



Town of Porter
Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

John

Monday, April, 9, 2007

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on April 9, 2007 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	
Nancy Orsi	Town of Porter	Councilwoman	Present	
Jeff Baker	Town of Porter	Councilman	Present	
Larry White	Town of Porter	Councilman	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Dave Britton	CRA Engineering	Engineer	Present	
Roy Rogers	Town of porter	Bldg Ins	Present	
Scott Hillman	Town of Porter	Hwy Supt	Present	
Karen Schmidt	Town of Porter	Assessor	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
John Mac Arthur	Town of Porter	Town Clerk	Present	

B. Public Portion

1. Report 2007-57

Public Comments

Stan Friesen, Ransomville Speedway- stated he had received a letter and a bill from your Highway Superintendent Scott Hillman, concerning the mud and debris on Braley Road as the result of a race at the racetrack on January 1, 2007, in the amount of \$309.52. Mr. Friesen went on to say that the racetrack is a source of employment for residents in the community, it also assists the Ransomville Fire Company with Fund-raising events, pays sales tax to the state, and pays town and county taxes. Mr. Friesen asked if he is being singled out on this, and knows of farmers who leave mud and debris on the roads in the Town.

Supervisor Wiepert - Scott was called out by the Niagara County Sheriff's Department concerning the condition of the road. I spoke to you months ago on this problem and you told me that you did not have licensed vehicles to go on the road and clean this up. This is not only a dangerous situation for traffic, but it costs the Town to call a employee in, overtime, and equipment costs to clean this up.

Highway Superintendent Scott Hillman -When the Sheriff's Department called me about this, I went over to Braley Road to look at the situation, and then called one (1) employee to

clean this up. When the Sheriff's Department calls, I just can't ignore the situation (problem). I have to go out, check it out and resolve it. If I don't resolve a problem I have been advised of the Town could be liable if something (accident) does happen.

Supervisor Wiepert-I feel that the Speedway is responsible for this and should pay the Town for the expense of cleaning the road.

Councilman Baia-I also agree.

Councilman White-I concur, I do not want to see the Town liable if something happens. Lawsuits are expensive.

Mr. Friesen-Thank you.

RESULT: REPORT ISSUED

II. Minutes Approval

1. Resolution 2007-41

Minutes Approval

Resolution to adopt the Town Board Minutes of March 12, 2007 and the Work Session Minutes of March 30, 2007.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Nancy Orsi, Councilwoman
AYES:	Wiepert, Baia, Orsi, Baker, White

III. Reports & Resolutions

1. Resolution 2007-42

Approval of Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDIT - MAR 2007 3/31/07

FUND	01	64,026.86
FUND	02	6,570.49
FUND	04	123.88
FUND	06	255.22
FUND	07	2,342.58
FUND	10	928.69
		<u>74,247.72</u>

VOUCHER 'S 9119 THRU 9145

WARRANT: # 4 APRIL 2007 4/9/07

FUND	01	12,217.18
FUND	02	6,716.60
FUND	04	15,932.90
FUND	06	5,415.13
FUND	07	3,455.52
FUND	10	874.96
FUND	35	400.00

TOTAL 45,012.29

VOUCHER 'S 9146 THRU 9209

119,260.01

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

2. Report 2007-44

Town Clerk

Town Clerk's Report for March 2007

Water Receipts Collected for March, 2007:	\$22,315.46
Sewer Receipts Collected for March, 2007:	2,830.67
License and Fees Paid To Supervisor:	699.59
S.P.C.A. Report:	31

Received a letter from the New York State Department of Transportation, stating that the New York State Department of Transportation has approved the Town of Porter's speed limit request for Meadow Drive, Manor Drive, Mallory Drive and Groveland Avenue at 30 miles per hour. All signs to post these speed zones shall be erected by the Town of Porter.

RESULT: REPORT ISSUED

3. Report 2007-45**NYS Town Clerk's Conference**

"Dear Supervisor Wiepert and Town Board Members:

I wish to take this opportunity to respectfully request permission to attend the New York State Town Clerk's Convention in Rochester, New York from April 29th to May 2, 2007.

I have funds available in my 2007 Town Clerk's Budget to cover the expenses for this conference.

A favorable response to my request would be greatly appreciated.

Sincerely,

JOHN H. MACARTHUR
TOWN CLERK

RESULT: REPORT ISSUED

4. Resolution 2007-47**Town Clerk's Conference**

This resolution authorizes Town Clerk John Mac Arthur to attend the Town Clerk's Conference in Rochester, NY from April 29th to May 2nd.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Nancy Orsi, Councilwoman
AYES:	Wiepert, Baia, Orsi, Baker, White

5. Report 2007-46**Supervisor**

1. Supervisors Monthly report for March 2007 was distributed to all Town Board members.
2. February Sales Tax \$73,808.67. This is down \$4,289.03 from February last year.
3. Received a suggestion to use Greenway funds to remove power poles along River Road.
4. Need recommendations for a barn in Porter to have the Niagara County Bicentennial Logo painted on.

RESULT: REPORT ISSUED

6. Report 2007-47**Supervisor's Assistant**

1. Completed processing all March 2007 Vouchers and Journal Entries.
2. Prepared Supervisor's Monthly Report for March 2007 and distributed it to the Supervisor and Town Board members.
3. Completed Bi-weekly and Monthly payrolls.
4. Completed Check registers for all check payments.
5. Continued maintenance on the Web Page - www.townofporter.net
6. New web-page should be ready some time in April
7. Started working on the Spring Town of Porter newsletter.
8. Continues working with Deputy Town Clerk on the Minute Traq program.
9. Received an update on Minute Traq
10. Updated retiree's Blue Cross/Blue Shield PPO 799 health insurance plan.
11. Finished working on a program with HSBC to have more payroll checks direct deposited. Currently about 2/3 of all employees are on direct deposit.
12. Continues researching credit card & on-line payments.
13. Need permission to attend the 7th Annual Town Finance & Management School in Rochester May 16-18. This is a budgeted item.
14. Need authorization for the Supervisor (Budget Officer) to open two bank accounts for deposit of the CWM 2.05 Million payment from the CHA in May 2007. These funds will be used exclusively for Capital Projects within the Town of Porter.

RESULT: REPORT ISSUED

7. Resolution 2007-44**New Bank Accounts**

Resolution authorizing the Supervisor to open two bank accounts, one in First Niagara Commercial Bank and one in HSBC for deposit of the CWM \$2.05 million HCA in May 2007. These monies will be in a special Capital Projects fund for usage within the Town of Porter

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Nancy Orsi, Councilwoman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Wiepert, Baia, Orsi, Baker, White

8. Resolution 2007-45**Finance Management School**

This resolution authorizes Supervisor's Assistant Norm Ault to attend the 7th Annual Town Finance & Management School in Rochester May 16-18, 2007. This is a budgeted item.

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

9. Report 2007-48**Assessor**

1. Completed monthly inspections for verification of sale and completion of building projects.
2. Processed monthly sales transfers and splits.
3. Attended a work session with Town Board
4. Attended the GIS/CAMA Integration Conference.

- 5. Completed field inspections for tentative roll.
- 6. Attended NCAA meeting in Lockport. Topic of meeting was disclosure notices.
- 7. Received the final determination form ORPS regarding the equalization rate for next year. Porter will remain at 100% for the 2007 roll.
- 8. Completed processing exemption applications for the 2007 roll.
- 9. Met with the building inspector and town engineer to discuss engineering cost recovery and site plan review process.
- 10. Met with assessors of other annual reassessment towns (Cambria, Newfane, Lockport) whose municipalities will be required to send out disclosure notices this year. Developed an insert for mailing and a press release to explain the program.
- 11. Completed the tentative assessment roll.

RESULT: REPORT ISSUED

10. Report 2007-49

Tax Collector

Paid Supervisor Wiepert the sum of \$418.97. This amount was interest earned on Tax Collector's account from February 23-March 21, 2007.

As of April 3, 2007 Town Tax Collector's account has the sum of \$580,054.64. This represents all payments and penalties collected to date. Final remittance to the County Treasurer will be made on/or April 12, 2007.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT: REPORT ISSUED

11. Report 2007-50

Department of Public Works

Highway Department:

- 1. Called out to plow and salt 10 times.
- 2. Provided assistance to the Village of Lewiston with our Gradall to dig a drainage ditch and parking area.
- 3. Called out to assist residents with flooding problems due to heavy rains on Monday 26th. I would like to thank both Youngstown and Ransomville Fire Companies for their help pumping excess water and filling sandbags.
- 4. I solicited 3 quotes for the utility trailer. I have attached the results to this report and would recommend the purchase be awarded to PJNFB Auto Inc. Their quote was \$4011.00.
- 5. Brush pickup will begin on Monday April 23rd and run thru November 6th. Information regarding brush pickup is on the town web site.

Drainage Department:

- 1. I have reviewed several drainage projects with the town engineer. We are in need of some input from NYSDEC regarding a couple of locations.
- 2. We have started compiling a work schedule for this coming season with priority given to some in complete projects from last year.
- 3. I am reviewing the latest information concerning the periodic inspection of our drainage outfalls identified as being in our MS-4 Storm water Area.

