

REGULAR MEETING
OCTOBER 5, 2016

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

Board Member Absent Trustee Gary Planty

Present: Sonia Luszczak, Village Clerk/Treasurer
Peter D. Clark., Village Attorney
Tom Allen, DPW Supervisor
Alan Gustafson, Code Enforcement Officer
Philip Gerace, Fire Chief
Ryan Hazelton, Wastewater Treatment Plant Operator
Ann Belcher, Observer
Mark Odell, Legislator, District 7
David Hazelton
J. Dale Abram
Clarence Grover

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

Public Comments: Resident Dave Hazelton said he understood the Village received the \$10,000.00 from the State for their share of the traffic light at the tunnels. He asked the Mayor what the next steps would be. Mayor Frost said the Board of Trustees had taken a vote not to install the traffic light. Former Mayor Hazelton stated that he felt it was in bad taste and dangerous that the Village would not follow through with their commitment to replace the traffic signal when we had received monetary support from New York State and the County. Mayor Frost replied that he was not aware of any such agreement with New York State and Chautauqua County. Mark Odell, County Legislature District 7 stood and affirmed for the County that they have agreed to the \$10,000 share to replace the traffic signals at the tunnels. Mr. Odell asked if it was necessary to have the sensors in the payment to reduce the cost of the light. Trustee Craig Miller questioned Mr. Odell why the County would not take responsibility for the traffic signal? Mr. Odell stated that this falls under the Highway laws. Trustee Carol Horlacher noted that the maintenance for the light was very costly with damage to the lights

On another note, Dave Hazelton stated that he read something in the paper that the Village was looking into forming an LDC. He believes that it would be a mistake. Several years ago the Town of Portland and Village of Brocton did have one and ran into many issues with not getting the money back that was loaned out. Mayor Frost than noted that he had spoken with Village Attorney, Peter Clark and due to the new laws and regulations the Village would not be proceeding in that direction.

Mark Odell spoke in regards to something on a happier note for the coffers of the Village. Mark attended a meeting put on by NYSERDA regarding Clean Energy Communities. Highlights of the program would include that by 2030, each community should be using another source of

renewable energy in the form of wind turbines, solar, or hydro. Mark stated with the Clean Energy Communities grant that each applicant must complete 4 out of 10 high impact action designs to save money and improve the environment with one being completed by June 1, 2016. The other three could have been done previously. The others could have been benchmarking, clean energy upgrades, (LED lighting was completed on Old Mill Road), Solarize Mark believes that there is Solar Chautauqua committee, unified solar permitting (windmills, turbines or solar panels) energy enforcement training. Quarter of a million dollars with zero cost share for the municipality by completing 4 of the 10 actions. Most of these grants are currently in the Hudson Valley, larger cities currently in New York State. It is available for any Municipality, Town or County. It would be great if we could be one to receive the monies.

Mayor Frost noted to Mr. Hazelton that the board would review the information on the traffic signal and get back to him on their decision. Trustee Carol Horlacher stated that she agrees that the traffic signal must be put back up based on the information that had come forward. Trustee Horlacher stated that the Town of Portland was receiving a request once a week for solar permits. The Town of Portland Code Enforcement Office will be working on a solar permit for town residents.

Department Reports:

Sonia Luszczak, Village Clerk/Treasurer – Joe Majkowski completed the whole office with LED lighting.

The Clerk said that the Village received a letter seeking a donation for the Chautauqua Hurricanes basketball team. There was some discussion. It was tabled.

Received receipts from the Brocton/Portland Senior Citizen Group for Board review.

Provided the Board with the Dog Control Report for September.

The Village Clerk presented to the Board of Trustees and Mayor notice that we had received the Annual Financial Report. It will be on file for anyone to review.

Village Attorney Peter D. Clark - Peter noted that he had dictated the Village Code changes and was waiting for them to be typed at which time it will be sent on to General Code.

Alan Gustafson, Code Enforcement Officer – presented his written report to the Board and Village Clerk.

