



Town of Porter

Organizational Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Tuesday, January 3, 2012

3:00 PM

Town Hall Auditorium

I. Call to Order

3:00 PM Meeting called to order on January 3, 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	
Norm Ault	Town of Porter	Bookkeeper	Present	

2. Public Hearing

1. Report 2012-1

Opening Comments

Supervisor Wiepert congratulated Town Board members, Larry White and Jeff Baker, Highway Superintendent, Scott Hillman, and Town Clerk, Gail Zachary, who were reelected November 8, 2011 for terms of four years.

“Good Afternoon -

I ‘d like to thank the Town Board, Highway Water and Sewer Departments, along with the Town Hall Staff, and other departments for their fine efforts, every day, to make the Town of Porter a great place to live and work.

The Board will make several necessary appointments, set salaries, establish committees and set water and sewer rates, plus other necessary official town business and policies.

All departments have tightened their belts to keep the tax rate reasonable for 2012.I thank everyone for their efforts.”

The councilmen, highway superintendent and town clerk were sworn in, at that time, by Town of Porter Justice, David T. Truesdale.

RESULT:	REPORT ISSUED
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2. Report 2012-2**Set 2012 Sewer Rates****NOTICE OF PUBLIC HEARING ON A
PROPOSED SEWER RATE INCREASE
IN THE TOWN OF PORTER**

Please take notice that the Town of Porter Board will hold a public hearing at the Town Hall, 3265 Creek Road, Town of Porter on the 3rd of January, 2012, at 3:00 p.m. to hear all interested parties for or against a sewer rate increase.

December 22, 2011

Gail A. Zachary
Porter Town Clerk

The rate we paid the Town of Lewiston in 2011 was \$2.75 per thousand gallons. Per the sewer agreement this rate is going up to \$3.25 per thousand gallons in 2012. This is a \$0.50 per thousand gallon increase. This increase is being passed on to the sewer users. We are also raising the rate another \$0.15 per thousand gallons to help pay the towns portion of a \$3.1 million bond issue being used to upgrade the plant. The Towns sewer rate for 2012 will be \$4.70 per thousand gallons, with a minimum of 7,000 gallons, for a total of \$32.90

RESULT:	REPORT ISSUED
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3. Resolution 2012-21**Close Public Hearing**

A resolution was made to close the Public Hearing.

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

II. Resolutions/Reports

1. Resolution 2012-1

Appoint Attorney & Engineer for 2012

Reappoint Michael J. Dowd as Attorney for the Town for the year 2012 at \$20,000.00, to be distributed as follows: 50% town-wide, 25% Zoning and 25% Planning, and to authorize the Supervisor to sign the contract.

Reappoint Attorney Michael J. Dowd as Town Prosecutor for 2012 at \$8,000.00, and authorize the Town Supervisor to sign the contract.

Appoint CRA Infrastructure & Engineering, Inc. as Town Engineer for 2012 at \$7,200.00, and authorize the Town Supervisor to sign the contract.

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

2. Resolution 2012-2

Zoning Board of Appeals Appointments for 2012

Reappoint John "Duffy" Johnston to the Zoning Board of Appeals. Term of office is from January 1, 2012 to December 31, 2016.

Appoint William "Hoppy" Leggett, Sr., to the Zoning Board of Appeals to finish the term of William "Bill" Tower, January 1, 2012 thru December 31, 2015.

Reappoint John "Duffy" Johnston as Chairman of the Town of Porter Zoning Board of Appeals for 2012.

Reappoint Nancy Smithson as Secretary of the Town of Porter Zoning Board of Appeals for the year 2012.

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

3. Resolution 2012-3**Planning Board Appointments for 2012**

Appoint George Spira as chairman of the Town of Porter Planning Board for the year 2012.

Reappoint J. Anthony Collard to the Planning Board for the term 1/1/2012 thru 12/31/2016.

Reappoint Pamela Parker as Secretary of the Town of Porter Planning Board for the year 2012.

