

REGULAR MEETING
October 21, 2015

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

Present: Sonia Luszczak, Village Clerk/Treasurer
Peter Clark, Village Attorney
Tom Allen, Highway Superintendent
Alan Gustafson, Code Enforcement Officer
Diane Hofner, Board Member of Coalition to
Solarize Chautauqua County
Ann Belcher, Observer
Bill Westin

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

Diane Hofner, Board Member of Coalition to Solarize Chautauqua County presented an initiative to organize in the area for solar power program across New York State. She would like to give the residents the opportunity to join this group.

Public Comments: Bill Westin questioned whether the water project would need Public Service Commission approval to proceed with this project? According to the Mayor, no one had discussed this before so he did not believe that this was an issue. Bill wanted to give his and his wife's support for the North Chautauqua County Water District in the Village of Brocton.

Department Reports:

Sonia Luszczak, Village Clerk/Treasurer –Gave a report of the unpaid 2015-2016 Village Taxes along with a listing of the properties that remain unpaid.
Reviewed information on T-shirt, Sweatshirts and Hoodies with a Brocton Arch Logo that could be sold at the office.

The Darren Manzella-Lapeira Run will be held on July 30, 2016. A motion was made by Trustee Bryan Woleben and second by Trustee Gary Planty to allow the Manzella-Lapeira run to be held on July 30, 2016. Vote was unanimous, motion carried.

Gave quotes to all the Board to purchase a new paper shredder for an amount of \$259.19. A motion was made by Trustee Gary Planty and second by Trustee J. Dale Abrams to purchase a new paper shredder for \$259.19 from Eaton Supply. Vote was unanimous, motion carried.

Alan Gustafson – Code Enforcement Officer – handed in his September-October report stating that things are slowing down. He highlighted several properties that have violations and would be pursuing them. He had a chance to go up in the Electric Department Bucket truck and inspect the building at 10 East Main Street. He is concerned of the stability of the building and wants to see that this get addressed before winter weather arrives.

Tom Allen – DPW Superintendent – received information regarding National Joint Power Alliance that is similar to a State bid program.

The tree near the water main pipe at the water plant has been removed and S. St George should now be able to repair the pipe the middle of next week.

Tom and his crew will be installing a new valve at the Water Plant on Tuesday morning. The Peerless Street Bridge footers are being poured and we should have the bridge in a week. The opening for the new bridge will not be until the Spring of 2016.

Leaf pick up will begin next week.

Committee Reports:

Trustee Gary Planty – Sent further information on our Youth Program for the County. Received positive feedback from several of the kids that attended.

The Justice audit is scheduled for November 7, 2015.

Board of Public Utilities is being formed with a tentative date to meet of November 18th.

Working with the Village Clerk on the health insurance renewal that is coming due.

Trustee Planty would like an Executive session for personnel and safety issue.

Trustee Bryan Woleben – No report.

Trustee J. Dale Abram – No report.

Mayor Report: Mayor Hazelton stated that there was a need for an Executive session regarding an easement issue.

There is a resolution later for reserve bonded debt. More to follow.

The Mayor provided a fiscal stress report for the Board to review. The Village continues to remain where we were last year.

There was discussion on the assessment of the new Dollar Store. The Mayor continues to get questions as to why we structure the sewer charges as we do. The assessment is \$358,000.00 and will provide about \$500.00 for the sewer account per year.

The new “No Parking” signs have been installed on the west side of the Dollar Store.

There should have been a resolution drawn for the North Chautauqua County Water District. This will be added at the end of the current resolutions brought before the Board.

New Business:

Resolution 85-2015 was introduced

RESOLUTION 85-2015

**APPROVAL TO ATTEND FALL PLANNING AND ZONING
CONFERENCE**

WHEREAS Bill Westin, Bill Maher, Steve Mawhir and Terry Presto have requested approval to attend Fall Planning and Zoning Conference on Wednesday, November 4th 4:30 pm to 8:00 pm Southern Tier West BOCES Center, Salamanca, NY and Thursday, November 5th, 2015 at Chautauqua Suites Hotel and Expo Center from 8:00 am – 4:45 pm in Mayville, NY. The attendees will be credited with training that is required. Travel will be by their own vehicles and there is a cost of \$40.00 to attend the training.

NOW THEREFORE BE IT RESOLVED authorization is approved for Bill Westin, Bill Maher, Steve Mawhir and Terry Presto to attend the 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 21, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 86-2015 was introduced

Withdrawn

Resolution 87-2015 was introduced

Withdrawn

Resolution 88-2015 was introduced

RESOLUTION 88-2015

**AMEND RESOLUTION 83-2015 APPROVE APPOINTMENT OF PETER
D. CLARK VILLAGE ATTORNEY**

WHEREAS the Village Board of Trustees on October 7, 2015 passed Resolution 83-2015 approving the appointment of Peter D. Clark, Esq. of Fredonia, New York as Village Attorney and,

WHEREAS the salary quoted was \$28,000.00 and

WHEREAS the salary should have been \$37,307.92, now therefore

BE IT RESOLVED, the Village Board of Trustees amends Mr. Clark's annual salary to be \$37,307.92 with no other benefits.

