

A regularly scheduled meeting of the Board of Trustees was held on Monday, June 21, 2021, 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 VanBuren, Tom Seaman, attorney, and Anthony Serianni, attorney.

Fire Chief Czaja led the Pledge of Allegiance.

There were a few residents in attendance, as well.

Tim Walck from Wendel addressed the Board regarding the NYSDEC's comments to the Village's Wastewater Collection System Capacity, Management, Operation, and Maintenance (CMOM) Program. The NYSDEC is requiring additional information and some revisions before the CMOM program can be approved. Wendel submitted a proposal to perform the scope of work presented on a Time and Expense Basis with an estimated budget of \$12,000.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr to authorize Wendel to move forward with addressing the DEC's comments on the Village's CMOM program per the letter from the DEC dated May 12, 2020. Carried, with all present voting aye.

Tim Walck also addressed the Board regarding the grant Wendel is working on for the Consolidated Funding Application for a Department of State Grant for upgrading the electric and water services for the 12 existing boat docks along the canal. Wendel believes it is a Type 2 action under SEQR (State Environmental Quality Review) since it is an extension of utility services for existing facilities.

Trustee Blumrick offered the following Resolution to pursue completing the SEQR prior to submitting the grant application:

**RESOLUTION ADDRESSING STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)  
STATUS FOR PROPOSED IMPROVEMENTS TO THE VILLAGE OF MIDDLEPORT  
CANAL DOCKS (ELECTRIC AND WATER SERVICE)**

**WHEREAS**, the Village of Middleport maintains electric and water services to several boat docks along the Erie Canal; and

**WHEREAS**, the Village is applying for grants to upgrade the electric and water services for the boat docks and provide improved amenities for boaters; and

**WHEREAS**, the proposed project consists of an extension of electric and water utility distribution for existing facilities, consistent with 6 NYSRR Part 617.5(c)(1) of the State Environmental Quality Review Act (SEQR)

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF MIDDLEPORT THAT**

1. The proposed capital project to provide new electric and water utility service connections to twelve existing boat docks along the Erie Canal is declared to be a Type 2 action for State Environmental Quality Review Act purposes, and no further action will be required.
2. This Resolution shall take effect immediately.

The Resolution was seconded by Deputy Mayor Conley. Carried with all present voting aye.

Mayor Westcott opened the Public Hearing at 7:17 pm regarding the proposed Yard Sale Local Law.

A motion was made by Trustee McAvoy, and seconded by Trustee Barr, to approve the minutes of the May 17, 2021, meeting. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve WWTP UV Disinfection Payment Request No. 5 in the amount of \$32,300.00 from STC Construction as approved by Wendel Engineering. 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. 13-20/21 in the amount of: General: \$18,445.73; Water: \$4,028.43; Sewer: \$6,588.13; Total: \$29,062.29. This figure also includes payroll 26. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize the following budget transfers in the General Fund for fiscal year end 2020-2021:

TO	FROM	AMOUNT
A1640.4	A1640.2	\$ 39.12
A3120.12	A3120.15	1,315.65
A3620.1	A3620.4	.02
A7110.4	A7110.2	73.57
	<b>TOTAL</b>	<b>\$ 1,428.37</b>
<b>Carried, with all present voting aye.</b>		

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve payment of claims submitted on Abstract No. 1-21/22 in the amount of: General: \$95,488.27; Water: \$6,314.08; Sewer: \$10,484.73; and Capital Improvement: \$36,194.18; Total: \$148,481.26. This figure also includes payroll 1. Carried, with all present voting aye.

The Treasurer's report and the General Fund Cash Flow Forecast was submitted and accepted for May 2021.

The Public Works report was submitted and accepted for May 2021.

The Village and Town Police reports were submitted and accepted for May 2021 with Chief Swick reading the highlights.

The fire report was submitted and accepted for May 2021.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, for authorization to proceed with sidewalk construction to reimburse property owners as stated in Local Law No. 2 for the year 1975, and resolution adopted March 16, 1992. This Local Law was most recently amended on 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.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve the Summer Royalton-Hartland Youth Swim Program beginning Tuesday, July 6, through Friday, August 13, 2021, with no classes to be held on Monday, July 5, 2021. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve Kathy Mullin as Swim Director/Instructor at \$18.25/hr. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to approve the following individuals to the position of Swim Instructor and/or Lifeguards: Dottie Barr at \$12.75/hr, Madison Pratt at \$12.50/hr, Kayla Hagen at \$12.50/hr, Jacob Hagen at \$12.50/hr, and Zach Livergood at \$12.50/hr. Carried, with Trustee Barr abstaining.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize Mayor Westcott to execute an agreement with Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications Inc., for the renewal of a franchise agreement providing cable and telecommunications services in the Village of Middleport. Carried, with all present voting aye.