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

4. Resolution 2012-4**Set Salaries & Appts. for Gen Fund "A" in 2012**

TOWN BOARD 1-1010	Town Supervisor Councilman	\$29,979 p/y 7,165 p/y
JUSTICES 1-1110	Town Justice, David J. Truesdale Town Justice, Walter C. Holmes Justice Clerk, Lisa Hastings Court Officer, Tim Wilkesmore Court Officer, Richard Schmidt	\$16,657 p/y 16,657 p/y 18.49 p/h 11.17 p/h 11.17 p/h
SUPERVISOR 1-1220	Confidential Secretary to the Supervisor, Norm Ault Deputy Supervisor, Thomas Baia	\$40,526 p/y 515 p/y
INDEPENDENT AUDIT 1-1320	Brown & Company, LLP	\$7,800 p/y
TAX COLLECTOR 1-1330	Tax Collector, Sally A. Hogan Deputy Tax Collector, Patricia Cranston	\$5,763 p/y 844 p/y
BUDGET 1-1340	Budget Officer, Merton K. Wiepert Assistant Budget Officer, Norm Ault	\$1,474 p/y 3,919 p/y
ASSESSOR 1-1355	Acting Assessor, Barbara Oaks Real Property Appraisal Technician, Susan Driscoll Board of Review	\$31.83 p/h 19,189 p/y 75.00 Day

TOWN CLERK 1-1410	Town Clerk, Gail A. Zachary Deputy Town Clerk, Barbara DuBell Deputy Town Clerk, Norm Ault	\$37,480 p/y 33,781 p/y 1,000 p/y
BUILDING 1-1620	Town Hall Cleaning Debbie Prohaska: Per Contract Scott Hillman - Maintenance	\$38.00p/d (2-Days per week) 500 p/y
SUPT. OF HIGHWAYS 1-5010	Highway Superintendent, Scott Hillman	\$35,042 p/y
HISTORIAN 1-7510	Town Historian, Sue Dietz Deputy Town Historian, Rosanne Moje	\$2,257 p/y 656 p/y

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

5. Resolution 2012-5

Set Salaries & Appts. for Gen Fund "B" for 2012

POLICE AND CONSTABLE 2-3120	Appoint School Crossing Guard, Rosanne Moje	\$12.21 p/h
SAFETY 2-3620 p/y	Appoint Building Inspector, Roy Rogers Susan Driscoll - Real Property Appraisal Technician	\$17,720 p/y 15,250
REGISTRAR 2-4020	Gail A. Zachary, Registrar of Vital Statistics Barb DuBell, Deputy Registrar of Vital Statistics Norm Ault, Deputy Registrar of Vital Statistics	\$6,071 p/y 1,717 p/y 500 p/y
YOUTH PROGRAMS 2-7310	Youth Program Director, Kathryn Zasucha Assistant Director, Terry Nyland Story Hour Director, Ramona Lockhart Assistant Story Hour Director, Teresa Bednarczyk Assistant Story Hour Director, Sharon Rugg Clerk Summer Recreation Leader P/T (returnee) Summer Recreation Leader P/T (new hire)	\$9,169 p/y 5,282 p/y 5,579 p/y 4,189 p/y 4,189 p/y 3,759 p/y 8.53 p/h 7.25 p/h
ZONING 2-8010	Chairman \$ 65 per/Zoning Board Meeting Secretary, Nancy Smithson Planning Coordinator, Susan Driscoll Members & Alternate \$65 per/Planning Board Meeting (with 15 meeting cap- \$975 max)	\$2,000/Yr Plus 3,759 p/y 750p/y

PLANNING 2-8020	Chairman	\$2,000/Yr Plus
		\$ 65 per/Planning Board Meeting
	Secretary, Pamela Parker	4,476 p/y
	Planning Coordinator, Susan Driscoll	750 p/y
	Members & Alternate	\$ 65 per/Zoning Board Meeting (with 15 meeting cap- \$975 max)

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

6. Resolution 2012-6

Grant Writer

Resolution to appoint Bernie Rotella on a month-to-month contract for 2012 at \$800.00 per month and 2% commission, with a maximum of \$5,000. Commission to be paid when grant check is received.

