

The regular meeting of the Village Board was held on August 7th, 2023 at the Middleburgh Library.

Present: Deputy Mayor Timothy Knight Trustees: Amanda Fernandez, Robert Tinker, Sheryl Adams
Also present: Deputy Clerk Kelley, DPW Keyser, Attorney Fred Mauhs, (Times Journal) Patsy Nicosia, Fred Risse, Kevin Young, John Wingfield.
On Zoom: Tyler McNeil (Gazette)

Deputy Mayor Knight called meeting to order at 7:00 PM with Pledge of Allegiance.

Trustee Tinker made a motion, seconded by Trustee Adams, to approve Board minutes for July 10th, 2023 & July 24th, 2023. Upon roll call vote, this motion was unanimously carried 4-0.

Continued public hearing on Fred Risse PPD: Mr. Risse presented the Board with a brief narrative. Discussion included reviewing the files from Oskar Way development to use as reference for this project. Water main still needs to be located, land still needs to be surveyed, and engineer plans are not completed yet. Deputy Mayor Knight made a motion, seconded by Trustee Tinker, to keep the public hearing open until further notice. Upon roll call vote, this motion was unanimously carried 4-0.

Trustee Tinker made a motion, seconded by Trustee Fernandez, to appoint Historical Flood Sign committee members; Village Trustee Timothy Knight, Village Historian Charley Spickerman, Bill Morton and Village resident John Shaw Jr. Location of sign will be determined at a later date. Upon roll call vote, this motion was unanimously carried 4-0.

Fire Department Monthly Report: Absent.

Trustee Fernandez made a motion, seconded by Trustee Adams, to schedule a Special Board Meeting on Monday August 21st 7:00pm at the Middleburgh Firehall to continue Fire Contract negotiations. Upon roll call vote, this motion was unanimously carried 4-0.

Deputy Code Officer Fink Monthly Report: Absent

DPW Superintendent Keyser monthly report:

Water/Sewer: Sheldon Ave. water line in need of repair. Trustee Fernandez made a motion, seconded by Trustee Tinker to approve Ti-Sales quote of \$3,342.86 for parts to replace Sheldon Ave. water line. Upon roll call vote, this motion was unanimously carried 4-0.

Streets: Lower Grove, Nickerson Drive and Lawyers Lane were paved July 27th. Lower Grove was fully completed, Nickerson and Lawyers paving will be completed mid-August.

Railroad Ave drainage issue will be looked into further, DPW has new catch basin to install, working on best plan for installation. Sidewalks around Village will be looked at for repair. Last sidewalk inventory was done 6+ years ago, time for an update.

Trustee Tinker made a motion, seconded by Trustee Adams, to approve Personnel Committee recommendation to hire Bryan Graham as Laborer for \$16.50 per hour, starting date retroactive to July 31st, 2023. Upon roll call vote, this motion was unanimously carried 4-0.

Trustee Tinker made a motion, seconded by Trustee Fernandez, to transfer \$5,000.00 from A1990.0 Contingent to A1420.4 Attorney for Attorney fees for Stewart's Law Suit. Upon roll call vote, this motion was unanimously carried 4-0.

Trustee Adams made a motion, seconded by Trustee Tinker, to approve Water Rents in the amount of \$52,646.84 and Sewer Rents in the amount of \$57,234.24. Upon roll call vote, this motion was unanimously carried 4-0.

Public Comment: Fred Risse asked about the banks of Schoharie Creek at Timothy Murphy Park getting bushwhacked. In past years DEC has limited our bushwhacking along the creek.

Trustee Tinker made a motion, seconded by Trustee Adams to enter Executive Session to discuss ongoing litigation at approximately 7:30pm. Upon roll call vote, this motion was unanimously carried 4-0.

Trustee Adams made a motion, seconded by Trustee Tinker, to exit Executive session at approximately 8:25. Upon roll call vote, this motion was unanimously carried 4-0.

Trustee Tinker made a motion, seconded by Trustee Adams, that the Village Attorney is hereby instructed to begin taking measures, ultimately including litigation if necessary, to remedy a violation of a right-of-way easement held by the Village against the owner(s) of the servient estate. Upon roll call vote, this motion was unanimously carried 4-0.

Deputy Mayor Knight made a motion, seconded by Trustee Tinker to pay the Bills: Bills from the General Fund in the amount of \$48,000.39 were audited and ordered paid. Bills from the Water Fund in the amount of \$8,012.88 were audited and ordered paid. Bills from the Sewer Fund in the amount of \$24,752.99 were audited and ordered paid. Upon roll call vote, this motion was unanimously carried 4-0.

Trustee Tinker made a motion, seconded by Trustee Fernandez, to adjourn at 8:30 PM. Upon roll call vote, this motion was unanimously carried 4-0.

Respectfully submitted by,
Rebecca Kelley, Deputy Clerk.