

May 18, 2015

Body:

A regularly scheduled meeting of the Board of Trustees was held on Monday, May 18, 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, Police Chief Swick, Building Inspector Belson, Clerk-Treasurer Schweigert, and Brian Seaman, attorney.

Coordinator Bobbitt was absent. Mr. Belson led the Pledge of Allegiance. There were a few residents in attendance, as well. At this time a presentation was by Eileen Brewer and Derrick Sears regarding a Flag Day event they would like to organize at the Commons. This event would consist of participants playing music together throughout the day. There has been interest expressed by students and teachers. They will invite students and teachers from other schools. It will be a public event. They will provide refreshments to attendees. They were thinking of holding it on Flag Day (Sunday, June 14) from 11 am to 3 or 4 pm. This will not be in any way be sponsored by the Village. Discussed the presentation. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, giving permission to Eileen Brewer and Derrick Sears to organize a Flag Day event on Sunday, June 14, 2015, from 11 am to 3-4 pm, at the Commons, corner of Park Ave. and Main St., as requested. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve the minutes of the April 6 and April 20, 2015, meetings. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Trustee Hinkson, to approve payment of claims Abstract 12-14/15 in the amount of: General: \$23,926.12; Water: \$372.59; Sewer: \$10,116.78; for a Total of \$34,415.49. Carried, with all present voting aye. A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve payrolls No. 24 and 25 for periods ending April 25 and May 9, 2015. Carried, with all present voting aye. The Treasurer's report was submitted and accepted for April 2015. The Code Enforcement report was submitted and accepted for April 2015. Mr. Belson also advised the Board that he will be addressing yard maintenance issues, especially with foreclosure properties. Trustee Hinkson asked for clarification on the number of unlicensed vehicles allowed at a property. Mr. Belson advised her of the current code. He will work with Chief Swick to determine if licensed vehicles parked long-term in driveways are actually registered. The Public Works report was submitted and accepted for April 2015. The Village and Town Police reports were submitted and accepted for April 2015, with Chief Swick reading the highlights. Trustee Blumrick commented that he had discussed with Chief Swick about motorized bicycles on Village streets. Discussed issue. Chief Swick will talk to the people using these. Public comment at this time: John Keirn asked about overgrown lawns on Vernon Street that will look unsightly during the Memorial Day Parade. He also asked that a closer eye be kept out for cars parked over sidewalks, as he has observed several lately. It is difficult for pedestrians when vehicles are parked like this. Herb Koenig commented on the issue of cars parked over sidewalks on his street. It happens regularly, but he has not complained as he does not want to upset his neighbors. He is also interested in the Board's take on the Verizon cell tower issue. No refuse/recycle collection on Wednesday, May 27, 2015, due to the Memorial Day holiday. Regular pickup will be on Thursday, May 28, 2015. Water and Sewer Billing for the quarter billed on May 1, 2015: Water: \$45,671.22; Sewer: \$44,847.97; for a Total of \$90,519.19. Amount of unpaid water/sewer bills as of April 30, 2015, added onto 2015 - 2016 tax roll: \$19,096.29. Clerk Schweigert advised the Board that the

