



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, February 9, 2009

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on February 9, 2009 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 | |
| Nancy Orsi | Town of Porter | Councilwoman | Present | |
| Jeff Baker | Town of Porter | Councilman | Present | |
| Larry White | Town of Porter | Councilman | Present | |
| Scott Hillman | Town of Porter | Highway Superintendent | Present | |
| Sue Driscoll | Town of Porter | Secretary | Present | |
| Norm Ault | Town of Porter | Bookkeeper | Present | |
| Dave Britton | Town of Porter | Engineer | Present | |
| Roy Rogers | Town of Porter | Code Enforcement Officer | Present | |
| Mike Dowd | Town of Porter | Attorney | Present | |
| Gail Zachary | Town of Porter | Town Clerk | Present | |

II. Public Comments

1. Report 2009-24

Public Comments

There were no comments from the public

RESULT: REPORT ISSUED

III. Minutes Approval

1. Resolution 2009-37

Minutes Approval

Resolution to approve the minutes of the January 26, 2009 Town of Porter Town Board

Work Session.

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

IV. Reports/Resolutions

1. Resolution 2009-38

Payment of Audited Vouchers

TOWN OF PORTER

WARRANT: # 2 FEBRUARY, 2009 2/9/09

| | |
|----------------|------------|
| FUND 01 | 163,510.07 |
| FUND 02 | 47,642.17 |
| FUND 04 | 29,371.27 |
| FUND 06 | 902.64 |
| FUND 07 | 75,891.99 |
| FUND 10 | 982.55 |
| FUND 21 | 251,029.00 |
| FUND 21 | 139,500.00 |

TOTAL 708,829.69

VOUCHER 'S 11943 THRU 12014

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

2. Report 2009-25

Town Clerk

January 2008 Receipts

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|------------------|--------------|
| License and Fees | \$ 527.48 |
| Water | \$ 40,589.67 |
| Sewer | \$ 89,000.19 |

S.P.C.A. Contacts - 28

Received a certified letter from Bandana's Restaurant, 930 Lake Rd., Youngstown, 14174, notifying the Town they have applied to the NYS Liquor Authority for the renewal of their liquor license.

Requesting permission for Town Clerk and Deputy Town Clerk to attend the New York State Town Clerks' Conference in Rochester, April 27, 28 and 29, 2009. There is money in the Town Clerk's budget for this conference.

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| RESULT: | REPORT ISSUED |
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3. Resolution 2009-46

NYS Town Clerks' Conference

Authorize Town Clerk and Deputy Town Clerk to attend the New York State Town Clerks' Conference in Rochester, NY, April 27, 28 and 29, 2009. There is money in the Town Clerk's budget for this conference.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jeff Baker, Councilman |
| SECONDER: | Nancy Orsi, Councilwoman |
| AYES: | Wiepert, Baia, Orsi, Baker, White |

4. Report 2009-26

Supervisor

- Supervisor's Monthly Report for January 2009 (cash only) was distributed to all Town Board members.
- December Sales Tax \$116,116.38. For the year 2008 sales tax is up \$39,063.37.

- Resolution to accept the Supervisor's Report for January 2009.
- Resolution creating a position called "Real Property Appraisal Technician/Trainee" and appointing Susan Driscoll to that position.

RESULT: REPORT ISSUED

5. Resolution 2009-39

Acceptance of Supervisor's Report

Resolution to accept the Supervisor's Report for January 31, 2009

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

6. Resolution 2009-47

Creation of Real Property Appraisal Tech/Trainee Position

Resolution creating the full time position of "Real Property Appraisal Technician/Trainee", and appointing Susan Driscoll to that position. Supervisor Wiepert explained this will now be a full-time position, thus making benefits available to Susan, if needed.

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

7. Report 2009-27**Supervisor's Assistant**Monthly Report - **January 2009**

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1. Completed processing all January 2009 Vouchers and Journal Entries.
 2. Prepared Supervisor's Monthly Report for January 2009 (cash only, final report will be completed after all y/e entries are complete) and distributed it to the Supervisor and Town Board members.
 3. Completed Bi-weekly and Monthly payrolls.
 4. Completed Check registers for all check payments.
 5. Continued maintenance on the Web Page, the calendar is back - www.townofporter.net
 6. Continues working with Town Clerk on the Minute Traq program.
 7. Worked on 2008 closing and audit.
 8. Coordinated receipt and scheduling of new shelving in the records storage room.
 9. Worked on a new cell phone service for the Town (Verizon Wireless). This is on government contract.

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| RESULT: REPORT ISSUED |
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8. Report 2009-28**Highway Department**

2/9/09

Department of Public Works
Monthly Report for January 2009

Highway Department:

1. Called out to plow and salt 23 times.
2. Received 925 tons of road salt.
3. Started maintenance on summer equipment.
4. Moved shelving from Army Corp of Engineers Buffalo to townhall for records storage area.

Drainage Department:

1. Met with the town engineers to go over the drainage plan for the west end of the town.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Cleared snow from fire hydrants in the drifted areas.
3. Completed final round of Phase 2 Disinfection Byproducts water sampling.

I would like board authorization to proceed with the following:

- a.) Purchase of an Alamo Boom Mower for the 6640 New Holland tractor. This is a state bid item.
- b.) Solicit material quotes for the storage mezzanine at the highway garage.
- c.) Solicit quotes for a 2008 or newer 54" Zero turn lawn mower.

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| RESULT: REPORT ISSUED |
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9. Resolution 2009-40

Alamo Boom Mower

Authorization to proceed with the purchase of an Alamo Boom Mower for the 6640 New Holland tractor at a cost not to exceed the budgeted amount of \$26,000. The new quote is \$28,820.00. The markup is as a result of cost of materials, etc. The \$2,820.00, budgeted, will be taken from B Fund 2-1990.4 - Contingency.

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| RESULT: ADOPTED [UNANIMOUS] |
| MOVER: Nancy Orsi, Councilwoman |
| SECONDER: Jeff Baker, Councilman |
| AYES: Wiepert, Baia, Orsi, Baker, White |

10. Resolution 2009-41

Highway Garage Mezzanine

Permission to solicit material quotes for the storage mezzanine at the highway garage in an amount not to exceed \$31,000. The storage mezzanine will be put up by town employees.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Nancy Orsi, Councilwoman
SECONDER: Larry White, Councilman
AYES: Wiepert, Baia, Orsi, Baker, White

11. Resolution 2009-42

Zero-Turn Lawn Mower

Authorization to solicit quotes for a 2008, or newer, 54" Zero turn lawn mower for an amount not to exceed \$6,600.00. Superintendent Hillman explained there are none on State contract, so bids will be sought from three local vendors.

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

12. Resolution 2009-45

Water/Sewer Adjustments

Re: Account Adjustments for the month of January 2009.

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

| <u>Account #</u> | <u>Amount</u> | <u>Service</u> |
|---|-----------------------|----------------|
| 10-0768 Reason: meter malfunction | -\$44.00 | Water |
| 10-0602.02 Reason: In military and mail is delayed, payment not possible before due date | -\$4.38 | Sewer |
| 20-0680 Reason: misread (bill corrected) | -\$77.30 -\$144.00 | Water Sewer |

Respectfully submitted,

Ramona M. Lockhart

Superintendent Hillman reported he will be meeting with ISO (Insurance Services Org.) next week. ISO will be setting fire insurance rates and will be looking at water systems. They may defer flow testing until the weather gets better. He commented that he hasn't seen ISO around since 1988.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeff Baker, Councilman
SECONDER: Nancy Orsi, Councilwoman
AYES: Wiepert, Baia, Orsi, Baker, White

13. Report 2009-29

Building Inspector/Code Enforcement Officer

TOWN OF PORTER PERMITS ISSUED IN THE MONTH OF JANUARY 2009

| NAME | PERMIT | DATE | ADDRESS | CATEGORY | COST | FEE |
|---------------|--------|--------|------------------|-------------------------|---------|-----|
| SHAW, Keith | 01-09 | 05-Jan | 1434 Lake Rd | Pole barn | 17,000 | 50 |
| WEBSTER, Mark | 02-09 | 26-Jan | 3321 East Avenue | Single family residence | 120,000 | 275 |
| | | | | | | |
| | | | | | 137,000 | 325 |

CERTIFICATES OF OCCUPANCY ISSUED

None

BUILDING DEPARTMENT REPORT: January, 2009

- 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 the Planning Board, Zoning Board and Town Board meetings
- Pursued numerous zoning code violations and issued to the Supervisor "Order of Violations Report" for the month of January, 2009.
- Met with the Town Prosecutor and Judges pertaining to several court cases

- Continued review of draft new zoning law and subdivision regulations
- Prepared year end reports for Town, State and Federal Governments
- Prepared requests for quotations, solicited quotes and assisted in preparing SARA Grant for purchase of software to improve building processes and record keeping.

