

REGULAR MEETING January 20, 2016

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

Present: Sonia Luszczak, Village Clerk/Treasurer
Peter D. Clark, Village Attorney
Alan Gustafson, Code Enforcement

Officer
Greg Borst, Water Treatment Plant

Operator
Lynette Borst

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

Public Comments: Greg and Lynette Borst attended the meeting to discuss the issue of low water pressure at their home on Highland Avenue that they have been experiencing for last 25 years. They have asked for the Village to reimburse them for the cost to install the new water line to help alleviate their issue. The DPW crew went to Greg's location and made the repair to a leak that was detected. During the repair, it was discovered that when the contractor's pushed the new water line into their home it went through the sewer pipe and had been that way for over 35 years. The Village Attorney, Peter D. Clark stated he would recommend the Village reimburse the Borst's for their cost. The Mayor stated that he would like Peter D. Clark, Village Attorney to come up with a release of the Village once this amount is paid. A motion was made by Trustee J. Dale Abram and second by Trustee Craig Miller to reimburse Greg & Lynette Borst the amount of \$1,110.96 the cost they paid to install a new water line to their home. Vote was unanimous, motion carried. After the vote Greg Borst stated that he would sign the release as long as it was just for the cost of the repair and would like to keep anything related to health issues out of the release as he and his wife would be going to the doctor's and have several tests taken (lead levels, etc.) to make sure there are no health related issues from the many years of drinking the contaminated water. The Mayor stated that Greg did water testing at his home and found the levels acceptable, to which Greg agreed. Greg Borst went on

to explain what the procedure was for taking water samples for testing. After further discussion, more to follow.

Department Reports: Village Clerk, Sonia Luszczak gave to each of the Trustees two water sewer accounts that the Deputy Clerk would like to write off as the Village Attorney did not have any luck locating the owners. A motion was made by Trustee Bryan Woleben and second by Trustee Gary Planty to approve the write off of the water sewer accounts at 10 Fay Street, \$109.32 and 66 East Main Street, \$112.64 for a total of \$221.96. Vote was unanimous, motion carried. The Clerk received in the new billing payments a note from a resident that they liked the new bills as they were easier to read and understand.

Each of the Trustees were given a copy of the Sheriff's report for the month of December as well as the Dog Control report.

Alan Gustafson, Code Enforcement Officer - Completed a summary of 2015 and noted that he issued 61 permits and collected \$4,000.00 in fees. He was continuing to complete office work along with the required annual report to the Department of State.

Alan will be attending classes in Buffalo for commercial carbon monoxide detectors as well as the Energy Code Requirement Webinar in the next few weeks.

He has started doing his fire inspections.

There was a question from the Mayor wondering if it would be possible for Alan Gustafson sit down with Signe Rominger to share services when out of the office due to illness or vacations. There was further discussion with more to follow.

Fire Department - The Mayor stated that he had received a telephone call from James Rizzo, Jr., Fire Chief thanking Trustee Gary Planty for his hard work on the grant for the new mobile radios.

Committee Reports: Trustee Gary Planty gave an update on the mobile radios grant that Jim Rizzo, Jr. mentioned and the amount would be \$66,000 with the State being responsible for \$62,700 and the Village share would be \$3,300.00.

Trustee Planty signed up for the Emergency Management Certification Training - Tier 3 class at the County on Thursday, January 21st and would be attending.

Trustee Bryan Woleben stated that the confined space training that was given by Nellie Brown was an excellent class. She kept the group involved in training and was well received by the attendees. Trustee Woleben asked that the Mayor please send a letter of thanks for her time.

Mayor Report: Mayor Hazelton wanted to remind everyone that the Republican and Democrat Caucus was going to be held on Saturday, January 23, 2016 at 9:00 a.m. for the position of Mayor, and two Trustee positions. Anyone that has an interest in any of the positions should attend their caucus.

The Mayor received a telephone call from Municipal Solutions regarding the Water Main Replacement. The Village of Brocton is funding the project with a BAN that runs out in August. Should the project run into July, there would be a lapse in time where funding would not be available. What Municipal Solutions is recommending is to go for permanent financing in June hoping that the project would be completed and we would know what all the costs are. At that time we would get the money from EFC and be done with it. The Mayor sent an email to County Executive Vince Horrigan and Rick Henry requesting a meeting and Diana @ Municipal Solutions along with Gary, to get in writing everything that the Village of Brocton in doing as this BAN is supposed to be part of the Regional Water District.

