

REGULAR MEETING/PUBLIC HEARING
APRIL 18, 2018

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

Board Member Absent:
Trustee Art Miller

Present: Scott Jagoda, Village Clerk/Treasurer
Peter D. Clark, Village Attorney
Phil Gerace, Fire Chief
Ann Belcher, Observer
Several Residents
Ken Becker, DPW
Seth Krull, CPL

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

Public Comments: Cat Millin brought before the Board that she along with other residents would like to organize a Village cleanup for April 29, 2018 from 2-4pm. Anyone wanting to help will be invited to meet at the Village Office building before heading out to clean. Residents mentioned they want to start a neighborhood watch program and they Sheriff's Office would be in contact with the Village on this matter. Residents also expressed concerns about buildings that are being neglected and/or falling down. They would like to do whatever necessary to help the Village with these problems such as getting grants and other funding to try and solve these issues.

Seth Krull, Clark Patterson Lee – Seth introduced two new pay applications for the NCCWD. Kandey Co. has requested the amount of \$78,376.71 for work performed on Bid B (Route 5 North) during March 2018.

A motion was made by Trustee Bryan Woleben to pay Kandey Co. the amount of \$78,376.71 for work done in March 2018 with a second by Trustee Craig Miller, voting was unanimous, motion carried.

DN Tank has requested the amount of \$48,875.31 for work performed on the new concrete storage tank during March 2018.

A motion was made by Trustee Carol Horlacher to pay DN Tanks the amount of \$48,875.31 for work done in March 2018 with a second by Trustee Bryan Woleben, voting was unanimous, motion carried.

Department Reports:

Scott Jagoda, Village Clerk/Treasurer – The Clerk noted that he had received a thank you card from Sue Merle for the work the Electric Dept. did during a power outage and thanked them for the quick fix time and response to the problem.

The Clerk introduced several water/sewer accounts that are either dormant, deceased, have moved away and are continuing to accrue late fees even though they should not be. The total amount to be written off would be \$7848.38 although most of this is the additional late fees that should not have been applied. This was tabled for further discussion.

The Clerk introduced a letter from a concerned resident regarding their water/sewer bill due to a trickle meter being installed and tripping which caused their pipes to freeze and burst resulting in excess water loss. This was tabled for further discussion.

Regarding a previous concerned resident about a leak and help with their water/sewer bill, a motion was made by Trustee Bryan Woleben to issue a credit of \$448.56 to Presto/Grien at 102 Peerless Street for their water/sewer bill with a second by Trustee Carol Horlacher, voting was unanimous, motion carried.

The Clerk asked the Board for approval to shutoff the electric of abandoned properties. Peter Clark would look in to the legality and be in contact with the Clerk.

The Clerk introduced the dog control reports for March 2018.

Village Attorney Peter D. Clark – Peter noted that he is continuing to work on the easements for the NCCWD project with a potential final finish date of May 11, 2018.

Ken Becker, Streets Dept. – The Mayor stated that the Village would need to appoint a Deputy Superintendent to Ken Becker. He suggested James Dolce was willing to do it with a stipend of \$1,200.00 per year to be paid in two installments of \$600.00 each. A motion was made by Trustee Carol Horlacher to appoint James Dolce as Deputy Superintendent of the DPW with a stipend of \$1,200.00 per year with a second by Trustee Craig Miller, voting was unanimous, motion carried.

Alan Gustafson, Code Enforcement Officer – No report.

Ryan Hazelton - Wastewater Treatment Plant – No report.

Fire Department – Phil Gerace, Fire Chief – The Chief introduced the monthly activity report for the Fire Dept. and noted that it had been another busy month.

The Chief also noted that they are now up to 22 certified members in CPR.

Electric Department – Joe Majkowski, Electric Lineman – The Clerk introduced a quote on behalf of Joe Majkowski for 3 – 167KVA pole mount rebuilt transformers for spare service for stand-by. Each transformer has a price of \$3015.00 with a total of \$9045.00. A motion was made by Trustee Bryan Woleben with a second by Trustee Craig Miller, voting was unanimous, motion carried.

