



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

~ Minutes ~

Barb Dubell
716-745-3730

Monday, January 12, 2015

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on January 12, 2015 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	Absent	
Barb Dubell	Town of Porter	Town Clerk	Present	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Absent	
Mike Dowd	Town of Porter	Attorney	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Chris Amico	Town of Porter	Engineer	Present	
Susan Driscoll	Town of Porter	Assessor	Present	

II. Public Comments

1. Report 2015-2

Public Comments

Bill Dean, 2359 Lake Road, addressed the board about the property across the street from him, 2371 Lake Road. The owner was issued a permit to build a pole barn that was to be used for farm equipment and repair. Since the original permit was issued there have been several additional buildings erected. How did this go from being a pole barn to restore antique tractors to a commercial business?

The Enforcement Officer, Roy Rogers sent the owner a letter on January 9, 2015, instructing him to refrain from operations beyond the permitted scope of maintenance of farm equipment.

Mr. Dean will call the office and schedule a meeting with the supervisor and town attorney to discuss what the proper procedure is to get this problem resolved.

RESULT: REPORT ISSUED

III. Reports/Resolutions

1. Resolution 2015-17

Minutes Approval

Resolution to approve the minutes of the December 8, 2014 work session and the regular meeting of the Porter Town Board. Also, approve the End of the Year meeting held on December 30, 2014.

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

2. Resolution 2015-18

Audited Vouchers

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

TOWN OF PORTER

WARRANT: # 1	JANUARY, 2015	1/12/15
FUND	01	146,097.53
FUND	02	45,353.53
FUND	04	67,446.55
FUND	06	47,163.92
FUND	07	7,294.46
FUND	10	977.84
FUND	28	29,432.18
TOTAL		<u>343,766.01</u>
VOUCHER 'S	20419	THRU 20475

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Larry White, Councilman
AYES:	Mert Wiepert, Thomas Baia, Larry White, Jeff Baker
ABSENT:	Joe Fleckenstein

3. Report 2015-3**Town Clerk**

Collections for December:

Water 29,838.13

Sewer 5,371.49

Town Clerk Fees 462.33

RESULT:	REPORT ISSUED
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4. Resolution 2015-1**Close the Public Hearing****Resolution to close the Public Hearing.**

The Town Board tabled the vote on the approval of the Proposed Sewer Rates and a motion was made to keep the Public Hearing open until further review.

The Proposed Sewer Rates are rescheduled to the Town Board Meeting being held on February 9th, 2015 at 7:00 PM.

HISTORY:

01/05/15	Board	TABLED
Next: 01/12/15		

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

5. Report 2015-4**Supervisor's Report**

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

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

November Sales Tax: \$102,157.84. We are now \$15,009.17 greater than 2013 thru November.

Need a resolution to appoint John Bis to the Planning Board to fill the vacant term ending December 31, 2015.

Deputy Supervisor - 2015

RESULT:	REPORT ISSUED
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6. Resolution 2015-19

Supervisor's Report

Resolution to accept the Supervisors Report for December 8, 2014.

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

7. Resolution 2015-24

Planning Board Appointment

Appoint John Bis to the Planning Board to fill the vacant term ending December 31, 2015.

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

8. Report 2015-5

Deputy Supervisor

At the January 5th, 2015 Organizational Meeting a motion was made by Councilman White and seconded by Councilman Baker to appoint Councilman Fleckenstein as the deputy supervisor. The motion carried.

After review of the Town Law by the town attorney it was determined that this was not legal and it exceeded the power of the town board. The deputy supervisor is **appointed by the supervisor** to serve at the pleasure of the supervisor.

Supervisor Wiepert appointed Councilman White as his deputy supervisor. Councilman White accepted the appointment.

RESULT:	REPORT ISSUED
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9. Report 2015-6

Bookkeeping

Bookkeeper's Monthly Report - December, 2014

Completed processing all December, 2014 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Cash Report for December, 2014, and distributed it to the Supervisor & Town Board members.

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Working on Year End and Organizational Meetings

RESULT:	REPORT ISSUED
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10. Report 2015-7

Recreation

No report - no meeting held in December.

RESULT:	REPORT ISSUED
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11. Report 2015-8**Justice Revenue****JUSTICE
FINES 2014**

01-1000.2610

	<u>GROSS REVENUE</u>	<u>DISTRIBUTION</u>	<u>NET REVENUE</u>
JANUARY	3,058.00	(1,348.00)	1,710.00
FEBRUARY	2,835.00	(1,815.00)	1,020.00
MARCH	4,100.00	(1,945.00)	2,155.00
APRIL	4,833.50	(3,018.50)	1,815.00
MAY	4,300.00	(2,265.00)	2,035.00
JUNE	3,046.00	(1,501.00)	1,545.00
JULY	4,344.00	(2,912.00)	1,432.00
AUGUST	5,102.50	(2,837.50)	2,265.00
SEPTEMBER	5,597.00	(2,187.00)	3,410.00
OCTOBER	4,484.50	(2,164.50)	2,320.00
NOVEMBER	2,233.00	(1,328.00)	905.00
DECEMBER	<u> </u>	<u> </u>	<u>0.00</u>
	43,933.50	(23,321.50)	20,612.00

RESULT:	REPORT ISSUED
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12. Report 2015-9**Tax Collector**

RE: 2015 TOWN/COUNTY COLLECTIONS

Taxes collected to January 7, 2015 totaled \$476,512.61.

This represents all payments collected to date.

RESULT: REPORT ISSUED

13. Report 2015-10

Assessor

Assessor Report
December 2014

- Processed November sales
- Sent out low income seniors exemption renewal notices for 2015 roll
- Continued processing building permit updates for 2015 roll
- On-site inspection at owner request for extensive inventory review; informal discussions finalized regarding taxable assessed value
- Attended one-day seminar in Williamsville on 'Evaluating Green'; see attached
- Attended December Town Board, Planning Board, Zoning Board of Appeals and Town Board year end meetings.

RESULT: REPORT ISSUED

14. Report 2015-11

Building Inspector/Code Enforcement Officer

TOWN OF PORTER

DECEMBER 2014 - BUILDING PERMITS

No.	Date	Owner	Type	Location	Value	Amt.
095-14	12/11	T. Rockwood	Alt.	446 Powell Dr	\$2,000	\$ 50
December Total					\$2,000	\$ 50
Y.T.D. Totals					\$2,966,680	\$6,325

BUILDING DEPARTMENT REPORT: December 2014

Building permits issued as per the report

Periodic progress inspections on ongoing construction projects throughout the Town

Prepared materials for and attended the Planning Board and prepared materials for and attended Zoning Board of Appeals

Pursued Zoning code violations and issued the Supervisor 'Complaints Report' for the month of December 2014

Attended Court for several Zoning Code infractions

Completed Census building reports

Attended meeting of Niagara Frontier Building Officials

Reviewed Niagara County Hazard Mitigation documents

Prepared contracts for roofing projects at Porter on the Lake

Reviewed submission of CWM to DEC.

RESULT:	REPORT ISSUED
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15. Report 2015-12

Highway

Department of Public Works
Monthly Report for December 2014

Highway Department:

1. We were called out to plow and salt 5 times.
2. Completed installation of 200' of drainage culvert on the Harrison Lane Project.
3. Received 200 tons of Mixed Salt.

Water and Sewer Department:

1. Completed our monthly meter readings.
2. Met with NCHD regarding Operator License Verifications and System Operations.

Equipment Purchases:

I would like permission to proceed with the purchase of the following budgeted equipment.

1. 1 - 2015 Tandem Axle truck complete with body, snow equipment per Niagara County Highway Bid # 2013-43 (piggyback purchase per NYS GML 100 through 104).
\$210,000.00

2. 1- Grapple Assembly for Gradall XL4100 wheeled excavator \$15000.00 * this attachment is machine specific to Gradall. They are considered a sole source provider.

Legislative Advocacy Day:

I would like permission to attend Legislative Advocacy Day in Albany on March 3rd and 4th.

Municipal Waste Reduction & Recycling State Assistance Grant:

I have received a request for additional information regarding the grant application. I will forward the request to the grant writer.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

RESULT:	REPORT ISSUED
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16. Resolution 2015-20

2015 Tandem Axel Truck

Resolution authorizing the purchase of a 2015 Tandem Axel truck complete with body, snow equipment per Niagara County Highway Bid # 2013-43 (piggyback purchase per NYS GML 100 through 104), for an amount not to exceed \$210,000.00. Purchase to be funded from Highway Reserve.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry White, Councilman
SECONDER:	Jeff Baker, Councilman
AYES:	Mert Wiepert, Thomas Baia, Larry White, Jeff Baker
ABSENT:	Joe Fleckenstein