The Mayor received a telephone call from a student at Brocton Central School about an opportunity to shadow the Village employees starting in April for 4 weeks. The Mayor thought this student could spend a week with the DPW, Sewer, Water and Electric to get a good idea of what working in the Village is. There was discussion as to any liability and insurance issues. Peter Clark, Village Attorney will contact the Boces Instructor to get further information and legal concerns.

New Business:

Resolution 03-2016 was introduced

RESOLUTION 03-2016

APPROVE MONTHLY COMPUTER SERVICE AND MAINTENANCE AGREEMENT WITH BROCTON PC TECHNOLOGIES

WHEREAS, the Village of Brocton Trustees accepts a Service Agreement Quote from Brocton PC Technologies in the amount of \$50.00 per month for a period of 12 (twelve) months and includes the services below :

1. Updating and General maintenance of all Village Office computers (including DPW, Water and Sewer (Industrial Systems Excluded)
2. Maintain current local backup software (urBackup)

3. Trouble shooting network problems
4. Trouble shoot Printer problems (Physical printer repairs not included)
5. Software installations.
6. Component replacement (labor only, parts extra)
7. Virus removal and PC clean-up as needed
8. Other service available at request (extra charges may apply)

NOW THEREFORE BE IT RESOLVED authorization for payment is approved for a Service agreement in the amount of \$50.00 per month for a period of 12 (twelve) months to Brocton PC Technologies.

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

 4 ayes __0_ nays __0_ absent

Dated: January 20, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 04-2016 was introduced

RESOLUTION 04-2016

APPROVE WEB HOSTING QUOTE WITH BROCTON PC TECHNOLOGIES

WHEREAS, the Village of Brocton Trustees accepts a Web Hosting Quote from Brocton PC Technologies in the amount of \$10.00 per month for a period of 12 (twelve) months and includes the services below :

1. Weekly content updates. Send content updates to phil@broctonpc.com
2. E-mail Hosting
3. Commercial SSL certificate for encrypted transactions

NOW THEREFORE BE IT RESOLVED authorization for payment is approved for Web Hosting in the amount of \$10.00 per month for a period of 12 (twelve) months to Brocton PC Technologies.

Resolution introduced by Trustee Craig Miller, second by Trustee Bryan Woleben with vote as follows:

4 ayes _0_ nays _0_ absent

Dated: January 20, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 05-2016 was introduced

RESOLUTION 05-2016

APPROVAL TO ATTEND WNYWWC ANNUAL CONFERENCE

WHEREAS Thomas Kawski and E. Mark Snyder have requested approval to attend WNYWWC Annual Conference on Wednesday, February 10, 2016 at the Clarion Inn in Batavia, NY. This is sponsored by Chatfield Engineers, P.C. and Koester Associates. The purpose of this training is for the operator's re-certification mandates. Cost for this conference will be \$25.00 each with lunch included. Travel will be by Truck 8 for E. Mark Snyder and Tom will use his own vehicle.

NOW THEREFORE BE IT RESOLVED authorization is given for Thomas Kawski and E. Mark Snyder to attend WNYWWCA Annual Conference.

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

4 ayes _0_ nays _0_ absent

Dated: January 20, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 06-2016 was introduced

RESOLUTION 06-2016

APPROVE MICROSOFT OFFICE 365 SUBSCRIPTION QUOTE WITH BROCTON PC TECHNOLOGIES

WHEREAS, the Village of Brocton Trustees accepts a Microsoft Office 365 Subscription Quote from Brocton PC Technologies in the amount of \$120.00 per year and would include the following:

1. Installed applications - Word, Excel, PowerPoint, One Note, Outlook, Publisher and Access
2. Install on 5 PC (transferable)
3. Always up to date with the newest versions (current version Office 2016)
4. OneDrive Cloud storage 1 TB each for up to 5 users
5. File sharing and collaborations

NOW THEREFORE BE IT RESOLVED authorization for payment is approved for Microsoft Office 365 Subscription in the amount of \$120.00 a year to Brocton PC Technologies.