Committee Reports:

Trustee Bryan Woleben – No report.

Trustee Art Miller – No report.

Trustee Craig Miller – No report.

Trustee Carol Horlacher – No report.

Mayor Report: - The Mayor wished local resident's Frank Nicosia a Happy 100th Birthday and Julia Schrantz a Happy 90th Birthday.

A motion was made by Trustee Bryan Woleben to issue a proclamation to Frank Nicosia and Julia Schrantz for birthday wishes with a second by Trustee Carol Horlacher, voting was unanimous, motion carried.

New Business:

RESOLUTION 10-2018

CONSOLIDATING OF VITAL STATISTIC REGISTRAR DISTRICTS

WHEREAS, The Town of Portland has been assigned by New York State as Vital Statistics Registrations District 669, and the Village of Brocton has been assigned by New York State as Vital Statistics Registration District 630, and

WHEREAS, the Village Clerk has requested the approval of the Village Board to formally consolidate the Town and Village into one primary registration district, namely the District of the Town of Portland under Vital Statistics Registration District 669, and

WHEREAS, the formal consolidation of the Registration Districts would benefit the public by elimination questions as to which district records should be filed and not result in the loss of service to either municipality,

NOW THEREFORE BE IT RESOLVED, by the Village Board of the Village of Brocton that consolidation of the Town and Village Registrar functions under the Town's registration number (Vital Registration District 669) is approved, pending necessary approvals of all other required entities, including the Town of Portland, Chautauqua County and New York State Department of Health.

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

 3 ayes

 0 nays

 1 absent

Date: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 11-2018

RELEVY WATER/SEWER LIENS TO TAXES

WHEREAS the Village Clerk/Treasurer has presented to this Board a list of delinquent water and sewer rentals due to the Village of Brocton, now therefore

BE IT RESOLVED that said delinquent amounts, together with penalties as provided by law, shall be entered into or attached to the minutes of this meeting, and

BE IT FURTHER RESOLVED that such delinquent water and sewer rentals are hereby levied against the real property liable for such payment in the same manner as Village taxes and said amounts shall be set forth in a separate column in the annual tax rolls of the Village, and

BE IT FURTHER RESOLVED that the amounts so levied shall be collected in the same manner and at the same time as provided by law for the collection of the Village taxes, and

BE IT FURTHER RESOLVED that said delinquent water and sewer rentals, together with penalties, be forwarded to the County of Chautauqua Department of Finance to be included on the 2018/2019 Village taxes for the real property liable for said amounts.

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

 3 ayes

 0 nays

 1 absent

Dated: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 12-2018

APPROVAL OF 2018/2019 GENERAL BUDGET

WHEREAS, THE Mayor has presented the 2018-2019 General Budget to the Village Board, and a Public Hearing having been held on April 18, 2018, as provided by law,

NOW THEREFORE, the Village Board of Trustees adopts the budget for the fiscal year commencing June 1, 2018 and ending May 31, 2019 making appropriations for the conduct of Village Government and establishing the rates of compensation for officers and employees for such period.

NOW THEREFORE, BE IT RESOLVED THAT there be levied and assessed against the real property of the Village of Brocton the following sums for Village Government and other charges for the fiscal year 2018/2019 at a tax rate of \$9.592414 per thousand assessed valuations.

Total Taxes:	\$256,640.00
Delinquent Water/Sewer Charges:	\$3,581.78
Total Real Property Taxes & Other Charges on the roll	\$260,221.78

BE IT FURTHER RESOLVED that the Village Clerk-Treasurer be and is hereby directed to levy, assess and apportion upon the real and personal property liable to taxation of the Village of Brocton a tax rate of \$9.592414 per thousand dollars of valuation upon said assessment roll and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute a warrant to the Village Treasurer as required by law, and

BE IT FURTHER RESOLVED that the warrant to the Village Clerk-Treasurer be executed and delivered for the collection of unpaid taxes and assessment, water and sewer rentals outstanding and unpaid together with interest and penalties as provided by law, and

BE IT FURTHER RESOLVED that the warrant is executed and delivered to Village Treasurer as required by law.

