

REGULAR MEETING
JULY 20, 2016

Board Members Present: Mayor Richard Frost
Trustee Gary Planty
Trustee Bryan Woleben
Trustee Craig Miller
Trustee Carol Horlacher

Present: Sonia Luszczak, Village Clerk/Treasurer
Peter D. Clark., Village Attorney
Tom Allen, DPW Superintendent
Philip Gerace, Fire Chief
Rich Lewis, Wastewater Treatment Plant Operator
Nancy Smith, Deputy Clerk/Treasurer
Alan Gustafson, Code Enforcement Officer
Ann Belcher, Observer
Mr. & Mrs. Klinger

Mayor Frost opened the regular meeting with the pledge to the flag at 6:30 p.m.

Public Comments:

Department Reports:

Sonia Luszczak, Village Clerk/Treasurer –Presented to the Board a Certificate of Appreciation that was received from Southern Tier West for being a CAP member. We received via mail a notice from Trident Insurance Company that there would be an increase in one of our policies. I received that today and it was for \$25.00 on the DPW new truck and plow.

I received a renewal for technical support from Creative Technologies/El Dorado. A motion was made by Trustee Gary Planty and second by Carol Horlacher to approve \$795.00 for the technical support for one year. Vote was unanimous, motion carried. Presented to the Board, Mayor and Village Attorney information that was received by NYCOM on Zombie Properties and Legislation that this bill will pass in December, 2016. This will help the Village get quicker response from the banks to maintain the buildings and grounds or be fined.

The Village received a letter of interest to join the Zoning Board Committee from Thomas Vitale. The Village will ask that Observer to place notice in the paper for anyone with an interest in serving on either the Planning or Zoning Board to respond to the Village Clerk by August 17, 2016. This will be tabled until the next Village Board Meeting to see if we have anyone else that is interested in applying for this position. Lastly we received 2 Project Clean Up applications for consideration. Trustee Gary Planty wanted to discuss this as the money used for this program came from the Mayor's and one Trustee salary at the start of this new program. The budget amount is currently

lower due to no funds going into this program at this time. Trustee Bryan Woleben made a motion and second by Trustee Craig Miller to table the two applications for Project Cleanup until funding can be found for this project. Vote was unanimous, motion carried.

Village Attorney Peter D. Clark - Peter asked that we continue to review the code book in reference to Village Laws to be sure that we are making progress and noting corrections that are needed.

Alan Gustafson, Code Enforcement Officer – presented his report to the Board and Village Clerk. Alan has issued three (3) building permits for the month of July so far and it has been business as usual. The majority of the issues that have been addressed have to do with swimming pools. Several residents were not aware of the codes in regards to permits for pools that are storable. He did pass out information of what is needed. The Village Clerk will have this added to our website.

Alan is currently working on some of the older violations and has gone to court regarding horses in the Village.

Highlights for the Village, Alan is currently working with Alma Brown on revitalizing downtown, and also he received preliminary plans for Tri-Church building.

Alan attended a Planning Board Meeting to approve a permit to continue using the junk yard and auto body shop located at 95 Highland Avenue. This was approved. Trustee Craig Miller asked if a boat and trailer would be covered in the same manner as an unlicensed motor vehicle. Alan does approach them in the same manner.

Tom Allen, Highway Superintendent – Peerless Street Bridge is completed and Tom will be placing a new sign up tomorrow. This project is complete. The Mayor and Trustees complimented Tom on a job well done.

The FEMA money that we applied for to initially fix the culvert at Chautauqua Road may now be needed to correct a piece of pipe that has broken off and is making its way down the creek. Dave Spann spoke to Tom and would like us to correct this issue. Tom spoke to Dave Spann about possibly getting a grant to help with the repairs. Tom thought he would be here tonight for the meeting. With the flood last year, it created a large drop off and it continues to erode more of Chautauqua Road.

The first part of August Tom will be helping Dave Spann install a dry hydrant down by the New Horizons Trailer Park on Route 5.

Tom has found some water meters but they are more expensive than the ones that are currently in use in the Village. No other manufacturer is making the kind we currently use other than EJ Prescott, Inc. They are \$215.00 each and they have 16 meters on hand. Tom handed in a quote for \$3,440.00. A motion was made by Trustee Bryan Woleben and second by Trustee Craig Miller to purchase 16 water meters from EJ Prescott, Inc. in the amount of \$3,440. Vote was unanimous, motion carried.

The Main Water Replacement Project is currently completed from the Water Treatment Plant to the Village Offices. Tom asked the Observer to mention that there may be a possibility of roily water while they tested the main.

