



TOWN OF PORTVILLE, NEW YORK

DATE: December 17, 2008

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: Terry Keeley, Supervisor
William Stern, Deputy Supervisor
Gary Woodhead, Councilperson
Terri Batt, Councilperson
Charlene Van Dusen Councilperson
Stuart Frost, Highway Superintendent
James Parks, Town Clerk

Members of the community and media

Procedural Compliance

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

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

Public Comments

No public comments offered.

November 19, 2008 Minutes Review

The minutes of the November 19, 2008 Town Board meeting were reviewed and a motion to approve was made by Deputy Supervisor Stern, seconded by Councilperson Batt and approved by the Town Board. VOTE: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES), Van Dusen (YES) MOTION CARRIED 5-YES 0-NO



Department Reports

The following monthly department reports were given:

- Town Clerk
- Town Justice
- Highway Department
- Assessor
- Dog Control Officer
- Planning Board

A motion was made by Councilperson Batt, seconded by Councilperson Van Dusen and approved by the Town Board to accept the Department Reports as given. Vote: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES), Van Dusen (YES) MOTION CARRIED 5-YES 0-NO

New Business

Agenda Item #1: FINACIAL UPDATE

Supervisor Keeley gave an update regarding the Town's balance sheet, expenses, and earned interest.

(Refer to attachment accompanying these minutes)

Agenda Item #2: HIGHWAY DEPARTMENT PLANNING

Highway Superintendent Frost reported his departments' start-up progress on daily activity of trucks, personnel, and equipment. A full report will be given at the organizational meeting January 5, 2008.

Agenda Item #3: SIGN PRODUCTION & IMPLEMENTATION STATUS

A 2' X 5' sign will be installed at the 5 entrances to the town reflecting the **2008 Class D State Girls Volleyball Champions**. At this time construction progress is on hold by the local contractor pending arrival of materials. Highway Superintendent Frost hopes to get final approval from the state for installation the week of December 21st.

Agenda Item #4: ACTING ASSESSOR CONTRACT RENEWAL

Supervisor Keeley presented a recommendation to renew the employment contract with Dan Martonis as acting assessor for the period of one year with no change in compensation or other terms and conditions. A motion was made by Councilperson Van Dusen, seconded by Councilperson Batt and approved by the Town Board to renew the Acting Assessor contract with Dan Martonis with a term expiring 12/31/2009. Vote: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES), Van Dusen (YES) MOTION CARRIED 5-YES 0-NO .

(Refer to attachment accompanying these minutes)

Agenda Item #5 RESOLUTION RES-20081217.11

The Town Board discussed as a measure of proactive retention, a recommendation to provide, at no cost to the town, health insurance coverage to any employee, appointee or elected official working less than 40-hours per week but earning at least \$7,200 per year with all premium costs being paid by the requesting employee, appointee or elected official. A motion to pursue this endeavor was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board. Vote: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES), Van Dusen (YES) MOTION CARRIED 5-YES 0-NO

(Refer to attachment accompanying these minutes)

Agenda Item #6 ORGANIZATIONAL MEETING

The Town of Portville Board will hold their annual Organizational Meeting at the Westons Mills Community Center, 1310 Olean Portville Road, Westons Mills, NY, January 5, 2009 at 6:00PM.

Agenda Item #7 EXPENSE REVIEW

The Town Board reviewed and discussed the filed monthly expense vouchers. A motion was made by Councilperson Woodhead, seconded by Councilperson Van Dusen and approved by the Town Board to approve for payment the November 2008 monthly bills. VOTE: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES), Van Dusen (YES) MOTION CARRIED 5-YES 0-NO

(Refer to attachment accompanying these minutes)



TOWN OF PORTVILLE, NEW YORK

A motion was made by Councilperson Batt, seconded by Councilperson Stern and approved by the Town Board to convene to executive session at 7:50PM
VOTE: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES), Van Dusen (YES)
MOTION CARRIED 5-YES 0-NO

