

**BOARD MEETING MINUTES  
MARCH 18, 2024**

A regularly scheduled meeting of the Board of Trustees was held on Monday, March 18, 2024, in the Village Hall. Mayor Dodge opened the meeting at 7:02 p.m. Also present were Trustee Blumrick, Trustee McAvoy, Trustee Barr, Coordinator Bobbitt, Police Chief Swick, Fire Chief Czaja, Clerk-Treasurer VanBuren, and Tom Seaman, attorney. Deputy Mayor Conley was absent.

Trustee Barr led the Pledge of Allegiance.

There were several residents in attendance as well.

Mayor Dodge opened the Public Hearing for “A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c” at 7:02 p.m.

Mayor Dodge closed the Public Hearing at 7:03 p.m. as there were no comments or questions from the attendees.

Trustee McAvoy offered the following proposed Local Law and moved its adoption.

**LOCAL LAW NO. 2 OF THE YEAR 2024**

**VILLAGE OF MIDDLEPORT**

**COUNTY OF NIAGARA, STATE OF NEW YORK**

**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, 2024, 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, 2024 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

**BOARD MEETING MINUTES  
MARCH 18, 2024**

Trustee Blumrick seconded the preceding Local Law and it was duly put to a roll call vote:

AYES: Daniel A. Dodge  
Dorothy J. Barr  
Wayne B. Blumrick  
Dennis J. McAvoy

NOES: NONE

ABSENT: Thomas C. Conley

The Local Law was declared adopted.

A motion was made by Trustee Blumrick, and seconded by Trustee McAvoy, to approve the minutes of the February 21, 2024, meeting, the March 2, 2024, budget meeting, and the March 9, 2024, budget meeting. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to authorize the following budget transfers in the General Fund as outlined below:

TO	FROM	AMOUNT
A5110.2	A8170.2	\$1,300.00
A5182.4	A7110.4	1,200.00
A5182.4	A7550.4	600.00
A8010.4	A8020.4	25.00
A9030.8	A9060.8	4,000.00
<b>TOTAL</b>		<b>\$7,125.00</b>
<b>Carried, with all present voting aye.</b>		

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to approve payment of claims submitted on Abstract No. 10-23/24 in the amount of General: \$113,728.53; Water: \$18,333.13; and Sewer: \$16,778.46; for a Total of: \$148,840.12. This figure also includes Payrolls No. 20 and 21. Carried, with all present voting aye.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to approve Payrolls No. 20 and 21 for weeks ending February 24, 2024, and March 9, 2024, respectively. Carried, with all present voting aye.

The Treasurer’s report and the General Fund Cash Flow Forecast was submitted and accepted for February 2024.

The Public Works report was submitted and accepted for February 2024.

The Village and Town Police reports were submitted and accepted for February 2024.

The fire report was submitted and accepted for February 2024.

***CORRESPONDENCE***

There was no correspondence read.

BOARD MEETING MINUTES  
MARCH 18, 2024

***OLD BUSINESS***

There was a brief discussion about the Canal Dock Improvement Project. Mayor Dodge said he would contact the project manager from NYS Dept of State.

Attorney Seaman asked the Board if they would like him to proceed with drafting a Local Law to address water shut-offs in the Village. The Board would like to move forward with it. Attorney Seaman will have the Local Law drafted for the April Board meeting.

Coordinator Bobbitt said he will have all of the battery disconnects installed this week, and we will be in compliance with the Village's insurance company, New York Municipal Insurance Reciprocal (NYMIR).

Attorney Seaman advised the Board that the Village's Investment Policy requires a Local Law in order to update it. He recommended that this Local Law be presented at the April Board meeting as well.

At this time, Village resident Susan DiGregorio addressed the Board regarding the feral cat issue in her neighborhood and the entire Village. She asked the Board members for help with this problem. She expects an update prior to the next meeting or she will be back to inquire as to what progress has been made.

***NEW BUSINESS***

Chief Swick asked the Board to promote Officer Logan Yotter from part-time police officer to full-time. He has been working as the SRO officer at the Royalton Hartland Elementary School. The school is very happy with the job he has done, and they prefer to have the same officer each and every day for continuity.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to create another full-time police officer position pending Niagara County Civil Service approval. This will be the third full-time police officer position in the Middleport Police Department along with the Chief and Sergeant positions. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to promote Officer Logan Yotter from part-time police officer to full-time police officer effective Sunday, April 7, 2024, at his current rate of \$21 per hour. Carried, with all present voting aye.

Clerk VanBuren presented the Board with a proposal from Williamson Law Book Company for tax collection software. The Village currently uses Williamson's accounting software so they would interface.

The Village Attorney lead a discussion regarding the consideration of such services as a "professional service." Clerk VanBuren confirmed that the entity chosen would necessarily have access to certain confidential information of the Village and Village residents, including credit card numbers and personal identifying information. Clerk VanBuren also confirmed that although there are several different entities offering such software, each company's offerings differ in the degree of ease of use and compatibility. Additionally, a major difference between the software entities is the support from computer tech professionals associated with such entities. Each entity offering such tax collection/bookkeeping software has different specialized skills, training and expertise in the field and must also exercise the use of professional judgment and discretion. Based on the foregoing, Attorney Seaman recommended

BOARD MEETING MINUTES  
MARCH 18, 2024

that the service of tax collection software and related support may be considered a professional service if the Village Board voted to approve such designation.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to declare tax collection software with related support to be a professional service, which is an exception under the Village's Procurement Policy, negating the need to obtain multiple quotes. Carried, with all present voting aye.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to enter into an agreement with Williamson Law Book Company to provide tax collection software and annual support which includes two workstations. The cost of the Tax Collection Software Program is \$5,275.00 and the Annual Support Fee is \$1,595.00. There is an additional charge of \$175/hr for installation and training. This authorization is contingent upon attorney approval. Carried, with all present voting aye.

Clerk VanBuren asked the Board if they would consider closing the office early on Monday, April 8, 2024, so that the employees could watch the solar eclipse.

A motion was made by Trustee McAvoy, and seconded by Trustee Blumrick, to authorize the Village Clerk's Office and the DPW to close at 1 p.m. that day with pay. Carried, with all present voting aye.

There was a very brief discussion about adding a drop box for after hours payments and the key to the Scout House after weekend events. The Board agreed that this would be a good idea.

The Annual Reorganizational Meeting is scheduled for Monday, April 1, 2024, at 7:00 p.m.

A motion was made by Trustee Blumrick, and seconded by Trustee Barr, to enter into Executive Session for the purpose of consultation with the Village's Attorney regarding personnel matters. Carried, with all present voting aye.

Executive Session opened at 8:20 pm.

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

General Session reconvened at 9:09 pm.

The next budget meeting will be held on Wednesday, March 27, 2024, at 6 pm, at the Village Hall.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, April 15, 2024, 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 9:10 p.m.

*Respectfully Submitted,*

*Lisa M. VanBuren*

*Clerk-Treasurer*