



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, January 14, 2019

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on January 14, 2019 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|-------------------|----------------|------------------------|---------|---------|
| J. Duffy Johnston | Town of Porter | Supervisor | Present | |
| Jeff Baker | Town of Porter | Deputy Supervisor | Present | |
| Larry White | Town of Porter | Councilman | Present | |
| Irene Myers | Town of Porter | Councilman | Absent | |
| Tim Adamson | Town of Porter | Councilman | Present | |
| Kara Hibbard | Town of Porter | Town Clerk | Present | |
| Mary Siegrist | Town of Porter | Bookkeeper | Absent | |
| Elaine Porto | Town of Porter | Deputy Town Clerk | Present | |
| Scott Hillman | Town of Porter | Highway Superintendent | Present | |
| Bernie Rotella | Town of Porter | Grant Writer | Absent | |
| Mike Dowd | Town of Porter | Attorney | Present | |
| Susan Driscoll | Town of Porter | Assessor | Present | |

II. Resolutions

1. Resolution 2019-19

Minutes Approval

Resolution to approve the minutes of the following meetings:

December 10, 2018 regular meeting of the Porter Town Board

December 10, 2018 Work Session

December 27, 2018 End of Year meeting

January 2, 2018 Organizational meeting

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jeff Baker, Deputy Supervisor |
| SECONDER: | Tim Adamson, Councilman |
| AYES: | J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson |
| ABSENT: | Irene Myers |

2. Resolution 2019-20**Audited Vouchers**

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

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Tim Adamson, Councilman |
| SECONDER: | Larry White, Councilman |
| AYES: | J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson |
| ABSENT: | Irene Myers |

3. Resolution 2019-21**Acceptance of Supervisor's Report**

Resolution to accept the Supervisor's report for 12/10/18

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jeff Baker, Deputy Supervisor |
| SECONDER: | Larry White, Councilman |
| AYES: | J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson |
| ABSENT: | Irene Myers |

4. Resolution 2019-22**Fort Niagara Breakwater Feasibility Study and Construction Plan**

The Town of Porter is seeking proposals from qualified engineering consultants to complete a feasibility study and construction plan for the shoreline restoration project at Fort Niagara Beach in the Town of Porter. This project is to protect Fort Niagara Beach from storm surges and heightened wave action from Lake Ontario.

This project is funded with a New York State Community Block Development Program Grant and administered by the New York State Office of Community Renewal.

Resolution is needed by the Town Board to put this contract out for bid for an RFQ.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tim Adamson, Councilman
SECONDER: Jeff Baker, Deputy Supervisor
AYES: J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
ABSENT: Irene Myers

5. Resolution 2019-23

Senior Van Purchase Payment

VILLAGE OF YOUNGSTOWN

240 LOCKPORT STREET
 YOUNGSTOWN, NY 14174
 Tel 7167457721 Fax 7167453400

Invoice 2018-0024

12/18/2018

| Bill to | Ship to | Instructions | |
|--|-------------------|---|-----------------|
| Town of Porter 3265 Creek Road Youngstown, NY 14174 | Same as recipient | Please make all checks payable to the VILLAGE OF YOUNGSTOWN 240 LOCKPORT STREET YOUNGSTOWN, NY 14174 | |
| Description | Units | Price | Total Amount |
| 2019 Chrysler Pacifica Van for Senior Transportation Program | 1.00 | 28,500.00 | 28,500.00 |
| Donation from St. John's Church | 1.00 | -10,162.14 | -10,162.14 |
| Village of Youngstown portion of van (1/2 of balance) | 1.00 | -9,168.93 | -9,168.93 |
| Total Due | | | 9,168.93 |

Resolution needed by the Town Board to pay the Village of Youngstown \$9168.93 towards the purchase of the senior van.

Councilman Adamson asked Supervisor Johnston if the Village knew that the operating costs would be 50% and not \$15,000 because it is a new vehicle.

Deputy Supervisor Baker thanked St. John's Episcopal church for their commendable donation.

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

6. Resolution 2019-24**5K Race to Benefit Youngstown Volunteer Fire Co.**

Paul Beatty Jr. is working with Pat Stack to host a 5K run March.17th 2019. This race will start at noon in the Village, and travel down church St. to East Ave. and end up at Somewhere Restaurant. This will be a one-way race with shuttle service back to the village to pick up their vehicles.

