



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Gail Zachary

Monday, September, 8, 2008

7:00 PM

Town Hall Auditorium

I. Call to Order

Attendee Name	Organization	Title	Status	Arrived
Mert Wiepert	Town of Porter	Supervisor	Present	
Thomas Baia	Town of Porter	Deputy Supervisor	Present	
Nancy Orsi	Town of Porter	Councilwoman	Present	
Jeff Baker	Town of Porter	Councilman	Present	
Larry White	Town of Porter	Councilman	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Karen Schmidt	Town of Porter	Assessor	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Gail Zachary	Town of Porter	Town Clerk	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Dave Britton	Town of Porter	Engineer	Present	

II. Public Portion

1. Report 2008-126

Public Comments

Nancy Donald, 3117 Oak Avenue (also Mr. and Mrs. Gary Jeffords, Mrs. Parks, Mrs. Jane Wilson, and others), representing a number of Fort Niagara Beach residents, presented the Town Board with a petition, protesting the sale of "Community Park," a small piece of lakeshore property, owned by the Town. Supervisor Wiepert and Attorney Dowd reassured them that there was only a conversation between some of the *lakeshore* homeowners who verbally proposed several options for the protection of their shores and that of the "Community Park." There was no sale "in the works."

Ms. Donald also reported encroachments of fences, shrubs, etc. onto the "Park" by lakeshore owners, and the parking of cars at the dead end where it's a lake access for many of the residents of Fort Niagara Beach who have the right to access this land written right into their deeds.

The Town Board and Attorney Dowd also assured the Fort Niagara Beach residents that, if there was any disposition of the property contemplated, they all would be notified by mail and notices would go out in the newspapers.

Supervisor Wiepert also told them that the code enforcement officer/bldg inspector would be out to look at the area the following day.

RESULT: REPORT ISSUED

III. Minutes Approval

1. Resolution 2008-109

Approval of Minutes

Resolution to approve the minutes of the regular Town Board meeting, August 11, 2008; minutes of the special meeting, August 18, 2008 and the work session minutes of August 20, 2008.

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

IV. Reports

1. Resolution 2008-110

Approval of Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDIT - AUGUST 2008 8/31/08

FUND 01	3,404.09
FUND 02	2,397.40
FUND 04	142.63
FUND 06	767.83
FUND 07	853.39
FUND 10	772.96
FUND 33	3,039.52
TOTAL	<u>11,377.82</u>

VOUCHER 'S 11267 THRU 11295

WARRANT: # 9 SEPTEMBER 2008 9/8/08

FUND	01	10,159.38
FUND	02	93,548.50
FUND	04	101,665.63
FUND	06	1,535.52
FUND	07	2,799.94
FUND	12	1,400.00
FUND	33	7,279.19
TOTAL		<u>218,388.16</u>

VOUCHER 'S	11296	THRU	11379
			<u>229,765.98</u>

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

2. Report 2008-138

Town Clerk

August '08 water receipts - \$23,083.43
 August '08 sewer receipts - \$62,926.02
 August '08 licenses and fees - \$1124.96

SPCA Contacts - 19

Received certified letters from the Niagara Frontier Country Club, 1058 Lake Road, Youngstown, and Johnston's Family Restaurant, 2575 Academy Street, Ransomville, notifying the Town that they are applying to the New York State Liquor Authority for the renewals of their on-premises liquor licenses.

RESULT: REPORT ISSUED

3. Report 2008-128

Supervisor

- Supervisor's Monthly Report for August 2008 was distributed to all Town Board members.

- July Sales Tax \$82,598.11. For the year to date sales tax is up \$33,373.33.
- Resolution to accept the Supervisor's Report for August 2008.
- I would like to thank all the volunteer's who made the Labor Day Fest the great success it turned out to be. All your hard work is greatly appreciated.

Supervisor Wiepert also reported the estimated attendance for the Labor Day Fest was between 5,000 and 6,000, and that the Committee is already working on next year's festivities.

Mr. Wiepert stated he will be asking the Town's County Legislator, Clyde Burmaster, for some of the Casino money to be used for the Christmas "Lighting of the Wreaths." He went on to say that the Town of Lewiston was receiving money through *their* legislator.

RESULT: REPORT ISSUED

4. Resolution 2008-111

Acceptance of Supervisor's Report

Resolution to accept Supervisor Wiepert's August 2008 report.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeff Baker, Councilman
SECONDER: Nancy Orsi, Councilwoman
AYES: Wiepert, Baia, Orsi, Baker, White

5. Report 2008-129

Supervisor's Assistant

1. Completed processing all August 2008 Vouchers and Journal Entries.
2. Prepared Supervisor's Monthly Report for August 2008 and distributed it to the Supervisor and Town Board members.
3. Completed Bi-weekly and Monthly payrolls.
4. Completed Check registers for all check payments.

