



DATE: August 20, 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
Dennis Cornell, Deputy Supervisor
William Stern, Councilperson
Gary Woodhead, Councilperson
Terri Batt, Councilperson
James Parks, Town Clerk

Public 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. Five board members were present to satisfy a quorum.

Public Comments

A Public Comments session was offered with no respondents.

July 16, 2008 Minutes Review

The minutes of the July 16, 2008 Town Board meeting were reviewed and a motion to approve was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES) MOTION CARRIED 5-YES 0-NO



Department Reports

The following monthly department reports were given:

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

A motion was made by Councilperson Cornell, seconded by Councilperson Batt and approved by the Town Board to accept the Department Reports as given. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (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: LILLIBRIDGE ROAD CONDITION REPORT

Highway Superintendent Frost has been cutting trees that are in eminent danger of falling on to the road. He will continue to monitor this area. Due to the increase in road surfacing materials of 68%, and the very limited use of the road, it would not be cost effective to do major repairs at this time. It was noted that the least expensive way to permanently address the problem was to re-route and rebuild a new road.

Agenda Item #3: OLEAN WHOLESALE EXPANSION PROJECT

Planning Board Chair McCoy and Code Enforcement Officer Putt gave an update on the 82,000 square feet addition being planned by Olean Wholesale on the Haskell Road. It was recommended by the Planning Board that the Town accept their application and approve the project. A motion was made by Councilperson Stern, seconded by Councilperson Woodhead and approved by the Town Board to approve the Olean



Wholesale expansion project. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

Agenda Item #4: 2007 TOWN JUSTICE AUDIT

Town Justice Hale reported that the Unified Court System requested a Town audit. The results of the audit will be given to the Town Board for review and determination at the September 17, 2008 Town meeting.

Agenda Item #5 2008 JUSTICE COURT ASSISTANCE PROGRAM GRANT REQUEST

Justice Hale discussed with the Town Board the requested components and rationale for the grant application. A prioritize list of the Courts physical needs and security requirements was presented. The Board will review the items and submit to the Town Supervisor for his signature.

Agenda Item #6 PORTVILLE VILLAGE PIONEER PARK SHARED UTILITY SERVICE COST

Councilperson Woodhead presented information on the maintenance, vandalism, and replacement cost involved with the Pioneer Park Memorial. Portville Legion Commander Foster and Legion Chaplain Moore expressed Post 814 has been desirous to offer the Village financial help to maintain the Memorial in the past and the Village declined. A motion was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board to draft an Intermunicipal Agreement with the Village to pay electric service cost of forty five dollars (\$45.00) per year to be reviewed each August conditional that the Village accept the request of Portville American Legion Post 814. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES) MOTION CARRIED 5-YES 0-NO



Agenda Item #7 2009 TOWN PROPERTY TAX PAYMENT PROCESSING PROPOSAL

A discussion was held to consider Five Star Bank's lock box processing of all Town property tax payments for the 2009 tax year. In an effort to reduce tax season processing cost approximately \$2,000 all tax dollars would be mailed to Five Star Bank using a lock box process. A motion was made by Councilperson Stern, seconded by Councilperson Woodhead and approved by the Town Board to authorize Supervisor Keeley to pursue the lock box process. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES) MOTION CARRIED 5-YES 0-NO

Agenda Item #8 DOG CONTROL OFFICER APPOINTMENT PROPOSAL

As a result of the resignation of Al Morrow as the Town's Dog Control Officer a motion was made by Councilperson Woodhead, seconded by Councilperson Cornell and approved by the Town Board to appoint Cindy Nupp the Town's Dog Control Officer. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES). MOTION CARRIED 5-YES 0-NO.

Agenda Item #9 CATTARAUGUS COUNTY SALES TAX INCREMENTAL PAYMENT RESOLUTION

A discussion took place to consider a resolution to enable the County of Cattaraugus to disburse quarterly sales tax revenue to the Town commencing in 2009. A motion was made by Deputy Supervisor Cornell, seconded by Councilperson Stern and approved by the Town Board to pass a resolution to have quarterly revenue payments sent to the Town in 2009. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES). MOTION CARRIED 5-YES 0-NO.

