



# Town of Porter

## Town Board Meeting

### ~ Minutes ~

3265 Creek Road  
Youngstown, NY 14174  
[TownofPorter.Net](http://TownofPorter.Net)

Barb DuBell  
716-745-3730

Monday, May 8, 2017

7:00 PM

Town Hall Auditorium

## I. Call to Order

7:00 PM Meeting called to order on May 8, 2017 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Mert Wiepert	Town of Porter	Supervisor	Present	
Jeff Baker	Town of Porter	Deputy Supervisor	Present	
Thomas Baia	Town of Porter	Councilman	Present	
Larry White	Town of Porter	Councilman	Present	
J. Duffy Johnston	Town of Porter	Councilman	Present	
Barb DuBell	Town of Porter	Town Clerk	Present	
Kara Hibbard	Town of Porter	Deputy Town Clerk	Present	
Mary Siegrist	Town of Porter	BOOKKEEPER	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	Absent	
Susan Driscoll	Town of Porter	Assessor	Present	

## II. Resolutions/Reports

## III. Resolutions

### 1. Resolution 2017-43

#### Minutes Approval

Resolution to approve the minutes of the April 10 Work Session and Porter Town Board meeting.

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

### 2. Resolution 2017-44

#### Payment of Audited Vouchers

Resolution to approve the Vouchers as audited by the Porter Town Board.

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

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3. **Resolution 2017-48**

**Acceptance of Supervisor's Report**

Resolution to accept the Supervisors Report for April 10, 2017.

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

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## IV. Reports

1. **Report 2017-89**

**Supervisor's Report**

**SUPERVISOR**

Sally Hogan Tax collector will be retiring in December.

Roy Rogers will also be retiring on May 31 2017.

Steps are being taken to fill these job titles.

Checks and warrants to be paid for the month of April \$124,626.91

New Water meters have been getting updated.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**2. Report 2017-101****Town Clerk**

Clerk Fees for April 2017 \$ 825.16

Water \$36,612.27

Sewer \$19,369.32

\*\*\*\*\*

Received the following on April 25, 2017:

Office of Tax Collector

I, Sally Hogan will not be seeking re-election to the office of Tax Collector.

I will be stepping down at the end of my term, December 31, 2017, after having served in the position since being elected in 1987. I wish to thank the Republican committee and the Town of Porter Board members for the continued support I have always received. It has been a pleasure to have served and helped (answered many questions or tried to tell them who might have an answer for them) the taxpayers of the Town of Porter.

Respectfully Yours,  
Sally Hogan

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Received May 1, 2017:

I will be retiring from the Code Enforcement Officer position effective May 31, 2017.

I thank you for the opportunity to serve the community for the past eleven years.

Sincerely,  
Roy Rogers

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**3. Report 2017-90****Bookkeeper**

Bookkeeper

Payroll completed for the month of April

Worked with NYS auditor

Trained with Harris computer system to familiarize day to day duties

Would like to go over with town board about new backup system for Micro Fund.

Will be attending training May 18, 2017 in Batavia for NYS retirement

Have contracted Public sector HR for handbook and just waiting for date and time to go over new copy.

Completed all monthly reports - supervisor report , April retirement. Deposit summary.

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#### 4. Report 2017-102

##### **Tax Collector**

Supervisor Merton Wiepert

Town of Porter

3265 Creek Rd

Youngstown, NY 14174

RE: TOWN /COUNTY TAX COLLECTIONS FOR 2017

Dear Supervisor Wiepert and Town Board Members:

Paid to Supervisor Wiepert the sum of \$4,542.37 This amount included the following:

Penalties collected in March	\$4274.33
Return of Petty Cash	100.00
\$1.00 surcharge on unpaids returned	167.00
Over payments	1.04

Paid to County Treasurer on April 12, 2017 the sum of \$485,833.50 as final remittance to the County. The following figures reflect the final results of my collection for the 2017 Town/County Tax Roll in and for the Town of Porter:

Paid to Supervisor	1,316,876.83
Paid to County in February	3,200,000.00

Collected by County Treasurer	
(Utilities County Owned)	105,462.33
April remittance due County	486,000.50
Total Collected	5,108,339.66
Total Uncollected (167 bills)	395,019.41
	5,503,359.07

## ADJUSTMENTS-CORRECTED BILLS

Time Warner-No Town Tax	517.76
Total Warrant	5,503,876.83
April remittance	486,000.50
\$1.00 unpaids surcharge	-167.00
Paid to County Treasurer	485,833.50

There was no interest credited this year to this account.

