



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Barb Dubell
716-745-3730

Monday, July 11, 2016

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on July 11, 2016 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	Absent	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Chris Amico	Town of Porter	Engineer	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Roy Rogers	Town of Porter	Code Enforcement Officer	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Susan Driscoll	Town of Porter	Assessor	Present	

II. Reports/Resolutions

1. Resolution 2016-70

Minutes Approval

Resolution to approve the minutes of the June 13th Work Session and regular meeting of the Porter Town Board.

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

2. Resolution 2016-71

Audited Vouchers

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

TOWN OF PORTER**WARRANT: POST AUDIT - JUNE, 2016 6/30/16**

FUND	01	19,818.96
FUND	02	68.60
FUND	04	6,192.79
FUND	06	1,910.77
FUND	07	1,572.54
FUND	28	
FUND	36	
TOTAL		<u>29,563.66</u>

VOUCHER 'S 22412 THRU 22436**WARRANT: # 7 JULY, 2016 7/11/16**

FUND	01	17,304.14
FUND	02	27,984.55
FUND	04	51,824.44
FUND	06	1,507.84
FUND	07	1,815.10
FUND	10	739.85
FUND	28	5,390.76
TOTAL		<u>106,566.68</u>

VOUCHER 'S 22437 THRU 22521**TOTAL 136,130.34**

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

3. Report 2016-124**Town Clerk**

Water/Sewer \$30,263.43

Clerk Fees \$ 897.83

RESULT: REPORT ISSUED

4. Resolution 2016-75**Court Room Chairs**

Resolution authorizing the purchase of 90 chairs for the Court Room in the amount of \$20,727.20 plus freight. This amount is the State Bid price. The amount will be reduced when the chairs being replaced are auctioned off. This amount, along with the \$1,428.00 for shades, the \$9,975.00 for carpet, and the \$5,744.00 for painting, will all be funded from the Capital Projects Fund.

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

5. Report 2016-137**Supervisor's Report**

Supervisor's Monthly Report for June, 2016 was distributed to all Town Board members.

Resolution to accept the Supervisor's Monthly Report for June, 2016.

May Sales Tax: \$95,417.61. The Town is down \$4,868.28 from May 2015.

RESULT:	REPORT ISSUED
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6. Resolution 2016-72**Acceptance of Supervisor's Report**

Resolution to accept the Supervisor's Report for June 2016

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

7. Report 2016-125**Bookkeeper**

Bookkeeper's Monthly Report - June, 2016

Completed processing all June, 2016 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for June, 2016, and distributed it to the Supervisor & Town Board members.

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Started working on 2017 Budget

RESULT:	REPORT ISSUED
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8. Report 2016-126**Recreation**

DATE: July 7, 2016

RE: June Recreation Report

- At our June meeting, we interviewed and hired our Summer Recreation Leaders for our summer program, which will be held from Tuesday, July 5-Thursday, August 11th, at Stevenson School.
- Story Hour continues at the Youngstown Library on Tuesdays and the Ransomville Library on Wednesdays, at 10:00am.
- Tai Chi continues on Tuesday mornings at 9:30am at Porter on the Lake Park.
- Yoga continues on Wednesday evenings at 6:30pm in the Cora Gushee Room at the Youngstown Village Center.
- Our next meeting will be Monday, August 1st, at 7:00pm.

Recreation Director, Kathy Zasucha: There are 343 children registered, the average daily attendance has been 150 children.

