

**VILLAGE OF MIDDLEPORT
BOARD OF TRUSTEES
MEETING AGENDA
April 16, 2025**

1. Call meeting to order at 6:00 p.m.
2. Pledge of Allegiance led by _____.
3. Open the Public Hearing regarding a proposed Local Law “Abolishing the Village Planning Board and Transferring all Powers to the Village Board of Trustees” at _____.
4. Mayor Dodge closed the Public Hearing at _____.
5. Trustee _____ offered the following proposed Local Law and moved its adoption.

LOCAL LAW ____ OF THE YEAR 2025

VILLAGE OF MIDDLEPORT

COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law Abolishing the Village Planning Board and Transferring all Powers to the Village Board of Trustees

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

1st Action:

Chapter 200, Article V, Administration and Enforcement §200-16 Board of Appeals. is hereby renumbered as **§200-16.1 Board of Appeals.**

2nd Action:

Chapter 200, Article V, Administration and Enforcement §200-16.2 Planning Board. is hereby enacted as follows:

Chapter 200, Article V, Administration and Enforcement §200-16.2 Planning Board. Powers Vested in Village Board of Trustees.

A. Authority. This Local Law is adopted as authorized by Municipal Home Rule Law Section 10(1)(ii)(a)(1) and Village Law 7-718.

B. Abolishment of Planning Board and Transfer of Powers. The Village Planning Board of the Village of Middleport is hereby abolished, and its powers, duties, and responsibilities shall be transferred to, and exercised by, the Village Board of Trustees.

- C. Effect on other Code Provisions: Any and all references made in the Village Code, local laws, ordinances or policies to the Planning Board shall be read and understood as references to the Village Board of Trustees.

3rd Action:

§ 88-3 (B)(3) shall be adjusted by removing the strikethrough language and substituting with the italicized sections as follows (grey highlighted areas for ease of reference to adjusted portions of text only):

- (1) The review and approval of subdivisions of the Village of Middleport ~~Planning Board~~ ***Board of Trustees*** which do not fall within those actions listed in 6 NYCRR 617.12 as Type I actions.

4th Action:

§ 127-5 of the Village Code shall be adjusted by removing the strikethrough language and substituting with the italicized sections as follows (grey highlighted areas for ease of reference to adjusted portions of text only):

Each application for a mobile home park or trailer camp shall be in writing and signed by the applicant.

- A. The application and related information shall be filed with the Village Clerk in triplicate.
- B. The Village Clerk shall transmit one copy of the application to the Village Building Inspector. The Village Clerk shall refer one copy of the application to the Village ~~Planning Board~~ ***Board*** for review and report prior to final action by the Village Board. The Village Clerk shall place a notice in the official village newspaper or newspapers to the effect that such an application has been filed.
- C. The Building Inspector shall check the application for compliance with the minimum requirements as established by the rules and regulations of the New York State Department of Health, the Niagara County Department of Health and the Sanitary Code of the State of New York. The Building Inspector shall, after such Investigation, transmit the certified application to the Village Board, together with his written findings as whether the application satisfies or does not meet the minimum health and sanitary standards, within 30 days after the date of filing the application with the Village Clerk.
- ~~D.~~ Upon receipt of the application from the Village Clerk, the ~~Planning Board~~ ***Village Board*** shall review the general arrangement of the mobile home park or trailer camp. This shall include a review of: location and width of streets; the location, size and arrangement of lots; the location of other structures within the park or camp; the location of entrances and exits; and the location, type and extent of landscaping and screening materials. ~~The Planning Board transmit the application book to the Village Board together with its written findings, within 30 days of receipt of the application. Failure to act within 30 days of receipt of the application shall be deemed approval.~~
- E. The Village Board shall review the findings of the Building Inspector ~~and the Planning Board~~, and by resolution indicate its approval or disapproval of the application, within

60 days of the date of filing the application with the Village Clerk. The application shall be returned to the Village Clerk, and the applicants notified in writing by the Village Clerk of the decision rendered within five days of the date of such decision.

- F. If the application is disapproved, the applicant shall have the right to appear before the Village Board for a hearing.