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

7. Resolution 2012-7

Set Salaries/Appointments - Highway 2012

HIGHWAY DEPARTMENT

p/h***	Deputy Highway Superintendent, David Gombert	23.36
	MEO (Motor Equipment Operator)	\$14.76 p/h to \$21.69 p/h
	Laborer (I) P/T	13.20 p/h
	Laborer (II) Summer Help (returnee)	9.36 p/h
	Laborer (II) Summer Help (New Hire)	7.25 p/h
	Laborer Substitute P/t	9.93p/h
	Truck Driver P/T (I)	\$12.00 to 13.20 p/h
	Truck Driver P/T (II)	9.36 p/h
	Clerk, Charmayne Pollow	11.88 p/h

Authorize the Highway Superintendent to purchase pipe, stone, asphalt, etc., at County Bid Prices. Salt, Tires, etc., at State Bid Prices. Tools at prices not to exceed \$1,500.00 without prior approval by the Town Board.

WATER AND SEWER DEPARTMENT

Superintendent (Water), Scott Hillman	\$15,342 p/y
Superintendent (Sewer), Scott Hillman	14,453 p/y
Water/Sewer Billing Clerk, Ramona Lockhart	15.70 p/h
Water Collection Clerk Gail A. Zachary	5,213 p/y
Sewer Collection Clerk Gail A. Zachary	2,869 p/y
WSMM (Water/Sewer Maint. Person #1)	23.36 p/h
WSMM (Water/Sewer Maint. Person #2)	\$14.76 p/h to \$21.69 p/h

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

8. Resolution 2012-8**Miscellaneous Appointments for 2012**

Reappoint Supervisor Merton K. Wiepert as Budget Officer for the year 2012.

Authorize the Supervisor to advertise in the newspaper for Town of Porter Recreation Commission members for the year 2012. There are currently three (3) members on the commission.

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

9. Resolution 2012-9**Set Additional Benefits for 2012 as Budgeted**

*****Longevity Schedule for full-time employees:**

10 Years Service: Additional	\$175.00
15 Years Service: Additional	\$425.00
20 Years Service: Additional	\$725.00
25 Years Service: Additional	\$1,025.00

Set Health Reimbursement Account: \$700 annual, Full time employees, and \$500 annual for Grandfathered employees.

Set work boot reimbursement \$150 for 2012 (Full time DPW Employees)

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

10. Resolution 2012-10

Set Town Board Meetings for 2012

Set the regular Town of Porter, Town Board meetings on the second Monday of each month at 7:00 P.M. in the Porter Town Hall, 3265 Creek Road, Youngstown, NY, throughout the year of 2012, except for October and November. Those meetings will be on Monday, October 15th due to the Columbus Day holiday and Monday, November 5th due to the Veterans Day holiday.

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

11. Resolution 2012-11

Set Water & Sewer Rates for 2012

WATER AND SEWER RATES Effective for January 1, 2012:

Gallons

0-7,000 Gallons	\$15.75 Minimum
7,000 - 20,000 Gallons	\$2.26 per thousand
20,000 - 100,000 Gallons	\$2.00 per thousand
Over 100,000	\$1.50 per thousand (Irrigation Rate)

New York State Parks Minimum charge of:	\$329.61
First 100,000 gallons	182.29
Over 100,000 gallons	\$1.50 per thousand

Village of Youngstown	\$1.66 per thousand
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Existing Tapping

5/8" x 3/4" Meter with Outside Dial (normal house installation)	\$200
5/8" x 3/4" Meter with Outside Dial (meter pit)	625
1" Meter with Outside Dial (normal house installation)	300

1" Meter with Outside Dial (meter pit)	825
<u>New Service</u>	
3/4" Direct tap service w/Orion meter (House Installation)	750
3/4" Direct tap service w/Orion meter (Meter Pit)	1,100
1" Direct tap service w/Orion meter (House Installation)	925
1" Direct tap service w/Orion meter (Meter Pit)	1,375
1-1/2" Service provided upon application (price to be determined)	
2" Service provided upon application (price to be determined)	
Service Charge	25 (on/off)
Water / Sewer Inspection for Sale of Property	80
Water Inspection for Sale of Property	40
Sewer Hook-Up Fee	700
After hours turn on/turn off or sewer inspection	100/100
Compliance letter for sale of property	5
Hydrant Meter Deposit	100

