

# April 18, 2016

## Body:

A regularly scheduled meeting of the Board of Trustees was held on Monday, April 18, 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. Tim Walck, PE, was present representing Wendel Engineering. Sergeant Jeffrey Waters led the Pledge of Allegiance. There were a few residents in attendance, as well, including Sgt. Waters's family. At this time Sergeant Waters was presented a Certificate of Appreciation by Chief Swick from the Board of Trustees for his heroic efforts on November 9, 2015, which resulted in saving the life of Village resident Scott Woods. Chief read a history of Sgt. Waters's career and the history of the event. The AED unit used was purchased with funds donated to the Village for this purpose by the Gasport Lions Club from the proceeds of a past Winterfest. Mayor Westcott read the following proclamation: WHEREAS on the evening of November 9, 2015, Sergeant Jeffrey Waters responded to a patrol call at 46 Mill St. Middleport, New York, and WHEREAS upon arriving at said address he discovered an unresponsive male, and WHEREAS CPR was being administered without success to this unresponsive male, and WHEREAS Sergeant Waters determined a need for the use of the Automated External Defibrillator (or AED as it is commonly known), and WHEREAS Sergeant Waters immediately attached said AED and it advised a shock so Sergeant Waters cleared the patient and a shock was administered, now THEREFORE, based on observations of medical personnel at a later time, it has been determined that administering said shock saved the life of Village Resident Scott Wood, and Sergeant Waters is commended at this time for his quick thinking and quick action which resulted in the best possible outcome of what could have been a fatal incident. The Board of Trustees of the Village of Middleport extends their gratitude for this exemplary demonstration of behavior that signifies a dedication to the residents of the Village of Middleport by a member of the Middleport Police Department. Congratulations, Sergeant Waters, on a job well done! A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve the minutes of the minutes of the March 21 and April 4, 2016, meetings. Carried, with all present voting aye. A motion was made by Trustee Hinkson, and seconded by Deputy Mayor Conley, to approve payment of claims submitted on Abstract No. 11-15/16 in the amount of: General: \$43,828.51; Water: \$8,258.44; Sewer: \$10,426.26; for a total of \$62,513.21. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Trustee Hinkson, to approve a transfer of \$20,000 from Water Fund to Sewer Fund. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve payrolls No. 22 and 23 for weeks ending March 19 and April 2, 2016. Carried, with all present voting aye. The Treasurer's report was submitted and accepted for March 2016. The Public Works report was submitted and accepted for March 2016. Trustee Hinkson asked about the ongoing stump removal project. All stumps have been removed, including 19 in March alone. More trees are being removed; those stumps will be removed whenever time allows. The Village and Town Police reports were submitted and accepted for March 2016, with Chief Swick reading the highlights. Chief Swick advised the Board that due to the death of the mechanic who handled the police vehicles, our DPW is now doing any necessary repairs to the vehicles. Chief also acknowledged Sgt. Waters as the Honorary Survivor for this year's Relay For Life to be held in June. The fire report was

