

A regularly scheduled meeting of the Board of Trustees was held on Monday, February 22, 2023, in the Village Hall. Mayor Westcott opened the meeting at 7:02 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee McAvoy, Coordinator Bobbitt, Police Chief Swick, Building Inspector Belson, Fire Chief Czaja, Clerk-Treasurer VanBuren, and Tom Seaman, attorney. Trustee Barr was absent.

Building Inspector Belson led the Pledge of Allegiance.

There were a couple of residents in attendance along with Sgt Johnson, Officer Mandaville, and Officer Mandaville's mother and sister.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to approve the minutes of the January 18, 2023, meeting. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize the budget transfer in the General Fund from A1990.4 to A3620.4 for \$150.00. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve payment of claims submitted on Abstract No. 9-22/23 in the amount of General: \$83,696.40; Water: \$20,602.93; Sewer: \$17,521.76; and Canal Dock Improvement: \$2,772.71; for a Total of: \$124,593.80. This figure also includes Payrolls No. 17, 18, and 19. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Deputy Mayor Conley, to approve Payrolls No. 17, 18, and 19 for weeks ending January 14, 2023, January 28, 2023, and February 11, 2023, respectively. Carried, with all present voting aye.

The Treasurer's report and the General Fund Cash Flow Forecast was submitted and accepted for January 2023.

The Public Works report was submitted and accepted for January 2023.

The Village and Town Police reports were submitted and accepted for January 2023.

The fire report was submitted and accepted for January 2023.

Water and Sewer Billing for the quarter billed on February 1, 2023, is as follows:

Water:	\$ 53,948.32
Meter Rental Charge:	\$ 1,567.50
Sewer:	\$ 54,242.19
Sewer Debt Service Charge:	\$ 8,137.50
<b>TOTAL</b>	<b>\$117,895.51</b>

This cycle billing is for 8,719,000 gallons.

Trustee Blumrick introduced the following resolution and moved its adoption:

RESOLVED, that the forthcoming General Village Election will be held on Tuesday, March 21, 2023, from 12:00 p.m. noon until 9:00 p.m. at the Village Hall, Middleport, New York. The following candidates were nominated for the office and term set forth before each name:

**ACTION PARTY**

Mayor: Two-year term

**Richard J. Westcott**

13 Mechanic Street

Middleport, New York

**VILLAGE FIRST**

Mayor: Two-year term  
***Daniel A. Dodge***  
12 North Vernon Street  
Middleport, New York

**MIDDLEPORT 1<sup>ST</sup>**

Trustee - Two-year term  
***Wayne B. Blumrick***  
31 State Street  
Middleport, New York

**The Renewal Party**

Trustee - Two-year term  
***Dorothy J. Barr***  
18 Francis Street  
Middleport, New York

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley. Carried, with all present voting aye.

At this time Mayor Westcott presented two certificates to Officer Joshua Mandaville. The first certificate was for a house fire he responded to on February 26, 2022. He was the first person at the scene. Officer Mandaville entered the home and helped the male occupant and the family pets get out safely. The second certificate he was recognized for was for an incident on April 1, 2022, at the Royalton Hartland Elementary School. He arrived on scene and determined that the male had no pulse. Officer Mandaville began CPR while instructing another person to open the AED.

Sergeant Johnson was recognized for his response to a house fire in the Town of Shelby on June 21, 2022. When he arrived on scene, he climbed a ladder to assist a gentleman stranded on the second floor to safely get out of the window, down the ladder, and away from the burning home. The Village Board and the community thank you both for your dedicated service.

**Correspondence**

The Gasport Lions Club sent a letter thanking the community for their support of the 2022 Community Christmas Event. They were able to help 51 families which included 110 children and 10 senior citizens.

Verizon Wireless notified the Village that they will be performing minor upgrade modifications to its telecommunication facility located on the roof of the Village Hall.

The Arbor Day Foundation congratulated the Village on earning the recognition as a 2022 Tree City USA.

Chief Swick informed the Board of a grant his department received from the NYS Division of Criminal Justice Services. This grant is for Body Worn Cameras in the amount of \$6,000.00.

