



Town of Porter

Work Session

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Barb Dubell
716-745-3730

Monday, November 16, 2015

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on November 16, 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	Present	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Bernie Rotella	Town of Porter	Grant Writer	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Susan Driscoll	Town of Porter	Assessor	Present	

II. Reports/Resolutions

III. Reports

1. Report 2015-196

Discussion on Local Law

Town Hall, Monday November 16, 2015. The Porter Town Board held a meeting with all members of the Planning and Zoning Board in attendance.

The purpose of this meeting is to discuss Local Law #2-2014, Sales and Service of Garden/Farm Equipment in an RA district.

Supervisor Wiepert: The Planning Board has some issues with the zoning laws, especially with the repair of lawn and garden machinery.

Attorney Dowd: At the Planning Board meeting they had concerns that the law had been changed to allow the repair of equipment and machinery in RA districts. It's up to the Planning Board if they want to suggest that it be repealed or changed entirely, if they want to recommend that the it be amended to allow for certain things, or recommend that they don't do anything. At the end of the day it's up to the Planning Board to make that recommendation, but the Town Board makes its own decision regardless of the recommendation.

Planning Board Chairman Ortiz provided the Town Board with a letter from the Planning Board that recommends that the law should be reversed back to the way it was prior to the latest change before it

was adopted in the new zoning law that was adopted November 8, 2010. The Planning Board recommends site plan and special use permit regarding home occupation should be considered for sales and service of garden/farm equipment in Rural Agricultural district. This could be discussed in the future.

Zoning Board Chairman Johnson held off on a final decision until all his board members have had a chance to review the local law and they can all be part of an informed decision. The Zoning Board has their regular monthly meeting on Thursday, November 19th at which time they will make their recommendation to the Town Board for Local Law #2-2014.

Dowd: We still have to have a Public Hearing. We may not be able to get it done before the end of the year.

Councilman Fleckenstein: We've been doing this for 3 years. I think we should have a meeting next week to discuss what these boards have talked about so we can get it in December. We can make a resolution. I don't want to wait till January.

Attorney Dowd: We still have to have a **Public Hearing**. We may not be able to get it done before the end of the year. If we have a special meeting next week, you have to post it in the paper no sooner than 10 and no later to 20 days before the board meeting. I'm not sure if we waited a week we would be able to get the publication in time.

The Town Board wants to have a special meeting on Monday, November 23rd to go over the recommendations from the Zoning and Planning Boards. Nancy Smithson, Zoning Board Secretary, will post it in the paper on the November 27th and 30th.

Grant Writer Rotella: LWPR - the project was \$68,500, we got a 50% grant for that a year and a half ago. The next step is to identify what the LWRP really is, the focus point for that is really POTL. Our next step in the identification process is to come up with a consultant that can put a plan together. The committee wants to put it up for bid, so we have an RFP ready to go out.

What goes out to bid is an RFP, a Request for Proposals for a consultant to develop this local law. It becomes part of the Master Plan. It applies to both public and private land. All of the things that we put into the recreational master plan however they are down the road, by having a LWRP, will support those plans. It's part of the overall process.

Chairman Ortiz: How much does a consultant get paid? We spend 25% of the grant for somebody to give us a plan, it just doesn't make good business sense.

Grant Writer Rotella: In this case we spend 75% of the grant just for the consultant. We've got other budget line items in there. It's a 50% matching grant, but 75% of it is the consultant. It's a standard RFP based on tasks that were in the contract of the LWRP.

Attorney Dowd: What are you asking them to give you a scope for? Is it just the park or more than that, how do they know what to propose if they don't have a handle on the actual scope of work?

Grant Writer Rotella: It's based on the 17 or 18 tasks that were in the contract from the state. The committee wants a meeting with the consultant that will determine what that value will be. POTL is our public access point, so this should be the focal point of the LWRP. I drew up the RFP based on the contract that was given to us from the state. As far as fine tuning it, I think if we put it out for bid and get a consultant in here to see what the prices are, we can get the committee to negotiate it.

RESULT: REPORT ISSUED

IV. Resolutions

1. Resolution 2015-97

Payment of Vouchers

TOWN OF PORTER

WARRANT: # 11 - A NOVEMBER, 2015 11/16/15

FUND	01	6,190.39
FUND	02	26,978.77
FUND	04	31,792.50
FUND	06	457.82
FUND	07	1,165.30
FUND	10	829.63
FUND	36	639.01

TOTAL 68,053.42

VOUCHER 'S 21564 THRU 21618

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