Sewer Rates Effective for January 1, 2012:

Village of Youngstown	\$4.70 per thousand
Fort Niagara State Park	4.70 per thousand
Town of Porter	
	0-7,000 \$32.90
	Over 7,000 4.70 per thousand

Treatment Rate to Town of Lewiston \$3.25 per thousand gallons.

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

12. Resolution 2012-12

Fees for 2012

Building /Zoning/Planning Fees - 2012

One (1) family house	\$ 300 for up to 3,000 sq/ft then \$0.25 per sq/ft
Two (2) family house	\$400 for up to 3,000 sq/ft then \$0.25 per sq/ft
Addition to house/trailer	100
Garage addition/New garage/Pole barn	50
Shed, Porch, Deck	25
Commercial building, Condo (3 or more units) (plus engineering cost recovery)	500 plus 100 Per Unit

Commercial telephone tower	500
Addition to commercial building (non-residential)	125
Demolish building	25
Alterations	50
Public Hearing Fee - Zoning Board	100
Public Hearing Fee - Planning Board	100
Fences	25
Pool - above ground	25
Pool - in ground	50
Wind energy conversion system (per tower)	100
Temporary use permit	50
Change of use permit	50
Certificate of legal non-conformity	50
Outdoor wood-burning furnace	50

ANY project, requiring a building permit, started prior to having received the permit, shall be subject to a \$250.00 per day fine.

Engineering Cost Recovery Fees:
Residential: \$500 plus \$50 per lot or living unit
Commercial: \$2,000 per structure

STORMWATER FEES:

For Single-Phase Residential & Commercial Development Projects ("Scheme A"):

0 - 5 Acres: \$500.00

5 - 10 Acres: \$500.00 + \$350.00 = \$850.00

10 + Acres: \$850.00 + \$300.00 for each additional 5 acres

For Multi-Phase Residential & Commercial Development Projects ("Scheme B"):

1. When the entire project is first being reviewed and approved by the municipality, use Scheme A above to determine an initial fee based on the entire acreage of the project to be developed in several phases.

2. Add \$500.00 for each subsequent phase after the first initial phase, to be collected at the beginning of each subsequent phase.

TOWN CLERK FEES:

2012 Dog Fees:

Spayed/Neutered	Total Fee:	\$ 10.00
Not spayed/neutered	Total Fee:	\$ 18.00
Purebred	Total Fee:	\$ 25.00

Set \$20.00 fee on each check tendered as payment and returned for INSUFFICIENT FUNDS.

Subdivision Regulations	\$10.00 + postage
Zoning Book	30.00 + postage

Master Plan		25.00 + postage
Zoning Maps		10.00 + postage
Genealogy Search (Certified)		10.00
F.O.I.L. & Minutes Copies		.25 per page
Copy of:		
Marriage Certificate		10.00
Birth Certificate		10.00
Death Certificate		10.00
Set Fax Charges as follows:		\$2.00/fax.
Set Photocopy charges as follows:	Letter Size	.15 each
	Legal Size	.25 each
	11" x 17"	.30 each

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

13. Resolution 2012-13

Storm Water Management

Appoint Glenn Caverly as the Stormwater Management Officer for 2012.

