



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

~ Minutes ~

Barb Dubell
716-745-3730

Monday, February 9, 2015

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on February 9, 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	Absent	
Jeff Baker	Town of Porter	Councilman	Present	
Joe Fleckenstein	Town of Porter	Councilman	Present	
Barb Dubell	Town of Porter	Town Clerk	Absent	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Absent	
Susan Driscoll	Town of Porter	Assessor	Present	
Chris Amico	Town of Porter	Engineer	Present	

2. Public Hearings

1. Report 2015-22

Highway Reserve Public Hearing

Public Hearing to authorize the transfer of \$225,000.00 from the highway reserve to cover the costs of budgeted expenses for 2015.

Motion to approve was made by Councilman Baia and seconded by Councilman Fleckenstein. All were agreed, the motion carried.

RESULT: REPORT ISSUED

2. Resolution 2015-30

Close Public Hearing

Resolution to close the Public Hearing.

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

3. Resolution 2015-31

Authorization of the Reserve Transfer

Resolution authorizing the following transfers from Highway Reserve:

1. \$11,000.00 for the Towns share of the purchase of a "Hot Box"
2. \$12,598.48 for the purchase of a Grapple Assembly
3. Transfer not more than \$210,000 for the purchase of a Volvo tandum axel dump truck with Attachments as budgeted.

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

4. Report 2015-23

Continuation of Water Sewer Rates Public Hearing

This is the continuation of the public hearing opened on January 5, 2015 concerning the 2015 water and sewer rates.

RESULT:	REPORT ISSUED
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5. Resolution 2015-32

Close Public Hearing

Resolution to close the Public Hearing

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

6. Resolution 2015-8

Set Water & Sewer Rates for 2015

WATER AND SEWER RATES Effective for January 1, 2015:

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

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

Village of Youngstown	\$1.66 per thousand
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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)	
Water / Sewer Inspection for Sale of Property	80
Water Inspection for Sale of Property	40
Sewer Hook-Up Fee	700
After hours turn on/turn off or sewer inspection	100/100
Compliance letter for sale of property	5
Hydrant Meter Deposit	100
Service charge	25(on/off)

Sewer Rates Effective for January 1, 2015:

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

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

Supervisor Wiepert wants to further review the water sewer rates, to extend the date on the public hearing until the next meeting on March 9, 2015.

HISTORY:

01/05/15 Board TABLED
Next: 02/09/15

RESULT:	TABLED [UNANIMOUS]	Next: 3/9/2015 7:00 PM
MOVER:	Thomas Baia, Deputy Supervisor	
SECONDER:	Jeff Baker, Councilman	
AYES:	Mert Wiepert, Thomas Baia, Jeff Baker, Joe Fleckenstein	
ABSENT:	Larry White	

II. Public Comments

1. Report 2015-24

Public Comments

Bill Dean, 2359 Lake Road, was concerned about commercial business being conducted at the 2371 Lake Road property owned by Mike McCabe.

Mr. Dean: Where and when can I expect to have a site plan review? All the things that pertain to the procedures of a site plan review. It's important to give all the residents in the neighborhood the opportunity to examine all the aspects of the operation.

Attorney Dowd: All neighbors within 500 feet get a personal notice by mail, and then it also gets put in the newspaper.

There was a lengthy discussion about buildings that were put up without obtaining the necessary permits. Permits that were received after the buildings were constructed.

Mr Dean: How can you allow for the sales and service of farm equipment under these circumstances when you haven't even had the site plan review. The site plan has not been completed.

Councilman Fleckenstein: Why is a building allowed to be built when he is out of compliance? How many times are we going to let this happen? A stop and desist order should be issued. Councilman Baia agreed.

Vicky Waters, 2395 Lake Road, talked to Mr. Rogers on February 2nd after she saw the 4th building going up. He told her it was a "temporary structure" that would be removed in the spring. She asked if he had a building a permit to put up the building, she was told "no". Ms. Waters has a flyer showing commercial plows and trucks begin painted at 2371 Lake Road.

After much discussion it was decided that there would be a Board meeting with Mr. McCabe in attendance.

