



# Town of Porter

## Town Board Meeting

~ Minutes ~

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

Kara Hibbard  
716-745-3730

Tuesday, October 15, 2019

7:00 PM

Town Hall Auditorium

### I. Call to Order

7:00 PM Meeting called to order on October 15, 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	Absent	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Kimberli Boyer	Town of Porter	Bookkeeper	Present	
Bernie Rotella	Town of Porter	Grant Writer	Absent	
Mike Dowd	Town of Porter	Attorney	Present	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	

### II. Resolutions/Reports

### III. Resolutions

#### 1. Resolution 2019-103

#### Minutes Approval

Resolution needed to approve the minutes from the Town Board meeting on September 9, 2019

**Motion made by Deputy Supervisor Baker and  
seconded by Councilman White**

**Motion carried.**

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

## 2. Resolution 2019-104

**Audited Vouchers****TOWN OF PORTER**

WARRANT: 9-A POST AUDIT - SEPT, 9/30/19  
2019

FUND	01	32,222.96
FUND	02	42,815.00
FUND	04	80,862.90
FUND	06	3,229.56
FUND	07	51,670.08
FUND	10	815.67
FUND	35	429.50

TOTAL **212,045.67**

VOUCHER 'S 27008 THRU 27040

WARRANT: # 10 OCT, 2019 10/11/19

FUND	01	32,557.71
FUND	02	41,598.30
FUND	03	708.16
FUND	04	32,153.34
FUND	06	8,166.20
FUND	07	2,104.53
FUND	10	843.30
FUND	20	
FUND	35	

TOTAL **118,131.54**

VOUCHER 'S 27041 THRU 27134

TOTAL **330,177.21**

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

**Motion was made by Deputy Supervisor Baker and seconded by Councilman White**

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

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3. **Resolution 2019-105**

**Acceptance of Supervisor's Report**

Resolution to accept the Supervisor's report from September 9, 2019

**Motion was made by Councilman White and seconded by Deputy Supervisor Baker.**

<b>RESULT:</b>	<b>ADOPTED [3 TO 0]</b>
<b>MOVER:</b>	Larry White, Councilman
<b>SECONDER:</b>	Jeff Baker, Deputy Supervisor
<b>AYES:</b>	Jeff Baker, Larry White, Irene Myers
<b>ABSTAIN:</b>	J. Duffy Johnston
<b>ABSENT:</b>	Tim Adamson

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4. **Resolution 2019-106**

**Green Light Law**

WHEREAS, holding a driver's license in New York State is a privilege, not a right, and

WHEREAS, on June 17, 2019, New York State Governor Andrew Cuomo signed into law the "Green Light Law" which requires New York County Clerk's to issue driver's licenses based upon the following forms of identity,: "a valid unexpired foreign passport issued by the applicant's country of citizenship, a valid, unexpired consular identification document issued by the consulate from the applicant's country of citizenship, or a valid foreign driver's license that includes a photo image of the applicant and which is unexpired or expired for less than twenty-four months of its date of expiration.", and

WHEREAS, New York State Governor Andrew Cuomo fails to provide any mechanism for the Niagara County Clerk and/or Niagara County Department of Motor Vehicle employees to restrict and/or prevent non-United States citizens from registering to vote at the time of applying for such New York State Driver's license. In fact, such non-United States citizens are afforded the same privilege of being allowed to complete the electronic "motor voter", voter registration application as is a citizen of the United States and resident of New York State, and

WHEREAS, such June 17, 2019, "Green Light Law" of New York State Governor

Andrew Cuomo fails to provide any provision that allows the Niagara County Clerk and/or Niagara County Department of Motor Vehicle employees to in any manner monitor the voter registration application of any such non-United States citizens who registers to vote at the time of applying for such New York State Driver's license, such voter registration application is in all respects carried out in secrecy, and

WHEREAS, such June 17, 2019, "Green Light Law" of New York State Governor Andrew Cuomo forbids the disclosure of or accessibility to such foreign documents provided by non-United States citizens at the time of applying for such New York State Driver's license, such non-disclosure includes but is not limited to the Niagara County Board of Elections and Niagara County Law Enforcement, and

WHEREAS, such June 17, 2019, "Green Light Law" of New York State Governor Andrew Cuomo fails to provide any necessary documentary proof to the Niagara County Board of Elections to allow it to conduct its statutory review of the voter registration list for Niagara County and thereby refuse to approve any voter registration by a non-United States citizens who registers to vote at the time of applying for such New York State Driver's license, and

WHEREAS, on August 6, 2019 the Niagara County Legislature unanimously passed a resolution authorizing the Niagara County Attorney to investigate, engage counsel and commence all litigation to enjoin Implementation and Enforcement of the "Green Light Law", now, therefore, be it

RESOLVED, the Town of Porter Common Council supports Niagara County's commencement of litigation challenging the state's "Green Light" law, and be it further

RESOLVED, that the Town of Porter Common Council shall forward copies of this resolution to Governor Andrew M. Cuomo.

