



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Gail Zachary

Monday, April 11, 2011

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on April 11, 2011 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	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Barb Dubell	Town of Porter	Deputy Town Clerk	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Susan Driscoll	Town of Porter	R. P. Appr Tech - Trainee	Present	
Bernie Rotella	Town of Porter	Grant Writer	Present	
Gail Zachary	Town of Porter	Town Clerk	Absent	
Dave Britton	Town of Porter	Engineer	Absent	

II. Public Portion

1. Report 2011-46

Public Comments

Rusty Tower, 1495 Lake Road, wants to know why the flags on his property haven't been removed yet. Roy Rogers, Building Inspector/Code Enforcement Officer, will take care of it.

RESULT: REPORT ISSUED

III. Minutes Approval**1. Resolution 2011-49****Minutes Approval**

Resolution to approve the minutes of the regular Town Board on March 14, 2011, as presented.

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

IV. Reports/Resolutions**1. Resolution 2011-50****Payment of Audited Vouchers**

Resolution to approve the vouchers, as audited.

TOWN OF PORTER

WARRANT: POST AUDIT - MAR 2011 3/31/11

FUND	01	33,656.53
FUND	02	7,649.27
FUND	04	713.20
FUND	06	488.15
FUND	07	2,458.72
FUND	33	43.93
TOTAL		<u>45,009.80</u>

VOUCHER 'S 15151 THRU 15173

WARRANT: # 4 APRIL, 2011 4/11/11

FUND	01	5,901.52
FUND	02	27,035.19
FUND	04	12,377.84
FUND	06	33,825.21
FUND	07	12,314.59
FUND	10	734.85
FUND	33	17.00
TOTAL		<u>102,206.20</u>

VOUCHER 'S 15174 THRU 15253

147,216.00

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

2. Report 2011-47

Town Clerk

March 2011 Revenue

Water	\$24,373.68
Sewer	\$ 3,359.76
License and Fees	\$ 886.00
Dog Contacts	15

RESULT:	REPORT ISSUED
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3. Report 2011-48

Supervisor

- Supervisor’s Monthly Report for March, 2011 was distributed to all Town Board members.
- February Sales Tax \$77,506.10.

- Resolution to accept the Supervisor’s Monthly Report for March, 2011.
- Resolution appointing Glenn Caverly as storm water manager for 2011.
- Stevenson Elementary caution lights

RESULT: REPORT ISSUED

4. Resolution 2011-57

Supervisor’s Report

Resolution to accept the March, 2011 Supervisor's Report.

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

5. Resolution 2011-51

Storm Water Manager

Resolution rescinding the appointment of Timothy Lockhart as storm water manager and appointing Glenn Caverly as storm water manager

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

6. Report 2011-49

Supervisor's Assistant

Bookkeeper's

Monthly Report - **March 2011**

- Completed processing all March 2011 Vouchers and Journal Entries.
- Prepared Supervisor's Monthly Report for March 2011 and distributed it to the Supervisor and Town Board members.
- Completed Bi-weekly and Monthly payrolls.
- Completed Check registers for all check payments.
- Continued maintenance on the Web Page, www.townofporter.net
- Continuing to work with Town Clerk on the Minute Traq program.
- Continued working on the new Assetrax program for fixed assets.
- Annual State Report was transmitted by Brown & Company on March 28, 2011.
- Completed certified payroll for Civil Service.
- Starting in July the Town will begin processing Roth IRA through Deferred Compensation for eligible employees. This is at no expense to the Town.
- Resolution making the following budget adjustment:

01-1620.0002	Building Equipment	\$ 767.00
01-1620.0004	Building Contractual	(767.00)

RESULT: REPORT ISSUED

7. Resolution 2011-52

Budget Adjustment

Resolution authorizing the following budget adjustment:

01-1620.0002	Building Equipment	\$ 767.00
01-1620.0004	Building Contractual	(767.00)

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

8. Report 2011-61

Justice Grant

The Town of Porter Justice Court was recently awarded a grant in the amount of \$9965.00 under the Justice Court Assistance Program. The application of this grant was previously approved by the Town Board.

The monies received will be used for the purchase and installation of a security/transaction door in the Justice Clerk's Office. In addition, an Electronic Access Control System will be installed in the Justice Court Office area.