Water and Sewer Department:

- 1. Completed monthly meter reading.
- 2. Compiled and published our Annual Water Quality Statement.
- 3. Completed repairs to a fire hydrant that was damaged by a traffic accident on River Road.

RESULT:	REPORT ISSUED
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12. Resolution 2007-49

Utility Trailer Purchase

Authorize Highway Superintendent Scott Hillman to purchase a utility trailer from PJNFB Auto Inc. for the amount of \$4,011.00.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Nancy Orsi, Councilwoman
SECONDER:	Jeff Baker, Councilman
AYES:	Wiepert, Baia, Orsi, Baker, White

13. Report 2007-51

Code Enforcement Officer

TOWN OF PORTER PERMITS ISSUED IN THE MONTH OF MARCH 2007

PERMIT #	NAME	ADDRESS	ISSUED FOR	COST	FEE:
9-07	Schmoyer, Steve	614 Blairville Road	Addition	25,000	50.00
10-07	Andersen, Jacqueline	3626 Dickersonville Road	Porch	12,000	25.00
11-07	Wells, Ben	206 Lake Road	Alterations	650,000	50.00
12-07	Colman, John	2660 New Road	Shed	2,000	25.00
13-07	Brockway, Daniel	1018 Youngstown-Wilson	Garage	19,000	35.00
14-07	Burke, Daniel	3787 River Road	Addition	25,000	50.00
15-07	Shaw, Keith	1434 Lake Road	Addition	22,000	50.00
16-07	Bell, Elaine	1650 Braley Road	Addition (Com)	75,000	125.00
17-07	Nowacki, Wally	2051 Lake Road	Garage	4,000	35.00
18-07	Masic, Frank	2452 Lockport Road	Pool	2,000	25.00

Estimated Total Cost of Construction 836,000 470.00

<u>C/O #</u>	<u>Certificate of Occupancy Issued</u>
3-07	Steven Tybor
4-07	Donald & Suzanne Larrabee

RESULT:	REPORT ISSUED
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14. Report 2007-52

Engineer

Water Tank Rehabilitation: Draft Contract Documents are complete.

MS4 SPDES 2008 Permit; Annual report due June 1, 2007 to NYSDEC; a couple of the year 2007 priorities include 1) adoption of a local law to prohibit illicit discharges 2) adoption of a Storm water management plan 3) staff training. PERMIT becomes effective

JANUARY 2008. (The sanitary sewer system I&I program will be included in the 2008 permit).

Please have Town Clerk John Mac Arthur put the following notice in the newspaper so I can complete the Towns Stormwater Annual Report:

“The Town of Porter Town Board will hold an Informational Hearing, on the Town of Porter Phase II Storm Water Year 4 Annual Report, on Monday May 14th @ 7:00PM in the Porter Town Hall.”

RESULT: REPORT ISSUED

15. Resolution 2007-46

Storm Water Public Information Hearing

The Town of Porter Town Board will hold an Informational Hearing, on the Town of Porter Phase II Storm Water Year 4 Annual Report, on Monday May 14th @ 7:00PM in the Porter Town Hall.

RESULT: WITHDRAWN

16. Report 2007-53

Recreation

Accept resignation of Sarah Zimmerman from the Story Hour effective March 31, 2007 and appoint Teresa Bednarczyk to the position effective April 1, 2007 at a salary through the end of the year of \$2,874.74.

RESULT: REPORT ISSUED

17. Resolution 2007-48**Story Hour Appointment**

Accept resignation of Sarah Zimmerman from the Story Hour effective March 31, 2007 and appoint Teresa Bednarczyk to the position effective April 1, 2007 at a salary through the end of the year of \$2,874.74.

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

18. Report 2007-56**Attorney's Report**

1. Attorney Down has been in touch with Modern Disposal concerning their bid for the Town of Porter Refuse contract... should have something definitive next month.
2. Will get with Supervisor & Bookkeeper for exact wording concerning credit card payments.

RESULT:	REPORT ISSUED
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19. Report 2007-54**Master Plan**

Town of Porter Meeting April 9, 2007
Comprehensive Plan Implementation Committee

Final copies of Agricultural Strategic Plan were delivered to Town. A process for distribution is being formulated.

The Chairs have been working with Bernie Rotella to complete the tasks of finalizing our contract with NY Dept. of State for the EPF grant and to finalize our contract with p.j. smith for the work related to the grant. The final grant scope includes the original Land Use Update, plus

the additions of Youngstown participation and Subdivision Regulations.

Submitted by:
Patricia Lynch
William Choboy
co-chairs

RESULT: REPORT ISSUED

20. Report 2007-55

Town Board Comments

The Town Board had no comments.

With no further business before the Board, the meeting was closed at 7:55 PM

John Mac Arthur
Town Clerk

RESULT: REPORT ISSUED
