



# Town of Porter

## Town Board Meeting

~ Minutes ~

3265 Creek Road  
Youngstown, NY 14174

[TownofPorter.Net](http://TownofPorter.Net)

Kara Hibbard  
716-745-3730

Monday, September 12, 2022

7:00 PM

Town Hall Auditorium

### I. Call to Order

7:00 PM Meeting called to order on September 12, 2022 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Jipp Ortiz	Town of Porter	Councilman	Present	
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	
Kara Hibbard	Town of Porter	Town Clerk	Present	
Kimberli Boyer	Town of Porter	Bookkeeper	Present	
Dave Burmaster	Town of Porter	Highway Superintendent	Present	
Elaine Porto	Town of Porter	Deputy Town Clerk	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Present	

### II. Resolutions/Reports

### III. Resolutions

#### 1. Resolution 2022-69

#### Minutes Approval

Resolution to approve the minutes of the August 9, 2022 Town Board meeting.

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

#### 2. Resolution 2022-70

#### Audited Vouchers

**TOWN OF PORTER**

**WARRANT: POST AUDIT #8A 8/31/22**

<b>FUND</b>	<b>01</b>	13,590.92
<b>FUND</b>	<b>02</b>	1,847.63
<b>FUND</b>	<b>04</b>	11,101.43
<b>FUND</b>	<b>06</b>	1,795.09
<b>FUND</b>	<b>07</b>	1,514.90
<b>FUND</b>	<b>10</b>	0.00
<b>FUND</b>	<b>11</b>	0.00
<b>FUND</b>	<b>35</b>	0.00

**TOTAL 29,849.97**

**VOUCHER 'S 30603 THRU 30626**

**WARRANT: POST AUDIT #9-SEPT 2022 9/8/22**

<b>FUND</b>	<b>01</b>	16,109.68
<b>FUND</b>	<b>02</b>	25,312.13
<b>FUND</b>	<b>04</b>	298,226.16
<b>FUND</b>	<b>06</b>	4,167.01
<b>FUND</b>	<b>07</b>	51,250.93
<b>FUND</b>	<b>10</b>	846.95
<b>FUND</b>	<b>11</b>	27,661.25
<b>FUND</b>	<b>28</b>	0.00
<b>FUND</b>	<b>35</b>	0.00
<b>FUND</b>		

**TOTAL 423,574.11**

**VOUCHER 'S 30627 THRU 30696**

**TOTAL 453,424.08**

Resolution to approve \$453,424.08 in vouchers as audited by the Porter Town Board.

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

### 3. Resolution 2022-71

#### Acceptance of Supervisor's Report

Resolution to accept the Supervisor's report from the August 9, 2022 Town Board meeting.

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

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4. **Resolution 2022-72**

**Porter on the Lake Rental Reimbursement**

Resolution to refund Danielle Reece \$400, the cost of renting the Pavilion at Porter on the Lake on August 13, 2022. When her family arrived at the Park, somebody else was in the Pavilion and claimed they had paid to rent it. They did not pay.

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

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5. **Resolution 2022-73**

**Robert Barth Refund for Water Bill**

Mr. Barth is asking for a refund of \$89.14 for the overpayment of the water bill regarding the estate of his mother, Alma Barth.

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

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

## IV. Reports

### 1. Report 2022-89

#### Supervisor's Report

## AUGUST SUPERVISOR'S REPORT 2022

8-13 I help move the Care-n-Share pantry to Jill's play yard

Had several meetings with our new engineers, Wendel and Advanced Design. This includes the WIIA water grant, Sewer pump stations, the POTL Nature trail and the Dickersonville bridge project.

8-18 Had Niagara County waterboard meeting

8Met with our grant writer Jay on the-25 Met with the Greenway bike trail team

Met with grant writer Jay on the WIIA grant

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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### 2. Report 2022-90

#### Bookkeeper

Completed processing all August 2022 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for August 2022 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 August and they balanced.

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**3. Report 2022-91****Town Clerk**

Clerk Fee's for August 2022- \$1073.95

Water for month of August 2022- \$38458.03

Sewer for month of August 2022- -\$22.344.92

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**4. Report 2022-92****Assessor****Monthly Assessor's Report  
August 2022**

- Continued processing completed building permits into RPSV4
- Processed property transfers for Town and Village, notified appropriate officials
- Met with the owner, and discussed with Village officials, a possible split/merge of property involving 570 Lockport St and Brookshire Rd property in the rear
- Reviewed and made changes to STAR exemptions due to STAR report #8
- Field reviewed sales in the Town and the Village, new photos taken
- Added a school chargeback to the file for the Wilson Central School District
- Submitted the file to the County for the printing of school tax bills
- Transmitted the quarterly report of sales to the State
- Selah and Lena attended an online seminar/training "Valuation of Marinas"
- Worked with representatives from Wendel to update the script on the assessor computer for the Town of Porter's GIS application
- Emailed Modern with the mailing list of properties within the Porter Refuse District to be used for their annual mailer

- Spoke with a representative from the NCIDA regarding the PILOT schedule for EW and KS Holdings and suggested corrections to be made
- Reviewed 100 sales for their usability by the State in calculating RAR and Eq Rate for 2023

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

2461 Lake Rd	AV \$146,200	Sale Price \$351,000
1009 Meadow Dr	AV \$90,400	Sale Price \$170,000
464 Riverview Dr	AV \$300,000	Sale Price \$500,000
739 Lake Rd	AV \$125,000	Sale Price \$376,000
414 Third St	AV \$253,700	Sale Price \$615,000
365 Second St	AV \$200,000	Sale Price \$320,000

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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5. **Report 2022-93**

**Building Inspector/Code Enforcement Officer**

- ◆ Reviewed and issued eleven (10) **Building Permits** for the month of **August**.
- ◆ Received, Inspected, and followed up on seven (6) **New** formal **Complaint/Violations**
- ◆ Completed twenty (23) **inspections** for Permits & Complaints.
- ◆ Coordinated/Reviewed **Planning and Zoning Board applications** and Documentation.
- ◆ Prepared information and participated in the regular **Planning Board** meeting on **August 4, 2022**.
- ◆ Prepared information and participated in the regular **Zoning Board** meeting on **August 25, 2022** was cancelled.

- ◆ Attended **Justice Court** for pending Zoning enforcement cases on **August 3, 2022**.
- ◆ Participated in a meeting with Advanced Design Group, with Supervisor Johnston, Attorney Dowd, Clerk Hibbard, and Highway Superintendent Burmaster on **August 23, 2022**.

Reviewed Bid Documentation and award documents for Dickersonville Road Culvert

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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6. **Report 2022-94**

**Highway**

**Highway Monthly Report August 2022**

**HIGHWAY**

1. Completed brush for the month.
2. Piped ditch on Calkins Road
3. Sent 2 Trucks to Lewiston for paving, Cambria, Newfane.
4. Replaced Driveway Culvert St. Christophers Lane
5. Mulched Town Hall.
6. Mowed roadsides.
7. Milled out Reese Ct., Lutts Rd, Cain Rd, Parker Rd.
8. Paved Parker Rd, Lutts Rd, Reese Ct, Cain Road with help from other towns.

**WATER & SEWER**

1. Water samples for the quarter
2. Read water meters for the quarter
3. Water break Lynnbrook Dr. and Cain Road
4. Completed sewer station servicing.

**DRAINAGE**

1. Mowed ditches & creeks
2. Cleaned debri from creeks

**PARK**

1. Mowed & cleaned bathrooms & garbage for the month

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**7. Report 2022-95****Recreation**

No Report

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**8. Report 2022-120****Calendar of Events**

9/22/22 - Monthly Zoning Board meeting

10/6/22 - Monthly Planning Board meeting

10/11/22 - Monthly Town Board meeting to be held on Tuesday instead of Monday because Columbus Day

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**9. Report 2022-96****Public Comments**

Mary Wallace, a Town of Porter resident who lives on Harrison Lane, said her trash was not picked up by Modern last week. Only 1 item of her bulk pickup was picked up also. She doesn't understand why this keeps happening and they don't pick up all the trash that residents put out on Harrison Lane. The recycling truck comes in as a full sized truck so why can the garbage truck be a full sized one too!

Supervisor Johnston said that he is aware that Modern has missed the street several times and he will call somebody at Modern tomorrow to try and figure out why this keeps happening.

Mary also said that part of the pavement is breaking away on the road and asked if someone from the highway dept. can come down and take a look at it.

Superintendent Burmaster said he would go down tomorrow and look at it.

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Kristin Savard of Advanced Design Group updated the board regarding the Dickersonville road culvert project. She said a pre-construction meeting has been set up for October 1. When the culvert comes in, they will start prepping.

Kristin also called Valeria and updated her on the walking trail and also explained to her what she thinks



would be the best approach.

Supervisor Johnston asked if the project could be done by winter and Kristin explained that quality may be compromised. "If it does not have to be done this year, it may be best to wait until Spring".

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Councilman Ortiz asked Code Enforcer Jeffery's if he has heard anything about the 5 G cell tower in Ransomville and Peter explained that he did receive an electronic submission for a bldg. permit. Once he receives the hard copies he will review and possibly issue a bldg. permit.

**Motion was made by Councilman Adamson and seconded by Councilman Ortiz to adjourn the meeting at 7:45 PM**

<b>RESULT:</b>	<b>REPORT ISSUED</b>
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**10. Report 2022-97**

**Town Board Comments**

report