



**Town of Porter**  
**Town Board Meeting**  
**~ Minutes ~**

3265 Creek Road  
Youngstown, NY 14174  
TownofPorter.Net

Kara Hibbard  
716-745-3730

Monday, April 13, 2020

3:00 PM

Town Hall Auditorium

**I. Call to Order**

3:00 PM Meeting called to order on April 13, 2020 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Jipp Ortiz	Town of Porter	Councilman	Remote	
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	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Kimberli Boyer	Town of Porter	Bookkeeper	Absent	
Bernie Rotella	Town of Porter	Grant Writer	Absent	
Dave Burmaster	Town of Porter	Highway Superintendent	Present	
Mike Dowd	Town of Porter	Attorney	Absent	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Absent	

**II. Resolutions/Reports**

**III. Resolutions**

**1. Resolution 2020-35**

**Minutes Approval**

Resolution to approve the minutes of the February 10, 2020 Town Board meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Baker, Deputy Supervisor
<b>SECONDER:</b>	Tim Adamson, Councilman
<b>AYES:</b>	Ortiz, Johnston, Baker, White, Adamson

**2. Resolution 2020-36**

**Audited Vouchers**

**TOWN OF PORTER**



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Baker, Deputy Supervisor
<b>SECONDER:</b>	Larry White, Councilman
<b>AYES:</b>	Ortiz, Johnston, Baker, White, Adamson

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4. Resolution 2020-38

**Town Historian**

Town Board resolution needed to appoint Terry Duffy to be the new Town Historian for Porter effective May 1, 2020 for an annual sum of \$3,443.00.

The annual sum is \$2443.00 not \$3443.00

Roll call vote was taken and all present board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson and Councilman White were all in favor). Councilman Ortiz remoted in and he was also in favor.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Baker, Deputy Supervisor
<b>SECONDER:</b>	Larry White, Councilman
<b>AYES:</b>	Ortiz, Johnston, Baker, White, Adamson

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5. Resolution 2020-39

**Amend Official Newspaper**

Resolution needed to amend the resolution made at the organizational meeting this year making the Lewiston Porter Sentinel the official newspaper. This amendment would declare the Niagara Gazette the official newspaper for the remainder of 2020.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Adamson, Councilman
<b>SECONDER:</b>	Jeff Baker, Deputy Supervisor
<b>AYES:</b>	Ortiz, Johnston, Baker, White, Adamson

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6. Resolution 2020-40

**Resolution to Hire Amanda Shackleford to Replace Ramona**

**Resolution to hire Amanda Shackleford to replace retiring**

**water/sewer clerk Ramona Lockhart at the highway garage at a pay rate of \$13.75 per hour. This position is part time (19 1/2 hours). Her tentative start date is 4/16/20.**

**Roll call vote was taken and all present board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman White and Councilman Adamson) were all in favor. Councilman Ortiz remoted in and he was also in favor.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Adamson, Councilman
<b>SECONDER:</b>	Jeff Baker, Deputy Supervisor
<b>AYES:</b>	Ortiz, Johnston, Baker, White, Adamson

**7. Resolution 2020-41**

**Establish SEQR Lead Agency Status for LWRP**

**Town of Porter**

**Resolution Porter Town Board to Establish SEQR Lead Agency Status  
for the Draft Local Waterfront Revitalization Program**

**April 13, 2020**

**WHEREAS**, the Town of Porter has prepared a Draft Local Waterfront Revitalization Program (LWRP), pursuant to the guidelines and requirements of Article 42 of the New York State Executive Law and its implementing regulations; and

**WHEREAS**, the draft LWRP has been prepared under the review and guidance of the Town of Porter Waterfront Advisory Committee, with assistance provided by a retained Planning Consultant; and

**WHEREAS**, the Porter Town Board prepared an Environmental Assessment Form to identify and evaluate the potential impacts of adopting the LWRP and for the purposes of conducting a coordinated review, in accordance with the requirements of the State Environmental Quality Review Act (SEQRA) and Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law (ECL); and

**WHEREAS**, pursuant to Part 617 of the ECL implementing regulations, the Porter Town Board wishes to designate themselves as the SEQR Lead Agency for this action.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Porter Town Board establishes SEQR Lead Agency status for the SEQR review of the Draft LWRP, and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Planning Consultant to undertake the necessary notices and filings for this action, and

**BE IT FURTHER RESOLVED**, that one certified copy of this Lead Agency resolution be provided to the New York State Department of State, an involved agency.