Resolution needed by the board to show support for the "Green Light Law"

**Motion was made by Deputy Supervisor Baker and seconded by Councilwoman Myers.**

**All in favor - Motion carried.**

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

**5. Resolution 2019-107****Unpaid Water Bills**

Resolution needed by the town board to impose an administrative fee of \$100 for residents regarding any unpaid water bills that go on the tax levy and to change the due date from October 15th to September 30th.

**Motion was made by Councilwoman Myers and seconded by Deputy Supervisor Baker.**

**Roll call vote was taken. All present board members were in favor. Councilman Tim Adamson was absent.**

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

**6. Resolution 2019-108****Ft. Niagara Beach Feasibility Study - Construction**

Motion to rescind the RFP for the construction of the Fort Niagara Beach CDBG project. A new RFP will be published with revised work plan.

**Supervisor Johnston explained that the bids that were received actually came in higher than what was available for grant money.**

**Motion was made by Deputy Supervisor Baker and seconded by Councilman White to reject the bids that were received and to rescind.**

**Roll call vote was taken and all present board members were in favor. Councilman Tim Adamson was absent.**

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

**7. Resolution 2019-109****Health Insurance for 2020**

Resolution authorizing the Porter Town Board to approve the 2020 Health Insurance to be Blue Cross Blue Shield, effective November 1, 2019. The rates have gone down slightly but everything else will remain the same.

**Motion was made by Deputy Supervisor Baker and seconded by Councilman White. All present board members were in favor. Councilman Adamson was absent.**

**Motion carried.**

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

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**8. Resolution 2019-110****Solar Energy System Pilot Law**

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**Town of Porter****Local Law No. 8 of the year 2019**

**A Local Law entitled "*SOLAR ENERGY SYSTEM PILOT LAW* of the Town of Porter, Niagara County, New York"**

Add to Chapter 200, Article IV, §200-60. Solar Energy System P.I.L.O.T. Law

This Local Law may be cited as the "**Solar Energy System PILOT Law of the Town of Porter, Niagara County, New York.**"

This Local Law is adopted to ensure that the benefits of the community's solar energy resource are available to the entire community, by promoting the installation of solar

energy generating equipment through a **payment-in-lieu-taxes (PILOT)**, granting reduced costs to system developers and energy consumers, and providing a revenue stream to the entire community.

**A) Authority;** This Local Law is adopted under the authority granted by

- 1) Article IX of the New York State Constitution, §2(c)(8)
- 2) New York Statute of Local Governments, § 10 (5)
- 3) New York Municipal Home Rule Law, § 10 (1)(I) and (ii) and §10 (1)(a)(8), and
- 4) New York Real Property Tax Law § 487(9).

**B) Definitions**

- 1) **"Annual Payment"** means the payment due under a PILOT Agreement entered into pursuant to Real Property Tax Law § 487(9).
- 2) **"Annual Payment Date"** means January 1<sup>st</sup> of each year.
- 3) **"Capacity"** means the manufacturer's nameplate capacity of the Solar Energy System as measured in kilowatts (kW) or megawatts (MW) AC.
- 4) **"Owner"** means the owner of the property on which a Solar Energy System is located or installed, or their lessee, licensee or other person authorized to install and operate a Solar Energy System on the property.
- 5) **"Residential Solar Energy Systems"** means a Solar Energy System with a nameplate generating capacity less than 50 kW AC in size, installed on the roof or the property of a residential dwelling (including multi-family dwellings), and designed to serve that dwelling.
- 6) **"Solar Energy Equipment"** means collectors, controls, energy storage devices, heat pumps and pumps, heat exchangers, windmills, and other materials, hardware or equipment necessary to the process by which solar radiation is (i) collected, (ii) converted into another form of energy such as thermal, electrical, mechanical or chemical, (iii) stored, (iv) protected from unnecessary dissipation and (v) distributed. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards required by New York law.
- 7) **"Solar Energy System"** means an arrangement or combination of Solar Energy Equipment designed to provide heating, cooling, hot water, or mechanical, chemical, or electrical energy by the collection of solar energy and its conversion, storage, protection and distribution.

