

Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road Youngstown, NY 14174 TownofPorter.Net

> Kara Hibbard 716-745-3730

Tuesday, August 11, 2020 7:00 PM Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on August 11, 2020 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Jipp Ortiz	Town of Porter	Councilman	Present	
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	Present	

II. Resolutions/Reports

III. Resolutions

1. Resolution 2020-62

Property Maintenance Law Amendment Public Hearing

Property Maintenance Law Amendment Public Hearing.

The Public Hearing was opened at 7:08 PM with Building Inspector Jeffreys explaining what the amendment entailed. Basically, if property owners have lawns where the grass is 10" or higher, they will receive an apparent letter of violation giving them 2 weeks to cut the grass. If this letter is ignored, they will receive a 2nd letter of violation giving them 1 more week to have the grass cut. If the Town has to have the grass cut, the assessor will be notified and what it costs to have the grass cut will be put on their property taxes.

Resolution to approve this amendment to the Property Maintenance Law was made by Councilman Adamson and seconded by Deputy Supervisor Baker.

Roll call vote was taken and all 5 present board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson, Councilman White and Councilman Ortiz) were in favor.

Motion to close the public hearing was made by Deputy Supervisor Baker and seconded by Councilman White

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tim Adamson, Councilman

SECONDER: Jeff Baker, Deputy Supervisor

AYES: Ortiz, Johnston, Baker, White, Adamson

2. Resolution 2020-63

Mark Lippman Reappointment.

Resolution to approve the reappointment of Mark Lippman to the Board of Assessment Review for a 5 yr term starting 09/30/2020 to 09/30/2025.

Resolution to approve the reappointment was made by Deputy Supervisor Baker and seconded by Councilman Ortiz.

Roll call vote was taken and all 5 board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman White, Councilman Adamson and Councilman Ortiz) were in favor.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeff Baker, Deputy Supervisor

SECONDER: Jipp Ortiz, Councilman

AYES: Ortiz, Johnston, Baker, White, Adamson

3. Resolution 2020-64

LWRP Public Hearing.

A Local Waterfront Revitalization Program (LWRP) is an extension of the New York State Coastal Management Program. Having a local program enables the Town to evaluate land use and the waterfront resources and develop a comprehensive strategy to effectively manage and protect these resources. By applying a local focus on land use management and the maintenance, improvement and enhancement of important resources and features in the waterfront area, and LWRP strengthens the State's program and provides the Town with a roadmap to guide growth and recognize opportunities. It also gives the Town more local control over decisions made along the waterfront. The goal is to develop a local program and effectively manage land use and future development along the waterfront and effectively protect important coastal resources.

The Porter Town Board was awarded a grant from New York State for the preparation of the LWRP. The Town entered into a contact for the provision of professional services with WWS Planning in June of 2016, to assist with this project. WWS Planning worked closely with the Town's Waterfront Advisory Committee to collect and review information on existing waterfront conditions, including land use and community character, economic development, public access and recreation, flooding and erosion, historic preservation scenic resources ,environmental resources and water quality. This information was used to

revise the State's waterfront polices to reflect location issues and opportunities and identify projects for waterfront improvements.

Does anyone have questions or concerns they would like to address at this time?

Public Hearing opened to the public at 7:16 PM. There were no questions or concerns and Deputy Supervisor Baker made a motion to close the public hearing and Councilman White seconded it. The Public Hearing was closed at 7:19 PM

Resolution to accept the final draft of the LWRP was made by Councilman Adamson and seconded by Deputy Supervisor Baker.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tim Adamson, Councilman

SECONDER: Jeff Baker, Deputy Supervisor

AYES: Ortiz, Johnston, Baker, White, Adamson

4. Resolution 2020-65

Porter on the Lake

Titan Development 8534 Seaman rd. Gasport, NY 14067

2 separate estimates were received from Titan Development regarding the playground at Porter on the Lake.

1) Install new buck a bout - \$1700.00 Install 100 CY new wood surfacing - \$1295.00

Total cost \$2995.00

2) Chips for playground - \$2995.00

Total cost - \$2995.00

Resolution to accept 2 bids from Titan Development

Resolution was made by Deputy Supervisor Baker and seconded by Councilman Adamson to approve the 2 bids from Titan Development.

All in favor.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeff Baker, Deputy Supervisor

SECONDER: Tim Adamson, Councilman

AYES: Ortiz, Johnston, Baker, White, Adamson

5. Resolution 2020-66

Tax Collection Software

Jim Sharpe (tax collector) is requesting a new software program because his previous software that he was using for tax collection is no longer valid.