The Honorable David J. Truesdale
The Honorable Walter C. Holmes

RESULT: REPORT ISSUED

9. Report 2011-57

Tax Collector

Paid Supervisor Wiepert the sum of \$31.14. This amount was interest earned on Tax Collector's account from February 23-March 19, 2011.

As of April 5, 2011 Town Tax Collector's account has the sum of \$682,333,21. This represents all payments and penalties collected to date. Final remittance to the County Treasurer will be made on/or April 14, 2011.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT: REPORT ISSUED

10. Report 2011-50

Building Inspector/Code Enforcement Officer

<u>Docum ent #</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Type</u>	<u>Property Location</u>	<u>Valuation</u>	<u>Amt</u>	
March							
006-11	3/23/2 011	Mark Senek	Cell Tower	2792 Dickersonville Rd	164,500	500	
008-11	3/30/2 011	Edward Stauffer	Garage	2034 Lockport Rd	16,500	50	
					<u>March Total</u>	<u>181,000</u>	<u>550</u>
					<u>Y-T-D Total</u>	<u>1,012,800</u>	<u>1,600</u>

BUILDING DEPARTMENT REPORT: Month March 2011

- 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 meeting.
- Pursued numerous Zoning code violations and issued to the Supervisor "Complaints Report" for the month of March 2011.
- Attended meeting on Municipal Electric.
- Court appearance on ongoing property maintenance case.
- Prepared materials for FEMA Building Code Effectiveness Grading Questionnaire.
- Researched Farm Law to determine the effect on certain properties in the Town.

RESULT: REPORT ISSUED

11. Report 2011-58

Highway

Department of Public Works
Monthly Report for March 2011

Highway Department:

1. Called out to plow and salt 3 times.
2. We are cold patching potholes on all roads.
3. We are continuing PM services on summer equipment.

Drainage Department:

1. Completed cleaning of 2 ditches off Youngstown/Lockport Rd.
2. Submitted a letter to Niagara County requesting permission to enter the property at 2625 to do drainage work. All attempts to contact the listed owner have failed.

Received a letter April 4 from Niagara County Department of Public Works giving permission to enter the above property.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Sarah is working on the Annual Water Quality Report.
3. Repaired a water main break on Meadow Drive.

Truck Bid:

Attorney Dowd has reviewed the 2 bids submitted. I recommend they both be rejected due to them being over budget.

Truck Chassis Purchase:

I have received a proposal for a Class 7 truck chassis on OGS Contract from Regional International. The contract price is \$75,452.48. I need a board resolution to approve the purchase.

I need a board resolution per Attorney Dowd to advertise for bids to purchase the Dump Body, Snow Plowing and Salt Spreading Equipment for the new truck chassis.

Permission was granted to Highway Superintendent Hillman to attend the Cornell Local Roads Annual Highway School in Ithaca from June 5 to June 8. Motion was made by

Tom Baia and seconded by Jeff Baker. Unanimously approved; motion carried.

RESULT: REPORT ISSUED

12. Resolution 2011-53

Truck Bid's

Resolution NOT to accept either bid received on March 3, 2011, for the advertised Heavy Duty truck.

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

13. Resolution 2011-56

Set Public Hearing/Highway

Resolution to set a Public Hearing for Monday, May 9, 2011 at the Porter Town Hall concerning the withdrawal of funds from the Highway Reserve to purchase a new 2011 or Newer Class 7 Single Axel Truck Chassis, Dump Body, Snow Plowing and Salt Spreader Control Equipment.

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

14. Resolution 2011-55**Class 7 Single Axel Chassis Equipment**

Resolution authorizing the Highway Superintendent to advertise for bids to supply a Dump Body, Snow Plowing & Salt Spreader Control Equipment per Town specifications to be mounted on a 2011 or Newer Class 7 Single Axel Truck Chassis.

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

15. Resolution 2011-54**Purchase Truck Chassis**

Resolution authorizing the purchase of a 2011 or Newer Class 7 Single Axel Truck Chassis on state contract.

