



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Kara Hibbard
716-745-3730

Tuesday, April 9, 2024

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on April 9, 2024 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
J. Duffy Johnston	Town of Porter	Supervisor	Present	
Jeff Baker	Town of Porter	Deputy Supervisor	Present	
Larry White	Town of Porter	Councilman	Present	
Tim Adamson	Town of Porter	Councilman	Present	
Jipp Ortiz	Town of Porter	Councilman	Absent	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Elaine Porto	Town of Porter	Deputy Town Clerk	Present	
Kimberli Boyer	Town of Porter	Bookkeeper	Present	
Dave Burmaster	Town of Porter	Highway Superintendent	Present	
Mike Dowd	Town of Porter	Town Attorney	Present	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Present	
Selah Dell	Town of Porter		Present	

II. Reports/Resolutions

III. Resolutions

1. Resolution 2024-50

Minutes Approval

Resolution to accept the minutes from the March 11 2024 meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Adamson, Councilman
SECONDER:	Larry White, Councilman
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

2. Resolution 2024-51

Audited Vouchers

**TOWN
OF
PORTER**

WARRANT : POST AUDIT #3A 3/31/24

FUND	01	15,522.73
FUND	02	2,346.19
FUND	04	206,067.91
FUND	06	2,281.64
FUND	07	2,733.19
FUND	10	0.00
FUND	20	0.00
FUND	21	0.00

TOTAL 228,951.66

VOUCHER 'S 32663 THRU 32689

WARRANT : POST AUDIT #4 4/5/24

FUND	01	46,159.89
FUND	02	106,246.11
FUND	04	11,379.06
FUND	06	39,074.61
FUND	07	8,490.78
FUND	10	924.34
FUND	11	0.00
FUND	35	0.00
FUND	28	0.00
FUND		

TOTAL 212,274.79

VOUCHER 'S 32690 THRU 32750

TOTAL 441,226.45

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Adamson, Councilman
SECONDER:	Larry White, Councilman
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

3. Resolution 2024-52

Supervisor's Report

Resolution to accept the minutes form the Supervisors report from March.11 2024 town board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Deputy Supervisor
SECONDER:	Tim Adamson, Councilman
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

4. Resolution 2024-53

Adopt Lead Agency Seqra for State Environmental and Quality Review

RESOLUTION DATED APRIL 9, 2024.

A RESOLUTION OF THE TOWN OF PORTER, NIAGARA COUNTY, NEW YORK AS TO
SEQRA DETERMINATION.

BE IT RESOLVED by the Town Board of the Town of Porter, Niagara County, New York as follows:

Section 1. It is hereby determined that the Town Board adopting this resolution has heretofore declared itself to be the lead agency under the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated thereunder for purposes of determining the environmental impact of the projects described in Section 3 hereof.

Section 2. Based upon the attached Short Environmental Assessment Form and additional documentation attached hereto and made a part hereof, it is hereby determined that the project described in Section 3 hereof is an Unlisted Action which it is determined will not have a significant adverse impact upon the environment in accordance with the regulatory provisions under SEQRA. SEQRA documentation appended hereto are available in the office of the Town Clerk for inspection during regular business hours.

Section 3. The project which is the subject of this resolution is described as follows:

IMPROVEMENTS TO AND RECONSTRUCTION OF THE TOWN OWNED AND OPERATED SEWER LIFT STATION LOCATED AT SWAIN ROAD AND LAKE ROAD IN THE TOWN OF PORTER

Construction of improvements to and reconstruction of the Town owned and operated sewer lift station of the Porter West Sewer District located at Swain Road and Lake Road in the Town of Porter, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$710,000.

SEQR resolution declaring waterline improvements as an unlisted action and to finance the improvements of the Porter West Sewer District Lift Stations.

Motion was made by Deputy Supervisor Baker and seconded by Councilman White.

Roll call vote: Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson, Councilman White were all in favor. Councilman Ortiz was absent.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Deputy Supervisor
SECONDER:	Tim Adamson, Councilman
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

5. Resolution 2024-54

Request a Public Hearing for the West Sewer District.

In the Matter of The Increase and Improvement of the Facilities of the Porter West Sewer District, in the Town of Porter, Niagara County, New York	ORDER CALLING PUBLIC HEARING
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WHEREAS, the Town Board of the Town of Porter, Niagara County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Porter West Sewer District, in the Town of Porter, Niagara County, New York (the "Sewer District"), being the construction of improvements to and reconstruction of the Town owned and operated sewer lift station located at Swain Road and Lake Road in the Town of Porter, a facility originally

constructed for said Sewer District and also serving certain outside areas, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$710,000; and

WHEREAS, said capital project, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined, will not have a significant adverse impact on the environment; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Porter, Niagara County, New York, as follows:

Section 1. A public hearing will be held in the Town Hall, 3625 Creek Road, in Youngstown, New York, on May 13, 2024, at 7: 00 P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Porter West Sewer District, in the Town of Porter, Niagara County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

Resolution needed to request a public hearing at the May 13, 2024 Town Board monthly meeting regarding the increase and improvement of the facilities of the Porter West Sewer District.

Motion was made by Deputy Supervisor Baker and seconded by Councilman White to advertise for a public hearing on May 13, 2024.

Roll call vote: Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson, Councilman White were all in favor. Councilman Ortiz was absent.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Deputy Supervisor
SECONDER:	Tim Adamson, Councilman
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

6. Resolution 2024-55

Highway Superintendent Resolution for Classes.

Highway Superintendent Burmaster would like to ask the Town Board to approve classes to attend the following:

1. New York Rural Water Association, May 19th -22, Dave Burmaster and Scott Cudney. The cost for registration is \$440 each and \$175 per night for the hotel.
2. Highway School in Ithaca, June 2 -5 for Dave Burmaster only. The cost for registration is \$125 and \$189 per night for the hotel.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Adamson, Councilman
SECONDER:	Jeff Baker, Deputy Supervisor
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

7. Resolution 2024-56

Deem Current HVAC Unit in Court Room Surplus and List on Auctions International.

Resolution to deem current HVAC Unit in the Court Room Surplus material and list on Auctions International.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Deputy Supervisor
SECONDER:	Tim Adamson, Councilman
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

8. Resolution 2024-57

Resolution to Appoint W. Maxwell Coykendall to the Board of Assessment Review

Resolution to appoint W. Maxwell Coykendall of 129 Main Street, Youngstown, NY 14174 to the Board of Assessment Review. The appointment will fill the unexpired term of Mark Lippman, who resigned. The term for W. Maxwell Coykendall will be from April 9, 2024 to September 30, 2025.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tim Adamson, Councilman
SECONDER:	Larry White, Councilman
AYES:	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT:	Jipp Ortiz

IV. Reports

1. Report 2024-53

Supervisor's Report

MARCH SUPERVISOR'S REPORT 2024

3-14 Met with Town Insurance carrier for renewal

3-15 Niagara County Public Safety meeting

3-16 Participated in the St. Patrick's day parade

3-21 Had Niagara County Supervisors and Waterboard meeting

3-22 Zoom call with FEMA, to close out claims

4-5 Zoom with LWRP Grant

Had Modern bring a portable toilet to POTL

RESULT:	REPORT ISSUED
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2. Report 2024-54

Bookkeeper

Completed processing all March 2024 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for March 2024 and distributed it to the Supervisor & Town Board members.

Completed all bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Completed bank recs for the month of March and they balanced.

Met with Town Auditor's about the fiscal year ending 12/31/2023

Completed and certified the AFR for 2023.

RESULT:	REPORT ISSUED
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3. Report 2024-55

Town Clerk

Water collected -\$20,706.67

Sewer- \$4,848.36

Clerk Fee's-\$572.15

Tax collection has ended for the clerk's department. Residents that have not paid taxes yet can call the County and make arrangements with them.

RESULT:	REPORT ISSUED
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4. Report 2024-56**Assessor****Monthly Assessor's Report
March 2024**

- Processed property transfers for Town and Village and notified appropriate officials of changes in ownership, mailing addresses, etc
- Continued processing completed building permits into RPSV4
- Continued to value open building permits for the 2024 Roll
- Accepted applications for property tax exemptions through March 1, 2024
- Approved and/or denied exemption applications. Denial determinations were mailed to affected property owners
- Published the legal notice for the Examination of Inventory and Valuation Data
- Received tentative special franchise and telecommunications values from the NYS Office of Real Property Tax Services

Sales of note, which will affect our equalization rate going forward:

2264 Lockport Rd	AV: \$50,000	Sale Price: \$117,000
377 Glengrove Dr	AV: \$136,000	Sale Price: \$255,000

RESULT: REPORT ISSUED**5. Report 2024-57****Building Inspector/Code Enforcement Officer**

- ◆ Reviewed and issued seven (7) **Building Permits** for the month of **March**.
- ◆ Issued two (2) Registration Certificates for **Short Term Rental Homes (STRH)**.
- ◆ Received, Inspected, and followed up on four (4) **New** formal **Complaint/Violations**
- ◆ Completed fourteen (14) **inspections** for Permits & Complaints compliance.
- ◆ Coordinated/Reviewed **Planning and Zoning Board applications** and Documentation.
- ◆ Participated in Town of Porter **Justice Court** for pending Zoning enforcement cases.
- ◆ Participated in the **Planning Board** meeting March 7, 2024.
- ◆ Participated in the Zoning Board meeting on March 28, 2024
- ◆ Reviewed Permits, followed up on complaints, and participated in Code Enforcement activity within the **Village of Youngstown**.

RESULT:	REPORT ISSUED
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6. Report 2024-58

Highway

Highway Superintendent Report for March 2024

- 1.Picked up brush
- 2.Plowed and salted road 5 times.
- 3.Cleaned up recycling
- 4.Took Gradall up to S&S Auto for clutch adjustment.
- 5.Cleaned up brush in cemeteries.
- 6.Serviced Equipment.
- 7.Picked up new Peterbilt tandem dump truck.
- 8.Cut down trees at Ransomville water tower.

9.Steve's Heating and Cooling Installed new furnace for the office.

10.Fournier construction started new building.

Water/Sewer

1.Put in new service on River Road

2.Read water meters for the Quarter

3.Did PFAS testing for Environmental Protection Agency

4.I&I inspections on sewer manhole

5.Cleaned up areas from the water breaks last month

6.Serviced lift stations

7.Quackenbush repaired hole in Water Tower in Ransomville

Drainage

1.Dan Truesdell finished the creek between Youngstown Wilson and Braley

2.Cleaned ditch with mini excavator on Creek Lane

Park

1.Picked up garbage

RESULT:	REPORT ISSUED
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7. Report 2024-60

Recreation



Commission

3265 Creek Road • Youngstown, New York 14174

(716) 745-3730 • Fax (716) 745-9022 • TOPrecreation@gmail.com

April 1, 2024

Recreation update and report by Recreation Director Shippy:

Director Shippy stated that he will be promoting the hiring of Recreation Leaders for the summer program and will send out flyers to Wilson and Lewiston-Porter High School.

Director Shippy stopped at the Church to solidify the use of their facilities for the program but had to leave a note asking his contact to call him.

Director Shippy confirmed the dates established at the March meeting including July 2-3: Registration.

Story Hour update report by Director Rugg:

Director Rugg presented her story hour lesson plans and calendar for the April program which includes celebrating outer space, April showers, Earth Day and stone soup. There is no program this week due to spring break.

Financial Updates:

Secretary Beaudreau stated that she will email the March financial report once she has the month end numbers from Bookkeeper Boyer.

Future meeting:

The next meeting of the commission will be at 6:00 p.m. on Monday, May 6, 2024.

RESULT:	REPORT ISSUED
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8. Report 2024-59

Calendar of Events

4/25/24	-	Zoning Board of Appeals monthly meeting at 7:00 PM
5/2/24	-	Planning Board monthly meeting at 7:00 PM
5/6/24	-	Recreation monthly meeting at 6:00 PM
5/13/24	-	Town Board monthly meeting at 7:00 PM

RESULT:	REPORT ISSUED
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9. Report 2024-61**Public Comments**

RESULT:	REPORT ISSUED
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10. Report 2024-62**Town Board Comments**

Councilman Adamson asked Highway Superintendent Burmaster asked if they could get in the ditch on the southside of 18F and Dave said yes, "it is on the to do list". The problem is that the 2 culverts are too far apart. He would like to make it only 1 culvert. He will get in there and get it cleaned up.

MOTION TO ADJOURN THE MEETING AT 7:55 PM WAS MADE BY DEPUTY SUPERVISOR BAKER AND SECONDED BY COUNCILMAN ADAMSON.

RESULT:	REPORT ISSUED
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