



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, December 13, 2021

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on December 13, 2021 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	Remote	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Kimberli Boyer	Town of Porter	Bookkeeper	Present	
Dave Burmaster	Town of Porter	Highway Superintendent	Present	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Present	

II. Resolutions/Reports

III. Resolutions

1. Resolution 2021-91

Public Hearing Regarding Larry Wiebert's Petition to Rezone

William Greene asked the Town Board if it was going to affect the tax rates because they neighbor Larry's property?

Supervisor Johnston responded by saying no.

Gretchen Greene asked if it was only Larry's property that was affected?

Code Enforcer Jeffery's stated that "this is about rezoning the 3 parcels that Larry owns at the end of the road from rural agricultural to commercial zoning. The parcel that you own is not included unless you wish it to be included. Larry petitioned the board for the 3 parcels. He also stated that he went to the Niagara County planning Board in December of this year and they did give a positive recommendation. Larry did a presentation and talked about what he wanted to do in relation to the comprehensive plan and again, they did give a positive recommendation on it. Attorney Dowd did a nice, long presentation on spot zoning for our boards and had a lot of good information of which I'm sure he would be able to provide to you if needed".

Deputy Supervisor Baker made a motion to close the public part of the hearing and Councilman White seconded the motion.

Roll call: Supervisor Johnston, yes; Deputy Supervisor Baker, yes;

Councilman Adamson, yes; Councilman Ortiz, yes; Councilman White, yes.

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

2. Resolution 2021-80

Minutes Approval

Resolution to approve the minutes of the November 8, 2021 Town Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Deputy Supervisor
SECONDER:	Jipp Ortiz, Councilman
AYES:	Ortiz, Johnston, Baker, White, Adamson

3. Resolution 2021-81

Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDIT #11A - NOV, 2021 11/30/21

FUND	01	3,051.00
FUND	02	4,091.20
FUND	04	342.05
FUND	06	837.36
FUND	07	1,536.24
FUND	10	0.00
FUND	11	0.00
FUND		

TOTAL 9,857.85

VOUCHER 'S 29640 THRU 29674

WARRANT: #12 DEC, 2021 12/10/21

FUND	01	34,436.22
FUND	02	5,996.43
FUND	04	16,175.14
FUND	06	21,361.79
FUND	07	451.54
FUND	10	821.11
FUND	11	26,981.53
FUND	03	798.08
FUND	35	0.00
TOTAL		<u>107,021.84</u>
VOUCHER 'S	27675	THRU 29754
	TOTAL	<u>116,879.69</u>

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jipp Ortiz, Councilman
SECONDER:	Jeff Baker, Deputy Supervisor
AYES:	Ortiz, Johnston, Baker, White, Adamson

4. Resolution 2021-92

Porter on the Lake Bid Regarding Geo Paving

GHD sent bids to 4 company's regarding the Geo Paving project at Porter On The Lake.

2 company's responded:

- | | | |
|----|------------------|----------|
| 1) | Bognar | \$35,000 |
| 2) | Beau Landscaping | \$23,500 |

Resolution needed by the Town Board to award Beau Enterprises the winner of the bid at a cost of \$19,500. (they came down in price).

Motion was made by Deputy Supervisor Baker and seconded by Councilman Ortiz to award Beau Enterprise the work.

Roll call: Supervisor Johnston, yes; Deputy Supervisor Baker, yes; Councilman Adamson, yes; Councilman Ortiz, yes; Councilman White, yes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Deputy Supervisor
SECONDER:	Jipp Ortiz, Councilman
AYES:	Ortiz, Johnston, Baker, White, Adamson

5. Resolution 2021-90

G & G Municipal Consulting and Grant Writing

Resolution needed to have Supervisor Johnston sign the contract between the Town of Porter and G & G Municipal Consulting and Grant Writing at a monthly cost of \$650.00 for 12 months.

Roll call: Supervisor Johnston, yes; Deputy Supervisor Baker, yes; Councilman Adamson, yes; Councilman Ortiz, yes; Councilman White, yes.

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

6. Resolution 2021-82

Supervisor's Report

Resolution to accept the Supervisor's report from the November 8, 2021 Town Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Deputy Supervisor
SECONDER:	Jipp Ortiz, Councilman
AYES:	Ortiz, Johnston, Baker, White, Adamson

IV. Reports

1. Report 2021-115

Supervisor's Report

November Supervisor's Report 2021

11-9 Zoom call with National Fitness on the outdoor gym for POTL

11-18 Niagara County Supervisor's and Water board meeting

11-28 Lit the wreath at the Ransomville fire hall

12-1 Met with residents at Greenwood lane over GPS

12-5 Participated in the Lewiston lighted parade with 584 Moose lodge

12-7 Met with Greg Stevens of Greenway on the bike trail and gym

12-8 Did a phone survey with Cornell Univ on lake flooding

12-9 Met with our new grant writers, G & G

Talked to Jeff Schulz on being the new Planning board chair

Set up a zoom call with Senator Ortt and Assemblyman Norris on the NYS Parks sewer bill

RESULT:	REPORT ISSUED
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2. Report 2021-116

Bookkeeper

Completed processing all November 2021 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for November 2021 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 November and they balanced.

Completed processing all November 2021 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for November 2021 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 November and they balanced.

RESULT:	REPORT ISSUED
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3. Report 2021-117

Town Clerk

Water for the month of November was \$41,570.32

Sewer for the month of November was \$50,570.32

Clerk Fees = \$493.31

RESULT:	REPORT ISSUED
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4. Report 2021-118

Assessor

**Monthly Assessor's Report
November 2021**

- Continued processing completed building permits into RPSV4
- Processed property transfers for Town and Village
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Sent the file to the County for use in printing 2022 Niagara County Tax bills, and transmitted the Letter of Agreement to Niagara County

authorizing the posting and collection of unpaid sewer, water and town charges onto 2022 Niagara County Tax

- Lena and Selah attended the Niagara County Assessors Assn. monthly meeting
- Inspected the CWM facility along with our appraisers, and the town, county and school attorneys for ongoing litigation
- Transmitted quarterly sales reports to NYS Dept of Taxation and Finance, ORPTS

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

3634 Hillview Dr	AV \$110,000	Sale Price \$285,000
347 Oak St	AV \$68,000	Sale Price \$115,000
267 Cherry St	AV \$88,000	Sale Price \$206,000
3909 Dickersonville Rd	AV \$ 97,000	Sale Price \$192,000
1665 Groveland Ave	AV \$133,700	Sale Price \$286,400
3585 St. Christopher Ln	AV \$133,000	Sale Price \$275,000
1150 Cain Rd	AV \$105,400	Sale Price \$290,000

RESULT:	REPORT ISSUED
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5. Report 2021-119

Building Inspector/Code Enforcement Officer

- ♦ Reviewed and Issued **Building Permits**; per attached Permit Report; seven (7) permits have been issued in the month of **November**.
- ♦ Received, Inspected, and followed up on **new Complaint/Violations**; per attached Complaint report; five (5) **New** formal concerns have been processed.
- ♦ Completed eighteen (20) **inspections** for Permits & Complaints.
- ♦ Coordinated/Reviewed any/all **new Planning and Zoning Board applications** and documentation, with the respective Board(s) personnel.
- ♦ Prepared information and participated in the regular **Planning Board** meeting on **November 4, 2021**.
- ♦ Prepared information and attended the **Zoning Board** meeting on **November 18, 2021**.

- ◆ Prepared and **presented a training slideshow/information** for Porter's in-house training - ZBA & Planning Board members on Comprehensive Planning.
- ◆ Completed 2 hours of online **training on November 12, 2021** - ICC Tall Wood Building.
- ◆ Reviewed the language of the **Rural Residential Business proposed LL8 of 2021** - with the Planning & Zoning Boards, as requested by the Town Board.
- ◆ Attended the Niagara County Planning Board, for **Zoning map amendment petitioned by Larry Weibert** at Creek Lane area.
- ◆ Updated the **Zoning map amendment petitioned by Larry Weibert** at Creek Lane area, with the Planning and Zoning Boards
- ◆ Continued coordination for the **Runaway Bay Subdivisions'** project.
- ◆ Attended **Court** for Zoning Compliance cases on November 3, 2021 & November 16, 2021.

Permit Report - *November 2021*

Number	Issue Date	Owner	Permit type	Parcel Location	SBL #
089-21	11/1/2021	Eric Olofson	Deck	671 Lake Rd	31.20-1-4
091-21	11/2/2021	Philo Brooks Family Trust I	Deck	2237 Lockport Rd	61.00-1-7
093-21	11/3/2021	Danielle Pratcher	Alteration/Remodel	1932 Lockport Rd	47.04-1-37
094-21	11/3/2021	Luke & Jeannine Bauerlein	Shed	583 Lake Rd	45.07-1-35
096-21	11/4/2021	Niagara Farms LLC	Alteration/Remodel	1647 Youngstown-Wilson Rd	33.00-1-34
097-21	11/4/2021	Robert Seyler	Pole Barn	1669 Lake Rd	33.13-1-62.2
098-21	11/5/2021	John Kozlowski	In Ground Pool	1580 Lake Rd	33.00-1-1.5

Complaint report - *November 2021*

Number	Issue Date	Owner	Complaint type	Parcel Location	SBL #
086-21	11/02/21	Bennett Irrev Income Trust	Sewage Issues	773 Lake Rd	31.20-2-5
087-21	11/04/21	Danielle Wasnick	Activity without a Permit	3765 Ransomville Rd	62.18-1-9
088-21	11/09/21	William Blake	Setback requirements	1278 Cain Rd	60.00-2-20.8
089-21	11/19/21	Robert Kimball	Recreational Veh. Violation	3340 Creek Rd	46.00-2-46
F00-21	11/29/21	Randy Morris	Fire Damage	1673 Groveland Ave	33.13-1-15

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

RESULT: REPORT ISSUED

6. Report 2021-120

Highway

HIGHWAY

- 1.COMPLETED BRUSH FOR THE YEAR, UNLESS WE HAVE A WINDSTORMS.
- 2.SENT TRUCKS TO TOWN OF LEWISTON PAVING.
- 3.SENT 3 TANDEM TO S&S AUTO TO SERVICE TRANSMISSIONS.
- 4.COMPLETED SERVICING TRUCK AND PUTTING PLOWS AND WINGS ON.
- 5.COMPLETED SERVING SALT SPREADERS AND INSTALLING INTO TRUCKS.
- 6.COMPLETED MARKING HAZARDS FOR PLOW ROUTES.
- 7.REMOVED 6 TREES FROM ROADWAYS DUE TO WINDSTORM.
- 8.SENT CLOCK IN RANSOMVILLE TO GET FIXED.
- 9.PLOWED AND SALTED 3 TIMES.

WATER AND SEWER

- 1.COMPLETED WATER METER READINGS.
- 2.UPDATED COMPUTER SYSTEM FOR READING METERS.
- 3.REBUILT 1 FIREHYDRANT THAT WAS HIT BY A VEHICLE.
- 4.SERVICED SEWER STATIONS.

DRAINAGE

- 1.COMPLETED MOWING CREEKS AND DITCHES.

PORTER ON THE LAKE

- 1.REPLACE 3 HYDROLIC CYLINDERS ON BAT WING MOWERS.
- 2.BEAU ENTERPRIZE FINISHED GEO PATH FROM PARKING LOT TO PAVILION.
- 3.SERVICED KABOTA TRACTOR AND PUT AWAY FOR THE YEAR.

Superintendent Burmaster solicited 3 bids for a 7' X 12' dump trailer for hauling the bobcat and skidster, picking up Christmas Trees, etc.

- | | |
|-------------------------|----------|
| 1) LOE Trailer Sales | \$12,490 |
| 2) JPR Trailer Sales | \$9,816 |
| 3) PJ NFB Trailer Sales | \$11,300 |

Motion was made by Councilman Ortiz and seconded by Councilman White to award PJ NFB Trailer Sales the winner of the bid at a cost of \$11,300

RESULT:	REPORT ISSUED
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7. Report 2021-121

Recreation

- Story Hour continues at the Youngstown Library on Tuesdays and at the Ransomville Library on Wednesdays. The weekly program has sessions both days at 9:30am and 11:00am.
- Yoga continues at the Cora Gushee Room in the Youngstown Village Center. The schedule is:
 - Tuesdays at 4:30pm - Chair Yoga
 - Tuesdays at 6:30pm - Floor Yoga
 - Wednesdays at 6:30pm - Floor Yoga
 - Fridays at 9:30am - Chair Yoga
- We submitted our 2021 Niagara County Grant Applications and will receive the following amounts:

Recreation \$2712.00

Story Hour \$3500.00

- The following appointments for 2022 were approved by the Commission:
 1. Nancy Orsi, Chairperson
 2. Sharon Rugg, Story Hour Director
 3. Amanda Shackelford, Assistant Story Hour
 4. Laurel Price, Assistant Story Hour
 5. Tim Shippy, Recreation Director
 6. Stephanie Kowalski, Assistant Recreation Director
 7. Lisa Hastings, Secretary/Treasurer
- We request the appointment of Kathy Zasucha as Recreation Commissioner to a 5 year term, beginning January 1, 2022 and ending December 31, 2026.

- Our next meeting is Monday, January 3, 2022 at 6:00pm at Town Hall.

RESULT:	REPORT ISSUED
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8. Report 2021-123

Calendar of Events

12/18/21	-	Zoning Board monthly meeting at 7:00 PM
12/30/31	-	Town Board Year End meeting at 3:00 PM
1/3/22	-	Town Board Organizational meeting at 3:00 PM
1/3/22	-	Recreation monthly meeting at 6:00 PM
1/6/22	-	Planning Board monthly meeting at 7:00 PM

RESULT:	REPORT ISSUED
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9. Report 2021-124

Public Comments

Wally Nowacki spoke about how unhappy he is about his case with his neighbor. He feels nothing is being done about it.

Supervisor Johnston stated that he might want to consult with an attorney to handle his disputes with his neighbor.

Rusty Tower thanked Code Enforcement Jeffery's for coming out and addressing the issue and getting it taken care of.

Robert Bowland asked the Board about the mask rule and Supervisor Johnston stated that although he doesn't agree with it, he spoke with Becky Wydash about it and it needs to be followed. To what extent ?, nobody knows or has any answers. He has not received any emails from anybody about it. The Town of Porter is following the mandate.

RESULT:	REPORT ISSUED
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10. Report 2021-125**Town Board Comments**

report

RESULT:	REPORT ISSUED
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