

November 21, 2016

Body:

A regularly scheduled meeting of the Board of Trustees was held on Monday, November 21, 2016, in the Village Hall. Mayor Westcott opened the meeting at 7:00 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee Hinkson, Trustee McAvoy, Coordinator Bobbitt, Police Chief Swick, Clerk-Treasurer Schweigert, and Brian Seaman, attorney. Clerk Schweigert led the Pledge of Allegiance. There were a few residents in attendance, as well. A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to approve the minutes of the October 17, 2016, meeting. 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 6-16/17 in the amount of: General: \$94,496.11; Water: \$12,849.52; Sewer: \$16,435.29; for a total of: \$123,780.92. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve payrolls 11, 12, and 13 for weeks ending October 15, October 29, and November 12, 2016. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize payment for New York State Retirement obligations on or before December 15, 2016, as follows: Employees' Retirement System amount is \$39,806 & Police Retirement System amount is \$47,638 – total \$87,444. Carried, with all present voting aye. The Treasurer's report was submitted and accepted for October 2016. The Public Works report was submitted and accepted for October 2016. The Village and Town Police reports were submitted and accepted for October 2016, with Chief Swick reading the highlights. The fire report was submitted and accepted for October 2016. Chief Srock informed the Board that Mercy was approved for ambulance service for all of Niagara County. Water and sewer billing for quarter ending November 1, 2016: Water: \$56,629.05; Sewer: \$54,450.88; Total: \$111,169.93. Correspondence was read: Received ISO rating. Remains at 4. Received a letter from Ambulance of WNY, Inc., asking for support for them to offer services in Niagara County. Neither Mayor Westcott nor Fire Chief Srock had ever heard of this organization. Will research before responding. Deputy Mayor Conley received a call from a resident who resides in the air deposition area about the impact of the results of FMC winning the lawsuit against the NYSDEC regarding the remediation project. Discussed. Mayor Westcott gave update. Mr. Seaman noted that if FMC takes over the current remediation efforts, the Village's infra-structure law is in effect and we will go back to the beginning for enforcement purposes. Chief Swick reported that the drug drop off bin was filled and emptied twice before the County came for a pick up. The County destroyed 1,060 pounds of pharmaceuticals that was collected countywide. The drop off bin has been very popular. Mr. Seaman reported that Chris LaManna, from Wendel, sent an update the upgrade project at the WWTP. Due to the wait for the state's reply, the project is about a month behind schedule. The Board needs to authorize putting the project out to bid. A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to authorize placing the upgrades project at the Wastewater Treatment Plant out for bid the first week of December 2016, with bids being opened the first week of January 2017. Roll call vote: Deputy Mayor Conley – aye; Trustee McAvoy – aye; Trustee Blumrick – aye; Mayor Westcott – aye. The motion pass unanimously. Mr. Seaman advised the Board that when the generator was authorized to be a part of the plant upgrades project, the engineers assumed it would be a diesel generator and put specs for that in the plans. The Village would prefer a natural gas generator as

the plant uses natural gas. Mr. Bobbitt advised that the plant can run 24 – 48 hours on gravity, but any power outage beyond that would need a generator. A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize the second update from Wendel for generator changes, at a maximum additional cost of \$2,800. Carried, with all present voting aye. Discussed GovPay.net. Mr. Seaman has concerns about one of the requirements in the contract which could potential set the Village up for some unnecessary liability. Discuss the contract. He advised that any contract offered by any credit card payment service company will have something in it that an attorney does not agree with. The Board has to made a business decision regarding accepting the liability, which would potentially be minimal. Board determined that the issue will continue to be explored. Clerk advised to get information from other municipalities on the credit card payment companies they use. At this time Mayor Westcott asked for the status of the Local Law amending Chapter 63 regarding animal control. Mr. Seaman advised he had included the updates discussed at the October Board meeting. Discussed and determined that no more changes will be made. A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to adopt “A Local Law Amending Chapter 63 (Animals) of the Code of the Village of Middleport.” Roll call vote: Deputy Mayor Conley – aye; Trustee McAvoy – aye; Trustee Blumrick – aye; Mayor Westcott – aye. The motion pass unanimously. Mr. Seaman will handling filing the paperwork with the state. Clerk Schweigert advised that there was a computer error that occurred in September in which 61 water/sewer accounts were charged a late fee when the accounts were actually paid on time. A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, authorizing the Clerk-Treasurer to remove the penalties for the August 2016 water/sewer billing on the 61 accounts that were inadvertently charged a late fee. Carried, with all present voting aye. Chief Swick passed around an application from Michael Litton, a candidate to fill the vacant part-time position in his department. Civil Service has already approved the application. Discussed. Chief also advised he’d like to increase PO Brent Russell’s wages to \$15/hour as he has completed Phase II of training. A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to hire Michael Litton effective December 2, 2016, at a rate of \$14 per hour. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to increase Officer PT Brent Russell’s hourly rate to \$15 starting November 27, 2016. Carried, with all present voting aye. The next regularly scheduled meeting of the Board of Trustees will be held on Monday, December 19, 2016, at 7 pm. A motion to move into executive session was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, for the purpose of consulting with the Village’s attorney. Carried, with all present voting aye. Executive Session opened at 7:53 p.m. A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to return to general session. Carried, with all present voting aye. General session was reconvened at 8:16 p.m. There being no other business, a motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to adjourn. Carried, with all present voting aye. Meeting adjourned at 8:16 p.m. Sincerely, Rebecca A. Schweigert Clerk-Treasurer