

A regularly scheduled meeting of the Board of Trustees was held on Monday, June 15, 2020, 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 Barr, Coordinator Bobbitt, Police Chief Swick, Clerk-Treasurer Schweigert, Deputy Village Clerk-Treasurer VanBuren, and Brian Seaman, attorney. Trustee Barr led the Pledge of Allegiance.

Deputy Chief Scott Kassmann from the Middleport Fire Dept., a representative from the WNY Observer, and a few residents were in attendance, as well.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve the transcript of the May 18, 2020, meeting. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve payment of claims submitted on Abstract No. 13-19/20 in the amount of: General: \$3,679.70; Sewer: \$597.54 for a total of \$4,277.24. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize the following budget transfers in the amount of \$130,017.12 for 2019-2020 Budget. Carried, with all present voting aye.

FROM	TO	AMOUNT
A1010.4	A1210.4	\$89.51
A1325.2	A1325.4	\$1,033.91
A1640.2	A1640.4	\$925.10
A1325.2	A1950.4	\$646.74
A9060.8	A3120.12	\$950.67
A3120.15	A3120.13	\$9,551.25
A5110.4	A3120.2	\$4,196.15
A5110.4	A3120.4	\$7,962.82
A6989.4	A3620.1	\$0.02
A6989.4	A3620.4	\$393.82
A5142.2	A5142.4	\$1,716.18
A8560.4	A8160.4	\$404.00
A9050.8	A9010.8	\$705.00
A9060.8	A9015.8	\$1,195.00
A9050.8	A9040.8	\$34.00
A9050.8	A9055.8	\$130.25
A8560.2	A8560.4	\$2,385.90
F9060.8	F8310.1	\$73.34
F8310.12	F8310.13	\$42.78
F9060.8	F8310.13	\$2.04
F8310.2	F8340.2	\$401.05
F8340.1	F8310.4	\$2,714.91
F8340.4	F8310.4	\$1,235.02
F1990.4	F8320.4	\$6,878.99
F9060.8	F8310.1	\$143.42
F9060.8	F8310.13	\$87.60
G9060.8	G8110.1	\$140.16
G9060.8	G8110.13	\$38.14
G8120.1	G8130.1	\$678.08
G8110.2	G8130.41	\$500.00
G8110.4	G8130.41	\$630.00
G8120.2	G8130.41	\$2,000.00
G8120.4	G8130.41	\$327.67
G1420.4	G8130.4	\$1,805.00
G8120.4	G8130.4	\$3,647.90
G8130.2	G8130.4	\$30,000.00
G9710.6	G8130.4	\$32,500.00
G9060.8	G8130.4	\$13,850.70

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to authorize payment of bills submitted on Abstract No. 1-20/21 in the amount of: General: \$73,119.81; Water: \$5,400.60; Sewer: \$11,244.51 for a total of \$89,764.92. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve payrolls no. No. 26 and No. 1 for weeks ending May 23 and June 6, 2020. Carried, with all present voting aye.

The Treasurer's report was submitted and accepted for May 2020. Mayor Westcott noted that state wide sales tax revenues dropped an average of 32 percent for May 2020 due to the COVID-19 Pandemic. The Village has seen a drop of more than 19 percent in revenues.

The Public Works report was submitted and accepted for May 2020.

The Village and Town Police reports were submitted and accepted for May 2020 with Chief Swick reading the highlights. The speed trailer will remain on N. Main Street for awhile longer and then it will be moved to N. Hartland Street. It has been quite effective in getting drivers to slow down on N. Main Street.

The fire report was submitted and accepted for May 2020 with Deputy Chief Kassmann reading the highlights.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize continuing with the sidewalk construction to reimburse property owners as stated in Local Law No. 2 for the year 1975, a resolution adopted March 16, 1992, and last amended June 18, 2018, setting the amount of reimbursement to \$4.50 per square foot of sidewalk replaced or fifty percent of the cost, whichever is less. Carried, with all present voting aye.

Correspondence was read:

- Received a thank you from the Legion Auxiliary for participating in their annual poppy distribution again this year.
- Received a notice from WWTP Operator Gary Purser that he is retiring on June 29, 2020, after nearly 41 years with the Village. He will be missed.
- Received a letter of resignation from Police Officer Part-time Miguel Bernudez, effective June 1, 2020. He will also be missed.