**Old Business**

Attorney Seaman reviewed the Revised Sexual Harassment Policy. He advised the Board that if they wanted to adopt the revised policy, they could move forward with it.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to adopt the Revised Sexual Harassment Policy since Attorney Seaman had no objections regarding this updated policy. This Policy will supersede all previous Sexual Harassment Policies with an Adoption Date of February 22, 2023. Carried, with all present voting aye.

The condition of 7 Mechanic Street was discussed as well as the cat population in that neighborhood. This property is in the hands of the county as it was sold at the county auction last year, but the buyer backed out. It is on the listing of county properties to be auctioned off in April 2023. Clerk VanBuren will reach out to Assemblyman Norris and Niagara County Legislature Mike Hill to see if they can provide any assistance to the Village with this neighborhood nuisance.

### **New Business**

Mayor Westcott, Coordinator Bobbitt, and Clerk VanBuren met with Marc Gschwend from National Grid on Tuesday, January 31, 2023, to discuss converting the Villages' street lights to LED.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick to authorize Mayor Westcott to execute a commitment letter with National Grid to proceed with the LED Street Light Conversion of the Village of Middleport's street lights, at an upfront total cost of \$2,258.86, as specified in the letter dated January 30, 2023, regarding "Outdoor lighting LED Conversion Program." Authorization is also given to Mayor Westcott to execute any and all other documentation necessary for the program, contingent on attorney review and approval. Carried, with all present voting aye.

The Board reviewed the two proposals Wendel Engineering was able to secure for the CMOM Flow Monitoring.

## **VILLAGE OF MIDDLEPORT RESOLUTION**

WHEREAS, the Village of Middleport (Village) requires sanitary sewer flow monitoring to comply with the Year 1 Capacity, Management, Operation, and Maintenance (CMOM) program, and

WHEREAS, Wendel, as the engineer for the Village, having been previously contracted to provide engineering services and oversight relative to the CMOM program has, in accordance with the attached correspondence, dated February 16, 2023, searched for entities capable of performing such monitoring services, but was only able to receive two quotes for such monitoring services, and

WHEREAS, in accordance with said Wendel correspondence, Advanced Design Group, is the lowest estimate and has received Wendel's recommendation to perform such services, now therefore be it

RESOLVED, that the Village is hereby authorized to enter into a contract with Advanced Design Group to perform the services outlined in their 2/8/2023 proposal, contingent on attorney draft of a contract relative thereto, and Advanced Design Group's acceptance and execution, thereof.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to authorize Mayor Westcott to execute the FMC 2023 Site Access Agreement for the Remediation work scheduled to be completed in the Village of Middleport in 2023. Carried, with all present voting aye.

Clerk VanBuren told the Board that the Village website has been updated with an employee section in order to comply with the new law that now requires New York employers of all sizes to make mandatory workplace posters available to employees electronically, either on their website or by email, in addition to posting physical copies in the workplace. It does require a password to access that section too.

Mike Hartman sent out postcards to all residents earlier this year advising them that if they are 65 years and older, they may be eligible for a discount on their property taxes. Clerk VanBuren discussed this with him. The mailing was based on the town and county increasing

their income eligibility level which the Village has not changed in a number of years. The Board was asked to consider increasing the Village's income eligibility level.

Chief Swick asked the Board to consider hiring Andrew Magin as a part-time police officer.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize the hiring of Andrew R. Magin as a part-time police officer at the rate of \$19 per hour effective Sunday, April 2, 2023, contingent on him passing the psyche exam. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, 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 8:18 pm.

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

General Session reconvened at 9:01 pm.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to rescind the original motion set forth at the January 18, 2023, meeting which awarded the Village hallway and bathroom flooring project to J & D Floor Covering & Mill Works, on the grounds that the contractor was unwilling to enter into the contract proposed by the Village: and in addition to award the contract to the second lowest estimate, KD Flooring, together with authority to pay a \$3,500 deposit for materials, contingent upon attorney review of the contract, and KD Flooring execution of same. Carried, with all present voting aye.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, March 20, 2023, at 7 pm.

There being no other business, a motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to adjourn. Carried, with all present voting aye.

Meeting adjourned at 9:03 p.m.

*Respectfully Submitted,*

*Lisa M. VanBuren*  
*Clerk-Treasurer*