RESULT:	REPORT ISSUED
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9. Report 2016-127

Assessor

ASSESSOR'S REPORT

June 2016

- Finalized 2016 roll.
A decade on from Porter's last town wide revaluation, our level of assessment is now down to 82% (from 88% in 2015).
- Processed May deed transfers.
Recent arm's length sales of note, which will have a negative effect on our LOA going forward:

Address	Sale Price	Assessed Value	Difference
494 Church 14174	216,000	170,000	46,000
1828 Lkpt Rd 14131	156,000	75,000	81,000
1221 Cain Rd 14174	135,150	89,500	45,650
3966 Ransmvl Rd 14131	150,000	102,000	48,000
2301 Y-Wilson Rd 14131	135,500	70,000	65,500
335 Howard Dr 14174	173,500	119,300	54,200
963 Balmer Rd 14174	165,600	94,200	71,400
1580 Lake Rd 14174	240,000	156,100	83,900
	1,371,750	876,100	495,650

2006 100% 2007
100% 2008 93% 2009
89% * 2010 93%
2011 91% 2012 95%
2013 93% 2014 94%
2015 88% 2016 82%
* No assessor Nov 08
- Feb 09

RESULT:	REPORT ISSUED
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10. Report 2016-128

Building Inspector/Code Enforcement Officer

BUILDING DEPARTMENT REPORT - June 2016

Building permits issued as per the report

Periodic progress inspections on ongoing construction projects throughout the Town

Prepared materials for and attended the Planning and Zoning meetings

Pursued Zoning code violations and issued the Supervisor 'Complaints Report' for the month of June 2016

Multiple foil requests completed

Lewiston Court appearance

Met with Town Engineer to evaluate abandoned buildings

June 2016 TOWN OF PORTER

No.	Date	Owner	Type	Location	Value	Fee
053-16	6/3	C Truesdale	Demo	3249 Lutts	0	25
054-16	6/3	J Golba	P.B.	3909 Calkins	23,000	50
055-16	6/3	Judy Fleckenstein	Solar	1953 Balmer	5,000	50
056-16	6/3	R Parise	Add.	3708 Ransmvl	10,000	100
057-16	6/3	Judy Fleckenstein	F.P.	1953 Balmer	0	100
058-16	6/3	C Blake	AGP	2531 Lkpt Rd	500	25
059-16	6/6	J Szostak	Shed	2009 Lkpt Rd	10,000	25
060-19	6/7	W Serianni	Fence	2625 Lkpt Rd	1,890	25
061-16	6/8	D Burns	Add-Alt	302 Lake	10,000	50
062-16	6/8	F Masic	IGP	2452 Lkpt Rd	27,900	50
063-16	6/13	P Tower	AGP	3594 Estes Pl	700	25
064-16	6/14	P Ziuko	IGP	3742 Dicknsvil	32,000	50
065-16	6/14	N Freiermuth	Fence	893 Lkpt Rd	7,900	25
066-16	6/15	P Licata	Porch	902 Lkpt Rd	4,000	25
067-16	6/17	M Naughton	AGP	986 Meadow Dr	3,500	25
068-16	6/22	M White	Deck	214 Lake	9,500	25
069-16	6/23	B Whyte	S.F.R.	1328 Cain	85,000	300
070-06	6/24	Track Vision	FWD	2401 Braley Rd	0	50
071-16	6/27	N.F.C.C.	Demo	1058 Lake Rd	0	25
		FWD Fireworks Display		Monthly	230,890	1,050
		AGP Above Ground Pool				
		F.P. Farm Pond		Y-T-D	1,431,825	5,150
		IGP In Ground Pool				

RESULT:	REPORT ISSUED
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11. Report 2016-129

Justice Revenue

JUSTICE
FINES 2016

01-1000.2610

	<u>GROSS REVENUE</u>	<u>DISTRIBUTION</u>	<u>NET REVENUE</u>
JANUARY	3,524.00	(1,229.00)	2,295.00
FEBRUARY	4,429.50	(2,224.50)	2,205.00
MARCH	5,775.50	(3,529.50)	2,246.00
APRIL	2,950.00	(1,325.00)	1,625.00
MAY	3,819.50	(1,934.50)	1,885.00
JUNE			0.00
JULY			0.00
AUGUST			0.00
SEPTEMBER			0.00
OCTOBER			0.00
NOVEMBER			0.00
DECEMBER			0.00
	<u>20,498.50</u>	<u>(10,242.50)</u>	<u>10,256.00</u>

RESULT:	REPORT ISSUED
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12. Report 2016-130

Highway

Monthly Report for June 2016

Highway Department:

1. Completed monthly brush pickup.
2. Completed Micro Paving on Dickersonville Rd.
3. Completed Slurry Sealing on Old Lake Rd., Porter Center Rd., Mallory Dr., Groveland Ave. Dietz Rd. and the Collingwood subdivision.