**C) PILOT Required**

- 1) The owner of a property on which a Solar Energy System is located or installed (including any improvement, reconstruction, or replacement thereof), shall enter into a PILOT Agreement with the Town of Porter consistent with the terms of this Local Law, except for
  - a) Residential Solar Energy Systems
  - b) Solar Energy Systems that do not seek or qualify for an exemption from real property taxes pursuant to Real Property Tax Law § 487(4).
- 2) The Lessee or licensee of any owner of a property required to enter into a PILOT Agreement by this section, which owns or controls the Solar Energy System, may enter into the PILOT Agreement on behalf of the owner of the property.
- 3) Upon receipt of any notification (by Town Assessor or Town Code Enforcement Officer or Town Supervisor) from an owner or other party, of intent to install a Solar Energy System, the Town Assessor or Town Code Enforcement Officer or Town Supervisor shall immediately, but in no case more than sixty days, after receipt of the notification, notify the owner or other person of the mandatory requirement for a PILOT Agreement pursuant to the terms of this Local Law.
- 4) Nothing in this Local Law shall exempt any requirement for compliance with state and local codes for the installation of any solar energy equipment or a solar energy system or authorize the installation of any solar energy equipment or a solar energy system. All solar energy systems must file a Real Property Tax Exemption application pursuant to Real Property Tax Law § 487 to receive a tax exemption.

**D) Contents of PILOT Agreements**

- 1) Each PILOT Agreement entered into shall include
  - a) Name and contact information of the Owner or other party authorized to act upon behalf of the Owner of the Solar Energy System.
  - b) The SBL number for each parcel or portion of a parcel on which the Solar Energy System will be located.
  - c) A requirement for fifteen successive annual payments, to be paid commencing on the first Annual Payment Date after the effective date of the Real Property Tax Exemption granted pursuant to Real Property Tax Law § 487.
  - d) The Capacity of the Solar Energy System, and that if the Capacity is increased or increased as a result of a system upgrade, replacement, partial removal or retirement of Solar Energy Equipment, the annual payments shall be increased or decreased on a pro rata basis for the remaining years of the Agreement.
  - e) That the parties agree that under the authority of Real Property Tax Law § 487 the Solar Energy System shall be considered exempt from real property taxes for the fifteen-year life of the PILOT Agreement.



- f) That the PILOT Agreement may not be assigned without the prior written consent of the Town of Porter, which consent may not be unreasonably withheld if the Assignee has agreed in writing to accept all obligations of the Owner, except that the Owner may, with advance written notice to the Town of Porter but without prior consent, assign its payment obligations under the PILOT Agreement to an affiliate of the Owner or to any party who has provided or is providing financing to the Owner for or related to the Solar Energy System, and has agreed in writing to accept all payment obligations of the Owner.
- g) That a Notice of this Agreement may be recorded by the Owner at its expense, and that the Town of Porter shall cooperate in the execution of any Notices or Assignments with the Owner and its successors.
- h) That the Annual Payment shall be
  - (1) For Solar Energy Systems with a Capacity greater than 1 MW, \$ \_\_\_\_\_ per MW of Capacity.
- i) That the Annual Payment shall escalate \_\_\_\_ percent (\_\_\_\_%) per year, starting with the second Annual Payment.
- j) That if the Annual Payment is not paid when due, that upon failure to cure within thirty days, the Town of Porter may cancel the PILOT Agreement without notice to the Owner, and the Solar Energy System shall thereafter be subject to taxation at its full assessed value.

**E) Severability**

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**F) Effective Date**

This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law and shall apply to all solar energy systems constructed.

Resolution needed to schedule a public hearing and move forward to adopt the Solar Energy System PILOT Law (payment in lieu of taxes).

**Motion was made by Councilman White and seconded by Deputy Supervisor Baker.**

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

**Motion carried.**

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

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9. Resolution 2019-111

**Resolution Needed for Garbage Contract**

Resolution needed to put the garbage contract (currently with Modern Disposal) up for bid with a RFP and schedule a public hearing.

Supervisor Johnston stated that in 2004, the Town stopped charging residents a garbage fee but now has to be reinstated. It will be a fee and not a tax. Not sure how much yet.

Attorney Down stated that there does not need to be a public hearing or a public notice. Need to put a notice to bidders though.

