



Town of Porter
Town Board Meeting
~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, February 8, 2021

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on February 8, 2021 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Jipp Ortiz	Town of Porter	Councilman	Absent	
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	
Dave Burmaster	Town of Porter	Highway Superintendent	Present	
Mike Dowd	Town of Porter	Attorney	Present	

II. Resolutions/ Reports

III. Resolutions

1. Resolution 2021-26

Northern Niagara Regional Trail Network Collaborative

Communities are benefitting from regional trail network connections that are being made throughout Western New York. In order to continue to strengthen the regional connectivity for the entire system and also ensure that additional Niagara County communities are benefitting from the regional trail system, this collaborative of Northern Niagara County communities (Town of Lewiston, Village of Lewiston, Village of Youngstown, Town of Porter, Village of Wilson, Town of Wilson, Town of Newfane, Town of Somerset, Village of Barker, City of Lockport and the Town of Lockport) is working together to envision a Northern Niagara County Regional Trail Network.

Each community has needs to fund programs and grant ideas that would work well when they connect to each municipality. There is a need to work together to make the Niagara River, Lake Ontario, and Erie Canal Region stronger and more connected through the western New York Greenway hub of the Empire State.

A resolution is needed for each Town board member to sign an MOU (Memo of Understanding) that the Town of Porter will actively participate in the working group identified as the Northern Niagara Regional Network.

This MOU from the Porter Town Board forms a foundation for collaboration and coordination necessary to successfully advance the shared vision on a multi-use bike trail.

Motion was made by Deputy Supervisor Baker and seconded by Councilman Adamson to have each Town Board member sign the MOU

Roll call vote was taken and each present board member (Supervisor Johnston, Deputy Supervisor Baker, Councilman White and Councilman Adamson) were 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

2. Resolution 2021-25

Covid-19 Prevention Act of 2020

The Governor signed into legislation on December 28, 2020, a new law that covers the senior citizens and persons with disability exemption for the 2021 assessment roll. The new law gives assessing units the option to adopt a local law or resolution permitting the assessor to request an application where he or she has reason to believe that the owner may have:

- Changed his or her primary residence
- Added an additional owner to the deed
- Transferred the property to a new owner
- Died

A resolution would allow the assessor to remove exemptions from those parcels where the owner is not eligible due to moving, deed transfer, sale or death.

Motion was made by Councilman Adamson and seconded by Deputy Supervisor Baker allowing the assessor to remove exemptions.

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 was absent.

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

3. Resolution 2021-21

Minutes Approval

Resolution to approve the minutes of the January 11, 2021 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 2021-22

Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDIT #1A - JAN, 2021 1/31/21

FUND	01	148,696.43
FUND	02	5,655.00
FUND	04	11,166.42
FUND	06	2,316.81
FUND	07	2,073.00
FUND	11	27,234.44
FUND	35	0.00

TOTAL **197,142.10**

VOUCHER 'S 28631 THRU 28680

WARRANT:

#2 FEB, 2021

2/5/21

FUND	01	11,090.05
FUND	02	21,372.94
FUND	04	53,606.02
FUND	06	4,067.18
FUND	07	37,479.77
FUND	10	848.82
FUND	11	26,197.82
FUND	28	
FUND	35	
TOTAL		<u>154,662.60</u>

VOUCHER 'S 28681 THRU 28756

TOTAL 351,804.70

Resolution to approve the vouchers for \$351,804.70 as audited by the Porter Town Board.

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

5. Resolution 2021-23

Supervisor's Report

Resolution to accept the Supervisor's report from January 11, 2021 Town Board meeting.

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

6. Resolution 2021-27**Schedule a Public Hearing for 5 New Local Laws**

A Town Board resolution is needed to schedule a public hearing regarding the enactment of 5 new local laws.

- 1) Flood Plain Law (#2) - FEMA has put out new maps with very minor changes. Will be enforceable on May 4, 2021.
- 2) Lake Ontario Overlay District (#3) - LWRP
- 3) Niagara River Environmental Overlay Amendment (#4) - LWRP
- 4) LWRP Consistency Review Law (#5) - LWRP
- 5) Pet Waste Law (#6) - LWRP

Motion was made by Deputy Supervisor Baker and seconded by Councilman Adamson to schedule a public hearing. State will not approve the final draft for the LWRP until these 4 local laws have been adopted.

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

IV. Reports**1. Report 2021-12****Supervisor's Report**

1-13 and 2-4 Greenway bike trail conference calls

1-15 Greenway bike trail meeting in Lewiston

1-20 Conference call with NYS on sewer bills

1-21 NC waterboard meeting

1-27 LWRP meeting with Mike

2-3 Meeting with our Insurance agent

Had five phone calls with Tim Kelly of FEMA, trying to get reimbursed for Covid-19 supplies

RESULT:	REPORT ISSUED
----------------	----------------------

2. Report 2021-13

Town Clerk

Water for the month of January was \$47,269.16

Sewer for the month of January was \$30,277.53

Clerk Fees = \$643.10

RESULT:	REPORT ISSUED
----------------	----------------------

3. Report 2021-14

Bookkeeper

Bookkeeper's Monthly Report - February 2021

Completed processing all January 2021 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for January 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 January and they balanced.

Budget amendment needed for the 2021 budget. To increase the revenue account, Sale of scrap and Excess Equipment by \$53,000. Then to increase the expense account for the Highway Machinery Equipment account by

\$53,000. This is to account for the sale and first payment of the new Five Star Equipment John Deere.

Motion was made by Councilman Adamson and seconded by Deputy Supervisor Baker to adjust accounts.

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 was absent.

RESULT:	REPORT ISSUED
----------------	----------------------

4. Report 2021-15

Assessor

**Monthly Assessor's Report
January 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
- Mailed renewal applications to Non-Profit Organizations (ie: Church's)
- Started to receive and process new and renewal applications for Agricultural Exemptions
- Received and processed applications for Enhanced STAR exemptions
- Notified Town Supervisor and Town Attorney of Governor's Executive order requiring mandatory renewal of low-income senior and low-income disability exemptions without a renewal for the 2021 Assessment Roll
- Requested a Town resolution, as a result of the Governor's Exec. Order, to allow for the removal of certain exemptions due to death, sale, deed transfer or primary residence change
- Inspected 32 parcels for open building permits
- Continued to complete and value open building permits for the 2021 Roll
- Participated in the NCAA virtual meeting
- Participated in a conference call with Town Supervisor, Town Attorney and NYS Parks
- Registered Selah Lowery for training - Course 2: Application of the three approaches to value to be held virtually Jan. 26 - Feb. 5, 2021

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

2299 Lake Rd

AV \$197,900

Sale Price \$342,475

2551 Lake Rd	AV \$ 137,000	Sale Price \$270,900
1711 Youngstown-Wilson Rd	AV \$88,000	Sale Price \$190,000
3191 Creek Rd	AV \$249,800	Sale Price \$350,000
2664 Braley Rd	AV \$82,000	Sale Price \$179,900
3635 River Rd	AV \$241,700	Sale Price \$400,000
2394 Balmer Rd	AV \$131,300	Sale Price \$270,000
3561 Ransomville Rd	AV \$82,900	Sale Price \$153,000
84 Lake St	AV \$147,000	Sale Price \$195,000
366 Carrollwood Dr	AV \$184,400	Sale Price \$240,000
500 Main St	AV \$272,500	Sale Price \$325,000

RESULT:	REPORT ISSUED
----------------	----------------------

5. Report 2021-16

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, Three on my desk in review process.
- ♦ Received, Inspected, and Issued **new Complaint/Violations**; per attached Complaint report; Four (4) **New** formal concerns have been processed.
- ♦ Completed Fourteen (14) **inspections** for Permits & Complaints.
- ♦ Organized and Administered the final **Solar Advisory Committee** meeting no. #9 on January 26th.
- ♦ Coordinated/Reviewed any/all **new Planning and Zoning Board applications** and documentation, with the respective Board(s) personnel.
- ♦ Prepared information and attended the regular **Planning Board** meeting on January 7, 2021.
- ♦ Prepared information and attended the regular **Zoning Board** meeting on January 28, 2021.
- ♦ Prepared Documentation for FEAFF part one, as applies to the LL1-21 Solar Energy Systems.
- ♦ Applied and Attended the Niagara County Planning Board meeting for their review and recommendation on LL1-21 Solar Energy Systems.
- ♦ Prepared and Mailed eight letters Regarding "Coordinated Review" of LL1-21 Solar Energy Systems, as per SEQRA protocol.
- ♦ Prepared documentation for LL2-21 thru LL6-21; for the proceedings with NCPB & Town Board.

- Requesting a resolution to schedule a Public Hearing for LL2-21 Flood Damage Prevention.
- Requesting a resolution to schedule a Public Hearing for LL3-21 Lake Ontario Environmental Overlay; LWRP imbedded law.
- Requesting a resolution to schedule a Public Hearing for LL4-21 Niagara River Environmental Overlay; LWRP imbedded law.
- Requesting a resolution to schedule a Public Hearing for LL5-21 CLWRP - Consistency Review Law; LWRP imbedded law.
- Requesting a resolution to schedule a Public Hearing for LL6-21 Pet Waste Law; LWRP imbedded law.

Permit Report - January 2021

Number	Issue Date	Owner	Permit type	Parcel Location	SBL #
000-21	1/8/2021	George Osborne	Permanent Generator	1471 Lake Rd	32.20-1-6
001-21	1/14/2021		Alteration	3118 Park Ave	45.32-1-42
002-21	1/14/2021	Joshua Lewis	Deck	3653 River Rd	59.14-1-27.1
003-21	1/20/2021	Traci Wayda	Pole Barn	3065 N Creek Rd	46.00-1-55

COMPLAINT REPORT - JANUARY 2021

Number	Issue Date	Owner	Complaint type	Parcel Location	SBL #
000-21	1/13/2021	Ryan & Christina Gilinger	Drainage Issues	3561 Ransomville Rd	62.10-3-2
001-21	1/14/2021	Neil Nolf	Activity without a Permit	2391 Lake Rd	21.17-1-36
002-21	1/14/2021	Robert Willard	Activity without a Permit	2299 Lake Rd	21.17-1-2
003-21	1/19/2021	Michael & Richanne Mankey	Activity without a Permit	2299 Lake Rd	21.17-1-2

