

A regularly scheduled meeting of the Board of Trustees was held on Monday, May 18, 2020, in the Village Hall. The meeting was accessible by the public via teleconferencing. Mayor Westcott opened the meeting at 7:00 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee McAvoy, Trustee Barr, Coordinator Bobbitt, Police Chief Swick, and Clerk-Treasurer Schweigert.

Deputy Village Clerk-Treasurer Lisa VanBuren and Fire Chief Ryan Czaja attended via teleconference.

This is a verbatim transcription of the recording.

Mayor Westcott: It's 7 o'clock. We'll call this meeting to order. Trustee Conley, will you lead the Pledge?

Deputy Mayor Conley: Sure.

All present recited the Pledge of Allegiance.

Mayor Westcott: Just a reminder to everyone. This meeting is being recorded and will be transcribed verbatim. We'll move onto item number 3. Approve transcription of the minutes of April 2020 meeting. I'll entertain a motion.

Trustee McAvoy: So move.

Mayor Westcott: State your name, please.

Trustee McAvoy: Trustee McAvoy.

Trustee Blumrick: I'll second. Trustee Blumrick.

Mayor Westcott: Any questions on the motion? All in favor of that motion?

All Trustees: aye.

Mayor Westcott: Opposed? Motion is approved.

Item 4. Bills submitted under Abstract No. 12-19/20 in the amount of: General: \$68,982.95; Water: \$10,345.25; Sewer: \$9,909.54; for a Total of \$89,237.74. Entertain a motion?

Trustee Conley: Trustee Conley. Motion to pay.

Trustee Blumrick: Trustee Blumrick. Second it.

Mayor Westcott: Any questions under the motion? All in favor of that motion?

All Trustees: aye.

Mayor: No? Motion sustained.

Item 5, changing the \$50,000 loan made on 8/20/2019 from the Water Fund to the Sewer Fund to a budget transfer per the 2019-2020 budget. Entertain a motion.

Trustee McAvoy: Trustee McAvoy. So move.

Trustee Conley: Trustee Conley. Second.

Mayor Westcott: Questions under the motion? Again, any questions under that motion? All in favor of that motion?

All Trustees: Aye.

Mayor Westcott: Opposed? Carried. Making a note. When making a motion, please speak up louder so it gets into the recording.

Item 6. Approve changing the \$10,000 loan made on 1/21/2020 from the General Fund to the Sewer Fund to a budget transfer per the 2019-2020 budget. Entertain a motion.

Trustee Blumrick: Motion. Trustee Blumrick.

Trustee McAvoy: Second. Trustee McAvoy.

Mayor Westcott: Any question under the motion? All in favor of the motion?

All Trustees: Aye.

Mayor Westcott: Opposed? Carried.

Item 7. Approve payrolls No. 24 and 25 for periods ending April 11 and April 25, 2020. Entertain a motion?

Trustee Conley: Trustee Conley. Motion.

Trustee Blumrick: Trustee Blumrick. Second.

Mayor Westcott: Under question under the motion? All in favor of the motion?

All Trustees: Aye.

Mayor Westcott: Opposed? Carried.

Item 8, the Treasurer's report for the month of April 2020. Any questions or concerns to be brought up? All right.

Move on to Item 9, Village and Town Police Reports for the month of April. Chief?

Chief Swick: John Swick, Police Chief, Middleport. Mayor, The Police Officer patrolled a total of 4,965 miles in the month of April. For the miles that that were patrolled this month,

we used a total of 451 gallons of gasoline. Total Man Hours amounted to 684 hours. They're all listed there for the different types.

For the arrests made, no penal types for the month of April.

4 Accidents	4	Assist Motorists
0 Suspicious Vehicle	6	Suspicious Person
1 Attempt To Locate	15	Check on Welfare
2 Notification	8	EMS
4 Vehicle and Traffic	2	Larceny
2 Alarm	10	Animal Problems
2 Officer Standby	16	Domestic Situations
1 Found Property	1	Mental Health
3 Disorderly Person	1	Noise Cpmplaint
1 Escort	3	Business Checks
1 Open Door	1	Warrant Served
1 House Fire	1	Criminal Mischief
6 Neighbor Problems	2	Open Burn
2 Illegal Dumping		

The Town of Royalton and the Town of Hartland reports are there.

Mayor Westcott: Any questions for the Chief?

