

The Board of Trustees regularly scheduled meeting and the Annual Reorganization meeting of the Board of Trustees was held on Monday, September 21, 2020, in the Village Hall. Mayor Westcott opened the meeting at 7 pm. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee McAvoy, Trustee Barr, Coordinator Bobbitt, Police Chief Swick, and Clerk-Treasurer VanBuren and Fire Chief, Ryan Czaja. Deputy Mayor Conley led the Pledge of Allegiance.

Mayor Westcott offered the following nominations:

- Deputy Mayor: Trustee Conley
- Sewer & Sanitation Department: Trustee McAvoy
- Street Department: Trustee Blumrick
- Water Department: Trustee Barr
- Zoning Board of Appeals - 1 Member (3-year term): Barbara Albone
- Planning Board – 1 member (5-year term): Lawrence Lutz
- Ethics Committee - 3 members (1-year term): Peggy Thomas, Elizabeth Storch, and Trustee Blumrick

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to approve the preceding nominations. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to reappoint historian Christa Lutz, Deputy Historian Barbara Albone, and Deputy Clerk Sarah Quackenbush to one-year terms. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to designate Tompkins Bank of Castile, Medina branch, as the Bank Depository. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize purchase of materials for street, water, and sewer departments at New York State and/or Niagara County bid prices. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize Seaman Norris LLP to handle all legal matters on a per diem basis. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to authorize the Clerk-Treasurer to deposit excess funds from all accounts in Time Open Agreements at Bank of Castile, KeyBank, 5-Star, Generations Bank, and M & T Bank. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize the renewal of the Investment Policy as adopted by the Village Board on April 4, 1994, to include the following banks: Bank of Castile, KeyBank, 5-Star, Generations Bank, and M & T Bank. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize mileage reimbursement at the IRS standard mileage rate at the time reimbursement is requested for officers and employees who use their personal automobiles while performing their official duties on behalf of the Village. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize the Clerk-Treasurer to submit payment in advance of audit of claims for Public Utilities Services and postage prior to the monthly Board Meeting. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to authorize the Mayor, Board of Trustees, and Department Heads to attend meetings of the Northwestern Frontier Association of Village Officials, when they are called. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize the Clerk-Treasurer to attend the monthly meetings of the Niagara County Municipal Clerks Association and her deputy (or deputies) to attend meetings of the same as deemed necessary by the Clerk-Treasurer; authorize the Police Chief to attend the quarterly Chiefs of Police meetings, and authorize the Village Coordinator to

attend the monthly meetings of the Western New York Water Works Association and WNY Village Superintendents Association. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize Department Heads to approve necessary training at their discretion for members of their departments, including themselves, as it becomes available during the year. Should the cost be more than \$1,000, Board Approval is necessary per the Village's procurement policy. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to authorize regularly scheduled Board of Trustees meetings to be held the third Monday of each Month at 7 p.m., with the following exceptions: due to federal holidays, the January and February 2021 meetings will be held on the Tuesday following the holiday. The 2021 Reorganization Meeting will be held on Monday, April 5, 2021. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to designate the Union Sun & Journal as the official newspaper. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve the minutes of the August 17, 2020, meeting. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to approve payment of claims submitted on Abstract No. 04-20/21. General: \$107,672.38; Water: \$1,750.60; and Sewer: \$74,509.69; Total: \$183,932.67 (Includes Payroll No. 6, 7, & 8). Carried with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to appoint Lisa VanBuren, Clerk-Treasurer, as the Village's Records Management Officer. Her annual salary was set at \$45,750. Carried with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to adopt the new Records Retention and Disposition Schedule for New York Local Government Records (LGS-1) as the Village's Official Records Retention Schedule effective immediately as the current MU-1 Schedule is being discontinued.

RESOLVED, By the Board of Trustees of the Village of Middleport, that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- a. Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;
- b. Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve the Hometown Heroes Banner Project for 2021. Carried, with all present voting aye.

The Treasurer's report was submitted and accepted for the month of August 2020.

The Public Works report was submitted and accepted for the month of August 2020.

The Village and Town Police reports were submitted and accepted for the month of August 2020.

The fire report was submitted and accepted for the month of August 2020.

Mayor Westcott discussed Halloween guidelines for this year that requires all residents that want to hand out candy to put your light on, wear a mask, and hand out the candy themselves. The trick-or-treaters must wear a mask as well. A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to set the trick-or-treating hours from 5 pm to 7 pm on October 31, 2020. Carried, with all present voting aye.

Old Business

Village Coordinator Bobbitt discussed the two police vehicles that were on the auction site and informed the Board that the auction would be ending on September 22, 2020.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to award the Refuse and Recycling contract to Modern Disposal Services as the low bidder exercising Option 3. The contract is for six years. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to authorize the purchase of 95 gallon refuse carts. The Village will be piggybacking with the State of Massachusetts to purchase carts through the Niagara County Solid Waste Consortium. Coordinator Bobbitt and Clerk-Treasurer VanBuren will review how many carts will be needed. The start date for implementing the cart system is January 1, 2021. Carried, with all present voting aye.

WHEREAS a Local Law entitled "A Local Law Amending the Zoning Map of the Village of Middleport" having been introduced, and a Short Form Environmental Assessment Form having been prepared and filed with the Village of Middleport, relative to the proposed amendment to said Local Law,

NOW, THEREFORE, BE IT RESOLVED that the Village of Middleport Board of Trustees intends to act as lead agency. The action is an unlimited action pursuant to the State Environmental Quality Review Act (SEQRA), and

FURTHER BE IT RESOLVED that after reviewing the Environmental Assessment Form and considering the information contained therein and related factors and information, this Agency finds that this action will not have a significant adverse effect on the environment for the reasons set forth in the attached proposed Negative Declaration and, accordingly, directs that the Negative Declaration pursuant to SEQRA be issued. The vote on the preceding resolution was as follows: Ayes: Deputy Mayor Conley, Trustee McAvoy, Trustee Blumrick, and Trustee Barr; Nays: none; The resolution was duly passed.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to adopt the local law entitled "*A Local Law Amending the Zoning Map of Village of Middleport*" as presented. A roll call vote was taken as follows: Ayes: Deputy Mayor Conley, Trustee Barr, and Mayor Westcott; Nays: none; Abstentions: none. The motion was duly carried.

New Business

Coordinator Bobbitt informed the Board that he was notified by a letter from the NYS DOT about several violations within the Village. Coordinator Bobbitt is working to resolve the issues.

Mayor Westcott informed the Board of the new Police Reform Committee that he has asked several residents to be a part.

The next regularly scheduled meeting of the Board of Trustees will be on Monday, October 19, 2020, at 7:00 pm in the Village Hall.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to move into Executive Session at 8:30 p.m. for the purpose of consultation with the Village's Attorney. Carried, with all present voting aye.

Executive Session convened at 9:17 p.m. A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to return to General Session. Carried, with all present voting aye.

General Session reconvened at 9:18 p.m. There being no other business, a motion was made by Trustee Barr, and seconded by Trustee McAvoy, to adjourn. Carried, with all present voting aye. Meeting adjourned at 9:18 pm.

Respectfully Submitted,

*Lisa M. VanBuren
Clerk-Treasurer*