Mr. Rogers reported that the State and Federal year-end reports are completed. He's waiting for the form from Niagara County. Each one of the forms is different.

He also stated his department received three quotes for software, and has submitted an application for a \$16,000 SARAH.

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| RESULT: REPORT ISSUED |
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14. Report 2009-30

Tax Collector

2009 TOWN/COUNTY COLLECTIONS

Paid Supervisor Wiepert the amount of \$891,735.19 in settlement as per warrant the Town's share of the 2009 Town/County taxes. Paid Supervisor Wiepert the amount of \$8.54 interest earned on Tax Collector's account thru January 23, 2009.

A payment of \$2,500,000.00 will be made to David Broderick, County Treasurer, before February 15, 2009 as partial settlement of County monies owed per 2009 warrant.

The Tax collector's account has \$2,736,810.10 as of February 4, 2009. This represents all payments collected to date.

Of the 3485 tax bills owed, we collected payment on 2911 from January 5 to February 2, 2009.

I have finished the process of mailing over 950 tax receipts to the homeowners who have an escrow account pay their tax bills.

Submitted by,

Sally A Hogan
Tax Collector

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| RESULT: REPORT ISSUED |
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15. Report 2009-31**Engineer****Drainage study for the northwest area of the Town (CRA Project # 630508)**

CRA attended work session on January 26 to present the recommendations of the drainage study.

Annual Retainer - Drainage Reviews (CRA Project # 630645)

CRA completed a drainage review on February 3 for a minor subdivision request from Peter Baker.

Supervisor Wiefert and Councilman Baia commended Mr. Britton on the new maps CRA has done. Mr. Wiefert also stated that the Planning Board had looked at them and were also impressed with the maps.

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| RESULT: REPORT ISSUED |
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16. Report 2009-32**Attorney**

Mr. Dowd commented on the Joint Sewer Contract between the Village of Youngstown and the Town of Porter. There is a Village Board meeting February 12, 2009 where they will discuss their portion to be contributed.

Alternate voting on the Planning Board & Zoning Board of Review: This change is being incorporated in the *new* land use regulations, which should be finalized soon. Because absenteeism is rarely an issue, changing a local law *now* is counterproductive.

To set requirements for meter pits: Is an amendment to the Local Law needed or can the Board set the requirement by resolution. Attorney Dowd will look over the local law regarding water/sewer requirements to see what change should be made.

Mr. Dowd also said he has heard nothing more from the neighbors of the Town's "Community Park," who had talked about purchasing that land.

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| RESULT: REPORT ISSUED |
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17. Report 2009-34**Correspondance**

Report

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| RESULT: REPORT ISSUED |
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18. Report 2009-35**Calendar of Events**

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|----------------------------------|---|----------------------------------|
| Town Hall CLOSED-Presidents' Day | - | Monday, Feb. 16, 2009 |
| Zoning Bd. Mtg. | - | Thursday, Feb. 19, 2009 @7:30pm |
| Planning Bd. Mtg. | - | Thursday, March 05, 2009 @7:00pm |
| Regular Town Bd. Mtg. | - | Monday, March 09, 2009 @7:00pm |

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| RESULT: REPORT ISSUED |
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19. Report 2009-36**Town Board Comments**

Tony Collard, from the audience, asked Supervisor Wiepert when someone would be appointed to fill Bill Rolland's place on the Town of Porter Planning Board. Mr. Wiepert said he and the Board are looking at the applications for the CAC and BAR, also, and appointments will most likely take place at the March board meeting.

Councilman White thanked bookkeeper, Norm Ault, for getting the town's website calendar up to date.

With no further business before the Board, the regular meeting of the Town of Porter Board meeting was adjourned at 7:40pm. Councilwoman Orsi made the motion to close the meeting, with Councilman White seconding. Motion carried unanimously.

Submitted by Gail Zachary, Town Clerk

RESULT: REPORT ISSUED
