



# Town of Porter

## Town Board Meeting

3265 Creek Road  
Youngstown, NY 14174  
[TownofPorter.Net](http://TownofPorter.Net)

~ Minutes ~

Gail Zachary

Monday, August 12, 2013

7:00 PM

Town Hall Auditorium

### I. Call to Order

7:00 PM Meeting called to order on August 12, 2013 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	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Gail Zachary	Town of Porter	Town Clerk	Present	
Barb Dubell	Town of Porter	Deputy Town Clerk	Present	
Susan Driscoll	Town of Porter	Assessor	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Dave Britton	Town of Porter	Engineer	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	

### II. Public Portion

#### 1. Report 2013-147

#### Public Comments

Clyde Burmaster presented an oversized reproduction of a check for \$150,000 to the Town of Porter from the Greenway Commission. The money is to be used at Porter-On-The-Lake for improvements to the park. He thanked the park committee for all their hard work. The money will be used for handicapped access to the pavilion, new playground equipment, safety mats and improvements to the large pavilion.

In another matter, Wendy Shaw stated, three weeks ago, the Youngstown Fire Company received a call on Sunrise Lane; there are no numbers, however, on any of the houses. The fire company had a very difficult time locating the right house. Roy Rogers, Code Enforcement Officer, said that everyone is required, by law, to display their house number. Roy will pursue this matter.

**RESULT: REPORT ISSUED**

### III. Reports/Resolutions

#### 1. Resolution 2013-80

##### Minutes Approval

Resolution to approve the minutes of the July 8 regular Town Board meeting the minutes of the work session held July 15, 2013.

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

#### 2. Resolution 2013-81

##### Payment of Audited Vouchers

Resolution to approve the Vouchers as audited by the Town Board.

#### TOWN OF PORTER

**WARRANT: POST AUDIT - JULY, 2013 7/31/13**

<b>FUND</b>	<b>01</b>	6,969.26
<b>FUND</b>	<b>02</b>	527.27
<b>FUND</b>	<b>04</b>	127.19
<b>FUND</b>	<b>06</b>	400.16
<b>FUND</b>	<b>07</b>	988.80
<b>FUND</b>	<b>28</b>	7,216.44
<b>FUND</b>	<b>33</b>	49.20
<b>TOTAL</b>		<b><u>16,278.32</u></b>

**VOUCHER 'S 18454 THRU 18477**

**WARRANT: # 8 AUGUST, 2013 8/12/13**

<b>FUND</b>	<b>01</b>	12,284.92
<b>FUND</b>	<b>02</b>	40,954.25
<b>FUND</b>	<b>04</b>	77,221.79
<b>FUND</b>	<b>06</b>	7,802.63
<b>FUND</b>	<b>07</b>	72,977.96
<b>FUND</b>	<b>10</b>	774.56
<b>FUND</b>	<b>33</b>	342.12
<b>TOTAL</b>		<b><u>212,358.23</u></b>

**VOUCHER 'S 18478 THRU 18586**

**TOTAL**    **228,636.55**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Baker, Councilman
<b>SECONDER:</b>	Joe Fleckenstein, Councilman
<b>AYES:</b>	Wiepert, Baia, White, Baker, Fleckenstein

**3. Report 2013-148**

**Town Clerk**

**July 2013 Revenue**

Water \$32,643.28

Sewer \$48,968.67

Licenses and Fees \$850.23

The Town Clerk received the Town of Porter Code Book, prepared by General Code. Code adoption is subject to final approval from the Town Board, town attorney, code enforcement officer, assessor and town clerk, at the end of which time it will be sent to the State Department and become Local Law #2-2013 of the Town of Porter.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**4. Report 2013-149**

**Supervisor**

- Supervisor's Monthly Report for July, 2013 was distributed to all Town Board members.
- Resolution to accept the Supervisor's Monthly Report for July, 2013
- June Sales Tax: \$145,014.99. The total for June, 2013, is up \$17,677.93 from 2012
- Porter-on-the-Lake Greenway Projects.

On August 17, 2013, the Ransomville Country Custom Cruisers will be having a Super Car Show from 9:00 a.m. to 5:00 p.m. on the grounds of the Ransomville Free Library. On the agenda will be The Niagara Experience Dancers at 11:00 a.m., Terry Buckwald (Elvis impersonator) at 1:00 p.m. The Hot Country Liners will perform at 3:30 p.m. The Carter stand will be selling food throughout the day.

