



Town of Porter

Organizational Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, January, 5, 2009

4:00 PM

Town Hall Auditorium

I. Call to Order

4:00 PM Meeting called to order on January 5, 2009 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	
Gail Zachary	Town of Porter	Town Clerk	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	

II. Public Hearing

1. Report 2009-1

Opening Comments

Supervisor Wiepert expressed his eagerness for the completion of the Town land-use manual, the completion of the drainage plan in the western part of the Town and is also looking forward to the Porter-on-the-Lake events in the upcoming year, which Bob Reese and other committee members are working on.

RESULT: REPORT ISSUED

2. Report 2009-2

Public Hearing

PLEASE TAKE NOTICE THAT THE Town of Porter Town Board will hold a public hearing on January 5, 2009 at 4:00 P.M. at 3265 Creek Road, Youngstown, New York 14174 for the purpose of establishing the 2009 Water/Sewer Rates.

The Town of Porter water reserve is approximately \$275,000.00. The Town owes

\$335,000.00 toward the latest water line installation, and will need funds to upgrade the water tanks in the near future. For these reasons, a 10% surcharge is suggested to be added to all water bills to increase the water reserve.

Supervisor Wiepert stated the sewer rates from the Lewiston Treatment plant are being increased \$ 0.05 per 1,000 gallons, used to \$2.75 per 1,000 gallons, used. The Town of Porter is passing along that rate increase.

With no comments from the public, Supervisor Wiepert called for a resolution to close the Public Hearing.

RESULT:	REPORT ISSUED
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3. Resolution 2009-1

Close the Public Hearing

Resolution to close the Public Hearing.

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

III. Resolutions

1. Resolution 2009-2

Appoint Attorney & Engineer for 2009

Reappoint Michael J. Dowd as attorney for the Town for the year 2009 at \$20,000.00, to be distributed as follows: 50% town-wide, 25% Zoning and 25% Planning, and to authorize the Supervisor to sign the contract.

Reappoint Attorney Michael J. Dowd as Town Prosecutor for 2009 at \$8,000.00, and authorize the Town Supervisor to sign the contract.

Appoint CRA Infrastructure & Engineering, Inc. as Town Engineer for 2009 at \$7,200.00, and authorize the Town Supervisor to sign the contract.

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

2. Resolution 2009-3

Zoning Board of Appeals Appointments for 2009

Reappoint William “Bill” Tower as Chairman of the Town of Porter Zoning Board of Appeals for 2009.

Reappoint Nancy Smithson as Secretary of the Town of Porter Zoning Board of Appeals for the year 2009.

Appoint Peter Jeffery to the Zoning Board of Appeals. Term of Office expires December 31, 2013.

Appoint William J. “Hoppy” Leggett, Sr, to the Zoning Board of Appeals as the alternate. Term of Office is from January 1, 2009 to December 31, 2011.

Set the Zoning Board of Appeals monthly meeting as the THIRD Thursday of every month beginning in February 2009.

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

3. Resolution 2009-4

Planning Board Appointments for 2009

Reappoint George Spira as Chairman of the Town of Porter Planning Board for the year 2009.

Reappoint Pamela Parker as Secretary of the Town of Porter Planning Board for the year 2009.

Reappoint G. Edward “Jip” Ortiz to the Planning Board, term to expire December 31, 2013.

Appoint _____ to the Planning Board as the alternate. Term of office is from January 1, 2009 to December 31, 2011.

Set the Planning Board monthly meeting for the First Thursday of every month beginning in February 2009.

It was decided by the Town Board to advertise for the positions of Planning Board Alternate, Board of Assessment Review member, CAC Committee member and Porter-on-the Lake committee member. This action was initiated by Councilwoman Orsi, with a second from Councilman White. Motion was carried with a unanimous vote.

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

4. Resolution 2009-5

Miscellaneous Appointments for 2009

Reappoint Thomas Baia as Deputy Supervisor

Reappoint Supervisor Merton K. Wiepert as Budget Officer for the year 2009.

Reappoint Sue Borget as Chairman of the Town of Porter Recreation Commission for the year 2009.

Appoint _____ to the Board of Assessment Review to replace William Rolland.

Reappoint Dennis Greene to the Board of Assessment Review, from October 01, 2008 until September 30, 2014.

It was decided by the Town Board to advertise for the positions of Planning Board alternate, Board of Assessment Review member, CAC member and Porter-on-the-

Lake committee member. This action was initiated by Councilwoman Orsi, with a second from Councilman White. Motion was carried with a unanimous vote.

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

5. Resolution 2009-6

Set Town Board Meetings for 2009

Set the regular Town of Porter, Town Board meetings on the second Monday of each month at 7:00 P.M. in the Porter Town Hall, 3265 Creek Road, Youngstown, NY, throughout the year of 2009, except for October. That meeting will be on Tuesday, October 13th due to the Columbus Day holiday.

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

6. Resolution 2009-7

Set Salaries & Appts. for Gen Fund "A" in 2009

TOWN BOARD 1-1010	Town Supervisor Councilman	\$28,535 p/y 7,165 p/y
JUSTICES 1-1110	Town Justice David J. Truesdale Town Justice Walter C. Holmes Justice Clerk Lisa Hastings Court Officer Tim Wilkesmore Court Officer Richard Schmidt	\$15,613 p/y 15,613 p/y 16.96 p/h 10.52 p/h 10.52 p/h
SUPERVISOR 1-1220	Confidential Secretary to the Supervisor Norm Ault Deputy Supervisor Thomas Baia	\$38,052 p/y 515 p/y
INDEPENDENT AUDIT	Brown & Company, LLP	\$7,800 p/y

1-1320

TAX COLLECTOR 1-1330	Tax Collector Sally A. Hogan Deputy Tax Collector Susan Hillman	\$5,100 p/y 804 p/y
BUDGET 1-1340	Budget Officer Merton K. Wiepert Ass't. Budget Officer Norm Ault	\$1,403 p/y 3,712 p/y
ASSESSOR 1-1355	Assessor Assessor's Clerk Susan Driscoll Board of Review	13.98 p/h 75.00 Day
TOWN CLERK 1-1410	Town Clerk Gail A. Zachary Deputy Town Clerk Barbara DuBell Deputy Town Clerk Norm Ault	\$35,322 p/y 28,520 p/y 1,000 p/y
BUILDING 1-1620	Town Hall Cleaning \$38.00p/d (3-Days per week) Debbie Prohaska: Per Contract	
SUPT. OF HIGHWAYS 1-5010	Highway Superintendent Scott Hillman	\$33,024 p/y
HISTORIAN 1-7510	Town Historian Sue Diez Deputy Town Historian Rosanne Moje	\$2,127 p/y 619 p/y

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

7. Resolution 2009-19

Set Salaries & Appts. for Gen Fund "B" for 2009

POLICE AND CONSTABLE 2-3120	Appoint School Crossing Guard Rosanne Moje	\$11.50 p/h
SAFETY 2-3620	Appoint Building Inspector Roy Rogers	\$16,700 p/y
REGISTRAR 2-4020	Gail A. Zachary, Registrar of Vital Statistics Barb DuBell, Deputy Registrar of Vital Statistics Norm Ault, Deputy Registrar of Vital Statistics	\$5,722 p/y 1,717 p/y 500 p/y
YOUTH PROGRAMS 2-7310	Youth Program Director Kathryn Zasucha Ass't. Director Terry Nyland Story Hour Director Ramona Lockhart Ass't Story Hour Director Teresa Bednarczyk Ass't Story Hour Director Sharon Rugg	\$8,727 p/y 5,128 p/y 5,257 p/y 3,948 p/y 3,948 p/y

	Clerk Marie Oblamski	3,543 p/y
	Summer Recreation Leaders P/T	8.50p/h
ZONING	Chairman	\$2,000/Yr Plus
2-8010	\$ 65 per/Zoning Board Meeting	
	Secretary Nancy Smithson	3,543 p/y
	Members & Alternate \$65per/Planning Board Meeting (with 15 meeting Cap. \$975 max)	
PLANNING	Chairman	\$2,000/Yr Plus
2-8020	\$ 65 per/Planning Board Meeting	
	Secretary Pamela Parker	4,218 p/y
	Members & Alternate \$ 65per/Zoning Board Meeting (with 15 meeting Cap. \$975 max)	

Grant writer Bernie Rotella (month to month) contract for 2009 @ 800 p/m and 2% commission with a maximum of \$5,000. Commission to be paid when check received.

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

8. Resolution 2009-8

Set Salaries & Appts Hwy Dept for 2009

HIGHWAY DEPARTMENT

Deputy Highway Supt. David Gombert	21.29 p/h
MEO (Motor Equipment Operator)	\$13.91 p/h to \$20.44 p/h
Laborer (1) P/T	11.73 p/h
Laborer (II) Summer Help	9.36 p/h
Laborer Substitute P/t	9.93p/h
Truck Driver P/T (I)	12.68 p/h
Truck Driver P/T (II)	9.36 p/h
Clerk Karen Cristiano	14.79 p/h

Authorize the Highway Superintendent to purchase pipe, stone, asphalt, etc., at County Bid Prices. Salt, Tires, etc., at State Bid Prices. Tools at prices not to exceed \$1,500.00 without prior approval by the Town Board.

WATER AND SEWER DEPARTMENT

Superintendent (Water) Scott Hillman	\$14,458 p/y
Superintendent (Sewer) Scott Hillman	13,621 p/y
Water/Sewer Billing Clerk Ramona Lockhart	14.79 p/h
Water Collection Clerk Gail A. Zachary	4,913 p/y
Sewer Collection Clerk Gail A. Zachary	2,704 p/y

WSMM (Water/Sewer Maint. Person #1)
WSMM (Water/Sewer Maint. Person #2)

21.19 p/h
20.44 p/h

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

9. Resolution 2009-9

Set Additional Benefits for 2009 as Budgeted

*****Longevity Schedule for full-time employees:**

10 Years Service: Additional	\$175.00
15 Years Service: Additional	\$425.00
20 Years Service: Additional	\$725.00
25 Years Service: Additional	\$1,025.00

Set Health Reimbursement Account: \$700 annual, Full time employees, and \$500 annual for Grandfathered employees.

Set work boot reimbursement \$150 for 2009 (For full time DPW Employees)

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

10. Resolution 2009-10

Set Water & Sewer Rates for 2009

WATER AND SEWER RATES Effective for January 1, 2009:

Gallons	
0-7,000 Gallons	\$15.75 Minimum
7,000 - 20,000 Gallons	\$2.26 per thousand
20,000 - 100,000 Gallons	\$2.00 per thousand
Over 100,000	\$1.50 per thousand (Irrigation Rate)

New York State Parks Minimum charge of:	\$329.61
First 100,000 gallons	182.29
Over 100,000 gallons	\$1.50 per thousand

Village of Youngstown \$1.66 per thousand

All water bills will be charged an additional 10% surcharge to be used to build up the Water Reserve account for anticipated Capital Projects. The surcharge will not be charged for irrigation over 100,000 gallons.

Existing Tapping

5/8" x 3/4" Meter with Outside Dial (normal house installation)	\$200
5/8" x 3/4" Meter with Outside Dial (meter pit)	625
1" Meter with Outside Dial (normal house installation)	300
1" Meter with Outside Dial (meter pit)	825

New Service

3/4" Direct tap service w/Orion meter (House Installation)	750
3/4" Direct tap service w/Orion meter (Meter Pit)	1,100
1" Direct tap service w/Orion meter (House Installation)	925
1" Direct tap service w/Orion meter (Meter Pit)	1,375
1-1/2" Service provided upon application (price to be determined)	
2" Service provided upon application (price to be determined)	
Service Charge	25 (on/off)
Water / Sewer Inspection for Sale of Property	80
Water Inspection for Sale of Property	40
Sewer Hook-Up Fee	700
Lewiston Sewer Treatment Fee	per contract
After hours turn on/turn off or sewer inspection	100/100
Compliance letter for sale of property	5
Hydrant Meter Deposit	100

Sewer Rates Effective for January 1, 2008:

Village of Youngstown	\$4.05 per thousand
Fort Niagara State Park	4.05 per thousand
Town of Porter	
0-7,000	\$28.25
Over 7,000	4.05 per thousand

Treatment Rate to Town of Lewiston \$2.75 per thousand gallons.

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

11. Resolution 2009-11**Fees for 2009****Building /Zoning/Planning Fees for 2009:**

One (1) Family House	\$275
Two (2) Family House	350
Addition to House/Trailer	100
Garage Addition/New Garage/Pole Barn	50
Out Building-Shed, Porches, and Deck	25
Commercial Buildings, Condo's (3 or more units) (Plus Engineering Cost Recovery)	500 plus 75 Per Unit
Addition to Commercial Building (Non-Residential)	125
Demolish Building	25
Alterations	50
Pool Permit	25
Public Hearing Fees-Zoning Board	100*
Public Hearing Fees-Planning Board	100
*Fence Fee Variance.	80

ANY project, requiring a building permit, started prior to having received the permit, shall be subject to a \$250.00 per day fine.

Engineering Cost Recovery Fees:

Type of Zoning Class	Fee Required	Engineering Reimbursement Fee Deposit
Agricultural & Rural Residential (AAR-100)	All cases	\$500, plus \$50 per lot or living unit
Agricultural & Rural (AAR-100-A)	All cases	\$500, plus \$50 per lot or living unit
Lake Shore Residential (LSR 100)	All cases	\$500, plus \$50 per lot or living unit
Urban Residential (UR 100)	All cases	\$500, plus \$50 per lot or living unit
Urban Residential (UR 80)	All cases	\$500, plus \$50 per lot or living unit
Urban Residential (UR 60)	All cases	\$500, plus \$50 per lot or living unit
Multi-Family Residential (MF-80)	All cases	\$500, plus \$50 per lot or living unit
Multi-Family Residential (MF-100)	All cases	\$500, plus \$50 per lot or living unit
Rural Highway Commercial (RHC 360)	All cases	\$2,000 per structure
Urban Highway Commercial (UHC 240)	All cases	\$2,000 per structure
Urban Neighborhood Commercial (UNC 100)	All cases	\$2,000 per structure

Urban Central Commercial (UCC 60)	All cases	\$2,000 per structure
Rural Waterfront Commercial (WC 240)	All cases	\$2,000 per structure
Restricted Industrial (M-1)	All cases	\$5,000 per structure
General Industrial (M-2)	All cases	\$5,000 per structure
Heavy Industrial (M-3)	All cases	\$5,000 per structure
General Industrial - Service Related (M-4)	All cases	\$5,000 per structure
Waste Landfills	All cases	\$25,000 or \$5,000 per acre, whichever is greater
Niagara River Environmental	All cases	\$250

STORMWATER FEES:**For Single-Phase Residential & Commercial Development Projects ("Scheme A"):**

0 - 5 Acres: \$500.00

5 - 10 Acres: \$500.00 + \$350.00 = \$850.00

10 + Acres: \$850.00 + \$300.00 for each additional 5 acres

For Multi-Phase Residential & Commercial Development Projects ("Scheme B"):

1. When the entire project is first being reviewed and approved by the municipality, use Scheme A above to determine an initial fee based on the entire acreage of the project to be developed in several phases.

2. Add \$500.00 for each subsequent phase after the first initial phase, to be collected at the beginning of each subsequent phase.

TOWN CLERK FEES:

Set \$20.00 fee on each check tendered as payment and returned for INSUFFICIENT FUNDS.

Subdivision Regulations	\$10.00 + postage
Zoning Book	30.00 + postage
Master Plan	25.00 + postage
Zoning Maps	10.00 + postage
Genealogy Search (Certified)	5.00
F.O.I.L. & Minutes Copies	.25 per page
Copy of:	
Marriage Certificate	10.00
Birth Certificate	10.00
Death Certificate	10.00

Set Fax Charges as follows: \$2.00/fax.

Set Photocopy charges as follows:	Letter Size	.15 each
	Legal Size	.25 each
	11" x 17"	.30 each

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

12. Resolution 2009-12

2009 Holiday Schedule

Approve the Holiday Schedule for 2009 as follows:

New Year's Day	Thursday, January 01, 2009
Floating Holiday ***	Friday, January 02, 2009
Martin Luther King, Jr Day *	Monday, January 19, 2009
President's Day **	Monday, February 16, 2009
Good Friday	Friday, April 10, 2009
Memorial Day (Observed)	Monday, May 25, 2009
Independence Day	Friday, July 03, 2009
Labor Day	Monday, September 07, 2009
Columbus Day (Observed)	Monday, October 12, 2009
Veteran's Day	Wednesday, November 11, 2009
Thanksgiving Day	Thursday, November 26, 2009
Day After Thanksgiving	Friday, November 27, 2009
Christmas Day	Friday, December 25, 2009
New Year's Day	Friday, January 01, 2010

* The Highway Department will receive the FIRST DAY OF SMALL GAME SEASON IN PLACE OF MARTIN LUTHER KING JR. DAY.

** The Highway Department will receive the FIRST WORK DAY OF BIG GAME SEASON IN PLACE OF PRESIDENT'S DAY.

*** Work Election Day-Take floating holiday

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

13. Resolution 2009-13**2009 Contracts**

Approve the following Contracts as budgeted and authorize the Town Supervisor to sign the Contracts as they come due in 2009.

