



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

~ Minutes ~

Barb Dubell
716-745-3730

Monday, March 9, 2015

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on March 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	Absent	
Barb Dubell	Town of Porter	Town Clerk	Present	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Chris Amico	Town of Porter	Engineer	Present	
Susan Driscoll	Town of Porter	Assessor	Present	

II. Public Hearing Continuation of Water Sewer Rates

1. Report 2015-54

Public Hearing - 2015 Water/Sewer Rates

The Town Board has extended the Public Hearing for 2 months to review the rates. The Lewiston Sewer Treatment Plant has increased their rate from \$3.40 to \$3.45 per 1,000 gallons. The Town of Porter needs to increase its Sewer rates an additional \$0.90 per 1,000 gallons. This increase is needed to help pay the Debt Service for the Towns share of the L.W.T.P. BAN issued to upgrade the facilities.

RESULT: REPORT ISSUED

2. Resolution 2015-42

Close Public Hearing

Resolution to close the Public hearing

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

3. 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	\$5.15 per thousand
Fort Niagara State Park	5.15 per thousand
Town of Porter	0-7,000 \$42.35

Over 7,000 \$ 6.05 per thousand

Treatment Rate to Town of Lewiston \$3.45 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		
02/09/15	Board	TABLED
Next: 03/09/15		

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

III. Public Comments

1. Report 2015-55

Public Comments

Vicky Waterson, 2395 Lake Road, Fredericka & Bill Dean, 2359 Lake Road, Shelia Mooney, 2407 Lake Road and Vicky Berman, 2375 Lake Road - all residents that attended the Town Board meeting to vent their frustration regarding the property at 2371 Lake Road, owned by Mike McCabe and the commercial operations that are taking place there. They questioned the "temporary building permit" that was issued on February 6th, 2015 and the building that was supposed to be coming down in the spring. They want to know what was being done to halt the operation. The Building Inspector, Roy Roger, has been away and is due back tomorrow, the residents were informed that Mr. Rogers would look into the problems and go out to the property to see what is being done. Supervisor Wiepert informed them that **the cease and desist order was for the operations being done at the building not for the construction of the building**. Mr. McCabe has the proper Building Permit to construct the buildings.

Vicky Berman spoke to the board about a floodlight that Mr. McCabe put up that shines directly into her house and makes it difficult to get any sleep. She also reported that her hedges had a yellow mist on them from the paint that is being used at the paint shop. The Building Inspector will look into these problems.

RESULT:	REPORT ISSUED
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IV. Reports/Resolutions

1. Resolution 2015-38

Minutes Approval

Resolution to approve the minutes of the February 2, 2015 work session of the Porter Town Board; the February 9, 2015 work session and the February 9, 2015 Town Board meeting.

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

2. Resolution 2015-39

Audited Vouchers

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

TOWN OF PORTER

WARRANT: POST AUDIT - FEB, 2015 2/28/15

FUND	01	11,941.47
FUND	02	1,142.52
FUND	04	51,268.57
FUND	06	2,281.59
FUND	07	1,729.65
FUND	10	1,029.75
TOTAL		<u>69,393.55</u>

VOUCHER 'S 20594 THRU 20616

WARRANT: #3 MARCH, 2015 3/9/15

FUND	01	173,295.81
FUND	02	27,079.30
FUND	04	12,550.16
FUND	06	254.60
FUND	07	1,107.92
FUND	10	1,014.70
FUND	35	2,500.00
TOTAL		<u>217,802.49</u>

VOUCHER 'S 20617 THRU 20678

TOTAL 287,196.04

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

3. **Report 2015-41**

Town Clerk

Water/Sewer: \$70,048.45

Clerk Fees: \$ 560.50

RESULT:	REPORT ISSUED
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4. **Resolution 2015-41**

Supervisor's Report

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

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

January Sales Tax: \$108,064.29. This is up \$8,644.45 from January 2014.