## COMMENTS - Current Meeting:

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<b>RESULT:</b>	<b>REPORT ISSUED</b>
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## 5. Resolution 2013-82

**Acceptance of Supervisor's Report**

Resolution to accept the Supervisor's July report.

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

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## 6. Resolution 2013-84

**Porter-On-The-Lake Greenway Projects**

A resolution was made to approve the Porter-on-the-Lake Committee's recommendation to purchase playground equipment for Porter-on-the-Park in an amount not to exceed \$60,000. This is subject to Greenway approval. This money will be spent on playground equipment and its installation.

A resolution was also made to purchase signs, with Greenway money in an amount not to exceed \$10,000. Initial funding for these expenditures is to come from the Capital Project Fund. When Greenway reimbursement is received, the Capital Project fund will be reimbursed.

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

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## 7. Report 2013-150

**Bookkeeper**

Bookkeeper's Monthly Report - **July, 2013**

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Completed processing all July, 2013 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for July, 2013, and distributed it to the Supervisor & Town Board members.

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Continued maintaining the town web page.

New web-page should be launched within the next week or 10 days.

2014 Budget is upon us. Budget requests will be furnished to the Department heads by August 16<sup>th</sup> and should be returned by September 9<sup>th</sup>.

Budget Adjustment:

01-1340.0004	Budget Contractual	\$30.00
01-1220.0004	Supervisor Contractual	(30.00)
01-1330.0004	Tax Collector Contractual	\$1,175.00
01-1990.0004	Contingency	(1,175.00)

Bookkeeper Ault explained that the adjustment to the tax collector's account was because it was thought the local bank would be taking tax bill payments.

**RESULT:           REPORT ISSUED**

**8. Resolution 2013-83**

**Budget Adjustments**

Resolution authorizing the following Budget Adjustments:

01-1340.0004	Budget Contractual	\$30.00
01-1220.0004	Supervisor Contractual	(30.00)
01-1330.0004	Tax Collector Contractual	\$1,175.00
01-1990.0004	Contingency	(1,175.00)

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

**9. Report 2013-151****Assessor**

## MONTHLY REPORT - JULY 2013

1. Finalized and submitted 2013 Assessor's Report for NY State ORPTS.
2. Created image identification report for parcels without a photographic image; began planning rectification project.
3. Completed two-day field review training in Batavia.
4. Completed month-long, on-line, assessment administration training.
5. Submitted Manufactured Home Park STAR exemption data to NY State ORPTS, requested as part of their continuing efforts to ensure that only eligible properties receive the exemption.
6. Attended July Planning Board, Zoning Board of Appeals, and Niagara County Assessor's Association meetings.
7. Reviewed proposed partial release of easement, exhibit A description, on vacant land at SBL#33.00-1-9.1.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**10. Report 2013-152****Highway****Highway Department:**

1. Completed monthly brush pickup.
2. Completed Fiber Seal on Creek Lane and East Ave. with assistance from the Towns of Lewiston, Pendleton, Cambria and the Village of Youngstown.
3. Provided assistance to the Village of Lewiston and the Village of Youngstown with trucks hauling for their milling and repaving projects.
4. Provided assistance with trucks hauling materials to the Towns of Wilson and Newfane for their Fiber Sealing projects.
5. Completed another round of roadside mowing.
6. Completed removal of 2 dead trees on Lake Rd.

**Drainage Department:**

1. Continuing the off road mowing with both mowers.

**Water and Sewer Department:**

1. Completed monthly meter reading.
2. Completed repairs to a water main break on Parker Rd.

3. Completed replacement of a fire hydrant on St. Christopher's Lane.
4. Completed installation of a blow off hydrant on Youngstown/Wilson Rd.
5. Repaired a leak in a hydrant lateral on Youngstown/Wilson Rd.

**POTL:**

1. Completed 6 mowings.
2. Wendy and I met with representatives from National Grid regarding options for a future upgrade to the park electrical service.

Respectfully submitted,

*Scott B. Hillman*

Superintendent of Highways

Bookkeeper Ault reported, in response to a question about the solar panel savings that, during June, July and August, the National Grid bill was \$0 for electricity. Scott Hillman, Highway/Water Superintendent, also stated that the highway garage's electric bill was "significant" (\$0). Delivery charge came in at \$21.63.

A motion was made by Councilman White and seconded by Councilman Fleckenstein to have three "intersection" lights installed at Porter-On-The-Lake. The poles are already so can be started right away. One at the end of the road was agreed upon.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**11. Resolution 2013-86**

**Porter-On-The-Lake**

Resolution to request National Grid to install three (3) 100 watt high pressure sodium roadway luminaries installed on existing poles (#3000 intersection of Lake Road at Dietz Road, #2892 near the south park entrance, and #2838 near the north park entrance. A letter from the Board, and a Board resolution will be sent to Kim Stein, National Grid's representative.

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

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**12. Report 2013-153**

**Recreation**

Niagara Pioneer Soccer League presented the Town of Porter with a plaque to thank them for their

support during the past season.

**RESULT: REPORT ISSUED**

**13. Report 2013-154**

**Building Inspector/Code Enforcement Officer**

<b>July</b>	<b>2013</b>	<b>TOWN OF PORTER</b>	<b>Monthly Permits</b>			
<b><u>No.</u></b>	<b><u>Date</u></b>	<b><u>Owner</u></b>	<b><u>Type</u></b>	<b><u>Location</u></b>	<b><u>Value</u></b>	<b><u>Amt.</u></b>
054-13	7/2	D Duerr	Fence	366 Howard Dr	3,000	25
055-13	7/10	J Stevens	Pole Barn	3583 Dickersonville	30,000	50
058-13	7/1	D Williams	Alter.	2511 Lake	15,000	50
059-13	7/8	R Gorhan	Porch	2484 Braley	600	25
062-13	7/24	D Morrissette	Add	1460 Lockport Rd	3,000	25
063-13	7/25	S Sabey	Pole Barn	3460 Creek Rd	6,000	50
<b>July Totals</b>					<b>57,600</b>	<b>175</b>
<b>Y.T.D. Totals</b>					<b>1,045,288</b>	<b>3,701</b>

**BUILDING DEPARTMENT REPORT: Month July 2013**

- 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.
- Pursued Zoning code violations and issued to the Supervisor "Complaints Report" for the month of July 2013.
- Reviewed bids for roof replacement at Town Hall and recommended award.
- Attended pending grant meeting

- Attended Planning and Zoning Board of Appeals meetings.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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14. Report 2013-155

**Engineer**

There was discussion about the proposed water tower on the Balmer Road site, and what will happen to the existing water tower in Ransomville.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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15. Report 2013-156

**Attorney**

Attorney Dowd discussed the ownership of the water tower on Balmer Road and will check the deed. He also will be providing more information on the dog sheltering/pick-up difficulties.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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16. Report 2013-157

**Grant Writer**

report

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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17. Resolution 2013-85

**L W R P Funding**

**RESOLUTION:** Support of the Consolidated Funding Application and under the category Local Water Front Revitalization Plan (NYS Coastal Resources) in the development of a new LWPR for the Town of Porter.

**RESOLVED** that the Supervisor of the Town of Porter is hereby authorized and directed to file an application with the State of New York, Consolidated Funding Application, Department of State, Division of Coastal Resources to request grant funding for the development of Local Waterfront Revitalization Plan.

**Further RESOLVED** the Town of Porter will provide 50% matching funds required to complete the project (Not to exceed \$100,000.00 total project cost.)

**DATED:** August 12<sup>th</sup>, 2013

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

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**18. Report 2013-158**

**Correspondence**

A copy of the Youngstown Police Report for the Month of July was sent to all Board Members.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**19. Report 2013-159**

**Calendar of Events**

Zoning Board	Thursday, August 15th/7:00 p.m. @ Town Hall
Offices Closed	Monday, September 2 LABOR DAY
Planning Board	Thursday, September 5th/7:00 p.m. @ Town Hall
Town Board	Monday, September 9 <sup>th</sup> /7:00 p.m. @ Town Hall

Ransomville Country

Custom Cruisers, Super Car Show

Saturday, August 17<sup>th</sup> / 11:00 a.m. @ Ransomville Library

The Town Board members were invited by parade chairman, Dave Truesdale, to let him know if they were participating.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**20. Report 2013-160**

**Town Board Comments**

The Town of Porter has two (2) residents that have turned 100 years old, Ruth Kennedy and Larry Neumann.

With no further business to discuss, the meeting was adjourned at 7:55 p.m. with Councilman Fleckenstein making the motion and Councilman Baker seconding. Motion carried unanimously.

Gail Zachary  
Town Clerk

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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