The Town Board reconvened to public meeting at 9:00PM

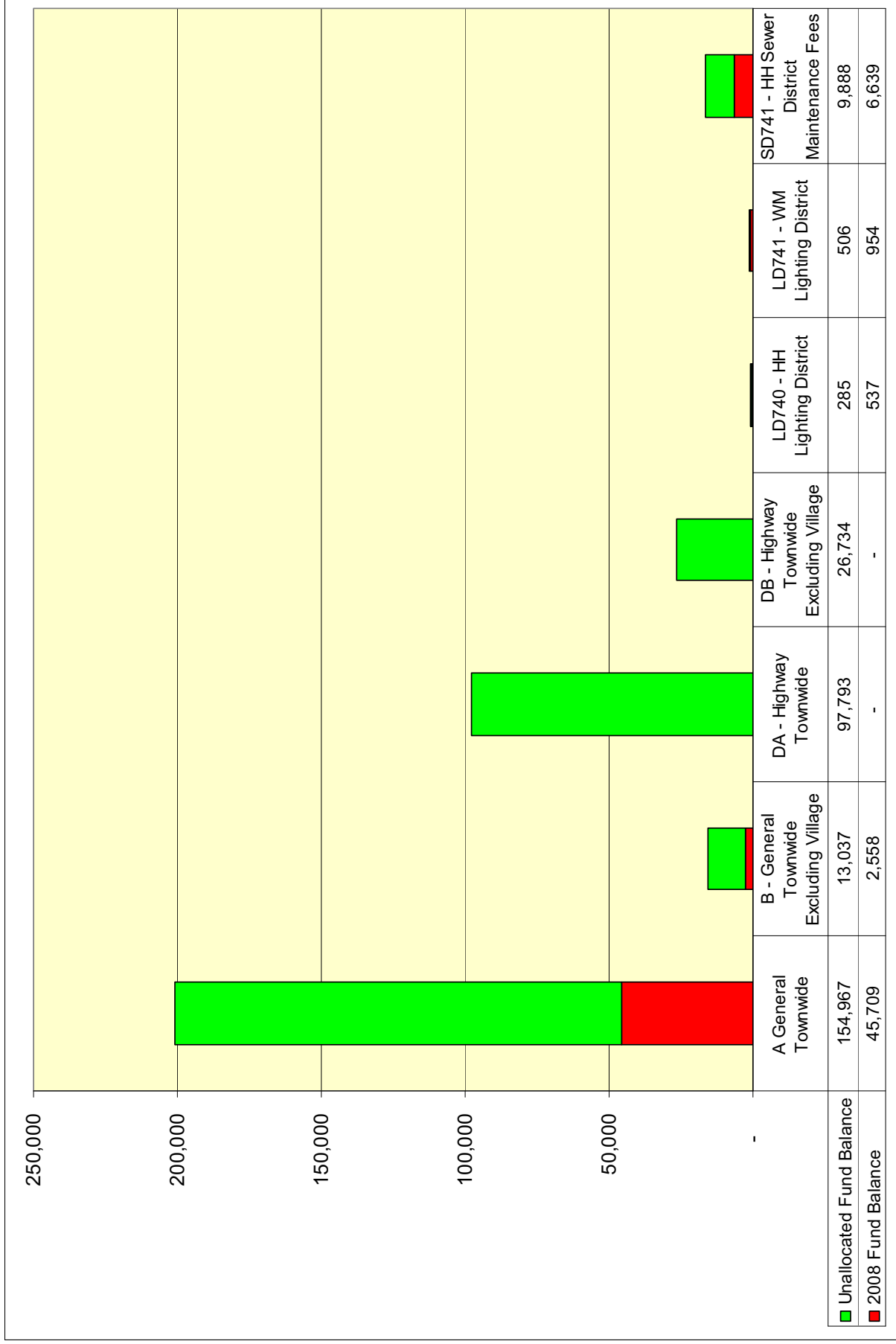
Adjournment

Being there was no further business a motion to adjourn at 9:05PM was made by Councilperson Van Dusen, seconded by Councilperson Stern and approved by the Town Board. VOTE: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES) Van Dusen (YES). MOTION CARRIED 5-YES 0-NO.

