

REGULAR MEETING
September 2, 2015

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

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

Present: Sonia Luszczak, Village Clerk/Treasurer
Tom Allen, DPW Superintendent
Phil Gerace – 2nd Assistant Fire Chief
Ryan Hazelton, Wastewater Treatment Operator
Rich Lewis – Wastewater Treatment
Brain Trask – Brocton/Portland Community
Festival Committee
Ann Belcher – Observer

Mayor Hazelton opened the regular meeting with the pledge to the flag at 7:00 p.m.

Public Comments: Brian Trask with the Brocton/Portland Community Festival appeared before the Village Board with a request to use Ryckman Park on Saturday, September 26th from 7:15 p.m. to 11:00 p.m. for a Family Movie Night. The Festival would like to sell concessions to help with the cost of the movie. This would be a fund raiser for the Festival. There were questions as to where the screen would be placed as was there a rain date? The cost to rent the movie was \$350.00 to be able to show the movie to the public. Questions were raised as to other events taking place that evening that would limit the attendance, ie – Midget Football games etc. Brian did not have any of that information. A motion was made by Trustee Gary Planty and second by Trustee Bryan Woleben to allow the Brocton/Portland Community Festival to use the electricity at Ryckman Park on Saturday, September 26, 2015 for a movie festival. The Mayor would notify the County Sheriff of the activity in the park and would ask that we would waive the curfew for that evening.

Brian Trask was concerned that there were not road marking identifying the center of the road at the tunnels on Lake Avenue. Due to no traffic signal now working, Mr. Trask was concerned with other drivers not aware of where they should be driving. Mayor Hazelton stated that he would contact the County as it was a County road.

Department Reports:

Sonia Luszczak, Village Clerk/Treasurer – Stated that the Village is very close to accept credit cards for payment of Village utilities with Municipay.

Received the July Chautauqua County Sheriff's report as well as information from Cornell Cooperative of Chautauqua County regarding an Ag Discovery Tour in Frewsburg, NY for anyone that would like to attend. It would be held on Saturday, September 12th from 11:00 a.m. to 3:00 p.m.

Committee Reports:

Ryan Hazelton – Wastewater Treatment Plant Operator – explained that he has received two quotes to seal coat and fill cracks to the parking lot at the Wastewater Treatment Plant. After discussion with the Board, a motion was made by Trustee Bryan Woleben second by Trustee Gary Planty to accept the bid from Olsen Sealing not to exceed \$2,145.00. Vote was unanimous, motion carried. Ryan also received quotes from Klinkau America, Inc. for filter plates that are needed to operate the facility. According to Mayor Hazelton he did add this to the budget this year as to become aware that some of them would need to be replaced. Ryan recommended that we order 11 plates as we would receive a 10% discount. A motion was made by Trustee J. Dale Abram and seconded by Trustee Bryan Woleben to purchase the 11 Plates from Klinkau for \$3520.00. Vote was unanimous, motion carried. The last quotes that Ryan presented were for UV Bulbs from Koester. The price total is \$9,329.24 that Koester would come and share how to replace the bulbs and ballast along with O-rings. This is an operational expense and must be done or the Wastewater Treatment Plant will be out of compliance. A motion was made by J. Dale Abram and seconded by Trustee Gary Planty to purchase the UV Bulbs from Koester at a cost of 9,329.24. Vote was unanimous, motion carried. Ryan presented two quotes for the replacement of heating supplies for the Fire Hall heating system. The Wastewater Treatment guys will be doing the work with the installation. A motion was made by J. Dale Abram and seconded by Trustee Bryan Woleben to authorize purchase of the heating supplies and equipment for the fire hall from Irr Supply in the amount of \$751.00. Koester came out and installed the Abel pump and will be back after Labor Day to complete the work.

