

REGULAR MEETING  
JANUARY 21, 2015

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

Board Members Absent: Trustee Dale Van Vlack, Jr.

Present: Sonia Luszczak, Village Clerk/Treasurer  
Tom Allen, Highway Superintendent  
Joe Majkowski, Electric Lineman  
Ryan Hazelton, Wastewater Treatment Plant  
Jim Rizzo, Jr., Fire Chief  
Ann Belcher, Observer  
Craig Miller – Village Resident

Mayor Hazelton opened the regular meeting with the pledge to the flag at 7:30 p.m.

**Public Comments:** Village resident Craig Miller stated that he was not happy with the “Rent” charge that appears on the Water & Sewer bills. The Mayor explained to Mr. Miller that the charge has been in place since the first sewer plant was built. The only real difference in this bill from the last bill was that we raised the rate by .15 cents per 1,000. Mr. Miller questioned why the water and sewer were not paying for themselves? The Mayor explained that when they built the sewer plant around 1983, the sewer rate was never changed and the rates remained static. Once the new project was completed it now is a totally different process and we still are unclear as to what it costs to run the plant. The Mayor anticipates there could be another rate increase in the Spring in the dollars per thousand gallons area, and not in rent or unit charge. Mr. Miller then asked why we all do not pay the same rate. The Mayor explained that when they initially built the plant the engineer worked out a formula as a better way to calculate the costs in three parts. Everyone pays the unit charge would be \$100.00 per year, \$25.00 per quarter, plus the same rate per 1,000 gallons, and then each home owner is charged a percentage based on the value of your home which is currently \$1.40 per year per thousand. If you live in a nice home it will cost you more to flush the toilet than living in a lesser home. Mr. Miller stated that he thought that was discrimination and felt that all residents should pay the same charge. Mr. Miller felt that he had more equity in the sewage plant than anyone and did not like that. There was discussion regarding the Chadwick Bay Regional Water System as to the rates and the Mayor recommended that the public attend the meetings and voice their concerns. The Mayor will hold public hearing regarding regional water rates and what recourse the Village has moving forward.

## **Department Reports:**

Sonia Luszczak, Village Clerk/Treasurer noted that we had received the Portland Fire Protection taxes on the watershed. We are to pay them, even though we will get the funds back with the Fire Contract with the Town of Portland.

The QuickBooks Accountant came in and was installed on the Mayor and Clerk's computer.

The Code Enforcement Officer now has an updated computer. The old computer is outdated. A motion was made by Trustee Bryan Woleben and second by Trustee Gary Planty to make this computer a surplus and allow it to be recycled.

There was a meeting held with Verizon on the upgrades for two phones as well as getting a new cell phone for the Sewer Plant.

Tom Allen – Highway Superintendent – Tom has been working on the budget and getting costs for the water meters that he and the Mayor spoke about. During the County Superintendents Meeting there was discussion regarding the winter storm in November with FEMA and getting reimbursed for costs.

Electric Department Head, Joe Majkowski was hoping to speak to our Attorney Sam Drayo, Jr. on a certain matter. The Mayor explained that Sam would contact Joe in the morning.

Ryan Hazelton – Sewer Plant - Ryan wanted to thank Trustee Gary Planty on all of the work he had been doing updating all of the MSDS books and working on getting rid of all the outdated chemicals.

Jim Rizzo, Jr. Fire Chief – Regarding Rescue 201 that is now at Rexford Services, Inc. It was found that there was a hole in the block. Jim Rizzo, Jr. has looked at a couple of alternatives. Either replace the engine in the range of \$9,000.00 to \$12,000.00. Bill Rexford did find a used engine, 1965, with low miles that he felt would be the best solution. Bill Rexford also recommended that if we did go with the used engine, to replace the main bearings during the time of installation for preventative measures. He gave a quote to replace the engine, change the main bearings and inspect the engine once it was apart for around \$10,000.00. Trustee Bryan Woleben was going to go over to Rexford Services and speak to Mr. Rexford as to what or why this happened to make sure it did not happen again. There was a motion from Trustee Bryan Woleben, second by Trustee J. Dale Abram to replace the engine in Rescue 201 at a cost not to exceed \$11,000.00. Vote was unanimous, motion carried. This will come out of the Fire Department Equipment Fund. On another matter, Jim Rizzo, Jr. had received a quote from Steve Mawhir for the repair of the meeting room at the Fire Hall. The estimate was \$5,500.00 for labor only. This could be reduced if some of the firemen would help during the repairs. The Mayor requested that some of the Trustee's take time to go to the

Fire Hall and review the hall and make recommendations and then we would get back to the Chief. This will be come out of the building fund. On another matter, Jim Rizzo, Jr. has met with Kathy Peters of Star Apartments to review the evacuation plan. Once this is finalize they will go to Jamestown Plastics and then the school. There was a question regarding some of the Village employees that would be interested in CPR training. They have received 2 new applications for fireman and 1 for a paramedic.