Tom Allen, Highway Superintendent – Tom reported that there was a water main break on Peerless Street. Tom believes that Lakeview Shock may have caused the break. He will contact them to discuss.

The crew will be blacktopping Green and Park Street tomorrow.

Tom asked if it would be possible to read the master meter for Evergreen Trailer Park and have the Park pay the bill. There are several stopped meters within the park and the Park Manager is telling the residents that they must pay to replace the stopped meter. Tom has been getting calls from residents looking to buy a meter. The Village does not have a surplus of meters at this time. Village Attorney will take a look at the local laws and send a letter to the owner.

Tom received information regarding a grant that he placed in the mailbox of Trustee Bryan Woleben that possibly the fire department could use for radios, turnout gear, or hoses.

Tom received parking lot millings from Lakeview Shock for the Village to use.

Ryan Hazelton - Wastewater Treatment Plant – Ryan stated that the Sewer Plant is running great.

In reference to the Water Treatment Plant Sludge issue, Ryan stated that he had a meeting with the DEC last Friday regarding the consent order and the fine. A meeting was held with the DEC requesting that they receive Engineer drawing and we had the drawings available on Friday for the meeting. Ryan does not believe that we should continue to use Rex Tolman for what was charged for the drawings. The DEC wanted a narrative completed of the project that would have cost another \$1,500.00 from Tolman's. Ryan spoke to Eric Wies at Clark, Patterson, Lee regarding the narrative. Ryan received the narrative this morning with no charge. The cost from Tolman was \$6,500.00 for the two drawings and we need more drawings. Steve St. George is the contractor doing the work at the Water Treatment Plant to empty the lagoons. All the materials needed for the project are available and located at the plant. There is more work needed to bring this project to completion and Ryan is not getting any help from the Water Treatment crew. After further discussion, a motion to hire Eric Wies @ Clark, Patterson, Lee to complete the Water Treatment Plant sludge project was made by Trustee Bryan Woleben and second by Trustee Craig Miller with a stipulation that Eric Wies provide a cost estimate to complete the phases two and three. Vote was unanimous, one absent vote, motion carried.

Fire Department – Phil Gerace, Fire Chief – Presented the September report to the Board. Phil and Trustee Bryan Woleben attended Train Derailment training.

The firemen plan on painting the floor in the engine room at the fire hall.

Phil asked if we could change the Trick or Treats hours back to 5:30 – 7:30 pm with the parade starting at 5:30 pm as it is difficult to get helpers any earlier. A motion was made by Trustee Bryan Woleben and second by Carol Horlacher to set the Halloween parade for 5:30 pm and Trick or Treat hours from 5:30 – 7:30 pm. Vote was unanimous, one absent vote, motion carried. Phil told the Board that on Thursday, October 27th at 6:30 pm there will be a tour of Lakeview Shock for fireman and Village Board officials. If interested to attend, please get your name to the Village Clerk by October 19th.

Phil presented to the Board two quotes for mobile radios from Freedom Communications. One was for \$24,160.30 for all mobile radios and repeaters for all vehicles. A motion was made by Trustee Bryan Woleben and second by Trustee Craig Miller to purchase radios from Freedom Communications in the amount of \$24,160.30 to be taken out of the Fire Equipment Fund. Vote was unanimous, one absent vote, motion carried. The other quote is for interior firefighters for 9 portable radios from Freedom Communications in the amount of \$6,285.11 to be taken out of 3410.2 budget line. After further discussion, a motion was made by Trustee Bryan Woleben and second by Trustee Craig Miller to purchase the 9 portable radios from budget line 3410.2 in the amount of \$6,285.11 from Freedom Communications. Vote was unanimous, one absent, motion carried.

Electric Department – no report.

Committee Reports:

Trustee Carol Horlacher - asked DPW Tom Allen if there were any plans to attend to sidewalks in the Village? According to Tom, with the water main replacement project there was not enough time to get to them. He would do them in the Spring.

There was a meeting regarding Health Insurance held to review the coverage for next year. There will be a change to Pro-Flex for HRA/FSA that will save the Village \$500.00. A meeting with employees will be held on October 19th at 1:30 pm to go over the plans and to answer any questions.

