



Town of Porter

Work Session

~ Minutes ~

3265 Creek Road
Youngstown, NY 14174

TownofPorter.Net

Barb DuBell
716-745-3730

Monday, September 11, 2017

6:30 PM

Town Hall Auditorium

I. Call to Order

6:30 PM Meeting called to order on September 11, 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	Present	
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	
Mike Dowd	Town of Porter	Attorney	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Present	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Present	
Dave Britton	Town of Porter	Engineer	Absent	
Mary Siegrist	Town of Porter	Bookkeeper	Present	
Susan Driscoll	Town of Porter	Assessor	Absent	

II. Reports

1. Report 2017-193

Building Committee

Dave Truesdale, Building Committee updated the board on the following:

Town Generator: We had the engineers come in due to the size of the project. They came up with a price of \$130,000 dollars. That is about \$50,000 dollars higher than I expected. What does the board want to proceed?

Roll call vote:

Councilman Baker: No

Councilman White: No

Councilman Johnston: No

Councilman Baia: Yes

Supervisor Wiepert: No

Front Entrance: We have talked before about enclosing the front entrance/ porch. Part of the problem we have is the magnetometer is very awkward, it's a problem. There is a grant called the J Cap Grant, through the office administration, we can get up to \$30,000 dollars towards projects. They normally see fit to grant those grants to anything that is going to address security. We got a cost estimate of \$35,000 dollars plus or minus 30%. If you think we should proceed with this I need a resolution by October 1st, can't proceed without it.

Resolution to proceed with the grant made by Councilman Baker and seconded by Councilman White. Motion carried.

Sidewalk Lights: The front sidewalk is very dark. We had on the agenda to have John Thilk come in, he gave us a price that was with-in our procurement policy to put 4 lights, about knee high, shining down the sidewalk.

New Furnace: You know we had to replace the big furnace for this room because the air conditioning died. It's up and running, as you can feel. So that one is done.

RESULT:	REPORT ISSUED
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2. Report 2017-194

Water Line Easements

Discuss water line easements.

Attorney Dowd: The town installed a water line, it was down the backyards of houses the backed up to each other. When we got the temporary work easement, back in the early 90's, we never got the permit. So now the neighbors are fighting over whether or not they can put things on the easement. It's up to us, it's our easement. The problem is we never got a permit easement.

The question is how do we get it. We wouldn't own the land, just be an easement. It is both Johnston and Orchard. There are probably 8 to 10 houses.

Attorney Dowd will work on it.

RESULT:	REPORT ISSUED
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3. Resolution 2017-73**Local Law Number Change**

Resolution to change/switch the numbers on Local Law #1 and Local Law #2 of 2017 for the purpose of filing with the state.

Local Law #1-2017 Short Term Rentals is now Local Law #2-2017

Local Law #2-2017 Enhance STAR Late Filing is now Local Law #1-2017

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

4. Report 2017-195**Niagara County Planning Board/Short Term Rentals**

Discuss recommendations and concerns from the Niagara County Planning Board regarding the Town Zoning Law on Short Term Rental Homes.

Attorney Dowd: While this process was going on I heard from the County that there is a County Bed Tax that they suggest be imposed on any air B&B type rentals. We don't have a local bed tax, so we might want to consider adding language to local law that states the owner of the property is responsible for paying any state and local bed or sales tax that may required. We're not trying to make money off of this we are just trying to regulate this Air B&B craze that's going on.

The County hasn't objected to this, but we might want to address some of these things, and then we can write a letter to the county saying here are the changes we made.

I will take care of the language on the local law. We had a public hearing on this already.

RESULT:	REPORT ISSUED
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5. Report 2017-196**Park Sign**

Discuss a new park sign - Gateway Grant.

Supervisor Wiepert: You notice there is a new sign down by the Town of Porter park. Thanks to Rusty Tower for working on that, getting the sign. That was paid for through Greenway Funds.

RESULT:	REPORT ISSUED
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6. Report 2017-197**Water & Sewer Refund**

The Town Board will discuss this at another meeting.

RESULT:	REPORT ISSUED
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7. Report 2017-198**Tower Road**

Tower Road - Sell or Abandon?

Attorney Dowd: A year or so ago, Mr. Lozzi wanted to do an addition to his home, if he had done it, it would have required a variance and encroached into an area that is a town road from Lake Road to Youngstown-Wilson Road. It's mapped, it's a town road. It's more or less abandon, not used and Mr. Lozzi would like to get his addition and maybe do some paving work. They can't do it unless the town abandons that portion of the road. It's a town right of way and goes right thru both of their properties.

There was extended talk and discussion between the board, residents and attorney.

Attorney Dowd: You might have to get it appraised; we've never abandoned a road. I'll pull the file out and see what we have to do. Then we will assume that we will move forward with this and I have to find out what we have to do.

RESULT:	REPORT ISSUED
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