(Refer to attachment accompanying these minutes)

Agenda Item #10 EXPENSE REVIEW

A review and discussion took place regarding filed expenses and monthly vouchers. A motion was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board to approve for payment the July 2008 monthly bills. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES) MOTION CARRIED 5-YES 0-NO (Refer to attachment accompanying these minutes)



TOWN OF PORTVILLE, NEW YORK

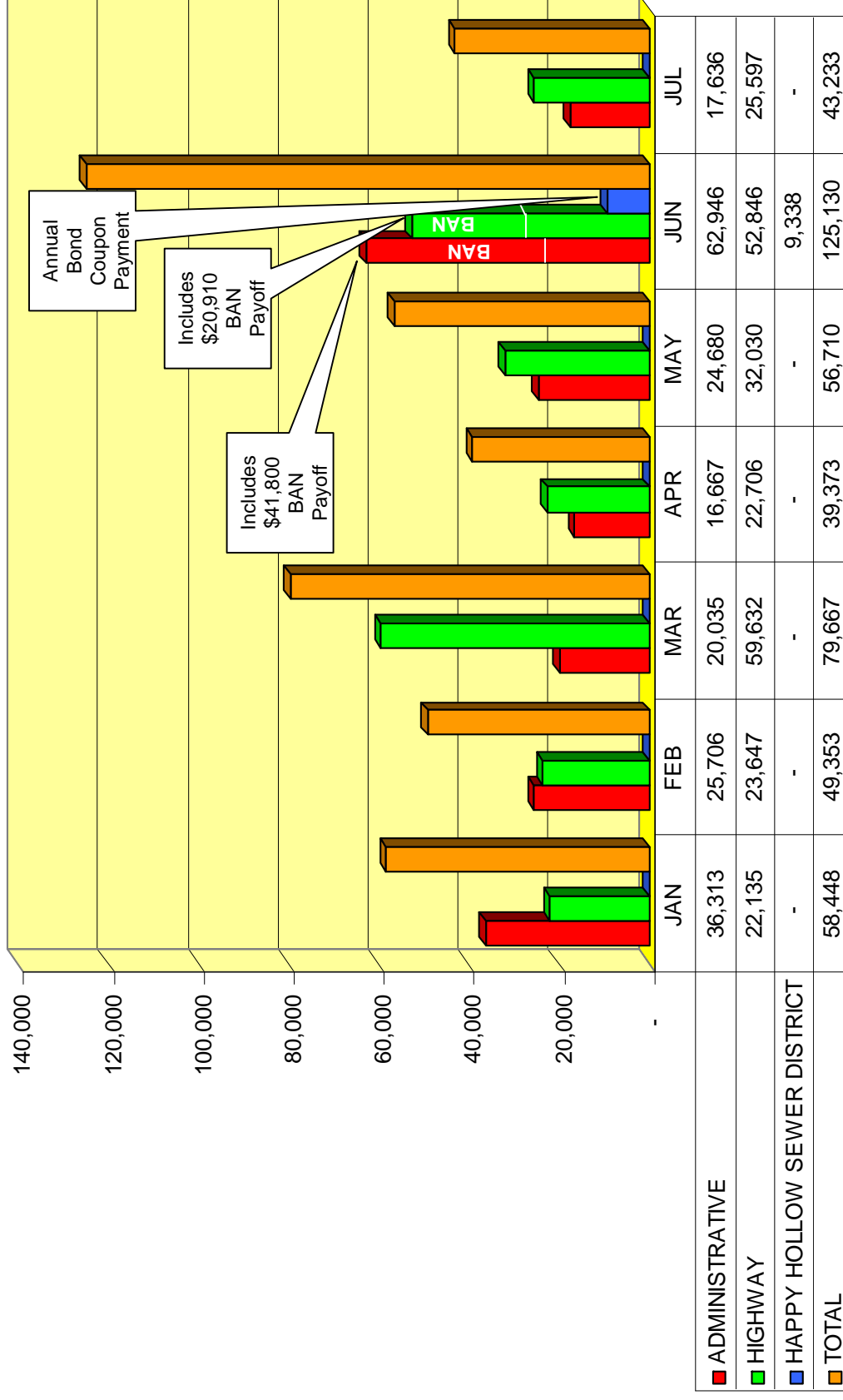
Adjournment

Being there was no further business a motion to adjourn at 8:10PM was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board.
VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES).
MOTION CARRIED 5-YES 0-NO.

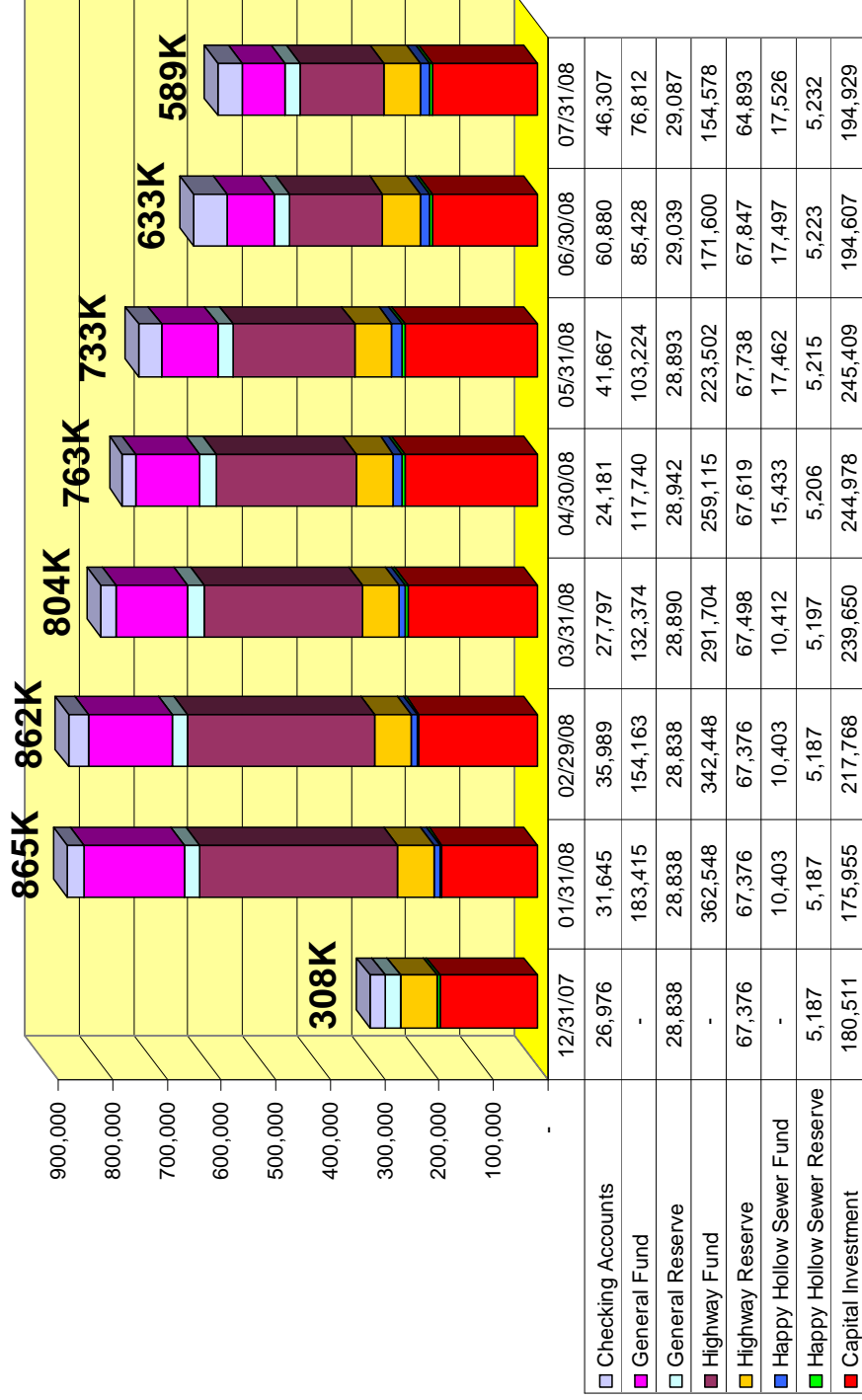
Respectfully submitted and signed,

James Parks
Town Clerk
Town of Portville, New York

Monthly Operating Expense



Month-Ending Cash Asset Balance Sheet



Interest Earned – July , 2008

	Interest Paid	Average Daily Balance	Annual Percentage Rate
MBIA NYCLASS			
Highway Reserve	108.24	65,533	1.98%
General Reserve	47.99	29,064	1.98%
Sewer District Reserve	8.63	5,228	1.98%
General Fund	135.90	82,278	1.98%
Highway Fund	270.74	163,888	1.98%
Sewer District Fund	28.90	17,512	1.98%
Investment Fund	321.70	194,774	1.98%
Total	922.10	558,277	1.98%
COMMUNITY BANK, NA			
DEC Licensing Fees	-	1	0.00%
General and Highway Fund	5.04	39,720	0.15%
Happy Hollow Sewer District	0.14	1,123	0.15%
Tax Collection	-	5	0.00%
Town Clerk	-	295	0.00%
Town Justice (Hale)	-	3,868	0.00%
Town Justice (Piaggi)	-	5	0.00%
Trust And Agency	-	8,082	0.00%
Total	5.18	53,098	0.12%
Grand Total	927.28	611,375	1.82%



TOWN OF PORTVILLE, NEW YORK

Resolution RES-20080820.9: CATTARAUGUS COUNTY SALES TAX DISBURSEMENT INSTRUCTION

WHEREAS, the Town of Portville wishes to receive direct quarterly payments of its allocation of sales taxes from the County of Cattaraugus.

Now on motion of Deputy Supervisor Dennis Cornell seconded by Councilperson William Stern,

It is hereby RESOLVED by the Town Board of the Town of Portville that the Town of Portville does by this resolution notify the County of Cattaraugus of its election effective for 2009 and thereafter to receive its sales tax allocation in direct payments to the Town of Portville in quarterly increments each year.

Approved this 20th day of August, 2008, in the Town of Portville, County of Cattaraugus, State of New York.

Signed:

H.W. Keeley, Supervisor
D. Cornell, Deputy Supervisor
T. Batt, Councilperson
W. Stern, Councilperson
G. Woodhead, Councilperson

Witnessed:

James Parks
Town Clerk

TOWN OF PORTVILLE
Unpaid Bills Detail
As of August 31, 2008

	<u>Open Balance</u>	<u>General</u>	<u>Highway</u>
Acme Business Machines			
	49.32		
Total Acme Business Machines	49.32	49.32	
Buffalo Crushed Stone			
	3,471.36		
Total Buffalo Crushed Stone	3,471.36		3,471.36
California Contractors Supply Inc			
	95.88		
Total California Contractors Supply Inc	95.88		95.88
Cattaraugus Co Department of Public Works			
	98.00		
Total Cattaraugus Co Department of Public Works	98.00		98.00
Cattaraugus Co Health Dept			
	4,295.83		
Total Cattaraugus Co Health Dept	4,295.83	4,295.83	
Cynthia Nupp			
	63.22		
Total Cynthia Nupp	63.22	63.22	
Donovans Easten Supply			
	58.85		
Total Donovans Easten Supply	58.85		58.85
Edward J. Bysiek, CPA			
	980.00		
Total Edward J. Bysiek, CPA	980.00	980.00	
Joann McAndrew			
	16.50		
Total Joann McAndrew	16.50	16.50	
Lawson Products Inc			
	237.69		
Total Lawson Products Inc	237.69		237.69
Martonis, Daniel			
	95.00		
Total Martonis, Daniel	95.00	95.00	
Midland Asphalt Materials Inc			
	35,693.05		
Total Midland Asphalt Materials Inc	35,693.05		35,693.05
Morrow AI			
	94.92		

TOWN OF PORTVILLE
Unpaid Bills Detail
As of August 31, 2008

	<u>Open Balance</u>	<u>General</u>	<u>Highway</u>
Total Morrow AI	94.92	94.92	
Portville Concrete Products Inc			
	<u>27.34</u>		
Total Portville Concrete Products Inc	27.34		27.34
Portville Service Stores Park & Shop			
	<u>5.15</u>		
Total Portville Service Stores Park & Shop	5.15	5.15	
Portville Truck & Auto Repair Inc			
	629.76		
	<u>865.41</u>		
Total Portville Truck & Auto Repair Inc	1,495.17		1,495.17
Ready Print, Inc.			
	<u>129.00</u>		
Total Ready Print, Inc.	129.00	129.00	
Rinker Oil Corp			
	<u>3,598.23</u>		
Total Rinker Oil Corp	3,598.23		3,598.23
Sandburg Oil Co Inc			
	<u>35.40</u>		
Total Sandburg Oil Co Inc	35.40		35.40
SOSMETAL Products Inc			
	<u>67.87</u>		
Total SOSMETAL Products Inc	67.87		67.87
Southern Tier Polaris & Artic Cat			
	<u>11.95</u>		
Total Southern Tier Polaris & Artic Cat	11.95		11.95
The Paper Factory			
	<u>146.64</u>		
Total The Paper Factory	146.64	146.64	
The Times Herald			
	<u>13.69</u>		
Total The Times Herald	13.69	13.69	
Time Warner Cable			
	<u>40.69</u>		
Total Time Warner Cable	40.69	40.69	
United Refining Company of Pennsylvania			
	<u>563.35</u>		
Total United Refining Company of Pennsylvania	563.35		563.35

TOWN OF PORTVILLE
Unpaid Bills Detail
As of August 31, 2008

	<u>Open Balance</u>	<u>General</u>	<u>Highway</u>
Wagner & Hart, LLP			
	1,680.00		
Total Wagner & Hart, LLP	<u>1,680.00</u>	1,680.00	
Worth W Smith Co Surplus			
	105.97		
Total Worth W Smith Co Surplus	<u>105.97</u>		105.97
TOTAL	<u><u>53,170.07</u></u>	<u>7,609.96</u>	<u>45,560.11</u>
		0.00	