



Town of Porter
Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, November, 10, 2008

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on November 10, 2008 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	
Nancy Orsi	Town of Porter	Councilwoman	Present	
Jeff Baker	Town of Porter	Councilman	Present	
Larry White	Town of Porter	Councilman	Present	
Chris Amico	Town of Porter	Engineer	Present	
Dave Britton	Town of Porter	Engineer	Absent	
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 Comments

1. Report 2008-167

Public Comments

None

RESULT: REPORT ISSUED

III. Minutes Approval

1. Resolution 2008-132

Minutes Approval

Resolution to approve the following Town Board minutes:

Monday, October 14, 2008 - Work Session 6:00 pm
 Monday, October 14, 2008 - Town Board meeting 7:00 pm
 Wednesday, October 22, 2008 - Work Session 1:00 pm
 Monday, November 3, 2008 - Budget Public Hearing 7:00 pm

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

IV. Resolutions/Reports

1. Resolution 2008-131

Payment of Audited Voucher's

TOWN OF PORTER

WARRANT:	POST AUDIT - OCT 2008	10/31/08
FUND	01	2,041.52
FUND	02	10.67
FUND	04	122.41
FUND	06	41,608.14
FUND	07	1,033.37
FUND	33	1,747.10
TOTAL		<u>46,563.21</u>

VOUCHER 'S **11548** **THRU** **11567**

WARRANT:	# 11 NOVEMBER 2008	11/10/08
FUND	01	21,415.95
FUND	02	35,004.52
FUND	04	10,449.85
FUND	06	6,540.82
FUND	07	76,726.25
FUND	10	789.06
FUND	33	4,101.50
FUND	35	870.92
TOTAL		<u>155,898.87</u>

VOUCHER 'S **11568** **THRU** **11639**

202,462.08

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

2. Report 2008-158

Town Clerk

October '08: Water Receipts	\$	34, 294.84
Sewer Receipts	\$	40, 293.32
Licenses and Fees	\$	886.03
SPCA Contacts:		20

RESULT:	REPORT ISSUED
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3. Report 2008-164

Supervisor

- Supervisor's Monthly Report for October 2008 was distributed to all Town Board members.
- September Sales Tax \$112,316.21. For the year to date sales tax is up \$48,751.76.
- Resolution to accept the Supervisor's Report for October 2008.
- Resolution to adopt the Preliminary 2009 budget as the Adopted 2009 Town of Porter Budget.

Supervisor Wiepert, on behalf of the Board and the Porter-on-the-Lake Grand Opening committee, thanked Bill Baird, troop leader and Tom Winter, Mitch Sembert and Ryan Kromer, boy scouts from Troop #829, for the tremendous amount of work they'd done to make the grand opening a success; signs, flags, and parked over 2,000 cars that day. There were no complaints at all.

Supervisor Wiepert presented Mr. Baird and the boy scouts a check for \$1,500 for all the hard work they had done.

RESULT: REPORT ISSUED

4. Resolution 2008-124

Adopt 2009 Budget

Resolution to adopt 2009 preliminary budget as the Town of Porter 2009 Adopted Budget.

HISTORY:

11/03/08 Board TABLED
 Next: 11/10/08

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

5. Resolution 2008-133

Acceptance of Supervisor's Report

Resolution to accept Supervisor Wiepert's October 2008 report.

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

6. Report 2008-165

Bookkeeper

Bookkeeper's Monthly Report - **October 2008**

1. Completed processing all October 2008 Vouchers and Journal Entries.
2. Prepared Supervisor's Monthly Report for October 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. Continued working on the 2009 Budget.
8. Met with Systems East concerning credit card payments.
9. Met with Flexcare and BC/BS on new high deductible health insurance.

RESULT: REPORT ISSUED

7. Report 2008-159

Assessor

No report

RESULT: REPORT ISSUED

8. Report 2008-157

Building Inspector/Code Enforcement

TOWN OF PORTER PERMITS ISSUED IN THE MONTH OF OCTOBER 2008						
NAME	PERMIT	DATE	ADDRESS	CATEGORY	COST	FEE
DIRIENZO, Bernardino	58-08	10/3	3544 East Avenue	new single family	220,000	550
MACVIE, Scott	59-08	10/3	1205 Balmer Road	comm. build addition	60,000	125
WOLF, William	60-08	10/6	439 Old Lake Road	garage	4,000	50
HOFFMAN, Daryl	61-08	10/8	412 Riverview Drive	porch	3,000	25
SMYTON, Donald	62-08	10/8	947 Lake Road	shed	2,200	25
BASTA, Joanne	63-08	10/15	13 Porter Center Rd	deck	1,500	25
CANFIELD, Chris	64-08	10/15	1783 Yngstn-Wilson Rd	new single family	235,000	275
GRAY, Connie & Sean	65-08	10/17	2324 Lockport Rd	shed	2,800	25
HASTINGS, Warren	66-08	10/20	3226 Porter Center Rd	garage addition/entran.	2,400	50
BLACK, Dan	67-08	10/22	661 Lake Rd	demolition		25
Totals					530,900	1,175

CERTIFICATES OF OCCUPANCY ISSUED						
SCHMOYER, Steven	10-08	10/29	614 Blairville Rd	Single family		

BUILDING DEPARTMENT REPORT: Month of October, 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 Board and Town Board meetings
- Pursued numerous zoning code violations and issued to the Supervisor "Order of Violations Report" for the month of October 2008.
- Continued civil action against unsafe building on Balmer Road. Wrote specifications and received bids for demolition.
- Met with the Town Prosecutor and Judges pertaining to several court cases
- Reviewed draft of new zoning law and subdivision regulations
- Received quotes for property maintenance issues at 3759 Creek Road.

Mr. Rogers also reported there will be a meeting with the Federal Emergency Management Agency (FEMA) in Wheatfield, December 03, 2008. The proposed flood plain changes will be reviewed and, after they are finalized, the town board will have to adopt them. At the meeting, responsibilities of each municipality regarding storm water management will be addressed.

RESULT: REPORT ISSUED

9. Report 2008-160

Highway Department

11/10/08

Department of Public Works
 Monthly Report for October 2008

Highway Department:

1. Completed final town wide brush pickup.
2. Completed installation of snow fence at Ft. Niagara St. Park and Veterans Park.

- 3. Attended Snow School put on by NYSDOT.
- 4. I would like to remind the public that the Winter Parking Ordinance goes into effect on December 1st.

Drainage Department:

- 1. We are continuing the mowing program weather permitting.

Water and Sewer Department:

- 1. Completed monthly meter readings.
- 2. Completed 3 water service installations.
- 3. Completed the 3rd round of Stage 2 water sampling.

I need a board resolution to remove the Seasonal Limited Highway Use designation from Dietz Road.

Respectfully submitted,

Scott B. Hillman
Highway Superintendent

RESULT: REPORT ISSUED

10. Resolution 2008-134

Removal of Seasonal Highway Designation/Dietz Rd

Resolution to remove the "Seasonal Limited Highway Use" designation from Dietz Road, Town of Porter.

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

11. Report 2008-161

Engineer

TOWN OF PORTER

Engineering Report

Update - November 10, 2008

- **Drainage study for the northwest area of the Town (CRA Project # 630508)**
 - 1 Next step is for the Town Board to schedule a meeting with CRA to review the recommendations.

- **Annual Retainer - Drainage Reviews (CRA Project # 630556)**
 - 1 CRA completed a drainage review on November 5 for a minor subdivision request from John Duffy and Valerie Johnston.

 - 2 CRA completed a drainage review on November 5 for a minor subdivision request from Chris Reid.

RESULT: REPORT ISSUED

12. Report 2008-162

Attorney

Attorney Dowd mentioned the Master Plan meeting and said that he would respond to the three-page list of notes from the presenter from p.j. smith & co.

Mr. Dowd also reported that the Town needs to appoint an acting assessor; either contract out for a part-time one, or hire someone as a temporary assessor, not yet certified. There is a six-month time frame whereby a temporary assessor could attend training, orientation programs and receive certification.

RESULT:	REPORT ISSUED
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13. Resolution 2008-135

Acting Assessor Appointment

A resolution was made by Councilman Baker, seconded by Councilman Baia to appoint Susan Driscoll as the temporary acting assessor.

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

14. Report 2008-163

Correspondance

Councilwoman Orsi spoke about the RAD Commission and how the Army Corp of Engineers is unresponsive regarding the Lake Ontario Ordnance Works and the contamination. The villages of Lewiston and Youngstown, and the towns of Porter and Lewiston will have to unite as a group, as opposed to trying to get a response from the Corp, on their own.

RESULT:	REPORT ISSUED
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15. Report 2008-166

Calendar of Events

Tuesday, Nov. 11	Town Offices Closed
Thursday Nov 20	6:30pm, Porter on the Lake Committee meeting
Thursday and Friday, Nov. 27 & 28	Town Offices Closed -Thanksgiving

Thursday, Dec 4	7:00pm, Planning Board meeting
Monday, Dec 8	7:00pm, Town Board meeting
Thursday, Dec 11	7:30pm, Zoning Board of Appeals meeting

RESULT: REPORT ISSUED

16. Report 2008-168**Town Board Comments**

With no further business to discuss, Tom Baia moved, and Larry White seconded the motion to adjourn the regular meeting of the Town of Porter Board at 7:35 p.m.

Submitted by Gail Zachary, Town Clerk

RESULT: REPORT ISSUED
