



# Town of Porter

## Town Board Meeting

3265 Creek Road  
Youngstown, NY 14174

[TownofPorter.Net](http://TownofPorter.Net)

~ Minutes ~

Barb Dubell  
716-745-3730

Monday, April 14, 2014

7:00 PM

Town Hall Auditorium

### I. Call to Order

7:00 PM Meeting called to order on April 14, 2014 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	
Barb Dubell	Town of Porter	Town Clerk	Present	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Absent	
Mike Dowd	Town of Porter	Attorney	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Dave Britton	Town of Porter	Engineer	Absent	
Bernie Rotella	Town of Porter	Grant Writer	Absent	

### II. Public Hearing/Public Comments

#### 1. Report 2014-79

##### Sewer Ban Public Hearing

Due to the problem with the Swain Road lift station man-hole, the Town of Porter Sewer Fund needs to enter into a BAN in the amount of \$110,000.00. This is needed to cover the following invoices.

Yarussi Construction	\$ 82,371.96
J.A. Brundage	\$ 24,710.00
Total	\$ 107,081.96

Public input is requested.

**RESULT: REPORT ISSUED**

#### 2. Resolution 2014-49

##### Close Public Hearing

Resolution to close the Public Hearing.

<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. Resolution 2014-50

#### Authorize the Sewer Fund BAN

Resolution authorizing the borrowing of \$110,000.00 from the Town of Porter Capital Projects fund for a period of 5 years at an interest rate of 2.5%.

<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

### 4. Report 2014-63

#### Public Comments

Irene Putz, 1737 Harrison Lane requested an update on to pass on to the homeowners. Town Engineer Britton was not present at the meeting, but Superintendent Hillman had talked to him and commented that they are done with all the legal work, finished the preliminary sketch, and are working to compile the construction costs to build to the specifications.

Bob Emerson, Executive Director at Fort Niagara, thanked the Board for their support all these years. He wanted to give a rundown of things that are scheduled at the fort this year. On the schedule is First Responders Day, May 4<sup>th</sup>, that's International Firefighters Day, there is free family admission all day for any firefighter, ambulance or law enforcement personnel. May 17<sup>th</sup> is Armed Forces Day, for all veterans and active duty military, also free family admission. Memorial Day weekend they are having Soldiers through the Ages, Saturday and Sunday, May 24<sup>th</sup> and 25<sup>th</sup>.

On July 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> is the French and Indian War encampment, It is their 35<sup>th</sup> year for this event. The War of 1812 encampment is scheduled for August 30<sup>th</sup> and 31<sup>st</sup>.

There is a lot going on this year and Mr. Emerson wanted let everyone know what was happening and to help spread the word.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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### III. Reports/Resolutions

#### 1. Resolution 2014-41

##### Minutes Approval

Resolution to approve the minutes of the March 10, 2014 Work Session and the regular Town Board meeting minutes, along with the April 7, 2014 work session.

<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

#### 2. Resolution 2014-42

##### Audited Vouchers

Resolution to approve the vouchers as audited by the Porter Town Board.

#### TOWN OF PORTER

**WARRANT: POST AUDIT - MARCH, 2014 3/31/14**

<b>FUND</b>	<b>01</b>	12,933.37
<b>FUND</b>	<b>02</b>	20.22
<b>FUND</b>	<b>04</b>	7,089.13
<b>FUND</b>	<b>06</b>	2,188.88
<b>FUND</b>	<b>07</b>	1,993.51
<b>FUND</b>	<b>28</b>	1,350.00
<b>TOTAL</b>		<b><u>25,575.11</u></b>

**VOUCHER 'S 19392 THRU 19411**

**WARRANT: # 4 APRIL, 2014 4/14/14**

<b>FUND</b>	<b>01</b>	46,360.46
<b>FUND</b>	<b>02</b>	68,054.80
<b>FUND</b>	<b>04</b>	21,858.50
<b>FUND</b>	<b>06</b>	39,833.88
<b>FUND</b>	<b>07</b>	89,058.19
<b>FUND</b>	<b>10</b>	1,137.77
<b>TOTAL</b>		<b><u>266,303.60</u></b>

**VOUCHER 'S 19412 THRU 19496**

**TOTAL 291,878.71**

<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

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**3. Report 2014-64****Town Clerk**

Collections for March:

Water	\$20,069.09
Sewer	4,185.38
Town Clerk Fees	738.72

Town Clerk, Barb DuBell, received a letter of resignation from Town of Porter Planning Board member Donald McCollum:

"Please accept my resignation from the Town of Porter Planning Board. Due to health reasons I will no longer be able to serve on the board.

I have enjoyed my many years of service and will miss everyone.

Sincerely,

Donald McCollum

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**4. Report 2014-65****Supervisor's Report**

Supervisor's Monthly Report for March, 2014 was distributed to all Town Board members.

Resolution to accept the Supervisor's Monthly Report for March, 2014.

