

REGULAR MEETING
APRIL 17, 2019

Board Members Present: Mayor Richard Frost
Trustee Bryan Woleben
Trustee Carol Horlacher
Trustee Art Miller (4:32)
Trustee Craig Miller

Board Member Absent:

Present: Scott Jagoda, Village Clerk/Treasurer
Peter D. Clark, Village Attorney
Ken Becker, Town of Portland
Chief Phil Gerace
Tammy Thompson
Rich Lewis, WWTP
Steve Manos
Julie Peting
Patti Farrell, Town of Portland Board
Dave Hazelton 4:39 (left at 5:10)

Mayor Frost opened the regular meeting with the pledge to the flag at 4:30 p.m.

Public Comments: Steve Manos voiced his concerns about traffic speeding up and down Central Ave., the noise ordinance in the Village and dogs barking after 9pm. The Board would look at these matters.

Tammy Thompson formally invited the Board to the St. Stephens Café/Breathe Life grand opening Wednesday, May 8, 2019. She would like to give them a full walkthrough of the building.

Julie Peting voiced concerns with flooding on her property where the recently updated water lines were installed. The Mayor assured her this matter will be taken care of.

Department Reports:

Scott Jagoda, Village Clerk/Treasurer – The Clerk introduced the dog control reports for the months of February and March 2019.

The Clerk thanked the Board for accommodating his request to change the meeting time to 4:30 and discussed the possibility of doing meetings at this time in the future. A motion was made by Trustee Bryan Woleben with a second by Trustee Craig Miller starting May 1, 2019 all meetings will be held at 4:30pm going forward, votes were 3 ayes and 1 nay from Trustee Art Miller, motion carried.

The Clerk mentioned that someone inquired about buying the Ford Ranger that was previously used at the water plant. A motion was made by Trustee Bryan Woleben with a second by Trustee Carol Horlacher to declare said Ford Ranger a surplus and to be put out for bid until next regular board meeting on May 15, 2019 at which time the sealed bids will be opened. The Board also reserves the right to refuse any and all bids. Voting was unanimous, motion carried.

Village Attorney Peter D. Clark – No report.

Ken Becker, Streets Dept. – No report.

Alan Gustafson, Code Enforcement Officer – No report.

Rich Lewis - Wastewater Treatment Plant – Rich introduced a quote for a snow plow to be used on the new truck previously ordered. A motion was made by Trustee Bryan Woleben with a second by Trustee Craig Miller to purchase a snow plow for the new wastewater treatment plant truck for \$5125.00 from Southern Tier Supply pending the money will be available in the budget, voting was unanimous, motion carried.

Fire Department – Phil Gerace, Fire Chief – Chief Gerace introduced the monthly fire department report with a list of the 2019-2020 officers.

The Chief noted the annual bridge washing would take place in May.

Dave Hazelton discussed the ongoing future purchase of a new ambulance. A motion was made by Trustee Carol Horlacher with a second by Trustee Craig Miller to approve the sale of the current ambulance for \$20,000 which will be used to help purchase a new ambulance, voting was unanimous, motion carried. A motion was made by Trustee Carol Horlacher with a second by Trustee Craig Miller to use \$50,000 of the Village's "CD" to assist with the purchase of a new ambulance, voting was unanimous, motion carried.

Electric Department – Joe Majkowski, Electric Lineman – No report.

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 noted the Governors office has contacted him regarding a letter he wrote looking for assistance in grant funding for the Village. While there are no guarantees they did mention the possibility of the NYSTA installing an exit ramp on the thruway of I-90.

New Business:

RESOLUTION 08-2019

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 2019/2020 Village taxes for the real property liable for said amounts.

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

 4 ayes

 0 nays

 0 absent

Dated: April 17, 2019

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 09-2019

APPROVAL OF 2019/2020 GENERAL BUDGET

WHEREAS, THE Mayor has presented the 2019-2020 General Budget to the Village Board, and a Public Hearing having been held on April 4, 2019, as provided by law,

NOW THEREFORE, the Village Board of Trustees adopts the budget for the fiscal year commencing June 1, 2019 and ending May 31, 2020 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 2019/2020 at a tax rate of \$9.593150 per thousand assessed valuations.

Total Taxes:	\$255,438.00
Delinquent Water/Sewer Charges:	\$29,234.25
Total Real Property Taxes & Other Charges on the roll	\$284,672.25

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 \$9.593150 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, 2019 and ending May 31, 2020 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 2019 – 2020 General Budget in the amount of \$728,550 with expected revenues of \$367,812; \$105,300 from the unreserved fund balance and \$255,438.00 to be raised from taxes.

