



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, July 10, 2023

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on July 10, 2023 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	
Tim Adamson	Town of Porter	Councilman	Present	
Jipp Ortiz	Town of Porter	Councilman	Present	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Elaine Porto	Town of Porter	Deputy Town Clerk	Absent	
Kimberli Boyer	Town of Porter	Bookkeeper	Present	
Dave Burmaster	Town of Porter	Highway Superintendent	Present	
Mike Dowd	Town of Porter	Town Attorney	Present	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Present	
Selah Dell	Town of Porter		Present	

II. Resolutions/ Reports

III. Resolutions

1. Resolution 2023-88

Public Hearing on Amending the Currently Adopted Chapter 165, Section 165-9 Minor Subdivision of the Code of the Town of Porter.

In cases where a transfer of sale of land between neighboring property owners does not create an additional lot or which does not otherwise create a substandard lot not having dimensions otherwise required by this law, the property owners may seek an expedited review of such transfer. The property owners shall apply to the Town Code Enforcement Officer, in writing, seeking approval of such transfer. The Code Enforcement Officer shall refer the request to the Planning Board and Town of Porter Tax Assessor for further review. In such a case where the Planning Board may approve such a request without requiring a public hearing or the submission of a survey and depending on the individual circumstances of each request for an expedited review the Planning Board may require a public hearing of any document submissions required pursuant to this 165-9.

The sale or exchange of parcels of land between adjacent or adjoining property owners or where such sales do not create additional lots shall not be considered a subdivision of land so long as such exchange does not result in the creation of an otherwise substandard size lot as defined in these regulations subject to the requirements of 165-9 (F).

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Supervisor Johnston opened the public hearing at 8:03 PM. He explained what the amendment to the 165-9 Minor Subdivision code would entail and then asked if anybody in attendance had any questions or concerns about it.

Rusty Tower asked if the public was still going to have a say and if letters were still going to be sent out and Attorney Dowd responded by saying yes, "this is just a simplified process", it's only for moving a lot line.

With no further questions, motion to close the public hearing at 7:12 pm was made by Deputy Supervisor Baker and seconded by Councilman White.

Negative Declaration - Motion was made by Councilman Adamson and seconded by Deputy Supervisor Baker to authorize the supervisor to sign the negative declaration indicating that there was no environmental impact. Negative Declaration was issued.

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

Motion was made by Councilman Adamson and seconded by Deputy Supervisor Baker to adopt Local Law #3 of 2023 (Amending the currently adopted Chapter 165-9 Minor Subdivision of the code of the Town of Porter.

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

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

2. Resolution 2023-89

Landscape Material

Landscape materials:

- 1) 2 limelight hydrangea tree's
- 2) 13 Green velvet boxwood
- 3) 7 Gold thread false cypress bushes
- 4) 7 Weigela bushes
- 5) 2 - 32oz bottles of bonide

- 6) 8 bags of manure
- 7) 2 landscape boulders

Resolution needed to pay Northeast Landscape LLC for materials at a price of \$3,417.02. Our Town Highway department did a great job installing the bushes and trees.

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

3. Resolution 2023-84

Emergency Generator Bid

Resolution needed to accept the bid from M.H Thilk Electric LLC. for the Town Hall Emergency Generator System of \$56,175.00. Thilk was the only bidder.

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

4. Resolution 2023-83

SPCA Contract for 2023

Motion needed to have Supervisor Johnston sign the contract between the Town of Porter and the SPCA for the term July 1, 2023 - December 31, 2024. Total contract amount is \$9,900.00.

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

5. Resolution 2023-55

Minutes Approval

Resolutions to approve the minutes of the June 12, 2023 Town Board meeting

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

6. Resolution 2023-56

Audited Vouchers**TOWN
OF
PORTER**

WARRANT	POST AUDIT	6/30/23
:	#6A	

FUND	01	1,408.48
FUND	02	2,266.30
FUND	04	127,537.57
FUND	06	401.76
FUND	07	1,196.55
FUND	10	0.00
FUND	11	0.00
FUND	35	6,000.00

TOTAL	<u>138,810.66</u>
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VOUCHER	31694	THRU	31715
'S			

WARRANT	POST AUDIT #7	7/6/23
:	JULY 2023	

FUND	01	41,335.48
FUND	02	18,793.04
FUND	04	26,116.09
FUND	06	59,363.22
FUND	07	64,926.56
FUND	10	841.92
FUND	11	0.00
FUND	35	560.00
FUND	28	3,560.64
FUND		

TOTAL	<u>215,496.95</u>
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VOUCHER 'S	31716	THRU	31784
	TOTAL		<u>354,307.61</u>

Resolution to approve the vouchers total of \$354,307.61 as audited by the Porter Town Board.

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

7. Resolution 2023-57

Acceptance of Supervisor's Report

Resolution to accept the supervisor's report from the June 12, 2023 Town Board meeting.

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

IV. Reports

1. Report 2023-62

Supervisor's Report

6-13 Met with A-1 on the Nature Trail

6-15 Met with the Fitness Court installers, It is complete

6-15 Attended Niagara County water board

6-16 Attended the Lewiston Landing ribbon cutting

6-19 Met with Dresser-Melecki our Accountants

6-20 Went to the Niagara County Standing Committee

6-22 Had a meeting with Senator Ortt on School resource officers.

6-23 Went to Medina for the Hometown Hero banners

6-27 Attended the Upward Niagara Chamber meeting

6-29 Had a zoom meeting for the Fitness Court ribbon cutting

Met with the Cerrone group, grass seed is around the Fitness Court

*Supervisor Johnston added that there will be a ribbon cutting ceremony for the exercise gym at Porter on the Lake on August 9th including friendly competition between the NYS Troopers and the Sherriff's.

RESULT:	REPORT ISSUED
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2. Report 2023-63

Bookkeeper

Completed processing all June 2023 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for June 2023 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 June and they balanced.

Had a meeting with the Village of Youngstown about the upcoming sewer pump station project.

RESULT:	REPORT ISSUED
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3. Report 2023-64**Town Clerk**

June totals

Water = \$101,410.68

Sewer = \$3689.44

Clerk Fees = \$589.18

RESULT:	REPORT ISSUED
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4. Report 2023-65**Assessor**

- Updated the real property system for changes due to building permits
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Selah Dell attended Valuation of Wineries and Breweries seminar
- Lena and Selah attended a meeting with the Village of Youngstown regarding a land possible land subdivision on Lockport St/Brookshire Rd
- Received and posted the 2023 Board of Assessment Review changes
- Received the 2023 minutes of the Board of Assessment Review from Chairman, Mark Lippman, and filed the same with the Town Clerk
- Posted changes received from the State to remove the STAR exemption from ineligible properties
- Submitted the file to NC Real Property Tax Services office to print the 2023 Final Roll
- Sent the legal notice to the Niagara Gazette, for publication on June 30, 2023, of the completion and filing of the 2023 Final Assessment Roll
- Submitted the 2023 Final Roll file to the Town Clerk for posting onto the Town website
- Lena and Selah attended the Niagara County Assessors Association meeting

- Field reviewed 40 properties to collect building permit changes for 2024
- Submitted a request to the Town Clerk/Records Officer to destroy records we are no longer required to keep

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

370 Howard Dr	AV \$134,00	Sale Price: \$230,000
517 Applewood Dr	AV \$89,400	Sale Price: \$150,000

RESULT:	REPORT ISSUED
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5. Report 2023-66**Highway**

HIGHWAY

- 1.COMPLETED BRUSH FOR THE MONTH.
- 2.COMPLETED MOWING CEMETERIES FOR THE MONTH.
- 3.COMPLETED MOWING ROADSIDES.
- 4.INSTALLED DRIVEWAY CULVERTON BRALEY.
- 5.COMPLETED WEED WACKING GUARDRAILS.
- 6.EMPTIED GARBAGE IN RANSOMVILLE.
- 7.STARTED WEED WACKING SIDEWALKS IN RANSOMVILLE.
- 8.INSTALLED HOMETOWN HERO BANNERS IN RANSOMVILLE.

WATER AND SEWER

- 1.COMPLETED WATER METER READINGS FOR THE QUARTER.
- 2.COMPLETED WEED WACKING FIRE HYDRANTS.
- 3.INSTALLED NEW 1" WATER SERVICE AND METER PIT RIVER RD WITH THE HELP OF EJP.
- 4.SERVICED SEWER LIFT STATIONS FOR THE MONTH.
- 5.QUACKENBUSH BY-PASSED SWAIN RD TO START PROJECT.

DRAINAGE

- 1.STILL MOWING CREEKS AND DITCHES.
- 2.STILL REMOVING DEBRI AND TREES OUT OF CREEKS AND DITCHES.

PARK

1.COMPLETED ALL MOWING AND PICKING UP GARBAGE AND CLEANING BATHROOMS.

*Superintendent Burmaster said that park rentals have been going well with no issues.

* Supervisor Johnston said that the Quackenbush job needs to be split 3 ways. Need a quote ahead of time to let the village know.

- Much discussion on millings! To charge for millings or to give them away. To deliver or not to deliver. Because the Town has an abundance of millings, Councilman Adamson and Councilman Ortiz felt it's a good idea to sell them on auctions international.
- Attorney Dowd stated that the Town needs a road and brush material policy. An official policy needs to be established for auditing purposes. No millings to leave Balmer road location until next month's meeting. Mike will look into policies and come up with one.

RESULT:	REPORT ISSUED
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6. Report 2023-67

Building Inspector/Code Enforcement Officer

- ♦ Reviewed and issued twenty-six (26) **Building Permits** for the month of **June**.
- ♦ Received, Inspected, and followed up on twelve (12) **New** formal **Complaint/Violations**
- ♦ Completed eighteen (27) **inspections** for Permits & Complaints compliance.
- ♦ Coordinated/Reviewed **Planning and Zoning Board applications** and Documentation.
- ♦ Prepared information and participated in the regular **Planning Board** meeting on **June 1, 2022**.
- ♦ Prepared information and participated in the scheduled **Zoning Board** meeting for **June 22, 2022**.
- ♦ Participated in Town of Porter **Justice Court** for pending Zoning enforcement cases.

- ◆ Attended Town of Niagara **Justice Court** for a pending Zoning enforcement case.
- ◆ Attended the **Niagara County planning Board** meeting for Local Law 3 of 2023 - amend Minor subdivision regulations - new expedited procedure for Lot line adjustments that do not create a new parcel.
- ◆ Continued work on Building Committee Bid documentation; New **Generator** & HVAC replacement work.
 - There was only one bid for the Generator RFP; Thilk Electric.
 - Does the Board want to contract with Thilk electric for the proposed Generator as per the RFP.
- ◆ I would like to thank the Board for providing me with the opportunity to work remotely on M_W_F.

RESULT:	REPORT ISSUED
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7. Report 2023-69

Recreation

- The Town of Porter Summer Recreation Program begins at the Ransomville Free Methodist Church on Wednesday, July 5th, and will continue until Thursday, August 10th. We have no further information at this time because this report is being prepared prior to our meeting, which is Monday, July 10th.
- Yoga is now being held every week at Porter on the Lake Park. The schedule is:
 - Tuesdays at 9:30am - Chair Yoga
 - Tuesdays at 6:30pm - All Levels Yoga
 - Thursdays at 6:30pm - Gentle Yoga
- Story Hour's Summer Program began on Tuesday, June 27th at 10:00am at the Youngstown Red Brick Gym, and on Wednesday, June 28th at 10:00am at the Ransomville Library. This weekly program continues through July 26th.

- Our next meetings are Monday, July 10 and August 7, 2023 at 6:00pm, at Porter on the Lake Park.

RESULT:	REPORT ISSUED
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8. Report 2023-76

Calendar of Events

7/27/2023	-	Zoning Board of Appeals monthly meeting at 7:00 pm
8/3/2023	-	Planning Board monthly meeting at 7:00 pm
8/7/2023	-	Recreation meeting at 6:00 pm at Porter on the Lake park
8/14/2023	-	Town Board monthly meeting at 7:00 pm

RESULT:	REPORT ISSUED
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9. Report 2023-70

Public Comments

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RESULT:	REPORT ISSUED
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10. Report 2023-71

Town Board Comments

Supervisor Johnston said he could use all the help they can get for Summerfest this weekend!

Motion to adjourn the meeting was made by Deputy Supervisor Baker and seconded by Councilman Adamson AT 8:00 PM.

RESULT:	REPORT ISSUED
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