assessor verified that he advised us incorrectly on which assessment roll to use for our 2015-16 tax levy. The tax rate must be adjusted to reflect the correct assessments for the towns. The tax levy will stay the same. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to authorize a change in the tax rate to reflect that the full value rate will now be \$9.980656 per thousand. The equalization rates for the towns of Royalton and Hartland are now 100 percent. The town of Royalton full value rate will change from \$10.293213 to \$9.980656. The town of Hartland full value rate will change from \$9.469756 to \$9.980656. The tax levy will remain the same at \$538,412. Carried, with all present voting aye. Mayor Westcott authorized to sign the tax warrant in the amount of \$557,508.29 (this includes tax levy of \$538,412 and unpaid water/sewer in the amount of \$19,096.29). Correspondence was read: Availability of Public Notice received from US Army Corps of Engineers Notice received from KeyBank regarding closing the Middleport branch Thank you received from Mrs. Pedini's class for Arbor Day Celebration At this time the Mayor asked to address the issue of the empty Universalist Church. At the meeting held two weeks ago with the boards from the towns of Royalton and Hartland, it is apparent that the full board from Royalton is not supportive of this effort. Discussed the future of the church. Mayor Westcott said that at this time, any efforts are on hold regarding the church. The issue is tabled for now. Trustee McAvoy asked for the status of painting the Village Hall. Mayor Westcott advised that Mr. Bobbitt has had difficulty getting quotes on the cost. Mayor Westcott updated the Board on the issue of the Verizon cell tower. As there is not enough room outside, the Village Coordinator offered the use of the basement for the equipment, with 24/7 access, pending Board approval. The Zoning Board of Appeals held a hearing regarding Verizon's application for a use variance to place the tower on the building owned by the Masons, as the Village's code requires cell towers in areas zoned industrial or on Village-owned property. Mayor Westcott voiced his opinion that the Village should not pursue having the tower installed on the Village Hall and recommends to the Board that they not block installation on the Mason's building. Attorney Seaman clarified that the zoning allows for towers on municipally owned buildings. Verizon applied for a use variance. There is a pending application with the ZBA. The Board doesn't have to act at this time. Chris, a representative from Verizon, introduced himself at this time. He advised that a colleague did search the area and met with Bryan Bobbitt. Verizon needs 24/7 access to the antenna as well as the ground equipment. Mr. Belson advised he received an agreement dated December 12, 2014, from Verizon, but no contact after that. Chris said that he was not aware of the variance. Mr. Belson said that the rep was told that a use variance would be needed for any building other than the Village's. Deputy Mayor Conley expressed concerns regarding any possible FCC violations if the tower is not on Village-owned property. Chris was not aware of any. He reiterated that Verizon needs 24/7 access to the roof and ground equipment, but the Village only offered 24/7 access to the ground equipment. Mayor Westcott said this issue is not worth the fight for \$6,000 per year in revenue. Mayor Westcott updated the Board on the remediation efforts. Trustee McAvoy expressed concerns of use of the playground during the workday. He also asked who will be policing the work area. As the landfill is only open until 4 each day, trucks will leave the area by 3 pm. Deputy Mayor Conley asked about bonding. Mr. Seaman said that Mr. Belson and Mr. Bobbitt will need to meet and discuss to determine the amount of the bond. It needs to be posted prior to the start of work. Trustee Hinkson asked if the tennis courts are part of the remediation. They are not. Only grassy areas are. Mr. Seaman presented an updated contract with the Town of Royalton for traffic control by the Middleport Police Department. The coverage is the same as the past years, with a 2 percent increase for the next three years. A motion was made by Deputy Mayor Conley, and

seconded by Trustee Hinkson, authorizing the Mayor to sign the contract as presented for traffic control for the Town of Royalton by the Middleport Police Department. Carried, with all present voting aye. The Town of Royalton Board agreed to the terms at their last meeting. Chief Swick advised the Board the excess equipment has been cleaned and photographed and will be listed with Auctions International in the near future. The next regular Board Meeting – Monday, June 15, 2015, at 7:00 p.m. A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to move into executive session for the purpose of consulting with the Village's attorney. Carried, with all present voting aye. Executive session opened at 8:02 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. Mayor Westcott reconvened general session at 8:25 p.m. Received a letter from the owners of 17 Vernon Street regarding a high water bill. The owner's father discovered a burst pipe after the tenants moved out, which may have occurred at least a week prior to discovery. They asked for relief on the bill. Discussed request. A motion was made by Deputy Mayor Conley, authorizing a reduction in the sewer portion of the May 1, 2015, water/sewer bill as they submitted proof establishing that the water did not enter the public sewer system and, therefore, they should have a reduction to a minimum charge in the sewer portion only of the bill. Carried, with all present voting aye. Trustee Blumrick advised the Board that the Grassroots Grant committee met and approved the applications for \$2,000 each from Dan Seaman and Don Heschke. Mr. Seaman abstained from any recommendations on the grant, due to his relationship with Dan Seaman. Dan Seaman also submitted a disclosure to the committee that he is an attorney of record for the Village. A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to approve the grant applications as recommended by the Grass Roots Committee in the amount of \$2,000 each for Daniel Seaman and Donald Heschke. Carried, with all present voting aye. There being no other business, a motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to adjourn. Carried, with all present voting aye. Meeting adjourned at 8:30 p.m. Respectfully submitted, Rebecca A. Schweigert Clerk-Treasurer