

REGULAR MEETING
AUGUST 5, 2015

Board Members Present: Deputy Mayor J. Dale Abram
Trustee Dale Van Vlack, Jr.
Trustee Bryan Woleben
Trustee Gary Planty

Board Member Absent: Mayor David Hazelton
Samuel Drayo, Jr. – Village Attorney

Present: Sonia Luszczak, Village Clerk/Treasurer
Joe Majkowski - Electric Lineman
Tom Allen, DPW Superintendent
Jim Rizzo. Jr. – Fire Chief
Ryan Hazelton, Wastewater Treatment Operator
Rich Lewis – Wastewater Treatment
Craig Miller
Eric Weis, Engineer @ Clark, Patterson, Lee
Mr. Dorogi
Harold Smith
Ann Belcher – Observer

Deputy Mayor J. Dale Abram opened the regular meeting with the pledge to the flag at 7:30 p.m.

Public Comments: Resident Craig Miller stated that he was hoping the Mayor or our Village Attorney Sam Drayo would be available to answer some of the questions he had regarding the Regional water project and where the Village was heading. Deputy Mayor J. Dale Abram stated that he was sure it was Regional Water due to the cost to complete our own upgrades. After further discussion a question whether the public would have a voice if the Village should go with regional water or upgrade our own facility? Per Deputy Mayor Abram, the answer was that a public hearing would be held and all residents would be able to voice their concerns before a decision was made. Eric Weis, Engineer @ Clark, Patterson and Lee was present to clarify any questions regarding the Regional Water contract with the Village and went on to verify that that the Village would not be incurring any further debt if going with the Regional Water. There was discussion with the Board regarding some of their concerns how the Water Board of Directors would be chosen by the County Executive. Trustee Dale Van Vlack Jr. stated his understanding was that Dunkirk would get two votes, with each Municipality getting one vote and the County Executive would appoint three Legislators. There was concern that it could become political and the possibility of Dunkirk having more than two votes, should one of the Legislators be from Dunkirk making the decisions on raising the water

rates not fair. Deputy Mayor J. Dale Abram voiced his concern as to the costs to decommission the Water Treatment Plant as well as the reservoir/dam and whether that cost would be part of the water agreement. According to Eric Weis, that cost would be the Village responsibility and Deputy Mayor J. Dale Abram asked Eric to come up with a cost to better understand what our total cost will be should we agree to proceed with the Regional Water project. A question was asked as to how much it would cost for the Village of Brocton to upgrade the plant? According to Deputy Mayor J. Dale Abram he believes it would be around 5.4 million for the plant and another 4-7 million to get the reservoir in compliance. The Regional water contract is for 40 years with some corrections being made to the wording as the Municipalities review and get their questions answered. Trustee Bryan Woleben had a concern regarding the pump station that will be in the Village and there is a concern if the pump should go down, would the Village have water? Mr. Weis explained that there would be two pumps so there would be a back-up should the main pump go down. The maintenance he was unsure of and would get back to us with the answers.

Mr. Dorogi asked when the water main would be completed as he lost his water line that is in the creek the day of the flood. The creek has so much erosion from all of the past storms that have happened and the County does not seem concerned. According to Deputy Mayor, he explained that the Mayor was going to contact Tolman Engineering so that we can go out to bid for this water main replacement project. Mr. Dorogi was extremely concerned as to what the outcome will be for this winter if he does not have the connection to the water line as it will run within 150 feet of his home.

Trustee Gary Planty noted that he felt there should be a backup source for water source due to the Village of Fredonia not taking part in the Regional Water Project. According to Eric, the Village of Fredonia would be an emergency supplier should the need arise. More to follow.

Department Reports:

Sonia Luszczak, Village Clerk/Treasurer – A meeting will be with the held with Rev. Molly Golando who will be heading up a meeting for Long Term Flood Recovery program for our area and Chautauqua County to be held at St. Dominic's Church on Central Avenue at 10:00 a.m., Monday, August 10th. The plan is to get the resources available to the residents in need of assistance from the flood. Municipay was discussed as a way for the Village to have the ability to accept credit card payments for our utilities and taxes. After some discussions this was tabled on a motion by Trustee Dale VanVlack, Jr. and second by Trustee Bryan Woleben so that further discussion with Municipay could occur. Vote was unanimous, motion carried. I had received a WARN contract from Ryan Hazelton, Wastewater Treatment Operator asking the Board and the Village Attorney, Samuel Drayo, Jr. to review and give their opinions or concerns as to whether this is something the Village felt would be beneficial or not.

Joe Majkowski – Electric Lineman – stated that he has completed the LED lighting on Main Street of the Village. The connection to Dollar General is completed and up and running. He also completed the

Jim Rizzo, Jr. Fire Chief – The Darren Manzella Lapier run went very well. The Fireman Convention will be held in Derby this weekend. Jim wanted to thank all of the fire departments that came to support the Village during the flood. The only casualty that occurred was the loss of a suction hose and fittings from Sinclairville. This will be replaced at a cost of \$300.00.

Ryan Hazelton, Wastewater Treatment Operator – The Abel pump is being installed by Koester will be back next week to start it up. Both Ryan and Rich Lewis have been cleaning out the drying bed area of 25 years at the Wastewater Treatment Plant. It was placed in a dumpster. Went to the fire hall and removed the old heating system. Ryan wanted to thank Joe Majkowski and Frank Cole for their help getting out of a bind.

Tom Allen, DPW Superintendent – The flood washed out several of the large rocks that were placed in the creek. He is hoping that the Portland can come with the piece of equipment with a thumb on it to help place them. One of the rocks broke the water pipes that St. George replaced. Tom wanted it noted that the Village would not be accepting anything further at the curbside from the flood. Tom ordered the new Lawn Tractor and it should be in sometime at the end of August.

