



# Town of Porter

## Organizational Meeting

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

~ Minutes ~

Gail Zachary

Thursday, January 2, 2014

3:00 PM

Town Hall Auditorium

### I. Call to Order

3:00 PM Meeting called to order on January 2, 2014 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Mert Wiefert	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	
Barb Dubell	Town of Porter	Deputy Town Clerk	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	

### II. Public Portion

### III. Resolutions

#### 1. Report 2014-1

#### Opening Comments

Good Afternoon,

I would like to take this time to congratulate Tom Baia and Joe Fleckenstein on their re-election as members of the Town Board, Sally Hogan, on her re-election as Tax Collector, and Justice Dave Truesdale on his re-election as Town Justice.

Today the Town Board will make a number of appointments, set fees and rates, establish committees, plus other necessary official town policies and procedures.

I'd like to thank the Town Board, along with the employees within the Town Hall, and the DPW for their daily efforts in making the Town of Porter a great place to live and work.

**RESULT: REPORT ISSUED**

**2. Resolution 2014-1****Appoint Attorney & Engineer for 2008**

**Reappoint Michael J. Dowd as Attorney for the Town for the year 2014 at \$21,200.00, 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 2014 at \$8,484.00, and authorize the Town Supervisor to sign the contract.**

**Appoint CRA Infrastructure & Engineering, Inc. as Town Engineer for 2014 at \$9,000.00, and authorize the Town Supervisor to sign the contract.**

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

**3. Resolution 2014-2****Planning & Zoning Board Appointments**

**Reappoint Peter Jeffery to the Zoning Board of Appeals. Term of office is from January 1, 2014 to December 31, 2018.**

**Reappoint John "Duffy" Johnston as Chairman of the Town of Porter Zoning Board of Appeals for 2014.**

**Reappoint Nancy Smithson as Secretary of the Town of Porter Zoning Board of Appeals for the year 2014**

**Appoint George Spira as chairman of the Town of Porter Planning Board for the year 2014.**

**Reappoint G. Edward Ortiz to the Planning Board for the term 1/1/2014 thru 12/31/2018.**

**Reappoint Pamela Parker as Secretary of the Town of Porter Planning Board for the year 2014.**

<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

## 4. Resolution 2014-3

## Set - 2014 Salaries

Town of Porter	Hourly	2014 Annual	Total
Councilman Jeff Baker		7,165	
Councilman Larry White		7,165	
Councilman Joe Fleckenstein		7,165	
Councilman Tom Baia		7,165	
Deputy Super		515	<b>7,680</b>
Justice David Truesdale		17,157	
Justice Wayne Pollow		17,157	
Court Officer Tim Wilksmore	12.36	1,582	
Court Officer Nate Meigs	12.36	1,582	
Court Clerk - Lisa Hastings	22.78	41,619	
Longivity		175	
Recreation Secretary P/T		3,872	<b>45,666</b>
Supervisor Merton Wiepert		31,496	
Budget Officer		1,548	<b>33,044</b>
Bookkeeper Norm Ault		39,538	
Longivity		175	
System Manager		2,842	
Budget Assistant		2,081	
Salary		2,036	
Asst Town Clerk		1,000	
Asst Registrar		500	<b>48,172</b>
Tax Collector Sally Hogan		6,054	
Deputy Collector Patricia Cranston		888	
Assessor (non-certified) Susan Driscoll		43,355	
Planning Coordinator		750	
Zoning Coordinator		750	<b>44,855</b>
Assessor Clerk Margaret Ann Given	14.08	14,333	
Town Clerk Barbara DuBell		39,377	
Registrar		6,378	
Water Payment Clerk		5,477	
Sewer Payment Clerk		3,014	<b>54,246</b>
Deputy Town Clerk Kara Hibbard		24,884	
Deputy Registrar		2,027	<b>26,911</b>
Highway Superintendent Scott Hillman		36,815	
Water Superintendent		16,118	
Sewer Superintendent		15,184	
Park Maintenance		1,000	
Town Hall Maintenance		500	<b>69,617</b>