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Kara Hibbard

Town of Porter Town Clerk

Roll call vote was taken and all present board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman White and Councilman Adamson were all in favor). Councilman Ortiz remoted in and he was also in favor.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Baker, Deputy Supervisor
<b>SECONDER:</b>	Larry White, Councilman
<b>AYES:</b>	Ortiz, Johnston, Baker, White, Adamson

#### IV. Reports

##### 1. Report 2020-38

##### Supervisor's Report

## MARCH SUPERVISOR'S REPORT

Have a Chamber conference call 11:00 every Monday.

Have a Niagara County conference call Monday, Wednesday and Friday at 3:00.

3-10 Met with USI and renewed the Town insurance policy.

3-12 Attended elected leaders lunch at NCCC Culinary school.

3-19 Had Niagara County water board meeting.

Filled out the application and Porter is now registered with FEMA.

Had a webinar with FEMS.

Had a webinar and call with the IJC, about the Lake levels.

Met with Legislator Myers , Larry White, the YYC Commodore Mike, Bryan from the Jet boat and Jonathan Schultz. ( No Village Rep) regarding the high water level in the river.

We have received the 911 blue boxes and are waiting to install

RESULT:	REPORT ISSUED
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2. Report 2020-39

**Bookkeeper**

Bookkeeper's Monthly Report - April 2020

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Completed processing all March 2020 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for March 2020 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.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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3. Report 2020-40

**Town Clerk**

Water for the month of March was \$28,000.41  
Sewer for the month of March was \$11,675.64  
Clerk fees were \$376.77

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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4. Report 2020-41

**Building Inspector/Code Enforcement Officer**

**REVIEWED AND ISSUED BUILDING PERMITS; PER ATTACHED PERMIT REPORT; FOURTEEN (14) PERMITS HAVE BEEN ISSUED IN THE MONTH OF MARCH.**

- ◆ Received, inspected, and issued **new Complaint/Violations**; per attached Complaint report; Nine (9) **New** formal concerns has been processed.
- ◆ Completed thirty-four (34) **inspections** for Permits & Complaints.
- ◆ Prepared information and attended **Planning Board** regular meeting on March 5, 2020.
- ◆ Coordinated/Reviewed all **new Planning and Zoning Board applications** and documentation, with the respective Board(s) personnel.
- ◆ Coordinated and lead the 2<sup>nd</sup> **Solar Advisory Committee Meeting** March 16, 2020.
- ◆ Prepared Draft Meeting minutes for Solar Advisory Meeting.
- ◆ Due to the COVID-19 pandemic, I am working from Home. The Town of Porter is making every reasonable effort to continue the Business of the Town. If you wish to contact me please call 716.280.8009 or email: [p.jeffery@townofporter.net](mailto:p.jeffery@townofporter.net) <<mailto:p.jeffery@townofporter.net>> .
- ◆ Code Enforcement is an essential service and NYSDOS Guidance in Executive Order 202.11, the Code Enforcement Officer to enforce said executive orders.

