

REGULAR MEETING
AUGUST 20, 2014

Board Members Present:

Mayor David Hazelton
Trustee J. Dale Abram
Trustee Bryan Woleben
Trustee Gary Planty
Trustee Dale Van Vlack Jr - absent

Also Present:

Samuel Drayo Jr, Village Attorney
Tom Allen, Highway Department Head
John Miller, Fire Dept.
Alan Gustafson, Code Enforcement Office
Ann Belcher, Observer
James Craig, Justice

Mayor Hazelton opened the regular meeting with the pledge to the flag at 7:02pm.

Public Comments: Melissa Seavy sent an e-mail on the Darren Manzella/Lapeira Memorial Run that was held Saturday, August 2, 2014. They raised over \$10,000 and had well over 150 walkers and runners. She thanked everyone for their support and asked to reschedule another run on Darren's birthday August 8, 2015. This will be brought up at a later date.

Department Reports:

Village Attorney Drayo no report other than the resolutions.

The office was networked with the help of Phil Giambra. We are now awaiting the new billing program.

Tom Allen, Highway Department Head informed the Board they have completed the oil and stone on Central Avenue. Will begin doing sidewalks in the next week or so. They will be working on drainage pipes on Highland Avenue. The new dump truck is in at the dealer so they will now work on adding the plow and box. He will move the No Outlet sign past the second driveway at Country Fair due to increased traffic in that area. The historical sign is in and ready to be put up. The Mayor asked that Trustee Gary Planty and J. Dale Abram determine where the best place possible for the sign.

Electric Lineman Joe Majkowski – Joe was not able to attend the meeting. The Mayor stated that Joe has completed the concrete at the tool house to be able to move some equipment outside. A concerned citizen Mr. Wright sent an email to Joe regarding a tree at Ryckman Park that has fungus which indicates the tree is decaying. David Spann will be asked to look at the tree and determine if this should be removed.

Code Enforcement Alan Gustafson – Alan participated in the Building Code Effectiveness Grading Schedule survey that is conducted every 5 years by the Insurance Service Office, Inc. Once this data from the survey has been entered and NYS officially adopts the latest building code update, the Village will receive their ISO score.. Discussion regarding 10 Fay Street, Tri-Church and Ernest Brown properties. He has requested approval to attend Western Southern Tier Building Officials Annual Training Conference September 8-10, 2014.

Committee Reports:

Trustee Planty – Working with the Electric Department regarding transformer for the sub-station grant which is still moving along and will be a long process. Youth Recreation has concluded. The Director Cynthia Ferguson handed out survey and we received positive feedback as well as some corrective criticism that will be reviewed. Trustee Planty would like to personally thank the Director Cynthia Ferguson and the workers – Bradley Johnson, Kelly Miller, John Nickerson, Jr. Katherine Patcher ,Kole Wisecarver, and Peter Dolce along with the Board, Brocton Central School, Mr. Hertlein, Art Miller, and Ken Roberts for all of their support. He is working with Joe on a work permit for maintenance and brush – he will begin the application and then sometime in May get out there and complete the work. Sept 4th Gary will attend a Minor Grant workshop. Attended a meeting with the Mayor on the regional water system moving in a positive manor.

Trustee Woleben – Fire hall update - the flake board has been installed with the remaining repairs to be completed once the roof repair is completed. There was a motion by Trustee J. Dale Abram and seconded by Trustee Gary Planty for the Fire Department to send one Pumper Fire Truck for Train Derailment training in Dunkirk on August 28th from 6pm-10pm. Motion carried.

Trustee J. Dale Abram – Discussion on the Grant for FY 2014/2015 Records Management funding. He requested that Julie Planty and Sonia Luszczak get further information on how and what would need to be completed to receive the grant.

Mayor Report:

The Mayor received short notice and gave approval for Al Feser and staff to attend training in Silver Creek on August 20, 2014. A motion by Trustee Bryan Woleben and seconded by Trustee Gary Planty for approving his approval for Al Feser and staff to attend training in Silver Creek on August 20, 2014. Motion carried.

