

A regularly scheduled meeting of the Board of Trustees was held on Monday, November 20, 2017, in the Village Hall. Mayor Westcott opened the meeting at 7:00 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee McAvoy, Trustee Edwards, Coordinator Bobbitt, Police Chief Swick, Clerk-Treasurer Schweigert, and Brian Seaman, attorney. Trustee Blumrick led the Pledge of Allegiance.

A few people were also in attendance, including a representative from the Lockport Union, Sun, and Journal.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve the minutes of the October 16, 2017, meeting. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to approve WWTP Upgrade Project payment no. 7 request as approved by Wendel Engineering in the amount of \$12,540 from CIR Electrical Construction Corp. (This amount is included in total in item 6.) Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Edwards, to approve WWTP Upgrade Project payment no. 7 request as approved by Wendel Engineering in the amount of \$262,432.77 from Wind-Sun Construction, Inc. (This amount is included in total in item 6.) Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve payment of claims submitted on Abstract No. 06-17/18 as follows: General - \$103,277.26; Water - \$11,847.19; Sewer - \$14,964.04; Capital Improvement: \$298,015.38; for a total of \$428,103.87. Carried, with all present voting aye.

A motion was made by Trustee Edwards, and seconded by Deputy Mayor Conley, to approve payrolls 11, 12, and 13 for weeks ending October 14, October 29, and November 11, 2017. Carried, with all present voting aye.

The Treasurer's report was submitted and accepted for October 2017.

The Public Works report was submitted and accepted for October 2017. Mr. Bobbitt reported that the WWTP upgrade project is on schedule for the installation of the boiler.

The Village and Town Police reports were submitted and accepted for October 2017, with Chief Swick reading the highlights.

The Fire Department's report was submitted and accepted for October 2017.

The November 1, 2017, water/sewer billing was as follows: Water: \$52,239.85 and Sewer: \$51,398.05, for a total of \$103,637.90.

Correspondence was read:

- Received a notice of a Zoning Code Amendment for the Town of Shelby
- Received a request to reduce Vivian Pietroboni's (35 Main Street) November 1, 2017, water/sewer bill as she had a leaking toilet. As the water went through the sewer system, the Board is unable to adjust the bill. If it was adjusted, that would be a gift of public funds. She will be notified of this.
- Deputy Mayor Conley was contacted by a resident who asked that the Fire Chief be advised that they enjoyed the Halloween party the Fire Department hosted.
- The Town of Amherst will be celebrating their bicentennial in 2018 and have asked for a proclamation from the Village of Middleport. Mayor Westcott is authorized to send one.

At this time Mr. Bobbitt introduced the newest full-time employee of the DPW, Sarah Bottorff, who thanked the Board for giving her the opportunity to work for the Village.

Tim Walck, Wendel Engineering, addressed the Board regarding an issue that has arisen. He explained that the Village has fallen short of meeting the 23 percent requirement for the M/WBE (Minority- and Women-owned Business Enterprises) regulations the state has for grants and EFC borrowing. We have applied for a waiver, but EFC may not grant it. If it is not granted, this M/WBE shortfall will impact our grant and may cause us to be responsible for about \$10,000 of the project. A proposal was made that Wendel would subcontract with JM Davidson (a NYS certified M/WBE company) for some additional design work that is now needed, which could boost our M/WBE percentages. Mr. Walck explained Wendel's proposal for cleaning the digesters and upgrading the pump stations. Discussed.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve Wendel's Wastewater Treatment Plant Improvements Professional Services Proposal, Amendment No. 4 - Additional Design & Construction Administration Services at a cost of \$7,700. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Edwards, to authorize advertising for sealed bids for cleaning the digesters as a part of this project. Carried, with all present voting aye.

Chief Swick advised the Board that the mini-bids are in for the purchase of a new police vehicle. Discussed.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize the purchase of a 2018 Police Interceptor at a cost of \$31,200 from Van Bortel, the low bidder pursuant to the NYSOGS mini-bid. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Edwards, to declare the 2009 Chevy Trailblazer as surplus property and to authorize its being sold at auction after the new vehicle arrives. Carried, with all present voting aye.

Mayor Westcott updated the Board on the remediation. He was approached by the school about having the playground currently on Middle School property being relocated to a Village property during future remediation efforts. Discussion ensued. Chief Swick suggested moving it to the tennis court area, which would give the Police Department easier access to checking on it.

Mr. Bobbitt advised that he is waiting for colder weather to access Village trees in Rotary Park behind Locust Street residences that need removal.

Mayor Westcott was contacted by Tri-Town Ambulance regarding the Village's buying their building behind the DPW garage. They are having manpower issues and would like to close one of their locations. Attorney Seaman will review and advise the Board if there are any purchasing restrictions on the property.

Mr. Seaman informed the Board that as municipalities are exempt from being required to offer the NYS Family Leave insurance, they must pass a resolution that they choose to not opt in since they offer disability insurance.

Trustee Edwards offered the following resolution, which was seconded by Deputy Mayor Conley,

WHEREAS, the Village of Middleport is permitted, but not required, to offer family leave benefits to its employees, now, therefore, be it

RESOLVED, that the Village will not offer said benefits. The Village Clerk shall give notice of this determination to all employees and the Worker's Compensation Board prior to December 1, 2018.

The vote on the preceding resolution was as follows: ayes: Trustees Blumrick, Edwards, and McAvoy; Deputy Mayor Conley; and Mayor Westcott. Nays: none. Abstentions: none. Absent: none. The resolution was unanimously passed.

Chief Swick announced that the Middleport Police Department received the AAA Platinum award again this year.

The next regularly scheduled meeting of the Board of Trustees will be on Monday, December 18, 2017, at 7 p.m.

There being no other business, a motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to adjourn. Carried, with all present voting aye.

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Rebecca A. Schweigert
Clerk-Treasurer