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

14. Resolution 2012-14

2012 Holiday Schedule

Approve the Holiday Schedule for 2012 as follows:

New Year's Day	Monday, January 02, 2012
Martin Luther King, Jr Day *	Monday, January 16, 2012
President's Day **	Monday, February 20, 2012
Good Friday	Friday, April 06, 2012
Memorial Day (Observed)	Monday, May 28, 2012
Independence Day	Wednesday, July 04, 2012

Labor Day	Monday, September 03, 2012
Columbus Day (Observed)	Monday, October 08, 2012
Veteran's Day	Monday, November 12, 2012
Thanksgiving Day	Thursday, November 22, 2012
Day After Thanksgiving	Friday, November 23, 2012
Floating Holiday ***	Monday, December 24, 2012
Christmas Day	Tuesday, December 25, 2012
New Year's Day	Tuesday, January 01, 2013

* The Highway Department will receive the FIRST DAY OF SMALL GAME SEASON IN PLACE OF MARTIN LUTHER KING JR. DAY.

** The Highway Department will receive the FIRST WORK DAY OF BIG GAME SEASON IN PLACE OF PRESIDENT'S DAY.

*** Work Election Day-Take floating holiday

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

15. Resolution 2012-15

2012 Contracts

Approve the following Contracts as budgeted and authorize the Town Supervisor to sign the Contracts as they come due in 2012.

01-1989.0004	Village of Youngstown (Village Center Recreation, Senior Citizens)	10,000
01-1989.0004	Village of Youngstown	10,000
01-6460.0004	Industrial Dev (NIACAP)	4,000
01-6510.0004	American Legion O Leo Curtis Post 830 (Maintenance) Ransomville	2,000
01-6510.0004	Veterans of Foreign Wars Post 813 Youngstown	2,000
01-6772.0004	Ransomville Rural Retirees (Services)	1,500
02-6989.0004	LNRRCOC Annual Contract	10,000
02-6989.0004	LNRRCOC Annual Contract	7,500
02-6989.0004	LNRRCOC Special Event	2,500
01-7410.0004	Youngstown Free Library	71,234
01-7410.0004	William J McLaughlin Free Library	71,234
01-7520.0004	Ransomville Historical Project	1,350
01-7520.0004	Old Fort Niagara Association	20,000
01-7520.0004	Town of Porter Historical Society (Program Maintenance)	2,750
01-7550.0004	Ransomville Country Faire (Ransomville Historical Project)	1,000
01-7550.0004	Village of Lewiston Fireworks	1,000
01-7550.0004	Youngstown Field Days Fire Works	1,500
01-7550.0004	Lighting of the Wreaths (Ransomville Historical Project)	1,500
01-8510.0004	Ransomville Business Professional Assn. (Comm Beautification)	2,000

Authorize the payment in advance of audit of claims for public utility services such as gas, electric, water, sewer, fuel oil, telephone services, as well as for postage, freight, and express charges, time sensitive payments and payment on Medical Reimbursement Accounts.

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

17. Resolution 2012-17

Supervisor's Committees & Liasons for 2012

SUPERVISOR'S COMMITTEES:

Deputy Supervisor-Thomas Baia
 Insurance- Gail Zachary, Norm Ault, Tom Baia, and Lisa Hastings.
 Water-Merton Wiepert, Scott Hillman, Jeff Baker.
 Sewer- Joe Fleckenstein, Scott Hillman, and Larry White.
 Land-ALL TOWN BOARD MEMBERS and Roy Rogers
 Cable TV-Tom Baia, Joe Fleckenstein
 Refuse- Tom Baia, Norm Ault and Jeff Baker.
 Audit Committee- Tom Baia, and Larry White
 Drainage - Joe Fleckenstein and Jeff Baker
 G.I.S. - Susan Driscoll (Coordinator), Scott Hillman, Norm Ault
 Employee Compensation -Larry White, Gail Zachary, and Norm Ault.

LIAISONS:

CWM- (Citizens Advisory Committee) Merton Wiepert, William Choboy, Peter Diachun, and J. Anthony Collard.
 Village of Youngstown-Tom Baia
 Recreation Department-Merton Wiepert
 Niagara Falls Area Chamber of Commerce-Tom Baia
 Libraries-Larry White
 Fire Companies-Tom Baia, Youngstown and Jeff Baker, Ransomville.
 Human Relations- Joe Fleckenstein, Merton Wiepert and Norm Ault
 Highways-Joe Fleckenstein, Scott Hillman, and Larry White
 Buildings-David Truesdale, Merton Wiepert and Scott Hillman
 Planning Board- Joe Fleckenstein and Tom Baia
 Zoning Board- Jeff Baker and Larry White
 Historical Societies-Merton Wiepert
 Lower Niagara River Chamber of Commerce - Merton Wiepert & Jeff Baker
 L.O.O.W. (Restoration Advisory Board) - William Choboy
 Greenway (Power Authority) - Larry White

