

REGULAR MEETING
JULY 15, 2015

Board Members Present: Mayor David Hazelton
Trustee J. Dale Abram
Trustee Dale VanVlack, Jr.
Trustee Bryan Woleben
Trustee Gary Planty arrive 7:40 p.m.

Present: Sonia Luszcak, Village Clerk/Treasurer
Samuel Drayo, Jr. - Village Attorney
Tom Allen – DPW Superintendent
Joe Majkowski - Electric Lineman
Ryan Hazelton – Wastewater Treatment Operator
Rich Lewis – Wastewater Treatment
Alan Gustafson-Code Enforcement Officer
Dan King – Historian
Craig Miller
Mark Belcher
Sandra Drennen
Denver Drennen
Samantha McDonald – Observer

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

The Mayor made a statement regarding the response of the neighbors, fireman, Trustee's and our employees during the flood and clean up. See attached.

Public Comments: Resident Craig Miller thanked all that did come and helped out during the flood. Mr. Drennen who lives in Harmon Avenue and continues to have water issues and lost all of their appliances in the basement due to the flood. Is there something that can be done to reroute the water? The Mayor and our DPW Superintendent will go to their property and take a look at the ditch in question. Mark Belcher another resident on Harmon Avenue also stated the water issues that continue to plague the residents. The Mayor told the residents that the Village crew would be coming to aid in the clean-up of basements, so they could place these items at the curbside. Our attorney Sam Drayo explained that the residents should take photos.

Department Reports:

Sonia Luszcak, Village Clerk/Treasurer – Senior Citizens receipts were presented to the Board for their review, along with the Dog Control Report and Sheriff's report. Sonia

mentioned that there was a cake and congratulations for Dan Schrantz retirement from the Village of Brocton. Requested approval for annual software support from Creative Technologies due to new employees needing support with the new billing program. They did give us a credit of \$150.00 off invoice. A motion by Trustee Bryan Woleben and second by Trustee Dale Van Vlack to accept the quote from Creative Technologies for Annual Technical Support in the amount of \$545.00. Vote was unanimous, motion carried.

Tom Allen – DPW Superintendent - Tom wanted to thank Steve Milliman and the Son's of the American Legion for all the work and donations they did on cleaning and varnishing all of the park benches. They look better than when we originally bought them. Tom turned in a quote for approval to trade in the 2007 John Deere lawn mower/snow plow to a newer model before problems start to happen. Sounds like a great deal, State contract prices. Quote was given to all Trustees on the new replacement meter pit and meter for Crestview. More to follow. There will not be any hydrant flushing this month due to the high amounts of water we have received. Tom wanted to thank Sinclairville, Mayville, Falconer, and Cassadaga for all their help today in clean up from the flood. He also received a telephone call from Kiantone asking if the Village needed help. There was a water leak at Ellicott Estates on the old line and this was completed and repaired with the help of Steve St. George due to the complexity of the issue. The tool house received flooding and the only thing lost was the computer. The Mayor once again thanked Tom and his crew for all their hard work during the flood and after.

Joe Majkowski – Electric Lineman – Joe had no report. The Mayor stated that during the flood there was a telephone pole that needed stabilized and Joe went and took care of the problem. Joe also went with fire departments shutting off electric to homes with water in their basements due to safety issues. The Mayor thanked Joe as well.

Ryan Hazelton – Wastewater Treatment Operator – There was a 4 inch pressure main that was repaired with the help of the County and our DPW crew. The plant ran beautifully through the whole ordeal. The plant normally processes 200,000 gallons, the day of the flood they processed 948,000 gallons 4 times what normally do. Ryan wanted to thank Rich the new employee who hung in there and stepped up to help. The Mayor also thanked both of them for all their hard work.

Alan Gustafson – Code Enforcement Officer, had a typical month on permits. He reviewed the listing of the electric and gas customers that were shut off due to the flooding he went and visited most and let the homeowners know that they would need to do. There was a basement wall collapse at 101 Lake Avenue he went to review. Dollar General is on track, and 66 East Main Street still was not given occupancy clearance until changes are made. 101 Old Mill Road still is in process of being demolished he will speak to the owner as well as send him a letter to make sure that this gets completed.

