

April 03, 2017

Body:

The annual reorganization meeting of the Board of Trustees was held on Monday, April 3, 2017, in the Village Hall. Mayor Westcott opened the meeting at 7:00 p.m. Also in attendance were Deputy Mayor Conley, Trustee Blumrick, Trustee Edwards, Trustee McAvoy, Coordinator Bobbitt, Police Chief Swick, Clerk-Treasurer Schweigert, and Daniel E. Seaman, attorney. Deputy Mayor Conley led the Pledge of Allegiance. There was one village resident in attendance, as well. At this time Mayor Westcott offered the following annual appointments: Deputy Mayor: Trustee Conley Sewer & Sanitation Department : Trustee McAvoy Street Department: Trustee Edwards Water Department: Trustee Blumrick Board Representatives to Youth Recreation: Trustees Edwards & McAvoy Zoning Board of Appeals: reappoint Barbara Albone to a 3-year term Planning Board: Patrick Conley to a 5-year term Youth Recreation Board: determined that Sarah Quackenbush may remain on the board despite being a village employee now. Tree Board: Julia Maedl to a 5-year term Lewis-Wilmot Trust Representative: reappoint Mayor Westcott to 5-year term Ethics Committee: Margaret Thomas, Elizabeth Storch, and Trustee Blumrick to a one-year term. A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to accept the above appointments. Carried, with all present voting aye. Mayor Westcott opened the public hearing regarding the 2017-18 annual budget at 7:10 p.m. Dispensed with reading the notice. A motion was made by Deputy Mayor Conley, and seconded by Trustee Edwards, to reappoint Rebecca A. Schweigert as Clerk-Treasurer for a two-year term to coincide with the Mayor's term. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to reappoint Historian Christa Lutz, Deputy Historian Barbara Albone, and Deputy Village Clerk-Treasurer Vicky Demmin to one-year terms. Carried, with all present voting aye. A motion was made by Trustee Edwards, and seconded by Deputy Mayor Conley, to designate Tompkins Bank of Castile, Medina branch, as the Bank Depository. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize purchase of materials for street, water, and sewer departments at New York State or Niagara County bid prices. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Trustee Edwards, to authorize Seaman Norris LLC to handle all legal matters on a per diem basis. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize the Clerk-Treasurer to deposit excess funds from all accounts in Time Open Agreements at Bank of Castile, Key Bank, and M & T Bank. Carried, with all present voting aye. A motion was made by Trustee Edwards, and seconded by Trustee Blumrick, to authorize the renewal of the Investment Policy as adopted by the Village Board on April 4, 1994, to include the following banks: Bank of Castile, Key Bank, and M & T Bank. Carried, with all present voting aye. Discussed mileage reimbursement. Trustee Edwards suggested using the IRS's annual update, rather than including a figure. A motion was made by Trustee Edwards, and seconded by Trustee Blumrick, to authorize mileage reimbursement at the most current IRS rate for officers and employees who use their personal automobiles while performing their official duties on behalf of the Village. This rate will automatically increase or decrease based on the IRS rate. Carried, with all present voting aye. A motion was made by Trustee Edwards, and seconded by Deputy Mayor Conley, to authorize the Clerk-Treasurer to submit payment in advance of audit of claims for Public Utilities Services and postage prior to the monthly Board

Meeting. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Trustee Edwards, to authorize the Mayor, Board of Trustees, and Department Heads to attend meetings of the Northwestern Frontier Association of Village Officials, when they are called. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to authorize the Clerk-Treasurer to attend the monthly meetings of the Niagara County Municipal Clerks Association and her deputy (or deputies) to attend meetings of same as deemed necessary by the Clerk-Treasurer, authorize the Police Chief to attend the quarterly Chiefs of Police meetings, and authorize the Village Coordinator to attend the monthly meetings of the Western New York Water Works Association and WNY Village Superintendents Association. Carried, with all present voting aye. A motion was made by Trustee Edwards, and seconded by Deputy Mayor Conley, to authorize Department Heads to approve necessary training at their discretion for members of their departments, including themselves, as it becomes available during the year. Should the cost be more than \$1,000, Board Approval is necessary per the Village's procurement policy. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to authorize the regularly scheduled Board of Trustees meetings to be the third Monday of each Month at 7:00 p.m., with the following exceptions: due to federal holidays, the January and February 2017 meetings will be held on the third Tuesday of the month. The 2018 Reorganization meeting will be held on Monday, April 2, 2018. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to designate the Union Sun & Journal as the official newspaper. Carried, with Deputy Mayor Conley and Trustees Edwards and McAvoy voting aye, and Mayor Westcott and Trustee Blumrick voting nay. At this time, Mr. Seaman advised the Board that, due to long term inactivity, the Middleport Remediation Advisory Group (MRAG) is to be dissolved with excess funds to be turned over to the Village. The following resolution was offered by Deputy Mayor Conley, who moved its adoption, and seconded by Trustee McAvoy: WHEREAS, the Middleport Remediation Advisory Group, Inc. ("MRAG") is a not-forprofit corporation that formed on April 6, 2004 and consists of members residing in the Village of Middleport, and WHEREAS, the purpose of the MRAG is to review scientific data, reports and studies concerning arsenic contamination in the Middleport area, to promote and contribute to public participation in the remediation process, interact with the New York State Department of Environmental Conservation, the United States Environmental Protection Agency, the New York State Department of Health and FMC Corporation to advance the concerns of the residents of the Village of Middleport, to obtain technical assistance to promote these purposes, and WHEREAS, MRAG is in the process of dissolving and desires to donate its remaining assets, \$8,491.72 to the Village, NOW, THEREFORE, BE IT RESOLVED, that the Village accepts the donation of \$8,491.72 from MRAG, and be it further RESOLVED, that the Mayor is authorized to issue a letter to MRAG stating that the Village will use the donated funds for purposes consistent with the purposes stated in the Certificate of Incorporation of MRAG. The above resolution passed, with all present voting aye. There being no comments, Mayor Westcott closed the public hearing at 7:25 p.m. A motion was made by Trustee Blumrick, seconded by Trustee McAvoy, to adopt 2017-18 budget in the amount of \$1,756,553.74, with the tax rate as follows: full value tax rate will be set at \$10.00 per thousand with the actual tax rate set at \$10.20 per thousand due to the 98 percent equalization rate. Carried, with all present voting aye. A motion was made by Deputy Mayor Conley, and seconded by Trustee Edwards, to authorize Mayor Westcott to execute the Fire Protection Contract with Middleport Volunteer Fire Co., No. 1, Inc., for the period April 1, 2017, to March 31, 2018, in the amount of \$93,500.

The next regular meeting of the Board of Trustee will be held on Monday, April 17, 2017, at 7:00 p.m. in the Village Hall. A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to move into Executive Session for the purpose of discussions regarding matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Carried, with all present voting aye. Executive Session opened at 7:27 p.m. A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to move back into General Session. Carried. General Session reconvened at 8:01 p.m. Determined that a replacement will be hired for Trey Stornelli, but this time the concentration will be on someone to work more at the Wastewater Treatment Plant towards an Operator's License, so that when Gary Purser retires, we will have a replacement license available. A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize posting the open position on the Village's website and Facebook page. Carried, with all present voting aye. There being no further 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 8:05 p.m. Respectfully submitted, Rebecca A. Schweigert Clerk-Treasurer