

A regularly scheduled meeting of the Board of Trustees was held on Monday, May 15, 2017, in the Village Hall. Mayor Westcott opened the meeting at 7:00 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee McAvoy, Trustee Edwards, Coordinator Bobbitt, Police Chief Swick, Clerk-Treasurer Schweigert, and Brian Seaman, attorney. Trustee McAvoy led the Pledge of Allegiance.

There were a few residents in attendance, as well.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve the minutes of the April 17, 2017, meeting. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Edwards, to approve payment request no. 1, as approved by Wendel Engineering, from CIR Electrical Construction Corp in the amount of \$5,700 for the WWTP Upgrades project contract. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Edwards, to approve payment request no. 1, as approved by Wendel Engineering, from Wind-Sun Construction, Inc. in the amount of \$57,000 for the WWTP Upgrades project contract. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve payment of claims on Abstract 12-16/17 in the amounts of: General: \$18,370.79; Water: \$188.90; Sewer: \$5,656.96; Capital Improvement: \$69,102.36 for a total of \$93,319.01. Carried, with all present voting aye.

A motion was made by Trustee Edwards, and seconded by Deputy Mayor Conley, to authorize the following budget transfers:

TO	FROM	AMOUNT
A1010.4	A1210.4	\$179.75
A1640.4	A1640.2	\$ 27.52
A1910.4	A1420.4	\$273.12
F8310.13	F8310.12	\$147.00
G8110.13	G8110.12	\$ 63.00

Total: \$690.39 Carried, with all present

voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize changing the \$15,000 loan made by the Water Fund to the Sewer Fund in June 2016 to a fund transfer as included in the 2016-17 budget. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee Edwards, to authorize a fund transfer in the amount of \$35,000 from the Water Fund to the Sewer Fund as included in the 2016-17 budget. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve payrolls No. 24 and 25 for periods ending April 22 and May 6, 2017. Carried, with all present voting aye.

The Treasurer's report was submitted and accepted for April 2017.

The Public Works report was submitted and accepted for April 2017.

The Village and Town Police reports were submitted and accepted for April 2017, with Chief Swick reading the highlights.

Trustee Edwards asked if the morning parking ban on one side of Freeman Avenue and surrounding streets would be enforced. Chief Swick gave the history on the ban, that it was put in place to control high school drivers, but now residents take advantage of the parking. Right now the parking is going well with the remediation project at school but once the fence is installed, things might change.

The fire report was submitted and accepted for April 2017.

The Code Enforcement report was submitted and accepted for April 2017. Discussed the updated "zombie property" law that is now fast tracking getting banks to take responsibility for properties that they have foreclosed on.

The refuse/recycling pickup date will be delayed one day due to the Memorial Day holiday.

The May 2, 2017, water/sewer bill was as follows: Water: \$50675.39; Sewer: 49,862.34; Total: \$100,537.73.

The amount of unpaid water/sewer bills as of April 30, 2017 to be added onto 2017 - 2018 tax roll total \$29,513.45.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to authorize Niagara County Real Property Department to relevel all accounts, including those owing over \$1,000, onto 2017-2018 Village tax bills. Carried, with all present voting aye.

The Clerk's office was notified that there was an amended tax roll the county submitted that corrected a veteran's exemption. This amended tax roll will impact our tax rate and the total assessment for the Town of Royalton portion of the roll dropped. The tax levy will remain the same as voted on during the April 3, 2017, reorganization meeting.

A motion s made by Trustee Edwards, and seconded by Deputy Mayor Conley, to change the actual tax rate to \$10.21 per thousand as the County submitted an amended assessment roll. The true value tax rate & the tax levy will remain the same. Carried, with all present voting aye.

The 2017-18 tax warrant to be signed by Mayor Westcott in the amount of \$573,012.45, which includes the tax levy of \$543,499 plus unpaid water/sewer in the amount of \$29,513.45.

Correspondence was read:

- Received a letter from COVA asking for support. Fire Chief Srock said there is no interest in supporting their efforts as they are available in Orleans County only.
- Trustee Edwards advised of a letter she received from the CIG (Citizens Input Group) regarding the upcoming remediation efforts.