Dan King – Historian – was involved in a meeting regarding the 150 year of the funeral train of President Abraham Lincoln. He had some pins commemorating the event as

well as maps. The Post office in Brocton had a special stamp. There will be a shell box with the letters, pins and maps showing this event. Dan also asked that we get on New York State and Federal government excess property list so that we could get back on this list that we could get surplus equipment that could be used for any disaster. Dan asked if the Trustees would agree to get back on the list. Motion was made that we get back on the surplus listing by Trustee Gary Planty and second by Trustee Bryan Woleben authorizing Dan King to get the information for the Village of Brocton be placed back on the excess surplus list. Vote was unanimous, motion carried.

Sam Drayo, Jr. Village Attorney – Sam said that there has been final work completed on the DOCCS water contract. Sam also was working on the Municipal Solutions renewal contract. The Mayor thanked Sam for all his hard work on this contract that was very challenging.

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 29th through August 13th 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 19th. 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.

New Business:

Resolution 57-15 was introduced

RESOLUTION 57-15

HIRE SUMMER YOUTH RECREATION ALTERNATE ATTENDANT,
CHANGE A RECREATION ATTENDANT TO HEAD RECREATION
ATTENDANT

BE IT RESOLVED that Trustee Gary Planty, as a member of the Recreation Committee and Cynthia Ferguson as Recreation Director have reviewed the applications, interviewed and recommend the change of the following applicants for the Summer Recreation Program 2015 to be held at Brocton Central School beginning June 29th.

Staff Positions:

Remove: Antonia Foti, 6 Harmon Avenue, Brocton, NY
Recreation Attendant Alternate at a rate of \$8.75 per hour
(No longer available for this position)

Add: Madelyn Roberts, 6244 Webster Rd, Portland, NY
Recreation Attendant Alternate at a rate of \$8.75 per hour

Change: April Tye, 9170 Pecor Street, Portland, NY
Head Recreation Attendant at a rate of \$9.25 per hour
(This position provides assistance and fills in for the Recreation Director when necessary)

NOW THEREFORE BE IT RESOLVED, the Village Board of Trustees has approved the recommendations of the Recreation Committee member and Recreation Director to hire Madelyn Roberts for the six week program as stated, and change April Tye to Head Recreation Attendant.

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

4 ayes _0_ nays __0_ absent

Dated: July 15, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 58-15 was introduced

RESOLUTION 58-2015

APPROVAL TO SIGN AMENDMENT TO WATER CONTRACT WITH DOCCS

WHEREAS a proposed amendment to the water sale agreement (Contract No. 161197) between the Village of Brocton (“Brocton”) and the New York State Department of Corrections and Community Services (“DOCCS”) signed by the Mayor on July 22, 2014 has been reviewed by this Board and has also been reviewed by DOCCS and the State Comptroller without objections, and

WHEREAS said amendment provides, among other things, the following:

1. Not to exceed figures for water charges to DOCCS set forth in the contract will be considered estimates only and not binding on the Village.
2. The Village retains the right to terminate the contract with DOCCS for non-compliance with the terms of the contract.
3. Continues the flexibility for contract awards by the Village without amending the contract by the Village within the limits set forth in the contract and provides for DOCCS paying its share of change orders as set forth in the contract.
4. Allows the Village to increase DOCCS share of the project costs as set forth in the contract by an additional 5%.
5. Authorizes the Village to charge, in addition to other charges in the contract, a 25% mark-up on water charges in order to give the Village a reasonable return on the Village’s investment in the water system.
6. Fixes a surcharge of 1.5 times the Village rate for all water sold which exceeds the contract limits for water sold to the DOCCSS as set forth in the contract.

NOW THEREFORE BE IT RESOLVED that the proposed amendment is hereby approved and the Mayor is hereby authorized to sign said amendment on behalf of the Village of Brocton and forward six signed contracts to DOCCS for signature by DOCCS, the State Comptroller and the Attorney General and

BE IT FURTHER RESOLVED that the letter forwarding the amendments request that the amendments be signed by all of the said state agencies and two fully signed amendments and contracts be returned to the Village within the next 14 days.

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

4 ayes 0 nays 0 absent

Dated: July 15, 2015

Sonia Luszcak

Village of Brocton

I, Sonia Luszczak, Village Clerk of the Village of Brocton, N.Y., hereby certify that the above is a true and correct copy of a resolution of the Board of Trustees of the Village of Brocton duly adopted by said Board on July 15, 2015.

