



# Town of Porter

## Town Board Meeting

~ Minutes ~

3265 Creek Road  
Youngstown, NY 14174  
[TownofPorter.Net](http://TownofPorter.Net)

Kara Hibbard  
716-745-3730

Monday, January 13, 2020

7:00 PM

Town Hall Auditorium

### I. Call to Order

7:00 PM Meeting called to order on January 13, 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 |         |
| Bernie Rotella    | Town of Porter | Grant Writer             | Present |         |
| Dave Burmaster    | Town of Porter | Highway Superintendent   | Present |         |
| Elaine Porto      | Town of Porter | Deputy Town Clerk        | Present |         |
| Mike Dowd         | Town of Porter | Attorney                 | Present |         |
| Peter Jeffery     | Town of Porter | Code Enforcement Officer | Present |         |

### II. Report/Resolutions

### III. Resolutions

#### 1. Resolution 2020-19

#### IJC Resolution

**RESOLUTION TO Recommend that International Joint Commission Plan 2014 be rescinded.**

**Whereas**, Lake Ontario and the Niagara River Basin, national and international resource; and

**Whereas**, the Town of Porter Harbor and Marinas are a vital and economic and recreational resource to the Town of Porter, and the County of Niagara;

**Whereas**, the lake levels are managed by the St. Lawrence River Board of Control under the jurisdiction of the International Joint Commission comprised of commissioners from both the United States and Canada; and

**Whereas**, the adoption of Plan 2014 by the International Joint Commission (IJC) has substantially contributed to the damage being caused along the lakeshore including the Village of Youngstown; and

**Whereas**, the Town of Porter, it's residents and local businesses are once again incurring substantial damage to the property along and around the Town of Porter which has threatened not only the economic vitality of the area but also the life and safety of residents and visitors to the Town of Porter while at the same time causing severe property damage in and around the Town of Porter; and

**Whereas**, the Town of Porter, in conjunction with the County of Niagara have experienced significant expense as a result of efforts to keep the high water from further impacting the Town of Porter; and

**Whereas**, the flooding experienced again this year threatens municipal infrastructure; and

**Whereas**, it is conceivable and reasonable to expect future flooding as was experienced in 2017, 2019, and now 2020 which is caused in great part by PLAN IJC 2014,

**Now therefore be it resolved by the TOWN OF PORTER as follows:**

1. The International Joint Commission immediately rescind and suspend Plan 2014 and fall back to Plan 58DD. The Town of Porter further requests that any plan developed to succeed these plans protect the interests of the municipality, the first responders, visitors and residents.
2. As provided in treaty forming the International Joint Commission, funding to municipalities and riparian property owners must be provided to plan and implements flood prevention, mitigation, response and recovery commensurate with anticipated increases in flooding, erosion and damages.
3. Any committee or task force created to review mitigation and safety plans fronting the Great Lakes must contain a representative from the Town of Porter.

**Motion was made by Deputy Supervisor Baker and seconded by Councilman Adamson to sign this IJC Resolution and submit to the governor's office.**

**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.**

|                  |  |
|------------------|--|
| <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 |

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**2. Resolution 2020-20**

**Minutes Approval**

Resolution to approve the minutes of the December 9th and December 27th Town Board meetings.

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

## 3. Resolution 2020-21

## Audited Vouchers

**TOWN OF PORTER**

WARRANT 12-B POST AUDIT - DEC, 2019 12/31/19  
:

|      |    |           |
|------|----|-----------|
| FUND | 01 | 7,698.94  |
| FUND | 02 | 7,178.39  |
| FUND | 04 | 15,759.36 |
| FUND | 06 | 826.99    |
| FUND | 07 | 2,944.51  |
| FUND | 10 |           |
| FUND | 35 |           |

TOTAL 34,408.19

VOUCHER 'S 27322 THRU 27382

WARRANT: # 1 JAN, 2020 1/13/20

|      |    |           |
|------|----|-----------|
| FUND | 01 | 59,831.73 |
| FUND | 02 | 42,156.76 |
| FUND | 03 | 0.00      |
| FUND | 04 | 78,743.14 |
| FUND | 06 | 53,683.76 |
| FUND | 07 | 7,299.09  |
| FUND | 10 | 1,030.60  |
| FUND | 28 | 28,211.71 |
| FUND | 35 |           |

TOTAL 270,956.79

VOUCHER 'S 27383 THRU 27449

TOTAL 305,364.98

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

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

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4. Resolution 2020-22

**Supervisor's Report**

Resolution to accept the Supervisor's report from 12/9/19.