Respectfully submitted and signed,

James Parks
Town Clerk
Town of Portville, New York

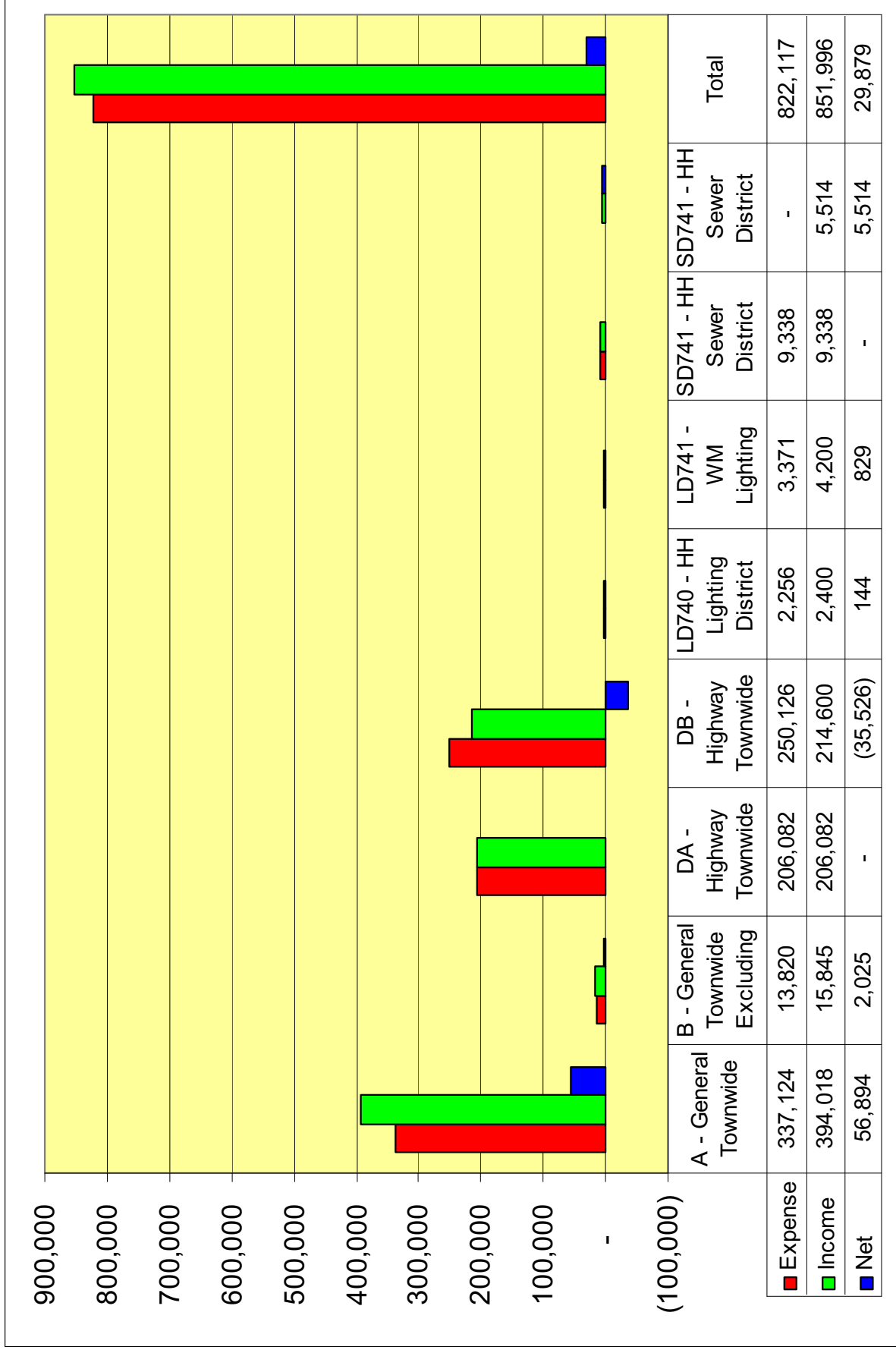
Cash Balances - November 31, 2008



Cash Balance Projection – December 31, 2008



2008 Year-End Realized Income/Expense Projections





TOWN OF PORTVILLE, NEW YORK

This agreement between Daniel T. Martonis, hereinafter referred to as “Acting Assessor”, and the Town of Portville, hereinafter referred to as “Town”, shall define the terms and conditions of initiation and continuation of employment of Acting Assessor by Town.

Town agrees that:

1. Acting Assessor shall be employed by Town for the period beginning January 1, 2009 and ending December 31, 2009.
2. Acting Assessor shall be a salaried employee earning Two Thousand Five Hundred Dollars (\$2,500) a month which shall be divided into two equal payments of \$1,250 payable on the 1st and 15th of each month.
3. Acting Assessor shall be reimbursed mileage at \$0.58 per mile when traveling between Little Valley, NY and Portville, NY, and when performing Town business on behalf of the Town.
4. Acting Assessor shall be provided a workspace and computing capability at the Town’s Municipal Building.
5. Acting Assessor may be employed by other employers during the period of Acting Assessor’s employment with the Town.

Acting Assessor agrees that:

1. All necessary processes and forms, provided by the Town Bookkeeper, shall be completed by Acting Assessor to enable employment compensation.
2. The oath of office shall be taken and signed before the Town Clerk of the Town of Portville on or before January 31, 2009.
3. Acting Assessor shall ensure that all necessary actions are taken to ensure that exemptions are up to date, land calculation totals where the Land Total exceeds the Land Rate Table Total are corrected to have the Land Total equal the Land Rate Table Total, property owners disputes regarding Buildings are corrected to a level where the Town and Acting Assessor would agree that the resolution reflected fairness and equity when compared to all other like properties and when compared to true Town real estate market value, the Acting Assessor made available to all property owners the Cost Valuation Reports of all properties for the given assessment year, the Acting Assessor met each mandated milestone of the 2008 Assessment Roll production, evolution and release, the Acting Assessor would provide the needed information to satisfy the inquiries of the Board of Assessment Review, and the Acting Assessor would work in collaboration with the Town Board and the Town Supervisor to adopt and implement a property assessment model that in the view of the Town Board was fair, equitable and accurate as well as minimized gaps between market and assessed valuation.
