



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Gail Zachary

Monday, April, 12, 2010

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on April 12, 2010 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	
Gail Zachary	Town of Porter	Town Clerk	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Susan Driscoll	Town of Porter	R. P. Appr Tech - Trainee	Present	
Dave Truesdale	Town of Porter	Town Justice	Present	

II. Public Portion

1. Report 2010-45

Public Comments

Rick Zachary, resident of Ransomville, asked the Town Board to write a letter to Niagara County Sheriff Voutour regarding the problems with Heritage Manor of Ransomville; an adult care facility on Ransomville Road. With the nice weather comes more residents who roam the streets and there are some who trespass and urinate on private property and drink beer/liquor at the corner of Ransomville Road and route 93. He feels it's inappropriate for these things to happen when the elementary children are walking to and from school. There is a Town ordinance that prohibits public drinking.

Supervisor Wiepert will contact the Sheriff's Office, State Police and Ransomville Fire District Board of Commissioners so that all these organizations can meet with the administrator of Heritage Manor.

Ted Hogan, resident of Ransomville, asked Building Inspector/Code Enforcement Officer, Roy Rogers, as to the status of the violations sent out by his department for

violations on properties on Ransomville Road. Mr. Rogers indicated that much was improved. Councilman Fleckenstein and Supervisor Wiepert suggested blank violation forms be handed out to each councilman and that they, whenever they're driving around their own area, fill out the forms when they see a violation, and turn it into Mr. Rogers. Right now, Mr. Rogers only has time to reply to complaints. He was very receptive to this idea, and Mr. Wiepert also thought the Planning and Zoning Boards should get involved. There is also the possibility Mr. Rogers hours may slightly increase.

Mr. Hogan also asked, "Why plan for more restrictions when the ones we have now can't be enforced?"

RESULT:	REPORT ISSUED
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III. Minutes Approval

1. Resolution 2010-51

Minutes Approval

Resolution to approve the minutes of the March 8th Town Board meeting as presented.

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

IV. Reports/Resolution

1. Resolution 2010-52

Payment of Audited Vouchers

Resolution to approve the vouchers, as audited.

TOWN OF PORTER

WARRANT: POST AUDIT - MAR, 2010 3/31/10

FUND 01 54,949.96

FUND	02	7,766.91
FUND	04	207.96
FUND	06	362.98
FUND	07	1,787.98
FUND	28	1,600.00
FUND	33	66.28
TOTAL		<u>66,742.07</u>

VOUCHER 'S 13649 THRU 13675

WARRANT: #4 APR, 2010 4/12/10

FUND	01	24,641.82
FUND	02	30,653.58
FUND	04	35,021.79
FUND	06	34,155.71
FUND	07	5,895.85
FUND	10	833.41
FUND	35	631.84
TOTAL		<u>131,834.00</u>

VOUCHER 'S 13676 THRU 13774

198,576.07

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

2. Report 2010-60

Building Committee

Justice Truesdale reported on the NYSERDA audit of the Town Hall conducted last summer. Because of an accident incurred by the auditor, the report was delayed. The auditor stated that, basically, the town hall is in good shape. The furnaces could stand to be replaced but he recommended the board wait until they go down, as replacing them with high energy furnaces would not allow the town to see any return for about 12 years. He did recommended weather stripping around doors and windows.

The highway garage has not had an energy audit done.

RESULT:	REPORT ISSUED
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3. Report 2010-46**Town Clerk****March 2010 Revenue**

License and Fees:	\$ 563.54
Water Receipts:	\$23,946.97
Sewer Receipts:	\$ 3,785.06
S.P.C.A. Contacts:	6

RESULT: REPORT ISSUED

4. Report 2010-47**Supervisor Report**

- Supervisor's Monthly Report for March 2010 was distributed to all Town Board members.
- February Sales Tax \$76,010.84. This is up \$5,307.23 from last February.
- Resolution to accept the Supervisor's Report for March 2010.
- Town Insurance - resolution
- Sewer I&I - resolution
- Resolution authorizing the extension of the Modern Corporation waste disposal contract

RESULT: REPORT ISSUED

5. Resolution 2010-53**Acceptance of Supervisor's Report**

Resolution to accept Supervisor's March 2010 Report

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

6. Resolution 2010-54**Public Officials Liability**

Resolution authorizing an upgrade in the Public Officials Liability insurance coverage for the policy renewal effective March 15, 2010. The premium will increase from \$7,593.00 to \$8,522.00. This is a \$929.00 adjustment.

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

7. Resolution 2010-55**I & I Purchases**

Resolution authorizing the emergency purchase of three "Flow Meters" from Carrier Controls for a total cost of \$14,041.00. The Town will be reimbursed for some of the costs by Fort Niagara State Park and the Village of Youngstown.

The flow meters will provide more accuracy in the readings. They'll replace the current 30-year old meters which cannot be calibrated any longer.

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

8. Resolution 2010-57

Sewer Department Summer Help

Authorization to add two additional summer help positions to be used exclusively by the Sewer Department working on the Town I & I problems. These positions will start immediately.