Ok, Item 10, Public Works report's been submitted for the month of April 2020. It's a pleasure to read. *unclear* Anybody got any questions for the DPW? No?

Item 11, Fire report for the month of April 2020. Chief is not here with us tonight.

Clerk Schweigert: He's online.

Mayor Westcott (reading Fire Report): Village of Middleport, 8; Town of Royalton, 4; Town of Hartland, 4; Out of District (Mutual Aid), 0. Total of 16 calls and 67 to date.

Item 12. No refuse/recycle collection on Wednesday, May 27, 2020, due to the Memorial Day holiday. Regular pickup will be on Thursday, May 28, 2020. Mark your calendar.

Item 13 Water and Sewer Billing for the quarter billed on May 1, 2020: Water: \$55,027.38; Sewer: \$54,456.92; for a total of \$109,484.30.

Discuss waiving the 10 percent penalty in June 2020 on water/sewer bill if can prove financial hardship.

Clerk Schweigert: I gave you all some suggestions to discuss.

Mayor Westcott: Pardon?

Clerk Schweigert: I gave you a list of some suggestions you can discuss.

Mayor Westcott: Okay.

Long pause while Board members are reading suggestions.

Mayor Westcott: Any questions on those? *unclear*

Trustee McAvoy: Will this be put in the paper?

Clerk Schweigert: If you guys pass it, we will make sure the information is out there, yup.

Trustee Blumrick: What's the timeframe? Question from Trustee Blumrick.

Clerk Schweigert: Timeframe?

Trustee Blumrick: Yes, is there a time limit on it? End of August? September or whatever? As long as this....what would be the timeframe on this?

Trustee McAvoy: Item No. 6.

unclear

Clerk Schweigert: It would be on a billing basis, yes.

Mayor Westcott: Any other comments or concerns?

McAvoy: Do we need a motion for this?

Clerk Schweigert: You would need a motion to authorize that and authorize the Mayor and the Clerk-Treasurer to, um, be given that authority as suggested.

Trustee McAvoy: I will make a motion that we give authority to the Mayor and the Clerk-Treasurer to honor this request as listed.

Clerk Schweigert: No, I'll make sure those steps are put...

Trustee Conley: Trustee Conley. I'll second the motion.

Clerk Schweigert: Those steps will be put in the minutes.

Mayor Westcott: I don't have to read them all out, do I?

Clerk Schweigert: No, I'll just add them as an addendum to the minutes.

1. Waiver will only be for any account suffering financial hardship due to COVID-19 PAUSE-NY
2. Anyone requesting the waiver must show proof of financial hardship
3. Only accounts requesting the waiver and providing physical proof of financial hardship (i.e., unemployment stubs since March 20, 2020, layoff notice, furlough notice, things like that). Requests must be submitted no later than the close of business (4:00 pm) on Monday, June 22, 2020, in order to have enough time to review the requests and paperwork.
4. Proof may be submitted by scanning & emailing, sending to the Village Hall via USPS, or by dropping off paperwork to the Clerk's Office during the limited hours they are open only, if that is still in place in June.
5. All requests will be reviewed by the Mayor and Clerk-Treasurer. They will have the authority to waive the penalty if proof is acceptable. Board of Trustees will authorize this.
6. The additional 10 percent penalty that would be assessed as of July 1, 2020, will be addressed at the June 2020 Board of Trustees' meeting.

Mayor Westcott: We have a motion on the floor to accept the 6 conditions on waiving the 10 percent penalty for the May 1, 2020 water/sewer payment. There's a motion and second on the floor. Any questions or concerns on that motion on the floor? All in favor of that motion?

All Trustees: Aye.

Mayor Westcott: Opposed? That motion's carried.

Clerk Schweigert: For the record, this is Clerk-Treasurer Schweigert speaking.

Mayor Westcott: We'll move onto Item 14. Amount of unpaid water/sewer bills as of April 30, 2020, added onto 2020 - 2021 tax roll: \$30,167.91. Motion to authorize Niagara County Real Property Department to relevel all accounts, including those owing over \$1,000 onto 2020-2021 Village tax bills. Entertain a motion?

Trustee Blumrick: Motion by Trustee Blumrick.

Trustee Conley: Second by Trustee Conley.

Mayor Westcott: Any questions or concerns on that motion? All in favor of that motion?

All Trustees: Aye.

Mayor Westcott: Opposed? Motion's carried.