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

 3 aye

 0 nay

 0 absent

Dated: October 21, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 89-2015 was introduced

RESOLUTION 89-2015

APPROVAL TO ACCEPT QUOTE FROM LOCK CITY SUPPLY

WHEREAS the water plant valve is in need of repair, and

WHEREAS, Tom Allen, DPW Superintendent has received a quote to purchase the necessary valve along with parts needed,

BE IT RESOLVED that Lock City Supply, Inc. has quoted the cost to be \$2,407.65,

BE IT FURTHER RESOLVED that the Village Board of Trustees approve the cost of \$2,407.65 to make the repairs.

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

 3 ayes 0 nays 0 absent

Date: October 21, 2015

Sonia Luszczak
Village Clerk/Treasurer

Resolution 90-2015 was introduced

At a regular meeting of the Village Board of Trustees of the Village of Brocton, New York held on October 21, 2015, the following resolution was adopted:

Sonia Luszczak
Village Clerk/Treasurer

**RESOLUTION 90-2015
DESIGNATE PROXY FOR NEW YORK MUNICIPAL POWER AGENCY**

WHEREAS, the Village Board of Trustees of the Village of Brocton, New York, is a municipal member of the New York Municipal Power Agency, and

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

NOW THEREFORE BE IT RESOLVED, that NYMPA Board of Directors 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 Bryan Woleben:	__Aye__
Mayor David Hazelton:	__Aye__

Dated: October 21, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 91-2015 was introduced

RESOLUTION 91-2015

APPROVE APPOINTMENT OF CRAIG F. MILLER VILLAGE TRUSTEE

WHEREAS the Mayor has appointed Craig F. Miller of Brocton, New York as Village Trustee replacing Dale Van Vlack, Jr.who has resigned from this position,

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

Attached to this resolution is the letter from the Mayor appointing Mr. Miller Village Trustee.

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

 3 aye

 0 nay

 0 absent

Dated: October 21, 2015

Sonia Luszcak
Village Clerk/Treasurer

Resolution 92-2015 was introduced

RESOLUTION 92-15

APPROVAL TO ATTEND CRUDE BY RAIL GEOGRAPHIC RESPONSE PLAN

WHEREAS Tom Allen has requested approval to attend Crude by Rail Geographic Response Plan on Monday, October 26, 2015 from 1:00 p.m. to 4:00 p.m. at JCC North Training Center, Dunkirk, NY. This meeting is sponsored by New York State Department of Environmental Conservation and DHSES/State Fire Officials. The attendee will receive local knowledge and experience to direct the GRP development process. Travel will be by Village Pick-Up and there is no cost to attend the training.

NOW THEREFORE BE IT RESOLVED authorization is approved for Tom Allen to attend the 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 21, 2015

Sonia Luszcak
Village Clerk/Treasurer
Resolution 93-2015 was introduced

RESOLUTION 93-2015

APPROVE TO MOVE FORWARD WITH THE NORTH CHAUTAUQUA
COUNTY WATER DISTRICT AS PRESENTED

WHEREAS the Village of Brocton Board of Trustees have reviewed information regarding the North Chautauqua County Water District and,

WHEREAS a public hearing was held on October 19, 2015 at Brocton Central School Cafeteria for a final presentation from the North Chautauqua County Water District committee to present the program and answer any questions that may arise, and

WHEREAS the Village of Brocton recognizes that they will be giving up the Brocton Water Plant and entering into the North Chautauqua County Water District to provide water, and

NOW, THEREFORE BE IT RESOLVED that under the recommendation of the Municipal Attorney the Village of Brocton will sign the agreement.

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

 3 aye

 0 nay

 0 absent

Dated: October 21, 2015

Sonia Luszcak
Village Clerk/Treasurer

Old Business:

The website still ongoing.

General Code is currently being completed with both attorneys.

Collection Agency – Tabled.

Department Heads – Notify office staff when taking time off or time away. The Mayor asked that the Board come up with a policy that all department heads notify the office staff if they will be out of town.

Water, Sewer Rent Charges – Landlords - The Mayor requested that the Board resolve an outstanding issue regarding landlords on the water and sewer charges. The Mayor still believes that this should be in the landlord's name. More to follow.

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. According to the Portland Town Clerk, Roxanne Sobecki, it is moving slowly.

A motion was made by Trustee Bryan Woleben, seconded by Trustee Gary Planty 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 October 7th minutes as presented in written form. Vote was unanimous, motion carried.

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

The Mayor entertained a motion to go into Executive session for a personnel and safety legal issue was made by Trustee J. Dale Abram and second by Trustee Bryan Woleben at 7:45 pm. Vote was unanimous, motion carried. A motion to return to regular session from Executive session at 8:04 pm with no action taken by Trustee Bryan Woleben and second by Trustee Gary Planty. Vote was unanimous, motion carried.

A motion was made to adjourn the meeting at 8:05 pm by Trustee J. Dale Abram, second by Trustee Bryan Woleben. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer