

REGULAR MEETING  
JUNE 17, 2015

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

Board Members Absent: Trustee Dale VanVlack, Jr.

Present: Sonia Luszcak, Village Clerk/Treasurer  
Samuel Drayo, Jr. - Village Attorney  
Jim Rizzo, Jr. – Fire Chief  
Tom Allen – DPW Superintendent  
Joe Majkowski - Electric Lineman  
Ryan Hazelton – Wastewater Treatment Operator  
Rich Lewis – Wastewater Treatment  
Ann Belcher – Observer  
Ron & Pauline Johnson

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

**Public Comments:** Ron & Pauline Johnson asked that they could be given consideration regarding their water & sewer billing due to a frozen and broken water pipe in their basement. The Mayor stated that the process is that the Water & Sewer Committee would review usage history and get back to them on what discount they could provide. One of the Trustee's would get back to them very soon. Ann Belcher questioned what the Mayor's view was on the joint meeting held with the Town of Portland on Monday, June 15, 2015 regarding joining of Code Enforcement Officers and Zoning laws. The Mayor felt it was a good start and the Village is interested finding ways to better serve the community. Therefore, sharing Code Enforcement duties would be one of them. After further discussion Ann Belcher felt that this was a good start in communicating with The Town of Portland.

**Department Reports:**

Sonia Luszcak, Village Clerk/Treasurer – Village taxes received to date was \$88,601.23. Received the Dog Control Report for the month of May. The Observer called asking if we would like to once again place an advertisement congratulating the Brocton Central graduation class of 2015 in the amount of \$55.00. A motion was made by Trustee J. Dale Abram, second by Trustee Bryan Woleben to place the advertisement congratulating Brocton Central graduating class of 2015 in the amount of \$55.00. Vote was unanimous,

motion carried. Received an update from Melissa Seavy regarding the Darren Manzella-Lapiera Memorial Run to be held in August. There were two Sheriff Reports given to the Board for April and May. Planning Board minutes were discussed for two of the meetings that were held for the Board review.

Sam Drayo, Jr. Village Attorney – Sam continues to work and make progress on the State DOC water contract and has a few hurdles to get over. We have successfully completed the Sewage Treatment Plant contract and construction was completed. The Water Treatment Plant contract is a challenge due to wording in the contract. There was discussion regarding several of the main issues in regards to the accepting of bids and having the power to veto any change orders. After much frustration regarding this water contract that has been in the works for three years, the Mayor sent Senator Goodell and Senator Young an email stating that he would be asking the Board permission to send a 60 day shut off notice to the Prison due to their inconsideration that the Village has over \$600,000 in planning and engineer studies. A motion was made by Trustee J. Dale Abram second by Trustee Bryan Woleben that the Mayor is authorized to send a letter stating there would be a 60 Day Shut Off notice sent to the Department of Corrections if there is not a contract that is acceptable. Vote was unanimous, motion carried.

Tom Allen – DPW Superintendent - Tom received the “watch for Children signs” for Peerless Street and will be installed this week. The new sign for the Fire Hall came in and was installed at the Fire Hall. Jim Dolce went and painted the rest of the sign. The Dollar General project is moving along and the trees were moved except for one that was moved and planted at the Fire Hall. There was discussion regarding the water pipe on Chautauqua Road regarding damage to the road area due to the rain and flooding. There is FEMA grant money available but was not used due to the possibility of Regional Water district.

Joe Majkowski – Electric Lineman - There was discussion regarding a quote for approval to purchase and replace 52 LED street lights on Route 20 in the amount of \$13,312.00 from GotToGo Electric. A motion was made by Trustee Bryan Woleben, second by Gary Planty to purchase 52 LED street lights from GotToGo Electric in the amount of \$13,312.00. Vote was unanimous, motion carried. Joe wanted to thank Sam Drayo with the help in getting the easement completed with George and Judy Travis on Ellicott Road to set electric poles for Ellicott Estates. Joe and Frank have been working on the Thruway right of way. There was discussion regarding the quote for wireless cameras at the Village Hall and Ryckman Park from Brocton PC. More to follow.

Ryan Hazelton – Wastewater Treatment Operator – Discussed the National Fuel quote that was received to install a gas line to be placed at the Wastewater Treatment plant to reduce the cost of the heating bills in the winter. A motion was made by J. Dale Abram and second by Trustee Gary Planty authorizing National Fuel to place a gas line to be able to install a furnace at the sewer treatment plant at a cost of \$785.75. Vote was unanimous, motion carried. Abel pump came in and Koester came out and reviewed, Joe Majkowski helped out making pipe supports to aid in the install. The roof shingle

representative came out and took pictures and samples to get this resolved. More to follow. Ryan stated there is old glassware in the lab at the sewer treatment plant that is currently not being used and never will be. Ryan would like to sell them on E-Bay. A motion was made by Trustee Bryan Woleben and second by Trustee Gary Planty to create the excess glassware surplus and to list them on E-Bay for sale. Vote was unanimous, motion carried. Now that Dan Schrantz is retiring, would the Board consider providing Rich Lewis a credit for his cell phone bill to be able to monitor the plant? We will find out the cost and let them know. A motion was made by Trustee J. Dale Abram and second by Trustee Bryan Woleben authorizing the reimbursement to Rich Lewis, cost to be determined, for the use of his cell phone to monitor the sewer treatment alarm system. Vote was unanimous, motion carried.