Item 15, Tax warrant to be signed by Mayor Westcott in the amount of \$ 601,130.43 (tax levy of \$570,962.52 plus unpaid water/sewer of \$30,167.91).

Do we need a motion for that?

Clerk Schweigert: You don't need a motion.

Mayor Westcott: Okay, we'll move onto correspondence.

Clerk Schweigert: This is Clerk Schweigert. I don't have any correspondence.

Mayor Westcott: Trustee Conley?

Trustee Conley: Nothing, Mayor.

Mayor Westcott: Trustee Barr?

Trustee Barr: Nothing.

Trustee McAvoy: I do not have any.

Mayor Westcott: Trustee Blumrick?

Trustee Blumrick: Nothing for me, thank you.

Mayor Westcott: Just to bring everyone up to date on correspondence, as you all are aware, Western New York has received the green light to open Phase 1 starting tomorrow. With new business to move to Phase 1 opening, there are two things you must make sure you have completed before your doors open as of tomorrow morning. First thing is you must have a plan in order for your business to operate to meet the criteria set down by the state for reopening. Second, the most important thing is going on the state's website, and on the state's website for your business they have a template that tells you what criteria you need to have in your plan. The most important thing is that at the end of that there is an affirmation that you must print out and it must be visibly shown in your business, meaning you gotta have it either on the door, in your window, at the desk, so that when anybody comes in they read it and see that you are in agreement or at least read all the criteria that the state requires. Failure to do this, very important, failure to do this means that if somebody calls in and an inspector comes down, you will immediately be shut down. End of story. No discussion until you come

up with a 4 step plan. Those are two very important items that you have to have if you are in the category for Phase 1 reopening. Please go in and review the website....

Clerk Schweigert: Mayor, there's a link to that on our Facebook page.

Mayor Westcott: Very good. Check that out, get the link, go on, take the few minutes to read it, it's not hard, you do not have to send in your plan, but you do have to have an affirmation printed out and visibly accessible on your premises. Any questions?

Trustee McAvoy: I was just wondering what businesses you are talking about?

Mayor Westcott: Ok, under Phase 1 construction, manufacturing, um, wholesale, retail

Clerk Schweigert: Curbside only

Mayor Westcott: Agricultural farming, forestry, and fishing are the only ones who are open. Retail is open, not to go in and linger, but this is for curbside pickup. You can order it and they'll bring it out to your car, but you can't go in. Um.... You must maintain social distancing and you must wear a mask, even on the curbside pickup. So it's all defined and we have the link on our website, so please go on and do that

Clerk Schweigert: Mayor, libraries have been added to that, too, for curbside pickup.

Mayor Westcott: Yep, libraries. So people who are in charge of enforcing that : first one is county health, the Sheriff's department, local law enforcement if they get a call and someone's not in agreement, local law enforcement has the right to go in and ask for that affirmation paper, and if they cannot produce it they will be shut down. So please, go by the rules, get it done, because all it does is delay us from getting to Phase 2.

Now, as of....the statistic for us, um, Niagara County is 884 tested positive, 3 tested positive in the Village of Middleport, so the numbers are there. There's 13 in Royalton, I believe, and 14 in Hartland. Tests are available. If you think you have signs or symptoms or whatever, please go get tested. Ok? There are several sites available *unclear* so, if you don't need the test that's fine, but if you think you've been in contact with somebody, please go get tested. Maintain social distancing. Keep your mask handy and put it on when you're out in public. Even if you're an essential business, you should have a plan and an affirmation. Spread the word, if anybody asks, Chief.

Ok, now that we've done correspondence, we'll move onto old business.

Anybody got any old business? No? Good.

New business. Extend the contract for traffic control with Town of Hartland.

This First Extension to Municipal Cooperation Agreement is entered into as of the this 18th day of May, 2020, between the **TOWN OF HARTLAND**, a municipal corporation, with offices located at 8942 Ridge Road, Hartland, New York ("Town") and the **VILLAGE OF MIDDLEPORT**, a municipal corporation, with offices located at 24 Main Street, Middleport, New York ("Village"),

WHEREAS, the Town and the Village entered into a Municipal Cooperation Agreement dated May 15, 2017 for certain police services to be performed by the Village for the Town (the "Agreement"), and

WHEREAS, the Town and the Village wish to extend the term of the Agreement, now therefore

THE PARTIES hereby agree as follows:

1. The Agreement is extended an additional 6 months, through December 31, 2020.

2. The monthly sum to be paid to the Village by the Town for said extension period shall be \$3,281.57 per month.

3. All other terms and conditions of the Agreement remain the same.

IN WITNESS WHEREOF.... I need authorization to extend this. I'll entertain a motion and a second.

