



# Town of Porter

## Town Board Meeting

~ Minutes ~

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

Kara Hibbard  
716-745-3730

Monday, June 17, 2019

7:00 PM

Town Hall Auditorium

### I. Call to Order

7:00 PM Meeting called to order on June 17, 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	Present	
Tim Adamson	Town of Porter	Councilman	Present	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Kimberli Boyer	Town of Porter	Bookkeeper	Present	

### II. Resolutions/Reports

### III. Resolutions

#### 1. Resolution 2019-70

#### Public Hearing for Solar, Line Installation, Special Use Permit

Open Public Hearing on the adoption of amending the following laws effecting the entire Town of Porter

- 1) Solar Energy Systems regulations.
- 2) Water Service Line Installation regulations.
- 3) Special Use Permit regulations

Public Hearing was opened at 7:00 PM

Attorney Dowd spoke about amending the zoning law amendment, chapter 185. Water , Article 1. Water Use, Section 185-55 regarding the use of non-metallic water line / tubing needing to have tracer wire installed. He gave a copy of the resolution to Supervisor Johnston.

**Motion was made by Deputy Supervisor Baker and seconded by Councilwoman Myers to pass the resolution to amend the Water Service Line Installation regulations. Section 185-55.**

**Roll call vote was taken and all Town Board members were in favor. The resolution was adopted.**

**Public hearing on this was closed at 7:07 PM**

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Open the Public Hearing on the adoption of amending the Special Use Permit Regulations at 7:09 PM  
Attorney Dowd talked about amending the Special Use Permit Law , Chapter 200. Zoning Article II.  
District Regulations, Section 200-7.

If a site plan is required, there will only be 1 public hearing regarding the special use permit and not be subjected to SEQR.

**Motion was made by Councilwomen Myers and seconded by Councilman Adamson to amend the Special Use Permit Law.**

**Roll call vote was taken and all Town Board members were in favor.**

**Public Hearing on this was closed at 7:14 PM**

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**Public Hearing regarding the Solar Energy Systems Regulations was opened at 7:15 PM**

It was decided to leave the public hearing open until the July 8<sup>th</sup> Town Board meeting so that action could be taken on the SEQR

**Motion was made by Councilwoman Myers and seconded by Councilman Adamson to have the Town of Porter be lead agency on the SEQR.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>AYES:</b>	Johnston, Baker, White, Myers, Adamson

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**2. Resolution 2019-71****Surplus Items**

Resolutions needed to declare used file cabinets and other assorted items in the garage surplus material.

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

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**3. Resolution 2019-72****Fort Niagara Beach Negative Declaration**

Determination of SEQRA for Fort Niagara Beach. Resolution needed authorizing Porter Town Supervisor to sign the negative declaration.

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

**4. Resolution 2019-73****Minutes Approval**

Resolution to approve the minutes of the May 13, 2019 Town Board meeting.

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

**5. Resolution 2019-74****Audited Vouchers****TOWN OF PORTER**

<b>WARRANT:</b>	<b>POST AUDIT - MAY, 2019</b>	<b>5/31/19</b>
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<b>FUND</b>	<b>01</b>	7,749.24
<b>FUND</b>	<b>02</b>	105.05
<b>FUND</b>	<b>04</b>	164.18
<b>FUND</b>	<b>06</b>	307.72
<b>FUND</b>	<b>07</b>	2,494.75
<b>FUND</b>	<b>20</b>	
<b>FUND</b>	<b>36</b>	
<b>TOTAL</b>		<b><u>10,820.94</u></b>

<b>VOUCHER 'S</b>	<b>26556</b>	<b>26574</b>
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**WARRANT:                    # 6 JUNE, 2019                    6/17/19**

<b>FUND</b>	<b>01</b>	34,905.43
<b>FUND</b>	<b>02</b>	27,768.94
<b>FUND</b>	<b>04</b>	34,772.71
<b>FUND</b>	<b>06</b>	32,386.10
<b>FUND</b>	<b>07</b>	2,583.00
<b>FUND</b>	<b>10</b>	781.53
<b>FUND</b>	<b>20</b>	1.85
<b>FUND</b>	<b>35</b>	3,016.50
<b>TOTAL</b>		<b><u>136,216.06</u></b>

**VOUCHER 'S                    26575                    THRU   26673**

**TOTAL                    147,037.00**

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

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

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**6. Resolution 2019-75**

**Acceptance of Supervisor's Report**

Resolution to accept the Supervisors report for May 13, 2019

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

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**7. Resolution 2019-76**

**Town Hall Paving Project 2019**

Sealed bids were opened / closed on June 14<sup>th</sup> at 10:00 am for the paving of the Town Hall Parking Lot. 1 bid was received by Ken Young Paving in the amount of \$51,500

Resolution needed by the Porter Town Board to accept/decline the bid

Roll call vote

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

#### IV. Reports

1. Report 2019-67

Supervisor's Report

### Supervisors Report June 17, 2019

Attended the Niagara County Water board meeting

5-18 - Met with the Ransomville Garden club

5-21- Met with Verizon- to put wi-fi emergency call boxes in at Porter on the Lake

5-27- Attended the Memorial Service at Fort Niagara, placed a wreath at the soldiers grave site

5-28 - Attended our Board of Assessment review meeting

5-31- Met with Dave Britton and Scott Hillman at 3749 River Rd because of a complaint of caving in on the walking path.

6-4 -Met with Kris Price of Esol and DEC on the Ft. Niagara park project in Buffalo

The Veterans outreach project, that I have been working on with Mayor Lawson of Wilson, will be held here at the Town Hall on Tuesday June 18<sup>th</sup>, at 10:00 AM.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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2. **Report 2019-68**

**Bookkeeper**

Bookkeeper's Monthly Report - May 2019

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Completed processing all May, 2019 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for May, 2019 and distributed it to the Supervisor & Town Board members.

Completed bi-weekly & monthly payrolls.

Completed check registers for all check payments.

Completed bank recs

Posted 2018 Audit Adjustments

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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### 3. Report 2019-69

#### Town Clerk

Water for the month of May was \$25,268.73

Sewer for the month of May was \$21,038.45

Clerk fees for May were \$1,102.54

Town of Porter Town Board agenda's and minutes are posted on our website monthly

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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### 4. Report 2019-70

#### Assessor

- Continued processing completed building permits into RPSV4, including valuation
- Processed property transfers for Town and Village
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Sent the quarterly sales transmittal to the State
- Continued to update Income Verification Program with NYS DTF for STAR exemptions
- Filed the 2019 Tentative Assessment Roll
- Accepted Complaint on Real Property Assessments (Form RP-524) and transmitted them to the BAR for Grievance Day
- Attended Board of Assessment Review Meeting - Grievance Day
- Updated the Tax Rate Sheet and posted it on the Porter website
- Continued to train the new Real Property Appraisal Aide - Selah Lowery
- Worked on self-audit to prepare for State audit.

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

1898 Lockport Rd	AV \$59,000	Sale Price \$122,000
831 Lockport Rd	AV \$143,500	Sale Price \$279,000
3014 Creek Rd	AV \$133,500	Sale Price \$207,000
2750 Dickersonville Rd	AV \$158,000	Sale Price \$239,800
379 Dansworth Rd	AV \$221,600	Sale Price \$245,000
345 Riverview Dr	AV \$144,300	Sale Price \$257,000
1783 Youngstown-Wilson Rd	AV\$180,800	Sale Price \$197,000
366 Howard Dr	AV \$129,000	Sale Price \$192,000
352 Brentwood Dr	AV \$155,800	Sale Price \$240,000
343 Main St	AV \$200,000	Sale Price \$560,000
421 Second St	AV \$290,000	Sale Price \$325,000
521 Oak St	AV \$100,000	Sale Price \$160,900

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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## 5. Report 2019-71

## Building Inspector/Code Enforcement Officer

## CODE ENFORCEMENT

## OFFICE - MONTHLY REPORT

## May 2019

- ◆ Reviewed and issued **Building Permits**; per Permit Report - attached. Twenty (20) permits have been issued for the month of May.
- ◆ Received, inspected, and issued **new Complaint/Violations**; per Complaint report. Six (6) **New** formal concerns has been processed, multiple open complaints under review/analysis.
- ◆ Completed thirty-four (34) **inspections** for Open Permits and Open Violations.



- ◆ Prepared information and attended **Planning Board** regular meeting on May 2, 2019.
- ◆ Prepared information and attended **Zoning Board of Appeals** regular, meeting on May 23, 2019.
- ◆ Miscellaneous document preparation for Porter on the Lake Improvements project; submitted and attained SHPO determination for the State Environmental Assessment Form - Negative Declaration contingency determination.
- ◆ Put together Documentation to support the advancement of the Ft. Niagara Beach - Lakeshore Stabilization project; distributed to Ensol Engineering.
- ◆ Created and uploaded "fillable application forms" to our Webpage; Building permit Application, Request for Board Action, Fireworks display Application, Unified Solar Permit application, and Fire Safety Inspection checklist.
- ◆ Conducted a preliminary Fire Safety Inspection at Heritage Manor Ransomville.

## COMPLAINT REPORT BY TYPE

### May 2019

<u>Complaint Type</u>	<u>Owner</u>	<u>Parcel Location</u>	<u>SBL</u>
<b>Unsafe Building:</b>			
020-19	Deutsche Bank National Trust Co.	1150 Cain Rd	60.00-2-11.1
<b>Drainage Issues:</b>			
021-19	Derek Smith	3534 Porter Center Rd	61.00-1-34.2
<b>Unsafe Building:</b>			
022-19	Steven Huttenmaier	2485 Lockport Rd	62.10-2-10
<b>Unsafe Building:</b>			
023-19	PA Rentals Inc	445 Powell Dr	45.32-1-7
<b>Property Maintenance:</b>			

024-19	North Buffalo	3661 Ransomville Rd	62.14-1-14
	Rental LLC		

**Activity without a Permit:**

037-19	Robert Reese	1821 Lake Rd	33.10-2-1.112
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**Permit Report by Type****May 2019**

<u>Permit Type</u>	<u>Applicant</u>	<u>Parcel Location</u>	<u>SBL</u>
<b>Shed:</b>			
039-18		Frank Doran	2347 Lockport Rd
	62.00-1-2.12		
<b>Single Family Dwelling:</b>			
027-19		Youngstown MHC	999 Balmer Rd
	60.00-2-44.2		
<b>Single Family Dwelling:</b>			
028-19		Youngstown MHC	999 Balmer Rd
	60.00-2-44.2.		
<b>Single Family Dwelling:</b>			
029-19		Youngstown MHC	999 Balmer Rd
	60.00-2-44.2		
<b>Single Family Dwelling:</b>			
030-19		Youngstown MHC	999 Balmer Rd
	60.00-2-44.2		
<b>Single Family Dwelling:</b>			
031-19		Youngstown MHC	999 Balmer Rd
	60.00-2-44.2		
<b>Alteration:</b>			
032-19		Joanne Basta	12 Porter Center Rd
	33.10-2-8		
<b>Fence:</b>			

033-19  
60.00-1-23

Timothy Sledziewski

1217 Cain Rd

**Addition:**

034-19  
46.00-1-10

Keith Shaw

1434 Lake Rd

**In Ground Pool:**

035-19  
60.00-1-35

Dale Casal

1139 Cain Rd

**Above Ground Pool:**

036-19  
59.14-2-33

Ryan Suitor

3677 Hillview Dr

**Demolition:**

037-19  
3

Robert Halbman

953 Lake Rd 32.18-1-

**Pole Barn:**

038-19  
62.00-1-34

Carl Fellows

3808 Ransomville Rd

**Firework Display:**

039-19  
48.00-1-35

Track Vision, LLC

2401 Brayley Rd

**Firework Display:**

040-19  
48.00-1-35

Track Vision, LLC

2401 Brayley Rd

**Firework Display:**

041-19  
32.20-1-1

Town of Porter

3025 Dietz Rd

**Deck:**

042-19  
62.14-1-54

Justin Stoelting

3715 Ransomville Rd

**Alteration:**

043-19  
62.14-1-55

Kevin Wise

3717 Ransomville Rd

**Fence:**

044-19  
59.18-2-3

Collesano Family Trust

3803 River Rd

**Fire Safety:**

FS-001-19  
62.10-1-5

Heritage Ransomville Realty

3509 Ransomville Rd

- **Supervisor Johnston added that he spoke with Mr. Kyle Andrews and Niagara County does not give municipalities money when the grass needs to be cut at abandoned houses. A lot of municipalities have their highway dept. mow the grass and the money spent goes on their taxes.**

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**6. Report 2019-72****Highway**

6/10/19

Department of Public Works

Monthly report for May 2019

**Highway Department:**

1. Completed monthly scheduled brush pick up.
2. Completed first round of roadside mowing.
3. Completed tub grinding of our waste wood pile.
4. 4 Employees completed the NYS Certified Excavator Class.
5. The first round of road striping has been completed.
6. Received and distributed sandbags to areas affected by the lakeshore flooding.

**Drainage Department:**

1. Off road mowing will start once the weather permits.

**Water and Sewer Department:**

1. Completed monthly meter readings.
2. Completed a water service installation on Cain Road.
3. Completed repairs to a water service leak on Youngstown/Lockport Rd.
4. Received results of DBP 2 testing all samples are in compliance.

POTL:

1. We continue to mow the park where we can. Some saturated spots will have to wait until the weather permits the mowing to be done.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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7. **Report 2019-73**

**Grant Writer**

Grants Status Report: Projects we are currently working on:

**CBDG Grant: Status Report**

**Greenway:** Submitting \$25,576.67 should been received 2 weeks ago.  
Leaves a balance of \$19,312.33

**LWRP:** Total reimbursement of \$18,386.00 has been received and semi-final report submitted to DOS. A project extension has been requested, as the State (DOS) needs to review the draft LWRP that can take some time.

**Working on volunteer hours report for next reimbursement**

**Porter 2018 DASNY SAM #14325 Improvements to Porter on the Lake**

**Facility Including the Construction of a Barn:** Waiting on executed contract.

**Porter Vacuum Truck CFA application:** the 2019 CFA application is open and we are working on the application with Scott Hillman. Scott is working with 4 neighboring communities to submit a joint application. Working with Scott, several components need to be met in order to qualify. This info has been given to Scott and we will review and prepare what we can and what we need. (If the Town Board needs a copy of these requirements I can send you the 19 page PDF).

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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#### 8. Report 2019-74

##### Attorney

Planning Board accepted the Waste Management site plan application as being complete.

O & M agreement was submitted between the Town of Porter and the Village of Youngstown but he has not heard back. Once he does, it will then go to the state.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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#### 9. Report 2019-75

##### Recreation

The Town of Porter Recreation Commission has hired the following Recreation Supervisors for the Summer Recreation Program. Employment is from July 1 - August 16, 2019.

##### RETURNING EMPLOYEES:

Nina Trank 4206 Ide Road Wilson, NY 14172	Madison Marchetti 4335 Nelson Road Wilson, NY 14172	Brady Martin 429 Dansworth Road Youngstown, NY 14174
Jeremy Saunders 2221 Schoolhouse Road Ransomville, NY 14131	Tiffany Chandler 1046 Upper Mountain Road Lewiston, NY 14092	Sean Foley 2136 Swann Road Ransomville, NY 14131
Kerstin Crum 335 Brentwood Drive Youngstown, NY 14174	Matthew Gebrosky 2278 Balmer Road Ransomville, NY 14131	Destinee Norman 5109 Dana Drive Lewiston, NY 14092
Vicki Price 648 Blairville Road	Dylan Morrisette 1460	Samantha Karp 4541 Simmons

Youngstown, NY 14174	Youngstown Lockport Road Youngstown, NY 14174	Road Ransomville, NY 14131
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**NEW EMPLOYEES:**

Kyle Wiesinger 206 Pettit Street Wilson, NY 14172	Emma Okoniewski 2659 Youngstown Lockport Road Ransomville, NY 14131	Cassie Walters 891 James Drive Lewiston, NY 14092
Katlin Johnston 4515 Shadigee Road Newfane, NY 14108	Chase Harasimowicz 544 Greenfield Road Lewiston, NY 14092	Alexander Gentile 334 Riverview Drive Youngstown, NY 14174
Mackenna Daly 932 Seneca Street Lewiston, NY 14092	Danny Gambino 575 E. Oak Terrace Youngstown, NY 14174	

The Commission also requests the appointment of **Stephanie Kowalski, 1399 Youngstown-Lockport Road, Youngstown, NY 14174**, as Recreation Supervisor. Her duties would be to assist the Director during the 7 week Summer Recreation Program.

**The Town of Porter Summer Recreation Program will be held at SafeShot Munitions (Stevenson School) from Monday, July 8<sup>th</sup> to Thursday, August 15<sup>th</sup>. Registration for children will be Wednesday, July 3<sup>rd</sup> and Friday, July 5<sup>th</sup> from 10:00am - 3:00pm at the school.**

**June Recreation Report (continued):****The Recreation Commission continues to offer the following programs:**

**\*\* Summer Story Hour beginning Wednesday, June 26<sup>th</sup> at 10:00am.** Each week, the program will be held on Tuesdays at the Youngstown Red Brick Gym, and on Wednesdays at the Ransomville Library.

**\*\* Chair Yoga on Tuesdays at 9:30am at the Youngstown Red Brick.**

**\*\* Gentle Yoga on Tuesdays at 6:30pm at SafeShot Munitions (Stevenson School).**

**\*\* Gentle Yoga on Wednesdays at 6:30pm at the Youngstown Red Brick.**

**\*\* Hall Walking on Tuesdays and Thursdays at 6:30pm at SafeShot Munitions (Stevenson School).**

**\*\* Tai Chi at Porter on the Lake Park on Fridays at 11:00am.**

**\*\* Adult Water Aerobics at Fort Niagara Swimming Pool on Wednesdays, beginning July 10, 2019, at 10:00am.**

**Motion to hire new employees for summer recreation was made by Councilman Adamson and seconded by Councilman White**

**Roll call vote was taken and all Town Board members were in favor.**

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**Motion to hire Stephanie Kowalski as Recreation Supervisor at a salary of \$4,000 annually was made by Councilman Adamson and seconded by Councilman White**

**Roll call vote was taken and all Town Board members were in favor.**

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**10. Report 2019-76**

**Calendar of Events**

6-20-19`	Special Zoning Board meeting regarding Bailey/Baker
6-27-19	Zoning Board meeting
7-1-19	Recreation meeting
7-4-19	Town Hall will be closed in observance of Independence day
7-5-19	Town Hall will be closed in accordance with a floating holiday
7-8-19	Town Board meeting
7-11-19	Planning Board meeting (rescheduled from July 4 <sup>th</sup> )

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**11. Report 2019-77**

**Public Comments**

Mr. Bob Emerson, Executive Director of Fort Niagara State Park, updated the Town Board and the residents regarding Fort Niagara. He said that last year there were 237,112 visitor's comparing to Fort Ticonderoga which had approximately 75,000 visitor's. There were 40,858 volunteer's last year (equivalent of 20 full time positions).

He also stated that the seawall is in good shape and holding up against the rising water levels.

\*Councilman Adamson thanked Mr. Emerson for the flag day ceremony.



<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**12. Report 2019-78****Town Board Comments**

Councilman Adamson asked Code Enforcer Jeffery's about a supposed helicopter pad that was being created in Youngstown Estates to which Mr. Jeffery's replied that they are not allowed and he was not aware of it. Mr. Jeffery's will be looking into this.

.....

Supervisor Johnston said that all of the grave stones have now been replaced at the church in Ransomville. He will call to see if the boards can come off tomorrow.

**Motion to adjourn the meeting was made by Councilwoman Myers  
and seconded by Councilman Adamson at 7:50 PM**

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