



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Gail Zachary

Monday, June 13, 2011

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on June 13, 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	
Gail Zachary	Town of Porter	Town Clerk	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Dave Britton	Town of Porter	Engineer	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Susan Driscoll	Town of Porter	R. P. Appr Tech - Trainee	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	

II. Public Portion

1. Report 2011-79

Public Comments

Andrews Hooker, from River Road, requested that it be noted that he objects to the ban of RVs, boats and trailers in residents' yards. He felt that, "the will of the few imposing on the majority," is wrong. Mr. Hooker also made a request that any proposal of this kind be voted down.

Attorney Dowd spoke up and said there was no suggestion that boats, etc. be banned. The issue was whether they could be kept in side yards.

Councilman Fleckenstein reported that the law already reflects, "No boats in front yards."

Dowd believed that there are recommendations already put to the Planning Board that there will be no ban in side yards.

Mr. Fleckenstein welcomed comments from the public.

Mark Daul, Lake Road, got up to say that Mr. Hooker explained it perfectly and said, "I was concerned about my little boat in my yard." He invited all to go to his website.

Mike Buchalski, Lockport Road has a boat and trailer parked in his driveway now because of the wet weather because of frequent usage. He asked if an exception could be given to those who are in the same situation. Councilman Baker agreed. He is in the same situation.

Pete Kaminski stated, "The Town needs to enforce the code you have. There's junk everywhere in the town." He is against any ban.

Ken Clawson, neighbor of Mr. Buchalski, said he has a boat and trailer in his driveway and *he* didn't receive any letter.

Mr. DiRienzo, East Avenue also has the same situation and said he would like the Town to, "Pick your battles."

Paul Korman, of Blairville Road, wanted to know why, all of a sudden, are there so many residents getting violation letters. Supervisor Wiepert said this law has been on the books since the early 80's. The zoning was redone, with a new zoning manual, and therefore the public was made more aware of it. Councilman Fleckenstein said this had been advertised and has been in the works for over a year. No one came to protest this anything.

All in attendance agreed that the Town of Porter is a boating community.

John, "Duffy", Johnston, chairman of the Zoning Board reiterated that the town is a boating and camping community. Most residents put their boats and RVs away for the winter so that snowplowing, etc. can be done efficiently. He suggested the law be amended to be lenient from perhaps May to September.

Sue Campbell, Brentwood Drive, reported that, her home has been flooded four times in five years. This is an ongoing problem. A few weeks ago, the town highway superintendent went over, at night, with sandbags, to help her control the flooding. Ms. Campbell stated that flooding was not a problem until the back streets of Brentwood were put in, and houses built up, ten years ago.

Supervisor Wiepert adamantly stated that if this is a Town problem...."fix it."

Engineer Britton personally felt this is a private drainage issue.

Councilman Fleckenstein stated that he, as a drainage committee member, the engineer and Scott Hillman will meet with Ms. Campbell to solve this problem.

RESULT: REPORT ISSUED

III. Reports/Resolutions

1. Resolution 2011-73

Minutes Approval

Resolution to approve the minutes of the regular Town Board meeting on May 9, 2011, as presented.

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

2. Resolution 2011-74

Audited Vouchers

Resolution to approve the vouchers, as audited.

TOWN OF PORTER

WARRANT: POST AUDIT - MAY 2011 5/31/11

FUND	01	12,106.49
FUND	02	31.91
FUND	04	372.86
FUND	06	478.11
FUND	07	2,507.58
FUND	33	6,525.18
TOTAL		<u>22,022.13</u>

VOUCHER 'S 15358 THRU 15381

WARRANT: # 6 JUNE, 2011 6/13/11

FUND	01	29,099.68
FUND	02	43,493.87
FUND	04	24,378.48
FUND	06	1,665.94
FUND	07	3,435.82
FUND	10	741.44
FUND	33	3,351.00
TOTAL		<u>106,166.23</u>

VOUCHER 'S 15382 THRU 15484

128,188.36

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

3. Report 2011-80

Town Clerk

May 200 Revenue

Water \$18,903.48

Sewer \$48,015.17

Licenses and Fees \$ 918.69

RESULT:	REPORT ISSUED
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4. Resolution 2011-76

Water Bill Adjustment

Resolution to refund, on account # 10-0410.01, \$32.30 because of an existing credit.

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

5. Report 2011-90

Supervisor's Report

- Supervisor's Monthly Report for May, 2011 was distributed to all Town Board members.
- April Sales Tax \$86,619.85. We are up \$263.54 for 2011.
- Resolution to accept the Supervisor's Monthly Report for May, 2011.
- Founders Day - June 1, 2012
- Storm Water presentation

Supervisor Wiepert is looking for volunteers to help on a Bicentennial Committee. The Town of Porter was established in 1812.

RESULT:	REPORT ISSUED
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6. Resolution 2011-75

Acceptance of Supervisor's Report

Resolution accepting the Supervisor's report for May 2011.

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

7. Report 2011-92**MS4 Annual Report**

The annual MS4 Report (in partnership with the WNY Stormwater Coalition) has been completed. The *Municipal Compliance Certification Form* has been signed by Supervisor Wiepert, and sent to the DEC Central Office, MS4 Permit Coordinator, in Albany, New York.

Glenn Caverly, Stormwater Manager, stated there were no public comments, so far, on the above. Dry weather survey is completed and, for the next five years, he will be focused on the wet weather discharge, GIS mapping, illicit discharge, etc.

RESULT: REPORT ISSUED

8. Report 2011-78**Supervisor's Assistant**

Bookkeeper's Monthly Report - May 2011

- Completed processing all May 2011 Vouchers and Journal Entries.
- Prepared Supervisor's Monthly Report for May 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.
- Need a resolution to renew the BAN for water line improvement in the amount of \$166,000.

RESULT: REPORT ISSUED

9. Resolution 2011-77**BAN Authorization**

Resolution Permitting Bond Anticipation Note Renewal of “Bond Resolution of the Town of Porter, New York, adopted April 14, 2003 for the construction and repair of waterline improvements in the Town of Porter Water District stating the estimated maximum cost thereof is \$930,000.00 appropriating said amount therefore, authorizing the issuance of \$930,000.00 serial bonds of said Town to finance said appropriation to be paid by Town of Porter Water District user fees and charges.”

At a duly constituted meeting of the Town Board of the Town of Porter, New York held at the Town Hall on the 13th day of June, 2011 at which a quorum was present and upon the resolution of the Board it was found that:

Whereas, the Town of Porter Town Board has previously established the Town of Porter Water District and directed that certain improvements in said District be constructed upon the required funds being made available or provided in accordance with certain plans now on file in the Office of the Town Clerk of the said town; and

Whereas, it is desirable to meet the obligations of said district for the costs associated with such improvements; and

Whereas, monies to be awarded by grants and permanent financing may be obtained upon completion of said improvements; and

Whereas, the Town Board has previously issued a Bond Anticipation Note related to the financing of the improvements being made and believes it to be reasonable and prudent renew the Bond Anticipation Note in the form of properly inscribed Bond Anticipation Notes as permitted pursuant to New York State Finance Law Section 11(3)(a)(1);(b)(20);

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Porter, in the County of Niagara, that the Town Supervisor is hereby authorized and directed to execute all necessary documents and instruments necessary to issue a Bond Anticipation Note renewal on behalf of the Town of Porter Water District in an amount not to exceed \$ 166,000.00 at an annual rate of interest not to exceed 2.00 per centum per annum.

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

10. Report 2011-81**Assessor**

May 2011 Report

- Completed monthly inspections for verification of sales and completion of all building projects.
- Processed monthly sales transfers and splits.
- Continued to track new sales to help determine time trends, valuations and equalization rates.
- Unable to attend monthly meeting of NCAA-received info on topics of discussion which included taxing New York State parks and 2% cap on Star exemptions.
- Held "informal" hearings for homeowners questioning their assessment. Resolved most complaints.
- Grievance day held May 24, 2011. Three cases appeared before the BAR, two more did not attend but filed for review and all stipulations (assessor/property owner reduction agreements) were presented and approved.
- Updated tax roll with all BAR changes.
- Sent out results of BAR determinations to property owners.
- Continuing to train Susan in all aspects of assessing.

RESULT: REPORT ISSUED

11. Resolution 2011-78**Recreation Leader P/T**

Resolution authorizing the following Summer Recreation Leaders be hired for the 2011 Summer Recreation Program at the salaries noted.

Town of Porter Recreation Leader P/T**Re-Hires**

<u>Name</u>	<u>Address</u>	<u>Rate</u>
Jordan, Trisha	3843 Ransomville Rd Ransomville, NY 14131	8.53 hr
Kowalski, Stephanie	1399 Youngstown-Lkpt Rd Youngstown, Ny 14174	8.53 hr
LePage, Janeanne	252 Glenvale Rd Youngstown, NY 14174	8.53 hr
Meigs, Nathaniel	3828 Creek Rd Youngstown, NY 14174	8.53 hr
Munno, Peter	647 Blairville Rd Youngstown, NY 14174	8.53 hr
Nyland, Kenneth	347 Oak St Youngstown, NY 14174	8.53 hr
Price, Vicki	648 Blairville Rd Youngstown, NY 14174	8.53 hr
Rugg, Emily	3522 Ransomville Rd Ransomville, NY 14131	8.53 hr
Sharpe, Andrew	380 Church Youngstown, NY 14174	8.53 hr
Sharpe, Daniel	380 Church St Youngstown, NY 14174	8.53 hr
Wheeler, Cassie	2442 Youngstown-Lkpt Rd Youngstown, NY 14174	8.53 hr
Wilkinson, Erin	2942 Ransomville Rd Ransomville, NY 14131	8.53 hr

New Hires

Filosofos, Tom	362 Howard Dr Youngstown, NY 14174	7.25 hr
Kalita, Jessica	2251 Youngstown Lkpt Rd Ransomville, NY 14131	7.25 hr
Koroschetz, Jordynn	3156 Dickersonville Rd Ransomville, NY 14131	7.25 hr
Diez, Jullian	2624 Braley Road Ransomville, NY 14131	7.25 hr
Marin, Emily	295 Glenvale Road	7.25 hr

Youngstown, NY 14174

Mangano, Nicci	1455 Youngstown Lkpt Rd Ransomville, NY 14131	7.25 hr
Rougeux, Zach	399 Brentwood Youngstown, NY 14174	7.25 hr
Smith, Joshua	3659 Ransomville Rd Ransomville, NY 14131	7.25 hr

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

12. Report 2011-82

Highway

Department of Public Works
Monthly Report for May 2011

Highway Department:

1. Completed monthly brush pick up.
2. Completed first round of roadside mowing.
3. Completed culvert installations on Youngstown/Lockport Rd. and Blairville Road.
4. Working on drainage weeps on Lutts Road.
5. Received assistance from Town of Pendleton with truck, chipper and 2 men picking up brush from wind storm.
6. Sarah and I will be attending a damage assessment seminar at Niagara County Public Safety Office.
7. Completed first round of center and edge line striping.

Drainage:

1. Waiting for drier weather to start mowing.

Water and Sewer:

1. Completed monthly meter readings
2. Completed 9 year water asbestos sample.
3. Completed repairs to water main leak on Meadow Drive.

4. Working on trimming fire hydrants.

I would like to thank the board for allowing me to attend last week School for Highway Superintendents.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

RESULT:	REPORT ISSUED
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13. Report 2011-83

Building Inspector/Code Enforcement Officer

Town of Porter

May Permit

<u>Doc</u>	<u>Date</u>	<u>Owner</u>	<u>Type</u>	<u>Location</u>	<u>Value</u>	<u>Amt</u>
015-11	5/3	Roy Mitchell	Shed	2928 Porter Ctr Rd	300	25
016-11	5/3	Berardino DiRienzo	Addition	3544 East Ave	7,000	100
017-11	5/6	Gerald Huff	Addition	1719 Harrison Ln	10,000	100
018-11	5/6	Robert Vaughan	re-roof	1455 Yngst-Wilson	6,000	50
019-11	5/9	Vincent Napoleon	Garage	Lake Rd	25,000	50
020-11	5/9	Bobby Fuller	Addition	2498 Yngst-Wilson	21,000	100
021-11	5/9	Cheri's Gold Mine Inc	Misc.	3661 Ransomville Rd	2,300	25
022-11	5/10	Katherine Henry- Thavisin	Porch	2665 Lake Rd	2,500	25

023-11	5/12	Janice Venne	re-roof	1585 Lockport Rd	2,500	50
024-11	5/12	Robert Hill	Shed	997 Meadow Dr	4,500	25
025-11	5/18	Steven Pacia	Shed	220 Lake Rd	10,000	25
026-11	5/20	Paul Brown	Shed	3591 Porter Ctr Rd	1,500	25
					92,600	600

Y- T-D	1,152,400	2,375
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BUILDING DEPARTMENT REPORT: Month May 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 May 2011.

RESULT: REPORT ISSUED

14. Report 2011-84

Engineer

1. **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.

- 2. **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).

3. **Planning Board Reviews**

- Completed drainage review on May 13 for a minor subdivision request from FAH property.
- Completed drainage review on May 26 for a minor subdivision request from Frank Pallone.
- Attended the planning board meeting on June 9.

4. **Site Plan Reviews (CRA Project #630296-02V)**

- Completed site plan review on May 16 for the River Life Chapel at 3474 Creek Road.

RESULT: REPORT ISSUED

15. **Report 2011-85**

Attorney

Working with the Planning Board on amendments to new zoning law.

RESULT: REPORT ISSUED

16. **Report 2011-86**

Grant Writer

Grants Status Report:

Greenway Master Plan Project (2009):

Kickoff meeting took place on May 23rd more details to follow

NYS Parks: We have started the grant application and will review the actual project as we complete the master plan. More details will follow. Project Budget up \$800,000 with 50% grant (\$400,000)

NYSERDA: An application will be submitted for an approx \$4, 850 grant/incentive once the project is complete (installed). An invoice is needed in order to proceed.

Emergency Generator: FEMA will open shortly and we could put in a joint application with the Fire District, we will need to discuss.

Water Quality Improvement Projects (new) will be soliciting water improvements projects and we should meet with the State representatives on our projects and see what will fit and schedule the timing of application appropriately.

The grant for caution lights at the school has been submitted.

RESULT:	REPORT ISSUED
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17. Report 2011-87

Porter-On-The-Lake

PORTER ON THE LAKE COMMITTEE MEETING

MAY 23, 2011

ATTENDING:

Gloria Baker	Tony Collard	Nancy Orsi	Mert Weipert	Cathy Burns
Jeff Baker	John Frank	Bob Reese	Larry White	Linda White
Fran Boltz	Don Larrabee	Ernie Lavigueur	Meg Whitmore	

Chairman Reese called the meeting together at 6:35. The minutes from the February 28, 2011 meeting were approved.

REMARKS:

- a. PUBLIC COMMENT: none
- b. TOWN COUNCIL: none
- c. TOWN SUPERVISOR: none
- d. TOWN BOOKKEEPER: none
- e. TOWN GRANT WRITER: none

OLD BUSINESS:

- a. SUMMER FEST - Committee (SFC) covered the following topics:
 - Admission-\$5 per person
 - Bands-will play until 11pm
 - Children's' activities-still being worked on, there will be a petting zoo, pony rides, bounce house and playground equipment (see b. under Old Business) the SFC may need to pay for other activities for the children.
 - Chamber-handles the vendor/ sponsor letters & will take charge of the money and then report to the SFC

Food vendors-5 are committed as of this date

Funding-\$2500 has been requested from POTL funds

Lighting-needs to be provided for the evening of the Fest

Multi-Purpose Building-Larry asked to cut and hinge the railings for easier entrance and exit onto the stage

Parking-will be handled possibly by the Explorers or Fire, Police

Posters-Linda is working on these

Signage-hopefully will be taken care of by Modern

Winery-none as of 5/23

- b. **PLAYGROUND EQUIPMENT** was purchased for \$1. It is for a younger age group compared to the present playground. The SFC wants to have the playground in place by July 3rd. This will entail numerous jobs to be done including a decision about the placement of the playground, replacing broken and/or missing pieces, digging the holes, setting in cement, providing for a safety base, etc. Dave Webb Concrete was paid \$250 to remove the concrete from the base of the equipment.
Mert will contact Mark Mistratta to set up a time to discuss locating the playground.
- c. **OLD OXY DAYS**-on hold for 2011
- d. **MEETING CALENDAR FOR 2011**-3rd or 4th Monday of each month

NEW BUSINESS:

- a. The stone in the stairs to the beach has settled since Labor Day and needs to be refilled.
- b. Park Master Plan meetings- Informational Meeting June 21st at 10am in the Town Hall for the PMPC
- c. It has been suggested that the "all years Lew-Port reunion" be held at POTL
- d. The Youngstown Community Day was reviewed
- e. There are some low spots in the road and in the park that need to be filled in

CHAIRMAN'S REPORT:

- a. A roofing damage claim has been put in following the May storm.
- b. Byrk Pluming has replaced the check-valve. It is now in compliance.
- c. Lighting upgrade - The correct lights are ordered and will be installed. A spot for lighting on the pole has been ordered.
- d. The first rental of the pavilion was 5/21.
- e. Because of the rain, there has been little mowing until 5/23.
- f. The water has been turned on for the season.
- g. There is a need to begin replacing the picnic tables.

THE NEXT MEETING HAS BEEN RESCHEDULED FOR WEDNESDAY, JUNE 22ND AT 6:30PM IN THE PARK.

RESULT:	REPORT ISSUED
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18. Report 2011-88

Correspondance

No correspondence

RESULT: REPORT ISSUED

19. Report 2011-91

Calendar of Events

Zoning Board meeting Thursday, June 16, 2011 @ 7:30 pm - Town Hall

Summer Recreation
Begins - July 5th
Ends - August 11th

Pre-registration required - 6/29 & 6/30
At the School 10 am - 3:00 pm

First Grade - 10th Grades
Report card showing promotion to 1st grade
Or birth certificate

SUMMERFEST 2010

Sunday - July 3rd Porter-on-the-Lake
2pm - 11 pm For more information go to:
www.townofporter.net

Town Hall **CLOSED** Monday, July 4th

Planning Board meeting Thursday, July 07, 2011 @ 7:00 pm - Town Hall

Regular Town Board meeting Monday, July 11, 2011 @ 7:00 pm - Town Hall

RESULT: REPORT ISSUED

20. Report 2011-89

Town Board Comments

Councilman Baker reported that volunteers are **STILL NEEDED** for the Summerfest, July 3rd, at Porter-on-the-Lake.

Councilman White said there will be three bands, from 2 pm until 11 pm, kids' activities,

a blacksmith demonstration and perhaps some antique tractors.

The fire companies will take care of the beer tent and the Free Methodist Church will handle parking.

An anonymous \$2500.00 donation was given to the Town for the fireworks. The Town also donated \$2500.00.

A preview of the festivities will be on Channel 7, July 1, 2011.

Councilman Baia attended the meeting last week at the Niagara Falls Library. This was a public meeting regarding the Robert Moses Parkway. He voted for Plan 3 which would keep the Parkway open from downtown Niagara Falls to Fort Niagara. He said former Mayor Soluri, Village of Lewiston, was also there to lend his support to that option.

Mr. Baia also stated that a display of the plans is at the Lewiston Village Hall.

With no further business to discuss, the regular meeting of the Porter Town Board was adjourned at 8:05 pm.

Gail Zachary
Town Clerk

RESULT: REPORT ISSUED
