

REGULAR MEETING
May 20, 2015

Board Members Present: Mayor David Hazelton
Trustee J. Dale Abram
Trustee Bryan Woleben
Trustee Gary Planty
Trustee Dale VanVlack, Jr.

Present: Sonia Luszczak, Village Clerk/Treasurer
Samuel Drayo Jr., Village Attorney
Tom Allen, Highway Superintendent
Ryan Hazelton, Wastewater Treatment Plant
Joe Majkowski, Electric Lineman Supervisor
Richard Lewis, Wastewater Treatment Plant
James Rizzo, Jr., Fire Chief
Alan Gustafson, Code Enforcement Officer
David Spann
Ann Belcher, Observer

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

David Spann attended the meeting to give his report of the watershed review. He has found that the erosion is minimal and everything looked good. He voiced his concern over 4 wheel and truck traffic, but stated that that was something that could not be controlled. It has been three years since the last harvest. If the Board or Mayor have any further questions or concerns, please contact him.

Public Comments: No public comments.

Department Reports:

Sonia Luszczak, Village Clerk/Treasurer – Asked the Board approval to order replacement C7 LED bulbs for the Snowflake decorations. A motion was made by Trustee J. Dale Abram with a second by Trustee Bryan Woleben authorizing to order 500 C7 LED bulbs at a cost of 545.00. Vote was unanimous, motion carried. Sonia also informed the Board and Mayor that there will be a Deferred Comp meeting on June 10, 2015 at 10:00 a.m. A memo will be going out to all employees. Village taxes were sent out to all Village residents. There will be a Planning Board public hearing for Special Use Permit for Larry Thies at 152 Central Avenue, May 27, 2015 at 7:30 p.m. Received receipts from the Senior Citizens for the month of May for the Board review.

Sam Drayo, Jr. Village Attorney – Explained to the Board and Mayor the progress of the Level Three Communications and that this was a complicated case. Level Three Communications is looking for a property tax exemption from years 2010, 2011, 2012. 1.82% is the amount of the Village would be responsible for. Sam is still working on the Water Contract with the DOC. He believes that it is moving forward.

Tom Allen, Highway Superintendent – Spoke to the Fire Chief regarding the new sign and they all agreed to remove “Kaplan Center” from the sign from Paul Morrison at a cost of \$590.00. A motion was made by Trustee Bryan Woleben with a second by Trustee Gary Planty to authorize Tom to order the sign to be billed in next year’s budget. The DPW crew has completed the drainage issue at the Water Plant. The Mayor appreciated the help. Sidewalks will begin the 1st of June starting with the St. Stephens Hotel and the Greg Borst. Big trash pickup was successful, with many residents taking advantage. All of the tires that were held at the Town of Portland were picked up and the Village split the cost with the Town of Portland.

Joe Majkowski, Electric Lineman Supervisor – has completed the Dollar Store installation but is continuing to work with the contractor on a minor issue. The steel will start to go up next week. Joe will have a quote for LED street lights next week for review. Trustee Bryan Woleben is working with Joe regarding generator maintenance and what the procedure is they complete. More to follow.

Ryan Hazelton, Waste-Water Treatment Plant – stated they have been working on several of the issues at the plant. Joe Majkowski and Frank Cole helped replace several of the shingles on the roof. Ryan contacted the Craig @ STC regarding the issues who requested he send a couple of the shingles in question. The Abel pump was delivered and Koester was contacted for installation. Richard Lewis passed his civil service test. Congratulations were given to Rich for his accomplishment. The Scada system is now all connected and talking to the main computer. The Mayor thanked Joe Majkowski and Frank Cole for their cooperation and help at the sewer plant stating it makes all of our jobs easier with interaction between departments.

Alan Gustafson, Code Enforcement Officer – handed out his monthly report to the Board. He has been very busy with inspections at the Dollar General site. He has been issuing citations for high grass and junk vehicles. Alan reported that he had gone to a seminar with Southern Tier West regarding residential sprinklers. Noted that several of the homes under violations are up for auction.

James Rizzo, Jr. Fire Chief – Thanked Trustee Bryan Woleben in pursuing the fire hall meeting room. He would like to get this completed to offer a clean and inviting place for the firemen. The Chief has received an application for another firefighter, just waiting for the back ground check approval. There will be a seminar regarding Meth Labs on May 28th @ 7:00 p.m. Jim asked about being a part of the Village of Brocton Website. The Mayor stated that all they need to do is get the information to Phil Giambra who will help get it to our webpage.

Committee Reports:

Trustee Gary Planty –Went over the timeline for Summer Recreation applications interviews that will take place on Saturday, May 30th. Resolutions will be introduced at the June 17th Board Meeting for hiring of Summer Recreation attendants and where it will be held at Brocton Central School. Trustee Planty and Trustee Abram have been reviewing 2 of the 4 resident’s considerations for water and sewer bills. Trustee Planty wanted to make note to all residents that the committee will review sewer charges, but will not make considerations for water bills. He recommends that all residents take precautions of any exposed pipes in the extremely cold weather to prevent them from freezing.

Trustee Bryan Woleben – Reported he continues to work on quotes on the Fire Hall Meeting Room. Trustee Woleben spoke about shared services and possibly getting help from other departments in getting the meeting room completed. He will continue to get information on the generator quotes and what specifications are followed. More to follow. Trustee Woleben reminded the residents regarding Yard Sale notices

Trustee Dale VanVlack had no report.

Trustee J. Dale Abram had no report.

Mayor Report:

Mayor Hazelton went over the North Chautauqua County Water District water agreement that he sent to all Trustees for their review. The Mayor voiced several of his concerns with #3 sale of water, (in reference to the break wall at the Water Treatment Plant) #4A& D dates and rates. Several of the Trustees made known their concerns of things that could be a game changer if not addressed. Cost to decommission the Dam once the water district goes through and the liability the Village will need to spend is not addressed. After much discussion, the Mayor asked that all the Trustees send him an email with their concerns and he will send them on for answers from the County before the week prior to June 11th.

The Mayor would like the Planning Board to meet and review the Zoning laws and work with the Town of Portland Planning Board towards having one set of laws for both. Possible shared services with Code Enforcement Officers or one Code Enforcement Officer so that we all are operating on the same laws.

Mayor stated that National Grid notified the Village that they would need to get a reading of the meter at Bear Lake Pump House. Joe Majkowski met with them and found that the meter is off. The Village pays \$29.00 per month to have the meter at the Pump House and feels that it will never be used. All the Trustee’s agreed.

Melissa Seavy sent an email to the Mayor regarding a different starting line for the Darren-Lapeira Memorial 5K Run that will be held on August 1, 2015. The Mayor stated that DOT will need to be informed of closing of Route 20. Trustee Woleben will get with Melissa and contact DOT regarding the closing.

The Mayor received a letter from Mr. Hertlein from Brocton Central School thanking Joe Majkowski and Frank Cole for the professional work they did installing the poles for the 2 new scoreboards at the softball and baseball fields.

The Sewer Department asked for some consideration for a quote from Koester for a UV lamp and ballast. The Mayor asked for this to be tabled for further review from Trustee Planty and Trustee J. Dale Abram.

The Mayor scheduled the end of year special meeting for May 29th @ 4:00 p.m.

An Engineer will be meeting the Mayor at a residence on Route 380 regarding the new water line.

New Business:

Resolution 46-15 was introduced

RESOLUTION 46-15

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 May 18, 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

\$ 7,000 From A3410.2 Fire Protection Equipment to A3410.43 Fire Protection Vehicle Maintenance

\$ 3,200 From A5110.11 Maintenance of Roads Overtime to A5142.11 Snow Removal Overtime

\$ 500 From A5110.11 Maintenance of Roads Overtime to A5142.1 Snow Removal Personal

\$ 3,000 From A5142.2 Snow Removal Equipment to A5142.4 Snow Removal Contractual

\$ 3,000 From A5110.2 Maintenance of Roads Equipment to A5142.4 Snow Removal Contractual