**PERMIT REPORT - March 2020**

<b>Number</b>	<b>Permit Type</b>	<b>Owner</b>	<b>Parcel Location</b>	<b>SBL #</b>
113-19	Single Family Dwelling	Steven Huttenmaier	2485 Lockport road	62.10-2-10
004-20	Fence	James Pollina	1704 Youngstown-Wilson Rd.	47.00-1-3.2
005-20	Commercial Alteration/Remodel	Heritage Ransomville	3509 Ransomville Road	62.10-1-5
007-20	Temporary use Permit	H&I Bryk, LLC. - Somewhere	681 Blairville Road	59.00-2-18
008-20	Addition to Dwelling	Karen & Andrew Cline	3022 Creek Road	46.00-1-70
009-20	Porch Alteration/Repair	Ruth Kennedy	3580 Ransomville Road	62.10-2-17
010-20	Solar Energy System - Tier 2	Liam McMahon	1390 Lockport Road	46.00-2-27.1
011-20	Demolition - Mfg. Dwelling	UMH Melrose llc	999 Balmer Road	60.00-2-44.2
012-20	Fence	Paul Pisarski	2651 Youngstown-Wilson Rd.	34.00-1-21
013-20	Single Family Dwelling	Andrea Rosati	1375 Lake Road	32.20-1-17
015-20	Alteraton/Remodel	Thomas & Kalli Mooradian	404 Lynbrook Drive	59.18-2-55
016-20	Porch alteration/Remodel	Joseph Congi	3939 River Road	73.10-1-1
017-20	Garage Addition	Jerome Ulatowski	1519 Lake Road	32.16-1-21.12
014-20	In-Ground Pool system	Karen Fuller	3933 Calkins Road	59.00-2-61.211



## COMPLAINT REPORT - March 2020

<u>NUMBER</u>	<u>COMPLAINT TYPE</u>	<u>OWNER</u>	<u>PARCEL LOCATION</u>	<u>SBL #</u>
013-20	Property Maintenance	Linda Talarico	2461 Lockport Road	62.10-2-8
014-20	Building Code Violation	John Higgins	489 Lake Road	45.07-1-5
015-20	Activity without a Permit	Jerome Ulatowski	1519 Lake Road	32.16-1-21.12
016-20	Unpermitted Construction	Annette Lawlor-Caswell	1777 Lake Road	33.10-1-7
017-20	Property Maintenance	Charles VanEpps	2909 Ransomville Road	34.00-1-27.12
018-20	Activity without a Permit	Steven Dominski	1563 Lockport Road	47.00-1-31
019-20	Property Maintenance	Dave Decarle	1949 Lake Road	33.11-1-2.1
020-20	Property Maintenance	James Wilson	3130 Park Ave.	45.32-1-47

*Peter T. Jeffery*; Code Enforcement Officer, Town of Porter

<b>RESULT:</b> <b>REPORT ISSUED</b>
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### 5. Report 2020-42

Assessor

### Monthly Assessor's Report March 2020

- Accepted exemption applications from property owners thru taxable status date - including STAR, Aged Exemptions, Agricultural Exemptions and Wholly Exemptions
- Property owners who believe they are eligible for Enhanced STAR, who did not get their application in on time, may ask the Commissioner of Assessment and Taxation for permission to file late due to "Good Cause". The link to do so is: <https://www.tax.ny.gov/pit/property/star/enhanced-star-late-app.htm>
- Approved and/or denied exemption applications - notified property owners of denial determinations
- Inspected properties and updated changes due to building permits
- Processed property transfers for Town and Village
- Notified appropriate officials of changes in ownership, mailing addresses, etc

- Notified Tax Collector of changes to bank codes and ownership
- Hosted the Niagara County Assessors Association monthly meeting
- Published the legal notice for the Examination of Inventory and Valuation Data
- The level of assessment for the 2020 Tentative Assessment Roll will be 68%
- Due to Covid-19, I am working remotely to complete all work necessary to file the 2020 Tentative Assessment Roll. The Roll is still projected to be filed on time, May 1, 2020. It will be available online at townofporter.net as well as the Niagara County Real Property Services web site, as of May 1, 2020.
- Change of Assessment Notices will be mailed at the end of April.

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

335 Riverview Dr	AV \$190,000	Sale Price \$310,000
404 Lynnbrook Dr	AV \$164,800	Sale Price \$200,000
333 Walnut Ln	AV \$116,900	Sale Price \$219,000
3573 Ransomville Rd	AV \$77,000	Sale Price \$130,000
2461 Lockport Rd	AV \$72,000	Sale Price \$150,000

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**6. Report 2020-43**

**Highway**

**HIGHWAY SUPERINTENDENTS MONTHLY REPORT FOR THE  
MONTH OF MARCH 2020**

**HIGHWAY**

1. Plowed and salted roads during 2 storms. Total salt put down for the year 2,174.22 tons.
2. Went to Albany for advocacy day with other highway supt., for more money for chips money, not sure yet on what we are going to get.
3. Shop and Truck maintenance.
4. Packaged up electronics ready for sun king.

