that we would be placing an ad in the Evening Observer for Youth Rec applications with CPR and first aid training a plus. Applications will be accepted at the Village Office from April 27 – May 8, 2015. Update on the NYS Thruway working permit was completed and mailed using just a one-time permit to be used sometime in July or August. Joe and his crew were called out on Friday evening for a pole that was weakened by the winds, and had to be replaced. Trustee Planty praised both Joe and Frank on how expediently they completed this task.

Trustee Dale VanVlack had no report.

Trustee J. Dale Abram had no report.

Mayor Report:

Mayor Hazelton received a contract from Municipal Solutions to be our financial advisors on the Water Treatment Plant project. The Mayor gave it to our Village Attorney, Sam Drayo, Jr. for review. The Mayor had a request from the gentleman that lives next to the Fire Hall regarding the temporary driveway from the parking lot of the Fire Hall that was installed during the winter so the resident, Mary Presto, could get in and out easier. He has asked for this driveway now be permanent. The Mayor gave the request to the Village Attorney, Sam Drayo, Jr. for review. The Mayor received from Chautauqua County the Enhanced Police Protection Contract for review and approval. The dollar amount did not correspond with our budget and the Mayor spoke to Undersheriff Holder requesting a revised contract. There was a shared service agreement with NYS DOT and the Village of Brocton. A motion was made by Trustee J. Dale Abram and second Trustee Gary Planty authorizing the signature of Tom Allen, Highway Superintendent, on the shared service agreement with NYS DOT. Vote was unanimous, motion carried.

New Business:

Resolution 21-15 was introduced

RESOLUTION 21-15
DENIAL OF APPLICATIONS FOR CORRECTED TAX ROLLS
FOR THE YEARS 2010, 2011, AND 2012 SUBMITTED BY
LEVEL 3 COMMUNICATIONS LLC

WHEREAS, Level 3 Communications LLC (Level 3), filed applications for corrected tax rolls for the years 2010, 2011, and 2012 pursuant to Real Property Tax Law Section 556 for the parcel set forth below, and

WHEREAS, the County Director of Real Property Tax has investigated the circumstances of the applications and transmitted a written report of the investigation, and

WHEREAS, the County Director of Real Property Tax denied said applications on form RP-556, dated August 18, 2014, and

WHEREAS, the Village of Brocton has determined that the aforesaid applications should be denied for the following reasons:

- (1) Applicant's property constitutes real property under Real Property Tax Law (RPTL) Section 102(12)(f) and (i);
- (2) The application fails to establish a clerical error, an unlawful entry or an error in essential fact as defined in Article 5 and Section 550 of the RPTL;
- (3) Applicant's proper remedy is to bring a tax certiorari proceeding under Article 7 of the RPTL. Applicant failed to follow those procedures and the time period in which to do so under Article 7 has expired;
- (4) No administrative grievance or complaint was filed pursuant to Section 524 of the RPTL;
- (5) The applications contain conclusory allegations with respect to fiber optic cables and fails to contain detailed and sufficient evidence and proof with respect to the identity, location, composition, and usage of its property and lines;
- (6) The RCN case, which Applicant relies upon, is factually and legally distinguishable from the circumstances involving the Level 3 property located in Chautauqua County and, in any event, is in a different department and not binding on the courts in the Appellate Division, Fourth Department;
- (7) Level 3 has no right to a refund or credit because it paid the taxes without an appropriate written protest;
- (8) The applications should be denied on public policy grounds because the applicant voluntarily deferred its challenge to the public assessments exposed the municipalities and school districts to retroactive disruption of their budgets; and
- (9) The applications are untimely and barred by the applicable statute of limitations; now, therefore, be it

RESOLVED, that the applications for corrected tax rolls for the years 2010, 2011, and 2012 submitted by Level 3 Communications LLC, for the following parcels is hereby denied for the reasons set forth in numbered paragraphs 1-9 above.

