

BOARD MEETING MINUTES
JUNE 17, 2024

A regularly scheduled meeting of the Board of Trustees was held on Monday, June 17, 2024, in the Village Hall. Mayor Dodge opened the meeting at 7:02 p.m. Also present were Trustee LePard, Trustee Barr, Deputy Mayor Blumrick, Coordinator Bobbitt, Police Chief Swick, Sergeant Johnson, Fire Chief Ruppel, Clerk-Treasurer VanBuren, and Tom Seaman, attorney. Trustee Holly-Eberhard was absent.

Trustee LePard led the Pledge of Allegiance.

There were a few residents in attendance, as well.

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to approve the minutes of the May 20, 2024, Board meeting. Carried, with all present voting aye.

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee Barr, to authorize the following budget transfers in the General Fund for Abstract 13-23/24 and Abstract No. 14-23/24 for a total of \$2,200.00 as presented.

TO	FROM	AMOUNT
A1325.2	A1990.4	\$ 900.00
A1325.4	A1990.4	250.00
A3120.11	A3120.14	132.00
A3120.13	A3120.15	718.00
A9060.8	A9060.81	200.00
TOTAL		\$2,200.00
CARRIED, with all present voting aye.		

A motion was made by Trustee LePard, and seconded by Trustee Barr, to authorize the following budget transfers in the Water Fund for Abstract 13-23/24 for a total of \$19.12 as presented.

TO	FROM	AMOUNT
F8310.1	F9060.8	\$ 9.56
F8310.13	F9060.8	9.56
TOTAL		\$ 19.12
CARRIED, with all present voting aye.		

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee Barr, to approve payment of claims submitted on Abstract No. 13-23/24 in the amount of: General: \$18,566.61; Water: \$6,884.19; and Sewer: \$2,500.72; for a Total of: \$27,951.52. This figure includes Payroll No. 26. Carried, with all present voting aye.

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to approve payment of claims submitted on Abstract No. 14-23/24 in the amount of: General: \$11,123.52; and Sewer: \$1,926.49; for a Total of: \$13,050.01. Carried, with all present voting aye.

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to approve payment of claims submitted on Abstract No. 1-24/25 in the amount of: General: \$117,897.09; Water: \$2,915.00; and Sewer: \$14,222.89; for a Total of: \$135,034.98. This figure includes Payroll No. 1. Carried, with all present voting aye.

A motion was made by Trustee LePard, and seconded by Deputy Mayor Blumrick, to approve Payroll Nos. 26 and 1 for periods ending May 18, 2024, and June 1, 2024. Carried, with all present voting aye.

The Treasurer's report was submitted and accepted for May 2024.

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

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

The fire report was submitted and accepted for May 2024.

A letter from Fred Srock, President, of the Middleport Fire Co. No. 1 was submitted to the Board advising them that they have two new members. Madison Rice has been moved up from Junior Firefighter to Active Firefighter. Laurie Marchner has been voted in as a Social Member.

A motion was made by Trustee LePard, and seconded by Deputy Mayor Blumrick, for authorization to proceed with sidewalk construction to reimburse property owners as stated in Local Law No. 2 for the year 1975, and resolution adopted March 16, 1992. This Local Law was most recently amended on June 18, 2018, setting the amount of reimbursement to \$4.50 per square foot of sidewalk replaced or fifty percent of the cost, whichever is less. Carried, with all present voting aye.

A motion was made by Trustee Barr, and seconded by Deputy Mayor Blumrick, to authorize the Investment Policy as amended by the Village Board on May 20, 2024, to include the following banks: Tompkins Community Bank, KeyBank, Five Star Bank, Generations Bank, and M & T Bank. Carried, with all present voting aye.

Wendel is preparing a Consolidated Funding Application (CFA) to the New York State Canal Corporation's Canalway Grants Program on behalf of the Village of Middleport for the Canal Dock Improvement Project. The application must be completed by July 31st.

The following resolution was sponsored by Deputy Mayor Blumrick, who moved its adoption.

WHEREAS, the Village of Middleport Board of Trustees adopted a Local Waterfront Revitalization Program (LWRP) by resolution in 2002, and this program was approved by the New York State Secretary of State in January 2003; and

WHEREAS, the Village of Middleport has continued to use this LWRP as a guidance document for community planning and project activities, especially those intended to promote access to the waterfront along the Erie Canal, and

WHEREAS, the Village of Middleport has applied for LWRP implementation funding to advance a canal docks improvement project, and has been awarded with grant funding through the annual CFA process; and

WHEREAS, in 2024 the Village of Middleport is applying for grant funds from the NYS Canalway Grant Program sponsored by the New York State Canal Corporation, to advance this same canal docks improvement project; now therefore be it

RESOLVED, that the Village of Middleport Board of Trustees hereby reaffirms its support for the existing LWRP; and also be it

RESOLVED, that the Village of Middleport Board of Trustees hereby expresses its continued support for the ongoing canal docks improvement project.

The preceding resolution was seconded by Trustee LePard . Carried, with all present voting aye.

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to authorize the rehiring of Evan Quiros to the seasonal laborer position for the DPW effective Monday, June 24, 2024, at an hourly rate of \$15.00 per hour. Carried, with all present voting aye.

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A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard to approve the Summer Royalton-Hartland Youth Swim Program beginning Monday, July 8, 2024, through Thursday, August 8, 2024. Carried, with all present voting aye.

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to authorize the hiring of Cora Lennon as a lifeguard for the 2024 Summer Swim Program at an hourly rate of \$17.00 per hour. Carried, with all present voting aye.

A motion was made by Trustee LePard, and seconded by Deputy Mayor Blumrick, to approve Dottie Barr as Swim Director/Instructor at \$22/hour. Trustee LePard – aye, Deputy Mayor Blumrick – aye, and Mayor Dodge – aye. Motion carried. Trustee Barr recused herself from voting.

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to approve the following individuals to the position of Swim Instructor and/or Lifeguards: Kathy Mullin at \$15/hour as the instructor for the Adult Water Fit class, Madison Pratt at \$19/hour, Kayla Hagen at \$19/hour, and Jacob Hagen at \$19/hour as Swim Instructors/Lifeguards. Ava Achtyl and Cora Lennon at \$17/hour as Lifeguards. Carried, with all present voting aye.

PUBLIC COMMENT

David Dingle from 94 N Hartland Street said that he has water coming down the street and pooling at the end of his driveway. Coordinator Bobbitt will keep an eye on it to see if he can find the source of the problem.

CORRESPONDENCE

Highmark sent a notice of a proposed premium rate change for 2025. The proposed change is a 19.5% increase to the Village's current WNY Gold Complete plan. If this rate increase is approved, it would go into effect for the 2025-2026 Fiscal Year.

OLD BUSINESS

Attorney Seaman drafted a proposed Local Law to address water termination service and water reconnection service.

Deputy Mayor Blumrick introduced the following proposed Local Law.

LOCAL LAW NO. __ OF THE YEAR 2024

VILLAGE OF MIDDLEPORT

COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law Amending the Water Service Termination and Reconnection Fees with in the Village of Middleport

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

Village code, Chapter 196 Water, §196-10.2 shall be repealed in its entirety and replaced with the following:

§ 196-10.2 Termination and Reconnection Fees.

Whenever water service shall have been terminated pursuant to this Article or for any other reason, including request of the owner of the premises, a fee in an amount to be determined by resolution of the Village Board of Trustees, in accordance with the fee

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schedule under this Article, shall be paid (i) at the time of the termination of water service, and (ii) prior to the restoration of water service, to cover the expenses incurred by the Village to terminate and restore services.

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

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to authorize a Public Hearing for the above proposed Local Law to Amend the Water Service Termination and Reconnection Fees within the Village of Middleport to be held on Monday, July 15, 2024, at the Village Hall.

Attorney Seaman also drafted a second proposed Local Law to address the community cat problem in the Village.

Trustee LePard introduced the following proposed Local Law.

LOCAL LAW NO. __ OF THE YEAR 2024

VILLAGE OF MIDDLEPORT

COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law Related to the Control of Cats

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

Village code, Chapter 63 Animals shall be amended by adding the following Article III:

Article III Cats

§63-12 Licensing. (Reserved)

§63-13 Restricted acts. For purposes hereof, when any cat is in violation of the provisions of this section the owner shall be deemed to have permitted or suffered the cat to have committed such violation.

(1) No cat shall be fed outdoors or in any area which provides unfettered indoor/outdoor access within the Village of Middleport, unless such feeding is within the immediate and constant presence of the owner.

(2) It shall be unlawful for any person to feed, water or otherwise attract or create conditions in the Village of Middleport which allow cats, domesticated or feral, to accumulate on the property or otherwise endanger the health, safety and welfare of the other residents of the Village of Middleport.

(3) No owner shall permit or suffer any cat to commit a nuisance in a public highway, public building, park, or on any private property except with the consent of the owner of the property thereof.

(4) No person shall permit or allow a cat to enter upon another's property and scratch, claw or deface said property, damage lawns, flowers, bushes or shrubbery or to scatter trash or garbage placed out for collection.

(5) No person shall permit the premises, structure or enclosure in which such cat is kept to be unclean or unsanitary.

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(6) No owner shall permit a cat to deposit excrement or urine on the property of another without the prior approval of the owner of such property, unless such waste is immediately removed and properly disposed of.

(7) No owner shall permit a cat to deposit urine or excrement on the property of the Village of Middleport, including but not limited to any sidewalk, street, park, playground, or parking lot, unless such waste is immediately removed and properly disposed of.

(8) No owner shall permit a cat from causing a nuisance by howling in a habitual, consistent, or persistent manner that repeatedly disturbs the peace of the neighborhood.

§63-14 Enforcement. The Code Enforcement Officer, other individual designated by the Village Board, or any police officer may enforce the provisions of this Article.

§63-15 Penalties for offenses. A violation of this article shall constitute an offense punishable by a fine of not more than \$250 or imprisonment for not more than 15 days or both such fine and imprisonment. Each day's continued violation shall constitute a separate offense.

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

A motion was made by Deputy Mayor Blumrick, and seconded by Trustee LePard, to authorize a Public Hearing for the above proposed Local Law Related to the Control of Cats within the Village of Middleport to be held on Monday, July 15, 2024, at the Village Hall. Carried, with all present voting aye.

NEW BUSINESS

Mayor Dodge met with representatives from the Niagara County Sheriff's Office to discuss two proposed Village property locations to erect a communications tower to remedy the coverage gap that currently exists at the eastern part of Niagara County.

A motion was made by Trustee Barr, and seconded by Trustee LePard, 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 8:04 p.m.

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

General Session reconvened at 9:14 p.m.

The next regularly scheduled meeting of the Board of Trustees will be held on Monday, July 15, 2024, at 7:00 p.m.

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

Meeting adjourned at 9:15 p.m.

Respectfully Submitted,

*Lisa M. VanBuren
Clerk-Treasurer*