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

18. Resolution 2012-18

Procurement Policy

Town of Porter Procurement Policy

WHEREAS, General Municipal Law (GML) § 104-b requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML § 103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement; NOW THEREFORE, be it

RESOLVED: That the Town of Porter does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML § 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "Purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000 shall be formally bid pursuant to GML § 103.

Guideline 3. All estimated purchases of:

- Less than \$10,000 but greater than \$5,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- Less than \$5,000 but greater than \$2,500 requires an oral request for the goods and oral/fax quotes from two vendors.
- Less than \$2,500 but greater than \$250 is left to discretion of the Purchaser.

All estimated public works contracts of:

- Less than \$20,000 but greater than \$10,000 requires a written RFP and fax/proposals from three contractors.
- Less than \$10,000 but greater than \$5,000 requires a written RFP and fax/proposals from two contractors.
- Less than \$5,000 but greater than \$500 is left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be

preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. [For example, the second low bidder is a business in town, paying town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier.] If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6. Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (a) Acquisition of professional services;
- (b) Emergencies;
- (c) Sole-source situations;
- (d) Goods purchased from agencies for the blind or severely handicapped;
- (e) Goods purchased from correctional facilities;
- (f) Goods purchased from another governmental agency;
- (g) Goods purchased at auction;
- (h) Goods purchased for less than \$250;
- (i) Public works contracts for less than \$500.
- (j) Goods purchased under NY State Contract
- (k) Goods purchased under Standardization Policy

Guideline 7. This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.

The following employees are authorized to make purchasing decisions:

Merton K. Wiepert	Supervisor
Gail Zachary	Town Clerk
Scott Hillman	Highway Superintendent *
David Truesdale	Town Justice
Norman Ault	Bookkeeper

* If Highway Superintendent is incapacitated then this authorization goes to Dave Gombert and/or Dave Burmaster

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

19. Resolution 2012-19**Town of Porter Cash Management Policy**

The objectives of the Investment Policy of the Town of Porter are to minimize risk, to insure the investments mature when the cash is required to finance operations, and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in: REPURCHASE AGREEMENTS.

Certificates of Deposit issued by a bank or trust company authorized to do business in New York State.

Time Deposit Accounts in a bank or trust company authorized to do business in New York State.

All other Town of Porter Officials receiving money in the official capacity must deposit such funds in negotiable order of withdrawal accounts.

Repurchase agreements shall be authorized subject to the following restrictions:

*All repurchase agreements must be entered into subject to a Master Repurchase Agreement.

*Trading Partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

*Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.

*No substitution of securities will be allowed.

*The Custodian shall be a party other than the trading partner.

COLLATERAL

Certificates of Deposit shall be secured by insurance of FDIC. All deposits in excess of FDIC limits shall be collateralized.

WRITTEN CONTRACT

Written Contracts shall be required for the purchase of all Certificates of Deposit.

REPORTING AND AUDIT

The Chief Fiscal Officer shall include, in the Supervisor's Monthly Report, the monies invested in Certificates of Deposit, Time Accounts, and Checking Accounts.

The Town Board of the Town of Porter shall review and approve an annual investment policy and amend if necessary these guidelines at the Organizational Meeting held the first week in January of each fiscal year.

THE CASH MANAGEMENT POLICY WAS ADOPTED ON JANUARY 3, 2012 BY A UNANIMOUS VOTE OF THE TOWN OF PORTER TOWN BOARD.

_____ TOWN CLERK

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

20. Resolution 2012-20**Close Organizational Meeting**

With no further business before the Board, the meeting was closed at 3:40PM

Gail A. Zachary
Town Clerk

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