

SPECIAL MEETING  
December 23, 2015

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

Board Members Absent: Trustee Bryan Woleben  
Trustee Craig Miller

Present: Sonia Luszczak, Village Clerk/Treasurer  
Peter D. Clark, Village Attorney  
Tom Allen, DPW Superintendent

Mayor Hazelton opened the special meeting with the pledge to the flag at 11:30 a.m.

**Public Comments:** No public comment.

**Department Reports:** Village Clerk, Sonia Luszczak presented an update on the new paper bills for utilities. Beginning January 11<sup>th</sup>, the utility bills will now be mailed out with an envelope on paper. This is alleviate the issues that continue to plaque each of our residents when mailing the postcard bills. Some residents never receive them or only get a part of them.

The Clerk received via email the Sheriff's report for November.

Prudential Disability Insurance sent a notice that effective April 9, 2016, they will no longer cover businesses with a workforce smaller than 100 employees. A request was sent to Donna Thompson, our insurance broker, for a quote to provide disability insurance. More to follow.

The Village received a thank you card from the Grape Discovery for the donation that was sent.

Peter D. Clark, Village Attorney - He expects to complete the General Code after the first of the year.

The Mayor asked if Mr. Clark had filed the business with Mr. Schnur to which Mr. Clark stated that they needed an index number from the County Clerk. Once that is returned to his office, this will be served.

Trustee J. Dale Abram asked to meet with Mr. Clark and Trustee Planty regarding the shut off letters. The wording is confusing to the residents and is stating some laws that

do not have anything to do with the utilities. Mr. Clark told the Trustees to contact him when they have the time to meet.

Tom Allen, DPW Superintendent – Truck #2 was sent to Jamestown to Schults dealership due to an issue of not charging. They are working on it and still cannot come up with why it is not working properly. They have replaced many of the parts, but they still are unclear what is wrong with the truck. For now, the Village can get by without it.

**Committee Reports:** Trustee Gary Planty gave an update on an estimate that the Sewer Plant got for some stainless steel to replace some support beams that are rotting from the toxic chemicals that are used at the plant. The sheet is 5 X 5 ¼” 316 stainless steel plate. Ryan called the following companies Alro Steel, Jacks Welding and Jamestown Boiler. The lowest price was from Alro Steel in the amount of \$612.78. Shared services will help make the new beams and make the repairs. A motion was made by Trustee Gary Planty and second by Trustee J. Dale Abram to approve the cost of \$612.78 to purchase the stainless steel plate from Alro Steel 5 X 5 ¼” 316 sheet steel to make the corrections to the support beams at the sewer plant. Vote was unanimous, motion carried.

Trustee Planty noted that he is working with Greg Borst on the response to the Dam report and this will be completed sometime next week. He will provide a copy of the reply to each of the Trustees and Mayor.

Trustee J. Dale Abram had no report.

**Mayor Report:** Mayor Hazelton had a meeting with Gina Paradis from the Land Bank inquiring interest in 10 East Main Street. The Mayor said that they are very interested in helping the Village with this property. Trustee Gary Planty made reference to an end use for that area to be given to the Planning Board for their input. Trustee J. Dale Abram questioned what would need to be done legally regarding that property. Mr. Clark, Village Attorney noted that we would need to determine what we wanted to do with the property and if needed we would go to court to remove Mr. Cave. We would then coordinate with Mike Giest and Gina Paradis at the Land Bank to determine what money is available to help get the building down.

The Mayor received a request from Greg Borst @ the Water Treatment Plant for a snow blower for this winter. The Mayor spoke with Scott Lindstrom @ John Deere and got a quote of \$2,703.00. If and when the Water Treatment Plant is shut down, the piece of equipment would then go to another department in the Village. A motion was made by Trustee Gary Planty and second by Trustee J. Dale Abram authorizing the purchase of a snow blower for the new John Deere tractor at the Water Treatment Plant in the amount of \$2,703.00 from Z&M Ag and Turf. Vote was unanimous, motion carried.

The Mayor asked that the changes to the Employees Handbook be approved as discussed at an earlier meeting. A motion was made by Trustee J. Dale Abram and second by Trustee Gary Planty to approve the changes to the Employee Handbook that was discussed with the employees back in October. Vote was unanimous, motion carried.

**New Business:**

Resolution 102-2015 was introduced as presented in written form

**RESOLUTION 102-2015**

**SUPPORT OF LOCAL TRANSPORTATION FUNDING**

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York's traveling public and its economy; and

WHEREAS, 85 percent of New York's roads and bridges are maintained by local government; and

WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and Independent studies show a large portion of road mileage is deterioration and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

WHEREAS, on the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

WHEREAS, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

WHEREAS, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other, and

WHEREAS, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

NOW THEREFORE BE IT RESOLVED, that the Village of Brocton calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of the local roads and bridges; and increase CHIPS funding in the 2016-17 state budget, and

BE IT FURTHER RESOLVED, that the Village of Brocton calls upon the Governor and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and

BE IT FURTHER RESOLVED that the Village of Brocton calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

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

\_\_3\_\_ ayes                      \_\_0\_\_ nays                      \_\_2\_\_ absent

Dated: December 23, 2015

Sonia Luszczak  
Village Clerk/Treasurer

Resolution 103-2015 was introduced

RESOLUTION 103-2015

APPROVAL TO ACCEPT RESIGNATION OF DEPUTY  
CLERK/TREASURER

WHEREAS, Karen Makuch has submitted in writing her resignation for the Deputy Clerk/Treasurer effective January 22, 2016

NOW BE IT RESOLVED, said resignation of Karen Makuch Deputy Clerk/Treasurer is hereby accepted and the Mayor is hereby authorized to send her a letter thanking her for her service to the Village of Brocton.

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

\_3\_ ayes

\_0\_ nays

\_2\_ absent

Dated: December 23, 2015

Sonia Luszcak  
Village Clerk/Treasurer

Resolution 104-2015 was introduced

RESOLUTION 104-2015

APPROVE APPOINTMENT OF NANCY SMITH  
DEPUTY CLERK

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

WHEREAS, after review of applications that had been interviewed previously,

NOW THEREFORE BE IT RESOLVED that the Village Board hereby approves the Mayor's appointment of Nancy Smith, 6462 Ellicott Road, Portland, New York as Deputy 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 January 11, 2016 and subject to a physical and drug test.

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

  3   aye

  0   nay

  2   absent

Dated: December 23, 2015

Sonia Luszcak  
Village Clerk/Treasurer

**Old Business:**

General Code – Peter Clark is currently finalizing.

Collection Agency – Village Trustees are working on.

Webster Road Water District – On Going – Meeting are being held at the Town of Portland and the vote was passed by two votes to move forward with the new water district.

Water Meter Reading – Crestview - New owners. The Village will be in contact with them to discuss the water meters in the Park.

A motion was made by Trustee Gary Planty, second by Trustee J. Dale Abram to authorize payment of signed approved vouchers. Vote was unanimous, motion carried.

A motion was made by Trustee Gary Planty, second by Trustee J. Dale Abram to approve December 2nd minutes as written. Vote was unanimous, motion carried.

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

With no further business brought before the Board, a motion was made to adjourn the meeting at 11:57 am by Trustee J. Dale Abram, second by Trustee Gary Planty. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak  
Village Clerk/Treasurer