Resolution needed to use Town roads.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jeff Baker, Deputy Supervisor |
| SECONDER: | Larry White, Councilman |
| AYES: | J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson |
| ABSENT: | Irene Myers |

7. Resolution 2019-25**Removal of Buildings on Parcel Located at 447 Powell Dr.**

Need a board resolution to schedule a public hearing to demolish the buildings located at 447 Powell Dr. - per section 200-85 of town law.

After much discussion, Attorney Dowd said that a public hearing is not needed but a hearing with the owner that the board conducts is necessary. It does not have to be at a regular Town board meeting but the board does have to be present.

Motion was made by Councilman Adamson and seconded by Deputy Supervisor Baker to move forward.

MOTION CARRIED

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Tim Adamson, Councilman |
| SECONDER: | Jeff Baker, Deputy Supervisor |
| AYES: | J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson |
| ABSENT: | Irene Myers |

8. Resolution 2019-26**Organizational Meeting 2019 Changes**

- Margaret Given- PT/Assessor/Build - Salary should be \$17.85 not \$17.65
- David Burmaster longevity is \$1025.00
- Planning and Zoning Secretaries should be 6 hours working day's not 8

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jeff Baker, Deputy Supervisor |
| SECONDER: | Tim Adamson, Councilman |
| AYES: | J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson |
| ABSENT: | Irene Myers |

III. Reports**1. Report 2019-1****Supervisor's Report**

Attended Buffalo Water keeping meeting - working on educational workshops for Supervisor's, Building Inspectors and Zoning - Planning Board members.

Attended an installation dinner for the new Northern Kiwanis club in Wilson. NY

Met with Dave and John Tilk to get an estimate on a generator for the Town Hall. There is A FEMA grant available.

Attended the Village of Youngstown Christmas party with Jeff, Larry and Tim.

Attended the Youngstown Business Association dinner. They are interested in partnering with the Town and incorporating the Ransomville Business Association.

Attended the Niagara County LEAP meeting. The guest speaker was Mark Mistretta from the New York State Parks.

- Supervisor Johnston mentioned that the Chamber is asking for Citizen of the Year and the board will be looking into it.
- Supervisor Johnston read a letter from Suzanne Shears (NIACAP) and in it she explained where the \$4000 that the Town gives is distributed. It helps quite a bit for people in the community that need help and goes a long way.

- Motion was made by Deputy Supervisor Baker and seconded by Councilman Adamson to move forward with Troys and Banks to possibly get back some of the money that the Town has been overcharged.

MOTION WAS CARRIED.

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| RESULT: | REPORT ISSUED |
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2. Report 2019-2**Bookkeeper**

Payroll completed for the month of December

Completed all monthly reports - supervisor report, December retirement report. Deposit summary

Met with Keybank to go over banking

Working on yearend adjustments

Preparing documents for DASNY & Grant writer.

All vouchers paid for December \$217,036.90

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| RESULT: | REPORT ISSUED |
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3. Report 2019-3**Town Clerk**

December Clerk Fees: \$342.36

Water: \$15,960.15

Sewer: \$3925.12

Completed all monthly minutes and reports for December 2018.

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| RESULT: | REPORT ISSUED |
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4. Report 2019-4

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 continues at the Youngstown Red Brick on Tuesday mornings at 9:30am, and Yoga is offered there on Wednesday evenings at 6:30pm.
3. Yoga, Line Dancing, Hall Walking and Pickleball continue at Stevenson School in Ransomville. The schedule is:

TUESDAYS:

- * Gentle Yoga: 6:30pm - 7:30pm
- * Hall Walking: 6:30-7:30pm
- * Beginning Line Dancing: 6:30-7:30pm (**Beginning Jan. 29th**)
- * Intermediate Line Dancing: 7:30-8:30pm (**Beginning Jan. 29th**)

THURSDAYS:

- * Pickleball: 6:00-8:00pm
- * Hall Walking: 6:00-8:00pm

4. We continue to plan for our 2019 Summer Program at Stevenson School and our future facility/storage needs.
5. Our next meeting will be Monday, February 4, 2019 at 7:00pm.

