

February 17, 2015

Body:

A regularly scheduled meeting of the Board of Trustees was held on Tuesday, February 17, 2015, 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. The supervisors of the towns of Royalton and Hartland were in attendance, along with a few other people. Delaney Douglas gave an update on three event ideas she gave the Board at the January meeting. She presented possible plans and costs on a wine trail tour, a drive in event, and a craft show. Discussed the ideas and costs involved. Any proceeds would have to be used for future events, as the Village cannot make a profit on any sponsored events. Trustee McAvoy asked if the Royalton Hartland Business and Professional Association had been approached to sponsor ideas like these, as they would be a more logical sponsor. The Village could be involved, but the liability would have to be explored, as well. Trustee Blumrick advised that the RHBPA has been approached in the past, and they were not interested. Mayor Westcott said the Business Association is not interested in taking on any more events but may change their minds if approached. Trustee Hinkson asked if a copy of the PowerPoint presentation would be available. Ms. Douglas will email a copy to Clerk Schweigert for distribution to Board members. A motion was made by Trustee Blumrick, and seconded by Trustee Hinkson, to approve the minutes of the January 20, 2015, meeting. Carried, with all present voting aye. A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to approve payment of claims submitted on Abstract No. 9-14/15 in the amount of General: \$24,166.23; Water: \$5,448.84; and Sewer: \$6,033.81; for a Total of: \$35,648.88. Carried, with all present voting aye. A motion was made by Trustee Hinkson, and seconded by Trustee McAvoy, to approve payrolls 18 and 19 for weeks ending January 31 and February 14, 2015. Carried, with all present voting aye. The Treasurer's report was submitted and accepted for January 2015. The Public Works report was submitted and accepted for January 2015. Trustee McAvoy passed on words of praise he's heard regarding the good job the DPW is in keeping the streets clean with all of the snow we've had. The Village and Town Police reports were submitted and accepted for January 2015, with Chief Swick reading the highlights. Trustee McAvoy asked Chief to see if the red lights at the bridge could be turned off as they are confusing motorists. Chief will contact Canal Commission about this. Discussed when bridge may reopen following painting. Chief will ask the contractors if they have a target date. Water and Sewer billing for the quarter ending February 1, 2015: Water: \$46,518.73; Sewer: 45,692.98; Total: \$92,211.71. Clerk Schweigert reported this total is down a little over \$11,000 from last year. The following resolution was offered by Deputy Mayor Conley, who moved its adoption, and seconded by Trustee McAvoy: RESOLVED, that the forthcoming General Village Election will be held on Wednesday, March 18, 2015, from 12:00 p.m. noon until 9:00 p.m. at the Village Hall, Middleport, New York. The following candidates were nominated for the office and term set forth before each name: ACTION PARTY Mayor: Two-year term Richard J. Westcott 13 Mechanic Street Middleport, New York THE VILLAGE PARTY Trustee – Two-year term Rebecca A. Hinkson 23 Freeman Street Middleport, New York MIDDLEPORT 1ST Trustee - Two-year term Wayne B. Blumrick 31 State Street Middleport, New York At this time Royalton Supervisor Jennifer Bieber and Hartland Supervisor Ross Annable were invited to address the

Board. Supervisor Bieber told the Board that the now vacated Universalist Church building, located at 46-48 Main Street, has been offered to the towns for their use. Supervisor Bieber listed several possible uses for the building and several civic organizations that would probably be interested in having access to it. The towns are inviting the Village to join in this shared services project to save and restore the building. A committee would be created to discuss the best uses of the building. Discussion ensued regarding this, including parking, possible sale of disposable assets, etc. Supervisors Bieber and Annable stressed that a decision on what happens to the building does not have to be immediate. The committee can have the time to thoroughly discuss if the project is doable. Determined that it makes sense that the Village be involved with this endeavor, along with the towns. A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to move forward with joining the towns of Royalton and Hartland to possibly rehabilitate and repurpose the Universalist Church. Carried, with all present voting aye. The three municipalities will enter into an agreement on this. As legal counsel for Middleport and Hartland, Mr. Seaman will contact Tom Brandt, Royalton's attorney, to determine the best way to take ownership of the property. Building and Code officers will go through the building together to inspect for any safety issues. The head trustee of the church will give a tour to anyone interested. Correspondence was read: Received a notice of public hearing to be held on March 9, 2015, by the Town of Royalton to correct the Senior Citizen's Exemption listed in Chapter 165 under Article III in the Royalton Town Code. Coordinator Bobbitt informed the Board that the truck ordered in August 2014 has finally arrived. Due to an error on Orleans Ford's part, we were given a larger plow than we ordered at no extra charge. Discussed putting the salter onto this truck. Deputy Mayor Conley represented Mayor Westcott at a meeting between FMC and the owner of the trailer park on Sherman Road. Representatives from Senator Ort's and Assemblywoman Corwin's offices were present, as well. FMC is purchasing the trailer park as it is targeted for remediation. Current residents and trailer owners are being given a financial incentive to move out as soon as possible. Mayor Westcott attended a meeting with the School the next day and heard basically the same information. All residents must have vacated by December 2015. FMC personnel have been advised to contact Mr. Bobbitt regarding water shutoff and other issues. This property is in a wetland and a flood plain, so redeveloping it into patio homes may not be possible. Trustee Hinkson updated the Board on the last CAP meeting. They also heard a presentation on the school testing/remediation and the purchase of the trailer park. Mayor Westcott gave a remediation update. The School Board heard a presentation from Dr. Rosalind Schoof, a nationally-renowned expert on arsenic. Due to her past association with FMC, the School Board was not persuaded by her information. The School Board must make a decision by March 4, 2015, as to whether or not they will agree to the remediation proposed by the DEC at the Middle and High School grounds. Regarding the M & K blocks of the Village targeted for remediation, the DEC met with many of the property owners in the area. They claim an 80 percent participation rate; FMC says 60 percent. Of the targeted properties, 20-25 have agreed to testing, 10 are undecided, and 2 have said no. The school property remediation will begin the Monday following graduation. It is possible that FMC will file for an injunction to stop any work until the cases that are in state and federal court are decided. Chief Swick updated the Board on the grant he received for equipment he needs as required by Niagara County Sheriff's Office. The grant paperwork was submitted in August 2014 and was awarded for the price at that time for the computers and docking stations. Unfortunately, the cost increased and the grant only covers the purchase price of the computers and one docking station. Chief Swick asked for permission to purchase 2 docking units at state bid price of \$800 each. A motion was made by

Deputy Mayor Conley, and seconded by Trustee Hinkson, to authorize the purchase of 2 additional docking stations at the state bid price of \$800 each. Carried, with all present voting aye. We will now have to pay \$40 per month for an air card with Verizon for these computers and docking stations. A request was received from Brownie Troop 30646 (from Kenmore) to hold an overnight event from April 11 to April 12, 2015, at the Scout House. A motion was made by Trustee Blumrick, and seconded by Trustee Hinkson, granting permission for them to do this. Carried, with all present voting aye. An application for the Grassroots Grant application has been received. The building in question is outside the Central Business District as set down in the original resolution that established the grant program. Discussed expanding the CBD in order to allow this property to be eligible for the grant program. The concern that other buildings nearby did not have access to the grant was raised. Board will consider this request and act at the March 2015 meeting. The current members of the Grassroots Grant Committee include former Village Trustee and resident Liz Bateman. Ms. Bateman no longer resides in the village and is no longer interested in serving on the committee. Mayor Westcott asked Trustee Blumrick to serve on the committee and he agreed. The following resolution was offered by Trustee Hinkson, and seconded by Trustee McAvoy, WHEREAS, Elizabeth Bateman has moved from the Village of Middleport and has indicated that she no longer wishes to serve on the ad hoc committee to review Grassroots Grant Program Grant Applications, NOW, THEREFORE, BE IT RESOLVED that Wayne Blumrick be and hereby is appointed to said committee in her place. The resolution was duly adopted, with all present voting aye. Attorney Seaman advised the Board that the Village Code must be updated to protect the infrastructure from heavy equipment and vehicles. This has evolved from concerns the Board has had regarding remediation efforts in the Village. Mr. Seaman gave the background on the law and explained its purpose. The Board will need to appoint someone to oversee enforcement of this new code. Discussed what will be covered and not by this new Code. Trustee Blumrick was concerned about damage that shows up years afterward. The Village can hold a bond for extended period of time for just such an issue. This new code will eliminate the need to address this street by street. Trustee McAvoy introduced a new section of Village Code - Chapter 165, Infrastructure Preservation Law. A motion was made by Trustee Hinkson, and seconded by Deputy Mayor Conley, to set a public hearing regarding Chapter 165, Infrastructure Preservation Law, at 7:00 p.m. on Monday, March 16, 2015. Carried, with all present voting aye. Mayor Westcott was approached by Gasport Lion Charlotte Doerfel about a donation from the Lions for the Village. Mayor Westcott asked for ideas from the Board as to what a donation could be used for. Trustee Hinkson asked about a jewelry business at a residence on Watson Avenue. Village Code does not prohibit it. A motion was made by Trustee Hinkson, and seconded by Trustee Blumrick, to move into Executive Session for the purpose of consultations with the attorney for the Village. Carried, with all present voting aye. Executive Session opened at 9:00 p.m. A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to return to General Session. Carried, with all present voting aye. General Session was reconvened at 9:18 p.m. Received a letter from the owner of 2 Watson Avenue requesting relief on his February 1, 2015, water/sewer bill. A water pipe broke at this address; the owner was able to direct the water into the canal. He has requested that the sewer charges be adjusted to reflect that the water did not go through the sanitary sewer system. Coordinator Bobbitt verified that the water did run into the canal and not down the sanitary sewer. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to adjust the February 1, 2015, water/sewer bill for account 426 (2 Watson Avenue) to reflect a minimum use charge only of \$27.81 for sewer, deducting \$748 from the sewer charges. Carried, with all present voting aye.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, March 16, 2015, at 7:00 p.m. in the Village Hall. There being no other business, a motion was made by Trustee McAvoy, and seconded by Trustee Hinkson, to adjourn. Carried, with all present voting aye. Meeting adjourned at 9:19 p.m. Respectfully submitted, Rebecca A. Schweigert Clerk-Treasurer