We got a nice increase in the CHIPS money this year, however, since they have completed the satellite mapping of all the roads, they have cut the cost and will be taking back some of the funds. There is a big meeting at the college to discuss the issue. The gas company is changing the gas lines on Lake Avenue, Green St, and Fay St.

Wastewater Treatment Plant – Rich Lewis had nothing to report. The Village Clerk presented to the Board and Mayor a quote from Miller and Son’s Construction for materials to complete the last two roofs at the Wastewater Treatment Plant in the amount of \$5,950.00. Per Trustee Gary Planty, the Board had already approved the cost to replace the UV building in the amount of \$3,450.00. The Office roof will be tabled until we find the funds to make the repairs.

Fire Department – Phil Gerace, Fire Chief – Received June Report - 14 firefighters have completed their physicals and 2 more firefighters are going to complete the EMT training on August 4th. The firefighters will be helping with traffic control for the Darren Lapeira Memorial Run on July 30. The fire police have been asked to help park cars for the American Legion Post 434 Car Show on August 14, 2016 from 10:30 am to 4:00 pm. A motion by Trustee Bryan Woleben and second by Trustee Carol Horlacher to approve the fire department to help park cars and traffic control for the American Legion Post 434 Car Show on August 14th. Vote was unanimous, motion carried.

Electric Department – Joe Majkowski asked to report that he is expecting the LED streetlights to ship on the 21st. Once they arrive he will begin with the new Peerless Street bridge and then proceed to Old Mill Road.

Committee Reports:

Trustee Gary Planty- presented to the board a request for credit in the amount of \$10.48 due to a water leak at 75 Peerless Street. A motion was made by Trustee Carol Horlacher and second by Trustee Craig Miller to approve a credit of \$10.48 to Barbara Buck, 75 Peerless Street due to a water leak that was repaired. Vote was unanimous, motion carried. Trustee Planty also presented to the board another request for credit due to the meter being estimated since May 2015. The meter was replaced and Trustee Planty made a recommendation to approve a \$75.28 credit for sewer and \$87.61 for water to Daniel Foy, 41 Highland Avenue was made. A motion by Trustee Carol Horlacher and second by Trustee Bryan Woleben to approved a \$75.28 credit for sewer and \$87.61 for water for 41 Highland Avenue. Vote was unanimous, motion carried. Trustee Planty will reevaluate this again after two (2) quarters and adjust further if necessary. Recreation program has three (3) weeks left. The recreation committee provided surveys to the older participants of the program whether it met their expectations. 72 youth went to the Zoo; daily attendance is 95 and at the highest 105. Today was Fire Safety Day with the fire department assisting in that. The children participated in pleasure walks which turned into Community Service with them picking up trash, learning about the Marmaduke statute and participated in arts and crafts. Upcoming events are Waldameer Park and an overnight stay at the school.

Trustee Craig Miller has requested that we remove the two bushes in the front of the flagpole. The reason is you cannot see the bench and they hide the monument. Trustee Miller stated that he would pay for new bushes if necessary. A motion was made by Trustee Bryan Woleben and second by Trustee Gary Planty to remove the bushes next to the flagpole and monument and replace with something more aesthetically pleasing. Vote was unanimous, motion carried.

Trustee Carol Horlacher stated there was a letter sent from the Town Highway Supervisor regarding damage to Webster and Ellicott Road while completing the water main replacement by the contractor, Steve St. George. There is a process that should have been followed and was not so therefore, Town Superintendent, Daniel Schrantz asked that we please ignore the letter.

Trustee Bryan Woleben wanted everyone to know that on July 27th at 7:30 p.m. the fire chief's association will be meeting at Brocton Central School Auditorium to discuss the results of the EMS study conducted by MMA.

Mayor Report:

Mayor Frost presented a letter that was received from the Land Bank regarding 10 East Main Street. They will not be able to help with the demolition of the building due to the shared wall with Cave's Deli. However, he has been in conduct with Alma Brown the architecture working on the Main Street Revitalization Grant in reference to rebuilding 10 East Main Street. The Mayor is waiting to get a quote from them as to what the cost would be.

Water Main Replacement Fay Street to West Avenue – The Mayor is working with Eric Wies to get a grant for this project. Tom Allen asked that whoever is in charge should contact him regarding the water lines so that we do not run into issues like the last project.

Traffic Signals at Tunnels – The Mayor asked if any of the Trustees have made any decisions on this subject from the last meeting. Trustee Bryan Woleben made a comment as to how much the cost would be to replace the light.

