

REGULAR MEETING
DECEMBER 19, 2018

Board Members Present: Mayor Richard Frost
Trustee Bryan Woleben
Trustee Carol Horlacher
Trustee Art Miller
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
Nancy Furman
Seth Krull, CPL (left at 6:53)
Jamie Vacanti
Hon. Vera Hustead
Gary and Julie Planty
Kirk Smith
Tammy Thompson
Drew Smith

Mayor Frost opened the regular meeting with the pledge to the flag at 6:29 p.m.

Public Comments: Kirk Smith noted that he has had a strong chlorine presence in his water. Drew will tweak it as allowed to try and help the issue.

Gary Planty commended the water plant employees over the years including Greg Borst, Jim Horlacher, and Mark Snyder for their years of service to the community.

Seth Krull, CPL: Seth mentioned on behalf of the County, CPL submitted to the WNY region of the American Public Works Association (APWA) this NCCWD project to the environmental category of projects between \$5 and \$25 million. He stated that the project won the contest and their will be an awards dinner in February.

Seth discussed the current status of the water project which is reaching a close for phase 1. On Contract 1 for Kandey Co. the contractor has an overage on both Bid A and Bid B. In summary, both Bids are over contract amount by \$145,835.65 whereas the available contingency available for these Bids is \$115,835.65 or \$30,000.00 less. Upon discussion with the North Chautauqua County Water District at their December 13, 2018 meeting, the NCCWD will provide \$30,000.00 difference directly to the Village. The remaining overage of \$115,835.65 is available

for the Village to reimburse the Contractor. This results in change order of \$135,587.50 for Bid A and -\$19,752.15 for Bid B. The Contractor will be submitting pay applications for each bid with the above noted overage amounts.

A motion was made by Trustee Carol Horlacher with a second by Trustee Craig Miller to approve this change order, voting was unanimous, motion carried.

Department Reports:

Hon. Judge Vera Hustead – Judge Hustead mentioned the status of the Village Court closing out any outstanding cases with the help of Kathy Cave. She thanked Kathy for her hard work and perseverance. Also, thanked the Village for allowing her the time to work on this and get it brought up to date. Judge Hustead also thanked the Village for allowing her to serve the Village for the past 6 months.

Scott Jagoda, Village Clerk/Treasurer – The Clerk introduced the Dog Control Monthly Report for November 2018.

The Clerk noted that he had spoke with ClearGov, a website that helps communities communicate more effectively information to itself and to the citizens. He asked the Board to review this website and make a determination at a later date if this is something the Village would like to participate in.

Village Attorney Peter D. Clark – No report.

Ken Becker, Streets Dept. – Ken noted that the tractor from the water plant is now being kept at the streets department shop. Trustee Art Miller commended them for cleaning the tractor and making it look like new. He also noted the shop has been cleaned.

Alan Gustafson, Code Enforcement Officer – The Clerk introduced Alan’s monthly report.

Ryan Hazelton - Wastewater Treatment Plant – No report.

Fire Department – Phil Gerace, Fire Chief – Phil introduced his monthly report for the Fire Department.

The Clerk stated that Dave Hazelton asked the Board if they could make 1500 copies of a community outreach letter to encourage membership with the Fire Dept. The Town of Portland has agreed to send these letters out with their upcoming tax bills. A motion was made by Trustee Bryan Woleben to make 1500 copies for the Fire Dept. with a second by Trustee Craig Miller, 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 – Trustee Horlacher asked the Board to send employees home at noon on Friday, December 21, 2018 for the Holiday weekend. A motion was made by Trustee Horlacher with a second by Trustee Craig Miller that all Village employees may leave at noon for the day on Friday, December 21, 2018, voting was unanimous, motion carried.

Mayor Report: - The Mayor wished the Village of Brocton, Town of Portland, and all residents a very Merry Christmas and a Happy New Year.

New Business: Peter Clark noted he and the Clerk are working on finalizing the contract with Charter Communications on pole attachments. A motion was made by Trustee Art Miller with a second by Trustee Bryan Woleben to raise the pole attachment rate from \$8.50 per pole to \$11.98 per pole as suggested by the Public Service Commission and authorization for the Mayor to sign contract once completed, voting was unanimous, motion carried. Peter also noted the Charter Communication franchise agreement may need to be reviewed and re-negotiated in 2019. Trustees Art Miller and Bryan Woleben agreed to be on the committee to handle this.

RESOLUTION 40-2018

APPROVAL FOR ANTHONY DIBENEDETTO TO ATTEND 2018 MEUA DECEMBER ENGINEERING WORKSHOP

WHEREAS, Anthony DiBenedetto has requested to attend the 2018 MEUA December Engineering Workshop Tuesday and Wednesday, December 11-12, 2018. This training will focus on the engineering side of electric including hands-on demonstrations. Cost is \$80.00 which includes prize giveaways, and catered lunch. Overnight stay for two nights is \$129.00 per night totaling \$258.00. Travel will be by his personal vehicle with mileage at 392 miles equaling \$213.64. Additional expenses incurred will be tolls and meals.

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

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

4 ayes

0 nays

0 absent

Date: December 19, 2018

Scott Jagoda
Village Clerk/Treasurer

RESOLUTION 41-2018

APPROVAL FOR ANHTONY DIBENEDETTO TO ATTEND MEUA LINEWORKER APPRENTICE PROGRAM

WHEREAS, Anthony DiBenedetto has requested to attend the 4-year MEUA Lineworker Apprentice Program. The classes are \$3,700.00 per year and will consist of four sessions, four days each, with hands on training and bookwork. This is a 4-year program and students will be given substantial homework. Additional expenses will be travel, tolls, meals, etc. Classes will be held from 8:00am to 2:00pm.

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

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

 4 ayes

 0 nays

 0 absent

Date: December 19, 2018

Scott Jagoda

Village Clerk/Treasurer

RESOLUTION 42-2018

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 December 17, 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

- \$ 2,422 From A1990.4 Contingent Account to A1910.0 Unallocated Insurance
For cost of insurance over budgeted estimate
- \$ 62 From A1990.4 Contingent Account to A9785.7 Installment Purchase Interest
For interest payment on 2015 Freightliner payment
- \$ 1,601 From A9010.8 Employee Benefits State Retirement to A9040.8 Employee Benefits
Workers Compensation
For cost of insurance over budgeted estimate

SEWER FUND

- \$ 1,948 From G9060.8 Employee Benefits Hospital & Medical to G9040.8 Employee Benefits
Workers Compensation
- \$ 935 From G1440.4 Engineer Contractual to G1910.0 Unallocated Insurance
For cost of insurance over budgeted estimate

ELECTRIC FUND

- \$1,136 From 785.2 Miscellaneous General Expenses to 783.1 Insurance
- \$1,011 From 810.13 NYS Retirement to 810.15 Workers Compensation
For cost of insurance over budgeted estimate

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

4 ayes

0 nays

0 absent

Date: December 19, 2018

Scott Jagoda
Village Clerk/Treasurer

Old Business:

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

A motion was made by Trustee Carol Horlacher, seconded by Trustee Craig Miller to approve November 28th minutes as presented in written form. Vote was unanimous, motion carried.

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

With no further business brought before the Board, a motion was made to adjourn the meeting at 8:16 p.m. by Trustee Carol Horlacher seconded by Trustee Craig Miller. Vote was unanimous, motion carried.

Respectfully submitted by,

Scott Jagoda
Village Clerk/Treasurer