



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, April 8, 2013

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on April 8, 2013 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	
Dave Britton	Town of Porter	Engineer	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Gail Zachary	Town of Porter	Town Clerk	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Absent	
Mike Dowd	Town of Porter	Attorney	Present	
Norm Ault	Town of Porter	Bookkeeper	Absent	

II. Public Comments

1. Report 2013-75

Public Comments

Two residents from Harrison Grove expressed concern about the state of their road and the drainage problems. It was suggested to them by the town attorney that they begin the process of creating a special district which would entail getting the highway superintendent to price out the cost of bringing the road up to minimum standards, petitioning the Town and then, the Town would hold a permissive referendum. Superintendent Hillman said he had talked to the owner of the right-of-way and the gentleman said he would be willing to pay his fair share.

RESULT: REPORT ISSUED

2. Report 2013-81

Sewer Rate Increase Public Hearing

The Town of Porter Town Board will hold a Public Hearing at the Porter Town Hall, 3265 Creek Rd, Youngstown, NY 14174, Monday, April 08, 2013, at 7:00 PM for public consideration to raise the Town's sewer rates by \$0.40 per thousand gallons, to \$5.10 per

thousand gallons, effective April 1, 2013.

RESULT:	REPORT ISSUED
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3. Resolution 2013-47

Close the Public Hearing

Resolution to close the Public Hearing

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

4. Resolution 2013-48

Raise Sewer Rates

Resolution to raise the Sewer rates from \$4.70 per thousand gallons, to \$5.10 per thousand gallons, effective April 1, 2013.

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

III. Reports/Resolutions

1. Resolution 2013-41

Minutes Approval

Resolution to approve the minutes of the regular Town Board meeting held on March 11, 2013 and the minutes of the Town Board work session, April 01, 2013.

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

2. Resolution 2013-42

Payment of Audited Vouchers

Resolution to approve the Vouchers, as audited by the Town Board.

TOWN OF PORTER

WARRANT: POST AUDIT - MAR, 2013 3/31/13

FUND	01	3,863.75
FUND	02	1,251.01
FUND	04	532.70
FUND	06	604.53
FUND	07	2,794.31
FUND	28	1,412.00
FUND	33	22.18
TOTAL		<u>10,480.48</u>

VOUCHER 'S 17996 THRU 18017

WARRANT: # 4 APRIL, 2013 4/8/13

FUND	01	25,470.59
FUND	02	14,836.76
FUND	04	68,931.22
FUND	06	33,300.48
FUND	07	11,752.32
FUND	10	797.61
TOTAL		<u>155,088.98</u>

VOUCHER 'S 18018 THRU 118114

TOTAL 165,569.46

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

3. Report 2013-63**Town Clerk****March 2013 Revenue**

Water	\$ 19,254.54
Sewer	\$ 3,939.61
Licenses and Fees	\$ 495.08

Received a letter from Teresa Bednarczyk, Story Hour Employee, who will be resigning from the program, effective April 09, 2013. Ramona Lockhart, Story Hour Director, accepted the resignation with regret.

RESULT:	REPORT ISSUED
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4. Report 2013-62**Supervisor**

- Supervisor's Monthly Report for March, 2013 was distributed to all Town Board members.
- Resolution to accept the Supervisor's Monthly Report for March, 2013
- February Sales Tax: \$87,929.03. The total for February 2013, is up \$1,046.59 from 2012.

RESULT:	REPORT ISSUED
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5. Report 2013-80**MS4 Report**

The annual MS4 Report (in partnership with the WNY Stormwater Coalition) has been completed and will be submitted to the DEC. Glenn Caverly, StormWater Manager, reported that catch basins and storm lines are now in the GIS system. He is also trying for a grant that would solve the bank erosion east of Town Hall and heading south.

RESULT:	REPORT ISSUED
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6. Resolution 2013-50**Acceptance of MS4 Report**

A resolution was made to accept the MS4 Report.

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

7. Resolution 2013-43**Acceptance of Supervisor's Report**

Resolution to accept the Supervisor's Report for March 2013

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

8. Report 2013-64**Bookkeeper**

Bookkeeper's Monthly Report - **March, 2013**

Completed processing all March, 2013 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for March, 2013, 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.