Committee Reports:

Trustee Gary Planty- the Water Committee reviewed a resident at 48 West Avenue regarding a large water bill and asked for consideration. After review and replacement of the old meter it was decided that the Village would split the bill. A motion to give credit in the amount of \$248.18 was made by Trustee Bryan Woleben and second by Trustee Dale VanVlack, Jr. Vote was unanimous, motion carried.

Trustee Bryan Woleben – No report.

New Business:

The Village received a telephone call from the Harvest Chapel Church requesting permission to park in our garage on the weekends. After further discussion it was decided that due to the liability issues, we could not honor that request. Received correspondence from a current resident requesting consideration in dropping the electric deposit fee due to financial hardships. This was discussed and the decision that was made that the Village Clerk/Treasurer contact the Department of Social Services to see if there was some help she could receive. According the PSC and the tariff, we are to collect the deposit schedule set by them.

Resolution 60-15 was introduced

RESOLUTION 60-2015

**APPROVAL TO ATTEND 2015 FALL TRAINING SCHOOL FOR CITY &
VILLAGE OFFICIALS**

WHEREAS Sonia Luszczak has requested approval to attend 2015 Fall Training School for City and Village Officials on Monday, September 28 through October 2, 2015, at Crowne Plaza, Lake Placid, NY. The purpose is to train attendees in municipal law, government operations, and local finance issues. Travel will be by private vehicle. The cost is \$285.00 with costs for lodging and meals \$1,126.20.

NOW THEREFORE BE IT RESOLVED authorization is approved for Sonia Luszczak to attend 2015 Fall Training School for City & Village Officials training as listed.

Resolution introduced by Trustee Dale Van Vlack Jr., second by Trustee Bryan Woleben with vote as follows:

3 ayes

0 nays

0 absent

Dated: August 5, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 61-15 was introduced

I certify, the following resolution was duly adopted at a meeting of the Board of Trustees of the Village of Brocton NY duly called and held on August 5, 2015 at the Village Offices, 34 West Main Street, Brocton, NY.

Sonia Luszczak
Village Clerk/Treasurer

**RESOLUTION 61-2015
DESIGNATE PROXY FOR MEUA SEMI ANNUAL CONFERENCE**

WHEREAS the Village of Brocton New York is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Semi-Annual Conference of the Municipal Electric Utilities Association of New York State has been called on September 15, 16, 17, and 18 to be held at the Crowne Plaza, Lake Placid, New York and

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that MEUA Executive Committee be and is hereby designated as the accredited delegate of the Village of Brocton New York.

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

Trustee J. Dale Abram:	Aye
Trustee Gary Planty:	Aye
Trustee Dale Van Vlack Jr:	Aye
Trustee Bryan Woleben:	Aye
Mayor David Hazelton:	Absent

Dated: August 5, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 62-15 was introduced

**RESOLUTION 62-2015
APPROVAL TO SIGN COOPERATIVE AGREEMENT FOR SUMMER
RECREATION PROGRAM WITH CHAUTAUQUA COUNTY**

WHEREAS a proposed cooperative agreement between the Village of Brocton (“Village”) and the County of Chautauqua (“County”) has been presented to this Board, and

Whereas the proposed agreement provides that the Village will provide a summer recreation program open to all students of the Brocton Central School as set forth in Appendix D of the proposed agreement, and

WHEREAS the program is eligible for funding from NYS Office of Children and Family Services and administered by the County Youth Services Bureau who will act as local sponsor of the funds, and

WHEREAS the Village will be entitled to \$2,150.00 from the County Youth Bureau for providing the summer recreation program, and

WHEREAS the agreement provides, among other things, that the Village will provide quarterly reports to the County regarding the program,

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

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

3 ayes

0 nays

0 absent

Date: August 5, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 63-15 was introduced

**RESOLUTION 63-2015
APPROVAL FOR MAYOR TO SIGN AGREEMENT WITH MUNICIPAL
SOLUTIONS**

WHEREAS a proposed two year agreement between the Village of Brocton, N.Y. (“Village”) and Municipal Solutions, Inc. of LeRoy, N.Y.(“Solutions”) dated April 16, 2015 has been presented to this Board regarding providing certain financial services by Solutions to the Village concerning the Village’s water improvements to the Village has been present to this Board, and

WHEREAS said proposed agreement briefly provides that Solutions will provide the following services to the Village over a two year period:

1. Bond Anticipation Note Borrowing.
2. Long-term Serial Bond Borrowing.
3. Administration and Reporting to Fund Agencies.
4. Long-term Closing with the Drinking Water State Revolving Fund.
5. General Financial Services, and

WHEREAS the total fee over the two year period commencing April 16, 2015 will not exceed \$50,000, including expenses,

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

Resolution introduced by Trustee Dale Van Vlack, Jr. , second by Trustee Gary Planty with vote as follows

3 ayes

0 nays

0 absent

Dated: August 5, 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 Dale Van Vlack, Jr., seconded by Trustee Bryan Woleben to authorize payment of signed approved vouchers. Vote was unanimous, motion carried.

The Mayor entertained a motion to go into Executive session for a personnel issue was made by Trustee Dale Van Vlack, Jr. and second by Trustee Bryan Woleben at 8:41 pm. Vote was unanimous, motion carried. A motion to return to regular session from Executive session at 9:21 pm with no action taken by Trustee Dale Van Vlack Jr. and second by Trustee Bryan Woleben. Vote was unanimous, motion carried.

A motion was made to adjourn the meeting at 9:22 pm by Trustee Gary Planty, second by Trustee Dale Van Vlack, Jr. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer