



Town of Porter

Town Board Meeting

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

Barb DuBell
716-745-3730

Monday, March 13, 2017

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on March 13, 2017 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|-------------------|----------------|--------------------------|---------|---------|
| Mert Wiepert | Town of Porter | Supervisor | Present | |
| Jeff Baker | Town of Porter | Deputy Supervisor | Present | |
| Thomas Baia | Town of Porter | Councilman | Present | |
| Larry White | Town of Porter | Councilman | Absent | |
| J. Duffy Johnston | Town of Porter | Councilman | Present | |
| Barb DuBell | Town of Porter | Town Clerk | Present | |
| Kara Hibbard | Town of Porter | Deputy Town Clerk | Present | |
| Chris Amico | Town of Porter | Engineer | Present | |
| Scott Hillman | Town of Porter | Highway Superintendent | Absent | |
| Mary Siegrist | Town of Porter | BOOKKEEPER | Present | |
| Mike Dowd | Town of Porter | Attorney | Present | |
| Roy Rogers | Town of Porter | Code Enforcement Officer | Present | |
| Susan Driscoll | Town of Porter | Assessor | Present | |
| Bernie Rotella | Town of Porter | Grant Writer | Late | |

II. Minutes Acceptance

III. Reports/Resolutions

1. Report 2017-35

Public Hearing

Public Hearing for the purpose of considering the expenditure of Town Water Department Reserve Funds for the following: Beacon Software and Orion Water Meter Transponders in an amount not to exceed \$73,000.

Motion to close the Public Hearing made by Councilman Baker and seconded by Councilman Johnston.

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

2. Resolution 2017-36**Purchase of Beacon Software & Orion Transponders**

Resolution to approve the expenditure of Town Water Department Reserve Funds for the purchase of Beacon Software and Orion Water Meter Transponders in an amount not to exceed \$73,000.00.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Thomas Baia, Councilman |
| SECONDER: | J. Duffy Johnston, Councilman |
| AYES: | Mert Wiepert, Jeff Baker, Thomas Baia, J. Duffy Johnston |
| ABSENT: | Larry White |

3. Resolution 2017-26**Minutes Approval**

Resolution to approve the minutes of the February 13, 2017 meeting of the Porter Town Board and the work session held on February 28, 2017.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jeff Baker, Deputy Supervisor |
| SECONDER: | Thomas Baia, Councilman |
| AYES: | Mert Wiepert, Jeff Baker, Thomas Baia, J. Duffy Johnston |
| ABSENT: | Larry White |

4. Resolution 2017-27**Audited Vouchers**

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Thomas Baia, Councilman |
| SECONDER: | J. Duffy Johnston, Councilman |
| AYES: | Mert Wiepert, Jeff Baker, Thomas Baia, J. Duffy Johnston |
| ABSENT: | Larry White |

5. Resolution 2017-28**Acceptance of Supervisor's Report**

Resolution to accept the Supervisor's Report for February 13, 2017.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jeff Baker, Deputy Supervisor |
| SECONDER: | Thomas Baia, Councilman |
| AYES: | Mert Wiepert, Jeff Baker, Thomas Baia, J. Duffy Johnston |
| ABSENT: | Larry White |

6. Report 2017-62**Supervisor's Report**

Monthly Supervisor report for February 2017 distributed.

Received Niagara County Tax Money \$ 102,334.25

Supervisor Wiepert: As you know we lost our contract with the Town of Lewiston and the Vet for dog control. We tried to get a meeting together with the supervisor from Lewiston and the supervisor from Wilson to see if we can get together and create on dog control area. I have been trying to get that together for a week and haven't succeeded yet. We use the same dog catcher. We have checked with the SPCA and they have been way out of sight on costs.

Councilman Baker: About \$12,000 a year for the 4 or 5 dogs we get picked up.

Supervisor Wiepert: I received the sewer contract from the Town of Lewiston. I just got that and I will give it to Attorney Dowd to review before we approve it. There is currently no change in the contract; the sewer fees are up 5 cents a \$1,000.

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| RESULT: | REPORT ISSUED |
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IV. Reports

1. Report 2017-36

Town Clerk

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|------------------------------------|-------------|
| License and Fees for February 2017 | \$518.46 |
| Water | \$16,028.65 |
| Sewer | \$11,989.33 |

Received notification from Michael and Sandra Tuck, owners of Sanger Farms, 852 Youngstown Lockport Road, Youngstown, New York, 14174, they are applying to New York State Liquor Authority for an on-premises liquor license. The application is pending.

Design Specialist Tom Rose, from Virtual Towns, will be meeting with us virtually via screen share and conference call on March 16th to discuss the parameters for the new website and he will create a mockup of the new design for us to review and make any changes that are needed.

Received written notification from Lisa Hastings, Justice Court Clerk, that in accordance with Justice Court Act and Town Law the financial records and court dockets for the year 2016 are available to be examined by the Town Board.

Supervisor Wiepert instructed Councilman Johnston to review the financial records. The Town Board and Village Board received a letter from the Office of the State Controller regarding how monies collected from fines reported as village ordinance violations were distributed. Upon completion of their review, they will process adjustments to distribute the pending revenue.

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| RESULT: | REPORT ISSUED |
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2. Report 2017-37

Bookkeeper

Completed monthly and Bi-weekly Payroll for February

Balanced payroll accounts for February

Completed check register and bill payments including all Vouchers and journal entries

Worked with state auditor

Worked with Town Accountant on Year End process

Developed and completed the timecard system for the town hall employees as recommended by the NYS Auditor as well as by NYS Law.

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| RESULT: | REPORT ISSUED |
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3. Report 2017-38

Recreation

- The Story Hour Program continues in the Youngstown Library on Tuesdays and in the Ransomville Library on Wednesdays at 9:30 and 11:00am.
- The Saturday Story Hour Program continues.
- The Safer Self will be held at the Youngstown Village Center on Tuesday, March 7th and Tuesday, April 4th, at 6:00pm.
- Yoga continues on Wednesdays at 6:30pm in the Cora Gushee Room at the Youngstown Village Center.
- Due to illness in the instructor's family, Tai Chi will be cancelled until further notice.
- We received approval from the Wilson Central School District to use Stevenson Elementary again for our Summer Recreation Program. The Program will be held from Monday, July 3rd - Thursday, August 10th. It will not be held on Tuesday, July 4th due to the holiday.
- Our next meeting will be on Monday, April 3rd, 2017 at 7:00pm.

We are hiring 20 recreation supervisor's.

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| RESULT: | REPORT ISSUED |
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4. Report 2017-53

Tax Collector

RE: 2017 TOWN/COUNTY COLLECTIONS

Dear Supervisor Wiepert and Town Board Members:

Paid Supervisor Wiepert \$1923.66 penalties collected in February.

A payment of \$3,200,000.00 was made to the Niagara County Treasurer on February 14, 2017 as initial settlement of County monies owed per 2017 Warrant.

In accordance with New York State Law #987, I have sent a second notice to 305 homeowners that the taxes on their property have not been paid.

The Tax Collector's account has \$283,463.97 as of March 8, 2017. This represents all payments collected to date.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter

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| RESULT: | REPORT ISSUED |
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5. Report 2017-39

Assessor

Processed January deed transfers.

Sent out IVP 'no' and 'undecided' notices to IVP Enhanced recipients.

Submitted 2017 exemption deadline notice and taxable status date notices to Niagara Gazette.

Numerous telephone calls to Porter residents regarding exemption renewal by March 1.

Five on-site, hand deliveries to help seniors with exemption renewal.

Processed property tax apportionment between a buyer and a seller.

Continued to receive exemption applications for 2017 roll.

Continued to process building permits for 2017 roll.

Collected deed transfer and bank code changes from Niagara County ORPTS.

January 2017 sales of note, which will have a negative effect on our LOA going forward:

| | | | |
|---|--------------|---------------|-----------------------|
| - | 1260 Cain Rd | TAV \$145,800 | Sales Price \$165,000 |
| - | 1619 Lake Rd | TAV \$206,400 | Sales Price \$360,000 |
| - | 1621 Lake Rd | TAV \$111,000 | Sales Price \$235,000 |

| | | | |
|---|------------------------|---------------|-----------------------|
| - | 2011 Balmer Rd | TAV \$158,400 | Sales Price \$249,900 |
| - | 3964 Dickersonville Rd | TAV\$101,000 | Sales Price \$155,000 |
| - | 3825 Ransomville Rd | TAV\$121,000 | Sales Price \$165,000 |

Rusty Tower asked if the town board could arrange to have Representative Chris Collins come to the town to do a town hall meeting. They raised the price of the rock used on the lakefront properties. It would be nice to have Collins come down here and see why they are taking advantage of the lakefront owners on the price of this rock. My sister has to wait 4 months for the DEC permit.

Bldg Inspector Rogers: The DEC is short staffed, don't believe they have anyone in Buffalo taking care of shore erosion anymore, that's been moved to Rochester. They are way behind in approving these applications. I may be able to get a DEC representative here to discuss what is going on with the lakefront owners.

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| RESULT: | REPORT ISSUED |
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6. Report 2017-40

Building Inspector/Code Enforcement Officer

Building Inspector/Code Enforcement Officer

February

| <u>Number</u> | <u>Type</u> | <u>Date</u> | <u>Owner /Address</u> | <u>Value</u> | <u>Fee</u> |
|---------------|-------------|----------------|-------------------------------------|--------------|------------|
| 003-17 | Gar | 2/7/2017 | Peter Burrows 3831 River | 30,000 | 50.00 |
| 004-17 | Demo | 2/1/2017 | Gregory Costanzo 1619 Lake | 0 | 25.00 |
| 005-17 | SFR | 2/9/2017 | David Decarle 2130 lake | 143,000 | 300.00 |
| 006-17 | SFR | 2/10/2017 | Timothy Sylvester 1678 Braley Rd | 250,000 | 300.00 |
| | | February total | | \$423,000 | \$ 675 |
| | | YTD | | 723,000 | 750.00 |

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| RESULT: | REPORT ISSUED |
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7. Report 2017-41**Highway**

Department of Public Works
Monthly Report for February 2017

1. Called out to plow and salt 10 times.
2. Completed road sign assessment and inventory.
3. Received and stockpiled 565 tons of road salt.
4. Continuing to repair and service our summer equipment.

Drainage Department:

1. Inspected several streams for blockages and removed trees and debris.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Completed a water service installation on Blairville Road.
3. Completed repairs to a watermain break on Riverview Dr.
4. Completed I&I inspection of the sewer gravity main between Collingwood Estates and Youngstown Estates subdivisions.

Legislative Advocacy Trip

We met with our local representatives and their respective committee heads regarding CHIPS, Pave NY and Bridge NY funding in this years budget. Our associations have request a \$150 Million increase for CHIPS and \$50 Million for Pave NY and Bridge NY funding. They are attempting to get this into either the Assembly or Senate Budget proposals. The Governor has proposed no increases for any of the programs. He is proposing \$20 Billion in increased funding for 3 projects all in NYC.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways

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| RESULT: | REPORT ISSUED |
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8. Report 2017-42**Engineer**

The Health Department has requested the Town to send a letter requesting decommissioning of the Balmer Road tank. We will be submitting a draft letter for the Supervisor to review next week.

Supervisor Wiepert: What we did is we talked about a auxiliary generator for the town hall. We would have to go out for bid. I requested the engineering firm to do all the specs for it so we could go out for bids.

GHD Consulting Services Inc. (GHD) submitted a proposal to the Town of Porter in connection with the installation of a new generator at Town Hall. The proposal includes design, bid and construction phase services.

GHD proposes to complete the following scope of services as detailed below:

| | |
|--|--------------------|
| Design Phase Service: Plans & Specifications | \$6,500 (Lump Sum) |
| Bid Phase | \$1,000 (Lump Sum) |
| Construction Phase services | \$1,500 (Lump Sum) |

Supervisor Wiepert: How do the solar panels fit in on that?

Engr. Amico: Our electrical engineer would have to look into that. I know the solar panels are a big issue.

Grant Writer Rotella: I need to know how much that generator will cost. There is a source coming up at the end of the month for that, but it could take a year to get. There is no match for that.

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| RESULT: | REPORT ISSUED |
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9. Report 2017-43**Attorney**

none

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| RESULT: | REPORT ISSUED |
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10. Report 2017-44**Grant Writer**

Grants Status Report: Projects we are currently working on:

LWRP: Next meeting scheduled for February 23, 2017. This meeting will set the boundary map, and begin property & resource inventory. A public input session is scheduled for April 3rd at 7PM at Town Hall. See Minutes report below.

Greenway: Submitted reimbursement request for \$37,500 for 2 new pavilions. The balance of our Greenway funding is \$51,500.

EFC Drinking Water Grant: The next round of the EFC drinking water is scheduled for April 2017. Between now and then we will upload the project into the IUP for the 2017-2018 listing. The annual list Closes Sept of each year. Will keep the board updated as we GHD closer to that date.

- Project will include GHD's engineering model
- Listing will include the entire project area
- Project cost \$5,800,000

Waterfront Advisory Committee Meeting Summary

Date of Meeting: February 16, 2017

Meeting Time: 11:00 PM

Meeting Location: Porter Town Hall

Subject: Town of Porter Local Waterfront Revitalization Program

Attendees:

| | | | |
|-------------------------------------|---------------------------|-------------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> | Kathy Zasucha | <input checked="" type="checkbox"/> | Wendy Salvati, WWS Planning |
| <input checked="" type="checkbox"/> | Wendy Shaw | <input type="checkbox"/> | Merton Wiepert, Town Supervisor |
| <input checked="" type="checkbox"/> | Tony Collard | <input type="checkbox"/> | Renee Parsons, DOS |
| <input checked="" type="checkbox"/> | Dottie Riordan | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | Bernie Rotella (by phone) | <input type="checkbox"/> | |

PROJECT STATUS UPDATE

Wendy Salvati discussed the status of the project to date. She noted that she conducted a field survey of the LWRA to view areas that the Committee wanted to see included in the waterfront boundary. Wendy shared aerial photographs of the shoreline and discussed certain areas that she visited to learn more from the Committee.

The concerns about water withdrawals and rising lake levels, which affect the Niagara River, that are the result of the St. Lawrence Seaway Messina Power Plant were noted again. This issue should be examined (contact DEC and International Joint Commission).

The location of private docks was discussed, particularly what is located along the shoreline of the Niagara River. Many residents have stairways and docks or platforms along the river, at the bottom of the bluff, for boating or general waterfront access. It was noted that a large development is proposed on the east side of Lower River Road that includes plans for docking facilities along the river on the west side of the road.

Aside from a private boat launch along Lake Ontario, there are no permanent docks along the lake. Some residents utilize floating docks that are removed in the off-season. There is a concrete break wall along the shoreline seaward of the Castle property in the Lakewood-Fort Niagara beach area (where the Rumsey Park amusement park used to be located). There are also remnants of concrete dock supports off shore (most of which are under water).

The Town has no local docking regulations; NYSDEC and the Army Corps. have jurisdiction. The installation of docks, however, must have a permit from the Porter Code Enforcement Officer (CEO), with Planning Board review and recommendations. It was suggested that Wendy contact Roy Rogers (the CEO) regarding permitting. Wendy noted that in the future, after the LWRP is adopted, docks will also need to undergo consistency review by the CEO (which is now assumed to be done by DEC or the Corps.). It will have to be decided who may this task - the Waterfront Advisory Committee or the Planning Board.

LWRP BOUNDARY

Wendy said that the LWRP boundary section is well underway and that after confirming the proposed changes with the Committee, this section will be finished. In certain areas of discussion in the inventory, the boundary will be split to delineate the portion along the river and the portion along the lake; a few maps will be split. The revised waterfront areas will be enlarged to include the lands that extend out to the western right-of-way along the Robert Moses Parkway. This will enable the Town to propose an extension of the multi-use pathway further to the north, to provide access to Fort Niagara State Park. The boundary will also be extended inland in the vicinity of this park and Four Mile Creek State Park. The Committee requested that the boundary be further extended to include the Niagara Frontier Country Club. The land area around Six Mile Creek, out to Youngstown Wilson Road, was also included to take in more of the wetlands and habitat area in this vicinity. Wendy will finalize the narrative and map and provide it to the Committee prior to the next meeting.

PUBLIC OUTREACH

The first public outreach meeting was scheduled for Monday, April 3rd at 7:00 in the Town Hall court room. Wendy was advised to notify the Centennial, the Buffalo News and the Niagara Gazette about the meeting. Wendy will prepare a

press release and send it off to each publication. The Committee advised that she contact Terry Duffy at the Centennial and request that a meeting notice or article be run for two consecutive Saturdays prior to the meeting (3/25 and 4/1). Wendy will also provide the committee with a flier (simple and colorful) that can be posted on the Town's website and in other locations around Town, at the Committee's discretion. She asked that the Committee help to spread the word around Town to encourage attendance.

Wendy asked the Committee to encourage Town Board and Planning Board members, and any other local officials, to attend the meeting to learn about the project and offer their input. Since the Town Board will ultimately have to adopt the LWRP, it is a good idea for them to take every opportunity to learn about the project.

Wendy explained the format for the meeting, which will include a brief presentation to advise the public about the project and then an open discussion to identify community desires, concerns and other waterfront issues. Maps will be exhibited for public viewing prior to the meeting. Information gathered at this meeting will be used to finalize the inventory and inform the LWRP policies.

ACTION ITEMS / NEXT STEPS

- Prepare meeting summary and distribute to Committee and DOS.
- Continue inventory and analysis and summarize findings.
- Prepare a preliminary list of issues and opportunities.
- Prepare for the Public Information Meeting.

Meeting adjourned at 12:45 PM. Next meeting scheduled for Thursday, April 6th at 11:00am.

Respectfully Submitted,

Wendy E. Weber Salvati, AICP

TOWN OF PORTER LOCAL WATERFRONT REVITALIZATION PROGRAM

HELP US PLAN FOR YOUR WATERFRONT



Scenic Resources

Public Access and Recreation

Community Character

Economic Development

Water Quality

Flooding and Erosion

PUBLIC INFORMATION MEETING

April 3, 2017 at 7:00 PM - Porter Town Hall

**Come learn about the process and share your preliminary thoughts
to these questions and more at our community kickoff meeting!**

Senior Van: I have a call into Niagara County Dept. of the Aging. I am waiting to hear from them if they have any funds left, if they do I am going to put a joint application in with the Village. I got a price of \$33,000 for the van, state bid. I have a contact at the Ford Friendship Grant Program, I'm going to put in a request to them. I've done that every year.

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| RESULT: | REPORT ISSUED |
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11. Report 2017-45**Correspondance**

report

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| RESULT: | REPORT ISSUED |
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12. Report 2017-63**Calendar of Events**

| | | |
|------------------------|----------------------------------|-----------|
| Zoning Board Meeting | March 23 rd @ 7:00 PM | Town Hall |
| Planning Board Meeting | April 6 th @ 7:00 PM | Town Hall |
| Town Board Meeting | April 10 th @ 7:00 Pm | Town Hall |

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

13. Report 2017-46**Public Comments**

Supervisor Wiepert asked about a new sign for POTL.

Rusty Tower: The only thing that has come up is that the entrance sign for the park is damaged.

Supervisor Wiepert: Hwy Supt. Hillman took that down today to be repaired.

Judge Truesdale: We only have to put up one sign. The park quote was \$3,000 and we have a budget of \$10,000. If you need additional signage it's up to you guys.

Grant Writer Rotella: You can use it as long as there is a Greenway Logo on it. If we want to spend \$5,000 and make it a little bit bigger, that's fine. We only need one sign by the road identifying it as a Greenway project, that's all. We could put some solar lights on it.

Bill Dean: Roy and I have been working together since last fall. We have been discussing the possibility that the McCabe property, 2384 Lake Road, is being used for boat storage and maintenance facility. I understand that Mike has rented out the first building, closest to the road, for the purpose of storing boats. I wanted to make the board aware of what might be happening with the property. I consider that non-conforming use of the property. Roy said that he was going to reach out to Mike and see if he could go into the building and so an inspection. I was wondering if the town board would be willing to join Roy in an on-site inspection of the property?

Supervisor Wiepert: I think that Roy should give us the answer, trust him, depend on him.

Bill Dean: Roy told me that when he talked to Mike he told him that there were only 2 boats in the building and that he owned them and that there is no work occurring inside the building on any boats. I watched probably 9 or 10 boats go into that building last fall and I haven't seen any go out. I feel like I am getting the run-a-round.

Bldg Inspector Rogers: I am in the investigation stage, I have not been able to get access to that property. It's an open case, if there is a violation it will be cited.

Bill Dean: I think it is important that whoever is renting the building, if that's what they're doing, that they should be going to the zoning board and getting variances, or the planning board asking for special use permits and there should be a public hearing and everybody in the neighborhood should have an opportunity to express their concerns.

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| RESULT: | REPORT ISSUED |
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14. Report 2017-47

Town Board Comments

Councilman Baker: We had several applications for the Zoning Board position. We went thru them and picked out a couple and interviewed them earlier tonight. We interviewed Ryan Ross and Marshall Hibbard. The board decision was to appoint Marshall Hibbard to the Zoning Board for the term ending December 31, 2021. Marshall has a lot of great expertise in landfills after working at Modern. He's been a resident of the town for many years. He will be a great addition to the board.

Councilman Baker made a motion to hire/appoint Marshall Hibbard to the zoning board.

Roll Call Vote: Johnston - Aye

Wiepert - Aye

Baia - Aye

Baker - Aye

Motion to adjourn the meeting was made by Councilman Baker at 7:58 PM. Seconded by Councilman Johnston. Motion carried.

| | |
|----------------|----------------------|
| RESULT: | REPORT ISSUED |
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2017-35

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Motion to close the Public Hearing made by Councilman Baker and seconded by Councilman Johnston.



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2017-36

Meeting: 03/13/17 07:00 PM

Purchase of Beacon Software & Orion Transponders

Resolution to approve the expenditure of Town Water Department Reserve Funds for the purchase of Beacon Software and Orion Water Meter Transponders in an amount not to exceed \$73,000.00.

| ✓ Vote Record - Resolution RES-2017-36 | | | | | | |
|---|-------------------|--------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| | | | Yes/Aye | No/Nay | Abstain | Absent |
| <input checked="" type="checkbox"/> Adopted | Mert Wiepert | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | Jeff Baker | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated | Thomas Baia | Mover | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled | Larry White | Voter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Withdrawn | J. Duffy Johnston | Second | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



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2017-26

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Minutes Approval

Resolution to approve the minutes of the February 13, 2017 meeting of the Porter Town Board and the work session held on February 28, 2017.

| ✓ Vote Record - Resolution RES-2017-26 | | | | | | |
|--|-------------------|--------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | Yes/Aye | No/Nay | Abstain | Absent |
| | Mert Wiepert | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Jeff Baker | Mover | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Thomas Baia | Second | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Larry White | Voter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | J. Duffy Johnston | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



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2017-27

Meeting: 03/13/17 07:00 PM

Audited Vouchers

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

| ✓ Vote Record - Resolution RES-2017-27 | | | | | | |
|--|-------------------|--------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | Yes/Aye | No/Nay | Abstain | Absent |
| | Mert Wiepert | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Jeff Baker | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Thomas Baia | Mover | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Larry White | Voter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | J. Duffy Johnston | Second | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



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2017-28

Meeting: 03/13/17 07:00 PM

Acceptance of Supervisor's Report

Resolution to accept the Supervisor's Report for February 13, 2017.

| ✓ Vote Record - Resolution RES-2017-28 | | | | | | |
|--|-------------------|----------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | Yes/Aye | No/Nay | Abstain | Absent |
| | Mert Wiepert | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Jeff Baker | Mover | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Thomas Baia | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Larry White | Voter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | J. Duffy Johnston | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



Town of Porter
3265 Creek Road
Youngstown, NY 14174

Barb DuBell
Town Clerk
716-745-3730
TownofPorter.Net

3.6

2017-62

Meeting: 03/13/17 07:00 PM

Supervisor's Report

Monthly Supervisor report for February 2017 distributed.

Received Niagara County Tax Money \$ 102,334.25

Supervisor Wiepert: As you know we lost our contract with the Town of Lewiston and the Vet for dog control. We tried to get a meeting together with the supervisor from Lewiston and the supervisor from Wilson to see if we can get together and create on dog control area. I have been trying to get that together for a week and haven't succeeded yet. We use the same dog catcher. We have checked with the SPCA and they have been way out of sight on costs.

Councilman Baker: About \$12,000 a year for the 4 or 5 dogs we get picked up.

Supervisor Wiepert: I received the sewer contract from the Town of Lewiston. I just got that and I will give it to Attorney Dowd to review before we approve it. There is currently no change in the contract; the sewer fees are up 5 cents a \$1,000.



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2017-36

Meeting: 03/13/17 07:00 PM

Town Clerk

| | |
|------------------------------------|-------------|
| License and Fees for February 2017 | \$518.46 |
| Water | \$16,028.65 |
| Sewer | \$11,989.33 |

Received notification from Michael and Sandra Tuck, owners of Sanger Farms, 852 Youngstown Lockport Road, Youngstown, New York, 14174, they are applying to New York State Liquor Authority for an on-premises liquor license. The application is pending.

Design Specialist Tom Rose, from Virtual Towns, will be meeting with us virtually via screen share and conference call on March 16th to discuss the parameters for the new website and he will create a mockup of the new design for us to review and make any changes that are needed.

Received written notification from Lisa Hastings, Justice Court Clerk, that in accordance with Justice Court Act and Town Law the financial records and court dockets for the year 2016 are available to be examined by the Town Board.

Supervisor Wiepert instructed Councilman Johnston to review the financial records. The Town Board and Village Board received a letter from the Office of the State Controller regarding how monies collected from fines reported as village ordinance violations were distributed. Upon completion of their review, they will process adjustments to distribute the pending revenue.



Town of Porter
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4.2

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2017-37

Meeting: 03/13/17 07:00 PM

Bookkeeper

Completed monthly and Bi-weekly Payroll for February

Balanced payroll accounts for February

Completed check register and bill payments including all Vouchers and journal entries

Worked with state auditor

Worked with Town Accountant on Year End process

Developed and completed the timecard system for the town hall employees as recommended by the NYS Auditor as well as by NYS Law.



