



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, March 11, 2019

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on March 11, 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	Absent	
Irene Myers	Town of Porter	Councilman	Present	
Tim Adamson	Town of Porter	Councilman	Present	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Mary Siegrist	Town of Porter	Bookkeeper	Present	
Bernie Rotella	Town of Porter	Grant Writer	Absent	
Mike Dowd	Town of Porter	Attorney	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Absent	

II. Reports/Resolutions

III. Resolutions

1. Resolution 2019-36

Minutes Approval

Resolution to approve the minutes for Feb 11, 2019 of the Porter Town Board.

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

2. Resolution 2019-37

Audited Vouchers

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

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

3. **Resolution 2019-38**

Acceptance of Supervisor's Report

Resolution to accept the Supervisors Report for Feb.11,2019

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

4. **Resolution 2019-39**

New York State Aid Incentives for Municipalities

Whereas, New York State Aid Incentives for Municipalities (AIM Funding) are essential to the communities they serve; and

Whereas, AIM Funding has not increased for ten years while expenses and Unfunded State Mandates have increased;

Whereas, AIM Funding helps keep property taxes under the 2% cap;

Whereas, Town officials demonstrate good stewardship of the resources entrusted to them and have a 5-year financial plan that includes AIM funding that leads to sustainable funding for the Towns long term expenses; and

Whereas, the proposed removal of AIM funding from the New York State budget for FY starting April of 2019 is of great concern to all Town residents; and

Whereas, the Town leadership respects all state mandates and guidelines; therefore be it

Resolved that the Town of Porter elect board, on behalf of its residents, recognizes the important role AIM Funding plays in small communities when it comes to maintaining services that provide Town residents a value, creates a fiscally sustainable future, keeps the Town operating under the state imposed 2% tax ceiling; and be it further

Resolved, that the Town of Porter not only actively supports keeping AIM Funding in the New York State budget beginning for the FY starting in April of 2019, but the Town of Porter proposes the State increase AIM Funding in an amount that matches the increasing expenses and Unfunded Mandates the Town is responsible for.

Resolution needed regarding AIM Funding

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

Vote was unanimous and motion was carried.

****Roll call vote was taken and all present board members were in favor.**

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

5. Resolution 2019-40

Niagara Post Theater Inc's Niagara River Greenway Application

Town of Porter

Resolution Supporting the Niagara Post Theater Inc.'s Niagara River
Greenway Application for Renovation of the Movie Theater at Fort Niagara State Park

WHEREAS, Niagara Post Theater Inc. (501c3) is applying to the Niagara River Greenway with a grant application to assist in the renovation of the legacy Military Movie Theater in Fort Niagara State Park into a Performing Arts center through a public/private partnership under the New York State Parks Adaptive-Reuse criteria. This structure is located in the center of the Fort Niagara State Park within the boundaries of the Niagara River Greenway corridor adjacent to the Niagara River Greenway trail system. The emphasis of the project is to offer a venue to support education, entertainment, assembly and interpretive opportunities within the Park and for surrounding communities.

THEREFORE, be it resolved that the Town Board of the Town of Porter hereby does approve and endorse the Greenway Application for the assistance of the renovation of the legacy Military Post Theater project by Niagara Post Theater Inc. This project exemplifies the vision, principles, goals, focus and intent of the Niagara River Greenway Plan. The effective use of an existing State resource gives rise to economic opportunities for the region and is an excellent use of the funds associated with community well-being and development.

DATE OF ADOPTION

CERTIFICATION OF CLERK

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

6. Resolution 2019-41**Board of Assessment Review Appointments**

Resolution is needed to appoint Mark Lippman to the Board of Assessment Review. He will finish out the term for Ken Greulich which expires 9/30/2020

Resolution is needed to appoint Lisa Leffler to the Board of Assessment Review. She will finish out the

term for John Bis which expires 9/30/2021

Resolution to reappoint Anthony Giarizzo to the Board of Assessment Review. His term expired 9/30/2018 and if reappointed, will expire 9/30/2023

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

Vote was unanimous and all in favor by the Porter Town Board

MOTION CARRIED

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

7. Resolution 2019-42

Real Property Appraisal Aide

Town Board resolution needed to hire Selah Lowery for the part time position (19.5 hours per week) of Real Property Appraisal Aide. Rate of pay for this position will be \$16.20 per hour effective 3/7/2019

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

8. Resolution 2019-43

Jim Stone Vacation

Resolution needed to approve Jim Stone's vacation time 3 day's after his anniversary date.

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

IV. Reports

1. Report 2019-27

Supervisor's Report

- 2-14 Attended the LEAP meeting, guest speaker was Greg Stevens of the Greenway Commission.
- 2-21 Attended the County Supervisors meeting and the Niagara County water board meeting.
- 2-22 Held a meeting at the Town hall with Mike McNerney, Joe Greer and Joe Hickman from Modern Corp.
- 2-26 Was involved in job interviews with Town Assessor Lena, and hired Selah Lowery who has worked for the town in the past and will be working part time again with us.
- 3-5 Talked with Mayor Reynolds on the Porter-Village water/sewer project.
- 3-7 Attended the emergency meeting of the Niagara County Disaster team regarding the rising lake levels.
- Compiled street light bills from 2014, 2015 and 2016 for Troy & Banks to start the audit for National Grid and Spectrum.
 - Met with Congressman Collins and staff on the urgency of the International Joint Commissions appointees.
 - We as a Town Board need to decide on which way we would like to proceed on our LED street lights. Most of the Municipalities are going with National Grid.

Supervisor Johnston - There will be a meeting in Attorney Dowd's office (3/12/19) regarding the Village of Youngstown water/sewer contract with the town.

Supervisor Johnston discussed the health Insurance regarding Merton Wiepert. "Mert should be on Medicare plan B which in turn would be saving the town about \$200 per month". After repeated attempts to reach out to Mert (including 2 certified letters), there has been no response. Councilwoman Myers and Bill Dean discussed certain rules and regulations of the health insurance industry and in the end, Attorney Dowd said that he would reach out to Mert and track him down.

Johnston also talked about the possibility of switching to LED lighting in the Town of Porter. He said that the Town of Wheatfield is going with NYPA and that they have their own bucket truck. This topic will be revisited at a later date.

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

2. Report 2019-28**Bookkeeper**

Payroll completed for the month of February

Reconciled bank accounts for the month of January

Completed all monthly reports - supervisor report, retirement report.

Deposit summary

Helped gather all information for 2018 National Grid & Time Warner for Troy & banks for audit.

Sent all year end reports out for- payroll sick time retirement, fuel cost, power cost. Trial balance .

All vouchers paid for January \$ 145,144.85

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

3. Report 2019-29**Town Clerk**

- Water for the month of February \$14,146.82
- Sewer for the month of February \$15,292.01
- Town clerk fees for February \$675.28
- Prepared agenda and transcribed minutes for the monthly meetings
- Prepared and filed February reports

- Met with Modern Disposal executives to discuss trash that wasn't picked up in the town of Porter in January.

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

4. Report 2019-30

Assessor

Lena Villella started on February 11, 2019

Susan Driscoll's last day was February 20, 2019

Conducted on-site inspections of 51 parcels on February 15, 2019

Continued processing completed building permits into RPSV4.

Continued receiving exemption applications and renewals for 2019 roll.

Worked on self-audit to prepare for State audit.

Processed January deed transfers.

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

3413 Ransomville Rd	TAV \$83,000	Sales Price \$115,000
2924 Ransomville Rd	TAV \$133,000	Sales Price \$230,000
1647 Youngstown-Wilson Rd	TAV \$224,000	Sales Price \$410,000

Level of assessment for 2019 assessment roll will be 70%

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

5. Report 2019-31

Building Inspector/Code Enforcement Officer

CODE ENFORCEMENT OFFICE - MONTHLY REPORT*February 2019*

- ◆ Reviewed and issued **Building Permits** as per Permit Report - forwarded to the Board via email & paper copy in mail boxes. Two (2) permits have been issued for the month of February.
- ◆ Received, inspected, and issued **new Complaint/Violations** as per "Complaint by Number" report - forwarded to the Board via email & paper copy in mail boxes. Three (3) formal concerns have been processed.
- ◆ Completed ongoing/**Follow up inspections** for Open Permits and Open Violations.
- ◆ Prepared information and attended **Planning Board** regular meeting on February 7, 2019.
- ◆ Prepared information and attended **Zoning Board of Appeals** regular, meeting on February 7, 2019.
- ◆ Attended 4 hrs. - **Floodplain Training** on February 6, 2019, in the Town of Wheatfield meeting hall.
- ◆ Participated in a Solar regulations amendment **committee meeting**, on February 13, 2019.
- ◆ Drafted, based on model regulation by NYSERDA, a first version of proposed **Solar Energy Systems Law** for the Town of Porter.
- ◆ Submitted Information/Accusatory Instrument to Justice Court regarding Feck property on Balmer Road; Mr. Freck is scheduled to appear in court on 3/19/19.
- ◆

PERMIT REPORT BY TYPE*February 2019***PERMIT TYPE
LOCATION SBL****APPLICANT****PARCEL****ALTERATION/REMODEL:**

006-19 1-28	KEVIN HINKLEY	2493 YOUNGSTOWN-WILSON	34.00-
------------------------	----------------------	-------------------------------	---------------

SOLAR PANELS:

007-19	THOMAS MASTERS	2661 NEW RD	62.00-1-10
---------------	-----------------------	--------------------	-------------------

COMPLAINT BY TYPE*February 2019*

COMPLAINT TYPE
LOCATION SBL

OWNER

PARCEL

PROPERTY MAINTENANCE:

008-19	STEPHEN SHANK 60.00-2-11.1	1150 CAIN ROAD
--------	-------------------------------	----------------

DRAINAGE ISSUES:

009-19 ROAD	CANDESE WHITE 62.10-2-43	2503 LOCKPORT
----------------	-----------------------------	---------------

DRAINAGE ISSUES:

010-19	DEBRA BRENOT 2507 PARKER ROAD	76.06-1-38.12
--------	-------------------------------	---------------

**

CODE ENFORCEMENT OFFICER JEFFREY'S SPOKE ABOUT THE PROPERTY LOCATED AT 447 POWELL LANE AND SAID THAT THE DEADLINE TO HAVE IT TORN DOWN IS APRIL 15, 2019. HE AND ATTORNEY DOWD DID FOLLOW UP WITH THE RESIDENT'S ATTORNEY AND THEY DO HAVE A CONTRACTOR IN PLACE.

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

6. Report 2019-32

Highway

3/11/19

Department of Public Works

Monthly report for February 2019

Highway Department:

1. Called out to plow and salt 12 times.
2. Received and piled 640 tons of mixed salt.
3. Cleared storm drains in anticipation of melting temperatures.
4. Working on a road sign inventory.

Drainage Department:

1. We are trying to remove several blockages in creeks dependent on weather conditions.
2. We are reviewing anticipated drainage work for the summer season.

Water and Sewer Department:

1. Completed our monthly meter readings.
2. Completed repairs to a water main break at 1891 Youngstown/Wilson Rd.
3. We are working on repainting the interiors of Swain and Lake Rd lift stations.
4. We have received the results of the first quarter Disinfection Byproduct testing and all came back as normal.
5. We received the new trench shoring box and have placed it in service.
6. Received notification from NYS that all employees doing excavation on underground utilities must receive certification from the state in order to do that work. The new law takes effect on May 5, 2019. The Association of Town Superintendents has offered to host a certification class in May for all towns and villages in the county. We are currently working out the details with Dig Safely NY who are authorized to teach the class.

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

7. Report 2019-33

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, and Hall Walking 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
- * Intermediate Line Dancing: 7:30-8:30pm

THURSDAYS:

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

*** Pickleball is no longer being offered. It is too difficult to play on the turf that was installed in the Stevenson Gym.

4. We continue to plan for our 2019 Summer Program at Stevenson School and our future facility/storage needs.
5. The Summer Recreation Program will be held again at Stevenson School in Ransomville. The Program will run from **Monday, July 8 - Thursday, August 15.**
6. Our next meeting will be Monday, April 1, 2019 at 7:00pm.

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

8. Report 2019-34**Tax Collector**

Town of Porter, January and February tax collection, is completed and I have started March.

Payments made in March will require an added penalty/interest fee.

I have made 1st installment of \$3,000,000. to the Niagara County Treasurer on about April 14th

Tax payments can not be accepted after April 1, 2019. On or about April 2, 2019 all unpaid tax bills will be sent to Niagara County Treasurer for collection.

Payments can be mailed to Tax Collector, Youngstown, NY PO Box 430 14174 or I will be at the Town Hall

March 13, 20, 27 from 8am to noon.

I will also be at the Town Hall on Monday April 1st from 8am to 4pm

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

9. Report 2019-35**Attorney**

none

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

10. Report 2019-36**Grant Writer****Grants Status Report:**

CBDG Grant: Meeting is being scheduled with the consultant to finalize contract, scope of work and schedule. Project meeting is scheduled for March 19th 11:00 AM at town hall.

Greenway: Looking for any expenditures to date to submit for reimbursement.

LWRP: Reimbursement documents have been mailed in, additional information was requested and was emailed to DOS today.

Porter 2018 DASNY SAM #14325 Improvements to Porter on the Lake Facility including the construction of a barn: Still need final quote detail of budget.

Porter 2016 SAM DASNY Truck Project #8276: Final documents were mailed February 4, 2019 - mailed and scanned the Porter Truck DASNY SAM Project #8276 EXHIBIT E Payment Requisition Form and Dual Certification and attachments.

CFA will open in May

EFC will open this summer (water and sewer projects)

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

11. Report 2019-37**Calendar of Events**

3/14/19 Planning Board

3/28/19 Zoning Board
4/1/19 Recreation meeting
4/8/19 Town Board

Also on March 28, 2019 there will be a free Health Education informative class discussing screening for breast cancer and the risk factors for prostate cancer. Sandra Lahrache from Niagara Falls Memorial Medical Center will be here to answer any questions you may have and everyone is welcome. It will be located in the Town's conference room.

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

12. Report 2019-38

Public Comments

Clifford Truesdell asked when the culverts in front of the fire hydrants were going to be fixed and councilman Baker said it could be a lengthy issue and might include permit(s) needed. Councilman Adamson said that it could be a possible safety issue. Supervisor Johnston promised that he would look into it and bring it up with Superintendent Hillman.

Mr Truesdell also asked if the town had a computer program that could pull up a list of complaints that go back many years but at this time, the town does not.

Mr. Bill Dean asked the board about his drainage issue's on his property and Supervisor Johnston said it is on the list to be done.

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

13. Report 2019-39

Town Board Comments

Councilman Adamson handed out flyers regarding Porterfest that the YBPA put on their business page and also it has reached 20,900 people with responses of 1200 people and it also breaks down the demographics.

Porterfest is close to having \$2,000 in vendors and corporate sponsors.