Alan Gustafson – Code Enforcement Officer, he has issued 9 building permits. Alan attended Flood Plan Management training in Mayville. This gave Alan 6 continuing education credit hours at no cost to the Village. He did speak to the owner of 101 Old Mill Road stating that either the structure needed to be torn down or a violation would be given.

Jim Rizzo, Jr. – Fire Chief - There is a request for a fire truck at a parade at Van Buren Point on the 4<sup>th</sup> of July and a request for an EMT and ambulance on hand for the run on the 5<sup>th</sup>. A motion was made by Trustee Gary Planty and second by Trustee Bryan Woleben to allow a fire truck in the parade at Van Buren Point on 4<sup>th</sup> of July and provide the ambulance and EMT crew for the run scheduled for the 5<sup>th</sup> of July. Vote was unanimous, motion carried. There is progress on the driver training and continues. ISO was at the Fire Hall and it was very favorable.

### **Committee Reports:**

Trustee Gary Planty - Asked that the Youth Recreation Director Cynthia Ferguson to attend the meeting but was on vacation before the program began. Trustee Planty proceeded to give highlights of the program and what will be offered to the kids. There will be a picnic scheduled on 7/2, safety demonstration by the Fire Department on 7/7, a trip to Waldameer Park on 7/15, a trip to Lake Erie State Park on 7/21, and Erie Zoo on 7/29. The program will run from June 29<sup>th</sup> through August 13<sup>th</sup> from 8:30 a.m. to 3:30 p.m.

Trustee Bryan Woleben – Reminded the public that the Village was still accepting applications for Office Clerk until Friday, June 19<sup>th</sup>. Trustee Woleben asked that we accept the bid for repair to the meeting room at the fire hall from Steve Mawhir at a cost not to exceed \$4,030.00. The cost could be lower as Steve Mawhir will charge an hourly rate for labor. The Village will provide all of the materials needed. A motion was made by Trustee Bryan Woleben and second by Trustee Gary Planty to award the contract to Steve Mawhir not to exceed a cost of \$4,030.00 with the Village supplying all of the materials. Vote was unanimous, motion carried.

Trustee J. Dale Abram had no report.

**Mayor Report:**

Mayor Hazelton stated there was a Regional Water District Meeting on Thursday, June 11<sup>th</sup>. There are issues as to suppliers and continue to be issues. It may be one supplier moving forward. The Mayor would like to speak in Executive session the issue of Compensation Time Policy and how to handle. The Brocton/Portland Community Festival for a donation towards the Community Festival. A motion was made by Trustee J. Dale Abram and second by Trustee Bryan Woleben authorizing a donation to the Brocton/Portland Community Festival in the amount of \$100.00 to come out of the Celebration fund. Vote was unanimous, motion carried. The other issue that must be addressed is the past due accounts for electric and water/sewer. The Village Clerk will handle a month arrears, but the Committee's will handle anything past a month. We must continue to be operate in a business-like manner. Trustee Planty also brought up the point that we continue to investigate the option of accepting credit cards as payment which could help the residents in paying their bills.

**New Business:**

Resolution 51-15 was introduced

**RESOLUTION 51 -15**

**APPROVAL FOR MAYOR'S SIGNATURE REGARDING GEORGE  
AND JUDITH TRAVIS EASEMENT**

WHEREAS an easement from George and Judith Travis to the Village of Brocton for installation of electric poles in and over their property (SBL: 162.10-2-4) on Route 380 in the Town of Portland has been received,

NOW THEREFORE BE IT RESOLVED that said easement is hereby approved and the Mayor is hereby authorized to sign said easement on behalf of the Village of Brocton.

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

3 ayes

0 nays

1 absent

Dated: June 17, 2015

Sonia Luszcak  
Village Clerk/Treasurer

Resolution 52-15 was introduced

**RESOLUTION 52-15  
APPROVE 2015 SUMMER RECREATION PROGRAM**

WHEREAS a recommendation was made by the Recreation committee that the Brocton Portland Recreation Program to be held again at Brocton Central School and

WHEREAS on May 20, 2015 at their monthly meeting, the Brocton Central School Board approved to allow the Brocton-Portland Recreation Program be held at the school using the same facilities and services as last year. It is noted that the program will begin June 29<sup>th</sup> and extend for seven weeks, until August 13<sup>th</sup>, Monday through Thursday from 8:30 am to 3:30 pm.

BE IT FURTHER RESOLVED that Brocton Central School be added to our Village Insurance, and

BE IT FURTHER RESOLVED that in conjunction with the Brocton Central School, that the Youth Program participants be involved in the free meal program during the 2015/2016 school year, that the YMCA and Chautauqua Opportunities will use this information to provide free meals and a snack to the Brocton-Portland registered youth involved in the summer recreation program.