Nicole Klinger and her husband asked to speak regarding the traffic signal at the tunnels. She has collected 125 signatures from the people that would like to see the traffic signal back at the tunnels due to the safety factor. One option she had received from others was to get parts from other municipalities. Mrs. Klinger stated that she had sat down at the tunnels and observed that cars are not stopping for the stop sign. The Mayor asked why she thought that they would stop for a stop light then? She stated that people would stop for a stop light more than a stop sign. The Mayor thanked her for her concern and stated that they would take her information under advisement. Trustee Planty noted that the Trustees are working for the Village and would not want to get into a liability issue should we install another traffic signal as it is a County Road. After further discussion the Mayor said it would be reviewed.

Water Treatment Plant – The Mayor received a letter from DEC stating that we would be receiving a fine for the overflow from the settling tanks from the Water Treatment Plant going into Slippery Rock Creek. There is a meeting scheduled on Monday, July 25,

2016 at 1:00 pm. with the Village Attorney, DEC, County Health Department, Water Treatment Plant Operator, Wastewater Treatment Plant Operator to discuss this issue. All Trustees are welcome to attend as well.

New Business:

Resolution 59-2016 Resolution of the Village Board of the Village of Brocton

RESOLUTION 59-2016

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF BROCTON

WHEREAS, NYS Governor Andrew Cuomo, has created ten Regional Economic Development Councils; and

WHEREAS, as part of the Regional Economic Development strategy, a unified funding process, the Consolidated Funding Application has been developed and made available to distribute grant funds for job creation, infrastructure improvements and regionally significant economic development projects; and

WHEREAS, the Department of State of the State of New York has made funding available for 2016 Local Government Efficiency (LGE) Grant Programs to assist applicants in implementing plans to improve local government efficiency and cost savings, and

WHEREAS, the following communities in the Chautauqua County deem it advantageous to join together in seeking an Efficiency Implementation Grant from the Department of State to study and implement a municipal joint water department that would include the Town of Portland, Town of Dunkirk, Town of Sheridan, Town of Pomfret, and Village of Brocton, and

WHEREAS, the Town of Portland will act as the lead applicant and all the other constituent municipalities will act as co-applicants in this application, and

WHEREAS, the application will seek \$300,000 in total monies, \$270,000 in a Consolidated Funding Application/Department of State LGE Grant, and \$6,000 each from the five (5) Municipalities for a total local share of \$30,000.

NOW, THEREFORE, on a motion of Trustee Gary Planty, seconded by Trustee Carol Horlacher it is,

RESOLVED, that the Village of Brocton hereby agrees to act as a co-applicant with the Town of Portland as the lead applicant for a Consolidated Funding Applicant/Efficiency Implementation Grant from the Local Government Efficiency Grant

AUTHORIZE MAYOR'S SIGNATURE ON 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 \$1,500.00 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 Bryan Woleben, second by Trustee Craig Miller with vote as follows:

4 ayes _0_ nays _0_ absent

Date: July 20, 2016

Sonia Luszcak
Village Clerk/Treasurer

Resolution 61-2016 Designate Proxy for MEUA Annual Conference

I certify, the following resolution was duly adopted at a meeting of the Board of Trustees of the Village of Brocton NY duly called and held on July 20, 2016 at the Village Offices, 34 West Main Street, Brocton, NY.

Sonia Luszcak
Village Clerk/Treasurer

RESOLUTION 61-2016

DESIGNATE PROXY FOR MEUA ANNUAL CONFERENCE

WHEREAS the Board of Trustees of the Village of Brocton New York is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Annual Conference of the Municipal Electric Utilities Association of New York State has been called on August 30, 31, September 1, 2, 2016 to be held at Holiday Valley, Route 219, Ellicottville, NY, and,

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

NOW THEREFORE BE IT RESOLVED, that MEUA Executive Committee be and is hereby designated as the accredited delegate of the Village of Brocton New York.

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

Trustee Carol Horlacher:	<u> AYE </u>
Trustee Gary Planty:	<u> AYE </u>
Trustee Craig Miller:	<u> AYE </u>
Trustee Bryan Woleben:	<u> AYE </u>
Mayor Richard Frost:	<u> AYE </u>

Dated: July 20, 2016

Sonia Luszcak
Village Clerk/Treasurer

Old Business

A motion was made by Trustee Bryan Woleben, seconded by Trustee Carol Horlacher to authorize payment of signed approved vouchers. Vote was unanimous, motion carried.

A motion was made by Trustee Craig Miller, seconded by Trustee Bryan Woleben to approve June 15th minutes as presented in written form. Vote was unanimous, motion carried.

A motion was made by Trustee Gary Planty, seconded by Trustee Carol Horlacher 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 7:44 p.m. by Trustee Bryan Woleben seconded by Trustee Carol Horlacher. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak
Village Clerk/Treasurer