submitted and accepted for March 2016. Mayor Westcott welcomed the newly-elected Fire Chief, Fred Srock. Chief Srock presented the Board with the list of newly elected officer of the Middleport Fire Co. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to accept the officials of the Middleport Fire Company as voted by their members. Carried, with all present voting aye. The Code Enforcement report was submitted and accepted for March 2016. Due to the increase of reports and complaints of chickens being raised in the Village, Mr. Belson advised the Board that only what is permitted in the Village's Code is allowable. If it is not listed, it is not allowed. Correspondence was read: Received a donation from the Inner Harbor Yacht Club in the amount of \$280 Received a correction on franchise fees from TWC for 48 cents Received the 2015 Pretreatment report from Wendel as submitted to the DEC Received an email from the Swim Program Director asking to be able to add adult aerobic lessons to the youth swim program held each summer. Attorney will determine if the contract allows it. Will contact towns of Royalton and Hartland to see if they are interested in allowing this, as well. Mayor Westcott and Coordinator Belson have a meeting on May 2 at 1:30 pm for the 2016 Remediation project. The DEC is hoping to get started the first week of May. Clerk Schweigert updated the Board on the following topics: The Bicentennial plans as presented at last month's meeting may change due to some possible changes in the celebration schedule. The rides may be moved to another date. Update on Anna Wallace's history of the Village. It is progressing nicely, and the target date for release by the end of May is still on target. The Health Care Consortium is still ongoing, with meetings starting up again. Trustee Hinkson gave a CAP update. Discussed status of trailer park property. This is not included in the current remediation project. Once lawsuit is settled, the property should be addressed. Attorney Seaman brought up the topic of the draft of the animal control law requested by the Board. Will need to rework the current dog control law, include farm animals, and the number of dogs that may be owned. Will review and discuss. Please provide him with any input from now until the next meeting. Mr. Belson asked that kennels be included. May want to consider prohibiting kennels and catteries. Mr. Seaman will include this, as well. At this time Mr. Walck addressed the Board regarding the sewer plant upgrades. He advised the Board of a teleconference that was held with Mayor Westcott, Coordinator Bobbitt, Clerk Schweigert, Mr. Walck, and a representative from EFC regarding getting financing in place for the necessary for the upgrades. He explained what needs to be done and advised that there are grants available with 20 percent matching. The Village may also qualify for hardship status, meaning we could borrow money at zero percent. The fact that we must do upgrades due to the DEC's changes to our SPDES permit should help. Application needs to be filed by mid-June. Mr. Bobbitt advised the Board that this may be the time to consider moving the DPW garage to the WWTP property if we can include funding for that in what gets borrowed. Mr. Walck will have Wendel reconfigure their proposal to include plans for a DPW building on the property. Clerk Schweigert received an inquiry from the Town of Hartland clerk regarding assessing a fee for releveling water bills and asked if the Board would be interested in pursuing whether or not the Village could also add a fee on for releveling water/sewer bills onto tax bills. Board agreed. Mayor Westcott and Trustee Blumrick met with the owners of the Basket Factory to determine their intentions regarding outdoor music again. The Board will not tolerate the noise problems as in the past. The owners have assured them that they intend to keep the music low. Mayor Westcott asked for a volunteer to be in attendance on Sundays to monitor the noise. Trustee Blumrick sees no need for monitoring and feels the police should handle the issue should it arise. Trustee McAvoy observed that the police have other things to do. He also said the issue of parking was brought to his attention because in the past

cars block the side road, preventing a fire truck from getting through if needed. Discussed the issue and past problems. The issue will be revisited at the May meeting. Coordinator Bobbitt advised that he was contacted by the DEC regarding the use of Alfred Street by empty trucks during the upcoming remediation to be done on 4 properties and the school. Discussed.

Determined that Mayor Westcott will bring up at 5/2 meeting. The next regularly scheduled meeting of the Board of Trustees will be held on Monday, May 16, 2016, at 7:00 p.m. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to move into executive session for purposes of consultation with attorney. Carried, with all present voting aye. Executive session opened at 8:42 p.m. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to return into general session. Carried, with all present voting aye. General session reconvened at 9:02 p.m. A motion was made by Trustee Hinkson, and seconded by Trustee Blumrick, to authorize Wendel Engineering to undertake necessary work to meet the SPDES permit deadlines. Carried, with all present voting aye. Chief Swick advised the Board that two part-time officer will be resigning by the end of the month. Officer Holmes is working nearly full-time hours for us already. He asks that the Board consider hiring Officer Holmes as a full-time officer. Although he isn't keen about having 4 full-time officers, he does not want to lose Officer Holmes, who has had interviews with a few other departments already. He will still need at least 2 part-time offers. He was advised to have a proposal for the next Board meeting. Respectfully submitted, Rebecca A. Schweigert Clerk-Treasurer