WATER FUND

\$ 10,000 From F9950.4 Transfer to Sewer Fund to F9950.41 Transfer to Electric Fund

\$ 3,000 From F8320.4 Source Supply Contractual to F9030.8 Employee Benefits Social Security

\$ 2,000 From F8320.4 Source Supply Contractual to F8340.1 Trans. & Distribution Personal Services

\$ 5,000 From F8320.4 Source Supply Contractual to F8330.1 Water Purification Personal Services

\$ 10,000 From F9730.6 BAN Principal to F8330.1 Water Purification Personal Services

SEWER FUND

\$ 2,000 From G8110.4 Sewer Administration Contractual to G8120.4 Sewer Collection Contractual

\$ 5,000 From G8130.2 Sewer Treatment Equipment to G8130.4 Sewer Treatment Contractual

ELECTRIC FUND

\$ 2,300 From 781.5 General Office Supplies to 781.8 Engineer

\$ 1,500 From 899.2 Personal Services Treasurer to 899.6 Personal Services Other Employees

\$ 2,000 From 384 Transportation Equipment to 899.6 Personal Services Other Employees

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

4 ayes 0 nays 0 absent

Date: May 20, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 47-15 was introduced

RESOLUTION 47-15

**APPROVAL TO ADVERTISE FOR ADMINISTRATOR FOR
TECHNICAL ASSISTANCE GRANT**

WHEREAS THE Village of Brocton has received a Technical Assistance Grant in the amount of \$20,000.00 for revitalizing Main Street,

NOW THEREFORE BE IT RESOLVED that the Village advertise for Requests for Proposals for an experienced and qualified grant administrator according to specifications on file in the Village Clerk's Office to assist the Village with developing plans for revitalizing Main Street in the Village of Brocton.

Resolution introduced by Trustee Dale VanVlack, second by Trustee Bryan Woleben with vote as follows:

4 ayes 0 nays 0 absent

Dated: May 20, 2015

Sonia Luszcak

Village Clerk/Treasurer

Resolution 48-15 was introduced

RESOLUTION 48-15

APPROVAL FOR MAYOR'S SIGNATURE FOR ANSWER TO LEVEL THREE COMMUNICATIONS, LLC. PETITION FOR TAX EXEMPTION

WHEREAS Level Three Communications, LLC with headquarters in Broomfield, Colorado has filed a Notice of Petition and Petition claiming an exemption from real property taxation for various properties it owns in Chautauqua County, including a parcel of land within the Village of Brocton identified on the Chautauqua County Assessment rolls as 87-7-88.PS1, and also requesting a correction of errors and tax refunds for years 2010, 2011 and 2012 tax years,

WHEREAS the law firm of Hodgson Russ of Buffalo, New York has prepared a verified answer on behalf of the Village of Brocton and other various municipal Respondents alleging that the property is taxable and asserting other defenses and objections,

NOW THEREFORE BE IT RESOLVED that said answer is hereby approved for the Village of Brocton and the Mayor is hereby authorized to sign a verification to the answer on behalf of the Village of Brocton and he is further authorized to sign Form RP-554 for the 2014 tax roll denying any refund or credit.

Resolution introduced by Trustee Bryan Woleben, second by Trustee Gary Planty with vote as follows:

4 ayes

0 nays

0 absent

Dated: May 20, 2015

Sonia Luszcak
Village Clerk/Treasurer

Old Business:

The website still ongoing.

General Code there is nothing to report.

A motion was made by Trustee Bryan Woleben, 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 Bryan Woleben to approve May 6th minutes as presented in written form. Vote was unanimous, motion carried.

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

A motion was made to enter into Executive session for a personnel matter at 8:27 pm by Trustee J. Dale Abram and second by Trustee Bryan Woleben. Vote was unanimous, motion carried.

The Mayor entertain a motion to return to regular session from Executive session with no action taken at 8:50 pm by Trustee Bryan Woleben and second by Trustee J. Dale Abram. Vote was unanimous, motion carried.

A motion was made to adjourn the meeting at 8:51 pm by Trustee Gary Planty, second by Trustee Dale VanVlack. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer