



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, February 14, 2011

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on February 14, 2011 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Mert Wiepert	Town of Porter	Supervisor	Present	
Thomas Baia	Town of Porter	Deputy Supervisor	Present	
Larry White	Town of Porter	Councilman	Present	
Jeff Baker	Town of Porter	Councilman	Present	
Joe Fleckenstein	Town of Porter	Councilman	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Susan Driscoll	Town of Porter	R. P. Appr Tech - Trainee	Present	
Dave Britton	Town of Porter	Engineer	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Absent	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Gail Zachary	Town of Porter	Town Clerk	Present	
Bernie Rotella	Town of Porter	Grant Writer	Present	

II. Public Portion

1. Report 2011-16

Public Comments

Mr. Wiepert let the audience know that there would be discussion about the boat/trailer storage later on in the meeting.

RESULT: REPORT ISSUED

III. Reports/Resolutions**1. Resolution 2011-32****Minutes Approval**

Approve the January 10, 2011 minutes of the regular meeting of the Porter Town Board and the January 21, 2011 minutes of the special meeting of the Porter Town Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

2. Resolution 2011-33**Audited Vouchers**

Approve the vouchers, as audited.

TOWN OF
PORTER

WARRANT: # 2	FEBRUARY, 2011	2/14/11
FUND 01		21,201.86
FUND 02		47,989.82
FUND 04		86,339.19
FUND 06		1,234.62
FUND 07		49,118.61
FUND 10		959.04
FUND 20		255,394.00
TOTAL		<u>462,237.14</u>
VOUCHER 'S	14950	THRU 15045

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mert Wiepert, Supervisor
SECONDER:	Joe Fleckenstein, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

3. Report 2011-17

Town Clerk

January Revenue

Water	\$36,558.13
Sewer	\$52,701.24
Licenses and Fees	1,247.26
S.P.C.A. contacts	32

Received an application from the owner of Bandana's, 930 Lake Road, Youngstown, New York, for the renewal of their liquor license.

The Town received \$825.81 from the Niagara County Treasurer's Department which represents the amount due us for 2010.

RESULT:	REPORT ISSUED
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4. Report 2011-18

Supervisor's Report

- Supervisor's Monthly Report for January, 2011 and December 31, 2010 final unaudited reports were distributed to all Town Board members.
- December Sales Tax \$117,896.24. For the year 2010 we are up \$41,541.86 over 2009.

- Resolution to accept the Supervisor's Monthly Report for January, 2011 and December 31, 2010 final unaudited reports.
- A resolution is needed to refer the Youngstown Estates boat storage suggestions (both sides) to the Planning Board for review.

Supervisor Wiepert assured Mr. Gray, from Youngstown Estates, that the Planning Board would take into consideration the areas of the Town and restrictions that apply to them, when suggesting the boat/trailer storage issue.

Attorney Dowd said that, whenever a meeting or public hearing is scheduled, there will be a notice in the Niagara Gazette. The next regular Planning Board meeting is March 3.

Supervisor Wiepert appointed Peter Diachun to the CAC Committee. Attorney Dowd stated there is no prescribed term for this appointment. The position serves "...at the pleasure of the Supervisor."

RESULT: REPORT ISSUED

5. Resolution 2011-34

Supervisor's Report

Accept and approve the January 2011 Supervisor's Report along with the December 31, 2010 unaudited final report

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mert Wiepert, Jeff Baker
SECONDER:	Larry White, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

6. Resolution 2011-38

Summer Boat Storage

Resolution to refer the Youngstown estates boat storage suggestions (both sides) to the

Planning Board for review.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mert Wiepert, Supervisor
SECONDER:	Joe Fleckenstein, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

7. Report 2011-19

Supervisor's Assistant

Bookkeeper's Monthly Report - January 2011

- Completed processing all January 2011 Vouchers and Journal Entries.
- Prepared Supervisor's Monthly Report for December 2010 (unaudited) and January 2011 and distributed them to the Supervisor and Town Board members.
- Completed Bi-weekly and Monthly payrolls.
- Completed Check registers for all check payments.
- Continued maintenance on the Web Page, www.townofporter.net
- Continuing to work with Town Clerk on the Minute Traq program.
- Continued working on the new Assetrax program for fixed assets.
- Finished closing 2010 and submitted it to the auditor. Started audit prep.