**Motion was made by Deputy Supervisor Baker and seconded by Councilwoman Myers to entertain bids on a new garbage contract.**

**Roll call vote was taken and all present board members were in favor.  
Councilman Adamson was not present.**

**Motion carried.**

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

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10. Resolution 2019-112

**Preliminary Budget 2020**

Declare Tentative budget to Preliminary and schedule a public hearing for November 7, 2019 at 6:00 PM

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

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## IV. Reports

### 1. Report 2019-116

#### Supervisor's Report

#### Supervisor Report September 2019

9-10 Went to the Youngstown Business Association meeting

9-12 Attended the Niagara Co LEAP meeting, Steve Cliff was the Speaker

9-16 Met with Mike Filicetti of the Niagara Co Sheriffs

9-19 Attended Niagara Co water board

9-23 Met with Joe Hickman of Modern, Porter garbage contract 9-30  
contract is up

9-24 Met with Dawn Timm of Niagara Co on getting a garbage RFP set up

9-24 Met with Pat Brown, our accountant, to review our budget

9-25 Peter and I went to the Niagara-Orleans Landbank meeting

9-25 Attended the One Region Forward meeting in Buffalo, I am a board member

9-26 Met with Bene care on health insurance

9-27 and 9-30 Set up the Sexual harassment classes with Heather Giambra

9-30 Met with Mayor Lawson of Wilson, discuss a joint project on tourism

10-8 Met with Dave Oakes of Woodside granite, they took the broken gravestones from the cemetery in Youngstown

10-15 Met at the River road trail project with Scott

10-16 Attended the Ransomville fire district meeting.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**2. Report 2019-117**

**Bookkeeper**

Bookkeeper's Monthly Report - October 2019

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Completed processing all September, 2019 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for September, 2019 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 September.

Met with Town Accountant (Pat Brown) and Town Supervisor to go over 2020 budget.

Prepared and distributed the tentative 2020 budget to the Town Clerk to be presented to the Town Board Members.

Met with BeneCare Representative to discuss employee health insurance plans and which ones are available and scheduled a meeting for employees and spouses only 10/ 18/2019 at 1pm.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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### 3. Report 2019-118

#### Assessor

#### Monthly Assessor's Report

##### September 2019

- Continued processing completed building permits into RPSV4
- Processed property transfers for Town and Village
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Continued to update STAR exemptions due to changes processed by the State
- Inspected 6 parcels in the Village and collected changes due to building permits
- Inspected 1144 Cain Road and collected the inventory for the site
- Submitted the 2020 Budget Request for the Assessment Department
- Attended Sexual Harassment Class in the Town on September 27

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

839 Balmer Rd	AV \$140,000	Sale Price \$291,200
890 Balmer Rd	AV \$81,400	Sale Price \$126,000
956 Balmer Rd	AV \$88,800	Sale Price \$125,000
3633 Hillview Dr	AV \$167,000	Sale Price \$272,500
805 Lake Rd	AV \$341,600	Sale Price \$415,000
959 Lake Rd	AV \$116,700	Sale Price \$160,000

362 Glengrove Dr AV \$270,000 Sale Price \$419,000  
2192 Lockport Rd AV \$100,200 Sale Price \$175,000  
571 Lockport St AV \$84,000 Sale Price \$172,000  
591 Northfield Dr AV \$83,600 Sale Price \$134,900

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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4. Report 2019-119

**Town Clerk**

For the month of August, Water was \$46,192.15 and Sewer was \$9084.51. Total of \$55,276.66

Clerk Fees were \$1054.52 (this consists of Marriage license's, E-Z passes, Dog licensing, Donations, Death certificates and marriage certificates and also commission the Town receives from hunting and fishing licenses).

We did receive three quotes for updating our internet domain, server and work stations. The company's that submitted quotes were 1) PCA Technology 2) Lynx Technologies 3) Network Services.

Attended a sexual harassment class here at the Town Hall.

Met with Carrie Butler from Bene-care to discuss employee health care plans

Met with Joe Hickman of Modern Disposal to discuss the upcoming garbage contract.

Met with Dawn Timm of Niagara County Refuse to discuss the upcoming garbage contract.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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5. Report 2019-120

**Building Inspector/Code Enforcement Officer**

**CODE ENFORCEMENT OFFICE - MONTHLY REPORT**

**September 2019**

- ◆ Reviewed and issued **Building Permits**; per Permit Report - attached herein. Six (6) permits have been issued in the month of September.
- ◆ Received, inspected, and issued **new Complaint/Violations**; per Complaint report - attached herein. three (3) **New** formal concerns has been processed, multiple open complaints under review/analysis.
- ◆ Completed twenty-nine (29) **inspections** for Permits and or Violations.
- ◆ Prepared information and attended **Planning Board** regular meeting on September 5, 2019.
- ◆ Prepared information and attended **Zoning Board of Appeals** regular, meeting on September 26, 2019.
- ◆ Coordinated/Reviewed all new Planning and Zoning Board applications and documentation, with the respective Board(s) Secretaries.
- ◆ Attended Justice Court proceedings on September 25, 2019 to administer five (5) different, ongoing active Complaints.
- ◆ Assisted with the Drainage Easement process; Lake Road (Naab-Peters area) & Ransomville (Post Office Apartments area)
- ◆ Assisted with Ft. Niagara Beach Bid Proposal evaluation.
- ◆ Participated in two meetings for the LWRP committee.
- ◆ Reviewed the NYSEDA model Solar Energy System PILOT law for use by the Town and set up a meeting for review with Town officials.
- ◆ Attended Niagara Orleans Land Improvement Corporation Land Bank Forum with supervisor Johnston.

## COMPLAINT REPORT BY TYPE

**September 2019**

<u>COMPLAINT TYPE</u>	<u>PARCEL LOCATION</u>	<u>OWNER</u>	<u>SBL</u>
<b>PROPERTY MAINTENANCE:</b>			
<b>070-19</b>	<b>33.10-2-1.5</b>	<b>BESSIE VOLPE</b>	<b>LAKE RD</b>
<b>BUILDING CODE VIOLATION:</b>			
<b>071-19</b>	<b>59.00-1-17.2</b>	<b>THOMAS RADOMSKI</b>	<b>3827 RIVER RD</b>

## ACTIVITY WITHOUT A PERMIT:

072-19

62.10-1-7

JOHN BURKETT

2625 NEW RD

## PERMIT REPORT BY TYPE

September 2019

PERMIT TYPEPARCEL LOCATIONSBLAPPLICANT

## POLE BARN:

085-19

33.00-2-6.4

DAVID DECARLE

2130 LAKE RD

## SHED:

086-19

32.16-1-18.2

REEVE TOWER

1495 LAKE RD

## SINGLE FAMILY DWELLING:

087-19

RD

45.00-1-58.2

DAVID GOMBERT

785 LOCKPORT

## FENCE:

088-19

HARRISON LN

PAUL GROUT

33.13-1-30

1733

## SHED:

089-19

45.32-1-51

GLENDA CHRISTIAN

3134 OAK AVE

## POLE BARN:

090-19

DICKERSONVILLE RD

MICHAEL CORNELL

33.00-2-8

2750

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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## 6. Report 2019-121

## Highway

Department of Public Works



## Monthly Report for September 2019

## Highway Department:

1. Completed monthly brush pickup. (The last scheduled brush pickup will be Monday November 4<sup>th</sup> for areas west of Lutts Road and Tuesday November 5<sup>th</sup> for areas east of Lutts Road. There will be NO additional brush pickup after November 5<sup>th</sup>.)
2. Completed the final round of roadside mowing.
3. Completed paving of driveway aprons on Braley Rd between Youngstown/Wilson Rd and Porter Center Rd.
4. Provided assistance to the Town of Lewiston with trucks hauling millings and blacktop for their paving projects.
5. Provided assistance to the Town of Niagara with our roller and road grader for regrading of a parking lot in their Town Park and true and leveling of 2 roads prior to micro paving.
6. Completed ditching on East Avenue and Dickersonville Roads.

## Drainage Department:

1. We are continuing the mowing of off road ditches.
2. The drainage project has commenced behind the post office and residences north along Ransomville Road.

## Water and Sewer Department:

1. Completed monthly meter readings.
2. We have started inspecting and winterizing fire hydrants.
3. Completed repairs to a defective water service on North Creek Rd.
4. Completed replacement of 10 water meter transponders.
5. Justin completed his interview with NCHD to certify his Class D water operator's licesence.
6. Completed the removal of the #1 pump motor at Swain Rd. Pump station we reinstalled our spare motor and sent the defective unit out for repairs.

Winter Parking Regulations: The WINTER PARKING REGULATIONS will take effect November 1<sup>st</sup> and continue until April 1<sup>st</sup> 2020. The notice will be posted in the newspaper and on the town web site.

## NYS DOT Utility Work Agreement

I have received Work Plans from the NYSDOT regarding utility work to be performed by the DOT's contractor on the (2) Bridges on RT 93. They will need the board to pass a certified resolution granting the State of New York authority to perform the facility adjustments per contract documents, agreeing to maintain facilities, and authorizing a municipal official to enter agreements with the State of New York.

Work included in the State's contract and performed by the State contractor will be done at NO EXPENCE to the Town of Porter.

Respectfully submitted,

Scott B. Hillman

Superintendent of Highways

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**7. Report 2019-122**

**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.
3. With our lease ending with SafeShot (Stevenson School) in Ransomville, Tuesday night Yoga has been moved to the Youngstown Red Brick. The class is held at 6:30pm in the Cora Gushee Room.
4. Wednesday night Yoga continues at the Youngstown Red Brick. The class is held at 6:30pm in the Gym.
5. Tai Chi is offered on Friday mornings at 11:00am at the Youngstown Red Brick.

6. We continue to work on the necessary paperwork to secure the grants from Niagara County. We anticipate receiving \$1500 for Story Hour and \$1500 for Summer Recreation.
7. We continue to plan for our new location for Summer Recreation in 2020.
8. Our next meeting will be Monday, November 4, 2019 at 7:00pm.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**8. Report 2019-123**

**Grant Writer**

report

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**9. Report 2019-124**

**Calendar of Events**

The next Town Board meeting will be on November 12, 2019 at 7:00 PM

Recreation meeting will be on November 4, 2019 at 7:00 PM

Zoning Board meeting will be on October 24, 2019 at 7:00 PM

Planning Board meeting will be on November 7, 2019 at 7:00 PM

October 31<sup>st</sup> is Halloween and the trick or treat times in the Town of Porter are from 4:00 - 8:00 PM

There is also a parade in Ransomville that starts at 5:30 PM at the Legion and ends at the Firehall.



<b>RESULT:</b>	<b>REPORT ISSUED</b>
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#### 10. Report 2019-125

##### Public Comments

Paul Inskeep asked the board if there any efforts being made to try to get the Northern section of the parkway worked on? It's a real embarrassment for tourists who come out this way. He has written several letters to the state and contacted senator Ortt. The same excuse he seems to get it that there is no money available at this time.

Supervisor Johnston responded that he did talk with the senator but they don't have a lot of juice in the state at this time. Creek road from Youngstown to Lewiston is horrible. He is aware of it and he has been in contact with the DOT about it. There are 14 grants waiting to be approved by the governor and majority leaders, that are just sitting there and nothing is being done. The Town is still waiting for a grant that was put in for quite a long time ago. He will initiate calls again and see if something can be done.

Amy Wytrol handed out information to the board members regarding U.S. hazardous waste landfills and spoke about CWM. She feels that the Town is the biggest loser because they inherited a mess. She feels that the material at CWM can be moved. The state is looking at what is the value to a 3<sup>rd</sup> party. She feels that the numbers that were in the Sentinel will be hard to prove. She thinks the Town will do well and be a landmark case and she was delighted to hear Supervisor Johnston talk about tourism and economics. She would be happy to share any information with special counsel if needed.

Ernie Lavigueur was wondering why there is still a water surcharge on his water bill but no new water tower?

What is happening with the water tower that was needed 12 years ago?

Supervisor Johnston responded that the Balmer Road water tower has been moth balled. At this time it is out of service. The Niagara County health department looked into it. There is a grant coming up in January that hopefully we can get and implement new water lines and the Ransomville water tower does need some work done. As of now, we are getting enough water from Niagara County but it's imperative that we fix the water tower in Ransomville and make that a total project.

Ernie also asked Highway Superintendent Hillman about the roads. For instance, he lives on East Avenue and it's been oiled and sealed but there is a lot of traffic on it now. Scott replied that the road is on the list for resurfacing it just depends on how much money is in the budget.

Speaking of the budget replied Supervisor Johnston, "Scott would like some roads to be done but I would like to clarify what was reported in the Sentinel. What was really meant was when you do a budget you can't put a road in a yearly budget. That road will last 5,6 maybe 7 years. So what you want to do is take the roads out and borrow money from ourselves in the reserves and pay off the loan in increments over a 6 or 7 year period. It's called a bond. The board is not taking anything away, it's the way that you do it and the way that it's funded.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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#### 11. Report 2019-126

##### Town Board Comments

Motion to adjourn the meeting at 8:35 PM was made by Deputy Supervisor Baker and seconded by councilwoman Myers.

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