

A regularly scheduled meeting of the Board of Trustees was held on Monday, March 21, 2022, in the Village Hall. Mayor Westcott opened the meeting at 7:02 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee Barr, Coordinator Bobbitt, Fire Chief Czaja, Clerk-Treasurer VanBuren, and Tom Seaman, attorney. Trustee McAvoy and Chief Swick were absent.

There were a couple of residents in attendance, as well.

Deputy Mayor Conley led the Pledge of Allegiance.

Mayor Westcott opened the Public Hearing for Overriding the Tax Cap at 7:03 p.m.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve the minutes of the February 22, March 1, and March 8, 2022, meetings. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize the budget transfer in the Water Fund in order to purchase an additional 36 water meter heads for a total of 200 meters for the 2021-2022 Fiscal Year. The budget transfer is as follows:

TO	FROM	AMOUNT
F8340.2	F8310.2	\$2,500.00
F8340.2	F9010.8	2,497.50
F8340.2	F8340.4	1,652.50
TOTAL		\$6,650.00
Carried, with all present voting aye		

A motion was made by Trustee Barr, and seconded by Deputy Mayor Conley, to authorize a budget transfer in the General Fund of \$8,000 from A3120.2 to A3120.4 to cover expenditures for the remainder of the 2021-2022 Fiscal Year. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to authorize Abstract No. 10-21/22 budget transfers in the General Fund and Sewer Fund as follows:

TO	FROM	AMOUNT
A1440.4	A1990.4	\$ 450.00
A1490.4	A5410.4	201.30
A3620.4	A1210.4	10.44
A5142.4	A1990.4	2,045.03
A7110.4	A7110.2	72.74
TOTAL		\$2,779.51
G8120.1	G9010.8	\$ 215.84
TOTAL		\$ 215.84
Carried, with all present voting aye		

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve payment of claims submitted on Abstract No. 10-21/22 in the amount of General: \$54,914.23; Water: \$10,956.43; Sewer: \$25,232.44; and Capital Improvement: \$375; for a Total of \$91,478.10. This figure also includes Payrolls No. 20 and 21. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve Payrolls No. 20 and 21 for weeks ending February 26, 2022, and March 12, 2022. Carried, with all present voting aye.

The Treasurer's report and the General Fund Cash Flow Forecast was submitted and accepted for February 2022.

The Public Works report was submitted and accepted for February 2022.

The Village and Town Police reports were submitted and accepted for February 2022.

The fire report was submitted and accepted for February 2022.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to authorize Mayor Westcott to execute the 2022 FMC Access Agreement. Carried, with all present voting aye.

Correspondence

The Village received a letter from the Arbor Day Foundation congratulating the Village of Middleport for earning recognition as a 2021 Tree City USA.

Niagara County Department of Economic Development is currently offering a Façade Program. This program is for businesses who would like to renovate the exteriors of their businesses along the counties Main Streets to apply for matching grants to help offset the cost to revitalize the downtown business district of communities.

Mayor Westcott closed the Public Hearing at 7:19 p.m.

Deputy Mayor Conley offered the following resolution and moved its adoption:

VILLAGE OF MIDDLEPORT

A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c

SECTION 1. LEGISLATIVE INTENT

It is the intent of this Local Law to allow the Village of Middleport to adopt a budget for the fiscal year commencing April 1, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

SECTION 2. AUTHORITY

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3. TAX LEVY LIMIT OVERRIDE

The Board of Trustees of the Village of Middleport is hereby authorized to adopt a budget for the fiscal year commencing April 1, 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

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

The adoption of the foregoing resolution was seconded by Trustee Blumrick, and duly put to a vote on roll call.

AYES: Richard J. Westcott
Wayne B. Blumrick
Dorothy J. Barr
Thomas C. Conley

NOES: NONE

ABSENT: Dennis J. McAvoy

The resolution was declared adopted.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to approve the preliminary revenues as presented for the 2022-2023 Budget. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve the preliminary expenditures as presented for the 2022-2023 Budget. Carried, with all present voting aye.

A motion was made by Trustee Barr, and seconded by Deputy Mayor Conley, to approve the preliminary tax levy for the 2022-2023 Budget year as \$672,022.88 with a full value tax rate of \$10.09 per thousand and an actual tax rate of \$12.45 per thousand. Carried, with all present voting aye.

Old Business

Discussed iSolved Benefit Services administering the Village employees HRA account.

The Board reviewed the proposal from Farmhouse Studio LLC for the Grapevine App.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to authorize iSolved Benefit Services to manage the employee Health Reimbursement Arrangements (HRA) for the 2022-2023 Fiscal Year contingent upon attorney review of the agreement or contract. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to accept Brian Belson's resignation with regret. His last day will be Saturday, March 26, 2022. Carried, with all present voting aye.

New Business

The Board reviewed proposals from Willdan/National Grid to convert the existing lighting in the Village Hall, DPW Garage, and WWTP. Attorney Seaman advised that per the Village's Procurement Policy two more estimates would be required.

The Annual Reorganization Meeting will be held on Monday, April 4, 2022, at 7:00 p.m.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to set the Public Hearing for the 2022-2023 Budget at the Annual Reorganization Meeting. 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 7:58 pm.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Barr, to return to General Session. Carried, with all present voting aye.

General Session reconvened at 8:25 pm.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, April 18, 2022, 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 8:26 p.m.

Respectfully Submitted,

Lisa M. VanBuren

Clerk-Treasurer