



# Town of Porter

## Special Meeting

~ Minutes ~

3265 Creek Road  
Youngstown, NY 14174

[TownofPorter.Net](http://TownofPorter.Net)

Gail Zachary

**Monday, November 3, 2008**

**7:00 PM**

**Town Hall Auditorium**

### I. Call to Order

7:00 PM Meeting called to order on November 3, 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	
Barb DuBell	Town of Porter	Deputy Town Clerk	Present	
Karen Schmidt	Town of Porter	Assessor	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	

### II. Public Hearing

#### 1. Report 2008-154

#### 2009 Preliminary Budget Public Hearing

##### NOTICE OF PUBLIC HEARING UPON PRELIMINARY BUDGET

Notice is hereby given that the 2009 Preliminary Budget of the Town of Porter, for the fiscal year beginning January 01, 2009, has been completed and filed in the Office of the Town Clerk, 3265 Creek Road, Youngstown, New York, where it is available for inspection by any interested person at all reasonable hours.

Further notice is hereby given that the Town Board of the Town of Porter will meet and review said Preliminary Budget and hold a public hearing thereon at the Town Hall at 7:00 p.m. on November 03, 2008 and, that at such hearing, any person may be heard in favor of, or against, the Preliminary Budget as compiled for, or against, any item contained there in.

Pursuant to Section 113 of the Town Law, the proposed salaries of the town officers are hereby specified, as follows:

Town Supervisor	\$ 28,535.00
Town Justice (each)	\$ 15,613.00
Town Councilman (each)	\$ 7,165.00
Town Clerk	\$ 35,322.00

Town Superintendent of Highways	\$ 33,024.00
Town Tax Collector	\$ 5,100.00

**SPECIAL DISTRICTS**

DISTRICT	APPROPRIATIONS	TO BE RAISED BY TAXATION
Town of Porter Lighting	\$ 10,504.00	\$ 10,354.00
Youngstown Fire	\$ 139,500.00	\$ 139,500.00
Porter Lateral	\$ 7,650.00	\$ 7,625.00
Ransomville Fire	\$ 251,029.00	\$ 251,029.00
Lakeshore Sewer District	\$ 73,067.00	\$ 51,875.00
Mallory/Groveland Rd Project	\$ 4,000.00	\$ 3,950.00

FURTHER NOTICE is given that, pursuant to Real Property Tax Law, Section 495, the Exemption Report, that shows total assessed value on the Final Assessment Roll that was used in the budgetary process that is exempt from taxation, is on file with the 2009 Preliminary Budget.

By Order of the Porter Town Board

Gail Zachary, Town Clerk

**RESULT: REPORT ISSUED**

**2. Report 2008-156**

**Supervisor's Report - Budget**

"Back in about 2000, the tax rate in the Town of Porter was \$1.00 per \$1,000 of assessed valuation. With an influx of money from CWM and prudent budgeting we were able to lower the tax rate to the current rate of \$0.79 per \$1,000 of assessed valuation. One way we held this rate was to use some of our Fund Balance. This year, we are forced to raise the tax rate back to \$1.00 per \$1,000 of assessed valuation. This is an increase of \$0.21 per \$1,000 of assessed valuation, or \$21.00 on a \$100,000 home. If your home is appraised at \$250,000 the increase is \$52.50 or \$1.00 per week.

To hold the line on expenses no elected officials will receive a pay raise in 2009. Our full time and part time workers who are here on a daily basis will receive a 3% raise on their base salary. All other employees will receive the same salary as 2008.

In 2007 "A" fund received \$96,733.27 in interest income. Through October 31, 2008 the same fund has only received \$29,527.01, which projects to \$35,432.41 for the year. This is a reduction of Interest income of \$61,300. Since the Town did not complete a

Town Wide reassessment we will not receive \$16,960.00 in state aid in 2009.

In 2007 & 2008 the Town has had 5 employees retire and 1 resignation. With each retirement and resignation, the Town had to pay 5 of these employees for their accrued sick time and unused vacation. In each case, these payouts reduced the appropriate Fund Balance.

Today's Buffalo News had a story about Wilson holding the line on taxes. Their tax rate is being held at \$3.89 per \$1,000 of assessed valuation. Another item to consider is that the Town of Porter pays for trash & recycling pick-up. This saves Town of Porter residents around \$155.00 per year. In 2009, the Town's equalization rate is 92, not 100. The total increase in the 2009 tax warrant is \$78,664.00 which is basically equal to the interest income and State aid reductions in 2009. "

<b>RESULT:</b> <b>REPORT ISSUED</b>
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**3. Resolution 2008-123**

**Public Hearing Closure**

Resolution to close the Public Hearing regarding the preliminary budget.

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

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**4. Resolution 2008-124**

**Adopt 2009 Budget**

Resolution to adopt 2009 preliminary budget

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<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 11/10/2008 7:00 PM</b>
<b>MOVER:</b>	Mert Wiepert, Larry White	
<b>SECONDER:</b>	Nancy Orsi, Councilwoman	
<b>AYES:</b>	Wiepert, Baia, Orsi, Baker, White	

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### III. Resolutions

#### 1. Report 2008-155

##### Supervisor's Report

I need the following resolutions:

- Reimbursement - Association of towns
- Balmer Road demolition contract.
- Unpaid items added to 2009 Tax Warrant
- Assessor Resignation
- Health Insurance checking accounts (Debit Cards)
- Water reserve Public Hearing
- Sewer BAN for SCADA System

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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#### 2. Resolution 2008-129

##### Reimbursement - Association of Towns

Resolution setting limits on reimbursement at the Association of Towns Conference in New York City, February 15 - 18, 2009. If someone stays Sunday and Monday nights, the maximum reimbursement by the Town will be \$1,350.00, including registration. If an attendee is required to stay Tuesday night because of class schedules or are the appointed Town representative, or alternate, the maximum reimbursement will be \$1,725.00, including registration. All reimbursements must be supported by valid receipts.

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

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**3. Resolution 2008-128**

**Balmer Road Bid Acceptance**

Resolution to accept the low bid of \$7,368.00 submitted by National Vacuum Corp., 247 Deerwood Lane, Grand Island, NY 14072, for the destruction of a partially collapsed barn located at 1820 Balmer Road.

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

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**4. Resolution 2008-122**

**Unpaid Items Levied to 2009 Co Tax Bill**

Authorize the assessor to place a lien on the 2009 Niagara County tax roll for unpaid water bills in the amount of \$39,094.96, unpaid sewer bills for \$14,599.01, and unpaid Town charges of \$7,572.65.

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

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**5. Resolution 2008-125**

**Assessor Resignation**

Resolution to accept, with deepest regret, the resignation of Assessor Karen Wieland-Schmidt, effective November 07, 2008.

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

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**6. Resolution 2008-126**

**Health Insurance/Deductibles/Member Joint Accounts**

Resolution authorizing the Town of Porter to open joint checking accounts with hospitalization members and to issue debit cards, to facilitate payment of deductible amounts on the Town hospitalization insurance policy.

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

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**7. Resolution 2008-127**

**Water Reserve Fund Public Hearing**

**Water Reserve Fund Public Hearing**

The Town of Porter will hold a Public Hearing on Monday, December 08, 2008, at 7:00 p.m. at the Porter Town Hall, 3265 Creek Road, Youngstown, NY, 14174, for the purpose of withdrawing \$60,000.00 from the Water Reserve fund to pay principal and interest towards the reduction of the renewal BAN. (This payment was made in June 2008).

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

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**8. Resolution 2008-130**

**Sewer BAN Public Hearing**

**Increase Lakeshore Sewer BAN Public Hearing**

The Town of Porter will hold a Public Hearing on Monday, December 08, 2008, at 7:15 p.m. at the Porter Town Hall, 3265 Creek Road, Youngstown, NY, 14174, for the purpose of increasing the Lakeshore Sewer BAN by an additional \$17,250.00 plus 3% interest from Fund 32 (Capital Projects), and for the Supervisor to sign all necessary paperwork. This increase is to upgrade the lift stations with SCADA System.

With no further business to discuss, Councilwoman Orsi moved, with Councilman Baia seconding, to adjourn the Town Board meeting at 7:30 p.m.

Submitted by Barbara DuBell, Deputy Town Clerk

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

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