February Sales Tax: \$85,358.02.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**5. Report 2014-66**

**Acceptance of Supervisor's Report**

Resolution to accept the Supervisor's Monthly for March 2014. Motion was made by Councilman Baker and seconded by Councilman White. The motion was carried unanimously.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**6. Report 2014-67**

**Bookkeeper**

Bookkeeper's Monthly Report - March, 2014

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Completed processing all March, 2014 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for March, 2014, 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.

Need a resolution changing the Town of Porter Employee Manual

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**7. Resolution 2014-43**

**Change Employee Manual**

Resolution changing page 800-1 of the Employee Manual, the \* paragraph to read:

\*An employee of the Department of Public Works will not receive Martin Luther King Day

or President's Day as holidays, but will receive two "Floating Holidays" with approval by the Highway Superintendent, so as not to interfere with normal operations.

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

## 8. Report 2014-68

### Recreation

The Town of Porter Recreation Commission recommends the appointment of the following individuals to fill the two vacant positions on their Board:

1. Ed McGreevy of Howard Drive, Youngstown, to fill the vacant position expiring 12/31/2016.
2. Gail Zachary of Curtiss Ave, Ransomville, to fill the vacant position expiring 12/31/2019.

Thank you for your consideration.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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## 9. Resolution 2014-44

### Recreation Commission Appointments

Resolution appointing the following individuals to the Town of Porter Recreation Commission:

1. Ed McGreevy of Howard Drive, Youngstown, to fill the vacant position expiring 12/31/2016.
2. Gail Zachary of Curtiss Ave, Ransomville, to fill the vacant position expiring 12/31/2019.

<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

## 10. Report 2014-69

### Assessor

Assessor Report

March 2014

- Continued Town building permit valuation for 2014 roll
- Began data input of 2014 exemption applications
- Received State-wide instruction to Assessors for removal of Star Basic recipients who did NOT register their exemption with Albany.
- Along with Lewiston Assessor, met with Mr. Rosser of the Lewiston Porter School Board, regarding the option for schools to adopt the Alternate Veterans exemption.
- At the request of two Porter residents, met to discuss potential assessed value on a new residence they intend to construct in the Town.
- With other professionals in the field of real property tax services, attended Niagara County Center for Economic Development presentation on payment in lieu of real estate tax agreements.
- Met with Village of Youngstown Building Inspector to discuss Village permit status for 2014 roll.
- Received State's full value numbers for Special Franchise in Porter.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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## 11. Report 2014-70

**Building Inspector/Code Enforcement Officer****TOWN OF PORTER MARCH 2014 MONTHLY PERMIT REPORT**

<u>DOC #</u>	<u>DATE</u>	<u>OWNER</u>	<u>TYPE</u>	<u>LOCATION</u>	<u>VALUE</u>	<u>AMT</u>
006-14	3/26	R Figura	Fence	1921 Lkpt Rd	600	25
007-14	3/27	P Incorvaia	Shed	2495 lake	<u>2,000</u>	<u>25</u>
<b>MTD Total</b>					<b>2,600</b>	<b>50</b>
<b>YTD Total</b>					<b>565,600</b>	<b>750</b>

## BUILDING DEPARTMENT REPORT: March 2014

- 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 March 2014
- Attended meeting for Niagara County hazard mitigation
- Attended Court for several Zoning Code infractions

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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12. Report 2014-71

**Justice Revenue**

**JUSTICE FINES 2014**

01-1000.2610

	<u>GROSS REVENUE</u>	<u>DISTRIBUTION</u>	<u>NET REVENUE</u>
<b>JANUARY</b>	3,058.00	(1,348.00)	1,710.00
<b>FEBRUARY</b>	2,835.00	(1,815.00)	1,020.00
<b>MARCH</b>	4,100.00	(1,945.00)	2,155.00
<b>APRIL</b>			0.00
<b>MAY</b>			0.00
<b>JUNE</b>			0.00
<b>JULY</b>			0.00
<b>AUGUST</b>			0.00
<b>SEPTEMBER</b>			0.00
<b>OCTOBER</b>			0.00
<b>NOVEMBER</b>			0.00
<b>DECEMBER</b>			0.00
	<u>9,993.00</u>	<u>(5,108.00)</u>	<u>4,885.00</u>

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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13. Report 2014-72

**Highway**

4/14/2014

Department of Public Works  
Monthly Report for March 2014

**Highway Department:**

1. Called out to plow and salt 9 times.
2. Completed the pickup of brush piles town wide that were left over from the ice storm earlier in the winter.  
Regular scheduled brush pickup will begin on Monday April 21<sup>st</sup>. The Brush Pickup Schedule has been published in the Sentinel and is posted on the town web site.
3. I would like board authorization to attend this years Cornell Local Roads School for Highway Superintendents June 1<sup>st</sup> thru 4<sup>th</sup> in Ithaca.