Unfinished Business:

Mr. Bobbitt gave an overview of the teleconference he and Deputy Clerk VanBuren had with Dawn Timm, Director of the Niagara County Refuse Disposal District, regarding purchasing garbage totes from the Niagara County Solid Waste Consortium. Mr. Seaman was also a part of this phone conference. We could enter into a 6-years contract with 2 options of 3 year renewals or a 5 year contract. We could purchase the carts ourselves, but not at the consortium's cost of \$47 per cart. Mr. Seaman explained how the refuse/recycle pick up bid would be, as it will change from the current manner of per parcel to a charge per parcel plus weight. This makes it more fair distributing the costs and Villages tend to have higher pickup amounts than rural areas. This will also allow apartment buildings to have up to 4 carts per property. The village should expect to have refuse/recycling pickup costs increase, they just won't increase as high as they would if we chose not to go with carts. Yes, there is the cost of purchasing the carts; but that is a one-time cost. Moving to refuse carts only will help limit the increase in cost for the Village. Discussed this and dumpsters being required for larger places as well. The Village understands that we will probably have to float a BAN to pay for the cart purchase. The Board will need to authorize two things: purchase of the carts with the Niagara County Refuse consortium and going to bid for future pickup services with the consortium, as well.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, authorizing the Village to go to bid on the recycling and garbage collection and to purchase the totes through the Niagara County Solid Waste Consortium. Carried, with all present voting aye.

Trustee Blumrick raised the issue of the sale of 31 Main Street. Discussion ensued. Mr. Seaman reiterated that the Village must maximize the benefit to Village residents whenever selling municipal property. The party interested in buying the property must submit a plan for the property. There is no hurry to sell the property until the interested party is ready to act on upgrading it. Deputy Conley observed that the only real value of the property is to the owner of the adjacent property. When the owner of the property is ready, the Village's lot will probably still be available.

Mayor Westcott raised the issue of the Royalton Hartland Summer Swim Program and the Village's Summer Recreation Program. Discussed the obstacles regarding holding them, including enforcing social distancing, mask wearing, and clean. In addition, finding instructors for the Swim Program may be difficult this year as it is late in the season for hiring. Also, the

school's pool is empty and being repaired, with parts not expected to be in before the middle of July. There are too many variables to consider including who does the cleaning each day and who pays for it. Deputy Mayor said that there are too many unknown variables to consider.

A motion was made with deep regret by Trustee McAvoy, who indicated that the regret is on behalf of the entire Board of Trustees with all in agreement, and seconded by Deputy Mayor Conley, to cancel the 2020 Royalton Hartland Summer Swim Program and the Village of Middleport Summer Recreation Program. Carried, with all present voting aye.

Mr. Seaman revisited the rezoning requests made by at the March 2020 Board meeting. Discussed the need to introduce a local law for the changes and setting a public hearing for this change.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to introduce the local law to change the zoning on the parcel known as 35 N. Main Street. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to set the public hearing on this change to be held at 7:00 p.m. on July 20, 2020, at regularly scheduled Board of Trustees meeting. Carried, with all present voting aye.

Discussed the zoning changes requested for properties known as 6 and 8 Mill Street. The plans will be reviewed by the Planning Board to make recommendations to the Board of Trustees for the site plan review. The Zoning Board of Appeals will have to review the variances that will be requested for these properties. The introduction of the local law to change the zoning and scheduling the public hearing for the changes may be introduced at the July Board meeting for a public hearing at the August Board meeting.

New business:

Discussed letter received from the NYS Canal Corporation regarding their Earthen Embankment Integrity Program. Even though it doesn't really cover the repairs the Village would like done on the cement wall, Mayor Westcott and Clerk Schweigert will draft a response reminding the NYSCC that the Village would still like those repairs to be done.

Mayor Westcott advised the Board that Governor Cuomo has issued an Executive Order regarding police reform. Mr. Seaman was asked for his advice. He would like to familiar himself more with the Executive Order before commenting. Discussed the requirements for reform, including creating a citizens panel.

Village resident Renee Eberhard, 52 S. Main Street, suggested that the Village set up the committee and not wait for the governor for further instructions. It could benefit the Village to be seen as a leader on moving forward on this issue. The committee would be a great asset to the community. She said that she's been thinking about this committee and is willing to research it. Mayor Westcott thanked her for the idea and willingness to help. It has to be a collaborative effort and will need to review and decided who should be representative on the committee.

The next regularly scheduled meeting of the Board of Trustees will be on Monday, July 20, 2020, at 7:00 pm in the Village Hall.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to move into Executive Session for the purpose of discussions with the Village's Attorney. Carried, with all present voting aye.

Executive Session convened at 8:08 p.m.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to return to General Session. Carried, with all present voting aye.

General Session reconvened at 8:45 p.m.

There being no other business, a motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to adjourn. Carried, with all present voting aye.

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Rebecca A. Schweigert
Clerk-Treasurer