



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

~ Minutes ~

Barb Dubell
716-745-3730

Monday, May 11, 2015

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on May 11, 2015 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Mert Wiepert	Town of Porter	Supervisor	Present	
Larry White	Town of Porter	Deputy Supervisor	Present	
Thomas Baia	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	Absent	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Present	
Chris Amico	Town of Porter	Engineer	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Susan Driscoll	Town of Porter	Assessor	Present	

II. Public Comments

1. Report 2015-93

Public Comments

Robert Emerson, Old Fort Niagara, wanted to personally thank the board for the support of the fort this year and past years. We used the funds that the Town of Porter provides to hire youth to participate in our living history programs. It's a great job and a great learning experience for the kids. We had a 185,000 people come to the fort last year. We got an award from Trip Advisor and Award for Excellence for the visitor experience and that goes back to the ability to hire talented people who are good at giving programs to the public. We have a great schedule of events coming up this year; you can go to our website at www.oldfortniagara.org and see what's scheduled.

Vicky Waterson, 2395 Lake Road, asked about the McCabe property, things were supposed to come to a standstill. There is still a commercial business going on over there, starts at 7:30 in the morning. Supervisor Wiepert advised her that there is a Zoning Board Public Hearing being held Thursday, next week.

Attorney Dowd commented that the Zoning Board of Appeals acts autonomously from the Town Board, they are completely separate.

Bill Dean, asked about the Public Hearing notice put out this week. Is that related to the appeal that I filed?

Attorney Dowd: A notice was put out to go in the paper this week for the appeal that you're talking about, that would be advertised in the paper for the next Zoning Board of Appeals meeting, on May 21st. That would be a notice for a Public Hearing. Secretary of the Zoning Board will mail out notices to anyone within 500 feet. A notice will be sent to you (Mr. Dean).

RESULT:	REPORT ISSUED
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III. Reports/Resolutions

1. Resolution 2015-52

Minutes Approval

Resolution to accept the minutes of both the April 2015 Town Board meeting and Town Board work session.

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

2. Resolution 2015-53

Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDIT - APR, 2015 4/30/15

FUND	01	12,279.59
FUND	02	6,448.01
FUND	04	
FUND	06	1,916.24
FUND	07	1,833.28
FUND	12	
TOTAL		<u>22,477.12</u>

VOUCHER 'S 20820 THRU 20834

WARRANT: #5 MAY , 2015 5/11/15

FUND	01	44,054.86
FUND	02	36,618.70
FUND	04	18,137.04
FUND	06	2,674.08
FUND	07	56,013.03

FUND	10	847.22
TOTAL		<u>158,344.93</u>
VOUCHER 'S	20835	THRU 20913
	TOTAL	<u>180,822.05</u>

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

3. Report 2015-79

Town Clerk

Water	\$28,408.08
Sewer	\$20,802.42
Clerk Fees	\$ 610.41

Received a Certificate of Attendance for James Caminati, showing he completed his Board of Assessment Review training on April 23, 2015.

Supervisor Wiepert received the following letter of resignation from Deborah Parker:

It is with regret that I give you my resignation from the recreation board, effective immediately. I want to thank you for the opportunity to serve my community.

**The Board accepted her resignation with regret.
Motion to accept was made by Councilman Baker and seconded by Councilman White. Motion carried.**

RESULT:	REPORT ISSUED
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4. Report 2015-80

Supervisor's Report

Supervisor's Monthly Report for April, 2015 was distributed to all Town Board

members.

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

March Sales Tax: \$110,899.20. The Town is up \$1,062.76 over 2014 year to date

RESULT:	REPORT ISSUED
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5. Resolution 2015-54

Acceptance of Supervisor's Report

Resolution to accept the April, 2015 supervisor's Report

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

6. Report 2015-81

Bookkeeper

Bookkeeper's Monthly Report - April, 2015

Completed processing all April, 2015 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for April, 2015, and distributed it to the Supervisor & Town Board members.

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Continued working on updating the Town employee manual.

Working on new phone system for Town Hall

Scheduling installation of new server.