NOW THEREFORE, the Village Board of Trustees adopts the budget for the fiscal year commencing June 1, 2018 and ending May 31, 2019 making appropriations for the conduct of Village Government and establishing the rates of compensation for officers and employees for such period.

The Village of Brocton hereby approves the 2018 – 2019 General Budget in the amount of \$705,552 with expected revenues of \$392,912; \$56,000 from the unreserved fund balance and \$256,640.00 to be raised from taxes.

AND BE IT FURTHER RESOLVED, that copy of said budget is attached to these minutes.

Resolution introduced by Trustee Carol Horlacher, seconded by Trustee Bryan Woleben with the following votes cast:

Trustee Art Miller	<u>ABS</u>
Trustee Bryan Woleben	<u>AYE</u>
Trustee Carol Horlacher	<u>AYE</u>
Trustee Craig Miller	<u>AYE</u>
Mayor Frost	<u>AYE</u>

4 ayes

0 nays

1 absent

Dated: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 13-2018

APPROVAL OF 2018 – 2019 WATER BUDGET

WHEREAS, The Mayor has presented the 2018 – 2019 Water Budget to the Village Board and,

WHEREAS, a Public Hearing having been held to review the 2018 – 2019 Water Budget on April 18, 2018,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby approves the 2018 – 2019 Water Budget in the amount of \$151,250 with expected revenues of \$151,250 and \$0 from the unreserved fund balance.

Resolution introduced by Trustee Bryan Woleben, seconded by Trustee Carol Horlacher with the following vote:

__3__ ayes __0__ nays __1__ absent

Dated: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 14-2018

APPROVAL OF 2018 – 2019 WASTE WATER BUDGET

WHEREAS, the Mayor has presented the 2018 – 2019 Sewer Budget to the Village Board, and

WHEREAS, a Public Hearing having been held to review the 2018 – 2019 Sewer Budget on April 18, 2018,

NOW THEREFORE BE IT RESOLVED that the Village of Brocton Board of Trustees hereby approves the 2018 – 2019 Waste Water Budget in the amount of \$481,414 with expected revenues of \$436,000 and \$45,414 from the unreserved fund balance.

Resolution introduced by Trustee Craig Miller, seconded by Trustee Carol Horlacher, with the following vote:

__3__ ayes _____ nays __1__ absent

Dated: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 15-2018

APPROVAL OF 2018 - 2019 ELECTRIC BUDGET

WHEREAS, the Mayor has presented the 2018 – 2019 Electric Budget to the Village Board and

WHEREAS, a Public Hearing having been held to review the 2018 – 2019 Electric Budget on April 18, 2018,

NOW THEREFORE, BE IT RESOLVED that the Village of Brocton hereby approves the 2018 – 2019 Electric Budget in the amount of \$875,072 with expected revenues of \$844,300 and \$30,772 from the unreserved fund balance.

Resolution introduced by Trustee Carol Horlacher, seconded by Trustee Craig Miller with the following vote:

___3___ ayes ___0___ nays ___1___ absent

Dated: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 16-2018

APPOINT CYNTHIA FERGUSON FOR SUMMER RECREATION YOUTH DIRECTOR 2018 PROGRAM

WHEREAS, the Village of Brocton and the Town of Portland offer residents the Summer Youth Recreation Program, and

WHEREAS, the Director of the Youth Program has various responsibilities before the program begins (i.e.: Lunch program seminars, training research, scheduling, registrations and surveys),

NOW THEREFORE BE IT RESOLVED, that Cynthia Ferguson is re-hired for the position, effective April 5, 2018 at a rate of \$12.25 per hour.