July 16, 2015

Sonia Luszczak-Village Clerk

Resolution 59-15 was introduced

RESOLUTION 59-15

**APPROVE APPOINTMENT OF KAREN MAKUCH
OFFICE CLERK**

WHEREAS, an opening exists in the Village Clerk's Office for a full time office clerk, and

WHEREAS, the Office Committee has reviewed and interviewed qualified applicants,

NOW THEREFORE BE IT RESOLVED that the Village Board hereby approves the Mayor's appointment of Karen Makuch, 8803 Pecor Street, Portland, New York as Office Clerk for Village of Brocton at an hourly rate of \$ 11.00 per hour, with additional benefits as noted in the Village of Brocton employee handbook, This appointment is effective July 13, 2015 and subject to civil service rules and regulations.

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

 4 aye

 0 nay

 0 absent

Dated: July 15, 2015

Sonia Luszcak
Village Clerk/Treasurer

Mayor Report:

Mayor Hazelton asked if the Board was comfortable approving the quote that was received from Zahm Ag and Turf regarding the John Deere. A motion was made by Trustee J. Dale Abram and second by Trustee Bryan Woleben to accept the quote of \$13,980 to purchase the lawn mower/snow plow. Vote was unanimous, motion carried. It is noted that there is money in the budget to cover this purchase. The Mayor stated he attended North Chautauqua County Water District Meeting on Thursday, June 11th and was given a new updated water agreement to review. He has asked the Trustees to review the contract and get together for a meeting to discuss. The Mayor then set a Board meeting for August 5, 2015 at 7:30 p.m. to discuss. The Village of Brocton received correspondence from Brocton Central School for a deficit for the Fuel Depot in the amount of \$1,239.18. A motion was made by Trustee J. Dale Abram and second by Trustee Gary Planty to pay the shortfall amount of \$1,239.18 to the Fuel Depot. Vote was unanimous, motion carried. Because of the damage on Lake Avenue and Route 380 the County came out with a designation of restricted highway in the Village of Brocton between Pullman Street and Peerless Street, will be closed to traffic until the barricades are removed. This is more for your information.

Old Business:

The website still ongoing.

General Code there is nothing to report.

A motion was made by Trustee Dale Van Vlack, seconded by Trustee Bryan Woleben 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 June 17th minutes as presented in written form. Vote was unanimous, motion carried.

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

Committee Reports:

Trustee Gary Planty – The Water/Sewer committee met and have three credits for 125 Highland Avenue a credit of \$96.72, 12 Pearl Street of \$27.67 and 11 Lake Avenue of \$56.56. A motion was made by Trustee Gary Planty and second by J. Dale Abram to approve the credits. Vote was unanimous, motion carried. Trustee Planty went on to

praise the dedication of our employees, fire department during the support of the area during the flood. Trustee Gary Planty noted that there were several residents placing themselves in harm's way. Everyone should use common sense in disaster situations. Summer Recreation is moving along and the group went to Waldameer Park today.

Trustee Bryan Woleben – wanted to thank the Village and Town for all the cooperation during the time of the flood. The fire department received a thank you card from Wendy Spinuzza for the saving of her house during the house fire next to her residence at Patterson Lane. Great job done by all.

Trustee Dale VanVlack thanked all the first responders as well during the flood.

Trustee J. Dale Abram was blown away by the response that we received during the flood from our employees, fire departments and everyone who helped. Can't thank you all enough. It was recommended that we send thank you letters to some of the many businesses and fire departments that assisted us during the flood. Wegman's, McDonald's, Wing City, Country Fair, The Red Cross, Debbie Delcamp providing food, cookies and drinks.

The Mayor requested to go into executive session to discuss an easement matter. A motion was made to enter into executive session to discuss easement matter at 8:31 pm by Trustee Bryan Woleben, second by Trustee Dale VanVlack. Vote was unanimous, motion carried.

The Mayor entertain a motion to return to regular session from Executive session at 8:53 pm by Trustee Bryan Woleben and second by Trustee Gary Planty. Vote was unanimous, motion carried. It should be noted that Craig Miller was invited into the executive session to discuss an easement issue.

A motion was made to adjourn the meeting at 8:54 pm by Trustee Dale VanVlack, second by Trustee Bryan Woleben. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer