



**Town of Porter**  
**Town Board Meeting**  
 ~ Minutes ~

3265 Creek Road  
 Youngstown, NY 14174

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

Kara Hibbard  
 716-745-3730

Monday, February 12, 2024

7:00 PM

Town Hall Auditorium

**I. Call to Order**

7:00 PM Meeting called to order on February 12, 2024 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	
Tim Adamson	Town of Porter	Councilman	Present	
Jipp Ortiz	Town of Porter	Councilman	Present	
Kara Hibbard	Town of Porter	Town Clerk	Absent	
Elaine Porto	Town of Porter	Deputy Town Clerk	Present	
Kimberli Boyer	Town of Porter	Bookkeeper	Present	
Dave Burmaster	Town of Porter	Highway Superintendent	Absent	
Mike Dowd	Town of Porter	Town Attorney	Present	
Peter Jeffery	Town of Porter	Code Enforcement Officer	Present	
Selah Dell	Town of Porter		Present	

**II. Resolutions/Reports**

**III. Resolutions**

1. Resolution 2024-27

**Minutes Approval**

Resolution to approve the minutes of the January 8, 2024 Town Board meeting

**Motion to adopt the resolution 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>	Johnston, Baker, White, Adamson, Ortiz

## 2. Resolution 2024-28

## Audited Vouchers

TOWN OF PORTER

WARRANT: POST AUDIT #1A 1/31/24

FUND	01	23,861.30
FUND	02	44,047.93
FUND	04	27,163.85
FUND	06	45,808.75
FUND	07	418,119.13
FUND	11	23,019.88
FUND	20	261,000.00
FUND	21	196,634.00

TOTAL 1,039,654.84

VOUCHER 'S 32433 THRU 32482

WARRANT: POST AUDIT #2 2/9/24

FUND	01	69,709.79
FUND	02	26,455.72
FUND	04	122,487.93
FUND	06	6,940.40
FUND	07	6,465.96
FUND	10	1,011.70
FUND	11	27,706.51
FUND	35	3,200.00
FUND	28	0.00
FUND		

TOTAL 263,978.01

VOUCHER 'S 32483 THRU 32567

TOTAL 1,303,632.85

**Resolution to approve the vouchers for a total of \$1,303,632.85 as audited by the Porter Town Board.**

**Motion to adopt the resolution was made by Councilman Adamson and seconded by Councilman White.**

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

**3. Resolution 2024-29**

**Supervisor's Report**

Resolution to accept the Supervisor's report from the January 8, 2024 Town Board meeting.

**Motion to adopt the resolution was made by Deputy Baker and seconded by Councilman Adamson.**

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

**4. Resolution 2024-30**

**Resolution to Support and Insure the YBPA**

Resolution to support and insure the Youngstown Business Professional Association (YBPA), for the St Patrick's parade on March 16<sup>th</sup>, 2024 and the Summer Street dance on June 20, 2024

**Motion to adopt the resolution was made by Councilman Adamson and seconded by Deputy Supervisor Baker .**

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

5. Resolution 2024-31

**Reassessment Resolution**

The Town of Porter in conjunction with the Town of Lewiston is engaging in a joint reassessment project. It has been over 23 years since both communities conducted a town wide reassessment project. The project will save both communities money by utilizing the same vendor and the ability to share various data and processes. The project will begin in the winter of 2024 and be completed by July 1, 2026.

WHEREAS, the Town of Porter Board supports the efforts of it's Town Assessor in updating the Town's 2026 Assessment Roll and maintenance of such Assessment Roll at full market value; and

WHEREAS, the Town Board supports the allocation of sufficient resources for Town staff and services to complete the project,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Porter Board hereby expresses it's support of it's Town Assessor in updating the Town's 2026 Assessment Roll and maintenance of such Assessment Roll at full-market value, and annually maintains assessment equity and 100% full value assessment after 2026, and authorizes the allocation of sufficient resources for Town staff and services to complete such project and the annual maintenance of assessment equity, and

BE IN FURTHER, RESOLVED, that the Town Board further requests that the New York State Office of Real Property Tax Services and the Niagara County Office of Real Property Services provides assistance that is typically afforded during such projects to the Town of Porter Assessor.

**Rusty Tower spoke and addressed the board on when there will be a public hearing on the reassessment . Supervisor Johnston said there will be more information coming in the near future.**

**Wally Nowacki also addressed the board on the public hearing process and asked how much this reassessment may end up costing the town . More information coming soon on that question .**

**Motion to adopt the resolution was made by Deputy Baker and seconded Councilman Adamson.**

**Roll Call : Supervisor Johnston yes: Deputy Supervisor Baker yes: Councilman Adamson yes: Councilman White yes: Councilman Ortiz :NO**

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Jeff Baker, Deputy Supervisor
<b>SECONDER:</b>	Tim Adamson, Councilman
<b>AYES:</b>	J. Duffy Johnston, Jeff Baker, Larry White, Tim Adamson
<b>NAYS:</b>	Jipp Ortiz

**6. Resolution 2024-32****Resolution for 2 Motorola Highway Radios**

Highway Superintendent Dave Burmaster would like to purchase two (2) Motorola Highway radios (on State bid for a total cost of \$7,077.50

Highway Supervisor Burmaster had mentioned the radios will be able to link up with Sheriffs departments and other municipalities.

**Motion to adopt the resolution was made by Councilman Adamson and seconded by Deputy Supervisor Baker.**

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

**7. Resolution 2024-33****Public Hearing to Increase Facilities for Sewer District Lift Stations**

Order for Public Hearing on March 11, 2024

WHEREAS, the Town Board of the Town of Porter duly adopted a resolution directing the Town Engineer of the Town of Porter to supervise the preparation of a plans and a cost estimate for necessary upgrades to replace obsolete, inadequate, damaged, and worn-out apparatus and equipment and acquire additional apparatus and equipment for the Swain Road and Lake Road lift stations servicing the existing sewer facilities, improvements and services in the Town, and

WHEREAS; The Town Engineer has determined that the floors, pumps, piping and necessary appurtenant equipent to safely operate the Swain Road and Lake Road Lift Stations are now more than forty years old and have exceeded their usefullnes and require replacement; and

WHEREAS, the maximum amount proposed to be expended for such improvements and upgrades is Seven Hundred and Ten (\$710,000.00) Dollars, and

WHEREAS, the proposed method to be employed for financing such improvement is as the issuance of bonds; and

WHEREAS, the cost estimates for these improvements and upgrades are on file in the office of the Town Clerk of

the Town of Porter, for public inspection, it is

ORDERED, that the Town Board of the Town of Porter, shall meet at the Town Hall, 3265 Creek Road, Youngstown, New York, on the 11th day of March, 2024, at 7:00 o'clock P.M., for the purpose of conducting a public hearing on the proposal for the completion and financing for the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk of the Town of Porter, is hereby authorized and directed to publish a copy of this order in the Niagara Gazette and post a copy of the same on the signboard of the Town of Porter, in the time and manner required by law.

Resolution authorizing the Town clerk to publicize a notice in the Niagara Gazette for a public hearing on March 11, 2024 to increase facilities for sewer district lift stations. "

**Motion to adopt the resolution by Deputy Supervisor Baker and seconded by Councilman Adamson.**

**Roll Call: Supervisor Johnston yes: Deputy Supervisor Baker yes: Councilman Adamson yes: Councilman Ortiz yes: Councilman White :yes**

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

**8. Resolution 2024-34**

**Resolution Needed to Increase Sewer Rates for 2024**

Resolution to Increase Sewer Rates for 2024

Current Sewer Rates:

Village of Youngstown	\$1.06 per thousand
Fort Niagara State Park	\$4.66 per thousand
Town of Porter	0-7,000 gallons - \$48.16
	Over 7000 - \$6.88 per thousand

New Sewer Rates:

Village of Youngstown	\$1.35 per thousand
Fort Niagara State Park	\$5.00 per thousand
Town of Porter	0-7,000 gallons - \$51.59
	Over 7,000 - \$7.37 per thousand

**Motion to adopt the resolution by Deputy Supervisor Baker and seconded by Councilman Ortiz.**

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

## IV. Reports

### 1. Report 2024-12

#### Supervisor's Report

1-10 Attended Wright Eliis, Cambria's Supervisor's retirement party

1-11 Attended Niagara County LEAP meeting

1-11 Met with Mayor Reisman and Solar Simplified on the Community Solar Project

1-12 Met with our Porter on the lake Committee, for upcoming projects

1-18 Niagara County Waterboard meeting, I am the new Chairman

1-23 Attended the Northern County Lions club 5 year Anniversary

1-27 Helped coordinate the Safe Drivers class with our staff

1-29 Assisted with Niagara County Health Dept Flu and Covid shots, from 3:30 to 6:30 at Town Hall

1-30 Met with Agents Brady and Russ from Border Patrol

2-2 Attended Border patrol Meeting at Headquarters in Grand Island

2-3 Did a proclamation for 50 years of Volunteer service to John Mies at the Youngstown Fire Co. Installation meeting.

2-6 Talked to our contractor for a new EV car charger that is free from National Grid

2-8 Attended the Niagara County Leaders Encouraging Action and Progress Feb Meeting (LEAP)

Requested and received funding from the Niagara County ADHOC for \$8000

Filled out forms for DEC-Greenway for \$22,800 left from the Ft Niagara Beach project

**Supervisor Johnston spoke about the impact this area may soon have regarding the Solar Eclipse to happen on April 8, 2024. Expecting a large amount of people in the surrounding area.**

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

**2. Report 2024-13**

**Bookkeeper**

Completed processing all January 2024 Vouchers & Journal Entries.

Prepared Supervisor's Monthly Report for January 2024 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 January and they balanced.

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

---

3. **Report 2024-14**

**Town Clerk**

Water \$30,629.18

Sewer \$29,519.86

Clerk Fee's \$805.21

Paid the Town the tax warrant amount of \$1,906,493.76

Continuing to receive tax payments until March 31.

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

---

4. **Report 2024-15**

**Assessor**

**Monthly Assessor's Report  
January 2024**

- Updated the real property system for changes due to building permits
- Notified appropriate officials of changes in ownership, mailing addresses, etc
- Selah attended the Niagara County Assessors Association monthly meeting
- We continue to accept applications from property owners for the Agricultural Exemption, the Aged - Low Income Sr. Exemption, the Disability with Limited Income Exemption, Clergy and Wholly Exemptions. Renewal applications and new applications are due March 1, 2024
- Just a reminder for seniors (65 and older): You may be eligible for senior citizen tax exemptions. You have until March 1, 2024 to apply for such exemptions. For more information, please call the assessment department at 716-745-3730 ext. 4

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

950 River Rd	AV \$162,500	Sale Price: \$400,000
392 Hawthorne Pl	AV \$174,800	Sale Price: \$330,000
3661 Parkdale Dr	AV \$126,000	Sale Price: \$315,000
1579 Lake Rd	AV \$144,900	Sale Price: \$405,000
3803 River Rd	AV \$356,300	Sale Price: \$733,380

**RESULT: REPORT ISSUED**

5. Report 2024-16

**Building Inspector/Code Enforcement Officer**

- ◆ Reviewed and issued seven (7) **Building Permits** for the month of **January**.
- ◆ Issued four (4) Registration Certificates for **Short Term Rental Homes (STRH)**.
- ◆ Received, Inspected, and followed up on one (1) **New formal Complaint/Violations**
- ◆ Completed fourteen (14) **inspections** for Permits & Complaints compliance.
- ◆ Coordinated/Reviewed **Planning and Zoning Board applications** and Documentation.
- ◆ Participated in Town of Porter **Justice Court** for pending Zoning enforcement cases.
- ◆ Completed the **required 24 Hrs. of training** for Code Enforcement Officer certification via the Niagara Frontier Building Officials Associations Annual Conference.
- ◆ Have been working with the Village of Youngstown officials, since January 1, on Code Enforcement actions within the Village.

**RESULT: REPORT ISSUED**

6. Report 2024-17

**Highway**

HIGHWAY

1. PICKED UP CHRISTMAS TREES AND BRUSH
2. FIXED SALT SPREADER, INCLUDING NEW GEAR BOX AND BEARINGS
3. CLEANED OUT ALL CULVERTS ON TOWN ROADS SO WATER RUNS DUE TO FLOODING
4. TALKED TO LEO FOURNIER ON NEW STORAGE BUILDING, LOOKING AT START DATE OF THE END OF FEBRUARY OR EARLY MARCH
5. SALTED AND PLOWED 11 TIMES
6. 500 TONS OF SALT DELIVERED
7. TRIMMED TREES ON TOWN ROADS

WATER

1. COMPLETED WATER METER READINGS FOR THE QUARTER
2. HAD CALL OUTS FOR LAKESHORE 1&2, EVERYTHING OK
3. HELPED VILLAGE OF YOUNGSTOWN WITH WATER BREAK ON MAIN STREET
4. REPAIRED WATER BREAK ON PARKER ROAD
5. TOOK DELIVERY OF NEW WATER TRUCK
6. REBUILT FIRE HYDRANT ON EAST AVE AND PUT BACK IN SERVICE

DRAINAGE

1. TALKED TO DAN TRUESDELL ABOUT CLEANING CREEK FROM BRALEY ROAD TO YOUNGSTOWN WILSON ROAD
2. WORKING WITH COUNTY TO RE-ROUTE DITCH ON RANSOMVILLE ROAD ACROSS FROM FREE METHODIST CHURCH DUE TO WATER PROBLEM AND FLOODING

PARK

1. STERLING GLASS PUT NEW DOOR HANDLES ON THE STORAGE ROOMS WE BUILT IN THE BATHROOMS, ALL DOORS ARE KEYED ALIKE

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

---

7. Report 2024-18

Recreation

No report given.

**RESULT: REPORT ISSUED**

8. Report 2024-19

Calendar of Events

- 2-22-24 -7:00PM Zoning Board monthly meeting
- ? - Recreation monthly meeting.
- 3-7-24 -7:00PM Planing Board monthly meeting.
- 3-11-24 - 7:00PM Town Board monthly meeting.

**RESULT: REPORT ISSUED**

9. Report 2024-20

Public Comments

January 29, 2024

Town of Porter  
3265 Creek Road  
Youngstown, New York 14174

To: Town of Porter Board

I am writing to hopefully have you consider and review the constant drainage problem we are having on Route 18 along Lake Road. I live at 460 Lake and have had, in the past year 2023 and again this past January

25 and 26, 2024 a severe water build up at my home from the Parkway entrance and as far down Lake Road to Oak Lodge Camp Site and beyond. I believe that from what I see the ditches along this path could use a good cleanup of fallen trees, brush and maybe even a good dredging. I am blessed that my sump pump has been working but I am worried that one of these storms will bring the water into my home; as it gets closer each severe storm we have.

Please look into this matter as I am sure other neighbors are having the same difficulty.

Judith Pera  
460 Lake Road  
Youngstown, NY 14174  
(716) 745-9569

**Supervisor Johnston was going to have Highway Supervisor Burmaster look into the matter at 460 Lake St Youngstown NY14174**

**RESULT: REPORT ISSUED**

10. Report 2024-21

Town Board Comments

**Motion to adjourn the meeting at 7:27 PM made by Deputy Baker and Councilman White.**

**RESULT: REPORT ISSUED**