

REGULAR MEETING
October 7, 2015

Board Members Present: Mayor David Hazelton – arrived 7:05 pm
Trustee J. Dale Abram
Trustee Bryan Woleben
Trustee Gary Planty

Present: Sonia Luszcak, Village Clerk/Treasurer
Peter Clark, Village Attorney
Tom Allen, DPW Superintendent
Joe Majkowski, Electric Lineman
Ryan Miller, Sewer Plant Operator
Rich Lewis, Sewer Plant
Jim Rizzo, Jr., Fire Chief
Ann Belcher, Observer
Phil Gerace, ^{2nd}Asst Fire Chief–arrived 7:20 pm
Clarence Grover, Fire Police–arrived 7:20 pm
Scott Little, Lock City Supply
Bruce Lackey, Lock City Supply

Deputy Mayor Abram opened the regular meeting with the pledge to the flag at 7:00 p.m.
Introduction of the new Village Attorney to the Board and attendees.

Scott Little and Bruce Lackey from Lock City Supply were on hand to give the board a presentation regarding Badger radio read water meters and some of the options available. The Mayor asked that they send us a complete spreadsheet as to what the actual costs would be to convert the Village over to these type meters. Lock City Supply will get this information to Tom Allen as quickly as possible for review and consideration.

Public Comments: No public Comments

Department Reports:

Sonia Luszcak, Village Clerk/Treasurer –Received September Dog Control Report.
Received the Sheriff’s report for August.

Thanked the Board for the chance to go to the NYCOM Fall Conference and went over some of the highlights of the information that I learned.

Ryan Hazelton, Sewer Plant Operator - gave the Board two proposals from Abel Pump Technology as a Flat Rate Proposal or a Service Agreement for the maintenance of the old pump and start up of the new pump. After discussion with the Board, a motion was made to accept the Flat Rate Proposal in the amount of \$1,750.00 by Trustee Gary Planty and seconded by Trustee Bryan Woleben. Vote was unanimous, motion carried.

Ryan was concerned with the Air Compressor that is being used at the Sewer Plant for pressing. The Board noted his concern and will table this until the need arises. The Sewer Plant is starting to get a filament growing again. Ryan contacted Trustee Gary Planty to approve Ryan using his own credit card to purchase Sodium Hydrochloride as well as a pump to control the filament. The Mayor and the Board thanked Ryan and Rich for completing the heating system at the Fire Hall. It is nice that we can use our own resources to complete jobs within the Village.

Joe Majkowski – Electric Lineman – handed in a quote for some transformers that were needed. A motion was made by Trustee J. Dale Abram and seconded by Trustee Bryan Woleben to purchase 4 transformers from T&R Electric at a cost of \$5,024.00. Vote was unanimous, motion carried.

Tom Allen – DPW Superintendent - the new dump box was installed on the old dump truck. Southern Tier West came and did GPS of all the DI's and road crossing. There is a total of 290 DI's.

The Peerless Street Bridge was supposed to start today, but there was no activity yet. Tom asked the Board to do a Resolution to extend the road to the new bridge as Peerless Street as the old bridge was really on Dahlberg Road.

No parking signs were installed on Route 20.

The water leak in front of the Village Office Building was fixed.

Tom asked that we notify residents in the paper and list on the Electric bills of the Winter Parking Ban effect November 1st through April 31st.

Jim Rizzo, Jr. – Fire Chief – Wanted to thank the Board and the Village for how nice the new meeting room looks.

There are 4 guys going through Firefighter 1. That is a great accomplishment for their department.

There was discussion regarding the new mobile radio's that will need to be purchased before 2016. There is a low interest loan available through the County. The interest rate would be 2.45%. After further discussion the Mayor asked the Village Attorney to review the application.

There are two doors that will need to be replaced or fixed at the fire hall. The Mayor will go look at them.

There was discussion regarding the Halloween Parade and Trick or Treating hours to be set for the Village. It was decided that Trick or Treating would be held from 2:00 – 4:00 pm with the parade starting at 4:30 p.m.

Committee Reports:

Trustee Gary Planty – Reported that he was involved with Joe Majkowski and the Arc Flash study with Mr. Cherry.

A resident at 50 Lake Avenue requested sewer consideration as the day of the flood the water softener continued to circulate water. They were out of town when this happened. The sewer credit would be \$85.84. A motion was made by Trustee Gary Planty and

seconded by Trustee J. Dale Abram to allow a sewer credit of \$85.84. Vote was unanimous, motion carried.

Trustee Planty noted that he would be working with Bryan Woleben on the Justice audit that needed to be completed.

Ryan Hazelton was inquiring on getting defibrillators for each of the Village departments as well as Joe Majkowski's truck. Trustee Planty will discuss this with the County for grants that might be available to purchase them.

