



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, February 13, 2012

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on February 13, 2012 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	
Gail Zachary	Town of Porter	Town Clerk	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Dave Britton	Town of Porter	Engineer	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Susan Driscoll	Town of Porter	R. P. Appr Tech - Trainee	Present	
Bernie Rotella	Town of Porter	Grant Writer	Present	

II. Public Portion

1. Report 2012-20

Public Comments

Ernest Lavigueur, from East Avenue, requested that the dog licensing fees be updated and the Town Dog Law also be put on the website. He stated he couldn't find the park master plan and requested that that also be put into the site.

Supervisor Wiepert said these changes would occur immediately.

RESULT:	REPORT ISSUED
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III. Reports/Resolutions

1. Resolution 2012-30

Minutes Approval

Resolution to approve the minutes of the regular meeting of the Porter Town Board on January 9, 2012, and the Work Session January 26, 2012.

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

2. Resolution 2012-31

Payment of Audited Vouchers

Resolution to approve the vouchers as audited.

TOWN OF PORTER

WARRANT: POST AUDIT - JAN, 2012 1/31/12

FUND 01	1,084.72
FUND 02	1,039.80
FUND 07	167.23
FUND 10	985.52
FUND 20	257,495.00
FUND 21	161,200.00
FUND 28	32,593.44
TOTAL	<u>454,565.71</u>

VOUCHER 'S 16359 THRU 16366

WARRANT: # 1 FEBRUARY, 2012 2/13/12

FUND 01	173,041.82
FUND 02	51,570.44
FUND 03	0.92
FUND 04	28,221.29
FUND 06	1,925.49
FUND 07	47,068.39
FUND 33	153.50
TOTAL	<u>301,981.85</u>

VOUCHER 'S 16367 THRU 16466

TOTAL 756,547.56

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

3. Report 2012-21

Town Clerk

January 2012 Revenue

Water	\$28,202.83
Sewer	\$53,945.56
License and Fees	\$640.10

Received notice that Casey's Malt Shoppe, Inc., 3645 Ransomville Rd., 14131, has applied to the New York State Liquor Authority for the renewal of their liquor license.

Received a letter from Judge Holmes and Judge Truesdale that, in accordance with the Justice Court Act and Town Law, the financial records and court dockets of their office for the year 2011 are available to be examined by the Town Board.

Received confirmation that Irene Myers attended the Fall Local Government Workshop, held in Batavia in November 2011 and has earned five hours.

Also received was a letter from George Spira, Planning Board Chairman, requesting that Jipp Ortiz and J. Anthony Collard be given twelve hours training credit, each, because of their time developing the new town zoning law in 2009. This would fulfill the required hours they need for 2011 and 2012.

The motion to approve this action was made by Councilman Baia and seconded by Councilman White. Motion was carried unanimously.

RESULT:	REPORT ISSUED
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4. Report 2012-22

Supervisor

Supervisor's Monthly Report for January, 2012 was distributed to all Town Board members.

Resolution to accept the Supervisor's Monthly Report for January, 2012.

December Sales Tax \$142,967.26. We are up \$53,612.72 for the year 2011.

Resolution to accept the “Niagara County Multi-Jurisdiction Hazard Mitigation”

Wind Turbines

Recreation Commission re-alignment

Recreation Commission Clerk P-T

RESULT:	REPORT ISSUED
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5. **Resolution 2012-32**

Acceptance of Supervisor’s Report

Resolution to accept the Supervisor's report for January 2012.

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

6. **Resolution 2012-26**

Nia. Co. Multi-Jurisdictional Hazard Mitigation

Whereas; The Niagara County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

Whereas; The Town of Porter is a local unit of government and has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

Therefore; be it resolved by the Town of Porter that the Town Board adopts the Niagara County Multi-Jurisdictional Hazard Mitigation Plan as the Jurisdiction’s Natural and Manmade Hazard Mitigation Plan, and plans to execute the actions of the Plan.

HISTORY:

01/09/12	Board	TABLED
Next: 02/13/12		

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

7. **Resolution 2012-34**

Wind Turbines

Town engineer, Dave Britton, will do more research. Time is running out for the grant, so a special work session will be scheduled very soon.

RESULT:	WITHDRAWN
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8. **Resolution 2012-36**

Recreation Commission

The Town of Porter is re-organizing the Recreation Commission to include seven (7) members. These members will fill the following terms of office:

Debbie Parker	January 1, 2012 thru December 31, 2018
Linda White	January 1, 2012 thru December 31, 2017
Amanda Selbert	January 1, 2012 thru December 31, 2016
Amy Freiermuth	January 1, 2012 thru December 31, 2015
Trudy Sanderson	January 1, 2012 thru December 31, 2014
William Leggett	January 1, 2012 thru December 31, 2013
George Mayer	January 1, 2012 thru December 31, 2012

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

9. **Resolution 2012-37**

Recreation Clerk P/T

The Town of Porter Recreation has recommended Lisa Hastings for the position of secretary/treasurer of the Recreation Commission, salary to be \$3,759.00 with \$156.63 paid out

for February and \$313.25 monthly thereafter.