01-1989.0004	Village of Youngstown (Village Center Recreation, Senior Citizens)	17,500
01-1989.0004	Village of Youngstown	17,500
01-6460.0004	Industrial Dev (NIACAP)	5,000
01-6510.0004	American Legion O Leo Curtis Post 830 (Maintenance) Ransomville	2,000
01-6510.0004	Veterans of Foreign Wars Post 813 Youngstown	2,000
01-6772.0004	Youngstown Senior Citizens (Services)	1,500
01-6772.0004	Ransomville Rural Retirees (Services)	1,500
02-6989.0004	LNRRCOC Annual Contract	10,000
02-6989.0004	LNRRCOC Annual Contract	10,000
01-7410.0004	Youngstown Free Library	69,160
01-7410.0004	William J McLaughlin Free Library	69,160
01-7520.0004	Ransomville Historical Project	1,500
01-7520.0004	Old Fort Niagara Association	20,000
01-7520.0004	Town of Porter Historical Society (Program Maintenance)	2,000
01-7550.0004	Ransomville Country Faire (Ransomville Historical Project)	1,000
01-7550.0004	Village of Lewiston Fireworks	1,000
01-7550.0004	Lighting of the Wreaths (Ransomville Historical Project)	1,500
01-8510.0004	Ransomville Business Professional Assn. (Comm Beautification)	2,000
01-8510.0004	Youngstown Business Professional Assn. (Comm Beautification)	0
01-8510.0004	Ransomville Garden Club (Flowers)	700
02-7310.0004	Niagara Pioneer Soccer League	1,000
02-7310.0004	Wilson Youth Baseball (Baseball Program)	500
02-7310.0004	Youngstown Senior Citizens (Activity Programs)	1,700
02-7310.0004	Ransomville Rural Retirees (Activity Programs)	1,700

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

14. Resolution 2009-14**Miscellaneous Authorizations for 2009**

Authorize the Highway Superintendent to use Town forces and/or Town equipment for shared services and to aid municipalities that declare a STATE OF EMERGENCY.

Set Mileage Rate at 50 Cents/Mile.

Set the Town Hall Hours:**Monday - Friday 8:00 AM until 4:00 PM****Designate Official Banks:****HSBC, Youngstown, New York
First Niagara Commercial Bank, Troy NY****Designate Official Newspaper:****Niagara Gazette, Niagara Falls, NY**

Authorize the following to attend the Association of Towns Convention in New York City from February 15-18, 2009: Town Supervisor, One (1) Town Board Member, Two (2) Town Justices, One (1) Zoning Board Member, One (1) Planning Board Member.

Appoint George Spira as the Town Delegate to the Association of Towns' Convention in New York City and appoint David Truesdale as the Town Alternate to the Association of Towns' Convention February 15-18, 2009 in New York City.

Authorize and set the following: PETTY CASH: Town Justices \$50.00 each, Water Clerk \$50.00, Town Clerk \$50.00, Tax Collector \$100.00, and Highway Department \$40.00.

Authorize the Town Justices to hire a Court Stenographer when needed, and set Jury Fees as follows: \$5.00 if called and reported, \$10.00 if seated.

Authorize the following: For the betterment of Town Government, authorize the payment of the following dues: Supervisors' and County Legislators' Association, New York State Association of Town Magistrates (for both Justices), New York State Assessors' Association, Niagara County Assessors' Association, New York State Association of Tax Collectors and Receivers, Niagara County Water Supervisors' Association, New York State Association of Town Highway Superintendents, American Waterworks Association, Environmental Association, New York State Association of Town Clerks, Niagara County Town Clerks Association, International Construction Expo, Niagara County Magistrates (for both Justices), New York State Planning Board Association, New York State Association of Town's Dues for 2009, and NYS-GFAO Association Dues for 2009.

Authorize the payment in advance of audit of claims for public utility services such as gas, electric, water, sewer, fuel oil, telephone services, as well as for postage, freight, and express charges, time sensitive payments and payment on Medical Reimbursement Accounts.

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

15. Resolution 2009-15**Supervisor's Committees & Liasons for 2009****SUPERVISOR'S COMMITTEES:**

Insurance- Gail Zachary, Norm Ault, and Tom Baia.
Water-Merton Wiepert, Scott Hillman, Jeff Baker.
Sewer- Nancy Orsi, Scott Hillman, and Larry White.
Land-ALL TOWN BOARD MEMBERS and Roy Rogers
Cable TV-Tom Baia
Refuse- Tom Baia, Norm Ault and Nancy Orsi.
Audit Committee- Norm Ault, Tom Baia, and Larry White
Drainage - Tom Baia and Jeff Baker
G.I.S. - Susan Driscoll (Coordinator), Scott Hillman, Norm Ault
Employee Compensation - Nancy Orsi, Larry White, Gail Zachary, Norm Ault

LIAISONS:

CWM- (Citizens Advisory Committee)Merton Wiepert, William Choboy, Peter Diachun, and _____.
Village of Youngstown-Tom Baia
Recreation Department-Merton Wiepert
Libraries-Larry White
Fire Companies-Tom Baia, Youngstown and Jeff Baker, Ransomville.
Human Relations- Nancy Orsi, Merton Wiepert and Norm Ault
Highways-Jeff Baker, Scott Hillman, and Larry White
Buildings-David Truesdale, Merton Wiepert and Scott Hillman
Planning Board- Nancy Orsi and Tom Baia
Zoning Board- Jeff Baker and Larry White
Historical Societies-Merton Wiepert
Master Plan Committee-Nancy Orsi and Tom Baia
Lower Niagara River Chamber of Commerce - Merton Wiepert & Nancy Orsi
L.O.O.W. (Restoration Advisory Board) - William Choboy
Greenway (Power Authority) - Councilwoman Nancy Orsi

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

16. Resolution 2009-16**Procurement Policy****Town of Porter Procurement Policy**

WHEREAS, General Municipal Law (GML) § 104-b requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML § 103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement; NOW THEREFORE, be it

RESOLVED: That the Town of Porter does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML § 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "Purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000 shall be formally bid pursuant to GML § 103.

Guideline 3. All estimated purchases of:

- Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- Less than \$3,000 but greater than \$1,000 requires an oral request for the goods and oral/fax quotes from two vendors.
- Less than \$1,000 but greater than \$250 is left to discretion of the Purchaser.

All estimated public works contracts of:

- Less than \$20,000 but greater than \$10,000 requires a written RFP and fax/proposals from three contractors.
- Less than \$10,000 but greater than \$3,000 requires a written RFP and fax/proposals from two contractors.
- Less than \$3,000 but greater than \$500 is left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. [For example, the second low bidder is a business in town, paying town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier.] If a bidder is not deemed responsible, facts

supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6. Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (a) Acquisition of professional services;
- (b) Emergencies;
- (c) Sole-source situations;
- (d) Goods purchased from agencies for the blind or severely handicapped;
- (e) Goods purchased from correctional facilities;
- (f) Goods purchased from another governmental agency;
- (g) Goods purchased at auction;
- (h) Goods purchased for less than \$250;
- (i) Public works contracts for less than \$500.

Guideline 7. This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.

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

17. Resolution 2009-17

Town of Porter Cash Management Policy

The objectives of the Investment Policy of the Town of Porter are to minimize risk, to insure the investments mature when the cash is required to finance operations, and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in: **REPURCHASE AGREEMENTS.**

Certificates of Deposit issued by a bank or trust company authorized to do business in New York State.

Time Deposit Accounts in a bank or trust company authorized to do business in New York State.

All other Town of Porter Officials receiving money in the official capacity must deposit such funds in negotiable order of withdrawal accounts.

Repurchase agreements shall be authorized subject to the following restrictions:

***All repurchase agreements must be entered into subject to a Master Repurchase Agreement.**

***Trading Partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.**

***Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.**

***No substitution of securities will be allowed.**

***The Custodian shall be a party other than the trading partner.**

COLLATERAL

Certificates of Deposit shall be secured by insurance of FDIC. All deposits in excess of FDIC limits shall be collateralized.

WRITTEN CONTRACT

Written Contracts shall be required for the purchase of all Certificates of Deposit.

REPORTING AND AUDIT

The Chief Fiscal Officer shall include, in the Supervisor's Monthly Report, the monies invested in Certificates of Deposit, Time Accounts, and Checking Accounts.

The Town Board of the Town of Porter shall review and approve an annual investment policy and amend if necessary these guidelines at the Organizational Meeting held the first week in January of each fiscal year.

THE CASH MANAGEMENT POLICY WAS ADOPTED ON JANUARY 5, 2009 BY A UNANIMOUS VOTE OF THE TOWN OF PORTER TOWN BOARD.

TOWN CLERK

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

18. Resolution 2009-18

Close Organizational Meeting

With no further business before the Board, the meeting was closed at 4:35 PM

Gail A. Zachary
Town Clerk

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