5. Cleaned scuff marks where the plow and wing made with the Gradall through the whole town.
6. Rented a dumpster from Niagara metals to clean up the junk from inside and outside.
7. Talked to trapper Jeff Batt he will trap beavers out from behind Doug Ripson property for FREE!

#### DRAINAGE

1. Removed tree from in front of culvert pipi on parker rd.
2. Talked to Dave Britton on replacing twin culverts on Dickersonville rd. between Youngstown-Lockport rd. and Balmer rd. to a concrete box culvert.

#### WATER AND SEWER

1. Completed water meter readings for the month.
2. Have quotes from Koester associates for refurbishing Swain and lake rd. lift stations, Swain rd. quote was 136,987.00 lake rd. quote was 160,750.00 Koester does the work.
3. Repaired water main break in front of 2892 porter center rd.

#### PORTER ON THE LAKE

1. Completed installing new water line at park, all parts and supplies purchased from lock city supply in the amount of 4,631.19.

**Motion was made by Councilman Adamson and seconded by Deputy Supervisor to declare the list of items from the Town Garage surplus material.**

**Roll call vote was taken and all present board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman White and Councilman Adamson) were all in favor. Councilman Ortiz remoted in and he was in favor also.**

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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7. Report 2020-44

Grant Writer

A LIST OF SURPLUSS THAT I WOULD LIKE TO PUT ON AUCTIONS INTERNATIONAL

- 1.LOFTNESS #96BMO FLAIL MOWER ATTACHMENT
- 2.ALAMO BRUSH HOG/ROTARY MOWER ATTACHMENT
- 3.ALAMO 78" FLAIL MOWER ATTACHMENT
- 4.ALAMO 64" ROTARY BRUSH HOG BOOM ATTACHMENT
- 5.EVEREST PLOW & WING SYSTEM
- 6.HARDER 14' SLIDE-IN SPREADER
- 7.CHEM FREE SMART WASHER PARTS BATH
- 8.RAPAK JUMPING JACK PLATE TAMPER
- 9.ESAB MIGMASTER 251 WELDER
- 10.STAHL 2000 TRUCK MOUNTED MOBILE CRANE
- 11.SITREX 150 BROADCAST SPREADER

IF THERE IS ANYTHING ELSE YOU WOULD LIKE TO ADD TO THE LIST THEY ARE MORE THAN WELCOME TO HELP US OUT.

THANKS

DAVE BURMASTER

TOWN HIGHWAY SUPERINTENDENT

Grants Status Report: Projects we are currently working on:

**Greenway:** The current balance is \$5,066.45.

**LWRP:** Final review is done. The following items need to be addressed:

1. Requesting the Town to pass a Town Resolution adopting the LWRP (attached).
2. Requesting the Town to act as lead agency for the environment review and declaration. Need the Town Board to pass a SEQR Resolution Attached).
3. LWRP Full EAF (for Town Board review) (see separate attachment)).
4. Letter to DOS (attached). This needs to be on Town letterhead and signed by the Supervisor.

Once this has been done, will move the LWRP for final approval from the state.

**Fort Niagara Beach:** Current Status:

1. Received approval from DEC and Ensol has completed the revised RFP.
  - a. Ensol will prepare the RFP for publication.
  - b. A Pre-bid meeting will be conducted with registered bidders via conference call. (Once we know how many potential bidders we will have, we will need to figure out the mechanics of this conference call whether a call in number to Town Hall or set up a teleconference number).
  - c. Bids will be emailed upon request. I believe this email should come from the Town. (Duffy please designates who will send these out).
  - d. Official bids can be submitted via email OR can be dropped off at the Town's drop box outside Town Hall.
  - e. Bid openings will be at Town hall and recorded (or documented).
2. Reimbursement has been submitted for \$40,071.00
3. Greenway Ecological Fund Application will be submitted on March 10<sup>th</sup> with presentation in May 12<sup>th</sup>. Presentation and awarded is till

scheduled for July 2020. The Land restoration budget is \$93,500.

**Ransomville Business Association:** Proposal for \$2,400 was emailed to committee but I have not heard any thing back.

**CFA may still open May 1<sup>st</sup>, 2020**

### **Town of Porter**

#### **Resolution to Accept the Town of Porter Draft Local Waterfront Revitalization Program as Complete and Ready for Public Review and Authorizing submission to the New York State Department of State**

**WHEREAS**, the Town of Porter has undertaken the preparation of a Local Waterfront Revitalization Program in cooperation with the New York State Department of State in accordance with the provisions of

New York State Executive Law, Article 42; and

**WHEREAS**, the Draft Local Waterfront Revitalization Program (LWRP) has been prepared with planning consultant assistance, under the guidance of the Town's Waterfront Advisory Committee and Town Code Enforcement Officer; and

**WHEREAS**, the Town of Porter Town Board, as SEQR Lead Agency, has commenced the SEQR review process, in accordance with the requirements of the State Environmental Quality Review Act and Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law, through the preparation of an Environmental Assessment Form as related to the action of adopting the Town of Porter LWRP.

**NOW, THEREFORE, BE IT RESOLVED**, that the Draft Local Waterfront Revitalization Program for the Town of Porter is hereby accepted by the Town Board as complete and ready for public review and shall be submitted to the New York State Department of State for the required 60-day review by State, federal, and regional agencies pursuant to the provisions of Article 42 of the NYS Executive Law.

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Kara Hibbard

Town of Porter Town Clerk

**Motion was made by Councilman Adamson and seconded by Councilman Ortiz to accept the Town of Porter Draft Local Waterfront Revitalization Program as complete and ready for public review and authorizing submission to the New York State Department of State.**

**Roll call vote was taken and all present board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman White and Councilman Adamson) were all in favor. Councilman Ortiz remoted in and he was also in favor.**

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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8. Report 2020-45

Tax Collector

April 7, 2020

Town of Porter Supervisor Duffy Johnston and Board Members

Property Tax Collection has been completed on March 31<sup>st</sup>.

Any payments received on or after April 1<sup>st</sup> will be sent to the Niagara County Treasurer

I will make final Payment to Niagara County on or about April 9<sup>th</sup> or April 15<sup>th</sup> and final payment to Town of Porter in early May.

Petty cash account of \$300.00 has already been received by our Bookkeeper on April 7<sup>th</sup>.

Jim Sharpe

Town of Porter Tax Collector

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**9. Report 2020-46**

**Calendar of Events**

Not sure at this point in time when the next board meetings will be. We will keep the public posted and informed on our website.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**10. Report 2020-47**

**Public Comments**

report

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**11. Report 2020-48****Town Board Comments**

Superintendent Burmaster asked the board what is happening with the park? The basketball hoops have been taken down. What about the bathrooms?

Supervisor Johnston responded by saying that were going to wait until the next board meeting. Maybe see what the Governor says. As of now, the bathrooms will remained closed.

Superintendent Burmaster asked if he could hire part time employees back and when?

Supervisor Johnston stated that we need to buy thermometers and check everyone's temperature.

Superintendent Burmaster said that the chipper is down and won't be available for a month. The fuel injector pump is broke. It's about \$5000 to fix. A new one would cost \$7600.00 plus freight for a total of \$9100.00.

Supervisor Johnston asked Superintendent Burmaster if he could ask Youngstown if we could borrow theirs and Dave said he would.

Supervisor Johnston stated that the budget in October isn't going to be much because there isn't going to be any sales tax. We can't count on FEMA. We will just have to keep plugging along.

**Motion was made by Deputy Supervisor Baker and seconded by Councilman Adamson to adjourn the meeting at 3:21 PM.**

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