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

 3 ayes

 0 nays

 1 absent

Dated: April 18, 2017

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 17-2018

APPROVAL FOR SCOTT JAGODA TO ATTEND NOTARY PUBLIC TRAINING

WHEREAS, Scott Jagoda has requested to attend NYS Notary Public Training at the North County Center Campus of Jamestown Community College in Dunkirk NY on April 11, 2018. The purpose of this training is to provide a comprehensive view of the Notary Public Office, confusing laws, concepts, and procedures are clarified in plain English and to prepare for the NYS Notary Public Exam. Tuition includes textbook. Cost for this training is \$85.00. Travel will be by his own vehicle with a mileage cost of \$8.64.

NOW THEREFORE BE IT RESOLVED, authorization is approved for Scott Jagoda to attend the training as listed above.

Resolution was introduced by Trustee Craig Miller second by Trustee Carol Horlacher with vote as follows:

3 ayes

0 nays

1 absent

Date: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 18-2018

DESIGNATE NYMPA BOARD OF DIRECTORS OR ANOTHER DELEGATE AS PROXY VOTER

RESOLUTION (with proxy)

At a regular meeting of the Board of Trustees of the City/Town/Village of Brocton, New York, held on April 18, 2018, the following resolution was adopted:

Moved by Trustee Carol Horlacher, seconded by Trustee Bryan Woleben.

WHEREAS, the Village of the City/Town/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 or another delegate as the municipal may desire be and is hereby designated as the accredited delegate of the City/Town/Village of Brocton, New York.

On roll call: Affirmative: _____4_____ Negative: ___0_____

Trustee Carol Horlacher: AYE

Trustee Bryan Woleben: AYE
Trustee Craig Miller: AYE
Trustee Art Miller: ABSENT
Mayor Richard Frost: AYE

I certify that this resolution was adopted by the Board of Trustees of the City/Town/Village Brocton, New York on the __18__ day of April, 2018 .

Signature
Village Clerk/Treasurer

RESOLUTION 19-2018

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 April 15, 2018 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

\$ 2,000 From A1990.4 Contingent Account to A1620.4 Shared Services – Buildings
To cover cost of office cleaning (X-Cel Services)

\$ 1,000 From A5110.1 Maintenance of Roads- Personal to A5142.1 Snow Removal-
Personal

\$ 3,000 From A5110.1 Maintenance of Roads- Personal to A5142.1 Snow Removal-
Overtime
To cover shortage for extended winter season snow plowing

\$ 6,000 From A5110.1 Maintenance of Roads-Personal to A5010.4 Highway & Street
Administration
To cover cost of agreement with Town of Portland

WATER FUND

\$ 5,000 From F1440.4 Engineer Contractual to F8310.4 Water Admin. Contractual
To cover Village of Brocton share of NCCWD matching funds grant

\$ 25 From F1910.0 Unallocated Insurance to F1950.4 Taxes & Assessments-Municipal
Property
To cover 2017-2018 Brocton Central & Town of Portland Tax Bills

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

 3 ayes nays 1 absent

Date: April 18, 2018

Scott Jagoda
Village Clerk/Treasurer

Old Business:

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

A motion was made by Trustee Bryan Woleben, seconded by Trustee Craig Miller to approve March 21st minutes as presented in written form. Vote was unanimous, motion carried.

A motion was made by Trustee Craig Miller, seconded by Trustee Carol Horlacher to approve the written reports as presented. Vote was unanimous, motion carried.

A motion was made to go into executive session by Trustee Craig Miller and seconded by Trustee Bryan Woleben for personnel and legal matters at 7:27 pm. Vote was unanimous, motion carried.

With no further business brought before the Board, a motion was made to adjourn the meeting at 7:29 p.m. by Trustee Bryan Woleben seconded by Trustee Craig Miller. Vote was unanimous, motion carried.

Respectfully submitted by,

Scott Jagoda
Village Clerk/Treasurer