Parcel No.: 87-7-88.. PS 1

Resolution introduced by Trustee J. Dale Abram, seconded by Trustee Dale VanVlack with the following vote:

3 ayes _0_ nays _1_ absent

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Village Board of the Village of Brocton, New York at its meeting held on _____.

Village Clerk

Dated: April 22, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 22-15 was introduced

RESOLUTION 22-15
**DENIAL OF APPLICATION FOR CORRECTED TAX ROLL FOR
THE YEAR 2014 SUBMITTED BY LEVEL 3 COMMUNICATIONS
LLC**

WHEREAS, Level 3 Communications LLC (Level 3), filed application for corrected tax roll for the year 2014 pursuant to Real Property Tax Law Section 554 for the parcel set forth below, and

WHEREAS, the County Director of Real Property Tax has investigated the circumstances of the application and transmitted a written report of the investigation, and

WHEREAS, the County Director of Real Property Tax denied said applications on form RP-554, dated February 23, 2015, and

WHEREAS, the Village of Brocton has determined that the aforesaid application should be denied for the following reasons:

- (1) Applicant's property constitutes real property under Real Property Tax Law (RPTL) Section 102(12) (f) and (i);
- (2) The application fails to establish a clerical error, an unlawful entry or an error in essential fact as defined in Article 5 and Section 550 of the RPTL;
- (3) Applicant's proper remedy is to bring a tax certiorari proceeding under Article 7 of the RPTL. Applicant failed to follow those procedures and the time period in which to do so under Article 7 has expired;
- (4) No administrative grievance or complaint was filed pursuant to Section 524 of the RPTL;
- (5) The applications contain conclusory allegations with respect to fiber optic cables and fails to contain detailed and sufficient evidence and proof with respect to the identity, location, composition, and usage of its property and lines;
- (6) The RCN case, which Applicant relies upon, is factually and legally distinguishable from the circumstances involving the Level 3 property located in Chautauqua County and, in any event, is in a different department and not binding on the courts in the Appellate Division, Fourth Department;
- (7) Level 3 has no right to a refund or credit because it paid the taxes without an appropriate written protest;
- (8) The applications should be denied on public policy grounds because the applicant voluntarily deferred its challenge to the public assessments exposed the municipalities and school districts to retroactive disruption of their budgets; and
- (9) The applications are untimely and barred by the applicable statute of limitations; now, therefore, be it

RESOLVED, that the application for corrected tax roll for the year 2014 submitted by Level 3 Communications LLC, for the following parcel is hereby denied for the reasons set forth in numbered paragraphs 1-9 above.

Parcel No.: 87-7-88.. PS1

Resolution introduced by Trustee Dale VanVlack, seconded by Trustee Gary Planty with the following vote:

 3 ayes 0 nays 1 absent

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Village Board of the Village of Brocton, New York at its meeting held on _____.

Village Clerk

Dated: April 22, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 23-15 was introduced

**RESOLUTION 23-15
APPROVAL TO ATTEND PAVING SEMINAR**

WHEREAS Tom Allen, Jim Dolce, and Patrick McCloskey have requested approval to attend Paving Best Practices Seminar on Tuesday, May, 19, 2015 from 9:00 am to 2:30 pm at Jamestown Community College. The purpose is to introduce Paving Best Practices which will enhance the performance of the Village asphalt pavements. Travel will be by Village pick-up and there is no cost to attend the seminar.

NOW THEREFORE BE IT RESOLVED authorization is approved for Tom Allen, Jim Dolce and Patrick McCloskey to attend the Paving Best Practices Seminar as listed.

Resolution introduced by Trustee Dale VanVlack, second by Trustee Gary Planty with vote as follows:

3 ayes _0_ nays _1_ absent

Dated: April 22, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 24-15 was introduced

**RESOLUTION 24-15
APPOINT YOUTH DIRECTOR**

WHEREAS, the Village of Brocton and the Town of Portland offer residents the Summer Youth Recreation Program, and

WHEREAS, the Director of the Youth Program has various responsibilities before the program begins (i.e.: Lunch program seminars, scheduling, registrations and surveys),

NOW THEREFORE BE IT RESOLVED, that Cynthia Ferguson is re-hired for the position, effective May 1, 2015 at a rate of \$11.00 per hour.

Resolution introduced by Trustee Gary Planty, second by Trustee J. Dale Abram with vote as follows:

 3 ayes

 0 nays

 1 absent

Dated: April 22, 2015

Sonia Luszczak
Village Clerk/Treasurer

The Mayor requested that he and Trustee Planty meet with the Youth Director, Cynthia Ferguson regarding the procedure of when to call 911 during an emergency situation at Youth Recreation.

Resolution 25-15 was introduced

**RESOLUTION 25-15
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 20, 2015 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

- \$ 500** From A1110.4 Municipal Court Contractual to A1110.12 Municipal Court Personal Services
- \$ 1,000** From A1325.2 Treasurer Equipment to A1325.4 Treasurer Contractual
- \$ 2,000** From A1990.4 Contingent Account to A1325.4 Treasurer Contractual

WATER FUND

- \$ 3,000** From F9010.8 Employee Benefits State Retirement to F8310.1 Water Administration Personal Services
- \$ 1,000** From F8340.4 Trans. & Dist. Contractual to F8310.1 Trans. & Dist. Personal Services

SEWER FUND

- \$ 4,000** From G9010.8 Employee Benefits State Retirement to F8310.11 Sewer Treatment Overtime
- \$ 800** From G9010.8 Employee Benefits State Retirement to G8120.4 Sewer Collection Contractual

ELECTRIC FUND

- \$ 3,000** From 810.13 Employee Benefits State Retirement to 810.14 Employee Benefits Health Insurance

Resolution was introduced by Trustee Gary Planty, second by Trustee Dale VanVlack with vote as follows:

 3 ayes 0 nays 1 absent

Date: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 26-15 was introduced

**RESOLUTION 26-15
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 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 2015/2016 Village taxes for the real property liable for said amounts.

Resolution introduced by Trustee J. Dale Abram, second by Trustee Dale VanVlack with vote as follows:

 3 ayes

 0 nays

 1 absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 27-15 was introduced

RESOLUTION 27-15

ADVANCE APPROVAL OF CLAIMS

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges and

WHEREAS, all such claims shall be presented at the next regular meeting for audit and

NOW THEREFORE BE IT RESOLVED;

SECTION 1 – That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

SECTION 2 – That this resolution shall take effect immediately.

Resolution introduced by Trustee Dale VanVlack and seconded by Trustee Gary Planty with vote as follows:

 3 ayes

 0 nays

 1 absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 28-15 was introduced

RESOLUTION 28-15

DESIGNATING REGULAR MEETING

BE IT RESOLVED that the Regular Meetings of the Board of Trustees of the Village of Brocton be held on the first and third Wednesdays of each month at 7:30pm at the Village Offices, 34 West Main Street, Brocton New York, with meetings for the months of June, July and August to be held on the third Wednesday only, at the discretion of the Mayor.

BE IT FURTHER RESOLVED, this resolution supersedes any previous resolution regarding meeting dates of this Board.

Resolution introduced by Trustee Gary Planty, seconded by Trustee J. Dale Abram with vote as follows:

3 ayes _0_ nays _1_ absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 29-15 was introduced

RESOLUTION 29-15 DESIGNATION OF DEPOSITORIES

WHEREAS, the Village Board of Trustees has determined that Village Law 4-4-12 (3) (2) requires the designation of Bank or Trust Companies for the deposit of all Village monies.

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees does hereby designate the following institution or depositories of all monies received by the Village Treasurer/Clerk and Receiver of Taxes –

Community Bank of Westfield, New York;
Municipal Investors Service, CLASS;
BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Resolution introduced by Trustee J. Dale Abram, seconded by Trustee Dale VanVlack with vote as follows:

__3__ ayes

__0__ nays

__1__ absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 30-15 was introduced

**RESOLUTION 30-15
MILEAGE ALLOWANCE**

WHEREAS, the Village Board of Trustees has determined to pay a fixed rate for mileage, or reimbursement, to officers and employees of the Village who use their personal automobile while performing their official duties on behalf of the Village of Brocton;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees shall approve reimbursement to such officers and employees at the rate of .45 cents per mile.

BE IT FURTHER RESOLVED, that this resolution shall immediately take effect.

Resolution introduced by Trustee Dale VanVlack, seconded by Trustee Gary Planty with vote as follows:

__3__ ayes

__0__ nays

__1__ absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 31-15 was introduced

RESOLUTION 31-15
AUTHORIZING MAYOR AND TREASURER
TO SIGN CHECKS & FINANCIAL INSTRUMENTS

BE IT RESOLVED, that Mayor David L. Hazelton is hereby authorized together with Village Treasurer, and in their absence the Deputy Mayor and Deputy Clerk to sign, checks and any other financial instruments on behalf of the Village of Brocton for authorized expenditures.

Resolution introduced by Trustee Gary Planty, seconded by Trustee Dale VanVlack with vote as follows:

3 ayes _0_ nays _1_ absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer
Resolution 32-15 was introduced

RESOLUTION 32-15
PROCUREMENT POLICY

BE IT RESOLVED THAT THE FOLLOWING PROCUREMENT POLICY REQUIRED BY GENERAL MUNICIPAL LAW SECTION 104b BE ADOPTED BY THE VILLAGE OF BROCTON:

Goods and services, which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure that prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Village of Brocton is adopting internal procedures to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general, special or local law.

Procedures for Determining Whether Procurement is Subject to Bidding:

Department Heads shall determine whether a procurement of goods and services is subject to competitive bidding and shall document the basis for this determination and review the determination with the Village Board of Trustees

prior to solicitation of bids. Bids shall be met with prior approval of the Village Board of Trustees.

Non-Bid Procedures:

Purchases:

Superintendent and Village Clerk are allowed to purchase commodities up to \$1,500.00 without prior approval by the Village Board of Trustees. Purchases of commodities initiated by department heads for amounts ranging between \$1,500.00 and \$9,999.00 must obtain two (2) or more quotes that must be documented in the voucher package in writing. If two (2) or more quotes are not available, please include the reason quotes were not obtained in the voucher package in writing.

Public Works Contracts:

Departments are allowed to initiate public works contracts for amounts up to \$1,500.00 without prior approval of the Village Board of Trustees. Purchases of public works contracts ranging between \$1,500.00 and \$9,999.00 must receive prior approval from the Village Board of Trustees. Two (2) or more quotes must be obtained and documented in the voucher package in writing. If two (2) or more quotes are not available, please include the reason quotes were not obtained in writing.

Award of Contract to Other Than Low Quote:

Whenever an award of contract for a purchase or public works contracts, which requires the solicitation and documentation of quotes, is made to other than the low quote, the justification for the award shall be noted in writing in the voucher package. Purchases and public works contracts in excess of \$9,999.00 made under emergency circumstances shall require, when possible, the pre-approval of the Village Board of Trustees. Obtaining quotes under emergency circumstances is encouraged, but not required.

Purchases \$500 to \$1,500

WHEREAS, The Village Board of Trustees in order to better manage Village Funds desires to have at least two committee members from the Village Board approve intended purchases and/or vouchers which are more than \$500 and less than \$1,500 and which are budgeted;

The request can be made by putting a formal copy of 2 proposals in the Trustee's mail slot, for a timely signoff. The Trustees may be contacted by telephone and informed of the request awaiting approval, now therefore be it

RESOLVED, each department member will continue to exercise caution towards their respective budgets and the current procurement policy establishing three competitive bids for work or vouchers exceeding \$1,500 to continue as written with approval required by the Village Board at a Village Board meeting. The decision to initiate or suspend this resolution will be at the discretion of the Village Board and;

BE IT FURTHER RESOLVED, Departments of the Village of Brocton will notify Trustees in their respective committee of purchases in the amount more than \$500.00 but less than \$1,500

Input from Officers:

Comments concerning the policies and procedures shall be solicited from all Officers of the Village.