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| RESULT: | REPORT ISSUED |
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5. Report 2019-5**Grant Writer**

Mr. Rotella was not able to attend the meeting, however Supervisor Johnston mentioned that LWRP is finished and the Town is still waiting on money since 2016 for the highway truck. Also, he is still working on the Fema grant and had to send out an updated W-9 today (1/14/19).

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| RESULT: | REPORT ISSUED |
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6. Report 2019-6**Highway**

1/14/19

Department of Public Works

Monthly Report for December 2018

Highway Department:

1. Called out to plow and salt 5 times.
2. Received and piled 333 ton of mixed salt
3. We are picking up Christmas trees for recycle.
4. We are working on sign inventory and some replacements.

Drainage Department:

1. Completed servicing of both mowing tractors.
2. We are trying to remove blockages in the creeks where we can reach them.

Water and Sewer Department:

1. Completed our monthly meter reading.
2. Completed repairs to a water main break on River Rd.
3. We are working on painting of the interiors of both Swain Rd and Lake Rd Lift Stations.
4. I would like permission to send Justin Stoelting to Class D Water Operator School on April 22nd and 23rd at the Town of Tonawanda Water Treatment Plant. The Tuition is \$425.00.

****Permission was granted by the Town board to send Justin Stoelting to Class D Water Operator School on April 22 at a cost of \$425.00.**

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

ALL WERE IN FAVOR AND THE MOTION WAS CARRIED.

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| RESULT: | REPORT ISSUED |
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7. Report 2019-7

Building Inspector/Code Enforcement Officer

CODE ENFORCEMENT OFFICE - MONTHLY REPORT

December 2018

- ◆ Reviewed and issued permits as per Permit Report - forwarded to the Board via email & paper copy in mail boxes. Five (5) permits have been issued. *Annual number of Building permits issued for 2018 is one-hundred fourteen (114).*
- ◆ Received, inspected, and issued *new* complaint/violations as per "Complaint by date" report - forwarded to the Board via email & paper copy in mail boxes. Two (2) formal concerns have been processed. *Annual number of Complaints processed for 2018 is one-hundred ten (110).*
- ◆ Completed ongoing/Follow up inspections for Open Permits and Open Violations.
- ◆ Prepared information and attended Planning Board regular meeting on December 6, 2018.
- ◆ Prepared information and attended Zoning Board of Appeals joint, Nov-Dec, meeting on Dec. 13, 2018
- ◆ Attended Justice/Court proceedings for issued violations on December 18, 2018 and December 19, 2018.

- ◆ Met with owners of 447 Powell Drive (Unsafe Building repair or removal) and inspected interior of dwelling; wrote an expressive statement of required actions required (and timeline) by said owner to prevent the Town from pursuing Demolition/remediation. At the time of writing this report I have not received the required documents and or actions to appease the demolition/abetment by the town.
- ◆ Porter on the Lake - Park Improvements projects; Prepared and researched SEQR Long Form & wrote and mailed Coordinated review letters for all concerned agencies.

PERMIT REPORT BY TYPE*December 2018*

| <u>PERMIT TYPE</u> | <u>APPLICANT</u> | <u>PARCEL</u> |
|------------------------|---------------------|------------------|
| <u>LOCATION SBL</u> | | |
| ADDITION | | |
| 122-18 | RICHARD BURNS | 3694 LUTTS RD |
| | | 60.00-2-29.7 |
| ALTERATION | | |
| 120-18 | DONALD WANNICKI | 2151 LAKE RD |
| | | 33.08-1-29 |
| SIGNS | | |
| 119-18 | RANSOMVILLE LIBRARY | 3733 |
| RANSOMVILLE RD | 62.18-1-6 | |
| SINGLE FAMILY DWELLING | | |
| 118-18 | THOMAS WALKER | 3630 LUTTS RD |
| 25.112 | | 60.00-2- |
| SOLAR PANELS | | |
| 121-18 | TODD SERIANNI | 2630 LOCKPORT RD |
| | | 62.04-1-24 |

COMPLAINT BY TYPE

December 2018

| <u>Complaint Type</u> | <u>Owner</u> | <u>Parcel Location</u> | <u>SBL</u> |
|-----------------------|--------------|------------------------|--------------|
| Drainage Issue | | | |
| 112-18 | Brian Winger | 1471 Sunrise Ln | 32.16-1-11.2 |

Property Maintenance

111-18 Christopher Woods 397 Dansworth Rd 59.14-2-64

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| RESULT: | REPORT ISSUED |
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8. Report 2019-8

Assessor

December 2018

Attended and participated in meetings for Porter Planning Board, ZBA and Town Board.

Prepared and distributed not-for-profit 2019 exemption renewal applications.

Met with representative of Niagara Frontier Country Club delivering a request for reassessment.

Processed a split/merge at 2453/2451 Lake Rd.

Continued processing completed building permits into RPSV4.

Processed November deed transfers.

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

| | | |
|-----------------------|--------------|----------------------|
| 1733 Harrison Lane | TAV\$86,900 | Sales price\$165,000 |
| 2527 Lake Road | TAV\$210,800 | Sales price\$305,000 |
| 3765 Ransomville Road | TAV\$120,000 | Sales price\$187,500 |
| 3787 River Road | TAV\$210,000 | Sales price\$290,000 |
| 3909 Calkins Road | TAV\$290,000 | Sales price\$500,000 |

295 Glenvale Road

TAV\$141,000

Sales price\$258,000

RESULT: REPORT ISSUED**9. Report 2019-9****Tax Collector**

- Town of Porter tax collection started on Dec. 31, 2018 and will continue without penalty/interest until Jan. 31, 2019.
- Payments made in February and March will require an added penalty/interest fee.
- 1st installment paid to the Town of Porter for \$500,000 was made to Supervisor, Duffy Johnston on January 11, 2019.
- On April 2, 2019 all unpaid tax bills will be returned to the Niagara Treasures Office for collection.
- Tax payments cannot be accepted after April 1, 2019.

RESULT: REPORT ISSUED**10. Report 2019-11****Attorney**

Mr. Dowd prepared a resolution and deed for signature of Mr. Reis (this was given to all board members). He also needed a board resolution to pay Mr. Reis the \$12,000 for the easement which would be allocated from the Harrison Lane funds.

Deputy Supervisor Baker made the motion and Councilman Adamson seconded it to pay Mr. Reis \$12,000.

MOTION WAS CARRIED.

RESULT: REPORT ISSUED

11. Report 2019-12**Calendar of Events**

2/11/19 - Town Board meeting @ 7:00 PM
2/7/19 - Planning Board meeting @ 7:00 PM
1/24/19 - Zoning board meeting @ 7:00 PM
2/4/19 - Recreation meeting @ 7:00 PM

Town Hall will be closed on 1/21/19 in observance of Martin Luther King Jr.

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| RESULT: | REPORT ISSUED |
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12. Report 2019-10**Public Comments**

Senora Miller from the Youngstown Free Library thanked the board for all their support and mentioned that the library is having their annual chili cookoff on Super Bowl Sunday at Bandana's from 2 - 4 PM.

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| RESULT: | REPORT ISSUED |
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13. Report 2019-13**Town Board Comments**

Deputy Supervisor Baker asked Building Inspector Jeffery's if he has gotten any recent calls regarding Bailey Bros. on Parker Rd. Peter said that he has gotten more calls over the last couple of months and they are scheduled to come to the justice court tomorrow (1/15/19)

Jeff asked what was happening with the Freck property and was told by Mr. Jeffery's that he has not done anything to clean up the area and a potential jail sentence is possible. Mr. Freck can also be fined quite a bit of money.

Attorney Dowd stated that if Mr. Freck's house was to be demolished the county will not reimburse the Town.

Mr. Freck does not have another court date yet but Mr. Jeffery's will get the paperwork to Attorney Dowd for review and hopefully Mr. Freck will have a court date by next month.

Supervisor Johnston talked with Tax Collector Sharpe about the Niagara Frontier County Club and their bankruptcy and they are planning on paying their taxes for this year but they have questions about their outstanding water bill.

Supervisor Johnston stated that there were two people that did not sign the sheet from the employee meeting last week and the handbook needs to be revised and completed soon.

**

Councilman Adamson had a copy of the Chamber brochure and asked why nothing is mentioned about Youngstown. Jeff said that Ransomville and Youngstown can pick their own business of the year and this has nothing to do with the Town Board.

Motion to adjourn the Town Board meeting at 7:40 PM was made by Deputy Supervisor Baker and seconded by Councilman Adamson.

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| RESULT: | REPORT ISSUED |
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