



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Gail Zachary

Monday, March 12, 2012

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on March 12, 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	Absent	
Jeff Baker	Town of Porter	Councilman	Present	
Joe Fleckenstein	Town of Porter	Councilman	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Gail Zachary	Town of Porter	Town Clerk	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Dave Britton	Town of Porter	Engineer	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Susan Driscoll	Town of Porter	R. P. Appr Tech	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Absent	

II. Public Comments

1. Report 2012-36

Public Comments

Mrs. Wingo, 1828 Youngstown-Lockport Road, spoke to the Board requesting they take immediate action against her neighbor to the east who, for many years has accumulated junk items, including vehicles, and has deposited them in his front, side and rear yards. Due to a letter from the code enforcement office, the front yard is better, but more has to be done. Mrs. Wingo has been trying to sell her home and, as soon as a prospective buyer pulls into her driveway, they are turned off by the neighbors refuse.

Mrs. Wingo also said there are rats and other vermin and they are now visible during the daylight hours. When contacted by her, the Niagara County Health Department told her to put out D-Con. Attorney Dowd is aware of the situation and feels a letter from the Town Board to the Court would help speed things along. If the neighbor doesn't comply, it would be appropriate to attach the clean-up fees to his property taxes. Mr. Dowd also suggested that Mrs. Wingo show up for the March 28, 2012 court date. Her neighbor has not appeared for two previous court dates. This has become a stress/health issue for Mrs. Wingo.

Councilman Fleckenstein requested that Mr. Wiepert's secretary draft a letter to the Town court office. Supervisor Wiepert and Attorney Dowd agreed that this was a good idea.

Ernest Lavigueur, East Avenue, thanked the Town for updating, and correcting their website. He requested that the 2012 adopted budget also be put on the first page. He also thanked Highway Superintendent Hillman for the immediate response to the wind storm and the removal of limbs, Branches and debris.

RESULT:	REPORT ISSUED
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III. Resolutions/Reports

1. Resolution 2012-38

Minutes Approval

Approve the minutes of the regular Town Board meeting, February 13, 2012 and to approve the minutes of the February 22, 2012 and March 06, 2012 work sessions.

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

2. Resolution 2012-39

Payment of Audited Vouchers

Approve the vouchers, as audited.

TOWN OF PORTER

WARRANT: POST AUDIT - FEB, 2012 2/29/12

FUND 01	6,771.39
FUND 02	85.20
FUND 04	189.02
FUND 06	452.46
FUND 07	1,663.33
FUND 33	121.71
TOTAL	<u>9,283.11</u>

VOUCHER 'S 16467 THRU 16485

WARRANT: # 3 MARCH, 2012 3/12/12

FUND 01	18,360.54
FUND 02	36,149.99
FUND 04	25,008.01
FUND 06	1,242.37
FUND 07	1,009.30
FUND 10	894.60

FUND	12	6,025.00
FUND	35	2,425.00
TOTAL		<u>91,114.81</u>
VOUCHER 'S	16486	THRU 16564
	TOTAL	<u>100,397.92</u>

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

3. Report 2012-37

Town Clerk

February 2012 Revenue

Water	\$18,237.06
Sewer	\$ 9,318.67
Licenses and Fees	\$670.60

Received an introductory/courtesy phone call from the interim S.P.C.A. director, Amy Lewis.

RESULT:	REPORT ISSUED
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4. Report 2012-38

Supervisor

- Supervisor's Monthly Report for February, 2012 was distributed to all Town Board members.
- Resolution to accept the Supervisor's Monthly Report for February, 2012.
- January Sales Tax \$97,749.13. We are up \$433.47 over January, 2011.

The Board received a letter from George Spira, Planning Board Chairman, asking that more time be spent on the enforcement of property maintenance within the Town. A meeting with Roy Rogers, building

inspector/code enforcement officer will be scheduled.

According to Tony McKenna, Wendell Engineering, a meeting will be held, tentatively on June 5, with George Maziarz and other politicians, to discuss Lake Ontario and River Road water levels. Residents of those areas will be notified.

Rusty Tower mentioned that his sister has lost 10 feet of shoreline within a few weeks. He said that the DEC had declared that a, "no erosion zone."