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| <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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**IV. Reports**

1. Resolution 2020-23

**Supervisor's Report**

Went to monthly Niagara County Water board meeting

Met with National Grid on Street lights and solar capacity

Set up the Lake Ontario Preparedness meeting on  
January Ninth

Met with Greg Stevens of the Greenway Commission

- Supervisor Johnston would like to ask the business associations to attend the meetings regarding the bike path.
- Councilman Adamson asked if the path will continue along the parkway and Duffy said yes.

|                  |  |
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| <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 |

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## 2. Report 2020-1

### Bookkeeper

Bookkeeper's Monthly Report - January 2020

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Completed processing all December, 2019 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for December, 2019 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 December.

Completed enrollment of all eligible retired employees in the new Town medical plans.

Completed budget revisions approved by the Town Board.

Updated all employee pay to include the 2 % pay raise.

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**3. Report 2020-2****Town Clerk**

Water for the month of December was \$39,892.82

Sewer for the month of December was \$6620.94

Clerk Fees - \$518.71

Transcribed minutes from the December 9, 27, and January 2 meetings and posted on the website.

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**4. Report 2020-3****Building Inspector/Code Enforcement Officer**

- ◆ Reviewed and issued **Building Permits**; per attached Permit Report; four (4) permits have been issued in the month of December.
- ◆ Received, inspected, and issued **new Complaint/Violations**; per attached Complaint report; thirteen (13) **New** formal concerns has been processed.
- ◆ Completed twenty-eight (28) **inspections** for Permits & Complaints.
- ◆ Prepared information and attended **Planning Board** regular meeting on December 5, 2019.
- ◆ Prepared information and attended **Zoning Board** regular meeting on December 12, 2019.
- ◆ Coordinated/Reviewed all **new Planning and Zoning Board applications** and documentation, with the respective Board(s) personnel.
- ◆ Attended **Justice Court** proceedings on December 18, 2019 to administer four (4) different, open Violation cases.
- ◆ Met with Town Engineer & Developer to facilitate sign-off on Final Plat for **Runaway Bay major Subdivision**.
- ◆ Researched **Utility grade Solar** Installations and impacts to the community; wrote a guide document for Town of Porter Solar (Tier 3).
- ◆ Site visit to the Swan Road, Town of Lewiston, Utility scale Solar project - for reference.
- ◆ Initial compilation of data for annual 2019 NYSDOS report;
  - **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

### COMPLAINT REPORT - *December 2019*

| Number | Complaint Type            | Owner             | Parcel Location     | SBL #          |
|--------|---------------------------|-------------------|---------------------|----------------|
| 089-19 | Property Maintenance      | Thomas Freck      | 1820 Balmer Rd      | 61.00-2-5.2    |
| 090-19 | Boat, Trailer, RV storage | Gerald C Lacey    | 3864 Ransomville Rd | 76.06-1-10     |
| 091-19 | Property Maintenance      | Kevin Finnegan    | 3666 Ransomville Rd | 62.14-1-12     |
| 092-19 | Activity without a Permit | Shennen Hannam    | 2584 Lockport Rd    | 62.14-1-36.2   |
| 093-19 | Property Maintenance      | Jay Fair          | 3474 Ransomville Rd | 62.00-1-6      |
| 094-19 | Storage of Vehicles       | Jeffery Zapp      | 2284 Lockport Rd    | 61.00-1-51.111 |
| 095-19 | Boat, Trailer, RV storage | Matthew Deering   | 1751 Lockport Rd    | 47.03-1-9.1    |
| 096-19 | Activity without a Permit | Thomas Walker     | 3630 Lutts Rd       | 60.00-2-25.112 |
| 097-19 | Property Maintenance      | John Marinelli    | 704 Lake Rd         | 45.00-1-22.4   |
| 098-19 | Boat, Trailer, RV storage | Darrell Wright    | 890 Lockport Rd     | 46.03-1-62     |
| 099-19 | Site Up-keep              | Catherine Rotella | 967 Lake Rd         | 32.18-1-9      |
| 100-19 | Activity without a permit | Sean Hannam       | 2582 Lockport Rd    | 62.14-1-36.1   |
| 101-19 | Property Maintenance      | Matthew Deering   | 1751 Lockport Rd    | 47.03-1-9.1    |

### Permit Report - *December 2019*

| Number | Permit Type                                | Owner              | Parcel Location     | SBL #        |
|--------|--|--------------------|---------------------|--------------|
| 110-19 | Garage - Addition                          | Richard Burns      | 3694 Lutts Rd.      | 60.00-2-29.7 |
| 111-19 | Alteration - Install Auto Charging Station | Town of Porter     | 3265 Creek Road     | 46.03-1-54   |
| 112-19 | Demolition - Barn/Garage                   | Alex O'Brien       | 600 Blairville Road | 59.00-1-3    |
| 113-19 | New Single Fam. Dwelling                   | Steven Huttenmaier | 2485 Lockport Road  | 62.10-2-10   |

**RESULT:           REPORT ISSUED**

#### 5. Report 2020-4

Assessor

### Monthly Assessor's Report

December 2019

- Continued processing completed building permits into RPSV4
- Processed property transfers for Town and Village
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Reviewed properties receiving Agricultural Exemptions and began to prepare annual renewal forms for mailing on January 6, 2020.

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

|                     |              |                      |
|---------------------|--------------|----------------------|
| 2669 Lockport Rd    | AV \$58,000  | Sale Price \$95,294  |
| 3579 Ransomville Rd | AV \$87,200  | Sale Price \$160,000 |
| 2498 Lockport Rd    | AV \$124,000 | Sale Price \$212,000 |
| 408 Dansworth Rd    | AV \$190,000 | Sale Price \$330,000 |
| 1665 Groveland Ave  | AV \$133,700 | Sale Price \$195,500 |
| 3782 Ransomville Rd | AV \$94,000  | Sale Price \$145,000 |
| 1944 Lockport Rd    | AV \$129,200 | Sale Price \$222,000 |

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**6. Report 2020-5**

**Highway**

Highway Superintendent Burmaster asked the Town Board for permission to send Justin Stoelting to school to be certified for repairing, testing and servicing RPZ valves. Cost is not to exceed \$3,000. Material alone is \$1500.00. March 23 -26-2020.

**Motion was made by Deputy Supervisor Baker and seconded by Councilman Adamson.**

Highway Superintendent Burmaster also asked Town Board permission to attend the Niagara County Association of Town Superintendents of Highway's



on March 3 and 4 - 2020, in Albany, NY. Cost is approximately \$50.00. This is in regards to chip money.

**Motion was made by Deputy Supervisor Baker and seconded by Councilman Adamson.**



## TOWN OF PORTER

PUBLIC WORKS

1800 Braley Road • Youngstown, New York 14174 • (716) 791-3831 • Fax (716) 791-3890

Town Of Porter Highway Superintendants Monthly Report.

DECEMBER 2019

### HIGHWAY:

1. Completed putting all trucks together for winter.
2. Ordered 900 tons of salt.
3. Plowed and Salted roads 9 trips out.
4. Completed servicing lawn mowers and put away for winter.

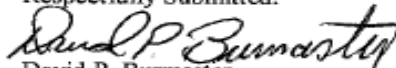
### DRAINAGE:

1. Completed mowing creeks and ditches.
2. Still working on brush and debris in creeks.

### WATER AND SEWER

1. Completed water meter reading.
2. Completed switching out motors at swain road lift station.
3. Replaced a new fire hydrant on Youngstown Wilson road, between porter center and dickersonville road.

Respectfully Submitted:

  
David P. Burmaster  
Highway Superintendant

**RESULT:       REPORT ISSUED**

**7. Report 2020-6****Recreation**

1. The Story Hour Program continues at the Youngstown Library on Tuesday mornings and the Ransomville Library on Wednesday mornings. Class times are 9:30-10:30 and 11:00-12:00.
  2. Chair Yoga is held at the Youngstown Red Brick on Tuesday mornings at 9:30am.
  3. Tuesday and Wednesday night Yoga continues at the Youngstown Red Brick. The class is held at 6:30pm on both nights.
  4. We continue to work on the required paperwork to complete the grants from Niagara County for 2019, and we begin the application process for 2020.
  5. We continue to plan for a new location for Summer Recreation. We plan on meeting again with the Ransomville Methodist Church to review and discuss further options.
  6. The tentative dates for Summer Recreation are July 6 - August 13, 2020.
  7. Our next meeting will be Monday, February 3, 2020 at 7:00pm.
- 
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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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8. **Report 2020-7**

**Grant Writer**

Grants Status Report: Projects we are currently working on:

**Greenway:** reimbursement request has been submitted in the amount of \$3004.33. The current balance is \$16, 307.95 (less the scout project)

**LWRP:** Final review is being done. Year-end report is due the end of December. WWS Planning is working on the report.

**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 10<sup>th</sup> with presentation in May with potential funding by July 2020.

**NYS Archives:** Met with Sara Durling Regional RAO at Town Hall and she reviewed our project. We will submit an ECMS application as soon as the application opens. (This grant should have opened last month, so it should open any day now).

**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

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

**Calendar of Events**

|                        |                               |
|------------------------|-------------------------------|
| Zoning Board meeting   | - January 23, 2020 @ 7:00 PM  |
| Planning Board meeting | - February 6, 2020 @ 7:00 PM  |
| Town Board meeting     | - February 10, 2020 @ 7:00 PM |
| Recreation meeting     | - February 3, 2020 @ 7:00 PM  |

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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10. Report 2020-9

**Public Comments**

report

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| <b>RESULT:</b> | <b>REPORT ISSUED</b> |
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**11. Report 2020-10****Town Board Comments**

Motion to adjourn the meeting was made by Councilman Adamson and seconded by Deputy Supervisor Baker at 8:12 PM.

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