Discussion on writing off water & sewer bill for Account 02-0911A. A motion was made by Trustee J. Dale Abram and seconded by Trustee Gary Planty to write off the water & sewer bill for Edgar Kelley, Sr. in the amount of \$2,721.45. Motion carried.

A Project Clean-Up Application that the Village received was discussed. A motion was made by Trustee J. Dale Abram and seconded by Trustee Bryan Woleben to approve the rebate of \$500.00 to Jean Jaquith for a deck.

On the matter of transferring sick time from one employee to another, this matter will be tabled at this time.

Community Bank Officials from the Westfield office will be in the office on August 27, 2014 at 11:00 a.m. to discuss the electronic services in light of the closure of the Brocton Office.

Discussion on the hiring Thomas Kawski. A motion was made by Trustee J. Dale Abram and seconded by Trustee Gary Planty that we hire Thomas Kawski as a utility worker at 40 hours a week for the Village of Brocton upon proof of him passing the physical and drug test. Motion carried.

The Mayor discussed an invoice from Brocton Computer Repair, Sales & Web Services on completion of networking the office computers. A motion was made by Trustee Bryan Woleben and seconded by Trustee J. Dale Abram for payment of the invoice. Motion carried.

New Business:

Resolution 66-14 was introduced

**RESOLUTION 66-14
APPROVAL TO SIGN COOPERATIVE AGREEMENT FOR SUMMER
RECREATION PROGRAM WITH CHAUTAUQUA COUNTY**

WHEREAS a proposed cooperative agreement between the Village of Brocton (“Village”) and the County of Chautauqua (“County”) has been presented to this Board, and

Whereas the proposed agreement provides that the Village will provide a summer recreation program open to all students of the Brocton Central School as set forth in Appendix D of the proposed agreement, and

WHEREAS the program is eligible for funding from NYS Office of Children and Family Services and administered by the County Youth Services Bureau who will act as local sponsor of the funds, and

WHEREAS the Village will be entitled to \$2,137.00 from the County Youth Bureau for providing the summer recreation program, and

WHEREAS the agreement provides, among other things, that the Village will provide quarterly reports to the County regarding the program,

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

Resolution was introduced by Trustee Gary Planty, second by

Trustee Bryan Woleben with vote as follows:

3 ayes _____ nays _____ absent

Date: August 20, 2014

Sonia Luszcak

Resolution 67-14 was introduced

**RESOLUTION 67-14
CONFIRMING JULY 19, 2014 BOARD RESOLUTION REGARDS
FINANCING & APPOINTMENT OF DEPUTY VILLAGE TREASURER**

BE IT RESOLVED that the minutes of the special meeting of this Board of Trustees held on July 19, 2014 appointing Julie Planty Deputy Village Treasurer (Resolution 64-14) and further authorizing her to sign certain financial agreements in connection with the water and sewer projects (Resolution 65-14) copies of which are attached are hereby ratified and confirmed.

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

3 ayes _____ nays _____ absent

Date: August 20, 2014

Sonia Luszcak

Resolution 68-14 was introduced

**RESOLUTION 68-14
APPROVAL TO ATTEND WSTBOA EDUCATIONAL CONFERENCE**

WHEREAS, Alan Gustafson has requested approval to attend Western Southern Tier Building Officials Educational Conference on September 8 - 10, 2014 at Chautauqua Suites Conference Center, in Mayville, NY. The registration fee is \$275.00. Travel will be by personal vehicle.

This conference will give Alan 18 out of 24 hours of continuing education credits required to maintain his annual certification as a New York State Code Enforcement Officer.

NOW THEREFORE BE IT RESOLVED, authorization is approved for Alan Gustafson to attend the conference as listed.

