



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, March 11, 2013

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on March 11, 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	Absent	
Jeff Baker	Town of Porter	Councilman	Present	
Joe Fleckenstein	Town of Porter	Councilman	Late	7:25 PM
Barb Dubell	Town of Porter	Deputy Town Clerk	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Dave Britton	Town of Porter	Engineer	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Susan Driscoll	Town of Porter	Assessor	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Gail Zachary	Town of Porter	Town Clerk	Absent	

II. Public Comments

1. Report 2013-38

Public Comments

Jim Lynch appeared before the Board to represent his sister, Pat Lynch, who lives 1731 Harrison Lane. There is a large sink hole in the road and the ditch is caving in. Attorney Michael Dowd commented that since Harrison Lane is a private road, it must be maintained by the residents who live there. The neighbors must work together to maintain the road. The only way for the Town to get involved is if the problem is caused by Town drainage or becomes a safety hazard. The Town Highway Superintendent will review the problem for the Town.

Ernie Lavigueur, 3451 East Avenue, requested that the East Egg Hunt being held at Fort Niagara, on March 30th at 11:00 am, be added to the town's website.

Mike Mahar, Waste Management, noted that the Operating Permit Renewal ends on March 29th. Any comments should be submitted to the DEC.

RESULT:	REPORT ISSUED
----------------	----------------------

III. Reports/Resolutions

1. Resolution 2013-31

Minutes Approval

Resolution to approve the February 11, 2013 minutes of the regular Town Board meeting and the minutes of the Town of Porter work session of February 25, 2013.

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

2. Resolution 2013-32

Payment of Audited Vouchers

Resolution to approve the Vouchers as audited

TOWN OF PORTER

WARRANT: **POST AUDIT - FEB, 2013** **2/28/13**

FUND	01	9,079.41
FUND	02	164.38
FUND	04	1,124.79
FUND	06	274.61
FUND	07	2,330.30
FUND	33	22.44
TOTAL		<u>12,995.93</u>

VOUCHER 'S **17873** **THRU** **17899**

WARRANT: **# 3 MARCH, 2013** **3/11/13**

FUND	01	20,067.35
FUND	02	34,037.25
FUND	04	54,649.91
FUND	06	796.40
FUND	07	227.55

FUND	10	1,014.94
FUND	12	6,900.00
TOTAL		<u>117,693.40</u>
VOUCHER 'S	17900	THRU 17995
	TOTAL	<u>130,689.33</u>

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

3. Report 2013-39

Town Clerk

Revenue for February 2013

Water	\$21,092.66
Sewer	\$11,409.82
Licenses and Fees	\$1074.00

As of March 01, 2013, we still do not have a "contact" report from the S.P.C.A. nor have we been contacted by the new director to introduce himself. We have, however, been billed \$1065.00 for the month of March. It will not be paid until after the April meeting.

RESULT:	REPORT ISSUED
----------------	----------------------

4. Report 2013-40

Supervisor's Report

- Supervisor's Monthly Report for February, 2013 was distributed to all Town Board members.
- Resolution to accept the Supervisor's Monthly Report for February, 2013
- January Sales Tax: \$93,495.21. The total for January, 2013, was down \$4,253.92 from

January 2012.

- Need the following Board resolutions
 1. Recreation Center
 2. Shared Services
 3. Vacant Buildings
 4. NY SAFE
 5. Liability Insurance
 6. Letter of support of a PILOT for KI-PO Chevrolet.

RESULT:	REPORT ISSUED
----------------	----------------------

5. Resolution 2013-33

Acceptance of Supervisor's Report

Resolution to accept the February 2013 Supervisor's Report.

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

6. Resolution 2013-34

Recreation Center

After hearing a presentation, and the following week, a more detailed discussion with Lewiston Supervisor Reiter, the Town of Porter Board would like to support the concept of a recreation complex available for Porter residents to use.

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. **Resolution 2013-35**

Shared Services Study

This resolution states the Town Board of the Town of Porter supports conducting a study (Shared Service Agreement) between the County and local highway departments. Niagara County would maintain, but not operate, (specialized, e.g. pavers, rollers, etc. We realize this is just in the talking stages, but feel strongly it should be studied in detail.

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

8. **Resolution 2013-36**

Vacant Buildings

Resolve to support New York State regarding the proposed laws concerning contact information for vacant structures

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years: and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties;
And

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always Provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Porter Town Board supports the passage of said bills.

NOW THEREFORE, BE IT RESOLVED, that the Town of Porter hereby supports the passage of the said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Porter supports the passage of said Bills.

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

9. **Resolution 2013-37**

NY SAFE Act

Resolution to support Niagara County's opposition to the NY SAFE Act, signed by Governor Cuomo a few weeks ago. Councilman White made this motion with Councilman Fleckenstein seconding at the February 25th work session. It was decided to hold the vote until this Board meeting. Councilman White wants to be on record he is in favor of the resolution even though he is not present tonight.

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

10. **Resolution 2013-38**

Liability Insurance

Resolution to accept the estimated annual total premium of \$38,189.99 through First Niagara Risk Management from Selective Insurance for the Town's liability coverage from 3/13/13 to 3/15/14. Supervisor to sign all necessary paper work.

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

11. **Resolution 2013-39**

KI-PO - Pilot Support

Resolution authorizing the Supervisor to prepare a letter to the NCIDA indicating the Town of Porter supports the expansion of KI-PO Chevrolet in the Hamlet of Ransomville, and would support a 15 year PILOT.

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 2013-41**

Supervisor's Assistant

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

Completed processing all February, 2013 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for February 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.

Worked with auditors during audit.

