

REGULAR MEETING  
FEBRUARY 4, 2015

Board Members Present: Mayor David Hazelton  
Trustee J. Dale Abram  
Trustee Gary Planty  
Trustee Bryan Woleben arrived 7:40 p.m.  
Trustee Dale Van Vlack, Jr.

Present: Sonia Luszcak, Village Clerk/Treasurer  
Tom Allen, Highway Superintendent  
Joe Majkowski, Electric Lineman  
Dan Schrantz, Wastewater Treatment Supervisor  
Ryan Hazelton, Wastewater Treatment Plant  
Jim Rizzo, Jr., Fire Chief  
Alan Gustafson, Code Enforcement Office  
Al Valentin, Councilman, Town of Portland  
Ann Belcher, Observer

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

**Public Comments:** There was no public comment.

**Department Reports:**

Sonia Luszcak, Village Clerk/Treasurer noted that we had received the Monthly Dog Control Report and Sheriff's Report along with the Year to Date Report for 2014.

We have two parking tickets that have not been paid. After some discussion it was decided to contact Judge Craig to pursue further.

Received via mail a notice from the Department of Public Service that they will be collecting a Temporary State Energy and Utility Service Conservation Assessment. It is applicable to municipal electric. J. Dale Abram will be contacting MEUA, Tony Modiferi to discuss and find out what their position is on the tax.

Tom Allen – Highway Superintendent – His crew has been plowing and removing snow. His budget for snow removal (salt and sand) will need to be replenished with a budget transfer.

Alan Gustafson, Code Enforcement Officer – Provided his monthly report. Things are slow in his area. He has sent out notices for fire inspections to several businesses. He has been speaking with the possible buyer for the Crestview Mobile Park on Lake Avenue on several items that he is concerned about.

Electric Department Head, Joe Majkowski reported that there was no power outages last month. He noted that when he was taking down the snowflake decoration in front of 10 East Main Street, he went up and reviewed the building and found that it has pulled away from the Owen's side of the building. Still waiting for the specifications for the transformer for the Dollar General Store. The Mayor will contact the engineers in the morning to try to push them for the information.

Dan Schrantz – Sewer Plant Supervisor – Wanted to thank Joe Majkowski, Electric Department Head for all his help at the sewer plant in getting several issues resolved. They had eight (8) items that needed to have completed and all but one (1) item are done. Lucas from Zellers was at the plant and the UV system, SBR, and Scada systems are now on the alarm. This will eliminate the one (1) hour of overtime at the plant. The only outstanding item is the Generator and the overhead garage door. There is a sludge pump that was purchased by E&M that never worked properly. Koester Associates, Inc. has agreed to pay for half of a new Able pump and will take the old pump back, refurbish it and attempt to resell the used pump. If they are able to resell the pump, they will split the proceeds with the Village. A motion to accept the proposal from Koester regarding the pump was made by Trustee J. Dale Abram and second by Trustee Gary Planty. Vote was unanimous. Motion carried. Dan requested an executive session to discuss personnel.

Ryan Hazelton – Sewer Plant – Wanted to thank Joe Majkowski for all his help and hard work at the Sewer plant. They really appreciate it. Trustee J. Dale Abram also thanked Joe for all he does.

Jim Rizzo, Jr. Fire Chief – Regarding Rescue 201 he spoke with Bill Rexford and the truck should be available on Thursday, February 5<sup>th</sup>. While at the Fire Chief's meeting this past week, he was informed that the medical directors be placed on our liability insurance. The Mayor asked Jim to get further information regarding that request. There will be a CPR class at the Portland Fire Hall on February 21<sup>st</sup>. There will be OSHA training February 8, 2015. Jim Rizzo, Jr. felt it necessary to make a comment about the Ellicott Estate trailer park regarding some of the steps and conditions that the rescue personnel go through during a call. It is a safety concern. This was brought to the attention of Dan Schrantz, Town Supervisor as this is a Town issue.

Al Valentin, Councilman, Town of Portland was present and commented on three issues - 1) Justice position, (2) Combining the Code Enforcement Officer, and Village Elections moving to November. There was discussion on all subjects with the committee members responsible for each area get together with the Town to discuss further.

### **Committee Reports:**

Trustee Gary Planty spoke regarding a grant regarding fire prevention and told Jim Rizzo, Jr. he would get with him to discuss further. We have received correspondence regarding

the Summer Youth Program. The deadline for the information to the County is February 25<sup>th</sup>. Trustee Planty has been working with Trustee Abram on the Wastewater Employee.

Trustee Bryan Woleben spoke with Steve Mawhir regarding the estimate for the meeting room renovations. There were further estimates for changing the windows and adding insulation to the North wall. To add the insulation to the wall would be \$500.00 for labor and \$533.30 for materials. To add insulation to the ceiling would be \$350.00 for labor and \$895.00 for materials. This is now a pricey project so it has been placed on hold for another two weeks until the Mayor, Trustees and the Code Enforcement Officer can go to the fire hall and discuss the repairs.

Trustee Dale VanVlack will speak to the sheriff's office regarding the 2014 year-end report to get further clarification and hours of service.

Trustee J. Dale Abram has completed the Wastewater interviews and would like to have an Executive session regarding this matter.

### **Mayor Report:**

Mayor Hazelton received communication from Jim Calfisch the Director of Real Property Tax Services regarding the Level 3 Communication lawsuit. He would like to rescind his letter previously and ask that no action be taken on the application until revised recommendations are sent.