Town of Porter
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2017-38

Meeting: 03/13/17 07:00 PM

Recreation

- The Story Hour Program continues in the Youngstown Library on Tuesdays and in the Ransomville Library on Wednesdays at 9:30 and 11:00am.
- The Saturday Story Hour Program continues.
- The Safer Self will be held at the Youngstown Village Center on Tuesday, March 7th and Tuesday, April 4th, at 6:00pm.
- Yoga continues on Wednesdays at 6:30pm in the Cora Gushee Room at the Youngstown Village Center.
- Due to illness in the instructor's family, Tai Chi will be cancelled until further notice.
- We received approval from the Wilson Central School District to use Stevenson Elementary again for our Summer Recreation Program. The Program will be held from Monday, July 3rd - Thursday, August 10th. It will not be held on Tuesday, July 4th due to the holiday.
- Our next meeting will be on Monday, April 3rd, 2017 at 7:00pm.

We are hiring 20 recreation supervisor's.



Town of Porter
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Youngstown, NY 14174

4.4

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2017-53

Meeting: 03/13/17 07:00 PM

Tax Collector

RE: 2017 TOWN/COUNTY COLLECTIONS

Dear Supervisor Wiepert and Town Board Members:

Paid Supervisor Wiepert \$1923.66 penalties collected in February.

A payment of \$3,200,000.00 was made to the Niagara County Treasurer on February 14, 2017 as initial settlement of County monies owed per 2017 Warrant.

In accordance with New York State Law #987, I have sent a second notice to 305 homeowners that the taxes on their property have not been paid.

The Tax Collector's account has \$283,463.97 as of March 8, 2017. This represents all payments collected to date.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter



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Youngstown, NY 14174

4.5

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2017-39

Meeting: 03/13/17 07:00 PM

Assessor

Processed January deed transfers.

Sent out IVP 'no' and 'undecided' notices to IVP Enhanced recipients.

Submitted 2017 exemption deadline notice and taxable status date notices to Niagara Gazette.

Numerous telephone calls to Porter residents regarding exemption renewal by March 1.

Five on-site, hand deliveries to help seniors with exemption renewal.

Processed property tax apportionment between a buyer and a seller.

Continued to receive exemption applications for 2017 roll.

Continued to process building permits for 2017 roll.

Collected deed transfer and bank code changes from Niagara County ORPTS.

January 2017 sales of note, which will have a negative effect on our LOA going forward:

| | | | |
|---|------------------------|---------------|-----------------------|
| - | 1260 Cain Rd | TAV \$145,800 | Sales Price \$165,000 |
| - | 1619 Lake Rd | TAV \$206,400 | Sales Price \$360,000 |
| - | 1621 Lake Rd | TAV \$111,000 | Sales Price \$235,000 |
| - | 2011 Balmer Rd | TAV \$158,400 | Sales Price \$249,900 |
| - | 3964 Dickersonville Rd | TAV\$101,000 | Sales Price \$155,000 |
| - | 3825 Ransomville Rd | TAV\$121,000 | Sales Price \$165,000 |

Rusty Tower asked if the town board could arrange to have Representative Chris Collins come to the town to do a town hall meeting. They raised the price of the rock used on the lakefront properties. It would be nice to have Collins come down here and see why they are taking advantage of the lakefront owners on the price of this rock. My sister has to wait 4 months for the DEC permit.

Bldg Inspector Rogers: The DEC is short staffed, don't believe they have anyone in Buffalo taking care of shore erosion anymore, that's been moved to Rochester. They are way behind in approving these applications. I may be able to get a DEC representative here to discuss what is going on with the lakefront owners.



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2017-40

Meeting: 03/13/17 07:00 PM

Building Inspector/Code Enforcement Officer

Building Inspector/Code Enforcement Officer

February

| Number | Type | Date | Owner /Address | Value | Fee |
|---------------|-------------|----------------|-------------------------------------|--------------|------------|
| 003-17 | Gar | 2/7/2017 | Peter Burrows 3831 River | 30,000 | 50.00 |
| 004-17 | Demo | 2/1/2017 | Gregory Costanzo 1619 Lake | 0 | 25.00 |
| 005-17 | SFR | 2/9/2017 | David Decarle 2130 lake | 143,000 | 300.00 |
| 006-17 | SFR | 2/10/2017 | Timothy Sylvester 1678 Braley Rd | 250,000 | 300.00 |
| | | February total | | \$423,000 | \$ 675 |
| YTD | | | | 723,000 | 750.00 |



Town of Porter
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4.7

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2017-41

Meeting: 03/13/17 07:00 PM

Highway

Department of Public Works
Monthly Report for February 2017

1. Called out to plow and salt 10 times.
2. Completed road sign assessment and inventory.
3. Received and stockpiled 565 tons of road salt.
4. Continuing to repair and service our summer equipment.

Drainage Department:

1. Inspected several streams for blockages and removed trees and debris.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Completed a water service installation on Blairville Road.
3. Completed repairs to a watermain break on Riverview Dr.
4. Completed I&I inspection of the sewer gravity main between Collingwood Estates and Youngstown Estates subdivisions.

Legislative Advocacy Trip

We met with our local representatives and their respective committee heads regarding CHIPS, Pave NY and Bridge NY funding in this years budget. Our associations have request a \$150 Million increase for CHIPS and \$50 Million for Pave NY and Bridge NY funding. They are attempting to get this into either the Assembly or Senate Budget proposals. The Governor has proposed no increases for any of the programs. He is proposing \$20 Billion in increased funding for 3 projects all in NYC.

Respectfully submitted,

Scott B. Hillman
Superintendent of Highways



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2017-42

Meeting: 03/13/17 07:00 PM

Engineer

The Health Department has requested the Town to send a letter requesting decommissioning of the Balmer Road tank. We will be submitting a draft letter for the Supervisor to review next week.

Supervisor Wiepert: What we did is we talked about a auxiliary generator for the town hall. We would have to go out for bid. I requested the engineering firm to do all the specs for it so we could go out for bids.

GHD Consulting Services Inc. (GHD) submitted a proposal to the Town of Porter in connection with the installation of a new generator at Town Hall. The proposal includes design, bid and construction phase services.

GHD proposes to complete the following scope of services as detailed below:

| | |
|--|--------------------|
| Design Phase Service: Plans & Specifications | \$6,500 (Lump Sum) |
| Bid Phase | \$1,000 (Lump Sum) |
| Construction Phase services | \$1,500 (Lump Sum) |

Supervisor Wiepert: How do the solar panels fit in on that?

Engr. Amico: Our electrical engineer would have to look into that. I know the solar panels are a big issue.

Grant Writer Rotella: I need to know how much that generator will cost. There is a source coming up at the end of the month for that, but it could take a year to get. There is no match for that.



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2017-43

Meeting: 03/13/17 07:00 PM

Attorney

none



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Youngstown, NY 14174

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2017-44

Meeting: 03/13/17 07:00 PM

Grant Writer

Grants Status Report: Projects we are currently working on:

LWRP: Next meeting scheduled for February 23, 2017. This meeting will set the boundary map, and begin property & resource inventory. A public input session is scheduled for April 3rd at 7PM at Town Hall. See Minutes report below.

Greenway: Submitted reimbursement request for \$37,500 for 2 new pavilions. The balance of our Greenway funding is \$51,500.

EFC Drinking Water Grant: The next round of the EFC drinking water is scheduled for April 2017. Between now and then we will upload the project into the IUP for the 2017-2018 listing. The annual list Closes Sept of each year. Will keep the board updated as we GHD closer to that date.

- Project will include GHD's engineering model
- Listing will include the entire project area
- Project cost \$5,800,000

Waterfront Advisory Committee Meeting Summary

Date of Meeting: February 16, 2017

Meeting Time: 11:00 PM

Meeting Location: Porter Town Hall

Subject: Town of Porter Local Waterfront Revitalization Program

Attendees:

| | | | |
|-------------------------------------|---------------------------|-------------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> | Kathy Zasucha | <input checked="" type="checkbox"/> | Wendy Salvati, WWS Planning |
| <input checked="" type="checkbox"/> | Wendy Shaw | <input type="checkbox"/> | Merton Wiepert, Town Supervisor |
| <input checked="" type="checkbox"/> | Tony Collard | <input type="checkbox"/> | Renee Parsons, DOS |
| <input checked="" type="checkbox"/> | Dottie Riordan | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | Bernie Rotella (by phone) | <input type="checkbox"/> | |

PROJECT STATUS UPDATE

Wendy Salvati discussed the status of the project to date. She noted that she conducted a field survey of the LWRA to view areas that the Committee wanted to see included in the waterfront boundary. Wendy shared aerial photographs of the shoreline and discussed certain areas that she visited to learn more from the Committee.

The concerns about water withdrawals and rising lake levels, which affect the Niagara River, that are the result of the St. Lawrence Seaway Messina Power Plant were noted again. This issue should be examined (contact DEC and International Joint Commission).

The location of private docks was discussed, particularly what is located along the shoreline of the Niagara River. Many residents have stairways and docks or platforms along the river, at the bottom of the bluff, for boating or general waterfront access. It was noted that a large development is proposed on the east side of Lower River Road that includes plans for docking facilities along the river on the west side of the road.

Aside from a private boat launch along Lake Ontario, there are no permanent docks along the lake. Some residents utilize floating docks that are removed in the off-season. There is a concrete break wall along the shoreline seaward of the Castle property in the Lakewood-Fort Niagara beach area (where the Rumsey Park amusement park used to be located). There are also remnants of concrete dock supports off shore (most of which are under water).

The Town has no local docking regulations; NYSDEC and the Army Corps. have jurisdiction. The installation of docks, however, must have a permit from the Porter Code Enforcement Officer (CEO), with Planning Board review and recommendations. It was suggested that Wendy contact Roy Rogers (the CEO) regarding permitting. Wendy noted that in the future, after the LWRP is adopted, docks will also need to undergo consistency review by the CEO (which is now assumed to be done by DEC or the Corps.). It will have to be decided who may this task - the Waterfront Advisory Committee or the Planning Board.

LWRP BOUNDARY

Wendy said that the LWRP boundary section is well underway and that after confirming the proposed changes with the Committee, this section will be finished. In certain areas of discussion in the inventory, the boundary will be split to delineate the portion along the river and the portion along the lake; a few maps

will be split. The revised waterfront areas will be enlarged to include the lands that extend out to the western right-of-way along the Robert Moses Parkway. This will enable the Town to propose an extension of the multi-use pathway further to the north, to provide access to Fort Niagara State Park. The boundary will also be extended inland in the vicinity of this park and Four Mile Creek State Park. The Committee requested that the boundary be further extended to include the Niagara Frontier Country Club. The land area around Six Mile Creek, out to Youngstown Wilson Road, was also included to take in more of the wetlands and habitat area in this vicinity. Wendy will finalize the narrative and map and provide it to the Committee prior to the next meeting.

PUBLIC OUTREACH

The first public outreach meeting was scheduled for Monday, April 3rd at 7:00 in the Town Hall court room. Wendy was advised to notify the Centennial, the Buffalo News and the Niagara Gazette about the meeting. Wendy will prepare a press release and send it off to each publication. The Committee advised that she contact Terry Duffy at the Centennial and request that a meeting notice or article be run for two consecutive Saturdays prior to the meeting (3/25 and 4/1). Wendy will also provide the committee with a flier (simple and colorful) that can be posted on the Town's website and in other locations around Town, at the Committee's discretion. She asked that the Committee help to spread the word around Town to encourage attendance.

Wendy asked the Committee to encourage Town Board and Planning Board members, and any other local officials, to attend the meeting to learn about the project and offer their input. Since the Town Board will ultimately have to adopt the LWRP, it is a good idea for them to take every opportunity to learn about the project.

Wendy explained the format for the meeting, which will include a brief presentation to advise the public about the project and then an open discussion to identify community desires, concerns and other waterfront issues. Maps will be exhibited for public viewing prior to the meeting. Information gathered at this meeting will be used to finalize the inventory and inform the LWRP policies.

ACTION ITEMS / NEXT STEPS

- Prepare meeting summary and distribute to Committee and DOS.
- Continue inventory and analysis and summarize findings.

- Prepare a preliminary list of issues and opportunities.
- Prepare for the Public Information Meeting.

Meeting adjourned at 12:45 PM. Next meeting scheduled for Thursday, April 6th at 11:00am.

Respectfully Submitted,

Wendy E. Weber Salvati, AICP

TOWN OF PORTER LOCAL WATERFRONT REVITALIZATION PROGRAM

HELP US PLAN FOR YOUR WATERFRONT



Scenic Resources

Public Access and Recreation

Community Character**Economic Development****Water Quality****Flooding and Erosion*****PUBLIC INFORMATION MEETING******April 3, 2017 at 7:00 PM - Porter Town Hall***

**Come learn about the process and share your preliminary thoughts
to these questions and more at our community kickoff meeting!**

Senior Van: I have a call into Niagara County Dept. of the Aging. I am waiting to hear from them if they have any funds left, if they do I am going to put a joint application in with the Village. I got a price of \$33,000 for the van, state bid. I have a contact at the Ford Friendship Grant Program, I'm going to put in a request to them. I've done that every year.



Town of Porter
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Youngstown, NY 14174

4.11

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2017-45

Meeting: 03/13/17 07:00 PM

Correspondance

report



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Youngstown, NY 14174

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4.12

2017-63

Meeting: 03/13/17 07:00 PM

Calendar of Events

| | | |
|------------------------|----------------------------------|-----------|
| Zoning Board Meeting | March 23 rd @ 7:00 PM | Town Hall |
| Planning Board Meeting | April 6 th @ 7:00 PM | Town Hall |
| Town Board Meeting | April 10 th @ 7:00 Pm | Town Hall |



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4.13

2017-46

Meeting: 03/13/17 07:00 PM

Public Comments

Supervisor Wiepert asked about a new sign for POTL.

Rusty Tower: The only thing that has come up is that the entrance sign for the park is damaged.

Supervisor Wiepert: Hwy Supt. Hillman took that down today to be repaired.

Judge Truesdale: We only have to put up one sign. The park quote was \$3,000 and we have a budget of \$10,000. If you need additional signage it's up to you guys.

Grant Writer Rotella: You can use it as long as there is a Greenway Logo on it. If we want to spend \$5,000 and make it a little bit bigger, that's fine. We only need one sign by the road identifying it as a Greenway project, that's all. We could put some solar lights on it.

Bill Dean: Roy and I have been working together since last fall. We have been discussing the possibility that the McCabe property, 2384 Lake Road, is being used for boat storage and maintenance facility. I understand that Mike has rented out the first building, closest to the road, for the purpose of storing boats. I wanted to make the board aware of what might be happening with the property. I consider that non-conforming use of the property. Roy said that he was going to reach out to Mike and see if he could go into the building and so an inspection. I was wondering if the town board would be willing to join Roy in an on-site inspection of the property?

Supervisor Wiepert: I think that Roy should give us the answer, trust him, depend on him.

Bill Dean: Roy told me that when he talked to Mike he told him that there were only 2 boats in the building and that he owned them and that there is no work occurring inside the building on any boats. I watched probably 9 or 10 boats go into that building last fall and I haven't seen any go out. I feel like I am getting the run-a-round.

Bldg Inspector Rogers: I am in the investigation stage, I have not been able to get access to that property. It's an open case, if there is a violation it will be cited.

Bill Dean: I think it is important that whoever is renting the building, if that's what they're doing, that they should be going to the zoning board and getting variances, or the planning board asking for special use permits and there should be a public hearing and everybody in the neighborhood should have an opportunity to express their concerns.



Town of Porter
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4.14

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2017-47

Meeting: 03/13/17 07:00 PM

Town Board Comments

Councilman Baker: We had several applications for the Zoning Board position. We went thru them and picked out a couple and interviewed them earlier tonight. We interviewed Ryan Ross and Marshall Hibbard. The board decision was to appoint Marshall Hibbard to the Zoning Board for the term ending December 31, 2021. Marshall has a lot of great expertise in landfills after working at Modern. He's been a resident of the town for many years. He will be a great addition to the board.

Councilman Baker made a motion to hire/appoint Marshall Hibbard to the zoning board.

Roll Call Vote: Johnston - Aye

Wiepert - Aye

Baia - Aye

Baker - Aye

Motion to adjourn the meeting was made by Councilman Baker at 7:58 PM. Seconded by Councilman Johnston. Motion carried.