RESULT:	REPORT ISSUED
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7. Report 2015-83**Tax Collector**

RE: TOWN/COUNTY TAX COLLECTIONS FOR 2015

Dear Supervisor Wiepert and Town Board Members:

Paid to Supervisor Wiepert the sum of \$4680.57. This amount included the following:

Penalties collected in March	\$4401.57
Return of Petty Cash	100.00
\$1.00 surcharge on unpaids returned	179.00

Paid to County Treasurer on April 10, 2015 the sum of \$524,627.45 as final remittance to the County. The following figures reflect the final results of my collection for the 2015 Town/County Tax Roll in and for the Town of Porter:

Paid to Supervisor	1,306,382.45
Paid to County in February	2,800,000.00
Collected by County Treasurer (Utilities County Owned)	95,490.80
April remittance due County	524,806.45
Total Collected	4,726,679.70
Total Uncollected (179 bills)	351,009.53
	5,077,689.23

ADJUSTMENTS-CORRECTED BILLS

- Time Warner-No Town Tax Corrected bill-Torba
- St John's Lutheran Church Total Adjustments

434.66
327.56
43.00
805.22
Total Warrant
5,078,494.45

April remittance	524,806.45
\$1.00 unpaids surcharge	-179.00
Paid to County Treasurer	524,627.45

There was no interest credited this year to this account.

Total of \$6443.56 in penalties was collected this year. This amount includes \$40.00 for

- two returned checks at \$20.00 each.

Town Tax Collector's account now reflects a balance of \$57.75-\$2.00 to keep the account open and \$55.75 checks for overpayment by homeowners that still have not been cashed.

Sally A. Hogan, Collector Town of
Porter

RESULT:	REPORT ISSUED
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8. Report 2015-82**Recreation****TO:** Town of Porter Town Board**FROM:** Recreation Commission**RE:** April 2015 Recreation Report

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- We received approval to use Stevenson Elementary for our Summer Program.
 - We are planning to have a “tech” class for people to get help using their phones, tablets, etc. Tentative date for 1st session is May 26th at Knead the Dough Restaurant (free wi-fi is available there).
 - The Recreation Department section on the Town’s website is now being maintained by Amy Freiermuth (Recreation Commissioner). She will keep the website current with announcements, dates, events, and forms.
 - 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.
 - Resumes are being accepted until May 21st for the Summer Recreation Supervisors. Interviews will be held on Monday, June 1st.

Resolution to appoint Councilman Larry White as the new Town Board liaison to the Recreation Department. Motion made by Councilman Baker and seconded by Councilman Baia. Motion carried.

RESULT:	REPORT ISSUED
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9. Report 2015-84**Assessor**

Assessor’s report - April 2015

- Processed March sales.
- Finalized data input for 2015 exemption applications and inventory updates.
- Finalized 2015 tentative roll.
- Updated website information.
- Processed and mailed out 110 change of assessment notices.

- Put legal notice in Niagara Gazette, advising of public access to 2015 tentative roll and 2015 grievance procedure.
- Attended Niagara County Industrial Development Agency PILOT workshop in Niagara Falls.

RESULT:	REPORT ISSUED
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10. Resolution 2015-55

Soil Removal

Nicholas Pino and Laura Burbee residing at 3875 Ransomville Road, are requesting Town Board approval to remove surplus soil left after a one acre pond was dug on the property. They have secured all the necessary permits from the town.

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

11. Report 2015-85

Building Inspector/Code Enforcement Officer

BUILDING DEPARTMENT REPORT: April 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 April 2015

Attended Court for Zoning Code infractions

Completed Census building reports

Apr-15 April Permits

No.	Date	Name	Type	Address	Value	Fee
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007-15	3/24	S Mikolaichk	Shed	2948 Ptr Ctr	4,500	25
009-15	4/10	Baily-Baker	Add	2432 Parker	0	50
010-15	4/10	Scott Suitor	Fence	335 Howard	3,200	25
011-15	4/16	Duane Olds	Fence	2564 New Rd	0	25
012-15	4/16	M. Miller	Fence	3612 Curtiss	0	25
013-15	4/16	Karri Walgora	A G P	1111 Balmer	4,500	25
015-15	4/22	Dan Drennan	Porch	2943 Ptr Ctr	1,000	235
016-15	4/24	Jeff Budde	Misc	2564 Academy	4,850	50
017-15	4/27	Jeremy Fetzner	Shed	1237 Lkpt	9,000	25
018-15	4/29	Ken Young	Fence	736 Blairville	2,000	25
019-15	4/30	Duane Olds	Shed	2564 New Rd	3,000	25
April Total					32,050	535
Y-T-D Total					244,050	1,175

RESULT: REPORT ISSUED
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12. Report 2015-86

Justice Revenue

**JUSTICE
FINES 2015**

01-1000.2610

	<u>GROSS REVENUE</u>	<u>DISTRIBUTION</u>	<u>NET REVENUE</u>
JANUARY	4,638.50	(2,753.50)	1,885.00
FEBRUARY	5,097.50	(2,752.50)	2,345.00
MARCH	3,352.00	(970.00)	2,382.00
APRIL			0.00
MAY			0.00
JUNE			0.00
JULY			0.00
AUGUST			0.00
SEPTEMBER			0.00
OCTOBER			0.00
NOVEMBER			0.00
DECEMBER			0.00
	<u>13,088.00</u>	<u>(6,476.00)</u>	<u>6,612.00</u>

RESULT:	REPORT ISSUED
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13. Report 2015-87**Highway****Department of Public Works
Monthly Report for April 2015****Highway Department:**

1. Completed town wide brush pickup.
2. Provided assistance to the Town of Cambria for there shoulder milling project.
3. The new shared Hot Box/Recycler has been delivered. The employees are receiving training on its operation prior to putting it in service.
4. Received notification from Buffalo Truck Center that our new tandem axle chassis has been built and is being shipped directly to the snow plow manufacturer's facility.
5. The town engineers have restaked the Harrison Lane Project. I am coordinating with the other towns for assistance on the project. We should get started within the next two weeks.

Drainage Department:

1. We are preparing the drainage mower. Mowing program should be under way by the end of May.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Completed the second quarter DBP Stage 2 testing sample collection.
3. We have compiled and published the Annual Water Quality Report.

Porter on the Lake:

1. The restrooms are now open for the summer season.
2. We have completed mowing of the park 2 times.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

RESULT:	REPORT ISSUED
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14. Resolution 2015-57**No Parking**

Highway Superintendent Hillman spoke to the board about removing the "No Parking" signs in front of Hardison's Funeral Home. Some years back when there was a restaurant in the building across the street, the town passed an ordinance establishing a no parking zone in front of Hardison's Funeral Home on Ransomville Road. There is no longer any restaurant across the street, so Brad Hardison is asking if the no parking signs can be removed. The placement of the signs was done by a board resolution.

Resolution to remove the "No Parking" signs on Ransomville Road in front of Hardison's Funeral Home.

**Motion made by Councilman Fleckenstein and seconded by Councilman Baker.
Motion carried.**

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

15. Report 2015-88**Engineer****TOWN OF PORTER
Engineering Report
May 2015****General Engineering Support**

- Drainage Easement mapping project (Kipo and surrounding area) - Completed.
- 1139 Cain Road - Met with ZBA and property owner on April 23. Took photos and notes.
- Attended planning board meeting on May 7.

Harrison Lane - Private to Public Roadway Dedication

- Construction activities underway.

- Construction layout and property stakeout provided week of May 4.

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. Aquastore prepared an updated cost estimate on May 02, 2014.

NEXT STEPS:

- Meet with the Health Department to review goals;
- Complete limited hydraulic study and prepare Engineering Report for NCHD;
- Prepare preliminary design

RESULT:	REPORT ISSUED
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16. Report 2015-89

Attorney

No report.