Old Business was addressed:

Discussed purchasing versus leasing a copier. Leasing will cost more as there is interest added on.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to purchase the copier from Toshiba pursuant to NYS Bid No. PT6615 with the inner stapler only. Carried, with all preset voting ay.

Mr. Seaman advised that Modern Disposal has confirmed that they will not renew the current refuse/recycle contract. This forces the Village to put the contract up for bid again. Discussed possible terms and conditions.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Edwards authorizing the Village to go to bid for refuse/recycling pickup contract. Carried, with all present voting aye.

The Village was notified by Univera that the health insurance policy that we have will be eliminated from what they offer. The Village's broker was consulted and a policy was found with Independent Health that the Teamster's were agreeable to adopting.

A motion was made by Trustee Edwards, and seconded by Trustee Blumrick, to authorize changing health insurance carriers to Independent Health. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Edwards, authorizing Mayor Westcott to ratify the Memo of Amendment with the Teamsters to change health insurance carriers. Carried, with all present voting aye.

Trustee McAvoy updated the Board on possible electronic recycling dates with the towns of Royalton and Hartland. Both towns are in agreement. Details to be worked out.

The Niagara County Emergency Remediation Plan that includes the Village is ready for adoption.

The following resolution was offered by Trustee McAvoy, who moved its adoption, and seconded by Trustee Edwards:

WHEREAS, Village of Middleport, with the assistance from Witt O'Brien's, has gathered information and prepared the Niagara County NY Hazard Mitigation Plan; and

WHEREAS, the Niagara County NY Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, The Village of Middleport NY is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS The Village of Middleport NY have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees that The Village of Middleport NY adopts the Niagara County NY Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

The vote on the preceding resolution was as follows: ayes: 5; nays: 0; absent: 0; abstentions: 0. The resolution was unanimously passed.

Property owner Mike Drum, 10 Manor Lane, asked about drainage relief on Manor Lane. Discussed the issue. Mr. Bobbitt thinks he can fix it with a relatively inexpensive procedure.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, authorizing the DPW to correct the drainage issue on Manor Lane not to exceed \$2,500. Carried, with all present voting aye.

David Dingle, 94 N. Hartland, expressed concern that the property next door to him was not mowed once in 2016. Mr. Belson advised that since it is an undeveloped lot, there is no enforcement. Mr. Dingle asked if the homeowner could be asked to mow anyway. Mr. Belson will contact him.

Mayor Westcott gave a remediation update. Due to all of the rain, a new start date at the school was set for May 17, 2017.

Mayor Westcott reminded everyone that the Memorial Day Services will be held on Memorial Day, May 29.

Discussed the Village's PA system. Trustee McAvoy will contact Village resident David Stockton to see if he is willing to be in charge of the system now.

Trustee McAvoy asked about minutes being put on the website. Clerk Schweigert assured him that will eventually happen.

Chief Swick advised that the Police Contract wording will be adjusted a little to make it acceptable for shared services as required by Governor Cuomo now.

The next regular Board of Trustees meeting will be Monday, June 19, 2017.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to move into executive session for discussions with the Village's attorney. Carried, with all present voting aye.

Executive session opened at 8:30 pm.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to return to general session. Carried, with all present voting aye.

General session was reconvened at 9:10 p.m.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to change Police Officer Brent Russell's employment status from part-time to full-time commencing June 11, 2017, at a pay rate of \$17/hour, pending his passing physical requirements. Carried, with all present voting aye.

A motion was made by Trustee Edwards, and seconded by Trustee McAvoy, to approve hiring Justin Adams, pending civil service approval, for the position of WWTP Operator/DPW Maintenance - trainee. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Edwards, to pay Mr. Adams \$16/hour so long as the Teamster's approve an amendment to the collective bargaining agreement for this change. Carried, with all present voting aye.

There being no other 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 9:15 p.m.

Respectfully submitted,

Rebecca A. Schweigert
Clerk-Treasurer