Trustee McAvoy: I'll make the motion we extend it *unclear* Trustee McAvoy.

Trustee Blumrick: Trustee Blumrick. I'll second that.

Mayor Westcott: Any question on the motion? All in favor of that motion?

All Trustees: Aye.

Mayor Westcott: Opposed? Motion's carried.

Ok. Next item. Award contract for Disinfection Upgrade Project at the Wastewater Treatment Plant. This went out, asked for bids, bids came back. We had 4. Bids on the project were received and opened October 2020..... (corrected himself) done on May 13th 2020. According to the notes on the bids received were recorded:

General Construction:
STC Construction Corp.: 379,800;
Village Construction, Inc.: \$405,000;

Hohl Industrial Services, Inc.: \$420,100;
Empire State Mechanical Contractors, Inc.: \$572,900.

Wendel has reviewed the bid proposal from the low Bidder, STC Construction Inc., and found it to be responsible and in accordance with the Bidding Documents. Wendel has also spoken with STC directly and STC is comfortable with their bid and would like to enter into a contract with the Village. At this time, Wendel sees no reason not to award the Contract to STC Construction, Inc. for their low bid of \$379,800.00.

I will entertain a motion to accept the bid for construction.

Trustee McAvoy: I have a question.

Mayor Westcott: Sure.

Trustee McAvoy: (to indicate he's turned around) I'm talking to Bryan. Are you familiar with this outfit?

Village Coordinator Bobbitt: Yes. Bryan Bobbitt, Village Coordinator. They just completed Disinfection in Albion. They're a very good contractor, in fact, um, Test Assured Associates recommend them highly, and that's who we're buying our equipment from. So, yes, they're a really reputable outfit.

Trustee McAvoy: Ok, I'll make the motion that we go ahead with STC Construction. Trustee McAvoy.

Trustee Blumrick: Trustee Blumrick will second that.

Mayor Westcott: Ok, any questions under that motion? All in favor of that motion? All Trustees: Aye.

Mayor Westcott: Opposed? Motion's carried.

Ok, the next item is discuss to join the Niagara Co. Refuse Consortium and purchasing refuse totes with them. I guess all they're looking for.... You can elaborate..

Village Coordinator Bobbitt: Yes, Bryan Bobbitt, Village Coordinator. This is the situation. Right now currently we're paying about \$224.15 per household. If we don't go with the tote bins it will raise each pick up by \$73.97 with terms to come to \$298.12. Rebecca and I discussed the last time we bought 700 recycling bins, so just use the number 700. Right now we can buy carts for \$45 per cart. So if we bought 700 carts, that's \$31,500. If we don't do carts, the first year it's going to cost us \$51,779 to Modern, so to me, it's a no brainer. They're 85 gallon totes. We did have a discussion about this earlier last month. Our Counsel Brian Seaman said he already uses them. His family of 6 kids, and they've never filled one yet. So, our green totes are 65, so there'll be 20 gallons more and the big thing is right now is that the price for carts are low because of the COVID-19 thing. They're begging for sales. So what we would do is that we'd agree to this consortium and that would put us in the running to go ahead with it. I mean, to me, it doesn't make sense not to. We're gonna end up doing it eventually anyways so right now the carts are fairly inexpensive. It's up to the Board, obviously....

Trustee Conley: Our next....Trustee Conley.....our next refuse contract then will probably mandate that we have to use of these.

Village Coordinator Bobbitt: Yeah, it's gonna come down.... Yes.

Trustee Conley: Ok.

Village Coordinator Bobbitt: I mean, so...we don't have a garbage problem like we did with recycling. Going with these big recycle bins was wonderful. We don't have cardboard blowing down the streets, that was..... and they look better. You know, you don't have people with bags and stuff, and like I said, if you go by that 700 number it's almost \$52,000 more for the first year.

Trustee Blumrick: What about apartments?

Village Coordinator Bobbitt: Well, it'll be the same as the recycling tote. They'll give you one tote per apartment, right, Rebecca?

Clerk Schweigert: One tote per tax bill.

Village Coordinator Bobbitt: I thought she said they'll give you multiple, if you had like a 2 family, you'll get 2. We'll have to check on that, Wayne. I'll check on that when I email her back.