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

9. Resolution 2010-58

Lewiston Sewer Treatment Plant

Authorize the Town of Porter to send the Waste Water Treatment Plant in Lewiston requested funds in the amount of \$8,300.00 to help establish an account to fund start-up costs for the plant refurbishment. Funds to be expended only after resolution of the Village of Youngstown and Fort Niagara State Park proportional shares.

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

10. Report 2010-48**Climate Smart/NYSERDA Update**

Received word from NYSERDA (New York State Energy Research and Development Authority) that the Town of Porter has received two grants totaling \$319,384.00. The grants are to install four wind turbines, two at the Town Hall and two at the DPW Garage.

Grant writer Bernie Rotella submitted to NYSERDA, under RFP 1613, two grant requests totaling \$416,185.00 to install solar panels on the Town Hall and the DPW Garage.

All the NYSERDA grants and grant requests are at no cost to the Town.

Bernie is also looking into a 70% - 30% grant from National Grid to replace the five HVAC units in the Town Hall.

Councilman Fleckenstein said the windmills are smaller than those in the southern tier; only 120' high. He also thanked Niagara Wind for putting the grant together.

Building Inspector Rogers stated, in response to questioning, that Verizon has started to clear the area for their cell tower, but the cell tower permit for Blairville Road has expired.

RESULT: REPORT ISSUED

11. Report 2010-49**Supervisor's Assistant**

Bookkeeper's Monthly Report - March 2010

1. Completed processing all March 2010 Vouchers and Journal Entries.
2. Prepared Supervisor's Monthly Report for March 2010 and distributed it to the Supervisor and Town Board members.
3. Completed Bi-weekly and Monthly payrolls.
4. Completed certified payroll for Civil Service
5. Completed Check registers for all check payments.
6. Continued maintenance on the Web Page, www.townofporter.net
7. Continuing to work with Town Clerk on the Minute Traq program.
8. Continuing with Suzanne Raby's training

9. Finished up working with auditors on year end audit.
10. Year end New York state controllers annual report was submitted electronically on March 26th by Pat Brown.
11. Need the following budget adjustments:

01-5010.0002 Highway Supt. Equipment	\$ 1,020.00
01-1990.0004 Contingency	(1,020.00)
07-8120.0002 Sewage Equipment	\$ 2,071.00
07-8120.0004 Sewage Contractual	(2,071.00)

RESULT:	REPORT ISSUED
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12. Resolution 2010-56

Budget Adjustments

Resolution authorizing the following budget adjustments:

01-5010.0002 Highway Supt. Equipment	\$ 1,020.00
01-1990.0004 Contingency	(1,020.00)
07-8120.0002 Sewage Equipment	\$ 2,071.00
07-8120.0004 Sewage Contractual	(2,071.00)

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

13. Report 2010-50

Assessor

March 2010

1. Completed monthly inspections for verification of sales and completion of all building projects.

2. Processed monthly sales transfers and splits.
3. Unable to attend monthly NCAA meeting-received information on topics discussed-- including future revaluations, updating of RPS software, as well as processing of the tentative roll.
4. Reviewed all exemption applications and updated info on computer.
5. Received and processed current Special Franchise valuation (utilities)
6. Susan attended "Advanced data collection" class in Cheektowaga which covered commercial data collecting.
7. Received and processed new agricultural soil values to be used for Ag exemption.
8. Received approval from State regarding new level of assessment- at 93%.
9. Continued to train Susan in all aspects of assessing.

Barbara J. Oaks

Acting Assessor

RESULT: REPORT ISSUED

14. Report 2010-51

Building Inspector/Code Enforcement Officer

TOWN OF PORTER PERMITS ISSUED IN THE MONTH OF MARCH 2010

NAME	No.	DATE	ADDRESS	CATEGORY	COST	FEE
WYNO, Daniel	03-10	3/29	1536 Y-Wilson Rd	addition	24,000	100
BLACK, Barbara	04-10	3/29	1124 Cain Rd	porch	7,000	25
				TOTAL	31,000	125

CERTIFICATES OF OCCUPANCY ISSUED

None

BUILDING DEPARTMENT REPORT: Month March 2010

- 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 Board, Zoning Board of Appeals and Town Board meetings.
- Pursued numerous zoning code violations and issued to the Supervisor “Order of Violations Report” for the month of March 2010.
- Continued review of draft new zoning law and subdivision regulations.
- Preparing for new Building Department software installation.
- Meeting with CWM regarding holding tank.

RESULT: REPORT ISSUED

15. Report 2010-52**Highway**

4/12/2010

Department of Public Works
Monthly Report for March 2010

Highway Department

1. Completed cold patching on all roads.
2. Removed 8 trees from the right-of-way with assistance from Niagara County Highway Dept. tree crew.
3. Repaired 2 drainage bubblers in Youngstown Estates.
4. We have removed all plow markers and snow fence.
5. We are working on the cleaning and painting of plows and wings.
6. The first brush pick up will take place on the 19th and 20th of April.