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

RESULT:	REPORT ISSUED
----------------	----------------------

6. Report 2021-17

Highway

HIGHWAY

1. CHECKED ROADS (14 TRIPS) REQUIRED ACTION PLOWING AND SALTING 12 TRIPS.
2. PUT NEW CUVERT PIPE ACROSS YARD AND DRIVEWAY ON EAST AVE (PIPE PURCHASED BY HOMEOWNER).
3. SERVICED PLOWS AND SALTERS (REPLACED SPINNER ARM ON TRUCK 16).

4. TOOK DOWN WREATHS FOR THE YEAR AND PUT UP BANNERS WITH THE HELP OF TOWN OF WEATFIELDS BUCKET TRUCK AND 1 EMPLOYEE.
5. SUN KING CAME AND PICKED UP MORE RECYCLING.
6. TALKED TO BERNIE ROTELLA ABOUT GRANT FOR DICKERSONVILLE RD CULVERT REPLACEMENT GAVE HIM THE ENGINEERS REPORTS SO HE COULD GET THE GRANT STARTED.

WATER AND SEWER

1. COMPLETED WATER METER READING.
2. REPLACED MOTOR IN WATER VAN, HAD A LIFTER PROBLEM WASN'T WORTH FIXING IT, ORDERED A NEW JASPER CRATE MOTOR THE CREW IN OUR SHOP PULLED OLD MOTOR OUT AND PUT NEW MOTOR IN. ALSO HAD A BROKEN LEAF SPRING WENT TO FALLS AUTO SPRING TO GET REPLACED. AND REALIGNED.
3. COMPLETED SERVING LIFT STATIONS FOR THE MONTH.
4. MOTOR ON WATER BREAK SLUDGE PUMP BLEW UP REPLACED WITH NEW 6HP MOTOR FROM HARBOR FREIGHT.
5. TALKED TO DAVE BRITTON HE SENT ME THE ENGINEERS REPORTS ON REPLACEMENT OF WATER LINES RIVER RD. FRONT OF YOUNGSTOWN ESTATES, MEADOW AND MANOR DRIVE, ST CHRISTOPHERS LANE AND PARKER RD. AND ALSO UP GRADES ON WATER TOWER IN RANSOMVILLE FROM 10 YEARS AGO. GAVE THE REPORTS TO BERNIE ROTELLA TO GET THE GRANT STARTED.

NOTHING ON DRAINAGE

PORTER ON LAKE HAVEN HAD CHANCE TO GET TO CUTTING TREES YET.

RESPECTFULLY SUBMITTED

DAVE BURMASTER

RESULT:	REPORT ISSUED
----------------	----------------------

7. Report 2021-18

Recreation

Yoga Classes continue at the Ransomville Free Methodist Church in Ransomville (as the Youngstown Red Brick is still closed). Chair Yoga is held on Tuesday and Thursday mornings at 9:30am. All levels Yoga is on Tuesday and Wednesday evenings at 6:30pm.

The Story Hour program continues as a virtual weekly themed program at the Ransomville and Youngstown libraries. Children can go each week and get a Story Hour bag which contains a craft, activity and book ideas that match the weekly theme. There are also videos of stories and activities posted on the Town of Porter Story Hour Facebook Page.

The Story Hour Program received its 2020 grant funding from the Niagara County Youth Bureau. This year we were awarded \$3500.00.; in the past years we received \$1500.00.

Grant applications have been submitted to the Niagara County Youth Bureau for 2021 funding for both Story Hour and Recreation.

Planning has started for the 2021 Summer Recreation Program, which will run from Tuesday, July 6th - Thursday -August 12th . Staff will work from June 28- August 13th.

Our next meeting will be Monday, April 5, 2021 at 7:00 pm at the Town Hall.

--

--

--

RESULT: REPORT ISSUED

8. Report 2021-19

Grant Writer

No report given

RESULT: REPORT ISSUED

9. Report 2021-20

Calendar of Events

February 25, 2021 at 7:00 PM	-	Monthly Zoning Board meeting
March 4, 2021 at 7:00 PM	-	Monthly Planning Board meeting

March 8, 2021 at 7:00 PM - Monthly Town Board meeting

April 5, 2021 at 7:00 PM - Monthly Recreation meeting

The Town Hall will be closed on February 15, 2021 in honor of President's Day.

RESULT:	REPORT ISSUED
----------------	----------------------

10. Report 2021-21

Public Comments

Senora Miller - Director of the Youngstown Free Library thanked the Town Board for all of their support even with the reduction of \$15,000. She said the money that they receive from the Town of Porter is truly appreciated.

RESULT:	REPORT ISSUED
----------------	----------------------

11. Report 2021-22

Town Board Comments

Motion to adjourn the meeting at 7:40 PM was made by Councilman Adamson and seconded by Councilman White.

RESULT:	REPORT ISSUED
----------------	----------------------