Finished working with auditor.

Completed Certified Payroll for Civil Service.

Need two budget adjustments:

07-8120.0002	Equipment	\$ 947.76
07-8120.0004	Contractual	947.76
01-1355.0002	Equipment	\$1,594.00
01-1355.0004	Contractual	1,594.00

RESULT:	REPORT ISSUED
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9. Resolution 2013-49

Budget Adjustments

Resolution authorizing the following budget adjustments:

07-8120.0002	Equipment	\$ 947.76
07-8120.0004	Contractual	947.76
01-1355.0002	Equipment	\$1,594.00
01-1355.0004	Contractual	1,594.00

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

10. Report 2013-65

Assessor

March 2013
Assessor's Office

1. Closed receipt of exemption applications for 2013 roll.
2. Began processing received applications for 2013 roll.
3. Processed final splits, merges and sales transfers dated up to 1 March 2013.
4. Attended final roll preparation training in Batavia.
5. Clerk attended 2-day RPSV4 introduction training in Batavia.

6. Attended March Village and NCAA meetings.
7. Received confirmation from the State for Town of Porter 2013 Residential Assessment Ratio of 93 %. Included with this report is general, State issued, information on RAR's: I have also left copies on the table for interested members of the public.
8. Basic STAR registration proposal -
 The 2013-2014 State budget includes a proposal that would require all Basic STAR recipients to register with the State Tax Department in order to receive or continue receiving STAR. This is part of Governor Cuomo's initiative to protect New York taxpayers against the costs of inappropriate or fraudulent exemptions. The new registration would apply only to Basic STAR recipients. Enhanced STAR recipients will not be impacted.
 All recipients of Basic STAR, including taxpayers already receiving the exemption will need to register with the Tax Department.
 The program will apply to 2014 STAR exemptions.
 Existing Basic STAR recipients will be notified directly by the Tax Department when it is time to re-register.
 Taxpayers with questions about the proposal should call 518-457-2036.
 Again, I have some handouts on the table for interested persons.
9. Continued to train part-time clerk.

RESULT: REPORT ISSUED

11. Report 2013-66

Building Inspector/Code Enforcement Officer

		Town of Porter	March Permits			
<u>No.</u>	<u>Date</u>	<u>Owner</u>	<u>Type</u>	<u>Location</u>	<u>Valuation</u>	
011-13	3/4	John Rolfe	Addition	337 Riverview Dr	20,000	100
012-13	3/11	Jeremy Fetzner	A.G.P.	1237 Lockport Rd	750	25
013-13	3/28	Richard Engel	Pole Barn	2161 Lake Rd	35,000	50
014-13	3/28	Ronald Walck	Addition	3205 Ransomville Rd	70,000	100
015-13	3/28	Gerald Stevens	Shed	3692 Creek Rd	1,000	25
March Totals					126,750	300
Y.T.D. Totals					286,650	625

RESULT:	REPORT ISSUED
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12. Report 2013-67

Justice Court

**JUSTICE
FINES 2013**

01-1000.2610

	<u>GROSS REVENUE</u>	<u>DISTRIBUTION</u>	<u>NET REVENUE</u>
JANUARY	4,515.00	(2,415.00)	2,100.00
FEBRUARY	3,860.00	(1,670.00)	2,190.00
MARCH			0.00
APRIL			0.00
MAY			0.00
JUNE			0.00
JULY			0.00
AUGUST			0.00
SEPTEMBER			0.00
OCTOBER			0.00
NOVEMBER			0.00
DECEMBER			0.00
	<u>8,375.00</u>	<u>(4,085.00)</u>	<u>4,290.00</u>

RESULT:	REPORT ISSUED
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13. Report 2013-82

Tax Collector

2013 TOWN/COUNTY COLLECTIONS

First Niagara Bank is no longer paying any interest on this account.

As of April 3, 2013, the Town Tax Collector's account has the sum of \$732,399.77. This represents all payments and penalties collected to date. Final remittance to the County Treasurer will be made on or before April 12, 2013.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT:	REPORT ISSUED
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14. Report 2013-68**Highway****Department of Public Works****Monthly Report for March 2013****Highway Department:**

1. Called out to plow and salt 6 times.
2. Working on annual road sign inventory.
3. Removed a large tree on Curtiss Ave.