He did receive a sole source bid from Edmunds GovTech below:

 Web Portal
 \$1800.00

 Real property Tax 1
 \$7500.00

 Standard Tax Implementation
 \$2750.00

 Web Portal Maintenance
 \$1601.00

Total = \$14,371.00

Implementation services includes; installation, system configuration, ORPS file import & remote training.

Annual RPS processing fee per collection \$600.00

Resolution to approve the sole source bid from Edmunds GovTech for \$14,371.00 for tax collection software was made by Councilman Adamson and seconded by Deputy Supervisor Baker.

Roll call vote was taken and all 5 board members (Supervisor Johnston, Deputy Supervisor Baker, Councilman White, Councilman Adamson and Councilman Ortiz) were in favor.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tim Adamson, Councilman

SECONDER: Jeff Baker, Deputy Supervisor

AYES: Ortiz, Johnston, Baker, White, Adamson

6. Resolution 2020-67

Minutes Approval

Resolution to approve the minutes of the July 13,2020 Porter Town Board meeting

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeff Baker, Deputy Supervisor

SECONDER: Larry White, Councilman

AYES: Ortiz, Johnston, Baker, White, Adamson

7. Resolution 2020-68

Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDI' 2020		Γ #7A - JULY,	7/31/20	
FUND	01		12,908.26	
FUND	02		780.95	
FUND	04		13,359.47	
FUND	06		1,926.08	
FUND	07		1,850.48	
FUND	11		0.00	
FUND	35		0.00	
TOTAL		28048	30,825.24	28067
VOUCHER 'S			THRU	
WARRANT:		#8 AUGUST	, 2020	8/11/20
FUND	01		17,890.22	
FUND	02		7,579.47	
FUND	04		144,671.49	
FUND	06		6,398.20	
FUND	07		48,144.73	
FUND	10		751.00	
FUND				
	11		32,177.98	
FUND FUND	11 28 35		32,177.98	

VOUCHER 'S 28068 THRU 28140

TOTAL 288,438.33

Resolution to approve the vouchers as audited by the Porter Town Board.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jeff Baker, Deputy Supervisor

SECONDER: Tim Adamson, Councilman

AYES: Ortiz, Johnston, Baker, White, Adamson

8. Resolution 2020-69

Acceptance of Supervisor's Report

Resolution to accept the Supervisors Report for July 13 2020

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tim Adamson, Councilman

SECONDER: Larry White, Councilman

AYES: Ortiz, Johnston, Baker, White, Adamson

IV. Reports

1. Report 2020-83

Supervisor's Report

- Attended the ground breaking ceremony of the new SPCA operating facility.
- 7/23 Attended the Niagara County water board meeting.
- 7/28 Attended a meeting with Greenway Comm. on the proposed bike trail
- 8/6 Met with Joe Hickman from Modern and Dawn Timm to review the garbage contract

The Town received a signal booster from Verizon. A cost of \$3000 and we were able to receive it free of charge.

The new Porter hot spot wi-fi setup is up and running for residents in the Town Hall parking lot.

RESULT: REPORT ISSUED

2. Report 2020-84

Town Clerk

Clerk's report

For the month of July 2020 the clerk reported:

Clerk Fees \$967.00

Water -\$36572.93

Sewer- \$24300.63

RESULT: REPORT ISSUED

3. Report 2020-85

Bookkeeper

Bookkeeper's Monthly Report - August 2020

Completed processing all July 2020 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for July 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 July.

RESULT: REPORT ISSUED

4. Report 2020-86

Assessor

Monthly Assessor's Report July 2020

- Filed the 2020 Final Assessment Roll on July 1, 2020
- Continued processing completed building permits into RPSV4
- Processed property transfers for Town and Village
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Updated STAR exemptions due to changes ordered by the State
- Met with a representative from Niagara River Greenway, along with Supervisor Johnston, and the building inspector to disseminate information

<u>Sales of note, which will affect our equalization rate going</u> forward:

