



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Kara Hibbard
716-745-3730

Monday, May 8, 2023

7:00 PM

Town Hall Auditorium

I. Call to Order

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	Present	
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 2023-59

Porter on the Lake Park Improvements Bid

Bids for the Porter on the Lake Park Improvement were received on Monday, May 1, 2023. Bid opening was at 10:00 AM and bids were received as follows:

Mark Cerrone Inc. \$248,725.00

A1 and Care Inc. \$219,742.00

1895 Electric \$156,450.00

Scott Lawn Yard \$271,602.00

Board decided to discuss at next Town Board Meeting on June 12, 2023. Engineers have not finished reviewing the bids .

RESULT:	TABLED [UNANIMOUS]	Next: 6/12/2023 7:00 PM
MOVER:	J. Duffy Johnston, Jeff Baker	
SECONDER:	Tim Adamson, Councilman	
AYES:	Johnston, Baker, White, Adamson, Ortiz	

2. Resolution 2023-43

Minutes Approval

Resolution to approve the minutes from the April 10, 2023 Town Board meeting.

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

3. Resolution 2023-44

Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDIT #4A 4/30/23

FUND	01	43,104.22
FUND	02	589.95
FUND	04	13,831.59
FUND	06	2,093.36
FUND	07	28,203.41
FUND	10	0.00
FUND	11	23,580.92
FUND	35	0.00

TOTAL 111,403.45

VOUCHER 'S 31469 THRU 31497

WARRANT: POST AUDIT #5 MAY 2023 5/4/23

FUND	01	22,799.62
FUND	02	9,278.04
FUND	04	37,755.19
FUND	06	5,562.63

FUND	07	16,761.53	
FUND	10	822.92	
FUND	11	27,531.64	
FUND	20		
FUND	21		
FUND			
TOTAL		<u>120,511.57</u>	
VOUCHER 'S	31498	THRU	31569
	TOTAL	<u>231,915.02</u>	

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

Motion to approve two vouchers for

The Board voted on another resolution to pay 2 invoices for National Grid for 950 Woodcliff Dr \$ 2037.28 and 1000 Woodcliff for \$1819.84- Total of \$3857.12

The motion was made by Councilman Adamson and seconded by Deputy Supervisor Baker.

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

4. Resolution 2023-45

Supervisor's Report

Resolution to accept the supervisor's report from the April 10, 2023 Town Board meeting.

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

5. Resolution 2023-61

Tom Tower Farmland Protection Implementation

Town of Porter
Resolution to Support Application for
Farmland Protection Implementation Grant Funding
for the Tom Tower Farm Project

Whereas Tom Tower owns and operates the Tower Farm and Market in the Town of Porter. The property is uniquely positioned near Lake Ontario, where the microclimate makes the highly productive soils the perfect place to grow delicate fruit crops, including peaches, apricots, apples, cherries, wine grapes, and vegetables. The 54-acre farm has 48 acres (91%) of USDA prime and statewide important soils. The farm is located within the Niagara County Agricultural District; and

Whereas the Town of Porter Comprehensive Plan acknowledges that agriculture is an important part of the Town's character. The majority of the town is zoned as agriculture to ensure protection of viable farmland and minimize development that infringes on the character and productivity of agricultural land; and

Whereas, the Town of Porter has identified the Western New York Land Conservancy as a partner for purchasing conservation easements on agricultural land within the Comprehensive Plan; and

Whereas the Town Board further recognizes that the 54+/- acre Tower Farm project property possesses productive agricultural land, natural habitats, and open space values, and that preserving these conservation values will provide significant public benefit to the people of Porter, Niagara County, and the State of New York;

Now, therefore be it resolved that the Town Board supports the Western New York Land Conservancy's submission of an application to the State of New York for a Farmland Protection Implementation Grant for the Purchase of Development Rights on the Tom Tower Farm.

Roll call vote: Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson, Councilman White and Councilman Ortiz were all in favor.