4. Provided assistance with trucks hauling blacktop to the Town of Cambria, Town of Lewiston and the Village of Youngstown.
5. Provided assistance with trucks hauling millings to the Village of Lewiston and the Village of Youngstown.
6. Completed the milling of Cothran and Calkins Rds with assistance from the following towns, Lewiston, Niagara, Pendleton, Newfane and Wilson.
7. We are working on repainting the Historic Site Markers thru-out the town.

Drainage:

1. Completed approximately 1000' of drainage ditch off Braley Road using town forces and equipment.
2. Continuing to work on mowing off road ditches.

Water and Sewer:

1. Completed monthly meter reading.
2. Completed repairs to a service leak on Harrison Lane.
3. 7 Employees completed the Mueller Water Training Course as part of there training to retain their Class D Operators Licenses.
4. Completed the repainting of the interior and exterior of both Lakeshore Lift Stations.
5. The State Parks has started the reconfiguration of the area around Lakeshore 2 Lift Station to provided fishing access to 4 Mile Creek. Should be completed by the end of summer.
6. Due to the extremely dry weather conditions I ask that the public exercise water conservation measures until the dry weather subsides.

7.

Pave-NY:

I have been advised by the NYSDOT that the town will receive \$13888.78 in Pave-NY funding in addition to CHIPS funding of \$67866.00 for total funding of \$81754.78 in 2016. I have prepared an amended 284 Agreement to reflect the increase in funding. I will need a board resolution adopting the amended agreement.

Respectfully submitted,

Scott B. Hillman

Superintendent of Highways

Balmer Road Water Tower

Suerintendent Hillman: The Balmer Road water tower repair, I have a proposal from the Utility Services Company, Inc., they were the ones who repaired it the last time. I have submitted that proposal to the town supervisor. I need some direction from the town board to know how you want to proceed so I can fax this back to them. The cost is \$14,750.00.

Motion to have Utility Services Company, Inc. repair the Balmer Road water tower at of cost of \$14,750. Motion made by Councilman Baia and seconded by Councilman Baker. Motion carried.

RESULT:	REPORT ISSUED
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13. Resolution 2016-74**Amend 284 Agreement Funding**

Resolution to Amend 284 Agreement to reflect increased in funding of \$13,888.78 in Pave-NY funding in addition to CHIPS funding of \$67,866.00 for a total of \$81,754.74 in 2016.

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

14. Resolution 2016-73**Adjust Water Sewer Billing.**

Water Sewer account 10-0587.01 needs to be adjusted \$3,058.10 for sewer charges. The residence was uninhabited when the water pipes ruptured, filling the basement with water. No water went through the sewer and the home owner is asking for relief.

This resolution was tabled until the next board meeting on August 8, 2016.

The town board wants to see a letter from the property owner's insurance company that shows his claim for the damages to his home was denied.

RESULT:	TABLED [UNANIMOUS]	Next: 8/8/2016 7:00 PM
MOVER:	Joe Fleckenstein, Councilman	
SECONDER:	Thomas Baia, Councilman	
AYES:	Wiepert, White, Baia, Baker, Fleckenstein	

15. Report 2016-131

Engineer

TOWN OF PORTER

Engineering Report

July 2016

General Engineering Support

- Met with building inspector on June 15 regarding property at 2991 Orchard Drive, Youngstown, New York.
- Submitted design package for sewer extension on Creek Road to the Niagara County Health Department on June 17.

RESULT:	REPORT ISSUED
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16. Report 2016-132

Attorney

Attorney Dowd: Want to make you aware that an Article 78 proceeding has commenced and I will keep you up to speed on that as it goes.

RESULT:	REPORT ISSUED
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17. Report 2016-133

Grant Writer

Grants Status Report: Projects we are currently working on:

- **SRTS Traffic Beacons:** Still waiting to hear from DOT for transfer.
- **Greenway:** The balance of our Greenway funding is \$89,000. This needs to include a sign. Meeting still needs to be set for projects to use up the balance of this money.
- **LWRP:** Semi-annual report is being completed and will be sent to DOS by July 29th. Kick Off meeting needs to be set with the new consultant and DOS
- **CFA Park Improvement project** is being developed. More details to follow on Monday's meeting.

Grant Writer Rotella: Working on an application thru the Consolidated Fund application to put in a kayak launch at POTL and basically it's going to involve putting in a ramp with rollers on it. We would need a resolution #1 to submit the application and #2 to commit the funds. I don't believe this will be more than \$150,000 total. It's \$66,000 for the staircase and the ramp. If the board desires to continue to submit this application we would need a resolution that we would commit 50% of the grant which would be up to \$75,000 dollars.

We can use Greenway money but I would have to put a change notice in. We are supposed to use that for the park benches, pavilion and signs.

It won't cost anything to put the application in, if we get it it's going thru the coastal resources money. If we don't want to do it at that point, once you get a contract, you can always say no

Resolution to submit the application and commit the funds for putting in a kayak launch with ramp at POTL.

Councilman Fleckenstein made the motion. Councilman Baia seconded. Motion carried.

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 July 11, 2016

Motion By: Councilman Fleckenstein

Seconded By: Councilman Baia

List of Councilpersons:

1. Merton Wiefert, Supervisor	Aye <u>X</u>	Nay __
2. Thomas Baia, Councilman	Aye <u>X</u>	Nay __
3. Jeffrey Baker, Councilman	Aye <u>X</u>	Nay __
4. Larry White, Councilman	Aye <u>X</u>	Nay __
5. Joe Fleckenstein, Councilman	Aye <u>X</u>	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

RESULT:	REPORT ISSUED
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18. Report 2016-134**Correspondance**

report

RESULT:	REPORT ISSUED
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19. Report 2016-138**Calendar of Events**

Zoning Board	Thursday, July 28 th - 7:00 PM	Porter Town Hall
Planning Board	Thursday - August 4 th - 7:00 PM	Porter Town Hall
Town Board	Monday - August 8 th - 7:00 PM	Porter Town Hall

RESULT:	REPORT ISSUED
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20. Report 2016-135**Public Comments**

Bill Dean 2359 Lake Road: Asked if the Article 78 that Mike Dowd is referring to is associated in some way with Mr. McCabe?

Attorney Dowd: No, it's not

Ed McGreevy, 370 Howard Drive: Wanted to know if the board or the fire department is considering taking any action to make sure that the actual cause is determined When that happens, to advise the residents of the cause, so that this doesn't happen again.

Supervisor Wiepert: There is nothing that the town can do.

Councilman Fleckenstein: That gets turned over to the Niagara County Fire Inspectors. That takes the burden off the town or the fire company

Code Enforcement Officer Rogers: When the investigators get their final determination, we will get that sent out to the press and put in the newspaper.

RESULT:	REPORT ISSUED
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21. Report 2016-136

Town Board Comments

Councilman Fleckenstein: I want to schedule a meeting for the change of the law for the farm and garden. What do we have to do to get a meeting?

Attorney Dowd: The Planning Board sent a recommendation stating that they want the board to consider it as a home occupation, not to include any sales. I'll prepare a code resolution to address that, the week before the meeting scheduled for a public hearing. Let the planning board look at it, if they want to address it. Treat it as a full home occupation. I'll have that proposed resolution for you, with the law, next week. Public hearing scheduled for the next board meeting on August 8th and the law will be available the public to look at it.

The regular meeting of the Porter Town Board was adjourned a 7:58 pm. Motion made by Councilman Baker and seconded by Councilman Fleckenstein. Motion carried.

RESULT:	REPORT ISSUED
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