Highway Clerk P/T Charmayne Pollow	15.58	12,589	
Water Clerk P/T		1,636	
Sewer Clerk P/T		1,636	<b>15,861</b>
Historian Suzanne Dietz		2,257	
Deputy Historian Rosanne Moje		690	
Crossing Guard	12.82	6,025	<b>6,715</b>
Code Inf/Bldg Inspect Roy Rogers		36,310	
Water Clerk P/T Ramona Lockhart	16.49	10,784	
Sewer Clerk P/T		6,002	<b>16,786</b>
Story Hour P/T Heidi Lauger		4,401	
Story Hour P/T Amanda Shackelford		4,401	
Story Hour Director P/T Sharon Rugg		5,861	
Summer Rec Director P/T Kathy Zasucha		9,444	
Deputy Summer Rec Dir P/T		5,282	
Zoning Board Secretary P/T Nancy Smithson		3,949	
Zoning Board Chairman P/T Duffy Johnston		2,000	
Zoning Board Member	65.00	per meeting	
Planning Board Secretary P/T Pam Parker		4,703	
Planning Board Chairman P/T George Spira		2,000	
Planning Board Member P/T	65.00	per meeting	
Drainage Mower P/T Russell Whyte	14.00	14,000	
Deputy Hwy Supt MEO David Gombert	24.54	51,240	
Longivity		1,025	<b>52,265</b>
MEO Steven Bills	22.78	47,565	
MEO Jim Stone	22.78	47,565	
MEO Wendy Shaw	17.92	37,417	
Hwy Relief - Sidewalks P/T	14.00		
Sidewalk - Plowing P/T Hoppy Leggett	9.93		
Water/Sewer Foreman David Burmaster	24.54	51,240	
Longivity		1,025	<b>50,782</b>
Water/Sewer Scott Cudney	22.78	47,565	
Summer Help - Hgwy P/T	9.36	7,488	
Summer Help - Hwy P/T - new	8.53	6,824	
Summer Help - Recreation	8.53	1,706	
Summer Help - Recreation - new	8.53	1,706	
Board Of assessment Review	\$75.00 per day paid by voucher		

<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

## 5. Resolution 2014-4

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

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

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

**Set work boot reimbursement \$150 for 2014 (Full time DPW Employees)**

<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

## 6. Resolution 2014-5

**Set Town Board Meetings**

**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 2014, except for October. That meetings will be on Tuesday, October 14<sup>th</sup> due to the Columbus Day holiday.**

<b>January 13, 2014</b>	<b>July 14, 2014</b>
<b>February 10, 2014</b>	<b>August 11, 2014</b>
<b>March 10, 2014</b>	<b>September 8, 2014</b>
<b>April 14, 2014</b>	<b>October 14, 2014</b>
<b>May 12, 2014</b>	<b>November 10, 2014</b>
<b>June 9, 2014</b>	<b>December 8, 2014</b>

<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

**7. Resolution 2014-6****Miscellaneous Appointments**

Reappoint Supervisor Merton K. Wiepert as Budget Officer for the year 2014.

Reappoint Glenn Caverly as the Stormwater Management Officer for 2014.

Reappoint Rotella Grant Management as the Town's grant writer for 2014, on a month -to- month basis on a monthly retainer of \$500.00 per month and 2% commission, with a maximum of \$5,000.00. Commission to be paid when grant check is received.

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

**8. Resolution 2014-7****Water/Sewer Rates for 2014****WATER AND SEWER RATES Effective for January 1, 2014:****Gallons**

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

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

All water bills will be charged an additional 10% surcharge to be used to build up the Water Reserve account for anticipated Capital Projects

<b>Village of Youngstown</b>	<b>\$1.66 per thousand</b>
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**Existing Tapping**

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

**New Service**

<b>3/4" Direct tap service w/Orion meter (House Installation)</b>	<b>750</b>
<b>3/4" Direct tap service w/Orion meter (Meter Pit)</b>	<b>1,100</b>
<b>1" Direct tap service w/Orion meter (House Installation)</b>	<b>925</b>
<b>1" Direct tap service w/Orion meter (Meter Pit)</b>	<b>1,375</b>
<b>1-1/2" Service provided upon application (price to be determined)</b>	
<b>2" Service provided upon application (price to be determined)</b>	

<b>Service Charge</b>	<b>25 (on/off)</b>
<b>Water / Sewer Inspection for Sale of Property</b>	<b>80</b>
<b>Water Inspection for Sale of Property</b>	<b>40</b>
<b>Sewer Hook-Up Fee</b>	<b>700</b>
<b>After hours turn on/turn off or sewer inspection</b>	<b>100/100</b>
<b>Compliance letter for sale of property</b>	<b>5</b>
<b>Hydrant Meter Deposit</b>	<b>100</b>

**Sewer Rates Effective for January 1, 2014:**

<b>Village of Youngstown</b>	<b>\$5.10 per thousand</b>
<b>Fort Niagara State Park</b>	<b>5.10 per thousand</b>
<b>Town of Porter</b>	
	<b>0-7,000 \$35.70</b>
	<b>Over 7,000 5.10 per thousand</b>

Treatment Rate to Town of Lewiston \$3.40 per thousand gallons.

<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

9. Resolution 2014-8

**Town Fees**

**Building /Zoning/Planning Fees - 2014**

<b>One (1) family house</b>	<b>\$ 300 for up to 3,000 sq/ft then \$0.25 per sq/ft</b>
<b>Two (2) family house</b>	<b>\$400 for up to 3,000 sq/ft then \$0.25 per sq/ft</b>
<b>Addition to house/trailer</b>	<b>100</b>
<b>Garage addition/New garage/Pole barn</b>	<b>50</b>
<b>Shed, Porch, Deck</b>	<b>25</b>
<b>Commercial building, Condo (3 or more units) (plus engineering cost recovery)</b>	<b>500 plus 100 Per Unit</b>
<b>Commercial telephone tower</b>	<b>500</b>
<b>Addition to commercial building (non-residential)</b>	<b>125</b>
<b>Demolish building</b>	<b>25</b>
<b>Alterations</b>	<b>50</b>
<b>Public Hearing Fee - Zoning Board</b>	<b>100</b>
<b>Public Hearing Fee - Planning Board</b>	<b>100</b>
<b>Fences</b>	<b>25</b>
<b>Pool - above ground</b>	<b>25</b>
<b>Pool - in ground</b>	<b>50</b>
<b>Wind energy conversion system (per tower)</b>	<b>100</b>
<b>Temporary use permit</b>	<b>50</b>
<b>Change of use permit</b>	<b>50</b>
<b>Certificate of legal non-conformity</b>	<b>50</b>

Outdoor wood-burning furnace

50

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:**

Residential: \$500 plus \$50 per lot or living unit

Commercial: \$2,000 per structure

**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:**

**2014 Dog Fees:**

Spayed/Neutered	Total Fee:	\$ 10.00
Not spayed/neutered	Total Fee:	\$ 18.00
Purebred	Total Fee:	\$ 25.00

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)	10.00
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

<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

## 10. Resolution 2014-9

### Holidays - 2014

New Year's Day	Wednesday, January 1, 2014
Martin Luther King, Jr. Day*	Monday, January 20, 2014
President's Day **	Monday, February 17, 2014
Good Friday	Friday, April 18, 2014
Memorial Day (Observed)	Monday, May 26, 2014
Independence Day	Friday, July 4, 2014
Labor Day	Monday, September 1, 2014
Columbus Day (Observed)	Monday, October 13, 2014
Veteran's Day	Tuesday, November 11, 2014
Thanksgiving Day	Thursday, November 27, 2014
Day After Thanksgiving	Friday, November 28, 2014
Christmas Day	Thursday, December 25, 2014
Floating Holiday ***	Friday, December 27, 2014
New Year's Day	Thursday, January 1, 2015

\*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 DAY OF BIG GAME SEASON IN PLACE OF PRESIDENT'S DAY.

\*\*\*Work election day-Take floating holiday.

<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

## 11. Resolution 2014-10

### Contracts - 2014

Approve the following Contracts as budgeted and authorize the Town Supervisor to sign the Contracts as they come due in 2014.

<b>ANNUAL CONTRACTS</b>		<b>2014</b>	<b>Amount</b>
01-1989.0004	Village of Youngstown (Village Center Recreation, Senior Citizens)		10,000
01-1989.0004	Village of Youngstown		10,000
01-6460.0004	Industrial Dev (NICAP)		4,000
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	Ransomville Rural Retirees (Services)		1,500
02-6989.0004	LNRRCOC Annual Contract		10,000
02-6989.0004	LNRRCOC Annual Contract		7,500
01-7410.0004	Youngstown Free Library		74,111
01-7410.0004	William J McLaughlin Free Library		74,111
01-7520.0004	Ransomville Historical Project		1,350
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	Youngstown Field Days Fire Works		1,500
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	Ransomville Flowers		700
02-7310.0004	Niagara Pioneer Soccer League		500
02-7310.0004	Wilson Youth Baseball (Baseball Program)		500
02-7310.0004	Ransomville Rural Retirees (Activity Programs)		1,700

<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

## 12. Resolution 2014-11

### Miscellaneous Authorizations - 2014

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.

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 approval by the Town Board.

Set Mileage Rate at 50 Cents/Mile.

Set the Town Hall Hours:

Monday - Friday      8:00 AM until 4:00 PM

Designate Official Banks:                      First Niagara Bank

Designate Official Newspaper:              Niagara Gazette, Niagara Falls, NY

Authorize and set the following: **PETTY CASH:** Town Justices \$50.00 each, Water Clerk \$100.00, Town Clerk \$100.00, 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: \$10.00 if called and reported, \$40.00 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 2014, and NYS-GFAO Association Dues for 2014.

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

### 13. Resolution 2014-12

#### Supervisor's Appointments

##### SUPERVISOR'S COMMITTEES:

Deputy Supervisor-Thomas Baia  
 Insurance- Barb DuBell, Norm Ault, Tom Baia, and Lisa Hastings.  
 Water-Merton Wiepert, Scott Hillman, Jeff Baker.  
 Sewer- Joe Fleckenstein, Scott Hillman, and Larry White.  
 Land-ALL TOWN BOARD MEMBERS and Roy Rogers  
 Cable TV-Tom Baia, Joe Fleckenstein  
 Refuse- Tom Baia, Norm Ault and Jeff Baker.  
 Audit Committee- Tom Baia, and Larry White  
 Drainage - Joe Fleckenstein and Jeff Baker  
 G.I.S. - Susan Driscoll (Coordinator), Scott Hillman, Norm Ault  
 Employee Compensation -Larry White, Barb DuBell, and Norm Ault.

##### LIAISONS:

CWM- (Citizens Advisory Committee) Merton Wiepert, William Choboy, Peter Diachun, and J. Anthony Collard.  
 Village of Youngstown-Tom Baia  
 Recreation Department-Merton Wiepert  
 Niagara Falls Area Chamber of Commerce-Tom Baia  
 Libraries-Larry White  
 Fire Companies-Dave Truesdale, Youngstown and Jeff Baker, Ransomville.  
 Human Relations- Joe Fleckenstein, Merton Wiepert and Norm Ault  
 Highways-Joe Fleckenstein, Scott Hillman, and Larry White  
 Buildings-David Truesdale, Merton Wiepert, Roy Rogers and Scott Hillman  
 Planning Board- Joe Fleckenstein and Tom Baia  
 Zoning Board- Jeff Baker and Larry White

**Historical Societies-Merton Wiepert  
Lower Niagara River Chamber of Commerce - Merton Wiepert & Jeff Baker  
L.O.O.W. (Restoration Advisory Board) - William Choboy  
Greenway (Power Authority) - Larry White**

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

**14. Resolution 2014-13**

**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 \$5,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- Less than \$5,000 but greater than \$2,500 requires an oral request for the goods and oral/fax quotes from two vendors.
- Less than \$2,500 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 \$5,000 requires a written RFP and fax/proposals from two contractors.
- Less than \$5,000 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.
- (j) Goods purchased under NY State Contract
- (k) Goods purchased under Standardization Policy

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

The following employees are authorized to make purchasing decisions:

Merton K. Wiepert	Supervisor
Barbara DuBell	Town Clerk
Scott Hillman	Highway Superintendent *
David Truesdale	Town Justice
Norman Ault	Bookkeeper

\* If Highway Superintendent is incapacitated then this authorization goes to Dave Gombert and/or Dave Burmaster

<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

## 15. Resolution 2014-14

### 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 2, 2014 BY A UNANIMOUS VOTE OF THE TOWN OF PORTER TOWN BOARD.**

\_\_\_\_\_  
**TOWN CLERK**

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

**16. Report 2014-2**

**Adjournment**

With no other business before the Town board the meeting was adjourned at 3:30 pm.

Barbara DuBell  
Town Clerk

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