RESULT:	REPORT ISSUED
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17. Report 2015-90

Grant Writer

Grants Status Report: Projects we are currently working on:

- **NYS Archives:** Submitted on a new application for an ECMS system for the Town's records. The ECMS will manage all of the Town's digital records and provide a State recommend retrieval method while providing required record retention and preservation. Again this grants is 100% funded (if awarded).
- **NYS Archives Record Room:** Decision needs to be made on the progress of this project
- **LWRP:** RFP needs to be developed and a meet of the committee should be scheduled.
- **DOT Beacon Project:** DOT has recommended that we purchase supplies (concrete, concrete sealer etc.) for the area for any remediation around the project site. There is a balance of \$3,143.65 Decision needs to be made on this balance.
- **CFA is OPN Upcoming projects:**

- NYS parks (Continuation of the POL)
- Potential Projects

Waiting for a decision from the Town Board on what we're going to do with the records room. Need to spend the money by July 31st.

DOT: \$3,143.00 that is remaining, use it on concrete materials. Superintendent Hillman will check to see about installing a drain by the school by putting a pipe in under the sidewalk. Need a description and a cost.

Consolidated Fund application is still open, the one that we put in for the park improvements. Like to bring in NYS Parks to come take a look at it so they can get an idea of what we're trying to do.

We need to get together and brainstorm on what type of project we want to do. Need some direction on types of projects.

Supervisor Wiepert: The concern is that if they may close Stevenson School, we use it for summer recreation. If they close it then maybe we could have it down at the park, but we need some facilities there for the kids.

Grant Writer Rotella: Maybe we could put up a pole barn and that would be all recreation.

RESULT:	REPORT ISSUED
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18. Report 2015-91

Correspondance

St. Paul's Episcopal Church in Lewiston sent a letter that they are having a National Police Week Inter-faith Memorial Service on Wednesday, May 13th at 7:00 pm at the church. This has to do with law enforcement officers that died in service.

RESULT:	REPORT ISSUED
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19. Report 2015-94

Calendar of Events

Zoning Board Meeting	Thursday, May 21 st - 7:30 pm	Porter Town Hall
Town Hall CLOSED	Monday, May 25th	Memorial Day
Planning Board Meeting	Thursday, June 4 th - 7:00 pm	Porter Town Hall

Town Board meeting

Monday, June 8th - 7:00 pm

Porter Town Hall

RESULT:	REPORT ISSUED
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20. Resolution 2015-56**Safe Boating Proclamation****Safe Boating Proclamation 2015**

Whereas, on average, 700 people die each year in boating-related accidents in the United States; approximately 70% of these are fatalities caused by drowning; and,

Whereas, the vast majority of these accidents are caused by human error, or poor judgment, and not by the boat, equipment or environmental factors; and

Whereas, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and,

Whereas, today's life jackets are more comfortable, more attractive and more wearable than styles of years past, and deserve a fresh look by today's boating public;

Therefore, the Town of Porter does hereby support the goals of the North American Safe Boating Campaign and we join in supporting the Coast Guard and Coast Guard Auxiliary in their efforts to have all boaters and their passengers wear their life jackets while on the waters of Western New York, and proclaim May 16-22, 2015, as **National Safe Boating Week**, and the start of the year-round effort to promote safe boating.

In Witness Whereof, I urge all those who boat to "**Wear It**" and to practice safe boating habits.

Given under my signature and the seal of the Town of Porter this 11th day of May, 2015.

Merton K. Wiepert
Supervisor, Town of Porter

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

21. Report 2015-92**Town Board Comments**

Councilman Fleckenstein: Had a Youngstown-Lockport Road resident contact him about brush being bulldozed up against the property line. Is that not against our ordinance?

Code Enforcement Officer Rogers: If it's an active farm operation, I can't be sure. But I did violate her last year and the woman came back and said it was a farm and that she was just pushing trimmings against the fence line. I have not verified that fact. Will be checking further.

Councilman Baia made a motion to increase the donation amount from \$200.00 to \$1,000.00 for the Veteran Memorial that was vandalized in Youngstown. It was thought that the \$20,00.00 goal to repair the memorial had already been reached. Motion was tabled until more information was found.

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

RESULT:	REPORT ISSUED
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