

A regularly scheduled meeting of the Board of Trustees was held on Monday, July 17, 2023, in the Village Hall. Mayor Dodge opened the meeting at 7:00 p.m. Also present were Deputy Mayor Conley, Trustee Blumrick, Trustee McAvoy, Trustee Barr, Coordinator Bobbitt, Police Chief Swick, Fire Chief Czaja, Clerk-Treasurer VanBuren, and Dan Seaman, attorney.

Trustee Blumrick led the Pledge of Allegiance.

Tim Walck from Wendel Engineering discussed the Canal Dock Improvement Project and the bid results from Friday, July, 14, 2023.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to reject all the bids for the electrical work that were submitted for the Canal Dock Improvement Project – C1002024. Carried, with all present voting aye.

Trustee Blumrick offered the following resolution and moved its adoption:

**Whereas**, that the Village of Middleport has a Local Waterfront Revitalization Program (LWRP) currently in place, which has been approved by the New York State Secretary of State; and

**Whereas**, the purpose of the Local Waterfront Revitalization is to promote waterfront access to the Erie Canal and surrounding areas by residents and visitors; and

**Whereas**, through the annual Consolidation Funding Application (CFA) process, grant funds are available from the New York State Department of State to implement waterfront improvement projects identified in a duly adopted LWRP; and

**Whereas**, the Village of Middleport seeks to make upgrades to amenities available to boaters along its canal docks, namely water service, electrical service, lighting, picnicking, and tree improvements; and

**Whereas**, the identified project will make Middleport a more attractive and comfortable destination for Erie Canal boaters, thereby sustaining tourism-based economic activity in the community; then be it

**Resolved**, that the Village of Middleport authorizes and supports a CFA application to the LWRP program for state grant funds to implement the above-referenced improvements.

The Resolution was seconded by Deputy Mayor Conley. Carried, with all present voting aye.

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to approve the minutes of the June 21, 2023, meeting. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to approve payment of claims submitted on Abstract No. 2-23/24 in the amount of General: \$109,758.91; Water: \$22,055.56; Sewer: \$9,912.42; and the Canal Dock Improvement Project: \$978.24 for a Total: \$142,705.13. This figure includes Payroll No. 2 and No. 3. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Deputy Mayor Conley, to approve Payrolls No. 2 and 3 for periods ending June 17, 2023, and July 1, 2023, respectively. Carried, with all present voting aye.

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

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

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

The fire report was submitted and accepted for June 2023.

Fire Chief Czaja and Darren Burdick discussed the LOSAP program with the Board. Darren provided the LOSAP history between the Royalton Town Supervisor Bragg and the four local fire departments that have fire contracts with the Town of Royalton. Originally, the Town of Royalton was going to collect the taxes and administer the LOSAP program. The town attorney, Tom Brandt, finally did extensive research about

LOSAP programs. Attorney Brandt learned that the Town cannot collect the taxes on the Village's behalf to operate the LOSAP program because the Village is its own taxing entity split between the Town of Hartland and the Town of Royalton. Therefore, the fire department requested that the Village Board pass a referendum to hold a special election in September. The Village Board requested additional time to find out if the Village has authority to add the LOSAP program as a separate line item on the Village tax bill or if it would have to be accounted for in the general fund budget which also affects the 2% property tax cap and the constitutional tax limit going forward.

**Correspondence**

The Village received another 30-day waiver request for a NYS Liquor License application from Cornell Johnson (dba Swaggin-N-Baggin Cornhole Club LLC).

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to approve the 30-day waiver request submitted by Evans Fox LLP on behalf of Cornell Johnson (dba Swaggin-N-Baggin Cornhole Club LLC). This request is for a liquor license application to include the outdoor premises and permit private parties and tournaments at his establishment located at 79 Telegraph Road in Middleport. Carried, with all present voting aye.

**Old Business**

The NYS Environmental Facilities Corporation (EFC) Bond closing date for the Wastewater Treatment Plant UV Disinfection project is Thursday, August 10, 2023.

The Board discussed the proposed Nuisance Law. Mayor Dodge would like to discuss this further with Brian Belson, the Code Enforcement Officer.

Clerk VanBuren informed the Board that the Niagara County Treasurer's Office has completed the sale of 7 Mechanic Street.

The Board reviewed the quotes to install new flooring in the hallway and bathroom of the Village Hall. The quotes were as follows:

Installer	Proposal	Detail of Work to be Completed
Jeff Mages	\$3,000.00	Install 450 sq ft of LVP click together, Install 36 sq ft glue down LVP, 7 doorway thresholds installed, Subfloor Prep areas if needed, Take up old carpet (machine may be needed), 2 underlayment iron ply installed, and 190' Vinyl Cove take off old and install new.
B&K Home Renovations	\$2,000.00	Vinyl Tile Flooring Installation Labor - \$1,200, Remove and dispose of old flooring - \$400, and Install Molding/Trim - \$400

A motion was made by Deputy Mayor Conley, and seconded by Trustee McAvoy, to authorize Clerk VanBuren to sign all of the documents pertaining to the closing of the NYS EFC bond closing to enter into long-term financing for the WWTP UV Disinfection project with a 0% interest rate and the net-level debt repayment schedule. The principal sum of the bond is \$155,714.00 and is contingent upon attorney review and approval of the documents. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to award the Village Hall flooring project to the higher bidder, Jeff Mages, based on the fact that details of the work that would be performed were clearly specified in the proposal. Carried, with Deputy Mayor Conley, Trustee McAvoy, and Trustee Blumrick voting aye. Trustee Barr recused herself from voting.

**New Business**

There was no new business discussed.

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 attorney.

Executive Session opened at 8:46 p.m.

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 9:14 p.m.

A motion was made by Deputy Mayor Conley, and seconded by Trustee Blumrick, to approve the settlement agreement on litigation as presented to the Village Clerk. Carried, with all present voting aye.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, August 21, 2023, at 7 p.m.

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

Meeting adjourned at 9:15 p.m.

*Respectfully Submitted,*

*Lisa M. VanBuren*

*Clerk-Treasurer*