RESULT:	TABLED [UNANIMOUS]	Next: 5/9/2011 7:00 PM
MOVER:	Jeff Baker, Councilman	
SECONDER:	Thomas Baia, Deputy Supervisor	
AYES:	Wiepert, Baia, White, Baker, Fleckenstein	

16. Report 2011-51**Assessor****Assessor's Monthly Report**

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

2. Processed monthly sales transfers and splits.
3. Continued to track new sales to help determine time trends, valuations and equalization rates.
4. March meeting of the NCAA was cancelled due to the heavy workload of assessors at this time of year.
5. Attended seminar on Agricultural exemptions held in Cheektowaga.
6. Processing all pertinent information onto tax roll to expedite processing of 2011 tentative roll due May 1st.
7. Processing all exemption renewals-updating on computer.
8. Continuing to train Susan in all aspects of assessing.

RESULT: REPORT ISSUED

17. Report 2011-60

Engineer

TOWN OF PORTER

Engineering Report

Update - April 6, 2011

1. **Engineering Support Services**
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.

[BOARD ACTION REQUESTED - Consider proceeding with SEQR and design \(in part or entire concept\) to obtain shovel ready status](#)
2. **Engineering Support Services**
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).

BOARD ACTION REQUESTED - Consider authorization to proceed

3. Engineering Support Services

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.

BOARD ACTION REQUESTED - No action required at this time

4. Engineering Support Services

Town Hall HVAC system rehabilitation: Site visit and HVAC assessment completed on Thursday March 24, 2011. Engineering assessment report completed and submitted to the Town on April 7, 2011.

BOARD ACTION REQUESTED - (discussion) review report conclusions

RESULT: REPORT ISSUED

18. Report 2011-53

Attorney

Mike Dowd is working with Mr. Caserta on a relationship with the village regarding the sewer district contract. It expires in 2 years.

RESULT: REPORT ISSUED

19. Report 2011-59

Grant Writer

Grants Status Report: March 2011

Greenway Master Plan Project (2009):

- The Committee has reviewed the four proposals for the Recreational Master Plan project from which Wendel Engineering has been chosen for the project.
- The Committee will request Town Board to have the Supervisor sign the contract for the Master Plan and begin work.
- Quarterly Report has been sent to Greenway (3/31/2011).

NYS DEC Recycling: The request for the highway department recycling use truck has been submitted and we have received our acknowledgement of this grant application (Approximately \$145,000). We are in position 1,032. We will monitor the movement of our position and keep the Town Board posted. Extensions will be submitted as needed.

USDA: A meeting Dawn Kuras from the USDA to review the Community Facility Grants program that can be used for construction to improve municipal facilities. We requested funding for the expansion of the Courtroom facilities and supporting offices at Town Hall. However, based on LOW-MOD service area Porter did not meet income qualifications to secure grants funding. Low interest loans are available with a small portion of grant money (\$25,000) offered. We are continuing to search other avenues of funding.

CBDG: Community Block Development Grant opportunity is open and we are currently reviewing the guidelines for the CBDG for the water tower replacement or repair. (This would also include water and sewer lines as mentioned in the appropriation to Gillibrand). We have received information from CRA to review the budget and work plan with CBDG administrator.

NYSERDA: We have met with Stephanie Simon (NYSERDA approved consultant) on the furnace replacement. An application can be submitted as soon as the type of replacement has been decided by the Town Board.

Emergency Generator: We are researching a grant source through SEMO (State Emergency Management Organization) for a portable generator. We will report as soon as we find a source of grant funding.

RESULT:	REPORT ISSUED
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20. Report 2011-54

Porter-On-The-Lake

There was no monthly meeting held in March, 2011.

RESULT: REPORT ISSUED

21. Report 2011-55

Calendar of Events

Zoning Board Meeting	CANCELED Thursday, April 21, 2011
Planning and Zoning Work Session	Thursday, April 28, 2011 @ 7:00 PM Town Hall
Tire Day	Saturday, April 30, 2011 Youngstown Village Hall 240 Lockport Street 8:00 AM - 2:00 PM
Planning Board Meeting	Thursday, May 12, 2011 @ 7:00 PM Town Hall
Town Board Meeting	Monday, May 9, 2011 @ 7:00 PM Town Hall

RESULT: REPORT ISSUED

22. Report 2011-56

Town Board Comments

With no more business to discuss the motion was made by Tom Baia and seconded by Larry White to adjourn the regular meeting of the Porter Town Board at 7:40 PM.

Barb DuBell

RESULT: REPORT ISSUED