Drainage Department:

1. I have met with some of the residents living on Rt 93 near Ransomville regarding the planned drainage work in that area.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Three employees completed the water system maintenance course put on by NY Rural Water Association.
3. All employees attended a Fire Hydrant Maintenance Seminar presented by Lock city Supply and the Muller Co.
4. Completed repairs to a leaking water service on Lake Road.
5. We are working on I&I improvements. We will be installing 51 inflow prevention devices in the southern area of the PWSIA. The wastewater circuit rider from NYRWA will be here Wednesday to asses our system and to suggest improvements.
6. The new sewer flow meters for the Sewer metering pit and Swain Road and will be installed as soon as they are delivered.

CHIPS Update:

We traveled to Albany and met with our local representatives regarding CHIPS funding for this year. The Governor's proposed budget includes funding at last years level. They anticipate the funding will be left in the budget as is. We will know more about future funding once the state budget has been passed.

Respectfully submitted,

Scott B. Hillman
Highway Superintendent

RESULT: REPORT ISSUED

16. Report 2010-53**Tax Collector**

RE: 2010 TOWN/COUNTY COLLECTIONS

Dear Supervisor Wiepert and Town Board Members:

Paid Supervisor Wiepert the sum of \$32.39. This amount was interest earned on Tax Collector's account from February 23-March 19, 2010.

As of April 7, 2010 Town Tax Collector's account has the sum of \$705,065.70. This represents all payments and penalties collected to date. Final remittance to the County Treasurer will be

made on/or April 14, 2010.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT: REPORT ISSUED

17. Report 2010-54

Engineer

1. Cain Road Capital Improvement Project

- Pipe procurement bid package has been awarded to Isco Industries. Construction installation is planned for the summer of 2010 during low flow conditions. David Denk of the NYSDEC was contacted on April 1, 2010 to review permitting requirements to work within 4-mile Creek. Mr Denk confirmed that this project would not require a Joint Application and ACOE /NYSDEC permit.
- Scott Hillman has requested our assistance in connection with the bidding and construction phase of the project. CRA proposes to provide engineering support services on an as-needed basis. Scope of services to include the preparation of technical specifications to solicit bids and consultation through the construction phase of the project. A 40-hour retainer is proposed at a fixed rate of \$110 for an maximum fee of \$4,400. Engineering support services were included in Scott's overall Project budget.

2. Town Sewer system - I&I investigation

- Attended a meeting at Town hall on March 31, regarding the impacts of I&I to the operation of the WPCC. Representatives from the Town of Porter and WPCC were in attendance.

3. Planning Board Reviews

- Completed a drainage review on April 6 for a minor subdivision request from Steven Stauffer.
- Completed a drainage review on April 6 for a minor subdivision request from Lawrence Balch.
- Attended the planning board meeting on April 8, 2010

4. Engineering Support Services

- Currently completing an engineering design review of a proposed storage tank in connection with Town issuance of a building permit and a Flood Plain

Development Permit.

RESULT: REPORT ISSUED

18. Resolution 2010-59

Cain Road Project

Resolution authorizing engineering support services at the rate of \$110.00 per hour, not to exceed \$4,400.00. The scope of services to include the preparation of technical specifications to solicit bids and consultation through the construction phase of the project.

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

19. Report 2010-55

Attorney

Report

RESULT: REPORT ISSUED

20. Report 2010-56

Porter-On-The-Lake

Next meeting will be Monday, April 19, 2010 at the Town Hall, 6:30 PM.

RESULT:	REPORT ISSUED
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21. Report 2010-57

Correspondence

No correspondence

RESULT:	REPORT ISSUED
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22. Report 2010-58

Calendar of Events

Zoning Board Meeting	April 15th - <u>CANCELLED</u>
P.O. T. L. Meeting	6:30 p.m., Monday , April 19 th @ Town Hall
Town Wide Tire Day	8:00 a.m. - 2:00 p.m., Saturday May 1 st Youngstown Village Hall
Planning Board Meeting	7:00 p.m., Thursday, May 6th @ Town Hall
Regular Town Board Meeting	7:00 p.m., Monday, May 10th @ Town Hall

RESULT:	REPORT ISSUED
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23. Report 2010-59

Town Board Comments

Highway Superintendent Hillman spoke with County Highway who have no problem with the installation of flashing yellow lights in front of W. H. Stevenson Elementary School on Ransomville Road in the hamlet of Ransomville. Mr. Hillman said there were two ways to go; hard-wired electric or solar power units. Either way, it should be determined if the number of children using the crosswalks warrants the expense.

Mr. Hillman also stated the County Highway will restripe Ransomville Road and paint "School Zone" on the Road. They will also increase the size of the "school" sign.

With no further business to conduct, the regular Town Board meeting of the Town of Porter was adjourned at 8:20 p.m.

Gail Zachary
Town Clerk
Town of Porter

RESULT: REPORT ISSUED