Total of \$6,197.99 in penalties was collected this year. Town Tax Collector's account now reflects a balance of \$108.01-\$2.00 to keep the account open and \$106.01 for overpayment refunds that still have not been cashed.

Sally A. Hogan, Collector

Town of Porter

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**5. Report 2017-91****Recreation****RE: Recreation Report**

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- The Story Hour Program continues in the Youngstown Library on Tuesdays and in the Ransomville Library on Wednesdays at 9:30 and 11:00am. The Summer Programs will begin in July.
- The Saturday Story Hour Program will be held on Saturday, May 13th. This will be the final program for the Spring; it will resume in the Fall.
- Yoga continues on Wednesdays at 6:30pm in the Cora Gushee Room at the Youngstown Village Center.
- Tai Chi will begin again on Tuesday, June 13<sup>th</sup> at 9:30am. This will continue every Tuesday at Porter on the Lake Park.
- The Summer Recreation Program will be held at Stevenson Elementary from Monday, July 3<sup>rd</sup> - Thursday, August 10<sup>th</sup>. There will not be a program on Tuesday, July 4<sup>th</sup>.
- We are accepting resumes until May 25<sup>th</sup> for our Summer Recreation Leaders; interviews will be held on Monday, June 5<sup>th</sup>.
- Our next meeting will be on Monday, June 5th, 2017 at 6:00pm.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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## 6. Report 2017-92

### Assessor

#### ASSESSOR'S REPORT

April 2017

Made five on-site field inspections.

Provided tentative school tax values to Lewiston Porter School Tax Collector, and provided equalization rate information on request of the School Board.

Attended Institute of Assessing Officers Income and Expenses workshop in Batavia.

Met with Ransomville Road resident to discuss new property improvements.

Finalized processing building permits and exemption applications for the 2017 roll.

Finalized 2017 Tentative roll and provided Niagara County Office of Real Property Services with File Transfer Protocol copy of same.

Attended 2017 Board of Assessment Review training with new Porter Board member at the

Niagara County Legislature in Lockport.

Attended monthly meeting of Niagara County Assessor Association, which included a presentation by New York State Archives on records retention.

Began review of records retention in the Assessor's office.

Processed March deed transfers.

Collected April deed transfers; bank code changes; 2017 Tentative Roll; new tax maps from Niagara County ORPTS.

Prepared and distributed 129 change of assessment notices.

**Set a Public Hearing for the June 12<sup>th</sup> Town Board meeting to adopt a Local Law extending the filing deadline for Enhanced STAR renewal exemptions authorizing our seniors to take advantage of this real property tax law. Motion for Public Hearing made by Councilman Baker and seconded by Councilman White. Motion carried.**

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**7. Report 2017-93**

**Building Inspector/Code Enforcement Officer**

**BUILDING DEPARTMENT REPORT - April 2017**

Building permits issued as per the report

Periodic progress inspections on ongoing construction projects throughout the Town

Prepared materials for the Planning and Zoning meetings

Attended Niagara Frontier Building Officials meeting

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**8. Report 2017-94**

**Highway**

**Highway Department:**

1. Completed Town-Wide and first scheduled brush pick up.
2. Completed conversion of all trucks to summer operation status.
3. We are mowing cemeteries, lift station and water towers as weather permits.
4. Provided assistance with a truck hauling blacktop for the Town of Cambria.

**Drainage Department:**

1. Received numerous complaints of drainage problems due to recent rain events; we have investigated and taken measures to correct some of the issues.
2. We have cleared blockages in several streams trying to alleviate flow restrictions.
3. We are currently working to resolve drainage issues in the Youngstown Estates subdivision.
- 4.

**Water and Sewer Department:**

1. Completed monthly meter readings.
2. Completed installation of 48 new Orion transponders.
3. Completed second quarter DBP Stage 2 water testing.
4. Completed and published the Annual Water Quality Statement.
5. We continue to monitor for I&I during the recent heavy rain events.

**POTL:**

1. The bathrooms are now open for the season.
2. We are working on mowing when the weather permits as well as clearing debris from the beach area.

**Beaver Island Breakout:**

I would like board permission to allow all highway and water/ sewer employees to attend the Work Safety Class being put on by the WNYAPWA at Beaver Island SP on Thursday May 25<sup>th</sup>. The registration cost will be \$220.00.

**Motion to attend Work Safety Class made by Councilman Baia and seconded by Councilman Baker. Motion carried.****CHIPS Funding:**

I have been advised that the town will receive the following in CHIPS funding for 2017.

CHIPS- \$60843.64

EWR - \$11161.45

PaveNY \$13888.17

**Total funding - \$85893.26**

This is an increase of \$12005.26 over the last years funding level.

Scott B. Hillman, Superintendent of Highways

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**9. Report 2017-95****Attorney**

The Planning and Zoning Boards have been discussing the possible recommendation to consider a local law to permit seasonal rentals with residential properties located in the town. I know the board has a recommendation from them, if the board wants to move forward with it, we need to schedule a public hearing.

Supervisor Wiepert: The board all have a copy of the recommendation from planning and zoning. Let's set a public hearing for the recommendation from the planning and zoning boards on short term residential rentals.

**Motion to set a Public Hearing for Short Term Residential Rentals was made by Councilman Baker and seconded by Councilman White. Motion carried.**

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**10. Report 2017-96****Grant Writer**

Supervisor Wiepert: The grant writer is not here. Kathy do you know anything about this?

Kathy Zasucha: I was under the impression that we didn't get it. He must be submitting it for another organization.

Supervisor Wiepert: He should be here to explain it to us. I know we got turned down before. Let's hang on until the next meeting.

**RESOLUTION:** Support of the Consolidated Funding Application and under the category the Department of State's Local Waterfront Revitalization Program in the development of an ADA accessible Kayak Launch at Porter On The Lake.

**RESOLVED** that the Supervisor of the Town of Porter is hereby authorized and directed to file an application with the State of New York, Consolidated Funding Application, Department of State to request grant funding for the development of an ADA accessible Kayak Launch at Porter On The Lake.

**Further RESOLVED** the Town of Porter will provide 50% matching funds up to \$150,000 required to complete the project

**DATED:** May 8, 2017

Motion By: \_\_\_\_\_

Second By: \_\_\_\_\_

List of Councilpersons:

1. Merton K Wiepert, Superior	Aye_____	Nay_____
2. Thomas Baia, Councilman	Aye_____	Nay_____
3. Jeffery Baker Councilman	Aye_____	Nay_____
4. Larry White, Councilman	Aye_____	Nay_____

Certified to be a true copy of the approved resolution and a record on file in the Town Clerk's office for the Town of Porter.

\_\_\_\_\_  
Barbara DuBell Town Clerk

Town of Porter

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**11. Report 2017-97**

**Correspondance**

report

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**12. Report 2017-98**

**Calendar of Events**

Zoning Board Meeting                      Thursday, May 25<sup>th</sup> @ 7:00 PM

**MEMORIAL DAY - MONDAY MAY 29<sup>TH</sup> - TOWN OFFICES CLOSED**

Planning Board Meeting Thursday, June 1<sup>st</sup> @ 7:00 PM

Town Board Meeting Monday, June 12<sup>th</sup> @ 7:00 PM

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<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**13. Report 2017-99**

**Public Comments**

Bill Dean: What is the hiring process to replace Roy for both of his positions?

Supervisor Wiepert: It's a town board decision. The position is a Civil Service job.

Attorney Dowd: If you keep 2 part time positions it would not be civil service. But I think the board is leaning towards a full time code enforcement/building inspector position then it would be a civil service job. You could appoint someone provisionally, because I don't think there is anyone in the town that has passed the civil service exam. So you could pass someone provisionally, after whatever recommendations and interview process that you might go through. But ultimately you have to have them take the next test, then you must select from the top 3 candidates. We have to talk about this and make sure that this job has a residency requirement. It's quite a process but we can hire provisionally until we get through it.

\*\*\*\*\*

Jacob Miller: I live on Brentwood Drive. Basically every time it rains I get about 4 inches of standing water in my backyard. My neighbors surrounding me are pretty much dry. Do I have a course of action with the town?

Hwy. Supt. Hillman: I went over there and yes, he is pretty well flooded out. We are in the same area that we have had issues before with the change in elevation between the 2 streets. He tends to be in a low area, there is an issue behind him too. It's a poorly designed drainage from the start it's all over the place. I'd like to investigate that and see if we can install a drain between him and his neighbors as we have in other places. I would like to have the engineer come with me.

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Wendy Shaw: I gave everybody a copy of the new sign for POTL that is required by Greenway. We would like to purchase 24 new picnic tables, some for the new pavilion and some to replace the older wooden ones that are in the existing pavilion. I don't know the cost to put the concrete down for the benches.

New sign for the entrance of the park (requirement of Greenway)

\$3,077.00

24 new picnic tables (246.82 each, state bid)	\$5,923.68
2 new benches to be placed inside north fence (\$439.46 each, state bid)	\$ 878.92
2 pads to put on benches est. of \$250.00 each	<u>\$ 500.00</u>
<b>Total</b>	<b>\$10,379.60</b>

Supervisor Wiepert: What is the pleasure of the board? You heard the request on the POTL Project.

**Motion to approve the POTL Project made by Councilman Bake and seconded by Councilman White. Motion carried.**

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Shelia Mooney: I want to know why the farmers are allowed to take their huge machines and deposit clumps of dirt and corn husks along Ransomville and Lake Road? We have to swerve to pass them or go over them and destroy the roads. If I we were to have dirt delivered to my house and in the process dirt was spread on the road, wouldn't I be required to clean that up? Why isn't there a law?

Hwy Supt Hillman: #1. There is a B&T Law that says no on shall be allowed to place noxious substances on the public highways. If they do, they are liable. #2. It allows me as the highway superintendent to clean up of such messes and I am allowed to bill whoever is responsible directly. As far as the farmers, the farmers are not totally exempt from that B&T law. They are required to make some effort to clean up their messes as they go.

Dowd: If somebody can identify that person then notify the highway department, he can do what he said. But if a farmer makes a mess and a resident doesn't call up to identify it, then there is nothing we can do about it. If you see that problem, feel free to call the highway department.

Hillman: I know most of the farmers in the town and the first call I make is to tell them to clean it up. If they are in the middle of something busy they might ask for some forgiveness and say as soon as we are done with this field we'll get a tractor over there to scrape it off. Some places, if it's very dangerous, I'll send my equipment out to get it cleaned up to protect the public. In general they are very cooperative.

Baker: Every one of us knows if we made a mess we try to go back and clean it up as quick as we can. I don't know what you see, but there are many farmers that are in the Town of Porter that are from Waterport, or Sanborn or Gasport. It's pretty hard to catch all of these guys.

Bill Suitor: A number of years ago I was on the Porter 25 year plan. We fought like heck for the farmers for the right to farm law. **Leave the farmers alone.** Call Scott, clean the roads that need cleaning, but leave the farmers alone. If your car gets muddy, I'm sorry. Slow down if it's muddy, but leave the farmers alone!

Tony Collard: The town boards have been very receptive and try to do a good job. If you have a complaint about the town board this is the place to do it. But if you really have complaints, get off you bum, get involved and run for office, go thru the political process and you can sit up there. That's America, that's our right.

Secondly on the farm end of it, I married into farm family, I worked there for 7 years. This is a right to farm community. Farmers have been here since early 19<sup>th</sup> century. I think we ought to give them a little slack. To come to a meeting and berate the farmers, I don't think that's right! This is a farm community, a lot of people make their living farming

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**14. Report 2017-100****Town Board Comments**

With no further business, a motion to adjourn made by Councilman Baia and seconded by Councilman White. Motion carried.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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## 2017-43

Meeting: 05/08/17 07:00 PM

# Minutes Approval

Resolution to approve the minutes of the April 10 Work Session and Porter Town Board meeting.

✓ Vote Record - Resolution RES-2017-43						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Mert Wiepert	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jeff Baker	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Baia	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Larry White	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. Duffy Johnston	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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**2017-44**

Meeting: 05/08/17 07:00 PM

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## Payment of Audited Vouchers

Resolution to approve the Vouchers as audited by the Porter Town Board.

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	Mert Wiepert	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jeff Baker	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Baia	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## 2017-48

Meeting: 05/08/17 07:00 PM

# Acceptance of Supervisor's Report

Resolution to accept the Supervisors Report for April 10, 2017.

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**2017-89**

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## Supervisor's Report

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Sincerely,  
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**2017-102**

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## Tax Collector

Supervisor Merton Wiepert

Town of Porter

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**2017-91**

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## Recreation

### RE: Recreation Report

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- Tai Chi will begin again on Tuesday, June 13<sup>th</sup> at 9:30am. This will continue every Tuesday at Porter on the Lake Park.
- The Summer Recreation Program will be held at Stevenson Elementary from Monday, July 3<sup>rd</sup> - Thursday, August 10<sup>th</sup>. There will not be a program on Tuesday, July 4<sup>th</sup>.
- We are accepting resumes until May 25<sup>th</sup> for our Summer Recreation Leaders; interviews will be held on Monday, June 5<sup>th</sup>.
- Our next meeting will be on Monday, June 5th, 2017 at 6:00pm.



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**2017-92**

Meeting: 05/08/17 07:00 PM

## Assessor

### ASSESSOR'S REPORT

April 2017

Made five on-site field inspections.

Provided tentative school tax values to Lewiston Porter School Tax Collector, and provided equalization rate information on request of the School Board.

Attended Institute of Assessing Officers Income and Expenses workshop in Batavia.

Met with Ransomville Road resident to discuss new property improvements.

Finalized processing building permits and exemption applications for the 2017 roll.

Finalized 2017 Tentative roll and provided Niagara County Office of Real Property Services with File Transfer Protocol copy of same.

Attended 2017 Board of Assessment Review training with new Porter Board member at the Niagara County Legislature in Lockport.

Attended monthly meeting of Niagara County Assessor Association, which included a presentation by New York State Archives on records retention.

Began review of records retention in the Assessor's office.

Processed March deed transfers.

Collected April deed transfers; bank code changes; 2017 Tentative Roll; new tax maps from Niagara County ORPTS.

Prepared and distributed 129 change of assessment notices.

**Set a Public Hearing for the June 12<sup>th</sup> Town Board meeting to adopt a Local Law extending the filing deadline for Enhanced STAR renewal exemptions authorizing our seniors to take advantage of this real property tax law. Motion for Public Hearing made by Councilman Baker and seconded by Councilman White. Motion carried.**



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**2017-93**

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4.7

Meeting: 05/08/17 07:00 PM

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## **Building Inspector/Code Enforcement Officer**

### **BUILDING DEPARTMENT REPORT - April 2017**

Building permits issued as per the report

Periodic progress inspections on ongoing construction projects throughout the Town

Prepared materials for the Planning and Zoning meetings

Attended Niagara Frontier Building Officials meeting





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**2017-94**

Meeting: 05/08/17 07:00 PM

## Highway

### Highway Department:

1. Completed Town-Wide and first scheduled brush pick up.
2. Completed conversion of all trucks to summer operation status.
3. We are mowing cemeteries, lift station and water towers as weather permits.
4. Provided assistance with a truck hauling blacktop for the Town of Cambria.

### Drainage Department:

1. Received numerous complaints of drainage problems due to recent rain events; we have investigated and taken measures to correct some of the issues.
2. We have cleared blockages in several streams trying to alleviate flow restrictions.
3. We are currently working to resolve drainage issues in the Youngstown Estates subdivision.
- 4.

### Water and Sewer Department:

1. Completed monthly meter readings.
2. Completed installation of 48 new Orion transponders.
3. Completed second quarter DBP Stage 2 water testing.
4. Completed and published the Annual Water Quality Statement.
5. We continue to monitor for I&I during the recent heavy rain events.

### POTL:

1. The bathrooms are now open for the season.
2. We are working on mowing when the weather permits as well as clearing debris from the beach area.

### Beaver Island Breakout:

I would like board permission to allow all highway and water/ sewer employees to attend the Work Safety Class being put on by the WNYAPWA at Beaver Island SP on Thursday May 25<sup>th</sup>. The registration cost will be \$220.00.

**Motion to attend Work Safety Class made by Councilman Baia and seconded by Councilman Baker. Motion carried.**

### CHIPS Funding:

I have been advised that the town will receive the following in CHIPS funding for 2017.

CHIPS- \$60843.64

EWR - \$11161.45

PaveNY \$13888.17

**Total funding - \$85893.26**

This is an increase of \$12005.26 over the last years funding level.

Scott B. Hillman, Superintendent of Highways



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**2017-95**

Meeting: 05/08/17 07:00 PM

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## **Attorney**

The Planning and Zoning Boards have been discussing the possible recommendation to consider a local law to permit seasonal rentals with residential properties located in the town. I know the board has a recommendation from them, if the board wants to move forward with it, we need to schedule a public hearing.

Supervisor Wiepert: The board all have a copy of the recommendation from planning and zoning. Let's set a public hearing for the recommendation from the planning and zoning boards on short term residential rentals.

**Motion to set a Public Hearing for Short Term Residential Rentals was made by Councilman Baker and seconded by Councilman White. Motion carried.**



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4.10

**2017-96**

Meeting: 05/08/17 07:00 PM

## Grant Writer

Supervisor Wiepert: The grant writer is not here. Kathy do you know anything about this?

Kathy Zasucha: I was under the impression that we didn't get it. He must be submitting it for another organization.

Supervisor Wiepert: He should be here to explain it to us. I know we got turned down before. Let's hang on until the next meeting.

**RESOLUTION:** Support of the Consolidated Funding Application and under the category the Department of State's Local Waterfront Revitalization Program in the development of an ADA accessible Kayak Launch at Porter On The Lake.

**RESOLVED** that the Supervisor of the Town of Porter is hereby authorized and directed to file an application with the State of New York, Consolidated Funding Application, Department of State to request grant funding for the development of an ADA accessible Kayak Launch at Porter On The Lake.

**Further RESOLVED** the Town of Porter will provide 50% matching funds up to \$150,000 required to complete the project

**DATED:** May 8, 2017

Motion By: \_\_\_\_\_

Second By: \_\_\_\_\_

List of Councilpersons:

1. Merton K Wiepert, Superior	Aye_____	Nay_____
2. Thomas Baia, Councilman	Aye_____	Nay_____
3. Jeffery Baker Councilman	Aye_____	Nay_____
4. Larry White, Councilman	Aye_____	Nay_____

Certified to be a true copy of the approved resolution and a record on file in the Town Clerk's office for the Town of Porter.

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Barbara DuBell Town Clerk

Town of Porter



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4.11

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**2017-97**

Meeting: 05/08/17 07:00 PM

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## Correspondance

report



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4.12

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**2017-98**

Meeting: 05/08/17 07:00 PM

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## Calendar of Events

Zoning Board Meeting                      Thursday, May 25<sup>th</sup> @ 7:00 PM

**MEMORIAL DAY - MONDAY MAY 29<sup>TH</sup> - TOWN OFFICES CLOSED**

Planning Board Meeting                      Thursday, June 1<sup>st</sup> @ 7:00 PM

Town Board Meeting                      Monday, June 12<sup>th</sup> @ 7:00 PM



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4.13

**2017-99**

Meeting: 05/08/17 07:00 PM

## Public Comments

Bill Dean: What is the hiring process to replace Roy for both of his positions?

Supervisor Wiepert: It's a town board decision. The position is a Civil Service job.

Attorney Dowd: If you keep 2 part time positions it would not be civil service. But I think the board is leaning towards a full time code enforcement/building inspector position then it would be a civil service job. You could appoint someone provisionally, because I don't think there is anyone in the town that has passed the civil service exam. So you could pass someone provisionally, after whatever recommendations and interview process that you might go through. But ultimately you have to have them take the next test, then you must select from the top 3 candidates. We have to talk about this and make sure that this job has a residency requirement. It's quite a process but we can hire provisionally until we get through it.

\*\*\*\*\*

Jacob Miller: I live on Brentwood Drive. Basically every time it rains I get about 4 inches of standing water in my backyard. My neighbors surrounding me are pretty much dry. Do I have a course of action with the town?

Hwy. Supt. Hillman: I went over there and yes, he is pretty well flooded out. We are in the same area that we have had issues before with the change in elevation between the 2 streets. He tends to be in a low area, there is an issue behind him too. It's a poorly designed drainage from the start it's all over the place. I'd like to investigate that and see if we can install a drain between him and his neighbors as we have in other places. I would like to have the engineer come with me.

\*\*\*\*\*

Wendy Shaw: I gave everybody a copy of the new sign for POTL that is required by Greenway. We would like to purchase 24 new picnic tables, some for the new pavilion and some to replace the older wooden ones that are in the existing pavilion. I don't know the cost to put the concrete down for the benches.

New sign for the entrance of the park (requirement of Greenway)	\$3,077.00
24 new picnic tables (246.82 each, state bid)	\$5,923.68
2 new benches to be placed inside north fence (\$439.46 each, state bid)	\$ 878.92
2 pads to put on benches est. of \$250.00 each	<u>\$ 500.00</u>
<b>Total</b>	<b>\$10,379.60</b>



Supervisor Wiepert: What is the pleasure of the board? You heard the request on the POTL Project.

**Motion to approve the POTL Project made by Councilman Bake and seconded by Councilman White. Motion carried.**

\*\*\*\*\*

Shelia Mooney: I want to know why the farmers are allowed to take their huge machines and deposit clumps of dirt and corn husks along Ransomville and Lake Road? We have to swerve to pass them or go over them and destroy the roads. If I were to have dirt delivered to my house and in the process dirt was spread on the road, wouldn't I be required to clean that up? Why isn't there a law?

Hwy Supt Hillman: #1. There is a B&T Law that says no one shall be allowed to place noxious substances on the public highways. If they do, they are liable. #2. It allows me as the highway superintendent to clean up of such messes and I am allowed to bill whoever is responsible directly. As far as the farmers, the farmers are not totally exempt from that B&T law. They are required to make some effort to clean up their messes as they go.

Dowd: If somebody can identify that person then notify the highway department, he can do what he said. But if a farmer makes a mess and a resident doesn't call up to identify it, then there is nothing we can do about it. If you see that problem, feel free to call the highway department.

Hillman: I know most of the farmers in the town and the first call I make is to tell them to clean it up. If they are in the middle of something busy they might ask for some forgiveness and say as soon as we are done with this field we'll get a tractor over there to scrape it off. Some places, if it's very dangerous, I'll send my equipment out to get it cleaned up to protect the public. In general they are very cooperative.

Baker: Every one of us knows if we made a mess we try to go back and clean it up as quick as we can. I don't know what you see, but there are many farmers that are in the Town of Porter that are from Waterport, or Sanborn or Gasport. It's pretty hard to catch all of these guys.

Bill Suitor: A number of years ago I was on the Porter 25 year plan. We fought like heck for the farmers for the right to farm law. **Leave the farmers alone.** Call Scott, clean the roads that need cleaning, but leave the farmers alone. If your car gets muddy, I'm sorry. Slow down if it's muddy, but leave the farmers alone!

Tony Collard: The town boards have been very receptive and try to do a good job. If you have a complaint about the town board this is the place to do it. But if you really have complaints, get off your bum, get involved and run for office, go thru the political process and you can sit up there. That's America, that's our right.

Secondly on the farm end of it, I married into farm family, I worked there for 7 years. This is a right to farm community. Farmers have been here since early 19<sup>th</sup> century. I think we ought to give them a little slack. To come to a meeting and berate the farmers, I don't think that's right! This is a farm community, a lot of people make their living farming



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Meeting: 05/08/17 07:00 PM

4.14

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## **Town Board Comments**

With no further business, a motion to adjourn made by Councilman Baia and seconded by Councilman White. Motion carried.