17. Resolution 2015-22

Grapple Assembly for Gradall XL4100

Resolution authorizing the purchase of a Grapple Assembly for Gradall XL4100 wheeled excavator in the an amount not to exceed \$15,000.00. This attachment if machine specific to Gradall. They are considered a sole source provider. This item is funded from Highway Reserve

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Larry White, Councilman
AYES:	Mert Wiepert, Thomas Baia, Larry White, Jeff Baker
ABSENT:	Joe Fleckenstein

18. Resolution 2015-21

Legislative Advocacy Day - 2015

Resolution authorizing Highway Superintendent Scott Hillman to attend the 2015 Legislative Advocacy Day in Albany on March 3rd and 4th.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Larry White, Councilman
AYES:	Mert Wiepert, Thomas Baia, Larry White, Jeff Baker
ABSENT:	Joe Fleckenstein

19. Report 2015-13

Highway - Supplemental

Asphalt Hot Box / Recycler Purchase

The Towns of Porter/Wilson/Royalton have expressed an interest in jointly purchasing the equipment listed below for their mutual use:

The Falcon Asphalt Recycler & Hot Box is currently available through the NJPA Contract #113912-FRM

Contract Price with freight \$32625.00. Each town would contribute \$10875.00 for the purchase.

The Town of Royalton Attorney will draw up an agreement to be signed by all three towns regarding joint ownership, insurance and terms for maintenance and use of the piece of equipment.

The agreement will be provided to each town for legal review by its lawyer.

An Overview of the machine as well as specifications and pricing for the unit are included with this request for your consideration.

RESULT:	REPORT ISSUED
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20. Resolution 2015-23**Highway Reserve Public Hearing**

Resolution to set a Public Hearing on Monday, February 9th at 7:00 pm in the Town of Porter Town Hall. The purpose is to authorize the spending \$225,000.00 from the reserve Account to purchase budgeted equipment. Also, to authorize the additional purchase of Asphalt Hot Box/Recycler in the amount of \$10,875.00, when and if the Purchase is eventually approved by the Town Board.

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

21. Report 2015-14**Engineer**

Engineer Chris Amico advised the board that in the spring a meeting will need to be scheduled to review the drainage basin at 1139 Cain Road.

RESULT:	REPORT ISSUED
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22. Report 2015-15**Attorney**

none

RESULT:	REPORT ISSUED
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23. Report 2015-16**Grant Writer****Grants Status Report:****Projects we are currently working on:**

- **NYS Archives was awarded:** We are in search of a new vendor for the NYS Archives record room project and have requested information from NYS Archives on who the new preferred vendor is to begin the process of the improvements and an inventory of cabinets will be ordered. A meeting needs to be set to discuss work plan and begin process. Town has received 50% of the award to date.
- **LWRP:** Still need a committee chairperson for this project. First quarterly report due this January
- **NYS DEC:** Application is complete pending Town's review of the application. The reimbursement is 50% for the Dump Truck, which is \$88,500.00. Further information from DEC was requested.
- **Upcoming projects:**
 - EFC: Water Tower
 - NYS Archives
 - NYS parks (Continuation of the POL)

Grant Writer Rotella is going to speak to Kathy Zazucha about taking the position of Chairman for LWRP.

There is new grant money becoming available that can be used for the water tower.

RESULT:	REPORT ISSUED
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24. Report 2015-17**Calendar of Events**

Zoning Board Cancelled	Porter Town Hall	Thursday, January 15 -
Martin Luther King, Jr.	Town Offices Closed	Monday, January 19
Planning Board	Porter Town Hall	Monday, February 5 - 7:00 pm
Work Session	Porter Town Hall	Monday, February 9 - 6:00 pm
Town Board Meeting	Porter Town Hall	Monday, February 9 - 7:00 pm

RESULT:	REPORT ISSUED
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25. Report 2015-18**Correspondance**

Received a e-mail form Pam Parker, Planning Board Secretary: Planning Board had no agenda for January therefore there was no meeting.

RESULT:	REPORT ISSUED
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26. Report 2015-19**Town Board Comments**

The regular meeting of the Porter Town Board was adjourned at 7:40 p.m. Motion to adjourn was made by Councilman Baker and seconded by Councilman White. Motion carried.

Barb DuBell
Town Clerk

RESULT:	REPORT ISSUED
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