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

4 ayes

0 nays

0 absent

Dated: January 20, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 07-2016 was introduced

RESOLUTION 07-2016

BUDGET TRANSFERS

WHEREAS, the Village Board of Trustees has reviewed the recommendations from its auditors/accountants, Bahgat/Laurito-Bahgat, regarding budget transfers which are set forth in their letter dated January 18, 2016 and find said recommendations to be in order,

NOW BE IT RESOLVED, the following budget transfers as set forth in said letter are hereby approved

GENERAL FUND

- \$1,000 From A1990.4 Contingent Account to A1110.4 Municipal Court Contractual
- \$1,000 From A5110.1 Maintenance of Roads Personal Services to A5410.1 Sidewalks Personal Services
- \$ 500 From A5110.4 Maintenance of Roads Contractual to A5410.4 Sidewalk Contractual
- \$ 100 From A1990.4 Contingent Account to A9785.7 Installment Purchase Interest

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

4 ayes _0_ nays _0_ absent

Date: January 20, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 08-2016 was introduced

RESOLUTION 08-2016

APPROVAL TO ATTEND NYS AWWA CONCRETE WATER TANK CONSTRUCTION TRAINING

WHEREAS Thomas Kowski has requested approval to attend NYS AWWA Concrete Water Tank Construction on Tuesday, May 24, 2016 at Springville, NY. This is sponsored by American Water Works Association. The purpose of this training is to meet operator's re-certification mandates. Cost for this training will be \$55.00 with lunch included. Travel will be by own vehicle.

NOW THEREFORE BE IT RESOLVED authorization is given for Thomas Kowski to attend NYS AWWA training as listed above.

Resolution introduced by Trustee Craig Miller, second by Trustee Bryan Woleben with vote as follows:

__4__ ayes __0__ nays __0__ absent

Dated: January 20, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 09-2016 was introduced

RESOLUTION 09-2016

APPROVAL TO ATTEND NYS AWWA BASIC LABORATORY SKILLS AND CHLORINE & SODIUM HYPOCHLORITE TRAINING

WHEREAS Thomas Kawski has requested approval to attend NYS AWWA Basic Laboratory Skills and Chlorine & Sodium Hypochlorite on Tuesday, June 7, 2016 at Niagara Falls, NY. This is sponsored by American Water Works Association. The purpose of this training is to meet operator's re-certification mandates. Cost for this training will be \$180.00 with lunch included. Travel will be by own vehicle.

NOW THEREFORE BE IT RESOLVED authorization is given for Thomas Kawski to attend NYS AWWA training as listed above.

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

__4__ ayes __0__ nays __0__ absent

Dated: January 20, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 10-2016 was introduced

RESOLUTION 10-2016

APPROVAL TO ACCEPT CHANGE ORDER 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 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 original bid included ductile iron water main and copper water service, the Village of Brocton would like to save about \$100,000.00 to change the water main and water service pipe material to include PVC, and Poly Flex Service Tubing and

WHEREAS the Village consulting engineer, Tolman Engineering of Jamestown, N.Y. has accepted the change order from the contractor, now therefore

BE IT RESOLVED that the Village Board of Trustees accept the change order as presented, and

BE IT FURTHER RESOLVED that upon approval from the Department of Health, EFC and the Village of Brocton Board of Trustees, the Mayor may sign the change order.

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

__4_ ayes __0_ nays __0__ absent

Date: January 20, 2016

Sonia Luszcak
Village Clerk/Treasurer

Old Business:

General Code - Peter Clark, Village Attorney still ongoing.

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

A motion was made by Trustee Gary Planty, second by Trustee Craig Miller to approve January 6th minutes as written. Vote was unanimous, motion carried.

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

A motion by Trustee J. Dale Abram and second by Trustee Craig Miller to go into Executive Session to discuss a personnel issue, requesting James Craig, Brocton Judge to wait for a moment to enter at 7:50 p.m. Vote was unanimous, motion carried.

A motion to enter back into Regular Session from Executive Session was made by Trustee J. Dale Abram and second by Trustee Bryan Woleben at 8:23 p.m. with no action taken. Vote was unanimous, motion carried.

Village Attorney Peter Clark asked that the Board of Trustees consider getting a structural engineer come and look at 10 East Main Street to see if there is a possibility of saving the building on the Cave side. There is money in the Unsafe Building Demolition Fund to pay for the Engineer. A motion was made by Trustee J. Dale Abram and second by Trustee Bryan Woleben to hire a structural engineer not to exceed \$2,500.00 to come and inspect 10-14 East Main Street and produce a report of the inspection of the building regarding the structural integrity. Vote was unanimous, motion carried. After further discussion it was requested that Alan Gustafson, Code Enforcement be available to meet with the engineer.

With no further business brought before the Board, a motion was made to adjourn the meeting at 8:31 pm by Trustee Bryan Woleben, second by Trustee Gary Planty. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszczak
Village Clerk/Treasurer