Trustee Bryan Woleben – gave a generator maintenance quote from Emergency Power Systems to the Village Trustees as well as the Mayor for their review. The cost would \$2,675.00. He may attend a meeting for Crude by Rail that will be held in Dunkirk.

Trustee J. Dale Abram – Asked if the Dam inspection was still scheduled for next week? It was confirmed for October 14th at 10:00 am.

Mayor Report: Mayor Hazelton stated that there was a project clean-up application for a resident in the Village for review and approval. The Mayor explained to Peter Clark how the program came to fruition. A motion was made by Trustee Gary Planty and second by Trustee Bryan Woleben to approve the application in the amount of \$500.00. Vote was unanimous, motion carried.

The Mayor congratulated Rich Lewis on his completion of the first two weeks of getting his Wastewater Treatment Plant Operator license. More schooling to follow.

There will be a Special meeting scheduled for October 19, 2015 at 7:00 p.m. to review and discuss the Regional Water District. The public is encourage to attend.

New Business:

Resolution 75-2015 was introduced

RESOLUTION 75-2015

AUTHORIZING THE MAYOR'S SIGNATURE ON AN AGREEMENT REGARDING THE WATER MAIN EASEMENT

WHEREAS an easement and an agreement regarding a Water Main from CRAIG F. MILLER and ROSEMARY MILLER to the Village of Brocton for a proposed water main along Old Mill Road, County Route 380, adjoining their property at 151 Old Mill Road in the Village of Brocton has been reviewed,

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

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

3 ayes

0 nays

0 absent

Dated: October 7, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 76-2015 was introduced

RESOLUTION 76-2015

APPROVAL TO ACCEPT PROPOSAL FROM S. ST. GEORGE ENTERPRISES, INC.

WHEREAS there is an emergency need for a repair of a water main pipe crossing the creek at the Water Filtration Plant on Ellicott Road, and

WHEREAS, the proposal that was received from S. St. George Enterprises, Inc. to make these repairs is for one (1) day service in the amount of \$9,200.00,

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

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

3 ayes

0 nays

0 absent

Dated: October 7, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 77-2015 was introduced

RESOLUTION 77-2015

APPROVAL TO ACCEPT LOW BID FROM S. ST. GEORGE ENTERPRISES, INC. ON WATER MAIN REPLACEMENT PROJECT

WHEREAS bids for the Village of Brocton water main replacement project were publicly opened and read on October 2, 2015 at the Village Offices, and

WHEREAS under SEQRA this project is a Type 2 project not requiring an environmental review, and

WHEREAS the lowest responsible bidder meeting specifications was S. St. George Enterprises, Inc. of Fredonia, N.Y. in the total amount of \$1,963,500 which includes Add Alternate 1 in the amount of \$14,500 to increase the size of the Webster Road high density polyethylene (HDPE) road bore and water main, and

WHEREAS the Village consulting engineer, Tolman Engineering of Jamestown, N.Y. has reviewed the bids and recommended awarding the bid to S. St. George Enterprises, Inc., now therefore

BE IT RESOLVED that S. St. George Enterprises, Inc. of Fredonia, N.Y. is hereby awarded the contract for the Village water main replacement project for the total amount of \$1,963,500, and

BE IT FURTHER RESOLVED that upon S. St. George Enterprises, Inc. signing the contract and submitting to the Village the necessary performance bond and payment bond and insurance certificates and any other papers as required by the contract documents and confirmation that all easements have been secured, the Mayor is hereby authorized to sign said contract on behalf of the Village of Brocton and

BE IT FURTHER RESOLVED that Village Clerk Sonia Luszcak is appointed as the Village's minority business officer (MBO) and to work with NYS Environmental Facilities Corporation as may be needed.

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

3 ayes _0_ nays _0_ absent

Date: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 78-2015 was introduced

RESOLUTION 78-2015

WATER UPGRADE TOLMAN ENGINEERING

WHEREAS this Board has reviewed the options for the Village water system and is of the opinion that it is in the best interests of the Village of Brocton to proceed ahead with the water system improvements for Phase 2, now therefore

BE IT RESOLVED that the Village Clerk is hereby authorized to send a letter to Tolman Engineering, PLLC of Jamestown, New York, the Village consulting engineer for this project, informing Tolman Engineering that the Village Board has decided to proceed ahead to complete the engineering plans and related work for Phase 2 for the Village water system in accordance with the contract between the Village of Brocton and Tolman Engineering and requesting that Tolman Engineering proceed ahead as soon as possible to complete the necessary engineering work.

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

3 ayes _0_ nays _0_ absent

Dated: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 79-2015 was introduced

RESOLUTION 79-2015

SET TRICK OR TREAT HOURS AND ANNUAL PARADE

WHEREAS this Board have reviewed the options for the Village of Brocton to hold Trick or Treat hours, now therefore

BE IT RESOLVED that the Village Board sets the following hours; 2:00 pm to 4:00 pm on October 31, 2015 as the official time for Trick or Treating. The Halloween Parade will take place at 4:30 pm on Saturday, October 31, 2015.