RESULT:	REPORT ISSUED
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2. *Reports/Resolutions*

1. Resolution 2015-33

Minutes Approval

Resolution to approve the minutes of the January 12, 2015 regular meeting of the Porter Town Board.

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

2. Resolution 2015-34

Audited Vouchers

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

TOWN OF PORTER

WARRANT: # 2	FEBRUARY, 2015	2/9/15
FUND	01	13,550.34
FUND	02	11,913.41
FUND	04	35,460.04
FUND	06	288.05
FUND	07	59,318.23
TOTAL		<u>120,530.07</u>
VOUCHER 'S	20541	THRU 20593

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

3. Report 2015-25

Town Clerk

Water collections for the month of January:

Water	\$18,129.64
Sewer	\$14,200.98
Town Clerk Fees	\$ 733.00

RESULT:	REPORT ISSUED
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4. Report 2015-26

Supervisor's Report

Supervisor's Monthly Report for January, 2015 was distributed to all Town Board members.

Resolution to accept the Supervisor's Monthly Report for January, 2015

December Sales Tax: \$103,306.10. The total received in 2014 was \$21,435.15 greater than 2013.

RESULT:	REPORT ISSUED
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5. Resolution 2015-35

Acceptance of Supervisor's Report

Resolution to accept the Supervisor's Report for January, 2015.

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

6. Report 2015-27

Bookkeeper

Bookkeeper's Monthly Report - January, 2015

Completed processing all January, 2015 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for January, 1025, and distributed it to the Supervisor & Town Board members.

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Completed closing F-Y 2014 and submitted it to Auditor

Started working on updating the Town employee manual.

RESULT:	REPORT ISSUED
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7. Report 2015-39

Tax Collector

2015 TOWN/COUNTY COLLECTIONS

Paid Supervisor Wiepert the amount of \$1,306,382.45 in settlement as per warrant the Town's share of the 2015 Town/County taxes.

A payment of \$2,800,000.00 will be made to the Niagara County Treasurer before February 15, 2015 as partial settlement of County monies owed per 2015 warrant.

The Tax Collector's account has \$2,912,876.45 as of February 5, 2015. This represents all payments collected to date.

Of the 3481 bills owed-I collected 2962 from January 1 February 4, 2015.

I have finished the process of mailing over 1000 tax receipts to the homeowners who have an escrow account pay their tax bill.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT:	REPORT ISSUED
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8. Report 2015-28

Recreation

January 2015 Recreation Report

- The Recreation Commission received \$3000 total from the Niagara County Youth Bureau for the 2014 Recreation and Story Hour Programs. We completed the extensive application process, and were pleased that our funding more than tripled over the 2013 amount. We will submit an application for 2015 when it becomes available.
- We received notification from Wilson Central School District that we can NOT use Stevenson for a computer class in January or a program for children during the February winter break. We are hopeful we can use Stevenson for our Summer Program, and will submit a written request for such.
- We are trying to plan a program for children during the February winter break; we will use the Youngstown Red Brick if it is available.
- Tai Chi and Yoga continue to be held at the Cora Gushee Room in the Youngstown Red Brick School.
- Story Hour continues at both the Youngstown and Ransomville Libraries.
- Upcoming dates for 2015: **Easter Egg Hunt, Saturday, March 28th at Stevenson.**
- Our next meeting is Monday, February 2, 2015 at 7:00pm.

RESULT:	REPORT ISSUED
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9. Report 2015-29

Assessor

Assessor Report
January 2015

- Processed December sales
- Continued processing building permits for 2015 roll
- Met with Lewiston School Board (along with Lewiston Assessor), re potential impact of Veterans exemption on school budget.
- Hosted Niagara County Assessor's Association monthly meeting at Porter Town Hall
- Received 2015 PDC information for Niagara County from the State. The report confirms an ever widening gap between assessed values and recent sales prices in all municipalities except those who conducted town-wide reassessments in 2014.

RESULT:	REPORT ISSUED
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10. Report 2015-30

Building Inspector/Code Enforcement Officer

BUILDING DEPARTMENT REPORT: January 2015

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 January 2015

Attended Court for several Zoning Code infractions

Completed Census building reports

Attended mandatory 24 hours of training

Reviewed Niagara County Hazard Mitigation documents

Reviewed submission of CWM to DEC.