RESULT:	REPORT ISSUED
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8. Report 2011-21

Assessor

Date: January 27, 2011
To: Town of Porter Town Board
Cc: Town Clerk
From: Barbara J. Oaks, Acting Assessor

RE: January, 2011

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1. Completed monthly inspections for verification of sales and completion of all building projects.
 2. Processed monthly sales transfers and splits.
 3. Continued to track new sales to help determine time trends, valuations and equalization rates.
 4. Unable to attend January meeting of NCAA. Discussion on new income limit of \$500,000 for basic star exemption.
 5. Working with appraiser from state-Dave Wilkins-who will help determine level of assessment for commercial properties.
 6. Processing exemption renewals coming in for Agricultural and Star "Enhanced" exemptions.
 7. Updated permit info-continuing field checks on progress of construction
 8. Continued to train Susan in all aspects of assessing.

RESULT:	REPORT ISSUED
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9. Report 2011-22

Building Inspector/Code Enforcement Officer

Town of Porter

**January
Permits**

<u>Doc #</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Document Type</u>	<u>Property Location</u>	<u>Value</u>	<u>Amount</u>
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January

001-11	1/6/2011	American Legion Post 830	Shed	2589 Lockport Rd	2,300	25
002-11	1/6/2011	Richard Engel	Single Family	2161 Lake Rd	650,000	500
003-11	1/19/2011	Alfred Keese (life use)	Porch	902 Lockport Rd	15,000	25
					667,300	550
Total					667,300	550

BUILDING DEPARTMENT REPORT: Month January 2011

- Building permits issued as per the report.
- Periodic progress inspections on ongoing construction projects throughout the Town.
- Prepared materials for the Planning Board and Zoning Board of Appeals.
- Pursued numerous zoning code violations and issued to the Supervisor “Complaints Report” for the month of January 2011.

RESULT: REPORT ISSUED

10. Report 2011-23**Tax Collector**

RE: 2011 TOWN/COUNTY COLLECTIONS

Paid Supervisor Wiepert the amount of \$1,186,481.47 in settlement as per warrant the Town’s share of the 2011 Town/County taxes. Paid Supervisor Wiepert the amount of \$16.06 interest earned on Tax Collector’s account thru January 24, 2011.

A payment of \$2,500,000.00 will be made to the County Treasurer before February 15, 2011 as partial settlement of County monies owed per 2011 warrant.

The Tax collector’s account has \$2,728,362.07 as of February 3, 2011. This represents all

payments collected to date.

Of the 3488 tax bills owed-we collected payment on 2878 from January 3 to February 3, 2010.

I have finished the process of mailing over 975 tax receipts to the homeowners who have an escrow account pay their tax bills.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT: REPORT ISSUED

11. Report 2011-20

Highway

Department of Public Works
Monthly Report for January 2011

Highway Department:

1. Called out to plow and salt 41 times.
2. Received assistance from the Town of Lewiston by allowing us to borrow their skid-steer loader with snow blower to clear the walking path along River Rd. and the sidewalks in the hamlet of Ransomville.
3. Received 1100 tons of Caliber salt mix.
4. Removed Christmas wreaths in Ransomville.

Water and Sewer Department:

1. Completed monthly meter readings.
2. Completed a survey to determine areas of the town still having cast iron water mains. Submitted the list to CRA to develop a map plan and report to submit for possible grant funding.

I would like board authorization to attend Legislative Advocacy Day in Albany on March 8th and 9th. The Governor's budget proposal has the CHIPS funding at \$363,000,000.00 which is the same as last year however he has proposed cuts in funding to the NYC MTA which will not set

well with the legislative leaders from NYC. We need to protect our funding if at all possible.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

RESULT: REPORT ISSUED

12. Resolution 2011-40

Legislative Advocacy Day

Authorizing Highway Superintendent Scott Hillman to attend the Legislative Advocacy Day in Albany on March 8th & 9th.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mert Wiepert, Thomas Baia
SECONDER: Larry White, Councilman
AYES: Wiepert, Baia, White, Baker, Fleckenstein

13. Report 2011-27

Engineer

Engineering Report

Update - February 14, 2011

1. Engineering Support Services

- *Cast iron pipe waterline replacement project*: Sketch plans and cost estimate under development: A site walk with Scott Hillman is tentatively scheduled for

February 15th.

2. Planning Board Reviews

- Completed a drainage review on January 17 for a minor subdivision request from Elaine Bell.
- Attended the planning board meeting on February 3, 2011

RESULT: REPORT ISSUED

14. Report 2011-28

Attorney

Attorney Dowd report that the Verizon challenge has been resolved.

RESULT: REPORT ISSUED

15. Report 2011-31

Grant Writer Report

Town Of Porter

Grant Programs Status Report

February 14th, 2011

Grants Status Report:

Senate Appropriation: Met with Kristen Gillibrand's office for water line infrastructure project. Waiting for information on details on the project spoke with Councilman Fleckenstein

Greenway master Plan Project (2009):

- Reported to Greenway was made last month on the status of the project.
Created the FRQ for proposal.
Waiting for responses that are due 2/28/2011
Consultant Interview will follow the qualified proposal

Qualities Communities Grant Program: The final report was sent to DOS.

NYS Archives: Update will be at meeting.

NYS DEC Recycling: New resolution has been requested for approval for tonight meeting and we have received the information from Scott to finish the application. (Approx \$145,000).

Current Open Grants:

PROGRAM: **Community Action for a Renewed Environment**

AGENCY: US ENVIRONMENTAL PROTECTION AGENCY (EPA)

DUE DATE: MARCH 22, 2011

ELIGIBILITY: County and local governments; Tribes; Non-Profit Organizations; and Universities.

MATCH: No

PURPOSE:

To reduce pollution and to help the public understand and reduce toxic risks in order to protect people's health.

ALLOWABLE ACTIVITIES:

- Establish broad-based partnerships to develop local environmental priorities;
 - Identify the priority toxic risks to the community;
 - Measure results;
 - Implement risk reduction activities; and,
 - Become self-sustaining.
- Past awards included projects that addressed issues with:
- Drinking water and Stormwater pollution;
 - Solid waste;
 - Municipal solid waste collection and chemical releases;
 - Air pollution and land uses; and,
 - Poor waste management.

PROGRAM: Agriculture Energy Efficiency

AGENCY: NYS Energy Research and Development Authority (NYSERDA)

DUE DATE: Funding for this program is limited. NYSERDA will process applications in the order received until program funds are fully committed.

ELIGIBILITY: • Farms must be a customer of a New York State investor-owned utility and must contribute to the System Benefits Charge (SBC).

Eligible farms and on-farm producers include, but are not limited to:

- Orchards,
- Dairies,
- Maple Producers,
- Greenhouses,
- Vegetables Growers,
- Vineyards,
- Grain Dryers, and,
- Poultry and Egg producers.

MATCH: Yes 25% Local Share

PURPOSE: To provide financial incentives for the cost of electricity and gas efficiency investments.

ALLOWABLE ACTIVITIES: Eligible Projects include activities that help farmers reduce their energy use, save on operating costs, and cut greenhouse gas emissions through more efficient use of energy.

This program is intended to help farmers afford new, more efficient measures to conserve energy and protect the farm's net worth.

It was suggested that CRA Engineering develop a model of new water tank that could take the place of one or both of the existing towers.

RESULT: REPORT ISSUED

16. Resolution 2011-39**Municipal Recycling Project**

RESOLUTION

Resolution Authorizing the Filing of an Application for a State Grant-In-Aid for a Municipal Waste Reduction and/or Recycling Project and Signing of the associated State Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, **The Town of Porter**, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the Town of Porter deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the Town of Porter be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY the Town of Porter Town Board,

1. **That** the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
2. **That Supervisor Merton K. Wiepert** is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. **That** the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project; and
4. **That** this resolution shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mert Wiepert, Thomas Baia
SECONDER:	Joe Fleckenstein, Councilman
AYES:	Wiepert, Baia, White, Baker, Fleckenstein

17. Report 2011-24**Porter-On-The-Lake****PORTER ON THE LAKE COMMITTEE MEETING
JANUARY 24, 2011****ATTENDING:**

Bill Baird	John Frank	Bob Reese	Mert Wiepert
Jeff Baker	Don Larrabee	Larry White	
Fran Boltz	Ernie Lavigueur	Linda White	
Tony Collard	Nancy Orsi	Meg Whitmore	

REMARKS:

- a. PUBLIC COMMENT - new member, John Franks, was introduced to the committee.
- b. TOWN COUNCIL - none

TOWN SUPERVISOR: Nothing to report

TOWN BOOKKEEPER'S REPORT: none

TOWN GRANT WRITER:

The RFP was reviewed and approved. The list of consultants was reviewed and firms were identified to receive the RFP.

The RFP's were to be sent out, to be returned by 2/18. These will then be reviewed by members of the POTL Park Committee. No date was set.

OLD BUSINESS:

- a. **OXY/HOOKER DAYS** - Lori Caso will help establish a connection with the OXY retirees. Mike Dowd is contacting Oxy as to releasing their old pictures.
- b. **YOUNGSTOWN VFD LABOR DAY**-will be held on Labor Day 2011. This is the 100th Anniversary of the VFD. The Park Committee should know by Oct. 1 if the YVFD will continue with the Field Days on Labor Day.

NEW BUSINESS:

- a. **PORTER FEST** - July 3rd has been selected for the 2011 Porter Fest. The Chamber has been contacted and they will begin to contact vendors and line up contracts, bands, ect. The admission fee will remain the same. Updates will be made to the Park Committee.
A family day picnic was proposed for August or September.
- b. **TREE SURVEY** - John Farfaglia, a Cornell Co-op extension Arborist, said he will do a tree survey of the park, along with some of his graduate students; possibly April.

CHAIRMAN'S REPORT: LIGHTING UPDATE - National Grid had planned on having the lighting done by the end of January. Instead it will be worked on in the Spring.

FINAL REMARKS: EAGLE SCOUTS - TJ has finished his project (the stairs). DJ has yet to finish his project review (aluminum trim and new wood). They will have a ceremony together.

The meeting ended at 7:25.

The next meeting is Monday, February 28th at 6:30 in the Town Hall.

RESULT: REPORT ISSUED

18. Report 2011-25**Calendar of Events**

Zoning Board of Appeals	Thursday, February 17 @ 7:30 pm -Town Hall
Town Hall Closed	Monday, February 21, 2010 Presidents' Day
Highway Open	
Planning Board	Thursday, March 03 @ 7:00 pm -Town Hall
Regular Town Board Meeting	Monday, March 14 @ 7:00 pm - Town Hall

RESULT: REPORT ISSUED

19. Report 2011-26**Town Board Comments**

Councilman Baia will set up a meeting with local law enforcement agencies, in response to recent break-ins in the area.

A motion was made by Mr. Baia, and seconded by Mr. Wiepert to adjourn the meeting at 7:35pm.

Submitted by
Gail Zachary, Town Clerk

RESULT: REPORT ISSUED