Councilman White also emailed his concern regarding the shoreline to all the other board members.

RESULT:	REPORT ISSUED
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5. Resolution 2012-43

Acceptance of Insurance Quote

Resolution to accept the estimated annual total premium of \$37,333.95 through First Niagara Risk Management from Selective Insurance for the Town's liability coverage. Policy period is from 03/15/2012 - 03/15/2013.

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

6. Resolution 2012-40

Acceptance of Supervisor's Report

Resolution to approve the February 2012 Supervisor's Report.

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

7. Report 2012-39**Supervisor's Assistant**

Monthly Report - February, 2012

Completed processing all February 2012 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for February 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

RESULT:	REPORT ISSUED
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8. Report 2012-40**Assessor**

February 2012 Assessor Report

1. Completed monthly field inspections for verification of sales and completion of all building projects.
2. Processed monthly sales transfers and splits.
3. Received results of sampling appraisals as well as discussions with state-our level of assessment for 2012 will be 95%
4. Sent reminders via mail, internet and phone regarding deadline for filing exemption applications to those who had not yet sent back applications.
5. Susan attended several classes to further her assessing education.
6. Receiving and processing exemption applications
7. Updating current computer files with 2012 information to ready for tentative roll. She stated that the equalization rate will be 95% for next year.
8. Continuing to train Susan in all aspects of assessing

Barbara Oaks
Acting Assessor

RESULT:	REPORT ISSUED
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9. Report 2012-41

Justice

JUSTICE FINES 2012 01-1000.2610

	<u>GROSS REVENUE</u>	<u>DISTRIBUTION</u>	<u>NET REVENUE</u>
JANUARY	6,080.00	(4,347.50)	1,732.50
FEBRUARY			0.00
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>6,080.00</u>	<u>(4,347.50)</u>	<u>1,732.50</u>

RESULT:	REPORT ISSUED
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10. Report 2012-42

Highway

3/12/2012

Department of Public Works
 Monthly Report for February 2012

Highway Department:

1. Called out to plow and salt 6 times.
2. Completed road sign survey.
3. Started road sign replacement program, we have installed 56 new Hi Intensity Road signs.
4. We have received and stored 383 tons of road salt.

Water and Sewer:

1. Completed monthly meter readings.
2. Completed repairs to a water leak on Howard Drive.
3. Continuing GPS Data collection for the GIS System.
4. Continuing inspection for I & I.

Resolutions:

1. I would like permission to attend the Cornell Local Roads Highway School in Ithaca on June 10-14.
2. Garage Door Replacement: I have solicited 2 quotes for replacement of the east overhead door at the highway garage.

R&R Garage Door	\$4850.00
Sunrise Door & Woodworks	\$5468.00

I recommend the work be awarded to R&R Door.

Respectfully submitted,
Scott B. Hillman
 Superintendent of Highways

Councilman Baia made the motion, with Councilman Baker seconding, to accept the low bid from R & R Door, in the amount of \$4,850.00, to replace the east overhead door at the highway garage and to move \$1,865.85 from account 1-1990.4, contingency, to 1-5132.2 highway equipment and to give Mr. Hillman permission to attend the Cornell Roads School, June 10 through the 14th, 2012.
 Unanimous ayes; motion carried.

RESULT:	REPORT ISSUED
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11. Resolution 2012-41**Water/Sewer Adjustments**

To: The Honorable Town Board

From: Ramona Lockhart
 Water/Sewer Bookkeeper

Date: 3/1/2012

Re: Account Adjustments for the month of February

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

<u>Account #</u>	<u>Amount</u>	<u>Service</u>
30-0217	-69.44	Water

Reason: Over estimate of a malfunctioning meter.