Resolution was introduced by Trustee J. Dale Abram, second by

Trustee __Gary Planty__ with vote as follows:

___3___ ayes _____ nays _____ absent

Date: August 20, 2014

Sonia Luszcak

Resolution 69-14 was introduced

**RESOLUTION 69-14
APPROVAL FOR MAYOR TO SIGN WATER MAIN EASEMENT
WITH HAROLD SMITH**

BE IT RESOLVED that the water main easement from Harold Smith to the Village of Brocton is hereby approved and the payment of \$2000 is approved for the approximately 1946 ft in length and 25 ft. wide permanent easement and the Mayor is hereby authorized to sign said easement on behalf of the Village of Brocton.

Resolution was introduced by Trustee __Bryan Woleben____, second by

Trustee __Gary Planty__ with vote as follows:

___3___ ayes _____ nays _____ absent

Date: August 20, 2014

Sonia Luszcak

Resolution 70-14 was introduced

**RESOLUTION 70-14
APPROVAL FOR MAYOR TO SIGN BID FOR FIRE HALL ROOF
REPAIR WITH RAYNOR CONTRUCTION, INC.**

BE IT RESOLVED that the resolution of May 21, 2014 awarding the contract for the fire hall roof to Norton Brothers Contracting is hereby rescinded, and

BE IT FURTHER RESOLVED that the bid for the new fire hall roof is hereby awarded to Raynor Construction, Inc. of Westfield, N.Y. for the amount of \$36,070.00 which was the next lowest bid, and

BE IT FURTHER RESOLVED upon signing a contract with the Village in form and content acceptable to the Village Attorney and submitting acceptable insurance certificates with liability insurance of at least \$1 million naming the Village as additional insured and workers compensation insurance and property insurance in the amount of at least \$300,000 delivered to the Village, the Mayor is hereby authorized to sign the contract on behalf of the Village of Brocton at a total cost not to exceed \$36,070.00

Resolution was introduced by Trustee _Gary Planty____, second by

Trustee _Bryan Woleben____ with vote as follows:

3 ayes _____ nays _____ absent

Date: August 20, 2014

Sonia Luszcak

Resolution 71-14 was introduced

**RESOLUTION 71-14
PERMISSION FOR PEX TUBING CTS PIPES TO WATER MAIN**

BE IT RESOLVED that in addition to copper piping for the water service line from the home or building to the Village water main will now also permit PEX Tubing at 200 lbs per square inch pressure CTS (Copper Tubing Size) with a trace wire inside the pipe for tracking purposes.

Resolution was introduced by Trustee __J. Dale Abram____, second by

Trustee _Bryan Woleben____ with vote as follows:

3 ayes _____ nays _____ absent

Date: August 20, 2014

Sonia Luszcak

A motion was made at by Trustee Bryan Woleben to go into executive session to discuss a legal matter. Motion was second by Trustee Gary Planty, vote was unanimous. Executive session was entered at 7:43 pm.

A motion by Trustee J. Dale Abram, second by Trustee Gary Planty to reconvene the meeting was made. Vote was unanimous, meeting reconvened at 7:47 pm.

A motion was made by Trustee J. Dale Abram to go into mediation with a dispute regarding the Wastewater Project with IPL. Motion was second by Trustee Gary Planty. Verbal vote was unanimous, motion carried.

Old Business:

The Southern Tier website for the Village Web page considerations was tabled.

The General Code (Attorney Drayo) moving now that the DOCC contract has been completed.

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

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

A motion was made by Trustee J. Dale Abram to go into executive session regarding a matter with Judge James Craig. Motion was second by Trustee Bryan Woleben, vote was unanimous, motion carried. Executive session entered at 7:50 pm.

A motion was made by Trustee J. Dale Abram, second by Trustee Bryan Woleben to reconvene the meeting was made. Vote was unanimous, meeting reconvened at 8:24 pm.

With no action taken or other business brought before the Board, a motion was made by Trustee Gary Planty, second by Trustee Bryan Woleben to adjourn. Vote was unanimous, meeting adjourned at 8:25 pm.

Respectfully submitted by,

Sonia Luszcak

