

A regularly scheduled meeting of the Board of Trustees was held on Monday, August 17, 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, Deputy Village Clerk-Treasurer Lisa VanBuren, Clerk-Treasurer Schweigert, and Brian Seaman, attorney. Deputy VanBuren led the Pledge of Allegiance.

There were a few residents in attendance, as well.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve the minutes of the July 20, 2020, meeting. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to approve payment of claims submitted on No. 03-20/21. General: \$58,584.31; Water: \$5,038.57; Sewer: \$7,171.26; for a Total of \$70,794.14. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve payrolls no. 4 and 5 for periods ending July 18 and August 1, 2020. Carried, with all present voting aye.

The Treasurer's report was submitted and accepted for July 2020.

The Public Works report was submitted and accepted for July 2020. Mr. Bobbitt explained that he needed to have emergency repairs done to the John Deere backhoe prior to this Board meeting and utilized the only place in the area that could do the repairs. The cost must have Board approval per the Village's procurement policy.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize the expenditure made in the amount \$4,800.29 for emergency backhoe repairs done by sole source vendor Five Star Equipment, Inc. Carried, with all present voting aye.

The Village and Town Police reports were submitted and accepted for July 2020, with Chief Swick reading the highlights.

The fire report was submitted and accepted for July 2020.

The August 1, 2020, water and sewer billing was as follows: Water: \$ 61,469.67; Sewer: 60,737.77; for a total of \$122,207.44.

Correspondence was read:

- Received letter of resignation from Police Officer Bryan Warren, effective August 20, 2020. Accepted with regret.
- Received letter of retirement from Clerk-Treasurer Rebecca Schweigert, with her last day of work being September 18, 2020. She noted with pride that in her 21 years as Clerk-Treasurer, she only missed one Board of Trustees meeting and attended every scheduled Zoning Board of Appeals or Planning Board meeting. Accepted with regret.
- Received a request from Ray Meyer asking to purchase Village property south of Rotary Park. Discussed. There is a nature trail there and the Boy Scouts use the property regularly. Mr. Seaman noted that the property in question could not be sold without legislation being passed to do so and it would not benefit Village residents if it was sold as it does now.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, that under no circumstances will the Village of Middleport Board of Trustees sell any of the park property owned by the Village located on Telegraph Road. Carried, with all present voting aye.

Mayor will send a letter regarding this to Mr. Meyer.

Old business:

Mr. Seaman advised the Board that as a local law was introduced to rezone 35 N. Main Street from an R1 to an R2 designation at the June Board of Trustees meeting and the public hearing for this zoning change was held on July 20, 2020, with the end result at that meeting being that the topic would again be discussed or action would be taken at the August Board of Trustees meeting, the first step was the SEQR (State Environmental Quality Review). He has completed Parts 1 and 2. Board members advised that they had gone to the location in question to address some of the neighbors' concerns from the July meeting. Discussion ensued regarding changing the zoning for the entire piece of property known as 35 N. Main Street or only changing the house and some of the land surrounding it. Mr. Krolak opined that he would prefer the entire property be changed so that he doesn't have to incur the cost of an additional survey and splitting the property into two lots. Mr. Seaman advised that wouldn't be necessary. It is not uncommon for a single lot to have multiple zoning designations and all that would be needed is updating the proposed local law.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to amend the proposed local law so that the area rezoned is only the southern portion of the property from the south edge to the south edge of the Froman property as extended to the rear (east). Carried, with all present voting aye.

Clerk Schweigert updated the Board on the internet hotspot. The hardware has been installed. Residents and boaters have reported some difficulty accessing in. The signal is directional. The hardware is on the west side of the building, so the technology trying to access the signal must be west of the building, too. Boats are mostly northwest, which can interrupt the signal. Parking in front of the Village Hall can make getting a signal difficult, as well.

Mr. Bobbitt advised that as part of the remediation efforts in the Village, NYSDEC will be doing some paving. Discussed what needs to be paved throughout the Village and where and who will pay for it between the NYSDEC and the Village's CHIPs funds. The Village can hire an outside vendor to doing the milling at a very reasonable price right now. Mr. Bobbitt has heard there is a possibility that CHIPs reimbursements may be delayed and that rollover may not be offered in 2021. We should use the CHIPs funds during this paving season.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize Mr. Bobbitt to hire out milling to Donagle Construction Corporation at a cost no greater than \$7,500 and paving at a maximum of \$85,000. Carried, with all present voting aye.

New business:

Deputy Village Clerk-Treasurer VanBuren informed the Board that we were contacted by the NYS Office of Fire Prevention & Control regarding the street address for the lift bridge attendant's building. Their records show that it does not have a street number assigned to it. The first building on N. Main Street is 2 N. Hartland. Deputy VanBuren suggested that the booth be assigned the address 1 N. Main Street. Mr. Bobbitt believes that there is a sign inside the booth that says the address is 1 N. Main Street.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to establish the street address for the lift bridge building as 1 N. Main Street, Middleport, New York. Carried, with all present voting aye.

Due to Clerk Schweigert's retirement before the next Board of Trustees' meeting, the following appointments are necessary to keep the Village Clerk's Office running uninterrupted.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to appoint Lisa VanBuren, 9 Kelly Avenue, Middleport, New York, to the position of

- Clerk-Treasurer
- Village's Registrar
- Civil Service Appointment Officer (in lieu of the Mayor so paperwork can be signed and submitted in a timely fashion)

starting on September 19, 2020. The salary will be set at the September 21, 2020, meeting. Carried, with all present voting aye.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, September 21, 2020.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to move into Executive Session for the purpose of consultation with the Village's attorney. Carried, with all present voting aye.

Executive Session opened at 8:17 p.m.

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

General Session reconvened at 8:29 p.m.

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

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Rebecca A. Schweigert
Clerk-Treasurer