RESULT:	REPORT ISSUED
----------------	----------------------

13. Report 2013-42**Assessor**

Assessor's February 2013 monthly report

1. Completed monthly field inspections for verification of sales and completion of building projects
2. Processed monthly sales transfers, splits and merges
3. Attended February Village and NCAA meetings
4. Attended ethics and housing values workshop training
5. Norman and myself facilitated finalization of OARS revamp of the Assessor page on the Town website.

I have provided the Board with copies of pages from the site.

Copies are available for the public on the table by the door.

The update is a user friendly and useful resource.

I encourage everyone to use it.

On the Town of Porter home page (www.townofporter.net), select the 'Departments' tab; then select 'Assessor'.

The site provides general information about the assessment process; information about individual property inventory, photos, assessments, sales and comparable sales, applied exemptions; a page of downloadable State property tax forms; an instruction page on using the OARS system.

6. Received final audit report from the Office of the New York State Comptroller, on school tax relief (STAR) program. I have provided the Board with a copy of a 2-page synopsis of the full report. Copies of the full 31-page report are available from www.osc.state.ny.us/localgov
7. Oversaw the collection and administration of town wide exemption renewal applications for the 2013 tentative roll.
8. Continued to train part time clerk

RESULT:	REPORT ISSUED
----------------	----------------------

14. Report 2013-61**Tax Collector**

RE: 2013 TOWN/COUNTY COLLECTIONS

Paid Supervisor Wiepert the amount of \$1,928.95 this was the February penalties.

A payment of \$2,500,000.00 was made to the Niagara County Treasurer on February 13, 2013 as partial settlement of County monies owed per 2013 warrant.

In accordance with New York State Law #987, I have sent a second notice to 350 homeowners that the taxes on their property have not been paid.

The Tax Collector's account has \$508,961.00 as of March 6, 2013. This represents all payments collected to date.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT:	REPORT ISSUED
----------------	----------------------

15. Report 2013-43

		Justice	
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			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>4,515.00</u>	<u>(2,415.00)</u>	<u>2,100.00</u>

RESULT:	REPORT ISSUED
----------------	----------------------

16. Report 2013-44

Highway

3/11/2013

Department of Public Works

Monthly Report for February 2013

Highway Department:

1. Called out to plow and salt 16 times.
2. Received 400 ton of mixed salt.
3. Working on maintenance of summer equipment.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Completed repair of a water main break on Cain Road.

Respectfully submitted,

Scott B. Hillman
 Superintendent of Highways

RESULT:	REPORT ISSUED
----------------	----------------------

17. Report 2013-45

Building Inspector/Code Enforcement Officer

TOWN OF PORTER			FEB PERMITS			
#	Date	Owner	Type	Location		
003-13	2/1	David Smith	Addition	971 Meadow Dr	57,500	100
005-13	2/1	Mark Senek	Pole Barn	2087 Yngstwn-Wilson	46,000	50
007-13	2/25	Ed & Eugenia Wojcik (life use)	Fence	3060 N Creek Rd	6,800	25
008-13	2/25	Tower Farm Family Ltd Par	Pole Barn	Youngstown-Wilson Rd	35,000	50

009-13	2/28	Stanley Wojtowicz	Shed	2490 Balmer Rd	5,100	25
010-13	2/28	Stanley Wojtowicz	Misc	2490 Balmer Rd	4,000	25
FEB TOTAL					154,400	275
Y-T-D TOTAL					159,900	325

BUILDING DEPARTMENT REPORT: Month February 2013

- 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 Planning and Zoning Board of Appeals meeting.
- Pursued Zoning code violations and issued to the Supervisor, "Complaints Report" for the month of February 2013.
- Reviewed Town Codification portfolio.
- Attended meeting concerning Town of Lewiston Recreation and Senior Center.

RESULT:	REPORT ISSUED
----------------	----------------------

18. Report 2013-46

Engineer

Nothing to report

RESULT:	REPORT ISSUED
----------------	----------------------

19. Report 2013-47

Attorney

Nothing to report

RESULT:	REPORT ISSUED
----------------	----------------------

20. Report 2013-48**Grant Writer****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 Januray 28th and we are STILL waiting for their response. Messages have been left to the 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 an executed contract in 90- days. We can NOT start any work till after we received our signed contract.
- NYS Archives grant for the storage room was submitted on Friday, March 1st.

RESULT:	REPORT ISSUED
----------------	----------------------

21. Report 2013-49**Correspondance**

The Town of Porter Historical Society thanked the Board of Trustees for their generous grant of \$2,500.00 for the year 2013.

RESULT:	REPORT ISSUED
----------------	----------------------

22. Report 2013-60**Calendar of Events**

Joint Work Session
Village of Youngstown
Town of Porter

Monday, March 18 @ 6:30 pm - Porter Town Hall

Zoning Board Meeting

Thursday, March 21 @ 7:30pm - Town Hall

Easter Egg Hunt @ Stevenson Elementary	Saturday, March 23 - 11:00 SHARP
Town Offices Closed	Good Friday, March 29
Planning Board Meeting	Thursday, April 04 @ 7:00 p.m. - Town Hall
Regular Town Board Meeting	Monday, April 08 @ 7:00 p.m. - Town Hall

RESULT:	REPORT ISSUED
----------------	----------------------

23. Resolution 2013-40

Keep Parkway Open

Resolution to support choice 3, to keep the Robert Moses Parkway open from Lake Rd (route 18) to Finley Rd exit.

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

24. Report 2013-51

Town Board Comments

With no further business to discuss, the regular meeting of the Porter Town Board was adjourned at 7:55 pm.

Barbara DuBell
Deputy Town Clerk

RESULT:	REPORT ISSUED
----------------	----------------------