4. Acting Assessor shall endeavor to clean up and enter as many, if not all, building permits that have received certificates of occupancy or completion as possible for inclusion in the Assessment Roll.
5. Acting Assessor shall at all times perform duties and responsibilities, interacting with the public, interact with other government agencies, and interact with Town employees, appointees, and officers in a manner which meets all published Town ethics standards and Town protocol standards as



articulated now and in the future on its web site www.portville-ny.com and any subsequent directives.

- 6. Acting Assessor will spend no less than 4 hours per week at the Town Municipal Building during which the public will have access for consultation and assistance and that the times of access and consultation availability shall usually be between the hours of 4:00PM and 8:00PM on day a week as published on the Town web site www.portville-ny.com or the Town Clerk's bulletin board.
- 7. Acting Assessor will be available by phone or video teleconference during at least an additional 4 hours period each week to the public for consultation and assistance.
- 8. Acting Assessor agrees that, while this position is scheduled for 20 hours per week, Acting Assessor shall perform all duties and responsibilities of Assessor as defined by New York State Real Property Tax Law and as defined within this Agreement to satisfy the completion of the annual Assessment Roll in a manner which results in the Town Board's perception of satisfactory performance by the Acting Assessor.
- 9. Acting Assessor shall be bound, not only by these terms and conditions, but also those conditions defined for an employee of a municipality or agency within New York State.
- 10. Acting Assessor shall be employed by the Town and appointed as the Acting Assessor for the Town at the pleasure of the Town Board and that the Town Board may for any reason terminate employment of Acting Assessor.
- 11. Acting Assessor agrees that this Agreement is a public document and may be published in any manner that the Town may wish to use to share with the public and any other government agency.

This Agreement constitutes all of the terms and conditions of employment of the Acting Assessor and shall be binding between both the Acting Assessor and the Town. If any given part of this Agreement is found to be unlawful by the Courts, then both Parties agree that all remaining parts of this Agreement shall continue to be binding on both Parties.

Acting Assessor

Town of Portville

Daniel T. Martonis

H.W. Keeley, Supervisor

December 17, 2008

December 17, 2008

Date

Date



Resolution RES-20081217.11: HEALTH INSURANCE COVERAGE

Whereas, The Town of Portville provides health insurance coverage at its cost to all “scheduled 40-hour per week” employees, hereinafter referred to as “full-time insurees”; and,

The Town of Portville provides health insurance coverage to its “former full-time” retirees, hereinafter referred to as “retiree insurees”, as long as the retiree insuree remits full insurance premium payment 30 days in advance of insurance coverage due date; and,

The criteria for individual eligibility by the Town of Portville’s insurance carrier to participate in the health insurance plan is for any given insuree to earn at least \$7,200 per year from the Town of Portville; and,

The Town of Portville wants to enact practices and programs that encourage retention of its employees, appointees, and elected officials who may not be scheduled to work 40 hours per week but do make at least \$7,200 per year from the Town of Portville, hereinafter referred to as “part-time insurees”; and,

The Town of Portville does not want the town taxpayers to bear any additional cost for insurance coverage for those employees, appointees, and elected official who may not be scheduled to work 40 hours per week but do make at least \$7,200 per year from the Town of Portville.

Now therefore, Be it enacted by the Town Board of the Town of Portville that:

The Town of Portville will continue to provide health insurance coverage at its cost to all full-time insurees; and,

The Town of Portville will continue to provide health insurance coverage to its retiree insurees as long as the retiree insuree remits to the Town of Portville full insurance premium payment 30 days in advance of insurance coverage due date; and,

Given concurrence by its insurance carrier, the Town of Portville will provide health insurance coverage to its part-time insurees, as defined heretofore, when the requesting part-time insuree remits to the Town of Portville, by the Town of Portville’s specified deadline, payment in full and at cost exclusively to that requesting part-time insuree.

Approved this 17th day of December, 2008, in the Town of Portville, County of Cattaraugus, State of New York,

H.W. Keeley, Supervisor
W. Stern, Deputy Supervisor
T. Batt, Councilperson
C. Van Dusen, Councilperson
G. Woodhead, Councilperson
Town Board
Town of Portville
PO Box 630
1102 Olean-Portville Road
Portville, NY 14770

TOWN OF PORTVILLE
Bills for Approval
As of December 17, 2008

Split	Amount	A Fund	B Fund	DA Fund	DB Fund	SL 940	SL 941
American Rock Salt Company LLC							
5110.4 General Repairs, Contr.	2,842.74						
Total American Rock Salt Company LLC	2,842.74				2,842.74		
Austin Locksmithing & Security Inc							
1620.4 Bldg, Contractual	143.95						
Total Austin Locksmithing & Security Inc	143.95				143.95		
BlueCross BlueShield of WNY							
-SPLIT-	5,240.01						
Total BlueCross BlueShield of WNY	5,240.01	1,495.16			3,744.85		
Cattaraugus Co Town Highway							
5110.4 General Repairs, Contr.	80.00						
Total Cattaraugus Co Town Highway	80.00				80.00		
County Treasurer for Dog Licenses							
3510.4 Dog Control Contractual	18.80						
Total County Treasurer for Dog Licenses	18.80	18.80					
Donovans Easten Supply							
5110.4 General Repairs, Contr.	4.39						
Total Donovans Easten Supply	4.39				4.39		
Edward J. Bysiek, CPA							
1430.4 Personnel, Contractual	920.00						
Total Edward J. Bysiek, CPA	920.00	920.00					
IA Construction Corporation							
5110.4 General Repairs, Contr.	1,197.86						
Total IA Construction Corporation	1,197.86				1,197.86		
J. Michael Shane, Esq.							
1420.4 Attorney, Contractual	100.00						
Total J. Michael Shane, Esq.	100.00	100.00					
Mastel Ford-Lincoln-Mercury							
5110.4 General Repairs, Contr.	26.00						
Total Mastel Ford-Lincoln-Mercury	26.00				26.00		
National Grid							
-SPLIT-	683.83						
Total National Grid	683.83	165.91				332.41	185.51
NYS Ag. & Markets for spay/neuter program							
1410.4 Town Clerk, Contractual	6.00						
Total NYS Ag. & Markets for spay/neuter pr	6.00	6.00					
NYS Office of the State Comptroller							
1110.4 Justice, Contractual	3,055.00						

TOWN OF PORTVILLE
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As of December 17, 2008

Split	Amount	A Fund	B Fund	DA Fund	DB Fund	SL 940	SL 941
Total NYS Office of the State Comptroller	3,055.00	3,055.00					
Parks, James -							
1410.4 Town Clerk, Contractual	681.85						
Total Parks, James -	681.85	681.85					
Petty Cash							
1410.4 Town Clerk, Contractual	89.56						
Total Petty Cash	89.56	89.56					
Portville Truck & Auto Repair Inc							
5110.4 General Repairs, Contr.	1,250.79						
Total Portville Truck & Auto Repair Inc	1,250.79				1,250.79		
Rinker Oil Corp							
5110.4 General Repairs, Contr.	820.98						
Total Rinker Oil Corp	820.98				820.98		
River's Edge United Methodist Church							
1110.2 Justice, Equipment	500.00						
Total River's Edge United Methodist Church	500.00	500.00					
Service Stores Park & Shop							
1620.4 Bldg, Contractual	27.25						
Total Service Stores Park & Shop	27.25	27.25					
Strate Welding Supply Co Inc							
5110.4 General Repairs, Contr.	42.26						
Total Strate Welding Supply Co Inc	42.26				42.26		
The Paper Factory							
1620.4 Bldg, Contractual	58.98						
1620.4 Bldg, Contractual	45.99						
Total The Paper Factory	104.97	104.97					
The Times Herald							
1620.4 Bldg, Contractual	18.65						
Total The Times Herald	18.65	18.65					
Top Quality Products							
5110.4 General Repairs, Contr.	68.00						
Total Top Quality Products	68.00				68.00		
United Refining Company of Pennsylvania							
5110.4 General Repairs, Contr.	414.00						
Total United Refining Company of Pennsylv	414.00				414.00		
Verizon							
-SPLIT-	166.11						
Total Verizon	166.11	83.06			83.05		

TOWN OF PORTVILLE
Bills for Approval
As of December 17, 2008

Split	Amount	A Fund	B Fund	DA Fund	DB Fund	SL 940	SL 941
Verizon Select Services							
1620.4 Bldg, Contractual	1.10						
Total Verizon Select Services	1.10	1.10					
Williamson Law Book Co							
1680.4 Data Processing	135.78						
Total Williamson Law Book Co	135.78	135.78					
WNY Chapter of the IAAO							
1355.4 Assessor, Contr	20.00						
Total WNY Chapter of the IAAO	20.00	20.00					
Worth W Smith Co Surplus							
5110.4 General Repairs, Contr.	1.99						
Total Worth W Smith Co Surplus	1.99				1.99		
TOTAL	18,661.87	7,423.09	0.00	0.00	10,720.86	332.41	185.51
	0.00						