



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, March 13, 2023

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on March 13, 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 | Absent | |
| Tim Adamson | Town of Porter | Councilman | Present | |
| Jipp Ortiz | Town of Porter | Councilman | Absent | |
| Kara Hibbard | Town of Porter | Town Clerk | Present | |
| Kimberli Boyer | Town of Porter | Bookkeeper | Present | |
| Elaine Porto | Town of Porter | Deputy Town Clerk | 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 | |

II. Resolution/Reports

III. Resolutions

1. Resolution 2023-50

Water System Capital Improvement Project Soil Boring Resolution

RESOLUTION TOWN OF PORTER WATER SYSTEM CAPITAL IMPROVEMENT PROJECT RIVER ROAD AND RELATED AREAS CONTRACT 23-1

WHEREAS, the Town of Porter had authorized Wendel, the Town's design engineer to issue a Request for Proposals for soil bores required for the Town of Porter Water System Capital Improvement Project, and

WHEREAS, two (2) written cost quotes on the above referenced project were received by the Town of Porter,

NOW THEREFORE BE IT RESOLVED, that the Porter Town Board authorizes award of the Town of Porter Water System Capital Improvement Project Soil Bore project to Atlantic Testing Laboratories, 6431 US Highway 11 Canton NY 13617 with a cost not to exceed \$40,000.00 contingent upon the Town Attorney's review of the Contractor's written proposal.

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

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

2. Resolution 2023-46

SPCA Contract

Authorize the supervisor to sign a 6 month contract with the SPCA from 1/1/2023 - 6/30/2023. 6 monthly payments of \$550 for a total cost of \$3,300.00

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

3. Resolution 2023-48

Increase Pay for Highway and Recreation Employees

Resolution needed to increase pay for highway summer help and recreation employees from \$14.00 to \$14.50 for the first year and \$15 for returnees.

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

4. Resolution 2023-39

Amend Chapter 70 Bldg. Code Admin. and Enforcement

The proposed Local Law #2 of 2023 would amend the code of the Town of Porter Chapter 70 Building Code Administration and Enforcement required, pursuant to the statutory authority of Executive Law 381 (1), 382 and the Energy Law 11-107, and further established by the Dept .of State Title 19, 19 NYCRR part 1203. A public hearing regarding this proposed law was opened and closed at last month's Town Board meeting.

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

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

5. Resolution 2023-38

Bryce's Law

The proposed Local Law (Local Law #1 of 2023) would amend the Town Code Chapter 145 "Sewers" to provide minimum standards required by Section 2858 of the New York State public Authorities Law or "Bryce's Law" related to the installation and maintenance of grease traps and interceptors at food establishments. The public hearing was opened and closed last month.

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

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

6. Resolution 2023-47**Generator**

Board approval needed to put a "notice to bidders" in the Niagara Gazette regarding a Generator for Town Hall.

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

7. Resolution 2023-35**Minutes Approval**

Resolution to approve the minutes from the February 13, 2023 Town Board meeting.

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

8. Resolution 2023-36**Audited Vouchers****TOWN OF PORTER**

| | | |
|-----------------|-----------------------|-----------------|
| WARRANT: | POST AUDIT #2A | 2/28/23 |
| FUND | 01 | 2,259.83 |

| | | |
|------|----|----------|
| FUND | 02 | 2,771.37 |
| FUND | 04 | 10.78 |
| FUND | 06 | 0.00 |
| FUND | 07 | 1,077.93 |
| FUND | 10 | 891.21 |
| FUND | 11 | 0.00 |
| FUND | 35 | 0.00 |

| | | |
|-------|--|-----------------|
| TOTAL | | <u>7,011.12</u> |
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| | | | |
|------------|-------|------|-------|
| VOUCHER 'S | 31289 | THRU | 31306 |
|------------|-------|------|-------|

WARRANT:

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|------------------------|---------|
| POST AUDIT #3 MAR 2023 | 3/10/23 |
|------------------------|---------|

| | | |
|------|----|-----------|
| FUND | 01 | 12,184.14 |
| FUND | 02 | 8,219.97 |
| FUND | 04 | 67,404.12 |
| FUND | 06 | 2,567.73 |
| FUND | 07 | 2,036.26 |
| FUND | 10 | 0.00 |
| FUND | 11 | 25,946.95 |
| FUND | 20 | 0.00 |
| FUND | 21 | 0.00 |
| FUND | | |

| | | |
|-------|--|-------------------|
| TOTAL | | <u>118,359.17</u> |
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|------------|-------|------|-------|
| VOUCHER 'S | 31307 | THRU | 31374 |
|------------|-------|------|-------|

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| TOTAL | <u>125,370.29</u> |
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Resolution to approve the vouchers as audited by the Porter Town Board.

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

9. Resolution 2023-37

Acceptance of Supervisor's Report

Resolution to accept the Supervisor's report from the February 13, 2023 Town Board meeting.

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

10. Resolution 2023-49**Budget Adjustments**

Resolution needed to make 2 budget adjustments.

- 1) Decreased account 04-5112.0001 (Improvements, chips) by \$139,903.40 and increase account 04-5110.0004 (General Repairs) to \$200,006.20.
- 2) Budget Adjustment for account 04-1420.0004 (Attorney) - \$27,900.00.

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

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

IV. Reports**1. Report 2023-23****Supervisor's Report****FEBRUARY SUPERVISOR'S REPORT 2023**

2-15 Met with Congressman Higgins

2-16 Niagara County Water board meeting

2-16 Went to the Niagara River Chamber blender.

2-17 Zoom call with Valeria, about the POTL grant

2-23 Zoom call with Eric from the USDA, about the waterline grant

2-28 Zoom meeting on clean energy

3-2 NFNW webinar, for National Coastal Resilience Fund

3-8 Presented the Fitness Court grant to Niagara County AD-HOC committee

Worked with our grant writer to get sponsor letters from Senator Ortt and Assemblyman Morinello, for Congressional support.

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| RESULT: | REPORT ISSUED |
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2. Report 2023-24

Bookkeeper

Completed processing all February 2023 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for February 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 February and they balanced.

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| RESULT: | REPORT ISSUED |
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3. Report 2023-25

Town Clerk

Completed Water reports for the month of February - \$22,843.64

Completed Sewer reports for the month of February -\$15,743.29

Balanced Clerk fees's-\$306.88

We are accepting payments for Town & County taxes until March 31st. Starting April 1st , payments will need to be mailed to the county.

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| RESULT: | REPORT ISSUED |
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4. Report 2023-26

Assessor

- Continued processing completed building permits into RPSV4
- Processed property transfers for Town and Village, notified appropriate officials
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Attended the Town Planning Board meeting on February 2nd
- Selah and Lena attended the Niagara County Assessors Assn meeting in Lewiston
- Field review was completed on 88 open building permits in the Town
- Field review was completed on 38 open building permits in the Village
- We continue to value open building permits for the 2023 Roll
- We continued to accept applications from property owners for the Agricultural Exemption, the Aged - Low Income Sr. Exemption, the Disability with Limited Income Exemption, Clergy and Wholly Exemptions. Renewal applications and new applications were due March 1, 2023
- The level of assessment and residential assessment ratio for the 2023 assessment roll was submitted to the NYS Office of Real Property Tax Services as 52%
- The quarterly sales transmittal was submitted to the NYS Office of Real Property Tax Services

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

| | | |
|---------------------------|--------------|----------------------|
| 147 William St | AV \$109,600 | Sale Price \$260,000 |
| 420 Riverview Dr | AV \$279,900 | Sale Price \$540,000 |
| 2409 Youngstown-Wilson Rd | AV \$65,000 | Sale Price \$190,000 |

| | | |
|------------------------|--------------|----------------------|
| 3954 Dickersonville Rd | AV \$115,800 | Sale Price \$280,000 |
| 3604 Ransomville Rd | AV \$51,000 | Sale Price \$138,000 |
| 1465 Sunrise Ln | AV \$124,000 | Sale Price \$289,900 |
| 675 Johnston Dr | AV \$105,400 | Sale Price \$200,000 |
| 2119 Lake Rd | AV \$136,600 | Sale Price \$410,000 |

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| RESULT: | REPORT ISSUED |
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5. Report 2023-27

Building Inspector/Code Enforcement Officer

- ◆ Reviewed and issued three (3) **Building Permits** for the month of **February**.
- ◆ Received, Inspected, and followed up on one (1) **New** formal **Complaint/Violations**
- ◆ Completed eighteen (22) **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 **February 2, 2022**.
- ◆ Prepared information and participated in the schedule **Zoning Board** meeting for **February 23, 2022**.
- ◆ Attended Town of Porter **Justice Court** for pending Zoning enforcement cases.
- ◆ **Prepared LL2 of 2023 - Chapter 70, Building Code Administration and Enforcement** in the Code of the Town of Porter, For Town Board consideration, in compliance with the NYSDOS regulations.

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| RESULT: | REPORT ISSUED |
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6. Report 2023-29

Highway

HIGHWAY

- 1.ORDERED 600 TON OF SALT.
- 2.PLOWED AND SALTED 5 TIMES.
- 3.REPLACED SNOWPLOW BLADES.

4. REPLACED WING RUBBER BLADES.
5. PATCHED POT HOLES IN ROADS.
6. CLEANED SIDEWALKS WITH TRACTOR AND BACKHOE.
7. CLEANED OUT SNOW IN FRONT OF ROAD DRAINS TO PREVENT FLOODING.
8. PICKED UP BRUSH FROM WINDSTORM.
9. REPLACED POWER STEERING GEAR BOX ON DUMP TRUCK #11.
10. CLEANED UP GARBAGE IN RANSOMVILLE.

WATER AND SEWER

1. COMPLETED WATER METER READINGS FOR THE QUARTER.
2. COMPLETED WATER SAMPLES FOR THE QUARTER.
3. RECEIVED WATER QUALITY REPORTS.
4. SERVICED SEWER LIFT STATIONS.
5. COMPLETED I&I INSPECTIONS FOR THE MONTH.

DRAINAGE

1. DAN TRUESDELL CLEANED CREEK BETWEEN LAKE RD. AND YOUNGSTOWN WILSON RD.

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| RESULT: | REPORT ISSUED |
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7. Report 2023-28

Recreation

- Story Hour is held every week at the Youngstown Library on Tuesdays and the Ransomville Library on Wednesdays, at 9:30am and 11:00am.
- Yoga is held every week at the Youngstown Village Center (Red Brick). The classes are free and open to the public. The schedule is:

Tuesdays at 9:30am - Chair Yoga

Tuesdays at 6:30pm - All Level Yoga

Wednesdays at 6:30pm - Gentle Yoga

- Our 2023 grant requests were approved by the Niagara County Youth Bureau. We will receive \$2000 for Recreation and \$2000 for Story Hour. This is a \$500 increase for both programs; last year we only received \$1500 each.
- Planning continues for the Summer Recreation Program which will be held again at the Ransomville Free Methodist Church, from July 5th - August 10th.
- Our next meeting will be Monday, April 17, 2023 at 6:00pm at Town Hall. This is the 3rd Monday due to the holiday.

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| RESULT: | REPORT ISSUED |
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8. Report 2023-30

Calendar of Events

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|---------|---|--|
| 3-23-23 | - | Zoning Board of Appeals monthly meeting at 7:00 PM |
| 4-6-23 | - | Planning Board monthly meeting at 7:00 PM |
| 4-10-23 | - | Town Board monthly meeting at 7:00 PM |
| 4-17-23 | - | Recreation monthly meeting at 6:00 PM |

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| RESULT: | REPORT ISSUED |
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9. Report 2023-31

Public Comments

Terry Duffy received 9 applications for Home Town Hero's -he has been in touch with both veteran's posts and everything is moving along.

Wendy presented information to the board members regarding NY 2020 General election (a study in deficits)

Rusty Tower asked if the town can pitch in for to help the true hero's of the Town who have received Purple Hearts

Councilman Adamson responded that all Military personal are HERO'S- backed by Elaine Porto

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| RESULT: | REPORT ISSUED |
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10. Report 2023-32

Town Board Comments

Motion to adjourn the meeting was made by Deputy Supervisor Baker and seconded by Councilman Adamson at 7:30PM

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| RESULT: | REPORT ISSUED |
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