- 5. Continued maintenance on the Web Page - www.townofporter.net
- 6. Continues working with Town Clerk on the Minute Traq program.
- 7. Worked on the Porter on the Lake Grand Opening
- 8. Continued working of the 2009 Budget process.

RESULT:	REPORT ISSUED
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6. Report 2008-130

Assessor

- 1. Completed monthly inspections for verification of sale and completion of building projects.
- 2. Processed monthly sales transfers and splits.
- 3. Attended two land use update committee meetings and continued work on the new manual.
- 4. Prepared the assessment roll for school taxation purposes.
- 5. Attended a meeting regarding the GIS grant and the first year implementation of the program. Second phase will be forthcoming. Also visited Town of Hamburg and viewed their GIS setup for ideas on phase two.
- 6. Attended a preapplication meeting on a new cell tower.
- 7. Attended a meeting on the centralized county assessing grant.
- 8. Attended Planning Board meeting.

RESULT:	REPORT ISSUED
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7. Report 2008-139

Recreation Department

Story Hour

The Town of Porter offers moms with preschoolers, ages 2 to 5, a free weekly story hour program at both the Youngstown and Ransomville libraries. Parents do not have to be town residents to participate.

Registration will be held from 9:30 to 11:00 am Tuesday in Youngstown Library, 240

Lockport Street, and at the Ransomville Library, 3733 Ransomville Road. Classes will begin the following week and will be offered from 9:30 to 10:30 a.m. and 11 a.m. to noon Tuesdays in Youngstown and Wednesdays in Ransomville. The program continues for the school year and follows the school calendar.

RESULT: REPORT ISSUED

8. Report 2008-131

Highway Department

9/8/2008

Department of Public Works
Monthly Report for August 2008

Highway Department:

1. Completed monthly brush pick up.
2. Completed Oil Seal on Dickersonville Rd. between Youngstown/Wilson Rd. and Lake Rd.
3. Completed Nova Chip Resurfacing on Dickersonville Rd. between Youngstown/Lockport Rd. and Balmer Rd.
4. Completed driveway culvert installation on Youngstown/Lockport Rd.
5. Provided assistance to the Village of Lewiston with truck hauling for their Nova Chip project.
6. Provided assistance with generator and trailer for the street dance in Ransomville.
7. Set up generator and transported stage to POTL for the Labor Day festivities.

Drainage Department:

1. We are continuing the mowing program.
2. Completed drainage ditch off Porter Center Rd. with town forces and equipment.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Completed installation of 56 Orion meters.
3. I attended a Lewiston/Porter Sewer Advisory meeting. The 2009 plant operating budget and rate structure were discussed.

Respectfully submitted,
Scott B. Hillman

Highway Superintendent

Councilman Baker thanked Superintendent Hillman for setting up the generator and the stage, etc. for the Labor Fest at Porter-on-the-Lake. Baker also expressed his gratitude that Mr. Hillman was on call, and available, for any issues that came up.

RESULT:	REPORT ISSUED
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9. Report 2008-132

Building Inspector/Code Enforcement Officer

TOWN OF PORTER PERMITS ISSUED IN THE MONTH OF AUGUST 2008

PERMIT	NAME	ADDRESS	ISSUED FOR	COST	FEE
42-08	FISHER, Stefano	2466 Balmer Road	Ramp	800	25
43-08	SHAW, Wendy	3697 Creek Road	Pole barn	12,000	50
<u>Estimated Total Cost of Construction</u>				12,800	75

C/O Certificate of Occupancy Issued

10-08	Temp	DRENNAN, Jacqueline	1491 Creek Road	Accessory building
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BUILDING DEPARTMENT REPORT: Month of August, 2008

- 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 the Planning, 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 August 2008.
- Continued civil action against unsafe building on Balmer Road
- Met with the Town Prosecutor and Judges pertaining to several court cases

- Completed survey of planning practices for Niagara County Planning Department
- Reviewed draft of new zoning law and subdivision regulations

RESULT: REPORT ISSUED

10. Report 2008-133

Engineer

Engineering Report

Update - September 8, 2008

Drainage study for the northwest area of the Town (CRA Project # 630508)

- 1 Culvert and ditch capacity calculations are ongoing.
- 2 Initial recommendations to be discussed at Town Board meeting.

Site Plan Reviews (CRA Project # 630296-02J)

- 3 CRA completed a site plan review on August 27 for the Staschak property on Lake Road.

Riverview Drive Sidewalk Extension Project (CRA Project # 630587)

- 4 Construction and restoration was completed on August 22.
- 5 Town is currently reviewing application for payment.

Annual Retainer - Subdivision Regulations Review (CRA Project # 630556)

- 1 CRA provided comments to questions that William Choboy had on the draft regulations on August 28.

Supervisor Wiepert stressed the importance, to engineer Dave Britton, of including, and concentrating, on the Youngstown Estates, Collingwood Estates and River Road drainage problems.

RESULT: REPORT ISSUED

11. Report 2008-134**Attorney**

Nothing to report

RESULT:	REPORT ISSUED
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12. Report 2008-135**Porter-On-The-Lake**

**“PORTER-ON-THE-LAKE” PARK COMMITTEE MEETING
August 19, 2008**

Attending:

Norm Ault	Joanne Basta	Matthew Burger	Carl Fellows	Bob Reese	Linda White
Mert Wiepert					
Bill Baird	Dan Bristol	Don Burns	Don Larrabee	Bill Roach	Bill Warren
Lou Vuillemot					
Gloria Baker	Fran Boltz	Tony Collard	Ernest Lavigueur	Mary Siegrist	Mark Whitmore
Kathy Zasucha					
Jeff Baker	Bryan Bullis	Jim Collins	Nancy Orsi	Larry White	Meg Whitmore

The ninth general meeting of the “Porter-on-the-Lake” Park Committee was held in the pavilion at “Porter-on-the-Lake” Recreation Area at 6:30 P.M. on Tuesday, August 19, 2008. Chairman Bristol called the meeting to order. The minutes from the prior meeting were read and approved. No correspondence was received.

Representing the Town were Supervisor Wiepert, Councilwoman Orsi, Councilmen Baker and White and Bookkeeper Ault.

Chairman Bristol introduced Bill Baird and Bryan Bullis from the Boy Scouts who are handling parking on grand opening day. Chairman Bristol also recognized Fran Boltz and Bob Reese for their efforts over the prior weekend in cleaning up the park and painting the picnic tables with the assistance of Niagara University students. Supervisor Wiepert recognized Bob Reese for his daily volunteer cleanup activities in the park.

Planning for the “Porter-on-the-Lake” Park grand opening day ceremonies continued. Linda White gave a report to the advisory committee on the progress of opening day events. Items such as wristband identification for those persons of legal alcoholic drinking age, cleanup, EMT and ambulance services, children’s activities, golf carts for handicap transportation, vendors, communications and signage were discussed. Ransomville Volunteer Fire Company will be handling the beer concession. Don Burns

advised that he has arranged for the use of four golf carts from the Niagara Frontier Country Club. Don Larrabee has arranged for a 1929 Fleet Fly By from Niagara Vintage Aircraft at approximately 12:30 P.M. on opening day weather permitting. Bob Reese has arranged for Youngstown Volunteer Fire Company Ambulance to be on site and Ransomville Fire Company will have a fire truck on site also. Councilman White agreed to draw a layout of the area indicating all setup and parking areas for opening day. A vendors' tent will be put up on Saturday or Sunday of the Labor Day weekend. A stage has been rented from the City of Niagara Falls and will be utilized for the dedication and by "Rip and the Band Dogs" Band and "Shania Twin". Bookkeeper Ault advised that a portion of the pledges from sponsors has been received and at the present time nine food vendors had applied for permits. Vice-Chairman Fellows will be assisting with the vendors. In addition, the posters for opening day have been printed and distributed throughout Porter and adjacent areas. Fran Boltz is handling children's activities along with her Niagara University students. Fran Boltz is also checking into the availability of a bounce house for the children on opening day. Supervisor Wiepert will be handling security. Vice-Chairman Collard will be coordinating cleanup activities on September 2nd with the Niagara County Sheriff's Department's Work Release Program.

Bookkeeper Ault advised that Bernie Rotella submitted a \$400,000.00 grant application containing the data from the town park survey on time with the New York State Department of Parks and Recreation.

Chairman Bristol advised that he will be contacting Trowbridge and Wolf from Binghamton, New York at a later date for a presentation to the Town Board and this committee on a park master plan proposal for the "*Porter-on-the-Lake*" Recreation Area.

Chairman Bristol introduced Matthew Burger of the Boy Scouts who proposed doing his Eagle Scout project by coordinating the cleanup and painting the pavilion. Approximately fifteen scouts will assist in the project. Matthew is in the process of getting the approval of the Boy Scouts for the project. Funding for materials can be provided by the Town or by donations.

The committee meeting adjourned at 7:30 P.M.

The next Park Committee regular meeting will be held on Saturday, August 30, 2008 at 9:00 A.M. at the Pavilion in the "*Porter-on-the-Lake*" Recreation Area.

Submitted by: Ernest A. Lavigueur

**"PORTER-ON-THE-LAKE" PARK COMMITTEE MEETING
August 30, 2008**

Attending:

Norm Ault	Fran Boltz	Tony Collard	Carl Fellows	Nancy Orsi	Lou Vuillemot
Mark Whitmore					
Bill Baird	Dan Bristol	Jim Collins	Harry Greenwalt	Bob Reese	Bill Warren
Meg Whitmore	Gloria Baker	Byran Bullis	Betsy Diachun	Don Larrabee	Richard Roach

Larry White Mert Wiepert
Jeff Baker Don Burns Peter Diachun Ernest Lavigueur J. Sweeney Linda White

The tenth general meeting of the "Porter-on-the-Lake" Park Committee was held in the pavilion at "Porter-on-the-Lake" Recreation Area at 9:00 A.M. on Saturday, August 30, 2008. Chairman Bristol called the meeting to order at 9:15 A.M. The minutes from the prior meeting were approved and no correspondence was received.

Representing the Town were Supervisor Wiepert, Councilwoman Orsi, Councilmen Baker and White and Bookkeeper Ault.

All discussions centered on "Porter-on-the-Lake" Park grand opening day ceremonies. Opening Day Committee Chairwoman Linda White advised that eleven food vendors would participate and that Youngstown and Ransomville Volunteer Fire Companies would operate the beer concession. Chairwoman White circulated a volunteer sign up sheet for grand opening day tasks. Approximately thirty volunteers from Niagara University will assist Fran Boltz and Joanne Basta in children's crafts. The Youngstown Boy Scouts will handle parking and any transportation needs for the disabled or elderly from the parking areas. Don Burns has arranged for four golf carts from the Niagara Frontier Country Club to be used for this purpose on opening day. Councilman Baker advised that the rented stage from the City of Niagara Falls and several tents for vendors, children's activities and exhibitors would be set up on Saturday along with tables and chairs. Chairman Bristol will be the master of ceremonies, re-enactors from Old Fort Niagara will raise the flags, Pete Robinson will sing the National Anthem and "America the Beautiful" after the flags have been raised and Chairman Bristol will introduce Supervisor Wiepert. Supervisor Wiepert will then introduce State Senator George D. Maziarz who will speak. Finally, Don Larrabee will coordinate the fly by of Niagara Vintage Aircraft during the ceremonies.

Supervisor Wiepert advised that due to the efforts of Frank Wagner and Dave Garrison the "Oxy-on-the-Lake" sign had been changed to read "Porter-on-the-Lake". Prior to this meeting it was repainted along with its supports and installed at the entrance to the Recreation Area.

Supervisor Wiepert advised that workers from the Niagara County Sheriff's Department's work release program will clean up the area on Tuesday, September 2nd, under the direction of Vice-Chairman Collard.

Chairman Bristol advised that agenda items for our next meeting would be a critique of the grand opening and a discussion on a park master plan proposal for the "Porter-on-the-Lake" Recreation Area.

The next Park Committee regular meeting will be held on Thursday, September 4, 2008 at 6:30 P.M. at the Pavilion in the "Porter-on-the-Lake" Recreation Area.

Submitted by: Ernest A. Lavigueur

RESULT: REPORT ISSUED

13. Report 2008-136

Calendar of Events

- Sept 25th Zoning Board of Appeals - Town Hall - 7:30 pm
- Oct 2nd Town Board meeting - Town Hall - 4:00 pm - Tentative Budget
- Oct 2nd Planning Board - Town Hall - 7:00 pm
- Oct 5th Cabbage Festival - Ransomville Fire Hall - 11:00 am - 5:00 pm
- Oct 13th Town Hall Closed
- Oct 14th Town Board meeting - Town Hall - 7:00 pm

RESULT: REPORT ISSUED

14. Report 2008-137

Town Board Comments

With no further business to discuss the regular meeting of the Porter Town Board was adjourned at 07:50pm, with Nancy Orsi making the motion and Larry White seconding. Unanimous and motion carried.

Gail Zachary
Town Clerk

RESULT: REPORT ISSUED