



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Gail Zachary

Monday, February 11, 2008

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on February 11, 2008 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	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Karen Schmidt	Town of Porter	Assessor	Present	
Dave Britton	Town of Porter	Engineer	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Gail Zachary	Town of Porter	Town Clerk	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	

II. Public Portion

1. Report 2008-19

Public Comments

Carl Fellows, of 3808 Ransomville Road, asked about the status of the Town's recent purchase, Oxy-on-the-Lake, and whether an environmental study had been done on the property. Supervisor Wiepert stated he and Councilwoman Nancy Orsi met with the Recreation Committee and that a Park Committee will be formed. They will be presenting ideas and discussing concerns regarding the recreation part of the park, and will coordinate ideas with the Recreation Commission. Letters to all involved are going out and a meeting is scheduled for Saturday, February 23, 2008.

Mr. Wiepert also answered that there had been two environmental studies conducted, by two separate firms.

George Spira, Planning Board Chairman, stated he enjoyed the Supervisor's letter in the newspaper which gave an overview of the Oxy-on-the-Lake purchase and the Town's plans for it.

Robert Emerson, director of Old Ford Niagara thanked the Town Board for their continuing support which, in turn, enables them to hire more interpreters, tour guides,

etc. who educate out-of-towners and school children, to name a few. Mr. Emerson also spoke about the Fourth of July weekend in 2009 which commemorates the 250 year of the siege of Fort Niagara; the largest military engagement in the area. This will have a positive economic impact and will aid in gearing up for 2012, when the Town of Porter celebrates their bicentennial.

RESULT: REPORT ISSUED

2. Resolution 2008-35

Minutes Approval

Resolution to accept the January 14, 2008 Town Board minutes as presented.

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

3. Resolution 2008-36

Payment of Audited Vouchers

TOWN OF PORTER

WARRANT:	POST AUDIT - JAN 2008	1/31/08
FUND 01	5,235.29	
FUND 02	11,193.16	
FUND 04	182.00	
FUND 06	623.48	
FUND 07	1,969.42	
FUND 20	247,957.00	
FUND 21	128,650.00	
FUND 33	6,426.98	
	402,237.33	
VOUCHER 'S	10327 THRU 10364	
WARRANT:	# 2 FEBRUARY 2008	2/11/08
FUND 01	46,147.84	

FUND	02		29,584.47
FUND	04		33,198.68
FUND	06		345.77
FUND	07		60,385.55
FUND	10		959.45
FUND	33		1,800.00
TOTAL			<u>172,421.76</u>

VOUCHER 'S	10365	THRU	10458
			<u>574,659.09</u>

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

4. Report 2008-32

Town Clerk

Town Clerk Gail Zachary and Deputy Town Clerk, Barbara DuBell, attended a three-day school for "Newly Elected Officials," from January 15 to 17, 2008 in Rochester, New York. Classes attended:

- Intro to the Office of the State Comptroller
- Essential Statutory Authority Affecting Supervisors and Other Town Officers
- Legislative and Administrative Duties
- Ethics
- Processing Claims
- Financial Record Keeping
- Town Budget Process
- How to be Accountable and Fulfill Your Responsibilities
- FOIL and Open Meetings Law
- The Minutes Process
- Records Management
- Hunting and Fishing Licenses
- Dog Licenses
- Vital Records

Niagara County Health Dept, in cooperation with the Niagara County Veterinary Society, will hold a rabies clinic, Tuesday, March 11, 2008 at the Town of Porter Highway Garage, 1800 Braley Rd., from 5pm until 6:30pm. All dogs must be leashed; all cats confined.

S.P.C.A. January Report - 17 animal contacts (one emergency night call)

January Water Receipts - \$34,640.80
January Sewer " - 49,804.21
License & Fees - 379.45

Received a refund check, representing Porter's share of dog license revenue, in the amount of \$742.06, from the Niagara County Treasurer. This represents 75% of total monies the Town sent to the County from January 01, 2007 to December 31, 2007.