Trustee Bryan Woleben –no report

Trustee Craig Miller - no report

Mayor Report: No report

New Business:

Resolution 71-2016 Approval to Attend HDPE Pipe & Applications

RESOLUTION 71-2016

APPROVAL TO ATTEND HDPE PIPE & APPLICATIONS

WHEREAS Ryan Hazelton, and Rich Lewis have requested approval to attend HDPE Pipe & Applications on Wednesday, October 26th at Carlson Community Center in Mayville. This is sponsored by New York Rural Water Association. The purpose of this training is to meet Operator recertification mandates. There is no cost to attend this training. Travel will be by Village Truck.

NOW THEREFORE BE IT RESOLVED authorization is given for Ryan Hazelton, and Rich Lewis to attend HDPE Pipe & Applications training.

Resolution introduced by Trustee Bryan Woleben, second by Trustee Carol Horlacher with vote as follows:

__3__ ayes __0__ nays __1__ absent

Dated: October 5, 2016

Sonia Luszcak
Village Clerk/Treasurer
Resolution 72-2016 Designate Proxy for NYMPA Annual Meeting

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 October 5, 2016 at the Village Offices, 34 West Main Street, Brocton, NY.

Sonia Luszczak
Village Clerk/Treasurer

**RESOLUTION 72-2016
DESIGNATE PROXY FOR NYMPA ANNUAL MEETING**

WHEREAS 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 the NYMPA Board of Directors 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> Absent </u>
Trustee Craig Miller:	<u> Aye </u>
Trustee Bryan Woleben:	<u> Aye </u>
Mayor Richard Frost:	<u> Aye </u>

Dated: October 5, 2016

Sonia Luszczak
Village Clerk/Treasurer

Resolution 73-2016 Approval to Attend Lead/Cooper Aging Infrastructure

RESOLUTION 73-2016

APPROVAL TO ATTEND LCR-AGING INFRASTRUCTURE AND FINANCIAL IMPROVEMENTS

WHEREAS Clifford G. Borst, Sr. and E. Mark Snyder have requested approval to attend Lead/Copper Rule (LCR), Aging Infrastructure and Financial Improvements on Wednesday, November 9th at Chautauqua Suites in Mayville. This is sponsored by NYRWA. The purpose of this training is to meet Operator recertification mandates. The cost is \$72.00 to attend this training. Travel will be by private vehicle.

NOW THEREFORE BE IT RESOLVED authorization is given for Clifford G. Borst, Sr. and E. Mark Snyder to attend LCR, Aging Infrastructure and financial improvements.

Resolution introduced by Trustee Carol Horlacher, second by Trustee Bryan Woleben with vote as follows:

__3__ ayes __0__ nays __1__ absent

Dated: October 5, 2016

Sonia Luszcak
Village Clerk/Treasurer

Old Business

A motion was made by Trustee Bryan Woleben, seconded by Trustee Craig Miller to authorize payment of signed approved vouchers. Vote was unanimous, one absent, motion carried.

A motion was made by Trustee Carol Horlacher, seconded by Trustee Craig Miller to approve September 7th minutes as presented in written form. Vote was unanimous, one absent, motion carried.

A motion was made by Trustee Carol Horlacher, seconded by Trustee Bryan Woleben to approve the written reports as presented. Vote was unanimous, one absent, motion carried.

A motion was made by Trustee Carol Horlacher and second by Trustee Bryan Woleben to go into executive session at 7:33 pm to discuss a personnel issue. Vote was unanimous, one absent, motion carried.

A motion to enter into regular session from executive session was made by Trustee Craig Miller and second by Trustee Carol; Horlacher with no action taken at 8:13 pm. Vote was unanimous, one absent, motion carried.

With no further business brought before the Board, a motion was made to adjourn the meeting at 8:13 p.m. by Trustee Craig Miller seconded by Trustee Carol Horlacher. Vote was unanimous, one absent, motion carried.

Respectfully submitted by,

Sonia Luszczak
Village Clerk/Treasurer