

**VILLAGE OF MIDDLEPORT
BOARD OF TRUSTEES
AGENDA – NOVEMBER 15, 2021**

1. Call meeting to order at 7:00 p.m.
2. Pledge of Allegiance.
3. Open the Public Hearing at _____ on the following Local Law Amending the Zoning Code.

A Local Law Amending the Zoning Code of the Village of Middleport

Be it enacted by the Village Board of Trustees of the Village of Middleport as follows:

The Code of the Village of Middleport, §200-10.1 is hereby amended to include subsection (B)(3), which shall state the following:

“School district uses including but not limited to use by a public or private school district for athletic or recreational purposes.”

This Law shall take effect immediately upon filing with the Secretary of State.

4. Open the Public Hearing at _____ on the following proposed Local Law opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Middleport.

Local Law No. __ of the Year 2021

Village of Middleport, County of Niagara

A local law opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Middleport.

Be it enacted by the Village Board of Trustees of the Village of Middleport as follows:

Section 1. Legislative Intent.

It is the intent of this local law to opt the Village of Middleport out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority.

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out.

The Board of Trustees of the Village of Middleport, County of Niagara, hereby opts-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Middleport.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This law is subject to permissive referendum, and shall become effective immediately upon the filing of the law with the Office of the Secretary of State.

5. Open the Public Hearing at _____ on the following proposed change to the Village's Local Law Section 185-10(A) and Section 185-10(B).

Village of Middleport

Local Law No. ____ of 2021

A Local Law Amending Vehicle and Traffic Fines

Be it enacted by the Village Board of Trustees of the Village of Middleport as follows:

Section 185-10(A) of the Village Code of the Village of Middleport is hereby repealed and replaced with the following:

Every person convicted of a traffic infraction for a violation of any provision of this chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine not to exceed \$250 and/or imprisonment for up to 15 days or by both such fine and imprisonment.

Section 185-10(B) of the Village Code of the Village of Middleport is hereby repealed and replaced with the following:

Notwithstanding Subsection A above, a violation of any provision of this chapter relating to parking of motor vehicles shall be a violation which may be enforced by the issuance of a traffic citation form in such form as shall be hereafter prescribed by the Village of Middleport Police Department. A violation of a parking provision shall be punishable by a fine of not to exceed \$250.

6. Approve minutes of Oct. 18, 2021, meeting. Motion by Trustee _____, second by Trustee _____.
7. Approve WWTP UV Disinfection Payment Request No. 8 in the amount of \$18,990.00 from STC Construction as approved by Wendel Engineering. This payment is the final payment for STC Construction. (This amount is included in the total in Item 8.) Motion by Trustee _____, second by Trustee _____.

8. Bills submitted on Abstract 6-21/22 in the amount of: General: \$156,027.91; Water: \$11,309.30; Sewer: \$25,297.05; and Capital Improvement: \$21,182.10; Total: \$213,816.36. This figure also includes Payrolls 11 and 12 for weeks ending October 23 and November 6, 2021. Motion by Trustee _____, second by Trustee _____.
9. Approve Payrolls No. 11 and 12 for periods ending October 23, 2021, and November 6, 2021. Motion by Trustee _____, second by Trustee _____.
10. Authorize payment for New York State Retirement obligations on or before December 15, 2021, as follows: Employees' Retirement System amount is \$41,441.00 & Police Retirement System amount is \$70,012.00 – total \$111,453.00. Motion by Trustee _____, second by Trustee _____.
11. Authorize the budget transfers in the General Fund for a total of \$11,296.20. Motion by Trustee _____, second by Trustee _____.
12. Treasurer's report submitted for the month of October 2021.
 - General Fund Cash Flow Forecast submitted
13. Police reports for Village and Towns submitted for the month of October 2021.
14. Fire report submitted for the month of October 2021.
15. Water and Sewer Billing for the quarter billed on November 1, 2021:

Water:	\$52,917.37
Meter Rental Charge:	\$ 1,567.50
Sewer:	\$54,391.07
Sewer Debt Service Charge:	<u>\$ 8,137.50</u>
Total:	\$117,013.44
16. Close the Public Hearing regarding the Local Law Amending the Zoning Code at _____. Action will not be taken at this time because it will be turned over to the Niagara County Planning Board.
17. Close the Public Hearing regarding the proposed Local Law opting out of licensing and establishing retail cannabis dispensaries at _____.
18. Authorize the adoption of the Local Law Opting out of Licensing and Establishing Retail Cannabis Dispensaries and/or on-site Cannabis Consumption Establishments within the boundaries of the Village of Middleport. Motion by Trustee _____, Second by Trustee _____.
19. Close the Public Hearing regarding the Local Law Amending Vehicle and Traffic Fines at _____.
20. Authorize the change to the Village Code to amend the Local Law for Vehicle and Traffic Fines Section 185-10(A) and Section 185-10(B). Motion by Trustee _____, second by Trustee _____.
21. Authorize C&H PC to provide the Village with new Wi-Fi equipment, remove the current Cisco access point, and install and configure the new access point. Motion by Trustee _____, second by Trustee _____.

22. Authorize Mayor Westcott to enter into Shared Service agreements between the Town of Hartland and the Town of Royalton for Emergency support for addressing critical issues with the Village's sanitary sewer system that require resources beyond the Village of Middleport forces and equipment. Motion by Trustee _____, second by Trustee _____.
23. *Correspondence*
- Email from Bill Arnold
24. *Old business*
25. *New business*
- Dumpster Bid Proposals
 - Assemblyman Norris' office will be collecting gently used coats, boots, gloves, hats, mittens, and scarves from Tuesday, November 16, through Thursday, December 16, 2021.
 - Annual Tree Lighting is tentatively scheduled for Saturday, December 4, 2021, at 6 pm.
26. Executive Session for the purpose of consultation with the Village's Attorney at _____. Motion by Trustee _____, second by Trustee _____.
27. Return to General Session at _____. Motion by Trustee _____, second by Trustee _____.
28. Next regular Board Meeting December 20, 2021, at 7:00 p.m.
29. Adjournment. Motion by Trustee _____, second by Trustee _____.