Annual Review:

The Village Board shall review this procurement policy and obtain input from Officers and Officials each year at the April reorganization meeting of the Village Board Of Trustees.

Failure to Comply:

The unintentional failure to fully comply with the provisions of General Municipal Law, Section 104b shall not be grounds to void action taken or given rise to a cause of action against the Village of Brocton or any officer or employee thereof.

Resolution introduced by Trustee Dale VanVlack, seconded by Trustee J. Dale Abram with vote as follows:

__3__ ayes __0__ nays __1__ absent

Dated: April 22, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 33-15 was introduced

**RESOLUTION 33-15
SPECIAL MEETING/EMERGENCY MEETING PROCEDURE**

WHEREAS, The Village of Brocton Board of Trustees sets forth the procedures for Special Meetings/Emergency Meetings as deemed necessary,

BE IT RESOLVED, the Mayor or at least Two Trustees Acting Together have the privilege of calling a Special Meeting of the Board of Trustees, and said meetings will be held according to Open Meetings Law.

BE IT FURTHER RESOLVED, the Members of the Board of Trustees will be notified of the Special Meeting by the Village Clerk by telephone call, and/or email notification.

Resolution introduced by Trustee J. Dale Abram, seconded by Trustee Dale VanVlack, with vote as follows:

 3 ayes

 0 nays

 1 absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 34-15 was introduced

**RESOLUTION 34-15
APPROVE MAYOR'S APPOINTMENT**

WHEREAS, Mayor David L. Hazelton has appointed the following personnel and employees as listed,

NOW THEREFORE BE IT RESOLVED, the following Appointments of Mayor David L. Hazelton are hereby approved

Village Attorney:
Deputy Mayor:

Samuel L. Drayo Jr.
Trustee J. Dale Abram

Clerk/Treasurer:	Sonia Luszcak
Deputy Clerk/Treasurer:	Julie Planty
Registrar of Vital Statistics:	Roxanne Sobecki
Village Historian:	Daniel King
Building & Fire Code Officer:	Alan Gustafson
Acting Village Justice:	Richard Delcamp
Newspaper:	The Observer, Dunkirk NY
Fire Chief:	Jim Rizzo Jr

Resolution introduced by Trustee J. Dale Abram, second by Trustee Dale VanVlack with vote as follows:

__3__ ayes __0__ nays __1__ absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 35-15 was introduced

RESOLUTION 35-15 APPROVE MAYOR'S COMMITTEE

WHEREAS, Mayor David Hazelton has appointed the following Trustees to serve on committees as listed:

Audit: (6 mos.)	April – Sept:	1 J Dale Abram	Bryan Woleben
	Oct – March:	2 Dale VanVlack	Gary Planty
Electric		J. Dale Abram	Dale VanVlack
Fire Department		Dale VanVlack	Bryan Woleben
Insurance (Liability & Medical)		Gary Planty	J. Dale Abram
Justice (Audit)		Bryan Woleben	Dale VanVlack
Law Enforcement		Dale VanVlack	Bryan Woleben
Office		Dale VanVlack	J. Dale Abram

Recreation	Gary Planty	Bryan Woleben
Streets	Bryan Woleben	J. Dale Abram
Tax Review	Dale VanVlack	Gary Planty
Water	J. Dale Abram	Gary Planty
Wastewater	Gary Planty	J. Dale Abram
Zoning/Fire Insp Code Enforcement	Bryan Woleben	Dale VanVlack
Planning	J. Dale Abram	Gary Planty
Grants	Gary Planty	Bryan Woleben
Department Heads	J. Dale Abram	Gary Planty
Shared Services	Dale VanVlack	Bryan Woleben

Resolution introduced by Trustee Dale VanVlack, second by Trustee Gary Planty with vote as follows:

 __3__ ayes __0__ nays __1__ absent

Dated: April 22, 2015

Sonia Luszczak, Village Clerk/Treasurer

Resolution 36-15 was introduced

**RESOLUTION 36-15
APPROVAL OF 2015/2016 GENERAL BUDGET**

WHEREAS, THE Mayor has presented the 2015-2016 General Budget to the Village Board, and a Public Hearing having been held on April 8, 2015, as provided by law,

NOW THEREFORE, the Village Board of Trustees adopts the budget for the fiscal year commencing June 1, 2015 and ending May 31, 2016 making appropriations for the conduct of Village Government and establishing the rates of compensation for officers and employees for such period.