Requesting permission for Town Clerk and Deputy Town Clerk to attend the New York State Town Clerks' Association Conference in Saratoga Springs from April 28 until April 30, 2008.

RESULT: REPORT ISSUED

5. Resolution 2008-39

NYS Town Clerks' Association Conference

Resolution to approve request for Town Clerk and Deputy Town Clerk to attend NYS Town Clerks' Conference in Saratoga Springs, from April 28 until April 30, 2008.

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

6. Report 2008-21

Supervisor

1. Supervisor's Monthly Report for January 2008 was distributed to all Town Board Members.
2. December Sales Tax \$122,381.31. This is up \$23,605.62 from December last year. For the year 2007 sales tax is up \$15,369.94.
3. Resolution to accept the unaudited Supervisor's Report for December 2007 and the Supervisor's Report for January 2008.

- 4. Resolution to hire Brown & Company, LLP to be the Town of Porter auditor for 2008
And authorize the Supervisor to sign the Contract.

RESULT: REPORT ISSUED

7. Resolution 2008-37

Supervisor’s Monthly Report Acceptance

Resolution to accept the Supervisor’s December unaudited Monthly Report and the January 2008 Supervisor's Monthly Report. The December report may be adjusted by Auditor entries.

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

8. Resolution 2008-43

Appoint Brown & Company, LLP

Appoint Brown & Company, LLP the Town of Porter for 2008 and authorize the Supervisor to sign the contract in the amount of \$7,500.00.

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

9. Report 2008-22

Supervisor’s Assistant

Bookkeeper's Monthly Report - January 2008

1. Completed processing all January 2008 Vouchers and Journal Entries.
2. Prepared Supervisor's Monthly Report for January 2008 and distributed it to the Supervisor and Town Board members.
3. Prepared Supervisor's Monthly Report for December 2007 unaudited and distributed it to the Supervisor and Town Board members.
4. Working on year end entries.
5. Prepared 2007 audit book for auditors.
6. Completed Bi-weekly and Monthly payrolls.
7. Submitted Bi-weekly and Monthly payrolls to Civil Service for Certification.
8. Completed Check registers for all check payments.
9. Continued maintenance on the Web Page - www.townofporter.net
10. Continues working with Town Clerk on the Minute Traq program.

RESULT: REPORT ISSUED

10. Report 2008-23

Assessor

January 2008

1. Completed monthly inspections for verification of sale and completion of building projects.
2. Processed monthly sales transfers and splits.
3. Attended a Town Board work session.
4. Attended NCAA meeting in Lockport. Topic of discussion was equalization.
5. Continued work on GIS grant and implementation.
6. Attended and completed IAAO class on Valuation of Conservation Easements and Wetlands in Cheektowaga.
7. Attended Planning Board and Zoning Board of Appeals meetings.
8. Completed set-up of new laptop with all applicable software programs.
9. Attended works sessions with E3 Communications and PJ Smith.
10. Continuing to receive and process exemption applications for the 2008 roll.

Assessor Schmidt also reported that the Governor wants all local assessments consolidated into the County. There is a feasibility study going on right now. Among

many areas of concern, Karen feels that the same number of people will have to be involved to have this program run efficiently. The Assessor also wonders how sending our elderly residents to the County for exemption processing is going to work out.

RESULT: REPORT ISSUED

11. Report 2008-24

Tax Collector

2008 TOWN/COUNTY COLLECTIONS

Dear Supervisor Wiepert and Town Board Members:

Paid Supervisor Wiepert the amount of \$785,828.26 in settlement as per warrant the Town's share of the 2008 Town/County taxes. Paid Supervisor Wiepert the amount of \$55.95 interest earned on Tax Collector's account thru January 23, 2008.

A payment of \$2,500,000.00 will be made to David Broderick, County Treasurer before February 15, 2008 as partial settlement of County monies owed per 2008 warrant.

The Tax collector's account has \$2,608,999.19 as of February 6, 2008. This represents all payments collected to date.

Of the 3492 tax bills owed-we collected payment on 2903 from January 7 to January 31, 2008.

We have finished the process of mailing over 950 tax receipts to the homeowners who have an escrow account pay their tax bills.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

RESULT: REPORT ISSUED

12. Report 2008-25

Department of Public Works

Department of Public Works
Monthly Report for January 2008

Highway Department:

1. Called out to plow and salt 12 times.
2. Received 600 tons of Caliber Mix salt.
3. Moved voting machines for Primary Election.
4. Picked up limbs downed by high winds.
5. Received assistance from Niagara Co. Highway tree crew. Removed 8 trees along ROW of Lake Rd., Braley Rd., and New Rd.

Drainage Department:

1. Met with engineers from CRA to go over areas involved in the drainage study.
2. The new drainage tractor and mowers have been ordered, delivery is tentatively scheduled for June.

Water and Sewer Departments:

1. Completed monthly meter reading.
2. Provided assistance to the Village of Youngstown with our lateral camera. Did a camera inspection of drains in new bathroom at South Dock.

Purchase resolutions:

1. 14" Pavement cutting saw: Received quotes from 2 vendors

Creekside Sales and Service	\$1,304.10
Stevenson True Value Hardware	\$1,499.98

I recommend the purchase be awarded to Creekside Sales and Service

2. Stomper Compactor: Received quotes from 2 vendors

Admar Supply	\$2,150.00
Ross Rental Station	\$2,256.00

I recommend the purchase be awarded to Admar Supply.

Sewer Vac/Jet Truck Grant:

The application for this grant is being resubmitted. The Village of Lewiston and Town of Lewiston have agreed to partner with us on the grant. I have submitted all the necessary documentation to the grant writer. The anticipated maximum cost of the unit is \$300,000.00.

This figure is budgetary as the unit would have to be let at public bid for purchase. The obligation by the local municipalities would be a maximum of \$10,000.00 per entity.

Legislative Advocacy Day:

I would like permission to attend Legislative Advocacy Day in Albany on March 5th. The Governors proposed budget does not contain any increase in funding for local roads and bridges. We will be presenting our case for more funding to the legislators on the Transportation Committees.

Respectfully submitted,

Scott B. Hillman
Highway Superintendent

RESULT: REPORT ISSUED

13. Resolution 2008-40

Pavement Cutting Saw Purchase

Resolution to approve the purchase of a 14" pavement cutting saw in the amount of \$1,304.10 from Creekside Sales & Service.

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

14. Resolution 2008-41

Stomper Compactor Purchase

Resolution to award the low bid of \$2,150.00 to Admar Supply, as low bidder, for the

purchase of a Stomper compactor.

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

15. Resolution 2008-42

Legislative Advocacy Day in Albany

Resolution to allow Highway Superintendent, Scott Hillman, to attend Legislative Advocacy Day in Albany, March 5, 2008, to help present reasons for more funding to the legislators on the Transportation Committees. The Governor's budget doesn't contain increases in funding for local roads and bridges.

COMMENTS - Current Meeting:

Tom Baia and residents of Collingwood Estates congratulated Highway Superintendent, Scott Hillman, on the tremendous service he performs for all residents.

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

16. Resolution 2008-38

Water Billing Adjustment

The following adjustment was made to the following water account in January 2008.

10-0768 -\$24.00

Reason: the meter was misread

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

17. Report 2008-26**Building Inspector/Code Enforcement Officer****TOWN OF PORTER PERMITS ISSUED IN THE MONTH OF JANUARY 2008**

No.	NAME	ADDRESS	ISSUED FOR	COST	FEE:
01-08	Rolland, Murry	430 Dansworth Dr	New single family	225,000	275
				225,000	275

C/O #

01-08	David Karwick	2199 Lake Rd	Single family residence
02-08	Norm Storling	2380 Lockport Rd	Single family residence
03-08	Thomas Hogan	3921 Dickersonville Rd	Single family residence

COMMENTS - Current Meeting:

There have been two court appearances in the last month for code violations. Inspector Rogers is finishing up his 2007 report for the US Census and also the year-end for Niagara County

RESULT:	REPORT ISSUED
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18. Report 2008-27**Recreation Commission**

The annual Town of Porter Easter Egg Hunt will be held Saturday, March 15, 2008, at the W.H. Stevenson Elementary School, in Ransomville, at 11:00 a.m.

RESULT: REPORT ISSUED

19. Report 2008-28**Engineer**

February 11, 2008

Drainage study for the northwest area of the Town (CRA Project # 630508)

- Drainage study is underway. First site visit occurred on January 15 with Scott Hillman.
- Currently waiting for storm sewer/culvert drawings from Town, Village of Youngstown, Fort Niagara and New York State Department of Transportation (NYSDOT).
- Town needs to send out a mailer so CRA can get approval to do survey work on private property.

1. Formation of a town-wide drainage district (CRA Project # 630508)

- CRA to prepare a Map Plan & Report for the formation of a Town Drainage District.
(ON HOLD)

2. Annual Retainer - Drainage Reviews (CRA Project # 630556)

- CRA completed drainage review on February 5 for a minor subdivision request from Mario Violante, Jr.

3. Ominpoint Communications Cell Tower Review

- CRA completed site plan review on February 5 for a cell tower proposed to be located near the intersection of Blairville Road and the Robert Moses Parkway.

COMMENTS - Current Meeting:

Engineer Dave Britton reported that the Town Planning Board is looking for input from the Town Board regarding the proposed cell tower near Blairville and the Robert Moses Parkway (e.g. height/lights). Work will start in the spring.

RESULT: REPORT ISSUED

20. Report 2008-29**Attorney's Report**

Nothing to report

RESULT: REPORT ISSUED

21. Report 2008-31

Calendar of Events

- Monday, February 18 - Town Hall Closed - Presidents' Day
- Thursday, February 28 - Zoning Board - 7:30 pm
- Thursday, March 06 - Planning Board - 7:00 pm
- Monday, March 10 - Town Board Meeting - 7:00 pm
- Tuesday, March 11 - Rabies Clinic - 5:00 pm until 6:30 pm
at Porter Highway Garage, 1800 Braley Rd

RESULT: REPORT ISSUED

22. Report 2008-30

Town Board Comments

Councilwoman, Nancy Orsi, in response to a resident's question, contacted Don Rappold, from Lewiston-Porter School, who put her in touch with Safety Risk Specialist, Bill Howell. Mr. Howell works at B.O.C.E.S. but assists local schools in evacuation plans. Mr. Howell said Lew-Port School has two evacuation plans; district-wide (emergency) and each building has its own plan.

Lew-Port's plan has become the model for other schools. The district provides parents with a hand-out, which is reviewed every year by the New York State Police and then sent back to the school, with revisions, etc. if applicable. Others involved are the American Red Cross, the local fire companies and the county sheriff's department. There is a meeting every fall of each year. Information is secure and not for public knowledge.

With the new construction at Lew-Port, there is two-way traffic now which alleviates the need to pull out on Creek Road. In an emergency, the evacuation route opens up to Pletcher Road rather than Creek Road.

Councilwoman Orsi reported that, April 26, 2008, Robert F. Kennedy, Jr. founder of the "RiverKeepers," will be at Stella Niagara, in honor of their centennial.

With no further business to discuss, Nancy Orsi made a motion to adjourn the meeting, at 7:50 p.m., with Larry White seconding.

Submitted by:

Gail Zachary
Town Clerk

RESULT: REPORT ISSUED