Resolution to sign the 2015 Sewer Use Agreement

Resolution to accept Selective Insurance Company bid of \$38,955.39.

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

5. **Resolution 2015-40**

Acceptance of Supervisor's Report

Resolution to accept the Supervisor's Report for February 9, 2015.

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

6. **Resolution 2015-43**

Sewer Use Agreement

Resolution adopting the 2015 Sewer Use Agreement and authorizing the Supervisor to sign the agreement.

The decision to adopt the 2015 Sewer Use Agreement was TABLED by the board members until they have had more time to review it. Scheduled for the next town board meeting on April 13, 2015.

RESULT:	TABLED [UNANIMOUS]	Next: 4/13/2015 7:00 PM
MOVER:	Jeff Baker, Councilman	
SECONDER:	Thomas Baia, Deputy Supervisor	
AYES:	Mert Wiepert, Thomas Baia, Jeff Baker	
ABSENT:	Larry White, Joe Fleckenstein	

7. **Resolution 2015-44**

Unallocated Insurance - 2015-2016

Resolution accepting Selective Insurance's policy in the amount of \$38,955.39, and authorizing the Supervisor to sign all necessary paperwork.

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

8. Report 2015-42**Bookkeeper**

Bookkeeper's Monthly Report - February, 2015

Completed processing all February, 2015 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for February, 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

Continued working on updating the Town employee manual.

Worked with auditors on year end audit.

RESULT:	REPORT ISSUED
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9. Report 2015-43**Recreation**

RE: February 2015 Recreation Report

- Our February meeting was cancelled due to the weather. Our next meeting is Monday, March 2, 2015 at 7:00pm.
- We held a Recreation Program at the Youngstown Red Brick School during the February break.
- 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.

RESULT:	REPORT ISSUED
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10. Report 2015-58**Tax Collector**

RE: 2015 TOWN/COUNTY COLLECTIONS

Dear Supervisor Wiepert and Town Board Members:

A payment of \$2,800,000.00 was made to the Niagara County Treasurer on February 12, 2015 as partial settlement of County monies owed per 2015 Warrant.

In accordance with New York State Law #987, I have sent a second notice to 348 homeowners that the taxes on their property have not been paid.

The Tax Collector's account has \$ 309,166.81 as of March 4, 2015. This represents all payments collected to date.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT:	REPORT ISSUED
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11. Report 2015-44**Assessor**

Assessor's Report - February 2015

- Processed January sales
- Continued processing building permits for 2015 roll
- Attended work session at invitation of Lewiston School Board, re potential impact of Veteran's exemption on school property taxes. Adoption of the exemption would not impact the school levy, but would redistribute the amount Veteran and non-Veteran households would be required to pay.
- Put legal notice in Niagara Gazette, alerting property owners to the State's March 1 exemption application deadline.
- Prepared and sent out postcards to STAR Enhanced applicants for whom the State Department of Taxation was unable to confirm eligibility.
- Prepared and sent out courtesy 'urgent reminder' letter, to residents who had not returned exemption applications for the 2015 roll.
- Made approximately sixty courtesy phone calls to residents who had not filed requested paperwork by Wednesday 25th February.

SEPTEMBER			0.00
OCTOBER			0.00
NOVEMBER			0.00
DECEMBER			0.00
	4,638.50	(2,753.50)	1,885.00

RESULT:	REPORT ISSUED
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14. Report 2015-47

Highway

Department of Public Works Monthly Report for February 2015

Highway Department:

1. Called out to plow and salt 33 times.
2. Received 600 tons of mixed salt. We have purchased 120% of our contract commitment. Salt deliveries are delayed due to lack of supply from the mine.

Drainage Department:

Water and Sewer Department:

1. We have completed our monthly meter readings.
2. We are working on clearing snow from around fire hydrants.

Advocacy Trip:

I attended legislative advocacy day in Albany on March 4th. It appears that the Governors proposed 2015-2016 Budget does not contain any increase in CHIPS funding. Our Association has proposed a 200 million dollar increase. The budget is due by April 1st. We're hopeful that legislature will counter with some kind of increase in funding prior to the budget being formally adopted.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

RESULT: REPORT ISSUED

15. Report 2015-48

Engineer

Kipo - description and maps sent to Highway Superintendent Hillman and Attorney Dowd. We need to get the deeds signed and notarized,

RESULT: REPORT ISSUED

16. Report 2015-49

Attorney

Got the descriptions for Kipo. Also, has a water issue that he will address.

RESULT: REPORT ISSUED

17. Report 2015-50

Grant Writer

Grants Status Report: Projects we are currently working on:

Below is the breakdown for the Records room project. Please advise if any discussion is necessary for this project.

- **NYS Archives was awarded:** We have a budget and plan for the records room project. Will work with the Town Staff purchasing and installing the filing cabinets & HVAC system.

Porter Record Room		
Description	QTY	Amount
16in x 42 in x 100 in shelving	5	\$2,600.00
32in x 42in x 100 shelving	11	\$7,645.00
36in x 48in x 100 shelving units	5	\$3,650.00
5in x 5in x 37in map boxes	660	\$2,475.00
1cubic ft acid free boxes	627	\$1,148.00
38in x 22in x 40in 3 drawer 1 hr fire rated cabinets	11	\$2,758.00
1: HVAC System	1	\$6,250.00

	TOTAL	\$23,768.00

- **LWRP:** Kathy Zasucha from Recreation is the project manager for the LWRP. A committee meeting needs to be scheduled and a scope of work provided to the consulting engineer to begin the project. The following items need to be setup:
 1. Signup Committee (Confirmed committee members)
 2. Kick off with Renee Parson (with Project manager)
 3. Selection of Consulting Engineer (CRA)
 4. Task Review
 5. Quarterly Reports

- **Awarded Grants:**
 - LWPR: \$34,250
 - DOT Beacon Lights : \$15,000
 - DEC Track: \$88,500
 - NYS Archives: \$23,768
 - Greenway POL: \$150,000

- **DOT Beacon Project:** The second reimbursement request has been submitted for the DOT SRTS, we still have a **balance of \$3,143.65** to use for any school safety related projects which could bikes racks, more educational materials, bike rodeo, etc.

- **Upcoming projects:**
 - EFC: Water Tower
 - NYS Archives
 - NYS parks (Continuation of the POL)

Grant writer Rotella will get together with Town Clerk DuBell to discuss how to proceed with the record room improvements.

The balance of the DOT Beacon Project has to be used, a decision needs to be made on where to spend it.

RESULT: REPORT ISSUED

18. Report 2015-51

Correspondance

Supervisor Wiepert received a letter from the Niagara County Legislature who have presented a resolution opposing executive action to ban widely-used common .223/5.56 rifle ammunition designated M855/SS109 by the U.S. Department of Justice and Bureau of Alcohol, Tobacco and Firearms and condemning all backdoor gun control via executive actions.

RESULT:	REPORT ISSUED
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19. Report 2015-53**Calendar of Events**

Zoning Board Meeting	Porter Town Hall	Thursday, March 19th - 7:30 pm
Easter Egg Hunt	Stevenson Elem.	Saturday, March 28th - 11:00 am SHARP
Planning Board Meeting	Porter Town Hall	Thursday, April 2 nd - 7:00 pm
Good Friday	Town Hall Closed	Friday, April 3 - 2015
Town Board Meeting	Porter Town Hall	Monday, April 13 th - 7:00 pm

RESULT:	REPORT ISSUED
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20. Report 2015-52**Town Board Comments**

Councilman Baia congratulated Highway Superintendent Hillman for a great job keeping the roads in good driving condition this winter.

With no further business the regular meeting of the Porter Town Board adjourned at 7:44 pm. Motion to adjourn was made by Councilman Baker and seconded by Councilman Baia. Motion carried.

Barb DuBell
Town Clerk

RESULT:	REPORT ISSUED
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