The Mayor spoke to George Glassanos, Deputy Counsel with NYS Department of Corrections and Community Supervision regarding getting the Wastewater contract approved with Lakeview Correctional Facility. The Mayor received several pages of changes and information that was needed to get this resolved. Sam Drayo, Jr. is to speak with Mr. Glassanos on Thursday to get past the issues.

The Mayor spoke to Jim Calfisch the Director of Real Property Tax Services regarding removing 10 East Main Street from the tax sale. A letter would be sent to Jim Calfisch to remove this property from the tax sale. A motion was made by Trustee Gary Planty and second by Trustee Bryan Woleben that a letter be completed requesting the property be removed from the tax sale and be sent to Jim Calfisch. Vote was unanimous, motion carried.

Mayor stated that once again the telephone service in the office was disrupted and callers were not able to hear or understand the office staff when they would call. With that in mind, the Mayor moved forward with changing the telephone service to Fairpoint Communications. The service will be changed on Friday, February 6<sup>th</sup> in the morning.

The Mayor received a letter from the Town of Portland, Dan Schrantz, Town Supervisor regarding attending each other's meeting in 2015. The schedule is with the Mayor and he would ask that each of the Trustee's pick a specific date to attend.

The Mayor asked for approval to pay the Chadwick Bay Regional Development Corporation in the amount of \$1,600.00 as well as the Concord Grape Belt Heritage Association Inc. for \$25.00. A motion was made by Trustee Bryan Woleben and second by Trustee Dale VanVlack to pay the municipal dues. Vote was unanimous, motion carried.

Mayor received a request to offer E. Mark Snyder 200 hours of sick time from James Horlacher. A motion was made by Trustee J. Dale Abram and second by Trustee Gary Planty to allow the transfer of sick time. Vote was unanimous, motion carried. The Mayor felt it would be in the best interest of the Village to re-look at this policy to make recommendations. The Office Committee is Trustee Dale Van Vlack and Trustee J. Dale Abram.

**New Business:**

Resolution 5-15 Amended Village of Brocton Employees Handbook Section M-Line4-Chapter4-Sick Days

RESOLUTION 05-15

AMENDED VILLAGE OF BROCTON EMPLOYEES HANDBOOK  
SECTION M –LINE 4 - CHAPTER 4 - SICK DAYS

BE IT RESOLVED that Section M, Line 4 of Chapter 4 of the Village of Brocton Employees Handbook is hereby amended effective immediately to read as follows:

Chapter 4: Section M: Line 4: Sick days may not exceed 190 days during an employee's employment with the Village of Brocton. After retirement, accumulated sick leave up to 190 days may be used as pay back option for health insurance coverage, if the employee continues with Village health insurance. If the employee has opted out of the option for employee's health insurance, the employee may elect a cash payment of 60% of their accumulated sick time up to 190 days to be paid in equal installments over a three (3 year period). Employee's beneficiary may claim the remaining employee benefit to pay for health insurance.

BE IT FURTHER RESOLVED that the Board of Trustees reserves the right to amend or repeal this Section M at any time as it may determine to be in the best interest of the Village.

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

4 ayes

0 nays

0 absent

Date: February 4, 2015

Sonia Luszcak  
Village Clerk/Treasurer

Resolution 09-15 Approval to Attend NYRWA Water Training

**RESOLUTION 09-15  
APPROVAL TO ATTEND NYRWA WATER TRAINING**

WHEREAS, Greg Borst Sr. and James Horlacher have requested approval to attend the Hydrant/Valves/Meters/Rules and Regulations presented by NYRWA on Thursday, May 7, 2015 beginning at 7:30am at Clarion Conference Center, Dunkirk, NY. The registration fee is \$27.00 each, which includes lunch. Travel will be by village vehicle.

The workshop qualifies for NYS DOH 6.0 credit hours.

NOW THEREFORE BE IT RESOLVED, authorization is approved for Greg Borst, Sr. and James Horlacher to attend the workshop as listed.

Resolution was introduced by Trustee Dale VanVlack, second by Trustee Bryan Woleben with vote as follows:

4 ayes

0 nays

0 absent

Date: February 4, 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 Dale VanVlack 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 21st minutes as presented in written form. Vote was unanimous, motion carried.

A motion was made by Trustee J. Dale Abram, second by Trustee Dale VanVlack to approve the written reports as presented. Vote was unanimous, motion carried.

A motion was made by Trustee Dale VanVlack, seconded by Trustee J. Dale Abram to go into executive session at 8:28 p.m. to discuss employee personnel issues and possible new employee. Vote was unanimous, motion carried.

Mayor Hazelton asked the board for a motion to return to regular session from executive session at 9:01 p.m. A motion was made by Trustee Gary Planty and second by Trustee Bryan Woleben. Vote was unanimous, motion carried. A motion to hire Richard Lewis for the Wastewater Plant as a utility worker at a rate of \$13.65 per hour was made by Trustee Dale VanVlack and second by Trustee Bryan Woleben. Vote was unanimous, motion carried. Rich will start around the 1<sup>st</sup> of March, 2015.

A motion was made to adjourn the meeting at 9:02 p.m. by Trustee J. Dale Abram and second by Trustee Bryan Woleben. Vote was unanimous, motion carried.

Respectfully submitted by,

Sonia Luszcak  
Village Clerk/Treasurer