## VILLAGE OF MIDDLEPORT

### RESOLUTION

**WHEREAS**, an application has been made to the Village Board of Trustees by Spectrum Northeast, LLC, for the approval of an agreement to renew the cable television franchise for an additional fifteen (15) years, and

**WHEREAS**, the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, and

**WHEREAS**, Charter Communications has substantially complied with the material terms and conditions of its existing franchise and with applicable law, and

**WHEREAS**, the quality of the Charter Communications service, including signal quality, response to customer complaints and billing practices has been in light of community needs,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees hereby renews the cable television franchise in the Village of Middleport for fifteen (15) years commencing on the date of approval by the Public Service Commission, and be it further

**RESOLVED**, that Mayor Richard Westcott be and hereby is authorized and directed to sign and execute the agreement accomplishing said renewal.

Mayor Westcott: \_\_\_ aye \_\_\_\_\_

Deputy Mayor Conley: \_\_\_ aye \_\_\_\_\_

Trustee Blumrick: \_\_\_ aye \_\_\_\_\_

Trustee McAvoy: \_\_\_\_\_ aye \_\_\_\_\_

Trustee Barr: \_\_\_\_\_ aye \_\_\_\_\_

Ayes: \_\_\_\_\_ 5 \_\_\_\_\_

Nays: \_\_\_\_\_ 0 \_\_\_\_\_

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize Clerk-Treasurer VanBuren to sign the NYMIR Subscriber's Agreement so that the Village of Middleport will be covered by NYMIR Insurance through The Evans Insurance Agency for the Village's 2021-2022 Fiscal Year. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize Mayor Westcott to sign all of the documents provided by The Evans Insurance Agency as the new insurance broker for the Village of Middleport. Carried, with all present voting aye.

Mayor Westcott closed the public hearing at 7:34 pm.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, determining that the Yard Sale Local Law is an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA), that said Unlisted Action consists of little to no significant environmental impact, and that a negative declaration should be issued requiring no further action for SEQRA purposes. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to adopt the Yard Sale Local Law. Carried, with all present voting aye.

At this time Mayor Westcott asked if anyone attending the meeting would like to speak. Jacob Hagen from Boy Scout Troop 23 presented to the Board his idea for a new "Welcome to Middleport" sign by the Roy-Hart Middle School for his Eagle Scout project. He is still in the planning stages, but wanted the Board's approval to pursue this project.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to authorize Jacob Hagen to pursue his Eagle Scout project to replace the "Welcome to Middleport" sign. Carried, with all present voting aye.

### **Correspondence**

Clerk-Treasurer VanBuren informed the Board that she had submitted the information requested by the NYS Division of the Budget for the American Rescue Plan Act (ARPA) Coronavirus Local fiscal Recovery Funds.

Clerk VanBuren told the Board that the Village had received a letter from Peter Baynes, Executive Director, at NYCOM thanking the Village for joining NYMIR.

An email from Andrew Waters from Boy Scout Troop 23 was read. He asked the Board if they had any project ideas for the troop to complete their citizenship in the community merit badge. Coordinator Bobbitt suggested that they assist the Village with tearing out the old shrubbery at the Scout House and planting new bushes. Trustee McAvoy suggested that they could paint fire hydrants. Andrew also asked about possibly putting in a disc golf course at rotary park for his Eagle Scout project.

Lastly, Clerk VanBuren read a letter from a property owner asking for relief on his May 1, 2021, water/sewer bill. The Board did not take any action on the request so Clerk VanBuren will notify the owner.

### **New Business**

Chief Swick addressed the Board about the need to add an additional officer in the police department. He would prefer a full-time police officer. Discussion ensued and the Board would like more time to review the budget and the needs of his department.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to form an ad hoc committee for the limited purpose of determining whether it is in the Village's best interest to create an additional full-time police officer position at the Middleport Police Department. Said committee will automatically disband once the committee has made a determination on the matter. Carried, with all present voting aye.

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

Executive Session opened at 8:25 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 reconvened at 8:48 pm.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, July 19, 2021, at 7 pm.

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

Meeting adjourned at 8:49 p.m.

*Respectfully Submitted,*

*Lisa M. VanBuren*

*Clerk-Treasurer*