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

6. Resolution 2023-62

Sewer Pump Station Resolution for Quackenbus Payment

RESOLUTION

APPROVAL PAY REQUEST FOR SEWER PUMP STATION PROJECT

WHEREAS, The Town of Porter has previously entered into an agreement with Quackenbush Co, Inc. to perform upgrades to the Swain and Lake Road sewer pumping stations and

WHEREAS, The contract between the Town of Porter and Quackenbush Co. Inc, is \$382,800 and

WHEREAS, Quackenbush has purchased and stored equipment per the terms of the contract to allow equipment to be onsite for the start of construction in the amount of \$214,415. Quackenbush has submitted appropriate documentation and invoices for the purchased and stored equipment, Wendel, the Town of Porter's engineering consultant on this project has recommended payment in the amount of \$214,415.

NOW THEREFORE BE IT RESOLVED, The Town of Porter Town Board approves payment in the amount of \$214,415 to be made to Quackenbush for materials purchased and stored.

Roll call vote: Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson, Councilman White and Councilman Ortiz were all in favor.

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

7. Resolution 2023-63

Interfund Transfer

Interfund transfer in the amount of \$214,415.00 from the Capital Improvement fund (32) to the Joint Sewer Project (07-8150) to pay for materials needed for the joint sewer lift stations project improvements.

Roll call vote: Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson, Councilman White and Councilman Ortiz were all in favor.

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

8. Resolution 2023-66**Edmunds Gov Tech Online Credit Card System****Investment Summary**

Software Service License	\$3,050.00
Professional Services - Implementation	\$400.00
Support Services	<u>\$950.00</u>
One year investment	\$4,400.00

One-time License Fees: 100% will be due upon execution of the contract (effective date)

One-time implementation fees: 50% will be due upon execution of the contract, 25% will be invoiced 60 days after the effective date and the remaining 25% will be invoiced upon the earlier of project acceptance or first production use.

Support service fees: 100% will be invoiced on the effective date for the first annual term. Thereafter, 100% of each subsequent annual fee will be invoiced annually, 60 days prior to each anniversary of the effective date.

All invoices shall be paid within 30 days of the invoice date. Fees may increase annually with renewal terms subject to the National Consumer Price Index (CPI) or four percent (4%) of prior year's fees.

Software Service - License

Clerk Online Dogs	\$950.00
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Itax web portal	<u>\$2,100.00</u>
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One time fees: \$3,050.00

Roll call vote: Supervisor Johnston, Deputy Supervisor Baker, Councilman Adamson, Councilman White and Councilman Ortiz were all in favor.

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

IV. Reports

1. Report 2023-44

Supervisor's Report

4-13 Had zoom call with the National Fitness campaign group

4-14 Met with Steve Cliff on a possible active shooter training

4-18 Met with team from Eagle Systems and Toshiba for printers

4-20 Had Niagara County Water board meeting

4-25 Met with Jason from smart communities on the Towns electric and gas usage

4-27 Attended Niagara River Chamber dinner

4-28 Met with the Youngstown Mayor and staff on the sewer increases

5-2 Met with our Engineers Wendel on waterline project

5-3 Went to the Niagara River chamber meeting, They are now the Upward Niagara Chamber

5-7 Attended a meat raffle that was put on by the Upward Niagara Chamber.

RESULT:	REPORT ISSUED
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2. Report 2023-45

Bookkeeper

Completed processing all April 2023 Vouchers & Journal Entries.

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

Worked with the auditors for the 2022 Audit

Attended 3 training sessions for new retirement system. Also updated the new ERET Tool Spreadsheet and MCR Report with changes and adding all town employees.

Attended a meeting with the Village of Youngstown about the sewer rates.

Attended a meeting with the Town Water Clerk (Amanda), Town Attorney, Town Supervisor and Town Highway Superintendent.

RESULT:	REPORT ISSUED
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3. Report 2023-46

Town Clerk

Completed and balanced Water Collection for April - \$21,569.14

Completed and balanced Sewer - \$15,084.64

Completed and balanced Clerk Fee's - \$622.51

Worked with Edmunds.gov on a proposal for taking payments online and a credit card system at the counter.

RESULT:	REPORT ISSUED
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4. Report 2023-73

Tax Collector

Supervisor Johnston and Town Board Members

May 8, 2023

March 31, 2023 completed the property tax collection for Niagara County and the Town of Porter. The following reflects the collection and the disbursement of all tax, late penalties and the Key Bank balances as of May 8, 2023.

Paid to Supervisor	1,861,750.64	Jan
Paid to Treasurer	3,000,000.00	Feb
Collected by County	<u>102,415.27</u>	Feb

4,964,165.91 Total

Total Uncollected 173 Bills	352,665.56
Total Tax Collected 94.44%	<u>5,994,847.72</u>

Warrant	6,348,374.64
COE/ Time Warner	- <u>871.36</u>
Adj. Warrant	6,347,503.28
Total Pre-paid	- <u>4,964,165.91</u>
	1,383,337.37

Uncollected	- 352,655.56
Due Treasurer in April	- 1,030,681.81
Less \$1.00 Mailing/uncollected	- <u>173.00</u>
Final Installment to County	1,030,508.81

Penalties paid to Supervisor Ck #574	6,897.28
Plus start up Cash Drawer	300.00
Key Bank Balance as of May 08, 2023	2.00

Elaine Porto
Deputy Town Clerk
Town Tax Collector

RESULT:	REPORT ISSUED
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5. Report 2023-47

Assessor

April 2023

- Updated the real property system for changes due to building permits
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Approved and/or denied exemption applications - notified property owners of denial determinations
- Processed the STAR reports received from the State to update STAR exemptions
- Submitted recommended changes to the STAR reports to the State
- Posted the new STAR exemption and STAR Cap amounts for the 2023 Roll
- Submitted the file to the County to process the 2023 Tentative Assessment Roll
- Submitted the legal notice to the Niagara Gazette for the publishing of the tentative assessment roll and notice of grievance day
- Change of Assessment Notices were mailed to affected property owners
- Selah attended the Introduction to Farm Appraisal Class in Batavia April 24-28, 2023

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

1463 Lake Rd	AV \$67,000	Sale Price \$127,000
416 Church St	AV \$105,000	Sale Price \$290,000
390 Brookshire Rd	AV \$132,600	Sale Price \$278,000

RESULT:	REPORT ISSUED
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6. Report 2023-48

Highway

HIGHWAY

1. PICKED UP PLOW MARKERS
2. CLEANED UP SCUFF MARKS WHERE PLOW DAMAGED YARDS
3. CLEANED UP AND DID DIRT WORK ON SIDEWALKS IN RANSOMVILLE
4. TOOK PLOWS AND SPREADER OUT OF TRUCKS TO SERVICE/SEAL FOR SUMMER
5. TRACKS HAVE BEEN SERVICED AND READY FOR BRUSH

6. STARTED TOWN WIDE BRUSH CLEAN UP
7. STARTED MOWING CEMETERIES
8. STARTED DELIVERING MULCH
9. INSTALLED NEW TIRES AND RIMS ON GRADALL

WATER / SEWER

1. READ WATER METERS FOR THE QUARTER
2. SERVICED LIFT STATIONS
3. INSTALLED 1" METER PIT LOCATED ON WOODCLIFF DR.
4. INSTALLED 1 ½" METER PT LOCATED ON EAST AVE.
5. REPLACED 2 GRINDER PUMPS FOR HOMEOWNERS

DRAINAGE

1. STARTED CLEANING DEBRIS AND TREES FROM CREEKS AND PORTER ON THE LAKE.
2. TURNED ON THE WATER AT THE PARK. BATHROOMS ARE OPEN FOR THE SEASON. MOWED PARK.

RESULT:	REPORT ISSUED
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7. Report 2023-72

Building Inspector/Code Enforcement Officer

- ◆ Reviewed and issued eighteen (18) **Building Permits** for the month of **April**.
- ◆ Received, Inspected, and followed up on seven (7) **New** formal **Complaint/Violations**
- ◆ Completed twenty (21) **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 **April 6, 2022**.
- ◆ Prepared information and participated in the schedule **Zoning Board** meeting for **April 27, 2022**.
- ◆ Attended Town of Porter **Justice Court** for pending Zoning enforcement cases.
- ◆ Attended Town of Niagara **Justice Court** for a pending Zoning enforcement case.
- ◆ Coordinated and participated in the second **Short Term Rental committee**. A third meeting is scheduled for **May 18, 2023**.
- ◆ Continued work on Building Committee Bid documentation; New Generator & HVAC replacement work.

RESULT:	REPORT ISSUED
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8. Report 2023-75

Recreation

- Story Hour continues every week at the Youngstown Library on Tuesdays and the Ransomville Library on Wednesdays, at 9:30am and 11:00am, and ends on Wednesday, June 7th.
- The weekly Summer Story Hour Program will begin on Tuesday, June 27th at the Youngstown Red Brick Gym and Wednesday, June 28th at the Ransomville Library. Both days begin at 10:00am.
- 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

- The Summer Recreation Program will be held at the Ransomville Free Methodist Church from July 5th - August 10th. Registration will be held in person at the church on Wednesday, June 28th & Thursday, June 29th. Online and mail-in registration is not available.

- We're advertising to hire Recreation Leaders for the Summer Program. Resumes must be submitted by June 2nd at Town Hall, or emailed to the Recreation Director at tshippy@stella-niagara.com <<mailto:tshippy@stella-niagara.com>>. Applicants are required to be at least a graduating high school senior. Interviews will be held on Monday, June 5th.
- Our next meeting will be Monday, June 5th at 6:00pm at Town Hall.

RESULT:	REPORT ISSUED
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9. Report 2023-74

Water Line Comments

Public comments regarding the waterline.

Town Supervisor explained to the residents that he will be meeting with the County and bringing District Legislator Irene Myers to the meeting along with the original petitions brought in from the residents and Mr. Burrows. Duffy will follow up with his meeting in the next meeting for May 11, 2023.

RESULT:	REPORT ISSUED
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10. Report 2023-49

Calendar of Events

5-25-23	-	Zoning Board of Appeals monthly meeting at 7:00 pm
6-1-25	-	Planning Board monthly meeting at 7:00 pm
6-5-23	-	Recreation meeting at 6:00 pm at Town Hall
6-12-23	-	Town Board monthly meeting at 7:00 pm

RESULT:	REPORT ISSUED
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11. Report 2023-50**Public Comments**

Terry Duffy our Town Historian spoke about the Home Town Hero's Program . Terry mentioned he had 13 banners for village of Youngstown and 21 for the Hamlet of Ransomville. He said he will be picking up the banners this week and they should be installed by Memorial Day. The Town will receive a list of banner locations. Banners should be taken down around mid October.

Supervisor Johnston mentioned he will be reviewing the insurance ends of things for the Hero Program.

Eagle Scout Alexander Unversaw gave the board a diagram of the bird houses that he and roughly 20 of the other scouts will be building for the Town of Porter Park and Nature trail . There will be approximately 22 bird houses specifically geared towards different types of species of birds. Project is to be completed around end of June.

RESULT:	REPORT ISSUED
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12. Report 2023-51**Town Board Comments**

At 7:02 PM Councilman Ortiz made a motion to go into Executive Session and Councilman Adamson seconded to discuss an ongoing lawsuit. No decision was made ,session lasted for 10 minutes

Councilman Adamson and Councilman White spent the last two weekends cleaning up the beach at Porter on the Lake, they picked as much debris as they could along with pricker bushes and other things.

A BIG THANK YOU TO BOTH OF YOU FOR KEEPING OUR BEACHES CLEAN ON YOUR OWN TIME
!!

Councilman Ortiz asked Code Enforcer Jefferys if there was any updates on the Cell Tower. Peter replied it should be June before it is operational.

Highway Dave Burmaster made note that he wanted to have the town make a payment to National Grid for two generators for two separate locations for a total of \$3857.12
950 Woodcliff for \$2037.28

1000 Woodcliff for \$1819.84

RESULT:	REPORT ISSUED
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