**Drainage:**

1. Removed several trees from creeks to allow for better drainage.

**Water and Sewer:**

1. Completed monthly meter reading.
2. Completed repairs to a water main break on Meadow Drive.

**CHIPS Funding:**

I have received a notice from the state indicating that there will be no increase in our 2014 CHIPS allotment of \$60875.00 They have included an additional \$6868.59 in Extreme Winter Recovery funding for repairs to roads that have been impacted by this years severe winter weather.

**Service Lift and Compressor Quotes:**

1. Loomis-Root - Rotary SPO 12 lift *	6395.00
• (includes delivery and installation)	
• Champion HGR7-3H Honda 13hp 30gal compressor	2595.00
	8990.00

2. Carquest Automotive - Rotary SPO 12 lift	5566.99
(Delivery and installation )	525.00
Champion HGR7-3H Honda 13 hp 30gal compressor	3189.14
	9281.13

3. Newfane Automotive NAPA - Rotary SPO 12 lift	5929.00
(Delivery and installation )	525.00
Ingersoll-Rand IR45466067 Honda 13hp 30 gal	3059.00
	9513.00

**Garage Telephone System Replacement Quotes:**

1. RONCO Communications (Avaya System)	6108.57
2. AT Technology (NEC System)	5791.00

**Electronics Recycle Collection Container:**

40'x 8' Storage Container:

Room For Rent		3400.00
	Delivery	150.00
		<hr/>
		3550.00
A-Verdi Storage Containers		3200.00
	Delivery	500.00
	Fuel Charge	100.00
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		3800.00

**Highway Garage Roof and Office Window Replacement Projects:**

I have spoken to Dave Britton from CRA regarding both projects. I would ask the board to authorize CRA to begin preparing the bid specifications for both projects.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**14. Resolution 2014-45****Local Roads School**

Resolution authorizing Scott Hillman to attend the Cornell Local Roads School for Highway Superintendents June 1, 2014 thru June 4, 2014.

<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

**15. Resolution 2014-46****Service Lift**

Resolution authorizing the purchase of a Rotary SPO 12 lift was withdrawn, and being re-sent out for a New bid to include installation

<b>RESULT:</b>	<b>WITHDRAWN</b>
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**16. Resolution 2014-47****Compressor**

Resolution authorizing the purchase a Champion HGR7-3H Honda 13hp 30 gal Compressor from Loomis-Root for the bid price of \$2,595.00.

The Town Board decided to table their decision. They have instructed Superintendent Hillman to get quotes for the specific model, Ingersoll Rand, 13 HP, Honda Powered with 30 gallon capacity.

<b>RESULT:</b>	<b>WITHDRAWN</b>
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**17. Resolution 2014-48****Bid Specifications**

Resolution authorizing CRA to prepare bid specifications for both the Highway Garage Roof and the Highway Garage Window Replacement projects, at an amount not to exceed \$ 5,000.00.

<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

**18. Report 2014-73****Engineer****Engineering**

### **Harrison Lane - Private to Public Roadway evaluation and Map Plan & Report**

- Deed, mapping, and preliminary site investigation/ research completed
- Preliminary site investigation and boundary survey completed
- Preliminary survey overlay map completed and issued to the Town Board for review

#### **NEXT STEPS:**

1. Coordinate with Town Board and Highway Department to determine recommended and required improvements needed for dedication
2. Develop a cost estimate based upon recommended improvements
3. Schedule an resident informational meeting

### **Subdivision Drainage Review**

CRA issued a drainage review letter in connection with a minor subdivision located at 3994 Dickersonville Road, Ransomville NY

### **Engineering Support (future)**

**Water Tank rehabilitation:** (March 2013) CRA developed a budgetary cost estimate to replace the existing water tanks (Ransomville, Balmer) with a single tank at the Balmer Road site. Water tank literature and estimate have been submitted to the Town Board, Scott Hillman, and Rotella Grant Management.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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#### **19. Report 2014-74**

**Grant Writer**

No report received

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**20. Report 2014-75**

**Attorney**

none

**RESULT: REPORT ISSUED**

**21. Report 2014-76**

**Correspondance**

No correspondence

**RESULT: REPORT ISSUED**

**22. Report 2014-77**

**Calendar of Events**

- Zoning Board Meeting            Thursday, April 17, 2014 Cancelled
- Town Hall Closed                Friday, April 18, 2014
- Town Wide Tire Day            Saturday, April 26, 2014 @ 8:00 am - 2:00 pm  
                                                 Youngstown Village Hall
- Planning Board Meeting        Thursday, May 1, 2014 @ 7:00 pm - Town Hall
- Town Board Work Session      Monday, May 12, 2014 @ 6:00 pm - Town Hall
- Regular Town Board Meeting   Monday, May 12, 2014 @ 7:00 pm - Town Hall

**RESULT: REPORT ISSUED**

**23. Report 2014-78**

**Town Board Comments**

With no further business to discuss, the regular meeting of the Porter Town Board was adjourned at 7:38 PM.

Barb DuBell  
Town Clerk

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