Trustee Blumrick: Right, 'cause there's a lot of places with 3 *unclear* or 4. A lot of times there's just 4 things of garbage out there, whether they be bags or cans.

Village Coordinator Bobbitt: Right.

Multiple voices. Unclear. but something about a dumpster.

Trustee Blumrick: Where would I put a dumpster?

Multiple voices again. Unclear

Trustee Blumrick: That's the thing. I don't know what the rule is... 4. Didn't you tell me it's 4 at one time? Four apartments?

Clerk Schweigert: But, remember garbage is picked up weekly, not biweekly like recycling. (Multiple voices saying "right.") So it's larger and it's picked up weekly.

Trustee Blumrick: That's true. But could maybe something be in there, I've talked with other people in town who have multiple units. Would it be possible for us to be taxed just a little bit more to be able to have two or three or?

Village Coordinator Bobbitt: No, because that's the way their contract is.

Mayor Westcott: It's the way the contract is.

Clerk Schweigert: It's per tax bill.

Trustee Conley: Yep.

Trustee Blumrick: But I, I....

Village Coordinator Bobbitt: Well, I'll check on that.

Mayor Westcott: We'll get clarification on that.

Village Coordinator Bobbitt: I'll get clarification on that.

Mayor Westcott: Need a motion to move forward with this.

Trustee Blumrick: It says discuss. It doesn't....

Mayor Westcott: We have to give them an answer.

Village Coordinator Bobbitt: Yeah, they want an answer.

Mayor Westcott: They want an answer, so it's either we go under this and be a part of the consortium at this price here for the totes or go independent and pay higher prices with a contract.

Trustee Blumrick: Trustee Blumrick again. I'm all for the totes; I have nothing against them, in fact I'm highly in favor of them, but if certain portions of town, again like myself, that have multiple units and we only get one tote..

Village Coordinator Bobbitt: But you just said they only have like 4 bags. That won't fill an 85 gallon tote.

Trustee Blumrick: Sometimes it's 5 or 6

Village Coordinator Bobbitt: I don't think they'll fill them.

Trustee Blumrick: You don't think so?

Village Coordinator Bobbitt: No.

Clerk Schweigert: This isn't locking us into buying anything right now. This is just to join the consortium and give them an answer.

Trustee Blumrick: Ok.

Village Coordinator Bobbitt: They're pretty big bins, Wayne.

Trustee Blumrick: Ok. How big did you say they are? 85 gallons?

Village Coordinator Bobbitt: Yes, 85 gallons.

Mayor Westcott: So, any more comments or concerns on this? What's the Board's pleasure? I'd like to move forward.

Trustee Barr: I'll make the motion. Trustee Barr.

Trustee Blumrick: Trustee Blumrick, I'll second it.

Mayor Westcott: Any question under the motion?

Trustee Blumrick: Just one more question. What if people have like an extra bag of garbage? Will they do like the recycling? If they fill the tote and there's something large like cardboard box or something, they'll get out of the truck and pick it up.

Clerk Schweigert: I think those are details that will get ironed out in the future.

Village Coordinator Bobbitt: Yeah.

Trustee Blumrick: Ok.

Village Coordinator Bobbitt: We'll have to clarify that. The whole idea is to get away from manual labor.

Trustee Blumrick: Right. Right.

Village Coordinator Bobbitt: That's the whole idea of totes. They basically say it's costing them so much money...Yeah, we'll clarify all that, Wayne. This is just to get going on this.

Mayor Westcott: Several other municipalities are on board with this.

Trustee Blumrick: I'll still second the motion.

Mayor Westcott: We have a motion on the floor. Any other questions on that one? Now we have a motion and a second on the floor to move forward with this. All in favor of that?

All Trustees: Aye.

Mayor Westcott: Opposed? Carried. Ok. Anybody else got any new business? Ok.

Item 19, the next regular Board Meeting will be Monday, June 15, 2020, at 7:00 p.m.

Item 20, I'll entertain a motion for adjournment.

Trustee McAvoy: Trustee McAvoy, I so move.

Trustee Conley: Trustee Conley. Second.

Mayor Westcott: All in favor of that motion?

All Trustees: Aye.

Mayor Westcott: Opposed? Carried. Thank you for attending.
Meeting adjourned at 7:28 p.m.

Respectfully submitted,

Rebecca A. Schweigert
Clerk-Treasurer