404 Lynnbrook Dr	AV \$164,800	Sale Price \$200,000
333 Walnut Ln	AV \$116,900	Sale Price \$219,900
3573 Ransomville Rd	AV \$77,000	Sale Price \$130,000
2461 Lockport Rd	AV \$72,000	Sale Price \$150,000
3614 Dickersonville Rd	AV \$124,000	Sale Price \$272,950
278 Lake Rd	AV \$110,800	Sale Price \$145,000
2570 New Rd	AV \$84,800	Sale Price \$151,000
409 Riverview Dr	AV \$277,100	Sale Price\$ 435,000
2076 Lockport Rd	AV\$105,100	Sale Price\$164,200
3765 Ransomville Rd	AV \$124,500	Sale Price \$205,000
987 Lockport Rd	AV \$86,500	Sale Price \$145,700
428 Hawthorne Pl	AV \$164,000	Sale Price \$202,500
3011 Orchard Dr	AV \$63,700	Sale Price \$125,000

3607 Curtiss Ave	AV \$63,000	Sale Price \$115,000
3123 Park Ave	AV \$47,200	Sale Price \$90,000
3903 Ransomville Rd	AV \$149,000	Sale Price \$186,000
2671 Lake Rd	AV \$120,600	Sale Price \$217,500
560 Lockport St	AV \$97,600	Sale Price \$147,500

RESULT: REPORT ISSUED

5. Report 2020-87

Building Inspector/Code Enforcement Officer

- Reviewed and issued **Building Permits**; per attached Permit Report; twenty-three (23) permits have been issued in the month of July.
- Received, inspected, and issued new Complaint/Violations; per attached Complaint report; fourteen (14) New formal concerns has been processed.
- Completed thirty-nine (39) **inspections** for Permits & Complaints.
- Mowed the lawn for 1932 Lockport Road; based on neighbor's ongoing complaints about rodent infestations and unsightly overgrown weeds/grass.
- Coordinated/Reviewed any/all new Planning and Zoning Board applications and documentation, with the respective Board(s) personnel.
- ♦ Coordinated the third **Solar Advisory Committee** meeting for Aug. 3, 2020.
- Participated in a meeting with Supervisor Johnston, Assessor Villela, Assessor Clerk Lowery and the Lisa with NYS Greenway Commission, regarding a possible Biking Path connections from Joseph Davis State park to Porter on the Lake park.
- ◆ New Construction has been ramping up since the work restrictions have allowed for it. We have nine (9) new Single-Family Dwelling Permits issued since the beginning of 2020 issued (value estimated at \$2.35 million).

PERMIT REPORT - July 2020

<u>Numbe</u>	<u>Permit Type</u>	<u>Owner</u>	<u>Parcel Location</u>	SBL #
<u>r</u>				
049-18	Commercial Alteration/Addition	Heritage Ransomville LLC	3509 Ransomville Rd	62.10-1-5
052-18	Flood Plain Development	Heritage Ransomville LLC	3509 Ransomville Rd	62.10-1-5
050-20	Garage	Alex O'Brien	600 Blairville Rd	59.00-1-3
054-20	Alteration	Niagara Farms LLC	1647 Youngstown-Wilson Rd	33.00-1-34
055-20	Shed	Michael Kent	2553 Lake Rd	21.18-1-47
056-20	Single Family Dwelling	Tyler Magliazzo	2426 Lockport Rd	62.00-1-51.12
057-20	Demolition	Thomas Randler	1635 Lake Rd	33.13-1-6
059-20	Shed	Albert Celeste	340 Howard Dr	59.18-2-11
060-20	Demolition	E Nashwinter	3673 Ransomville Rd	62.14-1-44

062-20	Above Ground Pool	Richard Maslen	3847 Ransomville Rd	76.06-1-16
063-20	Pole Barn	Harvey Ausman	3607 Ransomville Rd	62.10-3-36
065-20	Miscellaneous	Erroll Honadle	3645 River Rd	59.14-1-29
066-20	Alteration	Julie Johnston-Krentz	3604 Curtiss Ave	62.10-3-21
067-20	Miscellaneous	Melissa Tower	1667 Groveland Ave	33.13-1-13
068-20	Fence	Nicholas Ligammari	3783 Ransomville Rd	62.18-1-13
069-20	Fence	Richard Hastings	3843 River Rd	59.00-1-11.1
070-20	Pole Barn	Robert Costanzo	1617 Lake Rd	33.13-1-2
071-20	Shed	Thomas Barba	1939 Lake Rd	33.11-1-24
072-20	Fence	Anthony Collard	840 Lockport Rd	45.00-1-29.111
073-20	Fence	Paul Casseri	1721 Harrison Ln	33.13-1-24
074-20	Shed	Richard Parson	1549 Lockport Rd	46.00-2-16
075-20	Garage	Wayne Coty	1783 Youngstown-Wilson Rd	33.00-1-30
076-20	Miscellaneous	Mark Fox	1663 Groveland Ave	33.13-1-12

COMPLAINT REPORT - July 2020

Complaint #	Location	Owner	Complaint Type
074-20	2384 Lake Rd	Douglas Vanstrom	Non-permitted Business
075-20	3779 Ransomville Rd	Edward Hogan	Property Maintenance
076-20	2467 Lake Rd	Joseph Gilerrero	Non-permitted Business
077-20	961 Lake Rd	Eric Bloom	Property Maintenance
078-20	1663 Groveland Ave	Mark Fox	Fire Hazard
079-20	3132 Park Ave	Jonathan Hughes	Boat, Trailer, RV storage
080-20	437 Powell Dr	Mark Guier	Property Maintenance
081-20	3607 Ransomville Rd	Harvey Ausman	Activity without a Permit
082-20	Lockport Rd	John Coney	Property Maintenance
083-20	1830 Lockport Rd	Gerald Buttery	Property Maintenance
084-20	3869 River Rd	Richard Hastings	Property Maintenance
085-20	2089 Lake Rd	Mark Lynch	Property Maintenance
086-20	3915 River Rd	Duane Duncan	Activity without a Permit
087-20	3747 River Rd	Felix Reinberg	Activity without a Permit
088-20	2089 Lake Rd	Mark Lynch	Property Maintenance

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

RESULT: REPORT ISSUED

6. Report 2020-88

Highway

HIGHWAY

- 1.COMPLETED MICRO PAVING LUTTS, CAIN, AND EAST AVE (SUIT KOTE).
- 2.COMPLETED BRUSH PICK-UP FOR THE MONTH
- 3.COMPLETED MOWING CEMETERIES.
- 4.COMPLETED ROADSIDE MOWING.
- 5.COMPLETED INSTALLING CROSS CULVERT PIPE DICKERSONVILLE RD.
- 6.REPLACED COLLAPSED PIPE ON DICKERSONVILLE RD AT YOUNGSTOWN WILSON RD.
- 7.COMPLETED REPAIRING WALKING PATH ON RIVER RD.
- $8.\mathsf{LARDON}$ COMPLETED GRINDING BRUSH AND MULCH ON BALMER RD.

WATER AND SEWER

- 1.COMPLETED WATER METER READINGS
- 2.TRIMING AND PAINTING FIRE HYDRANTS.
- 3. REPAIRED WATER SERVICE ON PORTER CENTER RD.
- 4.PULLED #2 PUMP AT LAKE SHORE #1 UNCLOGGED DEBRIS
- 5.REPLACE MECHANICAL SEAL ON PUMP #1 AT SWAIN RD LIFT STA AND PLC PROBLEM CALLED DAN REED TO RE-PROGRAM (O'CONNALL ELECTRIC.
- 6.WORKING WITH CONTRACTOR AT RUN-AWAY-BAY.

DRAINAGE

- 1.COMPLETED MOWING DITCHES AND CREEKS FOR THE MONTH.
- 2.PULLED TREES AND BRUSH OUT OF DITCHES AND CREEKS.

PORTER ON THE LAKE

- 1.COMPLETED MOWING AND TRIMMING PARK.
- 2.COMPLETED CLEANING BATHROOMS AND TAKING CARE OF GARBAGE FOR THE MONTH.
- 3.COMPLETED CLEANING AND PAINTING BASKETBALL BACK BOARDS AND HOOPS.
- 3.STERLING GLASS COMPLETED REPLACING DOOR HANDLES AND PUSH BARS ON BATHROOM DOORS.
- 4.REPLACE BOARD ON THE STAIRS GOING TO THE LAKE (BOARDS ROTTEN). NEED TO REPLACE MORE WANT TO KNOW IF THE BOY SCOUTS CAN FINISH IT WITH OUR HELP FOR THERE EAGLE BADGES.

The boy scouts would like to get their eagle badges by repairing the stairs. Much discussion on what type of material to use to repair the stairs.

Put an archway where the nature trail was created (maybe at the entrance and exit) because as of right now its hard to see where the path is.

Supervisor Johnston said that maybe the Town can supply the wood and the boy scouts can make it. It would be nice to have a sign that say's "Porter nature trail". The greenway money is pretty close to being exhausted but there is money left from Summerfest.

Councilman Adamson said to consider Dave Just to make the signs and Wendy Shaw agreed that he does nice work. He did the signs at Summerset and in front of Lewiston Porter.

Highway Superintendent Burmaster said that he did put the "keep off the grass signs" at the park and Supervisor Johnston feels that the signs are helping.

Superintendent Burmaster thanked his crew for doing an excellent job at the park!

He also feels that railings need to be put up at the gazebo. The first step isn't safe. Building inspector Jefferys said that he would go over and take a look at it.

911 boxes are going in right now and should be finished by the end of this week according to Supervisor Johnston. He is looking into battery backups also.

Superintendent Burmaster talked about the brush on Balmer road. It is not a dumping ground for contractors. He feels that the homeowners have already paid the contractor to have the material disposed of and now the Town has to pay? It's not going to happen. If it is a town resident who would like to dump a load of brush, he is ok with that but he wants to see what is being dumped.

Supervisor Johnston said to make sure the gate is locked when you leave and to keep the contractors out. All Town Board members were in agreement.

RESULT: REPORT ISSUED

7. Report 2020-89

Recreation

 Yoga continues at Porter on the Lake Park (instead of the Youngstown Red Brick) on Tuesdays and Wednesdays at 6:30pm. Chair Yoga is held there on Tuesday mornings at 9:30am. Protocol is followed to ensure proper distancing and no sharing of equipment. We hope to continue classes at the park until the Youngstown Red Brick reopens.

• The Fall Story Hour program will begin in September, but will not be an "in person" program at this time. Plans are being worked on to create a weekly themed program for children that they can participate in "at home".

 Our next meeting is scheduled for Monday, August 31, 2020 at 7:00pm, and will be held at Porter on the Lake Park. ** Kathy Zasucha thanked the Town Board for allowing her the use of porter on the Lake.

RESULT: REPORT ISSUED

8. Report 2020-90

Grant Writer

Grants Status Report: Projects we are currently working on:

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

LWRP: WWS Planning will conduct the public notice and presentation for final submission to the State..

Fort Niagara Beach: Current Status:

- 1. Reports have been submitted to CDBG, hoping to get a release of funds by September 7th, 2020.
- 2. Reimbursement has been submitted fro \$40,071.00. Requested documents have been submitted and should be paid after September 7th.
- 3. Greenway Ecological Fund Application was presented on August 3rd waiting for notification.

CFA (Consolidated Funding Application): Delayed but will open soon.

Highway Dept: Working on Lift station Grant through EFC Working on Culvert and Bridge Projects through DOT

RESULT: REPORT ISSUED

9. Report 2020-91

Calendar of Events

8/27/20	-	Zoning Board meeting 7:00 PM
8/31/20	-	Recreation meeting 7:00 PM (Porter on the Lake)
9/3/20	-	Planning Board meeting 7:00 PM
9/14/20	_	Town Board meeting 7:00 PM

RESULT: REPORT ISSUED

10. Report 2020-92

Public Comments

Wally Nowacki asked what was happening with the garbage contract and Supervisor Johnston responded by saying that he has been in contact with Mr. Hickman and Wally will be responsible for getting a dumpster through Modern. They have different sizes.

Mr. Nowacki told Building Inspector Jefferys that his neighbor has been piling up stuff along the fence and Mr. Jeffery responded by saying that he did send the Lynch's a letter and Mr. Lynch did respond back and would like to meet with him.

RESULT: REPORT ISSUED

11. Report 2020-93

Town Board Comments

Supervisor Johnston talked about the letter the board members received from the Zachary's on Curtiss Avenue about the contract with Modern. He did answer a few of their questions and said that there is more information and education being sent to the Town residents. The garbage contract with Modern was supposed to start on January 1, 2021 We're saving approximately \$23,000 in carts alone. The Town will be purchasing over 2000 carts. Moving the date from January 1, 2021 to September 3, 2020 will save the Town \$25,270. Modern was the only bid that was received when the contract went out for bid. Everybody is going to a 1 cart system. Modern does not have the manpower to put 2 people on the truck anymore and then you add workman's comp into it. There are five other communities that are going to the 1 cart system. This is the way of the future. It would of cost the town another \$150,000 to \$175,000 to keep the garbage pickup the way it is now. The Town just cannot afford it. I understand that some people do not like change but it's just the way it is. The town just doesn't have the money for it.

RESULT: REPORT ISSUED