Tom Allen – DPW Superintendent - Brush pickup will be scheduled for September 8th due to the Labor Day holiday. Hydrant flushing will be on Thursday, September 10th. Big Trash will be held on Saturday, September 12th at the DPW Shop. The new John Deere tractor will be delivered to the shop the 3rd. The ground pile of brush will probably need to be ground up at a cost around \$3,500.00. There was a problem with the old dump truck with the replacement box losing its charge. It was sent to the Chevy garage to be fixed. They will proceed with replacing the sidewalks on Central Avenue using the money that was set aside for the repairs. The SPW will tackle the leak outside the Village office very soon.

Phil Gerace – 2nd Assistant Fire Chief – Received the new imaging camera, there will be further training in the next three weeks. The turn out gear that was purchased with the fund drive money arrived as well. The fire department is now 95% CPR certified. The Village should be receiving reports shortly as they are in the process of training someone to take that over. The Mayor stated that a total of 17 people took the CPR class, 4 being

our employees that the Village will cover the cost. This is another great use of our shared service with the school.

Trustee Gary Planty – No report.

Trustee Bryan Woleben – No report.

Trustee J. Dale Abram - No report.

Mayor Report:

Mayor Hazelton stated that he is pleased with what he has seen at the Dollar General store. There has been a lot of activity since the opening.

Peerless Street Bridge will be completed by Oakgrove Construction, Inc. There is a concern regarding the roadway being completed this Fall. Tom Allen had some concerns with guardrails being installed. Tom spoke to the County and they will be able to provide them and will get back to Tom with the cost. Trustee J. Dale Abrams expressed concern regarding trees hanging down from the bridges. The County was going to address this issue.

The Mayor asked the Board for their approval to accept two project clean-up applications that had been received. One was for 75 Kinney Street and the other was 42 Lake Avenue. A motion was made by Trustee Bryan Woleben and second by Trustee J. Dale Abrams to approve the applications for the project clean up as presented. Vote was unanimous, motion carried.

Mayor Hazelton mentioned that we would lose the electric allocation if we were to merge with the Town of Portland. There had been some questions about merging and if it would affect our service.

The Mayor received two resignation letters from Trustee Dale Van Vlack Jr. and Village Attorney, Samuel Drayo, Jr. He would like to accept the letters with regret. There are resolutions to that effect later in the meeting.

The Mayor voiced his concerns regarding the ability to collect money that is due to the Village for the electric and water/sewer. The Mayor asked the reporter, Ann Belcher of the Evening Observer to please place this information in the paper that we are running a business and must be able to collect what is due the Village. In light of that, the Mayor contacted a collection agency out of Jamestown and has provided the information to all of the Trustees to review and discuss at a later date. A new form was instituted to have the resident sign once they make a commitment to pay their bill at a later date. The Village office personnel will instruct the residents that they must come into the office to sign the new agreement.

The Mayor stated that the Village Clerk had received a statement in the amount of \$280.00 from the Fellowship Church regarding a flag pole that went through the front window during the storm. On a motion from Trustee J. Dale Abram and second by Trustee Bryan Woleben, this was tabled. Vote was unanimous, motion carried.

A letter was received from IKO Industries, Inc. for the Wastewater Treatment Plant shingles on the roof that are unsealed. They have agreed to send \$767.52 to release IKI Industries from any further liabilities relating to the sealing of the shingles only. The

shingles would still be covered by IKO Industries against manufacturing defects. The Mayor has asked for permission to sign the agreement to accept the payment. A motion was made by Trustee Gary Planty and a second by Trustee Bryan Woleben to authorize the Mayor's signature to accept the payment of \$767.52. Vote was unanimous, motion carried.

The Mayor would like to notify everyone that we are now at full staff at the Water Treatment Plant effective today. E. Mark Snyder came back to work today. Mayor Hazelton would like to schedule a workshop meeting to go over the Employees Handbook, once the corrections are completed, meet with the Employees and then get this passed. It was decided to meet at 6:00 p.m. on Wednesday, September 16th to review and make any changes.

Meeting times were discussed and left at 7:00 p.m..

New Business:

Resolution 69-15 was introduced

RESOLUTION 69-2015

**APPROVAL FOR VILLAGE CLERK TO ADVERTISE FOR WATER
MAIN REPLACEMENT PROJECT**

BE IT RESOLVED that the advertisement by the Village Clerk for sealed bids for the Village of Brocton water main replacement project as per plans prepared by Tolman Engineering which shall be returnable to the Village Clerk's Office until October 2, 2015 at 10:00 AM at which time they will be publicly opened and read aloud is hereby ratified and approved. The Board of Trustees of the Village of Brocton reserves the right to reject any and all bids and to waive any informalities. A copy of said advertisement is attached hereto and made a part of this resolution.

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

___3___ ayes ___0___ nays ___0___ absent

Date: September 2, 2015

Sonia Luszcak
Village Clerk/Treasurer
Resolution 70-15 was introduced

RESOLUTION 70-2015

APPROVAL TO ACCEPT RESIGNATION OF VILLAGE TRUSTEE

WHEREAS, Dale Van Vlack, Jr. has submitted in writing his resignation for the Village Board Trustee of the Village of Brocton effective August 31, 2015,

NOW BE IT RESOLVED, said resignation of Dale Van Vlack Jr. Village Board Trustee is hereby accepted, and the Mayor is hereby authorized to send him a letter thanking him for his service to the Village of Brocton.

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

 3 ayes

 0 nays

 0 absent

Dated: September 2, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 71-15 was introduced

RESOLUTION 71-2015

APPROVAL TO ACCEPT RESIGNATION OF VILLAGE ATTORNEY

WHEREAS, Samuel L. Drayo, Jr. has submitted in writing his resignation for the Village Attorney of the Village of Brocton effective October 1, 2015,

NOW BE IT RESOLVED, said resignation of Samuel L. Drayo Jr. Village Attorney is hereby accepted with regret, and the Mayor is hereby authorized to send him a letter thanking him for his many years of service to the Village of Brocton.

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

3 ayes

0 nays

9 absent

Dated: September 2, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 72-15 was introduced

RESOLUTION 72-2015

APPROVAL TO ATTEND BOB FREEMAN MEETING

WHEREAS, Sonia Luszcak has requested approval to attend a meeting with Bob Freeman, Executive Director for Committee on Open Government at West Valley Memorial Fire Hall, in West Valley, NY from 12:00 p.m. to 3:00 p.m. The cost for lunch is \$20.00. Travel will be by personal vehicle.

The meeting will cover the Freedom of Information Law, Open Meeting Law, Personal Private Protection Law.

NOW THEREFORE BE IT RESOLVED, authorization is approved for Sonia Luszcak to attend the meeting as listed.

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

3 ayes

0 nays

0 absent

Date: September 2, 2015

Sonia Luszcak
Village Clerk/Treasurer

The Mayor wanted to let the Board know that we have reached an agreement regarding the easement that he has been working on. The resident accepted the easement and signed. The Mayor would like the Board to approve his signature on the easement as well. A motion was made by Trustee Bryan Woleben and second by Gary Planty to authorize the Mayor's signature on the easement. Vote was unanimous, motion carried. Trustee J. Dale Abram received notice from Greg Borst requesting asked for a new diesel lawn mower for the Water Treatment Plant in the amount of \$5,629.00 with trade in. The company is giving us a trade in allowance of \$4,390.00. A motion was made by Trustee J. Dale Abram and second by Trustee Bryan Woleben to accept the quote from John Deere, Model # 758 Lawn Tractor. Vote was unanimous, motion carried.

Old Business:

The website still ongoing.

General Code there is nothing to report.

A motion was made by Trustee J. Dale Abram, 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 August 5th and August 19th minutes as presented in written form. Vote was unanimous, motion carried. Noted that August 5th meeting minutes with corrections.

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

A motion was made to adjourn the meeting at 8:00 pm by Trustee J. Dale Abram, second by Trustee Gary Planty. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer