



Town of Porter

Town Board Meeting

~ Agenda ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, February 10, 2020

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on February 10, 2020 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Present	Absent	Late	Arrived
Councilman Jipp Ortiz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Supervisor J. Duffy Johnston	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Deputy Supervisor Jeff Baker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Larry White	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Tim Adamson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Town Clerk Kara Hibbard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bookkeeper Kimberli Boyer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. Resolutions/ Reports

III. Resolutions

- Resolution 2020-24**
Reappoint Edward Barbiero
- Resolution 2020-25**
Minutes Approval
- Resolution 2020-27**
Supervisor's Report
- Resolution 2020-29**
Justice Court Records/ Dockets Audit
- Resolution 2020-30**
Transfer Funds Form Recreation
- Resolution 2020-26**
Audited Vouchers
- Resolution 2020-31**
Resolution to Invest Town Finances

IV. Reports

1. **Report 2020-23**
Supervisor's Report
2. **Report 2020-22**
Bookkeeper
3. **Report 2020-21**
Town Clerk
4. **Report 2020-13**
Assessor
5. **Report 2020-14**
Building Inspector/Code Enforcement Officer
6. **Report 2020-15**
Highway
7. **Report 2020-16**
Recreation
8. **Report 2020-17**
Grant Writer
9. **Report 2020-24**
Tax Collector
10. **Report 2020-18**
Calendar of Events
11. **Report 2020-19**
Public Comments
12. **Report 2020-20**
Town Board Comments

V. Minutes Approval

1. Monday, February 10, 2020



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2020-24

Meeting: 02/10/20 07:00 PM

Reappoint Edward Barbiero

Resolution to reappoint Edward Barbiero to Board of Assessment and review. Term expired on 09/30/2019. New term will expire 09/30/2024.

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



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3.2

2020-25

Meeting: 02/10/20 07:00 PM

Minutes Approval

Resolution to approve minutes of the January 13, 2020 . Town board meeting and public hearing.



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2020-27

Meeting: 02/10/20 07:00 PM

Supervisor's Report

Resolution to accept the Supervisors Report for Jan 13, 2020.



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2020-29

Meeting: 02/10/20 07:00 PM

Justice Court Records/ Dockets Audit

Resolution to acknowledge receipt of the Town of Porter's Town Justice Court records and that the dockets have been examined and audited by Brown and Company, LLP, Certified Public Accountants, for the year ending December 31, 2019. As required by law, after approval by the Porter Town Board, the audit will be sent to the New York State Unified Code System.



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2020-30

Meeting: 02/10/20 07:00 PM

Transfer Funds Form Recreation

Need Board Resolution to transfer remaining 2019 Funds to Reserves for Recreation in the amount of \$13,688.51.



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3.6

2020-26

Meeting: 02/10/20 07:00 PM

Audited Vouchers

WARRAN 1A POST AUDIT 1/31/20
T: - JAN, 2020

FUND	01	189,779.89
FUND	02	1,261.79
FUND	04	12,296.46
FUND	06	2,748.77
FUND	07	3,041.70
FUND	10	
FUND	35	

TOTAL 209,128.61

VOUCHER 27450 THRU 27488
'S

WARRAN # 2 FEB, 2/10/20
T: 2020

FUND	01	11,832.69
FUND	02	27,516.51
FUND	03	
FUND	04	50,647.08
FUND	06	954.02
FUND	07	
FUND	10	1,059.74
FUND	28	
FUND	35	

TOTAL 92,010.04

VOUCHER 27489 THRU 27553
'S

TOTAL 301,138.65

. Resolution to accept audited vouchers.

Roll call vote was taken and all present board members (Supervisor Johnston, Deputy Supervisor Baker , Councilman White, Councilman Ortiz, Councilman

Adamson) all were in favor and vouchers were adopted.



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3.7

2020-31

Meeting: 02/10/20 07:00 PM

Resolution to Invest Town Finances

Resolution needed to move money from a money market account with Keybank to another account with Keybank for investment purposes.

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



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2020-23

Meeting: 02/10/20 07:00 PM

Supervisor's Report

- 1-14 Met with the Towns insurance agent, went through the Towns assets.
- 1-16 Went with Kara to the Buffalo-Niagara partnership network session.
- 1-23 Met with Dave and Tom Lewandowski, the Towns new electronic recycler.
- 1-30 Had a meeting with Peter and Jason from UB and NYSERDA, on Solar Law.
- 1-31 Had a conference call with Kim and Key Bank.
- 1-31 We met with Jenn and Sue of the Chamber for the 2020 Summerfest.
- 1-31 Attended a retirement party for Amy Salada, the Village of Lewiston clerk.
- 2-4 Attended the Lake Ontario high water meeting in Lockport.
- 2-6 Presented checks for the Ransomville Rural Retirees.
- 2-6 Attended the Lake Ontario preparedness meeting in Wilson.



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2020-22

Meeting: 02/10/20 07:00 PM

Bookkeeper

Bookkeeper's Monthly Report - February 2020

Completed processing all January, 2020 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for January, 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 January.

Completed all accounts payable adjustments for the Fiscal year 2019.

Completed the Year-End 2019 Audit Book.



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2020-21

Meeting: 02/10/20 07:00 PM

Town Clerk

Water for the month of January was \$ 25,700.11

Sewer for the month of January was \$14,930.52

Clerk Fee's -\$791.87



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2020-13

Meeting: 02/10/20 07:00 PM

Assessor

- Continued processing completed building permits into RPSV4
- 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
- Accepted applications from property owners for exemption renewals
- Mailed Renewal Applications for Agricultural Exemptions to property owners
- Mailed Renewal Applications for Wholly Exemptions and Clergy Exemptions
- Attended the Niagara County Assessors Association joint meeting with Erie County Assessors Association
- Met with officials from NYS Office of Real Property Tax Services to discuss the level of assessment and the equalization rate for the 2020 Assessment Roll
- Took part in discussions with the Town Attorney regarding the defense of CWM Chemical Services Tax Certiorari

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

3677 Porter Center Rd	AV \$163,300	Sale Price \$263,000
3660 Hillview Dr	AV \$173,200	Sale Price \$220,000
2982 Ransomville Rd	AV \$165,600	Sale Price \$320,000
3901 Dickersonville Rd	AV \$88,600	Sale Price \$145,000
1707 Lake Rd	AV \$74,000	Sale Price \$177,900

Lena D. Villella



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2020-14

Meeting: 02/10/20 07:00 PM

Building Inspector/Code Enforcement Officer

- ◆ Reviewed and issued **Building Permits**; per attached Permit Report; four (4) permits have been issued in the month of January.
- ◆ Received, inspected, and issued **new Complaint/Violations**; per attached Complaint report; thirteen (13) **New** formal concerns has been processed.
- ◆ Completed nineteen (19) **inspections** for Permits & Complaints.
- ◆ Prepared information and attended **Planning Board** regular meeting on January 2, 2020.
- ◆ Prepared information and attended **Zoning Board** regular meeting on January 23, 2020.
- ◆ Coordinated/Reviewed all **new Planning and Zoning Board applications** and documentation, with the respective Board(s) personnel.
- ◆ Attended **Justice Court** proceedings on January 22, 2020 to administer one (1) open Violation cases.
- ◆ Field Review of the Two Lewiston Utility scale Solar PV projects as preparation for upcoming Public Hearing on Solar Tier 3 regulations.
- ◆ Continued researched on **Utility grade Solar** Installations and impacts to the community.
- ◆ Continued review and data collection on two-family Dwelling units - Address verification forms.
- ◆ Multiple Utility scale Solar evaluation/discussion, with the Developer, post Moratoria adoption.
- ◆ Met with Heritage Manor Ransomville regarding future plans to establish a Dementia floor at their facility.
- ◆ Completed Report for annual 2019 NYSDOS;
 - **Total recorded Inspections = 313,**
 - **Total issued Building Permits = 114,**
 - **Total recorded Complaints = 102.**
 - **Reported Total Building Permit Valuation = \$2,222,426,**
 - **Total Building Permit Fees received =11,885**

- ♦ COMPLETED, THE DEPARTMENT OF STATE, 2020 REQUIRED TRAINING FOR ENFORCEMENT (24 HOURS).

COMPLAINT REPORT - *January 2020*

<u>NUMBER</u>	<u>COMPLAINT TYPE</u>	<u>OWNER</u>	<u>PARCEL LOCATION</u>	<u>SBL #</u>
001-20	Non-conforming use	Shelley Sheehan	1827 Balmer Road	61.00-1-28
002-20	Setback requirements	William Blake	1278 Cain Road	60.00-2-20.8
003-20	Boat, Trailer, RV storage	Sarah Conlan	2137A Lake Road	33.08-1-24
004-20	Building Code Violation	Theodore Bunce	2137 Lake Road	33.08-1-25
005-20	Sewage Issues	Tong Sang Yeung	2389 Park Avenue	21.17-1-29
006-20	Sewage Issues	Martha Higgins	489 Lake Road	45.07-1-5

PERMIT REPORT - *January 2020*

<u>Number</u>	<u>Permit Type</u>	<u>Owner</u>	<u>Parcel Location</u>	<u>SBL #</u>
000-20	Single Family Dwelling	Doug Edwards	2453 Lake Road	21.18-1-8

PETER T. JEFFREY; Code Enforcement Officer, Town of Porter



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2020-15

Meeting: 02/10/20 07:00 PM

Highway

1. Serviced pickups
2. Completed serving roadside mowers and ditch mowers and put away for the season.
3. Picked up Xmas trees and small piles of brush.
4. Plowed and salted roads (9 storms).
5. Ordered 300 tons of salt.
6. Completed taking Christmas reefs down in Ransomville and put away for the Season, put up winter banners.

DRAINAGE

1. Looking at a few drainage issues that need to be cleaned, (Dickersonville, Youngstown Lockport, Bahner rd).
2. Working on cleaning garbage out of roadside ditches.

WATER AND SEWER

1. Completed water meter reading for the month.
2. Working on getting parts and material together for water line at park.

David P Burmaster Highway Superintendent



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2020-16

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Recreation

Nothing new to report.



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2020-17

Meeting: 02/10/20 07:00 PM

Grant Writer

Town of Porter

Grants Status Report: Projects we are currently working on:

Greenway: The current balance is \$15,857.43. The emergency phone installation is considered a park improvement (per Jim Sobjck at Niagara County) we can utilize greenway funds for the \$7,713.98. Please advise if we are moving forward with that phase.

LWRP: Final review is done. Presentation to the Town Board was made 2/10/2020 during the Town Board work session. After the Town Board review, we will request a resolution to “adopt” this plan in March.

Fort Niagara Beach: Current Status: 1. Waiting for revised approved engineering plan from ACE & DEC. 2. Greenway Ecological Fund, spoke with Tim DePriest at the DEC and the restoration for this project is eligible for funding at 100%. Ensol is working on a scope of work and budget. Application will be submitted by March 10th with presentation in May with potential funding by July 2020. The Land restoration budget is \$79,200 which we are asking the Town Board to pass a resolution for that amount. (Resolution attached). This grant requires no match.

Ransomville Business Association: met with Debbie Parker and committee and review several grant opportunities to promote Ransomville Businesses. Items that were discussed:

1. Draft Main Street Revitalization Plan
2. Promotional Video
3. Street Cape Improvements
4. Programming Grants

We are looking at Proposals for a basic revitalization plan and ,

Motion was made by Deputy Supervisor Baker and Seconded by Councilman Adamson to submit a resolution to the Greenway Ecological Fund Standing Committee for a grant funding request in the amount of \$79,700.00

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

RESOLUTION 02/10/2020

For The Town of Porter Fort Niagara Beach Restoration Project through the
Greenway Ecological Fund Standing Committee

I, Kara Hibbard, acting Town Clerk of The Town of Porter located at 3265 Creek Road, Youngstown New York 14174, do hereby certify that the following resolution was adopted at a regular meeting of the Town of Porter held on February 10th, 2020, and is incorporated in the original minutes of said meeting and that said resolution has not been altered, amended or revoked and is in full force and effect.

Resolved:

That the Town of Porter will submit to the Greenway Ecological Fund Standing Committee a proposal for sponsoring the Town of Porter's Fort Niagara Beach Restoration Project Grant funding request in the amount of \$79,700

This motion was carried.

Report 2020-17

Meeting of February 10, 2020

Kara Hibbard, Town Clerk



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2020-24

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Meeting: 02/10/20 07:00 PM

4.9

Tax Collector

January Property Tax Collection has been completed and the Town of Porter has been paid in full.

On or about February 11th the Niagara County Treasurer will receive the first installment of \$3,000,000.00.

Collection will continue during February and March. On or about April 15th all unpaid tax bills will be turned over to Niagara County for collection and the final payment made to the County Treasurer.

Jim Sharpe

Town of Porter Tax Collector



Town of Porter
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4.10

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2020-18

Meeting: 02/10/20 07:00 PM

Calendar of Events

Monthly Meeting Schedule

Recreation Meeting - is March 2, 2020 -7:00PM

Planning Board Meeting is March 12, 2020- 7:00PM

Town Board Meeting is March 09, 2020- 7:00PM

Zoning Board Meeting is March 26, 2020- 7:00PM

Town Hall will be closed for Presidents Day on Monday
Feb 17, 2020



Town of Porter
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2020-19

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Meeting: 02/10/20 07:00 PM

4.11

Public Comments



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2020-20

Meeting: 02/10/20 07:00 PM

Town Board Comments

Dear Honorable Legislators:

This letter is to inform you of the needed work done by the Niagara County Coroner especially James Carroll.

In July of 2019 my husband's body was found at the water intakes. Mr. Carroll was called and took care of his body with dignity. Later my husband's body was identified. I applied for pension benefits and other accounts as his beneficiary. These benefits were denied due to the fact that the cause of death was "unknown." This could not be changed. At this point I called Mr. Carroll for help. The next day he was working on the case. He called the US. Government Office of Personnel Management to see what was needed. He proceeded to meet with my husband's primary care physician, ECMC, Horizon Health Care, and also the Town of Tonawanda police department who handled the case. He took time to visit a lawyer to make sure his letter had the right information. Mr. Carroll wrote the lengthy explanation letter along with relevant data to prove my husband's cause of death.

Because of his diligence and hard work I was able to receive my pension benefits as of December 24, 2020. This was a wonderful Christmas gift. His work is being used to help me receive control of various retirement accounts. This is the attention and professionalism that the office of coroner will hopefully be able to continue to give to anyone in my situation in the future.

To my mind Mr. Carroll is an angel, a gift from God. I would like to recognize him and his role as coroner to the Niagara County Legislature. Thank you to him and to you for your time.

Margaret Kolber

Supervisor Johnston spoke about the SPCA special event being held Feb 25, 2020 Mawdy Paws. The town would like to honor at this event a Mr. Raymond Kinz, who adopted a dog who had been at the shelter for over 500 days.

/ s/