



# Town of Porter

## Town Board Meeting

### ~ Minutes ~

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

Barb Dubell  
716-745-3730

Monday, June 13, 2016

7:00 PM

Town Hall Auditorium

## I. Call to Order

7:00 PM Meeting called to order on June 13, 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               | Absent  |         |
| Joe Fleckenstein | Town of Porter | Councilman               | Present |         |
| Barb Dubell      | Town of Porter | Town Clerk               | Present |         |
| Kara Hibbard     | Town of Porter | Deputy Town Clerk        | 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 |         |
| Scott Hillman    | Town of Porter | Highway Superintendent   | Present |         |
| Susan Driscoll   | Town of Porter | Assessor                 | Present |         |

## II. Reports/Resolutions

### 1. Resolution 2016-63

#### Minutes Approval

Resolution to approve the minutes of the May 9, 2016 regular meeting of the Porter Town Board.

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Thomas Baia, Councilman                                  |
| <b>SECONDER:</b> | Larry White, Deputy Supervisor                           |
| <b>AYES:</b>     | Mert Wiepert, Larry White, Thomas Baia, Joe Fleckenstein |
| <b>ABSENT:</b>   | Jeff Baker                                               |

### 2. Resolution 2016-64

#### Audited Vouchers

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

**TOWN OF PORTER****WARRANT: POST AUDIT - MAY, 2016 5/31/16**

|       |    |                         |
|-------|----|-------------------------|
| FUND  | 01 | 18,549.34               |
| FUND  | 02 | 1,208.81                |
| FUND  | 04 | 6,023.19                |
| FUND  | 06 | 2,220.96                |
| FUND  | 07 | 1,597.71                |
| FUND  | 28 |                         |
| FUND  | 36 |                         |
| TOTAL |    | <b><u>29,600.01</u></b> |

**VOUCHER 'S 22276 THRU 22300****WARRANT: # 6 JUNE, 2016 6/13/16**

|       |    |                          |
|-------|----|--------------------------|
| FUND  | 01 | 29,417.57                |
| FUND  | 02 | 50,424.04                |
| FUND  | 03 | 533.95                   |
| FUND  | 04 | 25,875.14                |
| FUND  | 06 | 5,794.43                 |
| FUND  | 07 | 2,925.06                 |
| FUND  | 10 | 721.87                   |
| FUND  | 35 | 1,500.00                 |
| TOTAL |    | <b><u>117,192.06</u></b> |

**VOUCHER 'S 22301 THRU 22411****TOTAL 146,792.07**

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Thomas Baia, Councilman                                  |
| <b>SECONDER:</b> | Larry White, Deputy Supervisor                           |
| <b>AYES:</b>     | Mert Wiepert, Larry White, Thomas Baia, Joe Fleckenstein |
| <b>ABSENT:</b>   | Jeff Baker                                               |

**3. Report 2016-102****Town Clerk****Report for May 2016**

|            |             |
|------------|-------------|
| Water      | \$19,045.97 |
| Sewer      | \$16,947.77 |
| Clerk Fees | \$ 897.83   |

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**4. Resolution 2016-65****Audit/Financial Reports/Changes - Town Clerk/Town Justice/Tax Collector**

Resolution to accept the Statement of Changes in Cash Balances and Statements of Cash Receipts of the Tax Collector, Town Clerk and Town Justices, as of December 31, 2015, have been examined by the Town Board and have been audited by Brown and Company, LLP, Certified Public Accountants. After approval by the Town Board these will be sent to the State Comptroller and the Unified Court System by the Town Clerk.

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Thomas Baia, Councilman                                  |
| <b>SECONDER:</b> | Joe Fleckenstein, Councilman                             |
| <b>AYES:</b>     | Mert Wiepert, Larry White, Thomas Baia, Joe Fleckenstein |
| <b>ABSENT:</b>   | Jeff Baker                                               |

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**5. Report 2016-113****Supervisor's Report**

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

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

April Sales Tax: \$97,294.18. The Town is down \$10,539.98 from April 2015.

Mortgage Tax \$42,468.41 received. First of two for the year 2016.

Resolution to replace the carpet in the Court Room.

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**6. Resolution 2016-66****Supervisor's Report**

Resolution to accept the Supervisors Report for May 2016.

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|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Thomas Baia, Councilman                                  |
| <b>SECONDER:</b> | Joe Fleckenstein, Councilman                             |
| <b>AYES:</b>     | Mert Wiepert, Larry White, Thomas Baia, Joe Fleckenstein |
| <b>ABSENT:</b>   | Jeff Baker                                               |

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7. **Resolution 2016-68**

**Carpet Purchase**

Resolution authorizing Mooradin's to replace the Court Room and Dias Carpet. The cost is \$9,975.00, which is less than State Bid price. Replacement will be with 24" X 24" carpet tiles.

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Thomas Baia, Councilman                                  |
| <b>SECONDER:</b> | Larry White, Deputy Supervisor                           |
| <b>AYES:</b>     | Mert Wiepert, Larry White, Thomas Baia, Joe Fleckenstein |
| <b>ABSENT:</b>   | Jeff Baker                                               |

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8. **Report 2016-103**

**Bookkeeper**

Bookkeeper's            Monthly Report - May, 2016

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Completed processing all May, 2016 Vouchers & Journal Entries.

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

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Working on Employee Handbook

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**9. Report 2016-104****Recreation****RE: May Recreation Report**

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- Story Hour continues at the Youngstown Library on Tuesdays and the Ransomville Library on Wednesdays. Beginning Tuesday, June 28<sup>th</sup>, the programs will begin at 10:00am for the summer.
- Saturday Story Hour will be held on Saturday, June 11<sup>th</sup> at 10:00am at the Ransomville Library. It will not be held over the summer, but will begin again in September.
- Tai Chi continues on Tuesday mornings at 9:30am in the Cora Gushee Room at the Youngstown Village Center. On Tuesday, June 21<sup>st</sup> it will relocate to Porter on the Lake Park. Yoga continues on Wednesday evenings at 6:30pm in the Cora Gushee Room at the Youngstown Village Center.
- Kids Karate will be offered on the 1<sup>st</sup> Saturday of June (June 4<sup>th</sup>) from 10:00-11:00am, at the Youngstown Village Center Gym. During the months of July and August it will be offered during the Summer Recreation Program. It will return to the 1<sup>st</sup> Saturday schedule in September. This is a non-testing, non-contact exercise program.
- Our Summer Recreation Program will be held on Tuesday, July 5<sup>th</sup> - Thursday, August 11<sup>th</sup> at Stevenson School. Registration will be held at Stevenson School on June 29<sup>th</sup> and 30<sup>th</sup>.
- Family Fun Pickleball is being offered on Thursdays during the month of June, at 6:30pm, at Veteran's Park in Youngstown.

**RE: Summer Staff**

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The Town of Porter Recreation Commission has hired the following adult supervisors for the Summer Recreation Program. Employment is from June 27 - August 12, 2016.

**RETURNING EMPLOYEES:**

|                                                          |                                                                             |                                                                    |
|----------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------|
| Peter Munno 647 Blairville Road<br>Youngstown, NY 14174  | Jessica Rodino 720 Creek Lane<br>Youngstown, NY 14174                       | Andrew Deutschman 214 Church<br>Street Youngstown, NY 14174        |
| Jack Tewsley 402 Lynnbrook<br>Drive Youngstown, NY 14174 | Shauna Fischer 3843<br>Ransomville Road Ransomville,<br>NY 14131            | Alison Hastings 3226 Porter<br>Center Road Youngstown, NY<br>14174 |
| Jordin Puzan 559 Parkside Place<br>Youngstown, NY 14174  | Stephanie Kowalski 1399<br>Youngstown Lockport Road<br>Youngstown, NY 14174 | Emily Marin 345 Glenvale Road<br>Youngstown, NY 14174              |
| Vicki Price 648 Blairville Road<br>Youngstown, NY 14174  | Thomas Filosofos 362 Howard<br>Drive Youngstown, NY 14174                   | Jacob Braun 1011 Woodcliff<br>Drive Youngstown, NY 14174           |
| Evan Shank 3488 Braley Road<br>Ransomville, NY 14131     | Aric Freischlag 180 Lake Street<br>Wilson, NY 14172                         |                                                                    |

**NEW EMPLOYEES:**

|                                                       |                                                           |                                                            |
|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|
| Jacob Eoute 300 Glenvale Road<br>Youngstown, NY 14174 | Kevin Bovanizer 831 Lockport<br>Road Youngstown, NY 14174 | Timothy Shippy 739 Lockport<br>Street Youngstown, NY 14174 |
| Benjamin Hastings 3226 Porter                         | Brenna Donovan 4238 Scenic                                | Ashley Thomas 495 N. Fifth                                 |

|                                     |                            |                           |
|-------------------------------------|----------------------------|---------------------------|
| Center Road Youngstown, NY<br>14174 | Drive Youngstown, NY 14174 | Street Lewiston, NY 14092 |
|-------------------------------------|----------------------------|---------------------------|

The Town of Porter Summer Recreation will run from Tuesday, July 5th to Thursday, August 11th, 2016.

**RESULT: REPORT ISSUED**

#### 10. Report 2016-105

##### Assessor

MAY 2016

- Published 2016 Tentative roll on May 1
- Two on-site inspections at request of property owners
- Stipulated six files on 2016 roll
- 2016 Board of Assessment Review was held May 24 - zero grievances presented
- Prepared and distributed seventy-three notices to homeowners falling under the new State STAR exemption program
- Processed April deed transfers

**RESULT: REPORT ISSUED**

#### 11. Report 2016-106

##### Building Inspector/Code Enforcement Officer

MAY, 2016 TOWN OF PORTER

| No.    | Date | Owner           | Type   | Location       | Value  | Fee |
|--------|------|-----------------|--------|----------------|--------|-----|
| 024-16 | 4/7  | D Brooks        | Garage | 1645 Lake      | 30,000 | 50  |
| 031-16 | 5/3  | F Stipkovits    | P.B.   | 692 Blairville | 25,000 | 50  |
| 032-16 | 5/4  | J Finn          | Shed   | 446-48 lake    | 3,200  | 25  |
| 033-16 | 5/5  | M McCabe        | F.Pond | 2384 Lake      | 0      | 25  |
| 034-16 | 5/5  | M McCabe        | P.B.   | 2384 Lake      | 12,000 | 50  |
| 036-16 | 5/9  | M Valint        | Fence  | 3962 Calkins   | 3,100  | 25  |
| 037-16 | 5/11 | T Vance         | P.B.   | 2094 Lkpt Rd   | 300    | 50  |
| 038-16 | 5/13 | S&K Auto Racing | F.W.D. | 2401 Braley    | 0      | 50  |
| 039-16 | 5/13 | S&K Auto Racing | F.W.D. | 2401 Braley    | 0      | 50  |

|                       |      |                 |                |                  |              |     |
|-----------------------|------|-----------------|----------------|------------------|--------------|-----|
| 040-16                | 5/17 | Lkside Cottages | Garage         | 2087 Lake        | 10,000       | 50  |
| 041-16                | 5/18 | J Basta         | Porch          | 13 P.C.R. Ext    | 300          | 25  |
| 042-16                | 5/18 | J Basta         | Shed           | 12 P.C.R. Ext    | 800          | 25  |
| 043-16                | 5/18 | H Shipston      | Add.           | 400 Riverview    | 70,000       | 100 |
| 044-16                | 5/18 | R Parise        | Garage         | 3708 Ransv Rd    | 20,000       | 50  |
| 045-16                | 5/24 | B Carter        | Carport        | 2625 Lake        | 8,000        | 25  |
| 046-16                | 5/24 | B Carter        | Deck           | 2625 Lake        | 1,200        | 25  |
| 047-16                | 5/25 | D White         | Solar          | 1775 Braley      | 16,470       | 50  |
| 048-16                | 5/26 | B Newton        | Add.           | 373 Riverview    | 37,000       | 100 |
| 049-16                | 5/27 | B Sutherland    | Fence          | 2311 Lake        | 2,990        | 25  |
| 050-16                | 5/31 | M Barnes        | A.G.P.         | 1178 Cain        | 3,000        | 25  |
| 051-16                | 5/31 | J Licht         | A.G.P.         | 2516 Lkpt Rd     | 3,600        | 25  |
| 052-16                | 5/31 | D Thurman       | A.G.P.         | 319 Howard Dr    | 3,000        | 25  |
| FWD Fireworks Display |      |                 | <b>Monthly</b> | <b>249,960</b>   | <b>925</b>   |     |
| AGP Above Ground Pool |      |                 | <b>Y-T-D</b>   | <b>1,200,935</b> | <b>4,100</b> |     |

#### BUILDING DEPARTMENT REPORT - May 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 May 2016

CWM application for site plan reviewed

Foil requests completed

Attend training at Niagara Falls Building Officials meeting

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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#### 12. Resolution 2016-67

##### Demolition

Resolution to start demo procedures on 2457 Route 93, Ransomville, NY, 14131

|                  |                                                          |
|------------------|----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                               |
| <b>MOVER:</b>    | Thomas Baia, Councilman                                  |
| <b>SECONDER:</b> | Larry White, Deputy Supervisor                           |
| <b>AYES:</b>     | Mert Wiepert, Larry White, Thomas Baia, Joe Fleckenstein |
| <b>ABSENT:</b>   | Jeff Baker                                               |

### 13. Report 2016-107

| 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                |                      |                     | 0.00               |
| JUNE               |                      |                     | 0.00               |
| JULY               |                      |                     | 0.00               |
| AUGUST             |                      |                     | 0.00               |
| SEPTEMBER          |                      |                     | 0.00               |
| OCTOBER            |                      |                     | 0.00               |
| NOVEMBER           |                      |                     | 0.00               |
| DECEMBER           |                      |                     | 0.00               |
|                    | <u>16,679.00</u>     | <u>(8,308.00)</u>   | <u>8,371.00</u>    |

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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### 14. Report 2016-116

#### Highway

**Highway Department:**

1. Completed monthly brush pickup.
2. Completed the second round of roadside mowing
3. Completed hot patching of pot holes in several locations.
4. Completed crack filling on Old Lake Rd, Porter Center Rd., Mallory and Groveland Ave. , Howard Dr. , Brentwood Dr., Lynnbrook Dr. and Andre Place. All are scheduled to be slurry sealed next week.
5. Provided assistance to the towns of Cambria and Niagara with trucks hauling blacktop for there paving projects.
6. All employees attended a 3 hr. brush chipper safety training seminar provided by Bandit Industries and Niagara Frontier Equipment.
- 7.

**Drainage Department:**

1. We have started the off road mowing program.
2. Hylkema Concrete has completed building the DI at 3488 Ransomville Road for that drainage project.

**Water and Sewer:**

1. Completed the monthly meter reading.
2. We are working on trimming of all fire hydrants.
3. Completed the annual flow meter calibrations at all lift stations.
4. We are waiting on health department approval of the plans for the sewer main extension on Creek Rd. in Lakeshore Sewer District.
5. **We have noted a new leak in the Balmer Rd water tower near the last repaired area. I need board approval to contract for emergency repairs.**

**POTL**

1. Completed installation of metal trim on the fascia of the maintenance garage.
2. Completed repairs and painting of the flagpole.
3. Completed repairs to a water line leak.

I would like to thank the board for allowing me to attend the Cornell Local Roads Highway School last week. As always it was quite educational.

Respectfully yours,

Scott B. Hillman

Superintendent of Highways

|                |                      |
|----------------|----------------------|
| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**15. Report 2016-108**

**Engineer**

**General Engineering Support**

- Provided review comments on the supplemental information submitted by EnSol, Inc. regarding the site plan application for 2384 Lake Road.
- Provided review comments for the aquaculture facility located at 1953 Balmer Road, Ransomville, New York.
- Met with building inspector on June 8 regarding property at 2457 Youngstown Lockport Road, Ransomville, New York.
- Designing sewer extension on Creek Road for the Lakeshore Sewer District. Design package to be submitted this month to the Niagara County Health Department for review and approval.

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**16. Report 2016-109****Attorney**

none

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**17. Report 2016-110****Grant Writer****Grants Status Report: Projects we are currently working on:**

- **SRTS Traffic Beacons: Still waiting to hear from DOT:** As you know, with the close of the school the traffic beacons have been removed in moved into the highway garage. The DOT has requested that these beacons be used or transferred into another municipality for use for any school district that could use the beacons. Town of Pendleton/Starpoint Central School District in need of the beacons. A resolution will be prepared and approved by DOT for the transfer of these beacons from Porter to Pendleton. (More details to follow).
- **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:** We have received the consultant agreement from WWS Planning, this needs to be signed and executed so we can start the project.
- **CFA** is open for projects meeting with Recreation and Supervisor.

**RESOLUTION to transfer the sped zone beacons from Porter to Pendleton was made by Councilman White and seconded by Councilman Baia. Motion carried.**

### **Town of Porter**

#### **Authorizing the transfer of speed zone detection equipment for use in a school zone from the Town of Porter to the Town of Pendleton,**

WHEREAS, The Town of Porter purchased and installed speed zone detection equipment under the Federal Safe Routes to School Program using Federal funds obtained from the New York State Department of Transportation, to install the said equipment at the Porter Elementary School,

WHEREAS, the school is now closed and the equipment is no longer needed at this location,

WHEREAS, the Town of Pendleton has expressed an interest in obtaining the equipment from the Town of Porter and installing it at the Starpoint Central School District, Mapleton Road, Lockport NY (Town of Pendleton)

NOW, THEREFORE, the Town of Porter, Town Board, duly convened does hereby,

RESOLVE, that the Town of Porter, Town Board hereby approves the above-subject project and transfer of equipment; and is hereby further

RESOLVED, that the Town of Porter, Town Board hereby authorizes the Porter Highway Department to transfer the traffic beacons and software to the Town of Pendleton Highway Department to install these traffic beacons at the Starpoint Central School District and it is further

RESOLVED, that the 13<sup>th</sup> of June, 2016 be and is hereby authorized to transfer the equipment and software and execute all necessary agreements, certifications or reimbursement requests for federal Aid and/or Marchiselli Aid on behalf of the Town of Pendleton

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, and it is further

RESOLVED, this Resolution has been approved by the Town of Porter, Town Board and shall take effect immediately

Barbara DuBell, Porter Town Clerk

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**18. Report 2016-111****Correspondance**

Received a letter from Mr. Robert Sayers of 361 Howard Drive. He wrote thanking Mr. Wiepert and Mr. Baia for successfully resolving his water/sewer bill due to a malfunctioning sump pump and felt that the adjustment was fair to both parties.

He also wanted to commend Dave Burmaster and Scott Cudney for their compassion understanding his distress and how quickly they found the problem.

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**19. Report 2016-114****Calendar of Events**

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|-------------------------|--------------------------------------------|------------------|
| P. B. (Special meeting) | Monday, June 20 <sup>th</sup> - 7:00 pm    | Porter Town Hall |
| Zoning Board Meeting    | Thursday, June 23 <sup>rd</sup> - 7:00 pm  | Porter Town Hall |
| <b>TOWN HALL CLOSED</b> | <b>Monday, July 4<sup>th</sup> Holiday</b> |                  |
| Planning Board Meeting  | Thursday, July 7 <sup>th</sup> - 7:00 pm   | Porter Town Hall |
| Town Board Meeting      | Monday, July 11 <sup>th</sup> - 7:00 pm    | Porter Town Hall |

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**20. Report 2016-115****Public Comments**

Fredericka Dean, 2359 Lake Road - On 6/13/16 brought in a letter of correspondence for the board members and wanted to apologize for 2 incorrect dates. She made new copies and left them with the board members.

The letter outlined the concerns and frustrations they have been having regarding McCabe and local law issues which have been a concern to them for 18 months now. Her biggest concern at this moment is how the Farm and Garden law was first adopted in June of 2014. They feel that this law was done improperly which are outlined in the letter. The requirement that there should be a referral to the county planning board.

Supervisor Wiepert: Didn't Mr. Dowd give you the answer to that a couple of days ago?

Mrs. Dean: Yes, we discussed that. We got a different interpretation from a senior planner on the Niagara County Planning Board.

Supervisor Wiepert: Give us your list of questions and they will be submitted to Mr. Kyle Andrews, the attorney for the Town of Porter.

Mrs. Dean read the letter which they received from the planning board secretary. She feels that the law was adopted illegally.

After much discussion, it was agreed that Mrs. Dean would submit her questions to the Town of Porter and they would be given to Kyle Andrews to answer.

Mr. Dean would like to ask the Town Board to rescind the local law because it was done incorrectly and illegally adopted on June 9 of 2014.

Resident renting at 3557 Ransomville Road has spoken to Mr. Roy Rogers once before and asked him to come out and inspect where she was living because of black mold growing in the house and also stray cats somehow getting in to the duplex. It was suggested by the Town Board that she vacate the property immediately. Code Enforcement Officer Rogers will go out and inspect the property for code violations.

There's a property at 2387 Park Avenue that's for sale, it has a lawn that hasn't been cut. Resident tried to contact the selling agent and did not get an answer. Officer Rogers will check it out.

Shelia Mooney, 2407 Lake Road: Just heard about an illegal pond on Ransomville Road. Does The board have any information about it?

Officer Rogers: The homeowner purchased the property and is planning on putting a home there. He created a pond illegally. Then he realized he needed a permit, so he's come in, had the soil and water people come in and do a pond evaluation. He is on the process of getting all the necessary paperwork together. We are waiting for engineered drawings for the pond and a special use application. Right now he is in violation. He is trying to get it rectified.

Mrs. Mooney: Shouldn't a person who does things illegally be fined?

Officer Rogers: Yes, it's up to the courts.

Mrs. Dean: What is the proper process to get on the agenda? My point in writing that letter to get put on the agenda is because you continually tell us that you can't answer the questions we have because the attorney isn't there. And then you say I'm not going to ask the attorney unless it's on the agenda, so when I ask you to put it on the agenda you said no.

Supervisor Wiepert: You wanted him here tonight, on the agenda, correct?

Mrs. Dean: I wanted it so that he would be here to speak with us because we never get the opportunity. We can't speak to the Planning Board unless it's a Public Hearing

Attorney Dowd: He's going to be at the Planning Board meeting, that's the appropriate venue. That's the decision making body. Get the questions together and we will send them out to Mr. Andrews and he will communicate with your attorney. From an ethic perspective, he shouldn't talk to you, you have an attorney.

Supervisor Wiepert: Mrs. Dean get those questions together, get them to us and we'll give them to Kyle then we'll see what happens.

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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## 21. Report 2016-112

### Town Board Comments

The regular meeting of the Porter Town Board was adjourned at 8:05 PM. Motion to adjourn made by Councilman Baia, seconded by Councilman White. Motion carried.

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|----------------|----------------------|
| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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