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

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

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

 5 ayes

 0 nays

 0 absent

Dated: April 17, 2019

Scott Jagoda
Village Clerk/Treasurer

This also comes with a recommendation from Mayor Frost giving all employees a 3% pay raise to keep up with national cost of living adjustments.

RESOLUTION 10-2019

APPROVAL OF 2019 – 2020 WATER BUDGET

WHEREAS, The Mayor has presented the 2019 – 2020 Water Budget to the Village Board and,

WHEREAS, a Public Hearing having been held to review the 2019 – 2020 Water Budget on April 3, 2019,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees hereby approves the 2019 – 2020 Water Budget in the amount of \$456,758 with expected revenues of \$435,628 and \$21,130 from the unreserved fund balance.

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

__4__ ayes __0__ nays __0__ absent

Dated: April 17, 2019

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 11-2019

APPROVAL OF 2019 – 2020 WASTE WATER BUDGET

WHEREAS, the Mayor has presented the 2019 – 2020 Sewer Budget to the Village Board, and

WHEREAS, a Public Hearing having been held to review the 2019 – 2020 Sewer Budget on April 3, 2019,

NOW THEREFORE BE IT RESOLVED that the Village of Brocton Board of Trustees hereby approves the 2019 – 2020 Waste Water Budget in the amount of \$468,500 with expected revenues of \$468,500 and \$0 from the unreserved fund balance.

Resolution introduced by Mayor Richard Frost seconded by Trustee Bryan Woleben, with the following vote:

__5__ ayes __0__ nays __0__ absent

Dated: April 17, 2019

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 12-2019

APPROVAL OF 2019 - 2020 ELECTRIC BUDGET

WHEREAS, the Mayor has presented the 2019 – 2020 Electric Budget to the Village Board and

WHEREAS, a Public Hearing having been held to review the 2019 – 2020 Electric Budget on April 3, 2019,

NOW THEREFORE, BE IT RESOLVED that the Village of Brocton hereby approves the 2019 – 2020 Electric Budget in the amount of \$881,920 with expected revenues of \$787,350 and \$94,570 from the unreserved fund balance.

Resolution introduced by Trustee Bryan Woleben, seconded by Trustee Craig Miller with the following vote:

__4__ ayes __0__ nays __0__ absent

Dated: April 17, 2019

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 13-2019

APPOINT CYNTHIA FERGUSON FOR SUMMER RECREATION YOUTH
DIRECTOR 2019 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 17, 2018 at a rate of \$12.25 per hour.

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

 4 ayes

 0 nays

 0 absent

Dated: April 17, 2019

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 14-2019

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 17, 2019 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

\$174 From A1990.4 Contingent Expenses to A1920.4 Municipal Association Dues
For cost of additional municipal memberships

\$7,000 From A1410.1 Clerk Pers. Services to A9060.8 Hospital & Medical Insurance
For cost of retiree insurance not included in original budget

SEWER FUND

\$6,000 From G8130.1 Sewage Treatment Personal Services to G8130.11 Sewage Treatment Overtime
For additional overtime incurred after resignation of former employee

ELECTRIC FUND

\$625 From 781.6 Insurance to 785.2 Misc. General Expenses
For over budget cost of miscellaneous items

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

__4__ ayes __0__ nays __0__ absent

Date: April 17, 2019

Scott Jagoda
Village Clerk/Treasurer

SECTION 1.
RESOLUTION 15-19
DELEGATE PROXY VOTER FOR NYMPA MEETING

At a regular meeting of the Board of Trustees of the Village of Brocton, New York, held on April 17, 2019, the following resolution was adopted:

Moved by Trustee Carol Horlacher, seconded by Trustee Bryan Woleben

WHEREAS, the Board of Trustees of 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 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 Village of Brocton, New York.

On roll call: Affirmative: ____4____ Negative: ____0____

I certify that this resolution was adopted by the Board of Trustees of the Village of Brocton, New York on the 17th day of April 2019.

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 Craig Miller, seconded by Trustee Carol Horlacher to approve April 3rd workshop/public hearing minutes as presented in written form. Vote was unanimous, motion carried.

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

A motion was made by Trustee Carol Horlacher, seconded by Trustee Craig Miller to enter executive session to discuss legal matters at 5:24pm. Vote was unanimous, motion carried.

A motion was made by Trustee Bryan Woleben, seconded by Trustee Carol Horlacher to enter back into regular session at 5:49pm. Vote was unanimous, motion carried.

With no further business brought before the Board, a motion was made to adjourn the meeting at 5:49 p.m. by Trustee Carol Horlacher seconded by Trustee Bryan Woleben. Vote was unanimous, motion carried.

Respectfully submitted by,

Scott Jagoda
Village Clerk/Treasurer