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 2015/2016 at a tax rate of \$11.034804 per thousand assessed valuation.

Dated: April 22, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 37-15 was introduced

**RESOLUTION 37-15
APPROVAL OF 2015 - 2016 ELECTRIC BUDGET**

WHEREAS, the Mayor has presented the 2015 – 2016 Electric Budget to the Village Board and

WHEREAS, a Public Hearing having been held to review the 2015 – 2016 Electric Budget on April 8, 2015,

NOW THEREFORE, BE IT RESOLVED that the Village of Brocton hereby approves the 2015 – 2016 Electric Budget in the amount of \$791,017, with expected revenues of \$791,017 and \$0 from the unreserved fund balance.

Resolution introduced by Trustee J. Dale Abram, seconded by Trustee Gary Planty with the following vote:

__3__ ayes __0__ nays __1__ absent

Dated: April 22, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 38-15 was introduced

**RESOLUTION 38-15
APPROVAL OF 2015 – 2016 WATER BUDGET**

WHEREAS, The Mayor has presented the 2015 – 2016 Water Budget to the Village Board and,

WHEREAS, a Public Hearing having been held to review the 2015 – 2016 Water Budget on April 8, 2015,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby approves the 2015 – 2016 Water Budget in the amount of \$602,032.00 with expected revenues of \$505,000.00 and \$97,032.00 from the unreserved fund balance.

Resolution introduced by Trustee Dale VanVlack, seconded by Trustee J. Dale Abram with the following vote:

__3__ ayes __0__ nays __1__ absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 39-15 was introduced

**RESOLUTION 39-15
APPROVAL OF 2015 – 2016 WASTE WATER BUDGET**

WHEREAS, the Mayor has presented the 2015 – 2016 Sewer Budget to the Village Board, and

WHEREAS, a Public Hearing having been held to review the 2015 – 2016 Sewer Budget on April 8, 2015,

NOW THEREFORE BE IT RESOLVED that the Village of Brocton Board of Trustees hereby approves the 2015 – 2016 Waste Water Budget in the amount of \$511,606.00 with expected revenues of \$449,311.00 and \$62,295.00 from the unreserved fund balance.

Resolution introduced by Trustee Gary Planty, seconded by Trustee Dale VanVlack, with the following vote:

__3__ ayes __0__ nays __1__ absent

Dated: April 22, 2015

Sonia Luszcak
Village Clerk/Treasurer

Old Business:

Cleaning quote from Service Master was tabled.

The website still ongoing.

General Code is moving forward per Sam Drayo, Village Attorney.

A motion was made by Trustee Gary Planty, seconded by Trustee J. Dale Abram to authorize payment of signed approved vouchers. Vote was unanimous, motion carried.

A motion was made by Trustee Gary Planty, seconded by Trustee Dale VanVlack to approve April 8th minutes as presented in written form. Vote was unanimous, motion carried.

A motion was made by Trustee J. Dale Abram, seconded by Trustee Dale VanVlack to approve the written reports as presented. Vote was unanimous, motion carried.

A motion was made by Trustee J. Dale Abram, seconded by Gary Planty to go into executive session at 8:27 p.m. to discuss a contract and a personnel issue. Vote was unanimous, motion carried.

A motion to return to regular session with no action taken was made by Trustee J. Dale Abram and second by Gary Planty at 8:54 p.m. Vote was unanimous, motion carried.

A motion was made to adjourn the meeting at 8:54 pm by Trustee Dale VanVlack seconded by Trustee Gary Planty. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer