



# TOWN OF PORTVILLE, NEW YORK

DATE: August 17, 2011

TIME: 7:00PM

MEETING: Town Board Meeting, Town of Portville, New York

LOCATION: Westons Mills Community Center, 1310 Olean Portville Road, Westons Mills, New York

PRESENT: William Stern, Town Supervisor  
Terri Batt, Deputy Supervisor  
Gary Woodhead, Councilperson  
Charlene Van Dusen, Councilperson (Absent)  
Terri Wilber, Councilperson  
Stuart Frost, Highway Superintendent  
Steffanie Bell, Deputy Town Clerk

Members of the community and media

## **Procedural Compliance**

The meeting was opened by Supervisor Stern asking attendees to stand and join him in the "Pledge of Allegiance".

Town Supervisor Stern welcomed everyone and asked the town board, and town clerk to introduce themselves. Four board members were present to satisfy a quorum.

## **July 20<sup>th</sup>, July 22<sup>nd</sup>, and July 27<sup>th</sup>, 2011 board minutes Review**

The July 20<sup>th</sup>, July 22<sup>nd</sup>, and July 27<sup>th</sup>, 2011 Town Board minutes were reviewed and a motion to approve was made by Councilperson Batt and seconded by Woodhead and approved by the Town Board. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO



## TOWN OF PORTVILLE, NEW YORK

### **Department Reports**

The following monthly department reports were given:

- Town Clerk
- Bookkeeper
- Highway Department
- Building Department
- Assessor
- Planning Board
- Dog Control Department
- Town Justice

A motion was made by Councilperson Batt, seconded by Councilperson Wilber and approved by the Town Board to accept the Department Reports as given. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4YES 0-NO

### **New Business**

#### **Agenda Item #1 Expense Review**

The Town Board reviewed and discussed the filed monthly expense vouchers. A motion was made by Councilperson Batt, seconded by Councilperson Wilber and approved by the Town Board to approve for payment the June 2011 monthly bills claims 93 through 125. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO

(Refer to attachment accompanying these minutes)

#### **Agenda Item #2 Financial Update**

Financial update report was given by Supervisor Stern.

(Refer to attachment accompanying these minutes).

**Agenda Item #3 Acceptance of Judge Chris Piaggi's Resignation**

A motion was made by Councilperson Batt, seconded by Councilperson Wilber and approved by the Town Board to accept the resignation of Judge Chris Piaggi effective August 3, 2011. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO

**Agenda Item #4 Change of use permit**

A motion was made by Councilperson Woodhead, seconded by Councilperson Wilber and approved by the Town Board to approve the change of land use for Steve Mowery, 40 Portville Ceres Road, Portville, NY. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO

**Agenda Item #5 Rescind RES: 20110727.02**

A motion was made by Councilperson Woodhead, seconded by Councilperson Batt and approved by the Town Board to rescind RES: 20110727.02. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO

(Refer to attachment accompanying these minutes).

**Agenda Item #6 RES: 201100817.xx**

A motion was made by Councilperson Woodhead, seconded by Councilperson Batt and approved by the Town Board to rescind RES: 20110727.02. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO

(Refer to attachment accompanying these minutes).



## TOWN OF PORTVILLE, NEW YORK

### **Adjournment**

Being there was no further business a motion to adjourn at 7:30PM was made by Councilperson Woodhead, seconded by Councilperson Batt and approved by the Town Board. VOTE: Stern (YES), Woodhead (YES), Van Dusen (Absent), Batt (YES), Wilber (YES) MOTION CARRIED 4-YES 0-NO

Respectfully submitted and signed,

Steffanie Bell  
Deputy Town Clerk  
Town of Portville, New York



**Resolution RES-20110817-03: Town Justice Compensation**

**WHEREAS,** The Town of Portville has two town justice positions who shall hereinafter be referred to as "Justice A" and "Justice B"; and,

**WHEREAS,** Justice A has a 4-year term of office that expires December 31, 2013 and, as long as Justice A position has not been eliminated through voter referendum or town board referendum, shall have a 4-year term of office that expires on December 31 of every fourth year thereafter; and,

**WHEREAS,** Justice B has a 4-year term of office that expires December 31, 2014 and, as long as Justice B position has not been eliminated through voter referendum or town board referendum, shall have a 4-year term of office that expires on December 31 of every fourth year thereafter.

**NOW, THEREFORE,** the Town Board of the Town of Portville resolves that, effective January 1, 2012 when reaffirmed at the 2012 organizational meeting, Justice A and Justice B incumbents shall each be paid Four Hundred Fifty-Nine Dollars (\$459.00) on the last day of each month.

The foregoing resolution (RES-20110817) was voted upon with the town supervisor and all councilpersons voting as follows:

- |                         |        |
|-------------------------|--------|
| Town Supervisor Stern   | Yes    |
| Councilperson Batt      | Yes    |
| Councilperson Van Dusen | Absent |
| Councilperson Wilber    | Yes    |
| Councilperson Woodhead  | Yes    |

DATED: August 17, 2011

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James Parks, Town Clerk  
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PO Box 630  
Portville, NY 14770  
(716) 933-6658 Office  
(716) 933-7877 Fax  
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**TOWN OF PORTVILLE**  
**Bills for Approval**

<b>Date</b>	<b>As of August 24, 2011</b>	<b>Credit</b>	<b>Amount</b>
<b>Acme Business Machines</b>			
08/24/2011	1620.4 Bldg, Contractual	73.25	73.25
Total Acme Business Machines		73.25	73.25
<b>ADMAR Supply Company</b>			
08/24/2011	5110.4 General Repairs, Contr.	1,205.00	1,205.00
Total ADMAR Supply Company		1,205.00	1,205.00
<b>Allegany Farm &amp; Home, Inc</b>			
08/24/2011	5110.4 General Repairs, Contr.	75.96	75.96
Total Allegany Farm & Home, Inc		75.96	75.96
<b>AT&amp;T Mobility</b>			
08/24/2011	1620.4 Operation of Plant, cont	43.92	43.92
Total AT&T Mobility		43.92	43.92
<b>Austin Locksmithing &amp; Security Inc</b>			
08/24/2011	2980.4 Training, Safety & Comm	63.00	63.00
Total Austin Locksmithing & Security Inc		63.00	63.00
<b>BlueCross BlueShield of WNY</b>			
08/24/2011	-SPLIT-	2,787.00	2,787.00
Total BlueCross BlueShield of WNY		2,787.00	2,787.00
<b>Bob Fischer</b>			
08/24/2011	1710.4 Misc Expenses	80.00	80.00
Total Bob Fischer		80.00	80.00
<b>Bradford Publishing Co.</b>			
08/24/2011	2980.4 Training, Safety & Comm	4.10	4.10
Total Bradford Publishing Co.		4.10	4.10
<b>Buffalo Crushed Stone</b>			
08/24/2011	5110.4 General Repairs, Contr.	3,078.55	3,078.55
08/24/2011	5110.4 General Repairs, Contr.	2,510.49	2,510.49
Total Buffalo Crushed Stone		5,589.04	5,589.04
<b>Cattaraugus Co Clerks Association</b>			
08/24/2011	1920.4 Municipal Assoc. Dues	20.00	20.00
Total Cattaraugus Co Clerks Association		20.00	20.00
<b>Cindy Wagner</b>			
08/24/2011	8010.4 Zoning, Contr.	25.00	25.00
Total Cindy Wagner		25.00	25.00

**TOWN OF PORTVILLE**  
**Bills for Approval**

<b>Date</b>	<b>As of August 24, 2011</b>	<b>Credit</b>	<b>Amount</b>
<b>Cynthia Nupp</b>			
08/24/2011	3510.4 Dog Control Contractual	555.50	555.50
Total Cynthia Nupp		555.50	555.50
<b>De Lage Laden</b>			
08/24/2011	1620.4 Bldg, Contractual	85.98	85.98
Total De Lage Laden		85.98	85.98
<b>Edward J. Bysiek, CPA</b>			
08/24/2011	1315.4 Comptroller, Contractual	1,420.00	1,420.00
Total Edward J. Bysiek, CPA		1,420.00	1,420.00
<b>Holly Fischer - V</b>			
08/24/2011	1710.4 Misc Expenses	30.00	30.00
Total Holly Fischer - V		30.00	30.00
<b>Joann McAndrew</b>			
08/24/2011	8010.4 Zoning, Contr.	25.00	25.00
Total Joann McAndrew		25.00	25.00
<b>Maria Harper</b>			
08/24/2011	1989.4 Cleaning Custodian	150.00	150.00
Total Maria Harper		150.00	150.00
<b>National Fuel</b>			
08/24/2011	8430.4 Natural Gas, cont	95.67	95.67
Total National Fuel		95.67	95.67
<b>National Grid</b>			
08/24/2011	-SPLIT-	344.69	344.69
08/24/2011	-SPLIT-	540.68	540.68
Total National Grid		885.37	885.37
<b>Petty Cash</b>			
08/24/2011	-SPLIT-	66.61	66.61
Total Petty Cash		66.61	66.61
<b>Portville Concrete Products Inc</b>			
08/24/2011	5130.4 Maintenance Expenses	56.57	56.57
Total Portville Concrete Products Inc		56.57	56.57
<b>Portville Truck &amp; Auto Repair Inc</b>			
08/24/2011	5130.4 Maintenance Expenses	1,685.66	1,685.66
Total Portville Truck & Auto Repair Inc		1,685.66	1,685.66

**TOWN OF PORTVILLE**  
**Bills for Approval**

<u>Date</u>	<u>As of August 24, 2011</u>	<u>Credit</u>	<u>Amount</u>
<b>Portville, Village of</b>			
08/24/2011	5130.4 Maintenance Expenses	365.00	365.00
Total Portville, Village of		<u>365.00</u>	<u>365.00</u>
<b>Rinker Oil Corp</b>			
08/24/2011	8110.4 Admin, Contractual	6,294.62	6,294.62
Total Rinker Oil Corp		<u>6,294.62</u>	<u>6,294.62</u>
<b>Time Warner Cable</b>			
08/24/2011	-SPLIT-	116.95	116.95
Total Time Warner Cable		<u>116.95</u>	<u>116.95</u>
<b>Valley Tire Co Inc</b>			
08/24/2011	5130.4 Maintenance Expenses	624.00	624.00
Total Valley Tire Co Inc		<u>624.00</u>	<u>624.00</u>
<b>Verizon</b>			
08/24/2011	-SPLIT-	169.68	169.68
08/24/2011	-SPLIT-	201.85	201.85
Total Verizon		<u>371.53</u>	<u>371.53</u>
<b>Verizon Select Services</b>			
08/24/2011	1620.4 Bldg, Contractual	9.84	9.84
Total Verizon Select Services		<u>9.84</u>	<u>9.84</u>
<b>Wagner &amp; Hart, LLP</b>			
08/24/2011	1420.4 Attorney, Contractual	1,347.50	1,347.50
Total Wagner & Hart, LLP		<u>1,347.50</u>	<u>1,347.50</u>
<b>TOTAL</b>		<u><u>24,152.07</u></u>	<u><u>24,152.07</u></u>