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

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

Mayor Dodge	aye _____, nay _____ absent _____
Deputy Mayor Blumrick	aye _____, nay _____ absent _____
Trustee Barr	aye _____, nay _____ absent _____
Trustee LePard	aye _____, nay _____ absent _____
Trustee Holly-Eberhard	aye _____, nay _____ absent _____

The Local Law was declared adopted _____, not adopted _____.

7. Mayor Dodge opened the Public Hearing regarding the 2025-2026 Budget at _____. The legal notice is below:

LEGAL NOTICE OF BUDGET HEARING AND FIRE PROTECTION CONTRACT HEARING

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Middleport, New York, will hold a public hearing on the tentative budget for the next fiscal year, beginning June 1, 2025, and ending May 31, 2026, at 6:00 p.m. on the 16th day of April 2025, in the Trustees Room of the Village Office and that a detailed copy of the tentative budget is available for inspection by any interested person at the Village Clerk's Office during office hours.

NOTICE IS ALSO HEREBY GIVEN that the compensation proposed to be paid to each member of the Board of Trustees from all sources is as follows: The Mayor, \$7,800 per year, Deputy Mayor, \$4,500 per year, and each Trustee, \$4,300 per year.

NOTICE IS ALSO HEREBY GIVEN that at said public hearing a contract with the Middleport Volunteer Fire Company No. 1, Inc., for fire protection to be furnished to the Village of Middleport will be considered. The following are the general terms of said fire contract:

The Middleport Volunteer Fire Company No. 1, Inc., shall furnish fire protection for a one-year period for the total sum of \$108,000 (One Hundred Eight Thousand Dollars). Such other incidental terms as may be necessary or proper in connection with such contract will also be considered.

FURTHER NOTICE is given that pursuant to Real Property Law Section 495, the exemption report that provides total assessed value on the final assessment roll for all exempt properties is on file with the tentative budget for 2025-2026.

All interested persons attending said hearing will be heard.

By order of the Board of Trustees of the Village of Middleport, New York.

8. Mayor Dodge closed the Public Hearing at _____.
9. WHEREAS, the tentative budget for the fiscal year 2025-2026 has been duly presented to the Board of Trustees by the Budget Officer and
WHEREAS, a duly advised public hearing has been held thereon,
THEREFORE, BE IT RESOLVED, pursuant to section 5-508 (4) of Village Law, that the said tentative budget as changed, altered and revised, be and hereby adopted as the Budget of the Village of Middleport for the fiscal year 2025-2026, THEREFORE, BE IT FURTHER RESOLVED that the tax rate for the fiscal year 2025-2026 budget be set at \$13.99 per thousand.

Adopt the 2025-2026 Budget for \$2,444,920.16 with the tax rate as follows: **full value tax rate** will be set at \$7.83 per thousand, with the actual tax rate at \$13.99 per thousand due to the 56 percent equalization rate for both the Town of Royalton and the Town of Hartland. Motion by Trustee _____, second by Trustee _____.

10. Approve the minutes of the March 12, 2025, Budget meeting, the March 17, 2025, Board Meeting, the March 27, 2025, Budget meeting, the April 2, 2025, Budget meeting, and the April 7, 2025, Annual Organizational Meeting. Motion by Trustee _____, second by Trustee _____.
11. Authorize payment of claims submitted on Abstract No. 11-24/25 in the amount of: General Fund: \$; Water Fund: \$; and the Sewer Fund: \$; for a Total of: \$. This figure also includes payrolls 22 and 23. Motion by Trustee _____, second by Trustee _____.
12. Approve Payroll Nos. 22 and 23 for periods ending March 22, 2025, and April 5, 2025. Motion by Trustee _____, second by Trustee _____.
13. Authorize the Village Historian to use some of the money she received as a donation from the sale of the Universalist Church to buy a GoPro HERO10 used Camera with an AC adapter and one battery. The total cost of the camera and accessories is \$130.00. Motion by Trustee _____, second by Trustee _____.
14. Authorize the budget transfer in the General Fund from Acct Code A1990.4 to Account Code A1210.4 for \$925.00. Mayor Dodge will be attending the NYCOM Annual Meeting in May at The Sagamore Resort. Motion by Trustee _____, second by Trustee _____.
15. Authorize the following budget transfers in the General Fund as outlined below: Motion by Trustee _____, second by Trustee _____.

TO	FROM	AMOUNT
A1320.13	A1490.11	\$ 9,500.00
A8160.4	A9060.8	3,500.00
TOTAL		\$13,000.00

16. Treasurer's report submitted for the month of March 2025.
 - General Fund Cash Flow forecast submitted
17. Public Works report submitted for the month of March 2025.
18. Police report for the Village and the Towns submitted for the month of March 2025.
19. Fire report submitted for the month of March 2025.
20. **Public Comment**
21. **Correspondence**
 - Arbor Day Celebration will be Friday, April 25, 2025, at 2:30 p.m. at the Hammond Parkway greenspace.
22. **Old Business**
 - Canal Dock Improvement Project – New Contract
 - Niagara County – Radio Tower
 - Swim Program – Intermunicipal Agreement
 - Summer Swim Program – Fees
 - DPW Garage Door
 - Holy Cross Lutheran Church Parking Lot
 - C & H P.C. Master Service Agreement
23. Authorize that a \$_____ fee be collected for each participant in the Summer Water Fit program that resides in one of the sponsoring municipalities (Town of Hartland, Town of Royalton, and Village of Middleport) be collected at registration to help offset the cost of the program.
24. Authorize that a \$_____ fee be collected for each participant in the Summer Water Fit program that resides **outside** one of the sponsoring municipalities (Town of Hartland, Town of Royalton, and Village of Middleport) be collected at registration to cover the cost of the program.
25. Authorize that a \$_____ fee be collected for each participant in the 2025 Summer Swim program that resides **outside** one of the sponsoring municipalities (Town of Hartland, Town of Royalton, and Village of Middleport) be collected to cover the cost of the program and as long as there is room available in the classes with the existing personnel.

26. New Business

- Tronconi Segarra & Associates – Engagement Letter
- Sweeper Truck
- Niagara County Water District/FMC Agreement
- Clute-Phillips Unit 938 American Legion Auxiliary – Walk-a-thon and Basket Raffle will be Saturday, April 26th, from 10 a.m. to 2 p.m.
- Spring Newsletter
- Discuss Water/Sewer Relevy to 2025-2026 Village Taxes – As of today the amount is \$34,462.88.

27. Authorize Mayor Dodge to formally enter into an agreement with Tronconi Segarra & Associates to file the Village's Annual Financial Report for the Fiscal Year 2024-2025. Motion by Trustee _____, second by Trustee _____.

28. Trustee _____ offered the following resolution and moved its adoption:

WHEREAS the Village is required pursuant to NYS Village Law § 11-1118 to relevy any unpaid water/sewer rents onto the upcoming Village tax bill and

WHEREAS the County of Niagara now requires authorization to relevy any delinquent water/sewer bill greater than \$1,000,

NOW THEREFORE the Niagara County Real Property Department is authorized to relevy all delinquent water/sewer accounts, including those owing over \$1,000, onto 2025-2026 Village tax bills.

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

Trustee LePard	_____ aye, _____ nay
Trustee Barr	_____ aye, _____ nay
Trustee Holly-Eberhard	_____ aye, _____ nay
Deputy Mayor Blumrick	_____ aye, _____ nay
Mayor Dodge	_____ aye, _____ nay

29. Authorize Clerk-Treasurer VanBuren to relevy any 2024-2025 unpaid additional garbage cart service fees (additional carts requested by Village residents) delinquent as of April 16, 2025, by placing a \$150 charge onto the residents 2025-2026 Village tax bills as a miscellaneous charge. There are presently two unpaid service fees which amounts to \$300 in miscellaneous charges. Motion by _____, second by Trustee _____.

30. Authorize Mayor Dodge to execute the Fire Protection Contract with the Middleport Volunteer Fire Co., No. 1, Inc., for the period of April 1, 2025, to March 31, 2026, in the amount of \$108,000. Motion by Trustee _____, second by Trustee _____.

31. Authorize Mayor Dodge to execute the contract with Seaman Law LLP to provide legal services to the Village of Middleport for the 2025-2026 Fiscal Year with a monthly retainer fee per the terms of the contract. Motion by Trustee _____, second by Trustee _____.
32. Next regular Board meeting will be ***Wednesday, May 21, 2025, at 6:00 p.m.***
33. Adjournment. Motion by Trustee _____, second by Trustee _____.

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