JANUARY 2015 - BUILDING PERMITS

No.	Date	Owner	Type	Location	Value	Amt.
001-15	1/14	S. Macvie	P.B.	1205 Balmer	\$120,000	\$ 50

002-15	1/22	N. Pino	Rec P. 3875 Ran. Rd	\$10,000	\$100
003-15	1/23	E. Wills	P.B. 2158 Braley Rd	\$30,000	\$ 50
004-15	1/23	E. Wills	P.B. 1974 Braley Rd	\$30,000	\$ 50
January Total				\$190,000	\$250
Y.T.D. Totals				\$190,000	\$250

RESULT:	REPORT ISSUED
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11. Report 2015-31

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>1,671.00</u>	<u>(371.00)</u>	<u>1,300.00</u>
	45,604.50	(23,692.50)	21,912.00

RESULT:	REPORT ISSUED
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12. Report 2015-32

Highway

Department of Public Works
Monthly Report for January 2015

Highway Department:

1. We were called out to plow and salt 16 times.
2. Received 650 tons of mixed salt. (We have been advised that the mine may go to order allocation due to heavy demand for recent snow events, this may delay deliveries by several days).
3. Collected Christmas trees for recycle.
4. Completed the removal of the Christmas Wreaths in Ransomville with assistance from the Town of Wheatfield bucket truck and operator.
5. The Grapple assembly for the Gradall has been received.

Drainage Department:

1. Met with CRA to discuss the surveying and mapping of a permanent drainage easement at KiPo Chevrolet.

Water and Sewer:

1. Completed monthly meter reading.
2. Completed quarterly collection of water samples for Stage 2 DBP testing.
3. Completed the clearing of fire hydrant buried due to snow removal.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

RESULT:	REPORT ISSUED
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13. Report 2015-33

Engineer

Engineering Report
February 2015

General Engineering Support

- 3875 Ransomville Road Pond Plan Review - Pino; Issued review letter on February 2, 2015

- 1139 Cain Road - pond inspection requested, (TBD - Weather permitting)
- Drainage Easement mapping project (Kipo and surrounding area). Initial site visit completed, Final topo survey and mapping to be completed when the ground cover clears of snow.

Harrison Lane - Private to Public Roadway Dedication

- Construction activities underway.
- CRA to provide survey stake-out support services as needed (spring-2015)

The owner of a 2 acre property at 1139 Cain Road has pond that was dug without the proper approval. He now wants to put an application in to ask for a permit and he needs a variance to get it. He's claiming that it's not a pond but a retention facility.

Councilman Fleckenstein does not want CRA to proceed with anything until it's determined who will be paying CRA.

RESULT:	REPORT ISSUED
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14. Report 2015-34

Attorney

report

RESULT:	REPORT ISSUED
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15. Report 2015-35

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.
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- **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)

On the HVAC system for the garage we have a budget of about \$6,200 to go out for bid. We can start on this project, already received about 50% of the money. Due to put in a request for the remaining 40%. Councilman Fleckenstein would like to be on the building committee for this project.

Will set up a meeting with Kathy Zasucha who is going to be the LWRP committee chairperson for this project.

RESULT: REPORT ISSUED

16. Report 2015-36

Calendar of Events

Calendar of Events

President’s Day	Town Offices Closed	Monday, February 16 th
Zoning Board Meeting	Porter Town Hall	Thursday February 19 th - 7:30 pm
Planning Board	Porter Town Hall	Thursday, March 5 th - 7:00 pm
Town Board Meeting	Porter Town Hall	Monday, March 9 th - 7:00 pm

RESULT: REPORT ISSUED

17. Report 2015-37**Correspondance**

None to report

RESULT:	REPORT ISSUED
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18. Report 2015-38**Town Board Comments**

The regular meeting of the Porter Town Board was adjourned at 8:15 pm. Motion to adjourn made by Councilman Fleckenstein and seconded by Councilman Baker. Motion carried.

Kara Hibbard
Deputy Town Clerk

RESULT:	REPORT ISSUED
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