### **Committee Reports:**

Trustee Gary Planty confirmed what Ryan Hazelton spoke about giving assistance with the MSDS records and outdated chemicals. Trustee Planty attended a meeting with the Mayor regarding the Technical Assistant Grant. He also updated the overtime report and placed one in each of the Trustee's mailboxes.

Trustee Bryan Woleben had no report.

Trustee Dale Abram still interviewing for a Waste Water Employee.

### **Mayor Report:**

Mayor Hazelton wanted to thank Trustee Dale Abram and Trustee Gary Planty for taking over the Waste Water Plant. It is a big help for the Mayor so that he can step back from the everyday operations.

The Mayor has received another complaint regarding the fire whistle during the night. This was discussed at a previous meeting and we have shortened the cycle down to one minute. He said it may be best to have a public hearing on having the fire whistle not blow between the hours of 11:00 p.m. and 6:00 a.m. The Fire Chief Jim Rizzo, Jr. felt that when the whistle sounds, it will bring firefighters to the hall. More discussion at a later time.

The Mayor received an email from STC Construction regarding a final payment of \$5,565.00 for the upgrade at the Waste Water Plant. This is a valid charge. A motion was made by Trustee J. Dale Abram and second by Trustee Gary Planty for payment of \$5,565.00 to STC Construction. Vote was unanimous, motion carried.

The Mayor received from the County the Real Estate Foreclosure Sale properties and 10 East Main Street is listed. The Mayor contacted Jim Calfish asking that this property be withheld from the sale because we would not want someone to bid on the property and put their assets at risk due to the condition of the building. The Mayor met with a gentleman from an agency in Olean that went to the site, took pictures and discussed the possibility of a program from the State that would lend us money to take the building down.

We also received notice of a lawsuit from a Fiber Optic Company for a return of their taxes for the following years, 2011 through 2014. The County is handling this as a County wide issue. We will wait until the County has made their decision.

The Mayor received a telephone call from Southern Chautauqua Federal Credit Union. They will be holding their grand opening on March 6, 2015 at 10:00 a.m. They would like to invite the Trustees and Mayor to this event.

**New Business:**

Resolution 6-15 Approval to Attend Notary Public Seminar

RESOLUTION 06-15

APPROVAL TO ATTEND NOTARY PUBLIC SEMINAR

WHEREAS Sonia Luszcak has requested approval to attend Notary Public seminar on Wednesday, March 25, 2015 from 5:00 to 8:00 pm at North County Center in Dunkirk. The registration fee is \$80.00 and travel will be by private vehicle.

NOW THEREFORE BE IT RESOLVED authorization is approved for Sonia Luszcak to attend the Notary Public seminar as listed.

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

3 ayes            0 nays            1 absent

Dated: January 21, 2015

Sonia Luszcak  
Village Clerk/Treasurer

Resolution 07-15 Approval to Attend Chautauqua County Municipal Clerk Meeting

RESOLUTION 07-15

APPROVAL TO ATTEND CHAUTAUQUA COUNTY MUNICIPAL  
CLERK MEETING

WHEREAS Sonia Luszcak has requested approval to attend Chautauqua County Municipal Clerk Meeting on Wednesday, January 28, 2015 at 1:00 pm at Liberty Café, 21 Prospect Street, Fredonia, NY 14063. The lunch fee is \$15.00 and travel will be shared with Roxanne Sobecki, Town Clerk, Portland. The guest speaker will be Gail Fischer from NYS Archives. The topic will be Records Management.

NOW THEREFORE BE IT RESOLVED authorization is approved for Sonia Luszcak to attend the Chautauqua County Municipal Clerk Meeting as listed.

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

3 ayes            0 nays            1 absent

Dated: January 21, 2015

Sonia Luszcak  
Village Clerk/Treasurer

Resolution 08-15 Approval for Payment to Don's Auto Repair

RESOLUTION 08-15

APPROVAL FOR PAYMENT TO DON'S AUTO REPAIR

WHEREAS, The Village of Brocton accepts responsibility for a repair to a side mirror on a car that was damaged while parked in the municipal parking lot on West Main Street in December as the Village crew was plowing,

NOW THEREFORE BE IT RESOLVED authorization for payment is approved for installation, purchasing a used mirror, and painting in the amount of \$95.00 to Don's Auto Repair.

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

3 ayes            0 nays            1 absent

Dated:            January 21, 2015

Sonia Luszcak  
Village Clerk/Treasurer

**Old Business:**

The website continues to progress.

The Mayor reported that the General Code is being worked on.

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 Bryan Woleben to  
approve January 7<sup>th</sup> minutes as presented in written form. Vote was unanimous, motion  
carried.

A motion was made by Trustee J. Dale Abram, second by Trustee Gary Planty to approve  
the written reports as presented.

A motion was made by Trustee Bryan Woleben, seconded by Trustee Gary Planty to  
adjourn the meeting at 8:17 p.m... Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak  
Village Clerk/Treasurer