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

10. Report 2012-23

Supervisor's Assistant

Bookkeeper's Monthly Report - January, 2012

Completed processing all January 2012 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for January 2012 and distributed it to the Supervisor & Town Board members.

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Continued maintaining the town web page.

Worked on Founders' Day celebration

Worked on the 2011 audit book for the auditors.

RESULT:	REPORT ISSUED
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11. Report 2012-24

Assessor

Assessor Report January 2012

1. Completed monthly field inspections for verification of sales and completion of all

- building projects.
2. Processed monthly sales transfers and splits.
 3. Further review of sales to aid in determining equalization rate.
 4. Received results of value measurement from state-including appraisals done by state personnel (our level of assessment [eventual Equalization Rate] will be above 95% for this year).
 5. Receiving and processing all exemptions.
 6. Continued to train Susan in all aspects of assessing.

RESULT:	REPORT ISSUED
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12. Report 2012-25**Tax Collector**

RE: 2012 TOWN/COUNTY COLLECTIONS

Paid Supervisor Wiepert the amount of \$1,231,729.07 in settlement as per warrant the Town's share of the 2012 Town/County taxes. Paid Supervisor Wiepert the amount of \$15.53 interest earned on Tax Collector's account thru January 24, 2012.

A payment of \$2,800,000.00 will be made to the County Treasurer before February 15, 2012 as partial settlement of County monies owed per 2012 warrant.

The Tax collector's account has \$2,938,497.28 as of February 8, 2012. This represents all payments collected to date.

Of the 3488 tax bills owed-we collected payment on 2915 from January 4 to January 31, 2012.

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
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13. Report 2012-31

Justice Department**JUSTICE
FINES 2011**

01-1000.2610

	<u>GROSS REVENUE</u>	<u>DISTRIBUTION</u>	<u>NET REVENUE</u>
JANUARY	5,049.50	(3,607.50)	1,442.00
FEBRUARY	5,755.00	(3,345.00)	2,410.00
MARCH	3,915.00	(1,775.00)	2,140.00
APRIL	5,817.25	(1,838.50)	3,978.75
MAY	4,928.00	(2,231.00)	2,697.00
JUNE	4,955.00	(1,970.00)	2,985.00
JULY	5,988.50	(2,694.50)	3,294.00
AUGUST	6,325.00	(2,370.00)	3,955.00
SEPTEMBER	6,105.00	(2,705.00)	3,400.00
OCTOBER	4,127.50	(1,287.50)	2,840.00
NOVEMBER	8,405.00	(3,310.00)	5,095.00
DECEMBER	<u>6,585.00</u>	<u>(4,065.00)</u>	<u>2,520.00</u>
	67,955.75	(31,199.00)	36,756.75

RESULT:	REPORT ISSUED
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14. Report 2012-26

Highway**Department of Public Works**

Monthly Report for January 2012

Highway Department:

1. Call out to plow and salt 11 times.
2. Completed repairs to damaged guard rails on Braley Road.
3. We a conducting a sign survey in preparation for the sign replacement program.
4. Completed cold patching on several roads.
5. All employees received Lock Out- Tag Out and PPE Training to satisfy requirements from the recent PESH inspection

Water and Sewer Departments:

1. Completed monthly meter reading.
2. We a working on GPS Data collection for house service locations to add to the GIS.

Legislative Advocacy Day:

I would like permission to attend this years State Association of Town Superintendents of Highways Legislative Advocacy Day in Albany on March 6th and 7th. It is essential that we continue our dialog with our state representatives regarding CHIPS funding.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

RESULT:	REPORT ISSUED
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15. Resolution 2012-33

Account Adjustment

To accept the adjustment of \$8.82 on sewer accounts for January 2012

The following adjustments were made to water/sewer accounts this month.

<u>Account #</u>	<u>Amount</u>	<u>Service</u>
20-0140	-4.41	Sewer

Reason: Payment delayed by post office postmarked on time.

10-0528 -4.41 Lakeshore Sewer
Reason: Cash receipt not received before late charges posted

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

16. Resolution 2012-35

Legislative Advocacy Day

Resolution authorizing Highway Superintendent Scott Hillman to attend the State Association of Towns Superintendents of Highways Legislative Advocacy Day in Albany on March 6th & 7th.

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

17. Report 2012-35

Meter Pit

To: Supervisor and Board Members

From: Scott Hillman Highway Supt.

Re: Clarification of Water Law regarding meter pits and poly water service lines

There has been some confusion regarding the requirement by the Town of Porter for a customer to utilize a meter pit when connecting to the water system.

The current law states that when a service line exceeds 300 ft. in length from the main the Town of Porter **may** require that the meter be located in parkway, terrace or sidewalk area, and be placed in approved meter housing as indicated above."

In order to allow future customers to utilize the poly water tubing for service lines instead of copper I would recommend that the above paragraph in the law be amended to state that if a service line will exceed 300' **a meter pit shall be required by the town.**

I believe this would clear up ant confusion regarding meter pits and the use of poly water tubing for service connections. I have checked with several other towns and all indicate that the distance from the

road determines if a meter pit is required.

Sincerely yours,

Scott B. Hillman
 Superintendent of Highways

Supervisor Wiepert also questioned the definitions of “parkway,” “terrace,” and “sidewalk” areas. The Board and Superintendent Hillman will work together to clarify. Attorney Dowd will come back with whether this needs to be a new law or an amendment to the present one.

RESULT: REPORT ISSUED

18. Report 2012-27

Building Inspector/Code Enforcement Officer

**Monthly
 Permit
 Report -
 January
 2012**

Jan	Date	Owner	Type	Location	Value	Amt
001-12	1/30	Heritage Ransomville Realty. LLD	Misc.	3509 Ransomville Rd	255,000	125
					Jan Total	<u>125</u>
					YTD Total	<u>125</u>

BUILDING DEPARTMENT REPORT: Month January 2012

- 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.
- Attended Town Board and Planning Board meetings.
- Pursued numerous zoning code violations and issued to the Supervisor

“Complaints Report” for the month of January 2012.

According to Code Enforcement Officer Rogers, Heritage Ransomville Realty, LLD is putting in a new sprinkler system, constructing more handicap accessible areas and replacing fire safety items.

He also mentioned there are inconsistencies in the zoning ordinance.

RESULT:	REPORT ISSUED
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19. Report 2012-28

Engineer

Engineering (January)

For the month of January:

- 1 CRA completed one site drainage review
- 2 CRA attended a work session to discuss I&I investigation and removal
- 3 Town Wind Turbine Project -Project siting and environmental quality review underway.
 - ü Request for Time Extension submitted
 - ü Environmental review - Waiting clearance from US Army aviation
 - ü Project siting - US Army real property review ongoing
 - ü Site relocation and amendment to a PV (solar) system under discussion

It was stressed that research should be done regarding potential of solar panels.

Engineering Support (future)

Porter Pump Station Upgrades: Pump station needs assessment.

Cast iron pipe waterline replacement project: prepared conceptual drawings and cost estimate to replace the balance of the 6-inch cast iron pipe in the system and restore condition of 12 inch along River Road. Estimate and drawings have been submitted to the Town Board, Scott Hillman, and Rotella Grant Management. Next Step is to proceed with SEQR determination and preliminary design.

Hydraulic Water Model: Developed and submitted a scope of work and engineering estimate (10k) to prepare a town-wide water model for purposes of capital planning and determining the need/ sizing of a new water tank(s).

Water Tank rehabilitation: Developed a budgetary cost estimate to replace the existing water tank in Ransomville. The estimate was based upon replacement in kind. Water tank literature and estimate have been submitted to the Town Board, Scott Hillman, and Rotella Grant Management.

RESULT:	REPORT ISSUED
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20. Report 2012-29

Grant Writer

Grants Status Report:

Projects we are currently working on:

- Greenway Ad Hoc Committee POL: Putting together a new application to cover playground equipment and pavilions as advised at the Porter work session last month. Discussed project with AD HOC committee attorney for compliance. Working with Niagara county Legislator for support for the project.
- POL Coastal Resources \$400,000 (This will go into the CFA in March/April)
- School Traffic sign: Met with the DOT last week and this project would qualify under the Safe Route to School grant program and is due by March 15.
- Porter Infrastructure Sewer Projects (project to be determined).
- Records Room Upgrades (Due Match 1st) Will get estimates for Town Clerk
- Egress street from Youngstown Estates (waiting for Board approval to begin grant for a new street).

RESULT:	REPORT ISSUED
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21. Report 2012-30

Attorney

Nothing to report at this time except that he will do some research on the

aforementioned Local Law.

RESULT:	REPORT ISSUED
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22. Report 2012-32

Porter-On-The-Lake

nothing to report at this time

RESULT:	REPORT ISSUED
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23. Report 2012-33

Correspondance

Supervisor Wiepert received a letter from the U.S. Customs and Border Protection informing the Town of an opportunity for a member of our community to attend the Border Patrol Citizen's Academy at the Buffalo Border Patrol Station in Tonawanda. This is free and will begin March 12 and end April 9, 2012, at the graduation ceremony. The course is every Monday, starting at 6:00 p.m., and will last two to three hours.

The history of the U.S. Border Patrol, daily operations, use of force tactics, K-9 resources, patrol vessels, laws and partnerships with other law enforcement agencies will be learned.

The Town is asked to contact the Patrol Agent in Charge so that scheduling is completed.

RESULT:	REPORT ISSUED
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24. Report 2012-34

Calendar of Events

Town Hall CLOSED

Monday, February 20, 2012 Presidents' Day

Planning Board Meeting Thursday, March 02, 2012 @ 7:00 pm - Town Hall

Regular Town Board Meeting Monday, March 12, 2012 @ 7:00 pm - Town Hall

The regular meeting of the Porter Town Board was adjourned at 7:30 p.m.

Gail Zachary
Town Clerk

RESULT: REPORT ISSUED