Water and Sewer:

1. Completed monthly meter reading.
2. Completed repairs of a water main break on Balmer Rd.
3. Working on installing number tags on all fire hydrants.

CHIPS Update: The 2013/2014 State Budget has included a \$75 million dollar increase in CHIPS Funding. The Town of Porter will receive an additional \$12000.00 in chips funding.

Respectfully submitted,

Scott B. Hillman

Superintendent of Highways

RESULT: REPORT ISSUED

15. Report 2013-69**Engineer**

Because of the frequency of leaks, CRA engineer, Dave Britton, discussed the need for replacing the flat roof on the highway garage. He will give a quote for the engineering cost and then this can go out for bid.

RESULT: REPORT ISSUED

16. Report 2013-70**Attorney**

No formal report

RESULT: REPORT ISSUED

17. Report 2013-71**Grant Writer****Grants Status Report:****Projects we are currently working on:**

- POTL Greenway Project was submitted to the AD HOC committee with a budget for the Niagara County Ad Hoc Committee, a presentation was given on January 28th and we are STILL waiting for their response. Messages have been left to the new Chairperson and AD HOC attorney.
- Traffic sign was AWARDED to DOT for Safe Routes to School contract has been received by the Buffalo DOT and we should have a executed contract in 90- days. We can NOT start any work till after we received our signed contract.

- Broadband Connection Grant (see details at the end of this report). This grant should open with the CFA this summer.
- Senior Van Assistance: Spoken with the new director of the Niagara County Dept. of Aging Ken Genewick and awaiting a response.
- Cemetery Grant Assistance: We spoke with Cynthia Craig, Western NY Director at the NYS Department of Cemeteries; her answers are the bolded red text. None of the cemeteries in question are eligible for funding, due to the reasons she gives below:
 1. Universal Presbyterian - Youngstown, NY 14174 **Appears to be a Religious Cemetery. They are not eligible for funds from the Vandalism Fund. There were never under NYS Division of Cemeteries jurisdiction.**
 2. Curtiss Pioneer - rt 93 & Curtiss Ave , Ransomville, NY 14131 **The cemetery was never under NYS Division of Cemeteries jurisdiction, I see no evidence of it under our jurisdiction, therefore not eligible for funds. Certainly we have not worked on a conveyance over the past 5 years. Not eligible.**
 3. Tower - Just north of rt 93, on Creek Rd, Youngstown, NY 14174 **Same reason as #2**
 4. Fillmore-Halsted - Just south of Youngstown Wilson Rd, on Ransomville Rd, Ransomville, NY 14131 **Same reason as #2.**

Supervisor Wiepert asked Attorney Dowd to do some additional research on the *NYS Division of Cemeteries*. Apparently funding is no longer available for these cemeteries under Town jurisdiction.

RESULT: REPORT ISSUED

18. Report 2013-72

Calendar of Events

Thursday, April 25	Zoning Bd Mtg @ Town Hall - 7:30 pm
Saturday - April 27 th	Town Wide Tire Day - Village Hall - Youngstown, NY 8:00 AM - 2:00 PM
Thursday, May 02	Planning Bd Mtg @ Town Hall - 7:00 pm
Monday, May 13	Regular Town Bd Mtg @ Town Hall - 7:00 pm
Monday, May 27	Town Offices CLOSED - Memorial Day Observance

RESULT: REPORT ISSUED

19. Report 2013-74**Correspondence**

Received a letter from the New York State Department of Transportation, Region Five, informing the Town that, as a result of their recent traffic study at the west end of Balmer Road, the speed limit will not be lowered; therefore the speed limit will remain at 45 mph.

RESULT: REPORT ISSUED

20. Report 2013-73**Town Board Comments**

It was suggested that residents contact their county legislator, Clyde Burmaster, to push for Greenway money for the Porter-On-The-Lake playground equipment.

With no more business to conduct, Councilman Baia moved to adjourn the meeting at 7:55 p.m. Councilman White seconded. Motion carried unanimously.

Gail Zachary
Town Clerk

RESULT: REPORT ISSUED
