

The regular meeting of the Village Board was held on September 9, 2024, at the Middleburgh Library.

Present: Mayor Timothy Knight; Trustees: Amanda Fernandez, Sheryl Adams, Robert Tinker, Kevin Young. Also present: Clerk Laraway, DPW Keyser, Attorney Mauhs, Fire Chief Gregory, ZBA President Wingfield, CEO Rick Fink, David Avitabile – Mountain Eagle.

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

Mayor Knight announcements: Village DPW Crew installed new crossing lights at Elementary School Crosswalk on Main Street; Exterior work at the M&S Railroad Depot – parking lots and historic lighting – is completed. PSA: National Grid is looking to increase rates by 20-25%. If passed, it will take effect in April 2025.

Trustee Young made a motion, seconded by Trustee Adams, to approve Board minutes for August 5, 2024. Upon roll call vote, this motion was unanimously carried 5-0. Trustee Adams made a motion, seconded by Trustee Young, to approve Board minutes for August 6, 2024. Upon roll call vote, this motion was unanimously carried 4-0, Trustee Fernandez abstained. Trustee Fernandez made a motion, seconded by Trustee Adams, to approve Board minutes for August 26, 2024. Upon roll call vote, this motion was unanimously carried 4-0, Trustee Tinker abstained.

Trustee Tinker made a motion to open Public Hearing on Local Law #3-2024: Overriding Tax Cap at 7:05pm. Upon roll call vote, this motion was unanimously carried 5-0.

Fire Chief Gregory Monthly Report: 16 alarms for month; 1251 out of service; Physicals and hose testing are done; He requested reiteration that the Village Board proposed a one-way on Railroad Ave. not the Fire Department. Mayor Knight said he received an installation quote from DOT on fire light at corner of Railroad Ave and Main Street for \$250,000 and annual fee of \$1250 per year.

Code Officer Fink Monthly Report: Issued building permits, deck permits, foundation permit, store front permit, and couple of CO's. Need to check on couple of projects to see if complete.

DPW Cole Keyser Monthly Report:

General: Grove Street low spot has been repaired; Drainage on Danforth Ave. has been repaired; Gorge Creek Road has been built up and repaired and sedimentation pond has been cleaned out. Mayor stated resident concerned about low hanging tree limbs along Village Streets. Mayor asked for crew to go around and trim low hanging limbs.

Water: Well House, well #3 check valve failed, pump has been repaired.

Sewer: Plant is working great, no issues. Danforth pump station needs pump failing looking into getting rebuilt.

Pete Nichols from Schoharie County Soil and Water was present to discuss the Gorge Creek project. He gave out packet with a status update and photos to show how the project was designed and how it is currently working. DOT cleaned out sedimentation pond last week and he would like to see sediment removed now and not sit over the winter. Site was bulldozed, skimming off the topcoat. No digging should be done on site as it will dislodge large stone placed there. Culvert still looks good, but plans should be made to clean out next year. Battery powered dozer was shown to the Board for consideration to purchase for culvert cleanout. The cost would be around \$ 100,000 and he would help Village look for grant funding.

111 Railroad Avenue Discussion: Two demolition quotes: One for \$35,000 would not include asbestos removal, and one for \$57,500 which would include help with asbestos removal. It will take four to five months in court to obtain property, can't do anything with property until Village owns property. Environmental survey will be necessary to see if any asbestos is in the building. It was the consensus of the Board to move forward with getting quotes for the environmental survey.

Village Hall Handicapped ramp project was discussed. Village bid project out in the spring and bids came in for \$268,000 and \$303,600, these bids were rejected. NYS Community Renewal and CDBG have grants for handicap accessibility, grant applications would be due by July 2025. Board was polled on do we move forward with rebidding project or look for grant funding. Trustee Tinker- grant funding; Trustee Adams – grant funding; Trustee Fernandez – grant funding; Trustee Young – grant funding; Mayor Knight – grant funding. It was the consensus of the Board to investigate grant funding and not rebid project this fall.

Trustee Fernandez gave an update on Badgley Park: working with Bill Morton, Rotary, and DPW to get horseshoe pit in place. AT&T Mobile have grants available to do projects like basketball courts or pickleball courts. The deadline for the grant is September 30, 2024. It was the consensus of the Board to apply for this grant and Mayor Knight will assist Trustee Fernandez with application.

Trustee Tinker made a motion, seconded by Trustee Fernandez to hold a Public Hearing for Budget Workshop for the 2025 Village Budget on October 7, 2025, at 6pm at the Middleburgh Library. Upon roll call vote, this motion was unanimously carried 5-0.

Clerk Laraway discussed accounting software QuickBooks desktop program will soon become unavailable, and Village will have to move to an online version. Board tabled discussion till more information is collected.

Trustee Tinker made a motion, seconded by Trustee Young to close Public Hearing on Local Law #3-2024: Overriding Tax Cap at 7:35pm with no comments. Upon roll call vote, this motion was unanimously carried 5-0.

Trustee Young made a motion, seconded by Trustee Adams, to adopt Local Law #3 of 2024 Overriding Tax Cap. Upon roll call vote, this motion was unanimously carried 5-0.

Attorney Mauhs informed the Board that the Stewart's Lawsuit against the Village has been dropped. Stewarts was suing the Village stating the contaminated soil that DEC mandated they remove, and did damage to the Municipal Building in the process, was possibly from the Village's oil tank.

Public Comment: No comments.

Trustee Fernandez made a motion, seconded by Trustee Young, to enter executive session at 7:40pm to discuss ongoing litigation with advice of Village Attorney. Upon roll call vote, this motion was unanimously carried 5-0.

Trustee Young made a motion, seconded by Trustee Adams, to enter back into regular session at 8:15pm. Upon roll call vote, this motion was unanimously carried 5-0.

Mayor Knight made a motion, seconded by Trustee Fernandez to pay the Bills: Bills from the General Fund in the amount of \$51,165.70 were audited and ordered paid. Bills from the Water Fund in the amount of \$9,314.80 were audited and ordered paid. Bills from the Sewer Fund in the amount of \$2,436.41 were audited and ordered paid. Upon roll call vote, this motion was unanimously carried 5-0.

Clerk Laraway presented the Board with Balance Sheet and Budget vs. Actual for General, Water and Sewer and copy of 2025 working budget.

Correspondence: 8/5/24 email Mayor Knight re: responses potential sewer expansion; Letter Carver's re: Heidelberg Materials acquisition; Letter NYSDOT re: input on statewide transportation master plan; 8/16/24 Schoharie County sales tax; 8/20/24 letter IDT Corp re: gross tax; 8/26/24 Longe Oil Heat re: Certificate Liability Ins.; Email resident re: Trimming trees; 8/30/24 Letter Village re: Oktoberfest serve craft beer.

Trustee Tinker made a motion, seconded by Trustee Adams to adjourn at 8:16 PM. Upon roll call vote, this motion was unanimously carried 5-0.

Respectfully submitted by Melanie Laraway - Clerk.