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

 3 ayes 0 nays 0 absent

Dated: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 80-2015 was introduced

RESOLUTION 80-15

APPROVAL TO ATTEND CONCRETE STORAGE TANKS, RTCR

WHEREAS Clifford Borst, Sr. and E. Mark Snyder have requested approval to attend Water training session for Concrete Storage Tanks-RTCR on Tuesday, November 10, 2015 from 8:00 am to 3:30 pm at the Hampton Inn in Jamestown, NY sponsored by New York Rural Water Association. The purpose is to train attendees about concrete storage tank applications for use, design and common water quality issues. There will also be a discussion on the required elements of Level 1/Level 2 Assessment for revised total Coliform rule. Travel will be by their own vehicle and there is a cost of \$25.00 per person to attend the training.

NOW THEREFORE BE IT RESOLVED authorization is approved for Clifford Borst, Sr. and E. Mark Snyder to attend Concrete Storage Tanks – RTCR training as listed.

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

 3 ayes 0 nays 0 absent

Dated: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 81-2015 was introduced

RESOLUTION 81-2015

APPROVAL TO ATTEND WNY WATER WORKS CONFERENCE WORKSHOP LAB COURSE

WHEREAS E. Mark Snyder has requested approval to attend WNY Water Works Workshop for Grade A Laboratory Renewal Training on Wednesday, October 14, 2015 from 8:00 am to 3:30 pm at the Creekside Banquet and Conference Center in Cheektowaga, NY sponsored by Nussbaumer & Clarke, Inc. The attendee will receive CEU credits for water and wastewater operations and system maintenance personnel. Travel will be by Truck 8 and there is no cost to attend the training.

NOW THEREFORE BE IT RESOLVED authorization is approved for E. Mark Snyder to attend Lab Course training as listed.

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

3 ayes

0 nays

0 absent

Dated: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 82-2015 was introduced

RESOLUTION 82-15

APPROVAL TO ATTEND NYRWA WATER WELL REHABILITATION

WHEREAS James Horlacher has requested approval to attend NYRWA Water Training session, Water Well Rehabilitation on Wednesday, October 21, 2015 from 8:00 am to 4:00 pm at the Gowanda Fire Hall, Gowanda, NY sponsored by Slack Chemical and Ferguson Waterworks. The attendee will gain an understanding of water well problems and effective solutions. Travel will be by Truck 8 and there is no cost to attend the training.

NOW THEREFORE BE IT RESOLVED authorization is approved for James Horlacher to attend Water Well Rehabilitation training as listed.

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

3 ayes _0_ nays _0_ absent

Dated: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 83-2015 was introduced

RESOLUTION 83-2015

APPROVE APPOINTMENT OF PETER D. CLARK VILLAGE ATTORNEY

WHEREAS the Mayor has appointed Peter D. Clark, Esq. of Fredonia, New York as Village Attorney replacing Sam Drayo, Jr. who has retired from this position,

NOW, THEREFORE BE IT RESOLVED that the Mayor's appointment of Mr. Clark is hereby approved, effective immediately and

BE IT FURTHER RESOLVED that Mr. Clark's annual salary shall be \$28,000, with no other benefits.

Attached to this resolution is the letter from the Mayor appointing Mr. Clark Village Attorney.

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

3 aye _0_ nay _0_ absent

Dated: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 84-2015 was introduced

RESOLUTION 84-2015

APPROVAL TO ACCEPT PROPOSAL FROM BURGUN TRUCKING

WHEREAS there is an emergency need for removal of a tree at the Water Filtration Plant on Ellicott Road so the equipment can get to the location to repair water main pipe crossing the creek, and

WHEREAS, the proposal that was received from Burgun Trucking to remove the tree for the amount of \$600.00,

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

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

3 ayes _0_ nays _0_ absent

Dated: October 7, 2015

Sonia Luszcak
Village Clerk/Treasurer

Old Business:

The website still ongoing.

General Code still being worked on.

Collection Agency – Tabled.

Department Heads – Notify office staff when taking time off or time away. – Tabled

Water, Sewer Rent Charges – Landlords - The Mayor requested that the Board resolve an outstanding issue regarding landlords on the water and sewer charges. According to Peter Clark, Village Attorney it should be the responsibility of the owner of the property.

Webster Road Water District - The Mayor stated that there is a possibility a group of residents will be turning in a petition to form another water district in the Town of Portland due to testing of 16 wells and finding them unsafe to use or drink.

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 Bryan Woleben, seconded by Trustee Gary Planty to approve September 16th minutes as presented in written form. Vote was unanimous, motion carried.

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

A motion was made to adjourn the meeting at 9:05 pm by Bryan Woleben, second by Trustee Gary Planty. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer