



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Gail Zachary

Monday, September 13, 2010

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on September 13, 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	

II. Public Portion

1. Report 2010-138

BAN Public Hearing

On Monday, September 13, 2010, at 7:00 pm., at the Town Hall, 3265 Creek Road, Youngstown, New York, the Town of Porter will hear all interested parties regarding the borrowing authority in an amount not to exceed \$55,000.00 for the issuance of a BAN for new flow meters, vent hats and GPS system for the sewer district.

RESULT: REPORT ISSUED

2. Resolution 2010-120

Public Hearing Closure

Resolution to close the Public Hearing

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

3. Resolution 2010-119

Bond Anticipation Note

Resolution authorizing the borrowing authority in an amount not to exceed \$55,000.00 for the issuance of a BAN for new flow meters, vent hats and GPS system for the sewer district.

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

4. Report 2010-124

Public Comments

Sue Campbell, 360 Brentwood Drive in Collingwood Estates, returned to report that again, there is a severe drainage problem around her house that has been occurring for the past twelve years, and is steadily becoming worse. She has been using sandbags that the Youngstown Fire Company gave to her, which are now disintegrating.

Councilman Fleckenstein feels sandbags are a "cheap fix" and that he, Highway Superintendent Hillman and Town Engineer Britton will meet at her home Friday morning.

RESULT:	REPORT ISSUED
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III. Reports/Resolutions

1. Resolution 2010-113

Acceptance of Minutes

Resolution accepting the minutes of the August 09, 2010 regular meeting and the August 19, 2010 work session of the Porter Town Board.

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

2. Resolution 2010-114

Payment of Audited Vouchers

Resolution to pay audited vouchers

TOWN OF PORTER

WARRANT:	POST AUDIT - AUG 2010	8/31/10
FUND	01	2,264.66
FUND	02	24.58
FUND	04	975.99
FUND	06	580.81
FUND	07	1,361.27
FUND	33	8,076.99
TOTAL		<u>13,284.30</u>

VOUCHER 'S **14306** **THRU** **14332**

WARRANT:	# 9 SEPTEMBER, 2010	9/13/10
FUND	01	9,121.07
FUND	02	52,446.32
FUND	04	85,739.18
FUND	06	3,244.80
FUND	07	3,342.80
FUND	10	734.71
FUND	12	1,150.00
FUND	33	9,629.60
TOTAL		<u>165,408.48</u>

VOUCHER 'S	14333	THRU	14430
			<u>178,692.78</u>

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

3. Report 2010-125

Town Clerk

August 2010 Revenue:

Water \$24,043.15

Sewer \$62,357.99

Licenses and Fees \$838.99

S. P. C. A. Animal Contacts for July - 23
 Animal Contacts for August - 24

Because Margery Stratton has decided to step down from her position as member and chairman of the Board of Assessment Review, a resolution is needed to appoint Kenneth Greulich to the Town of Porter Board of Assessment Review. His term will run from October 01, 2010 until September 30, 2015.

Mrs. Stratton has been on the Board of Assessment Review since 1981. She has been a valuable asset, volunteering many, many hours to the Town. She continues to be an active and loyal resident of the Town of Porter.

RESULT:	REPORT ISSUED
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4. Resolution 2010-121

Board of Assessment Review Appointment

Resolution to appoint Kenneth Greulich to the Town of Porter Board of Assessment Review; term beginning October 01, 2010 until September 30, 2015.

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

5. Report 2010-135

Supervisor

- Supervisor's Monthly Report for August 2010 was distributed to all Town Board members.
- July Sales Tax \$86,455.53. This year we are up \$18,833.76, year to date..
- Resolution to accept the Supervisor's Report for August 2010.
- Resolution to seal the Town Hall parking lot.
- Resolution accepting the high bid for the Town tent.
- Discussion concerning the windmills.

RESULT:	REPORT ISSUED
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6. Resolution 2010-115

Acceptance of Supervisor's Report

Resolution to accept the Supervisor's report for August 2010.

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

7. Resolution 2010-116

Town Hall Parking Lot

After two bids were received for the priming, resealing and striping of the Town Hall parking lot, a resolution was made to accept the low bid of \$2095.00 from Royal Seal Coating, Lewiston, New York. The other bid was submitted by R & M Paving & Sealing, Inc., 3574 Old Saunders-Settlement Rd., Lockport, New York, in the amount of \$2500.00.

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

8. Resolution 2010-118

Town Tent

Five bids were received for the purchase of the Town Tent:

Ransomville Free Methodist Church	\$ 150.00
Sanborn Historical Society	\$ 351.00
Ransomville Fire Company	\$ 155.00
Kenneth Myers	\$ 215.00
Frank Sandonato	\$ 155.00

Resolution to accept the high bid of \$351.00 from the Sanborn Historical Society.

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

9. Report 2010-126

Supervisor's Assistant

Bookkeeper's Monthly Report - August 2010

1. Completed processing all August 2010 Vouchers and Journal Entries.
2. Prepared Supervisor's Monthly Report for August 2010 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. Continuing to work with Town Clerk on the Minute Traq program.
7. Continues on the 2011 Budget
8. Installed new Assetrac program for fixed assets.

RESULT: REPORT ISSUED

10. Report 2010-127

Assessor

To: Town of Porter Town Board
Cc: Town Clerk
From: Barbara J. Oaks, Acting Assessor
RE: August, 2010

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

- 2. Processed monthly sales transfers and splits.
- 3. Attended Small Claims Hearing-initiated by property owner. Results will be sent in mail sometime in September
- 4. Attended summer meeting of the Assessor's Association. NCAA Scholarship presented.
- 5. Continued to aid census bureau with current information regarding property addresses
- 6. Susan attended "land valuation" class.
- 7. Updated permit info-continuing field checks on progress of construction
- 8. Reviewing all exemptions, exemption amounts and criteria to see where updating may be needed. Changes made in income eligibility for seniors-approved by Town Board.
- 9. Continued to train Susan in all aspects of assessing.

RESULT: REPORT ISSUED

11. Report 2010-128

Summer Recreation

Kathy Zusucha, Town Recreation Director, reported that 393 children registered for the summer program and that the average daily attendance was over 140 children:

First/Second Grade	77
Third/Fourth Grade	93
Fifth/Sixth Grade	102
Seventh-Tenth Grade	121

RESULT: REPORT ISSUED

12. Report 2010-129**Highway**

Department of Public Works
Monthly Report for August 2010

Highway Department:

1. Completed monthly brush pick up.
2. The new roadside mowing tractor has been delivered and put in service.
3. Provided assistance to Niagara County with 2 trucks hauling stone for the resurfacing of Youngstown/Wilson Road and the culvert replacement job on Ransomville Rd. (The culvert replacement job on Ransomville Road is complete and the road has been reopened to traffic).
4. Cain Road Culvert Rehabilitation Project: The contractor has grouted both liners into the existing metal culverts. The forming and pouring of the head wall structures has been started. The contractor hopes to be completed by the end of this week.
5. The nuisance trappers have removed 5 beaver from the Lutts Rd drainage ditch. They re-inspected the area last week and found new dams started in the ditch. Traps have been set to catch the remaining beavers.

Drainage Department:

1. We are continuing with the mowing program.
2. We completed the regarding of a drainage ditch off Porter Center Rd. using town forces and equipment.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Have completed service and painting on 150 fire hydrants.
3. We are currently working on the installation of the new flow meter to monitor flows coming into Swain Road from the south.
4. Wendel has completed the program upgrades to our GPS collection device to log I & I inspections and Manhole inspections. They completed training for our water/sewer employees last Thursday.

I would like permission to attend the Annual Highway Expo in Syracuse on October 20th.

Respectfully submitted,

Scott B. Hillman
Highway Superintendent

RESULT:	REPORT ISSUED
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13. Resolution 2010-122**Highway Expo**

Resolution to grant permission to Highway Superintendent, Scott Hillman, to attend the Highway Expo on October 20, 2010 in Syracuse.

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

14. Report 2010-130**Building Inspector/Code Enforcement Officer****Town of Porter****Permit Monthly Report**

Aug-10

<u>Docum ent #</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Document Type</u>	<u>Property Location</u>	<u>Valuation</u>	<u>Amount</u>
August						
039-10	8/4/2010	Buffalo Niagara Reality	Alteration	335 Riverview Dr	\$2,800.00	\$50.00
040-10	8/13/2010	Michael Dinino	Garage	3869 Creek Rd	\$8,500.00	\$50.00
041-10	8/13/2010	Douglas Vanstrom	Fence	422 Andre Pl	\$6,800.00	\$25.00
042-10	8/17/2010	Michael Ricciardelli	Porch	1757 Lake Rd	\$1,000.00	\$25.00

043-10	8/20/2010	Hawley Development Corp	Demolition	3628 Ransomville Rd	\$0.00	\$50.00
				August 2010	<u>\$19,100</u>	<u>\$200</u>
				August 2010	<u>\$19,100</u>	<u>\$200</u>
				Year to Date	<u>\$2,017,700</u>	<u>\$2,651</u>

BUILDING DEPARTMENT REPORT: Month August 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 and Zoning Board of Appeals meetings.
- Pursued numerous zoning code violations and issued to the Supervisor “Order of Violations Report” for the month of August 2010.
- Attended public hearing on new Zoning and Subdivision regulations.

RESULT: REPORT ISSUED

15. Report 2010-131

Engineer

Continuing assistance to the DPW with the Cain Road project. Engineer Britton complimented the Town Highway/Water employees for an outstanding job on this project.

RESULT: REPORT ISSUED

16. Report 2010-132**Attorney**

none

RESULT: REPORT ISSUED

17. Report 2010-133**Porter-On-The-Lake**

Mr. Reese gave a brief report. There have been eighteen events/reservations, with one more for the season; Niagara Hospice Dash.

The steps to the lake are completed and there is a new scout project in the works. The fence repairs have been completed, as are the road improvements.

National Grid completed a lighting upgrade survey and has turned in a report.

Minutes of the last meeting of POTL will be available soon.

RESULT: REPORT ISSUED

18. Resolution 2010-117**Porter-On-The-Lake Lighting Upgrade**

Resolution allowing National Grid to upgrade the lights at Porter-on-the-Lake in the amount of \$2,082.44. Payment in full includes a discount of 15%. Payments can also be made monthly or annually; \$204.16 per month and \$102.08 per month, respectively.

After some discussion, it was decided to table this resolution until after a breakdown is provided.

RESULT:	TABLED [UNANIMOUS]	Next: 10/12/2010 7:00 PM
MOVER:	Joe Fleckenstein, Councilman	
SECONDER:	Larry White, Councilman	
AYES:	Wiepert, Baia, White, Baker, Fleckenstein	

19. Resolution 2010-123**Boy Scout Project/Porter-On-The-Lake**

Gui's Lumber Company (\$363.27), Parco Builders (\$697.72), Miris Cash and Carry (\$899.58) and 84 Lumber (\$738.90) submitted bids to replace the wooden soffit and fascia, in the POTL pavilion and bathrooms. There has been a serious bee problem there. This project will be done is part of a Boy Scout Eagle Scout project.

Because 84 Lumber was the only bidder to submit an amount for the total package, a resolution is needed to accept their bid of \$738.90.

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

20. Report 2010-134**Correspondance**

No correspondence for August

RESULT:	REPORT ISSUED
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21. Resolution 2010-124**Wind Turbines/Town Hall**

Resolution to authorize the Town Supervisor to sign the contract for the installation of

two (2) 10 kW towers at the Town Hall, 3265 Creek Road, Youngstown, New York, 14174.

RESULT:	DEFEATED [2 TO 3]
MOVER:	Joe Fleckenstein, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Thomas Baia, Joe Fleckenstein
NAYS:	Mert Wiepert, Larry White, Jeff Baker

22. Resolution 2010-125

Wind Turbines/Highway Garage

Resolution to authorize Supervisor Wiepert to sign the necessary paperwork for the installation of two (2) 10 kW wind towers at the Town of Porter Highway Garage, 1800 Braley Road, Youngstown, New York, 14174

RESULT:	DEFEATED [2 TO 3]
MOVER:	Joe Fleckenstein, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Thomas Baia, Joe Fleckenstein
NAYS:	Mert Wiepert, Larry White, Jeff Baker

23. Resolution 2010-126

Wind Turbine/20KW Hwy Garage

Resolution to authorize Supervisor Wiepert to sign the necessary paperwork to install a 20 kW wind turbine system at the Town of Porter Highway Garage, 1800 Braley Road, Youngstown, New York, 14174.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Larry White, Councilman
SECONDER:	Jeff Baker, Councilman
AYES:	Mert Wiepert, Thomas Baia, Larry White, Jeff Baker
NAYS:	Joe Fleckenstein

24. Resolution 2010-127

Wind Turbines/20KW

Resolution to authorize the Town Supervisor to sign the contract for the installation of a 20 kW wind turbine system at the Porter Town Hall, 3265 Creek Road, Youngstown, New York, 14174.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Larry White, Councilman
SECONDER:	Jeff Baker, Councilman
AYES:	Mert Wiepert, Thomas Baia, Larry White, Jeff Baker
NAYS:	Joe Fleckenstein

25. Report 2010-136

Calendar of Events

Zoning Board Meeting	Thursday, September 16th - 7:30 p.m. @ Town Hall
Cabbage Festival	Sunday, October 3rd Behind Ransomville Fire Hall
Planning Board Meeting	Thursday, October 7th - 7:00 p.m. @ Town Hall
Town Offices CLOSED	Monday, October 11th - Columbus Day
Town Board Mtg.	Tuesday, October 12th - 7:00 p.m.

RESULT:	REPORT ISSUED
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26. Report 2010-137

Town Board Comments

With no further business before the Board, the regular meeting of the Town of Porter Town Board was adjourned at 8:05 p.m.

Gail Zachary
Town Clerk

RESULT: REPORT ISSUED