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

12. Report 2012-43

Building Inspector/Code Enforcement Officer

<u>No.</u>	<u>Date</u>	<u>Owner</u>	<u>Type</u>	<u>Location</u>	<u>Value</u>	<u>Amt</u>
		TOWN OF PORTER	Feb-12			
002-12	2/3	Laurence Elia	S.F.R.	433 Lake Rd	2,000,000	4,658
003-12	2/3	Robert Seyler	Pole Barn	1669 Lake Rd	10,000	50
004-12	2/15	Rick Rosado	Pole Barn	740 Blairville Rd	24,200	50
005-12	2/27	Benjamin Perry	Demo	3749 River Rd	0	25
				February	<u>2,034,200</u>	<u>4,783</u>
				Year-to-date	<u>2,259,200</u>	<u>4,908</u>

BUILDING DEPARTMENT REPORT: Month February 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 February 2012.

RESULT:	REPORT ISSUED
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13. Report 2012-44

Engineer

TOWN OF PORTER

Engineering Report

March 2012

Engineering (February)

For the month of February:

- CRA completed one site drainage review (964 Lake Road)
 - Attended Planning Board and Town Board Meetings
- 1 Town NYSERDA Energy Project
 - ✓ Advertise for construction of Solar PV Systems 3/09/2012
 - 25 kw ground mount system at the Town Hall
 - 35 kw system - roof mount system at Highway Garage
 - ✓ Bid opening 3/22/2012 (9:00 am)
 - ✓ **Request for Time Extension to follow award notice**

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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14. Report 2012-45

Tax Collector

RE: 2012 TOWN/COUNTY COLLECTIONS

Dear Supervisor Wiepert and Town Board Members:

Paid Supervisor Wiepert the amount of \$1961.08 this amount included \$1833.21 in February penalties and \$127.87 interest paid on tax collector's account from January 25, 2012 to February 22, 2012.

A payment of \$2,800,000.00 was made to the Niagara County Treasurer on February 13, 2012 as partial settlement of County monies owed per 2012 warrant.

In accordance with New York State Law #987, I have sent a second notice to 400 homeowners that the taxes on their property have not been paid.

The Tax Collector's account has \$306,593.05 as of March 7, 2012. This represents all payments collected to date.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT:	REPORT ISSUED
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15. Report 2012-46**Grant Writer****Grants Status Report:****Projects we are currently working on:**

- Met with the Recreation and Park Committee on Monday March 5th to review Greenway Ad Hoc POL project. Putting together a new application to cover playground equipment. Discussed project with AD HOC committee attorney for compliance. Project will be \$150,000. This will be submitted 3/20/2012. Determination will be on May 15th.
- POL Coastal Resources \$400,000 is open and we will apply for the shoreline restoration. Will use the information from the Recreational Master Plan for a budget estimate.
- Traffic sign: Met with the DOT last week and this project would qualify under the Safe Route to School grant program, the grant application was to open last week but has not yet been released.
- Planning Grant: Porter Infrastructure Waterline Replacement Project
- Planning Grant: for the INI

RESULT:	REPORT ISSUED
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16. Report 2012-47**Attorney**

Attorney Dowd has looked at the Town water/sewer local law regarding residential meters/meter housings, and has made some suggestions which the Board now needs to review. Mr. Dowd suggested that changes in specification be done by resolution instead of through a local law.

A public hearing to address the meter/meter pit specifications is scheduled for April 09, 2012 at 7:00 p.m. at the Town Hall.

RESULT:	REPORT ISSUED
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17. Resolution 2012-42**Amend LL# 3 - 1969**

Set a public hearing for April 09, 2012 at 7:00 p.m., to amend L. L. #3-1969 changing the regulations for the installation of meter pits.

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

18. Report 2012-48**Porter-On-The-Lake**

no report

RESULT:	REPORT ISSUED
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19. Report 2012-49**Correspondence**

No correspondence this month

RESULT:	REPORT ISSUED
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20. Report 2012-50**Calendar of Events**

Thursday, March 15	Zoning Board - <i>Tentatively Scheduled</i>
Friday, April 06, 2012	Town Offices CLOSED - Good Friday
Monday, April 09, 2012	Town Board Meeting- 7:00 p.m. @ Town Hall
Thursday, April 12, 2012	Planning Board Meeting @ Town Hall - 7:00 p.m.

The regular meeting of the Porter Town Board was adjourned at 7:55 p.m. Councilman Baia made the motion. Councilman Baker seconded. Motion carried unanimously.

Gail Zachary
Town Clerk

RESULT:	REPORT ISSUED
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