

# August 15, 2016

Body:

A regularly scheduled meeting of the Board of Trustees was held on Monday, August 15, 2016, 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, Coordinator Bobbitt, Police Chief Swick, Building Inspector Brian Belson, Clerk-Treasurer Schweigert, and Daniel E. Seaman, attorney. Trustee McAvoy led the Pledge of Allegiance. There were a several residents in attendance, as well, including Fire Chief Fred Srock. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to approve the minutes of the July 18, 2016, meeting. Carried, with all present voting aye. At this time Mayor Westcott presented certificates of appreciation from the Village and from the New York Conference of Mayors to Deputy Village Clerk-Treasurer Vicky Demmin for her 30 years of service to the Village. Mrs. Demmin has been employed by the Village since July 7, 1986, and she is a tremendous asset in the Clerk's office. Mayor Westcott presented a certificate of appreciate to Village Historian Christa Lutz for her efforts and dedication in getting published the history of the Village written by retired Village Historian Anna Wallace. She was presented with a certificate of appreciation for Mrs. Wallace, as well, for her efforts in writing A Friendly Community: the History of Middleport, New York. A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve payment of claims on Abstract No. 03-16/17 in the amount of: General: \$51,490.92; Water: \$10,783.12; Sewer: \$3,737.99; and Capital Improvement: \$37,677.92 for a total of \$103,689.95. Carried, with all present voting aye. A motion was made by Trustee McAvoy, and seconded by Trustee Hinkson , to approve payrolls no. 5 and 6 for periods ending July 23 and August 6, 2016. Carried, with all present voting aye. The Public Works report was submitted and accepted for July 2016. Mr. Bobbitt updated those present on the CMOM project. The village will be split into 12 areas, with one area per year being inspected in the summer. Repairs will be made as The Village and Town Police reports were submitted and accepted for July 2016, with Chief Swick reading the highlights. The fire report was submitted and accepted for July 2016. Water and sewer billing for the quarter billed August 1, 2016, was as follows: Water: \$ 57,018.45; Sewer : \$54,199.14; for a Total of\$ 111,217.59. Trustee McAvoy asked for a report of unpaid accounts in the future. Clerk Schweigert will provide a copy of the listing she creates each quarter to send out shut off notice letters. Mayor Westcott received a request from Mercy Flight for support in expanding their EMS services into Niagara County. Fire Chief Srock agrees with this support. Mayor will send letter of support. Clerk Schweigert gave an update on the Health Care Consortium. Following the meetings with the union members in June, a meeting was held for union representatives to create a plan design committee for the plans that the consortium will offer. Very few unions attended the meeting, but the consensus of those in attendance was that the three already created for cost purposes should be the plans the consortium continues with, with the addition of the city of Niagara Fall's plan, as they were not part of the consortium when the plans were created. At the August 9 meeting of the ad hoc committee, it was decided that all union reps would get sent paperwork to sign off on the plans, with a target date of October 1, 2016, for return of paperwork. The entities' attorneys were also forwarded the agreement that will need to be signed by all participating entities, with a request that any comments were given back to the committee by October 1, 2016, too. Remediation update given by Mayor Westcott. School project is nearly done. Homeowners continue to sign on, which has

extended the residential remediations a bit. Mr. Bobbitt advised the Board that the Village saved money by having dead trees removed during the remediation efforts on Park Ave. Animal control code amendments discussed. Trustee Hinkson asked about the variance. Attorney Brian Seaman had looked into it and determined that including it creates more problems than it solves. Town of Royalton Dog Control Officer Scott F. Wymyczak had sent an email to the Board with his concerns and recommendations. Discussion ensued regarding updates as presented. Deputy Mayor Conley introduced the public law entitled "A Local Law amending Chapter 63 (Animals) of the Code of the Village of Middleport. A motion was made by Trustee McAvoy, and seconded by Trustee Hinkson, to set a public hearing on the Local Law amending Chapter 63 (Animals) of the Code of the Village of Middleport for 7:00 p.m. on Monday, September 19, 2016, during the regularly scheduled Board of Trustees meeting. Carried, with all present voting aye. At this time, Mayor Westcott opened the floor to public comment. Bill Arnold, 48 N. Hartland St., and Michael Miano, 97 S. Main St., raised concerns about cats being abandoned and creating feral cat colonies. This is an issue that needs to be addressed. Mayor Westcott advised that feral cats are an issue that is not easily addressed and may be looked at in the future. Clerk Schweigert requested authorization to attend NYCOM fall training from Sept. 12 to Sept 15. As the total cost will be more than \$1,000, Board approval is needed per the Village's procurement policy. A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize Clerk Schweigert to attend NYCOM Fall Training from Sept. 12 to 15 at a cost of \$925.50 plus mileage. Carried, with all present voting aye. Trustee McAvoy suggested that the Village be a participant in the Town of Royalton's ewaste collection on Sunday, August 27. Clerk Schweigert advised that it too late to get plans in place, but the Village should consider a joint collection with the Towns of Royalton and Hartland in the future. The more waste collected the lower the overall cost is. This will be considered in the future. Eagle Scout candidate Jacob Wolf from Troop 23 presented an idea for a project in the Village. He would like to replace the sign at the flag pole at the Commons. Discussed details of plan. The Board asked that a budget be submitted to determine if financial help will be available. Board gave approval for the plan. The next regularly scheduled meeting of the Board of Trustees will be held on Monday, September 19, 2016, at 7 p.m. A motion was made by Trustee McAvoy, and seconded by Trustee Hinkson, to move into executive session for purpose of consultation with attorney. Carried, with all present voting aye. Executive session opened at 7:53 p.m. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to return to general session. Carried, with all present voting aye. General session was reconvened at 8:28 p.m. A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize Certapro to paint the village hall at a cost not to exceed \$21,635, pending attorney's approval of the contract. Carried, with all present voting aye. Address letter received from the Zaidels, 50 State Street. They asked for relief on the sewer portion of their water bill. The Zaidels had problems with their water softener causing the water use to escalate. The Board finds that there was an unknown problem that was undiscoverable for a period of time causing the issue. A motion was made by Deputy Mayor Conley, and seconded by Trustee Hinkson, to authorize adjustment of the August 1, 2016, water/sewer bill of Acct. 39, Zaidels at 50 State Street, to lower sewer use billing from 84,000 gallons to 21,000 gallons, the amount billed August 2015. The water did not go through the sewer. Carried, with all present voting aye. A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to make part-time police officer Robert Holmes full-time, effective Tues. September 6, 2016, at an increased rate of pay of \$17 per hour. Carried, with all present voting aye. There being no further business, a motion was made by Deputy Mayor

Conley, and seconded by Trustee Hinkson, to adjourn. Carried, with all present voting aye.  
Meeting adjourned at 8:35 p.m. Respectfully submitted, Rebecca A. Schweigert Clerk-Treasurer