NOW THEREFORE BE IT RESOLVED that the Brocton-Portland recreation program be held at the Brocton Central School for the 2015 season.

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

3 ayes            0 nays            1 absent

Dated: June 17, 2015

Sonia Luszczak  
Village Clerk/Treasurer  
Resolution 53-15 was introduced

## RESOLUTION 53-15

### REHIRE SUMMER YOUTH RECREATION ATTENDANTS

BE IT RESOLVED that Trustee Gary Planty and Trustee Bryan Woleben, as members of the Recreation Committee have reviewed the applications, interviewed and recommend the hiring of the following applicants for the Summer Recreation Program 2015 to be held at Brocton Central School beginning June 29<sup>th</sup>.

#### **Staff Positions:**

Katherine Putcher, 8903 Harmon Hill, Fredonia NY  
Returning Employee at a rate of \$9.00 per hour

Peter Dolce, 85 West Avenue, Brocton, NY  
Returning Employee at a rate of \$9.00 per hour

Kole Wisecarver, Lake Avenue, Brocton, NY  
Returning Employee at a rate of \$9.00 per hour

NOW THEREFORE BE IT RESOLVED, the Village Board of Trustees has approved the recommendations of the Recreation Committee to hire the summer personnel for the six week program as stated.

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

3 ayes

0 nays

1 absent

Dated: June 17, 2015

Sonia Luszczak  
Village Clerk/Treasurer

Resolution 54-15 was introduced

## RESOLUTION 54-15

### HIRE SUMMER YOUTH RECREATION ATTENDANTS

BE IT RESOLVED that Trustee Bryan Woleben, as a members of the Recreation Committee and Cynthia Ferguson as Recreation Director have reviewed the applications, interviewed and recommend the hiring of the following applicants for the Summer Recreation Program 2015 to be held at Brocton Central School beginning June 29<sup>th</sup>.

#### **Staff Positions:**

April Tye, 9170 Pecor Street, Portland, NY  
New Employee at a rate of \$8.75 per hour

Courtney Ransom, 98 Central Avenue, Brocton, NY  
New Employee at a rate of \$8.75 per hour

Aaron Riforgiato, 8813 Pecor Street, Portland, NY  
New Employee at a rate of \$8.75 per hour

Antonia Foti, 6 Harmon Avenue, Brocton, NY  
Recreation Attendant Alternate at a rate of \$8.75 per hour

NOW THEREFORE BE IT RESOLVED, the Village Board of Trustees has approved the recommendations of the Recreation Committee to hire the summer personnel for the six week program as stated.

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

3 ayes

0 nays

1 absent

Dated: June 17, 2015

Sonia Luszcak  
Village Clerk/Treasurer

Resolution 55-15 was introduced

### RESOLUTION 56-15

#### APPROVAL TO ATTEND FIRST AID AND CPR TRAINING

WHEREAS Katie Putter, Kole Wisecarver, April Tye, Courtney Ransom and Aaron Riforgiato are approved to attend the First Aid and CPR Training to be held at Brocton Central School on June 22nd and 23<sup>rd</sup> from 8:30 am to 10:00 am.. The registration fee of \$27.00 per person will be paid for by the Village of Brocton.

NOW THEREFORE BE IT RESOLVED authorization is approved for Katie Putter, Kole Wisecarver, April Tye, Courtney Ransom and Aaron Riforgiato to attend the training.

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

3 ayes      0 nays      1 absent

Dated: June 17, 2015

Sonia Luszcak  
Village Clerk/Treasurer

Resolution 56-15 was introduced



## RESOLUTION 56-15

### APPROVAL TO ATTEND WATER/WASTEWATER COAGULATION AND FLOCCULATION TRAINING

WHEREAS Ryan Hazelton and Rich Lewis have requested approval to attend Water/Wastewater Coagulation and Flocculation Training on Wednesday, July, 15, 2015 from 7:30 am to 3:30 pm at Clarion Conference Center, 30 Lake Shore Dr. East, Dunkirk, NY 14048 sponsored by New York Rural Water Association. The purpose is to train attendees in Waste/Water chemical addition purpose and water chemistry. Jar testing for coagulation, flocculation & clarifier control points. Optimizing coagulation flocculation for clarification & solids separation. Chemical delivery systems with pumps and mixing. Travel will be by Village pick-up and there is a cost of \$28.00 per person to attend the training.

NOW THEREFORE BE IT RESOLVED authorization is approved for Ryan Hazelton and Rich Lewis to attend Water/Wastewater Coagulation and Flocculation training as listed.

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

3 ayes

0 nays

1 absent

Dated: June 17, 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 29<sup>th</sup> minutes as presented in written form. Vote was unanimous, motion carried.

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

The Mayor requested to go into executive session to discuss several personnel matters. A motion was made to enter into executive session to discuss several personnel matters at 8:36 pm by Trustee J. Dale Abram, 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 8:57 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 8:57 pm by Trustee Bryan Woleben, second by Trustee Gary Planty. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak  
Village Clerk/Treasurer