



Town of Porter

Town Board Meeting

3265 Creek Road
Youngstown, NY 14174
TownofPorter.Net

~ Minutes ~

Gail Zachary

Monday, December 13, 2010

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on December 13, 2010 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Organization	Title	Status	Arrived
Mert Wiepert	Town of Porter	Supervisor	Present	
Thomas Baia	Town of Porter	Deputy Supervisor	Present	
Larry White	Town of Porter	Councilman	Present	
Jeff Baker	Town of Porter	Councilman	Present	
Joe Fleckenstein	Town of Porter	Councilman	Present	
Barb Dubell	Town of Porter	Deputy Town Clerk	Present	
Norm Ault	Town of Porter	Bookkeeper	Present	
Dave Britton	Town of Porter	Engineer	Present	
Mike Dowd	Town of Porter	Attorney	Present	
Scott Hillman	Town of Porter	Highway Superintendent	Absent	
Roy Rogers	Town of Porter	Code Enforcement Officer	Absent	

2. Report 2010-181

Local Law #3-2010 Dog Law

A resolution is needed to repeal Town of Porter Dog Law-Local Law #2 -1980 and adopt Local Law #3-2010; Town of Porter Dog Law.

RESULT: REPORT ISSUED

3. Resolution 2010-152

Public Hearing Closure

Resolution to close the public hearing.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

4. Resolution 2010-149

Public Hearing/Dog Law - Local Law #3-2010

Resolution to repeal Town of Porter Dog Law-Local Law #2 -1980 and Adopt Local Law #3-2010; Town of Porter Dog Law.

LOCAL LAW # OF 2010 ENTITLED
LICENSING AND CONTROL OF DOGS AND
REPEALING LOCAL LAW #2 OF 1980 AS AMENDED

§ 1 Purpose.

The purpose of this local law/ordinance is to provide for the licensing and identification of dogs, the control and protection of the dog population and the protection of persons, property, domestic animals and deer from dog attack and damage.

§ 2 Statutory authorization.

This local law is enacted pursuant to the provisions of § 122 of Article 7 of the Agriculture and Markets Law and the New York State Municipal Home Rule Law.

§ 3 Title. The title of this local law shall be the "Dog Control Local Law of the Town of Porter."

§ 4 Definitions. As used in this local law the following terms shall have the meanings indicated:
AGRICULTURE AND MARKETS LAW The Agriculture and Markets Law of the State of New York in effect as may be amended by this article and/or the State of New York.

AT LARGE

Any dog that is unleashed and on property open to the public or that is on private property not owned or leased by the owner of the dog unless permission for such presence has been obtained. No dog shall be deemed to be "at large" if it:

A. Is accompanied by and under the immediate supervision and control of the owner or other responsible person, leashed or restrained by a leash, which means that the dog is equipped with a collar or harness of sufficient strength and tightness to which is attached a leash of not more than eight feet in length, which lease shall be held by a person having the ability to control and restrain the dog by means of such collar or harness and leash (a harness worn by a guide dog for the blind shall be considered a suitable leash);

B. Is a police work dog in use for police work; or

C. Is accompanied by its owner or other responsible person and is actively engaged in hunting or is training for hunting on un-posted land or on posted land with the permission of the owner of the land.

Town of Porter L.L. #3-2010

Page 2

CONFINED

(1) To be securely restrained and kept on the premises of the owner either within a building, kennel, electric fence, or other suitable enclosure sufficient to contain the dog; or

(2) To be securely fastened on a chain, wire or other effective tether of such length and so arranged that the dog cannot reach, endanger or harass any person who is legally permitted to be on such premises or adjacent property, whether on the owner's premises or otherwise, or on adjacent premises, or on any street, way or place; or

(3) If the dog is being transported, that such dog is confined or otherwise so restrained that it cannot escape there from or endanger, reach or harass any person.

DOG

Male or female, licensed or unlicensed, members of the species of canines.

DOG CONTROL OFFICER

The person authorized by the Town Board of the Town of Porter from time to time by resolution to enforce the provisions of this local law. The "Dog Control Officer" and all peace officers of the Town of Porter are authorized to issue appearance tickets.

HABITUAL

A dog howling, barking, crying, whining or making other noises for a period of time of at least 10 minutes or for repeated intervals of a least five minutes with less than five minutes of interruption which can be heard by any person from a location outside of the owner s premises.

HARBOR

To provide food or shelter to any dog.

OWNER

Any person who harbors, feeds or keeps any dog for more than one week. In the event that any dog found in violation of this local law shall be owned by a person less than 18 years of age, the owner shall be deemed to be the parent or guardian of such person (or the head of the household in which said person resides).

Town of Porter L.L. #3-2010

Page 3

RUN AT LARGE

To be in a public place or away from the private property of the owner without being confined.

§ 5 Prohibited acts.

A. It shall be unlawful for any owner of any dog to permit or allow such dog, in the Town of Porter, to:

(1) Be at large. Whenever a dog is observed off the premises of the owner, not restrained or supervised as above provided, it shall be presumed that the owner permitted or allowed such dog to be off the premises in violation of this section.

(2) Engage in habitual or unreasonable howling, barking, crying, whining or other loud noises; or to engage in or make unreasonable noise; or to conduct itself in such a manner so as to unreasonably or habitually annoy any person.

(3) Cause damage or destruction to property, overturn garbage and refuse containers, or strew garbage and refuse about, or commit a nuisance by defecating or urinating upon public or private property (other than that of the owner of the dog) without promptly removing and disposing of same.

(4) Chase, jump upon, at or towards, or otherwise harass any person in such a manner as to cause such person reasonable fear or intimidation, or to put such person in reasonable apprehension of bodily harm or injury to such person or another.

(5) Habitually chase, run alongside of or bark at motor vehicles or bicycles.

(6) Attack, bite or maul another dog or other pet.

(7) Any dog known to be vicious or dangerous, by determination of the Dog Control Officer or police officer, shall be confined to a suitably fenced yard and effectively restrained by a chain or leash not exceeding eight feet in length.

(8) Refusal to provide current proof of licensing upon the request of the Dog Control Officer, peace officer or police officer.

B. The establishment of the fact or facts that a dog has committed any of the prohibited acts of § 5A or any subdivision thereof shall be presumptive evidence against the owner or harbinger of

such dog that such owner or harborer has failed to properly confine said dog.

Town of Porter L.L. #3-2010

Page 4

6 Enforcement.

This local law shall be enforced by any dog control officer, peace officer, when acting pursuant to his special duties, or police officer in the employ of or under contract to the Town of Porter.

7 Seizure, impoundment, redemption and adoption.

A. Any dog found in violation of the provisions of this local law may be seized pursuant to the provisions of § 117 Article 7 of the Agriculture and Markets Law.

B. Every dog seized shall be properly cared for, sheltered, fed and watered for the redemption periods set forth in § 117 Article 7 of the Agriculture and Markets Law.

C. Seized dogs may be redeemed by the owner producing proof of licensing and identification, pursuant to the provisions of Article 7 of the Agriculture and Markets Law, and by paying the impoundment fees set forth by resolution of the Porter Town Board, namely:

- (1) Fifteen dollars for the first impoundment of any dog owned by that person;
- (2) Twenty Five dollars for the second impoundment of any dog owned by that person;
- (3) Fifty dollars for the third and subsequent impoundments of any dog owned by that person;
- (4) Any fees charged to the Town of Porter for dogs harbored at the Society for the Prevention of Cruelty to Animals, and/or any fees charged by them for after-hours or a weekend pickup.

D. Any dog unredeemed at the expiration of the appropriate redemption period shall be made available for adoption or euthanized pursuant to the provisions of § 117 of the Agriculture and Markets Law.

E. The fees set forth in §7 C (1-3) above may be changed from time to time by resolution of the Town Board.

§ 8 Filing of complaints; dangerous dogs

- A. Any person who observes a dog in violation of this local law may file a complaint under oath with a Justice of the Town of Porter specifying the nature of the violation, the date thereof, a description of the dog and the name and residence, if known, of the owner of such dog. Such complaint may serve as the basis for enforcing the provisions of this local law.

B. i.) Any person who witnesses an attack or threatened attack, or in the case of a minor, an adult acting on behalf of such minor, may make a complaint of an attack or threatened attack upon a person, companion animal as defined in the Agriculture and Markets Law, farm animal as defined in the Agriculture and Markets Law, or a domestic animal as defined in the Agriculture and Markets Law to the dog control officer or police officer authorized to enforce this local law. Such officer shall immediately inform the complainant of his or her right to commence a proceeding as provided in subdivision two of this section and, if there is reason to believe the dog is a dangerous dog, the officer shall forthwith commence such proceeding himself or herself.

ii.) Any person who witnesses an attack or threatened attack, or in the case of a minor, an adult acting on behalf of such minor, may, and any dog control officer or police officer as provided in subdivision one of this section shall, make a complaint under oath or affirmation to the Town Justice of such attack or threatened attack. Thereupon, the justice shall immediately determine if there is probable cause to believe the dog is a dangerous dog and, if so, shall issue an order to the dog control officer, peace officer, acting pursuant to his or her special duties, or police officer directing such officer to immediately seize such dog and hold the same pending judicial determination as provided in this section. Whether or not the judge or justice finds there is probable cause for such seizure, he or she shall, within five days and upon written notice of not less than two days to the owner of the dog, hold a hearing on the complaint. The petitioner shall have the burden at such hearing to prove the dog is a "dangerous dog" by clear and convincing evidence. If satisfied that the dog is a dangerous dog, the judge or justice shall then order neutering or spaying of the dog, micro-chipping of the dog and one or more of the following as deemed appropriate under the circumstances and as deemed necessary for the protection of the public:

(a) evaluation of the dog by a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert in the field and completion of training or other treatment as deemed appropriate by such expert. The owner of the dog shall be responsible for all costs associated with evaluations and training ordered under this section;

(b) secure, humane confinement of the dog for a period of time and in a manner deemed appropriate by the court but in all instances in a manner designed to: (1) prevent escape of the dog, (2) protect the public from unauthorized contact with the dog, and (3) to protect the dog from the elements. Such confinement shall not include lengthy periods of tying or chaining;

(c) restraint of the dog on a leash by an adult of at least twenty-one years of age whenever the dog is on public premises;

Town of Porter L.L. #3-2010

page 6

(d) muzzling the dog whenever it is on public premises in a manner that will prevent it from biting any person or animal, but that shall not injure the dog or interfere with its vision or respiration; or

e) maintenance of a liability insurance policy in an amount determined by the court, but in no event in excess of one hundred thousand dollars for personal injury or death resulting from an attack by such dangerous dog.

§ 9 Appearance tickets.

Any dog control officer, peace officer, when acting pursuant to his special duties, or police officer may issue an appearance ticket pursuant to section 150.20 of the criminal procedure law, to serve a summons and to serve and execute any other order or process in the execution of the provisions of this article. In addition, any dog control officer or any peace officer, when acting pursuant to his special duties, or police officer, who is authorized by a municipality to assist in the enforcement of this article may serve any process, including an appearance ticket, a uniform appearance ticket and a uniform appearance ticket and simplified information, related to any proceeding, whether criminal or civil in nature undertaken in accord with the provisions of this article or any local law or ordinance promulgated pursuant thereto.

§ 10 Penalties for offenses.

- A. It shall be the duty of the dog control officer peace officer, when acting pursuant to his special duties, or police officer to bring an action against any person who has committed any violation set forth §5 of this local law. A violation of this local law shall be punishable by a fine of not less than twenty-five dollars, except that (i) where the person was found to have violated this local law or the former Dog Control Local Law of The Town of Porter within the preceding five years, the fine may be not less than fifty dollars, and (ii) where the person was found to have committed two or more such violations within the preceding five years, it shall be punishable by a fine of not less than one hundred dollars or imprisonment for not more than fifteen days, or both.
- B. A defendant charged with a violation of any provision of this article or any local law or ordinance promulgated pursuant thereto may plead guilty to the charge in open court. He or she may also submit to the magistrate having jurisdiction, in person, by duly authorized agent, or by registered mail, a statement (a) that he or she waives arraignment in open court and the aid of counsel, (b) that he or she pleads guilty to the offense charged, (c) that he or she elects and requests that the charge be disposed of and the fine or penalty fixed by the court, (d) of any explanation that he or she desires to make concerning the offense charged, and (e) that he or she makes all statements under penalty of perjury. Thereupon the magistrate may proceed as though the defendant had been convicted upon a plea of guilty in open court, provided however, that any imposition of fine or penalty hereunder shall be deemed tentative until such fine or penalty shall have been paid and discharged in full. If upon receipt of the aforesaid statement the magistrate shall deny the same, he or she shall thereupon notify the defendant of this fact, and that he or she is required to appear before the said magistrate at a stated time and place to answer the charge which shall thereafter be disposed of pursuant to the applicable provisions of law.

Town of Porter L.L. #3-2010

page 7

§ 11 Licensing

All dogs within the Town of Porter four (4) months of age or older, unless otherwise exempted shall be licensed. The owner of each dog required to be licensed shall obtain, complete and return to the Town Clerk of the Town of Porter a dog license application together with the license application fee, any applicable license surcharges and such additional fees as may be established by the Town of Porter. Each license application shall be accompanied by proof that the dog has been vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life in which case vaccination shall not be required. Each license issued shall be valid for a period of one year and shall not be transferable.

§ 12 Fees.

A. Pursuant to the New York State Municipal Home Rule Law and by adoption of this Local Law, The Town Board of the Town of Porter may establish, by resolution a schedule of dog licensing fees, surcharges for enumeration costs associated with any enumeration conducted

pursuant to Agriculture and Markets Law § 113 Article 7 and tag replacement fees, as needed from time to time.

B. The Town of Porter hereby establishes the fee for a dog license issued pursuant to this local law at \$9.00 to which amount shall be added \$6.00 if the dog for which the license application is made is unspayed or unneutered. These fees may be changed from time to time by resolution of the Town Board as set forth in §12 A, above.

C. There shall be no fee for any license issued for any guide dog, hearing dog, and service dog, war dog, working search dog or police dog.

D. An additional fee of \$1.00 for altered dogs and \$3.00 for unaltered dogs shall also be paid to the Town Clerk annually for the purpose of carrying out animal population control efforts as provided in Agriculture and Markets Law § 117-a.

§ 13 Severability.

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provision shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Town of Porter L.L. #3-2010

page 8

§ 14 Repealer

This local law shall supersede Town of Porter Local Law #2 of 1980, as amended, and any other

local laws and their amendments, ordinances, rules and regulations, relative to the control of dogs within the Town of Porter, and they shall be, upon the effective date of this local law, null and void.

§ 15 When effective.

This local law shall take effect January 01, 2011.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

II. Public Portion

1. Report 2010-169

Public Comments

Dan Stayner, Jim Caprio, Pat Gray and others from Youngstown Estates presented a proposal to amend the recently adopted zoning law so that they would be able to park their boats, trailers etc. in their own driveway with certain restrictions. They hoped that their proposal would be a "starting point" for changes. One suggestion was that certain types of recreational vehicles, under a certain length, could be stored in yards from April to November.

Jesse Sabin, currently a Lewiston resident, is trying to sell his property on Glengrove Drive in Youngstown Estates. He feels that part of the reason he has been unable to sell his home is that the boats and trailers in the driveways have lowered his property value. He asks that, "the law be protected as it stands." Councilman Fleckenstein asked for documentation to show how this has lowered his property value. Mr. Sabin did not have any documentation to show.

RESULT:	REPORT ISSUED
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III. Resolutions/Reports**1. Resolution 2010-146****Minutes Approval**

Resolution to accept the Town Board meeting minutes of the November 4, 2010 Special Budget meeting and the November 8, 2010 Town Board meeting, as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Jeff Baker, Councilman
AYES:	Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

2. Resolution 2010-147**Payment of Audited Vouchers**

Resolution to approve the Vouchers as audited

TOWN OF PORTER

WARRANT: POST AUDIT - NOV 2010 11/30/10

FUND 01	4,037.96
FUND 02	2.14
FUND 04	362.50
FUND 06	351.89
FUND 07	1,049.42
FUND 33	44.26
TOTAL	<u>5,848.17</u>

VOUCHER 'S 14650 THRU 14670

WARRANT: # 12 DECEMBER, 2010 12/13/10

FUND 01	48,519.28
FUND 02	51,920.03
FUND 03	802.00
FUND 04	63,501.78
FUND 06	8,830.84
FUND 07	5,602.56
FUND 10	862.55
FUND 33	4.69
TOTAL	<u>180,043.73</u>

VOUCHER 'S 14671 THRU 14767

185,891.90

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeff Baker, Councilman
SECONDER:	Thomas Baia, Deputy Supervisor
AYES:	Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

3. Report 2010-171**Town Clerk**

November 2010 Revenue

Water \$ 24,356.45

Sewer \$ 80,522.68

Licenses/Fees \$ 800.97

S.P.C.A. Contacts 21

RESULT:	REPORT ISSUED
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4. Report 2010-170**Supervisor's Report**

- Supervisor's Monthly Report for November 2010 was distributed to all Town Board members.
- October Sales Tax \$82,896.64. Year to date we are up \$18,456.33 over last year.

- Resolution to accept the Supervisor's Report for November 2010.
- Resolution adopting the Storm water bi-laws and memorandum of agreement.
- Resolution authorizing the Supervisor to sign all paperwork for the Municipal Recycling Project.

RESULT: REPORT ISSUED

5. Resolution 2010-148

Supervisor's Report

Resolution to accept the November 2010 Supervisor's report

RESULT: ADOPTED [UNANIMOUS]
MOVER: Thomas Baia, Deputy Supervisor
SECONDER: Larry White, Councilman
AYES: Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

6. Resolution 2010-150

Stormwater By-Laws and Memorandum of Agreement

Resolution to adopt, and authorize the Supervisor to sign the by-laws and memorandum of agreement of the Western New York Storm water Coalition.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeff Baker, Councilman
SECONDER: Thomas Baia, Deputy Supervisor
AYES: Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

7. Resolution 2010-154**Municipal Recycling Project Grant****RESOLUTION**

Resolution Authorizing the Filing of an Application for a State Grant-In-Aid for a Municipal Waste Reduction and/or Recycling Project and Signing of the associated State Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, **The Town of Porter**, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the Town of Porter deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the Town of Porter be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY The Town of Porter Town Board,

1. **That** the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. **That Supervisor Merton K. Wiepert** is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. **That** the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. **That** this resolution shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Baia, Deputy Supervisor
SECONDER:	Joe Fleckenstein, Councilman
AYES:	Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

8. Report 2010-172**Supervisor's Assistant**Bookkeeper's Monthly Report - **November 2010**

1. Completed processing all November 2010 Vouchers and Journal Entries.
2. Prepared Supervisor's Monthly Report for November 2010 and distributed it to the Supervisor and Town Board members.
3. Completed Bi-weekly and Monthly payrolls.
4. Completed Check registers for all check payments.
5. Continued maintenance on the Web Page, www.townofporter.net
6. Continuing to work with Town Clerk on the Minute Traq program.
7. Finalized Budget
8. Continued working on the new Assetrax program for fixed assets.
9. Working on year end and organizational meetings
10. Working on closing 2010
11. Need a resolution to set the year end and organizational meetings.

RESULT: REPORT ISSUED

9. Resolution 2010-151**Year End & Organizational Meetings**

Resolution setting the Year End meeting for Wednesday, December 29, 2010 at 3:00 PM and the 2011 Organizational meeting for Monday, January 3, 2011 at 3:00 PM.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeff Baker, Councilman
SECONDER: Larry White, Councilman
AYES: Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

10. Report 2010-173**Highway**

12/13/2010

Department of Public Works
Monthly Report for November 2010

Highway Department:

1. Call out to plow/salt 4 times.
2. Installed snow fence at Ft. Niagara State Park along Lake Rd.
3. Cleaned up limbs from wind storm.
4. Installed 6 new Winter Parking Ordinance Signs.
5. Installed Banners and Wreaths in Ransomville.

Drainage:

1. Suspended mowing program until weather permits.

Water and Sewer Department:

1. Completed monthly meter reading.
2. Completed repairs to a service leak at Weeks Circle.
3. Completed hydrant fire flow testing for sprinkler certification at Ransomville Manor.
4. Completed winterization of all fire hydrants.

The Winter Parking Restrictions are in effect starting December 1st. No Parking on all roads in the town exclusive of the Village of Youngstown 2:00AM - 6:00AM thru April 1st.

RESULT: REPORT ISSUED

11. Resolution 2010-153**Highway Clerk Appointee**

Resolution to appoint Sarah Tuttle, resident of the Town of Porter, as highway clerk/part time; 19 1/2 hours per week, at \$11.31 an hour.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry White, Councilman
SECONDER:	Joe Fleckenstein, Councilman
AYES:	Thomas Baia, Larry White, Jeff Baker, Joe Fleckenstein

12. Report 2010-174

Assessor

November, 2010

1. Completed monthly inspections for verification of sales and completion of all building projects.
2. Processed monthly sales transfers and splits.
3. Worked on tracking new sales to help determine time trends, valuations and equalization rates.
4. Attended November meeting of the Assessor's Association. -topics included 3 & 4 year revaluation projects, questions on valuing alternative energy projects and preliminary info on level of assessment rates for 2011
5. Continued to follow new legislation regarding exemptions.
6. Updated permit info-continuing field checks on progress of construction
7. Continued to train Susan in all aspects of assessing.

RESULT:	REPORT ISSUED
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13. Report 2010-175

Building Inspector/Code Enforcement Officer

Town of Porter

**November
2010**

<u>Document #</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Type</u>	<u>Location</u>	<u>Valuation</u>	<u>Amount</u>
<u>Description of Work</u>						
056-10	11/1/10	Dennis Kuntz	Garage	752 Blairville Rd	17,800	100
<i>24x24 garage to be locate on east side of house.</i>						
057-10	11/9/10	Berardino DiRienzo	Pole Barn	3544 East Ave	17,500	50
<i>30 x 50 parco pole barn to be on North side of parcel, 10ft from lot line.</i>						
058-10	11/10/10	Samuel Salvo	Addition	2875 Porter Center Rd	600	100
<i>4ft x 10ft addition to back of house.</i>						
059-10	11/10/10	David Beiter	Alteration	1765 Youngstown-Wilson Rd	35,000	50
<i>Alteration (to attached garage) - 24x22</i>						
Total					<u>70,900</u>	<u>300</u>
Y.T.D.					<u>2,443,500</u>	<u>5,526</u>

BUILDING DEPARTMENT REPORT: Month November 2010

- Building permits issued as per the report.
- Periodic progress inspections on ongoing construction projects throughout the Town.
- Prepared materials for the Planning Board and Zoning Board of Appeals.
- Pursued numerous zoning code violations and issued to the Supervisor "Order of Violations Report" for the month of November 2010.

RESULT: REPORT ISSUED

14. Report 2010-182

Attorney

none

RESULT: REPORT ISSUED

15. Report 2010-176

Engineer

Completed hydro flow test for Highway Superintendent Hillman at Ransomville Manor, Ransomville Road.

RESULT: REPORT ISSUED

16. Report 2010-177

Porter-On-The-Lake

PORTER ON THE LAKE COMMITTEE MEETING NOVEMBER 15, 2010

ATTENDING:

Fran Boltz	Don Larrabee	Nancy Orsi
Cathy Burns	Ernie Lavigueur	Bob Reese
Tony Collard	Sue Martin	Mert Wiepert

Chairman Reese called the meeting together at 6:35. The minutes from the 10/25/10 meeting were distributed and approved.

REMARKS:

a. PUBLIC COMMENT - none

b. TOWN COUNCIL - none

TOWN SUPERVISOR'S REPORT:

There is a need to co-ordinate activities with the grant writer in writing the RFP and RFQ

TOWN BOOKKEEPER'S REPORT/PARK BUDGET REPORT/PARK FINANCIAL ASSETS:

a. Currently, there is \$69,388.43 in the POTL account. Of this sum, \$20,000 is dedicated to the Master Plan.

b. The work on the multiuse building has been completed. The final payment was made to PARCO.

- c. The POTL committee requested the annual budget for the Park.
- d. The Chamber has not yet released the funds from Labor Day.

TOWN GRANT WRITER:

Mike Dowd had the title search of the Park. This has helped to fill in some needed information. Sue Dietz may be able to help with some of the other history for the application.

The committee is leaning toward sending out another survey. The previous one is 3 years old and completed before POTL was opened. If anyone has input for the application, please send it to Chairman Reese.

Please disregard the earlier email sent out from Bernie with an initial draft of a master plan RFQ. He is looking toward a March 2011 application.

OLD BUSINESS:

- a. **OXY/HOOKER DAYS** - Mike Dowd is looking into the legal issue of not having signed releases for the old photos. Lori Caso has offered to work with the committee for these days.
- b. **BRYK PLUMBING** - winterized the Park on 10/22. The bill was marked \$0 balance due as a donation to the Park. One of the members suggested that we patronize the merchants and vendors who have been so good to POTL.
- c. **YOUNGSTOWN VFD LABOR DAY PLANS** - have not been finalized. It was suggested that the Park Committee have a table and/or tent at the Field Days and sell a "souvenir"-postcard, water bottle-connected to the park.

NEW BUSINESS:

- a. **O.C. ALLEN - VFW EVENT** - is proposed for Tuesday evenings following Art Park, to begin around 9:30pm. There would be 6 bands each playing 3 songs. A person could pay to judge the bands for \$15. There would be a beer tent and "real" food. There would be no cash exchanged, only credit cards. Mr. Allen wants to rent the entire park.

CHAIRMAN'S REPORT:

- a. **LIGHTING UPDATE**--Through a program from National Grid, new lights will be installed throughout the park. This is targeted for completion by the end of the year. A member stressed that the flag needs to be illuminated.
- b. **EVENT LIQUOR LICENSING**-in summary, the State Liquor Board has centralized its offices in Albany. In order for more than 4 permits to be issued for the PARK LOCATION, the Town Supervisor needs to write to the Deputy Chairman of Licenses, and apply for a 4 permit waiver. This would only allow for more than 4 permits to be issued for this location for the calendar year. The "renter" is still responsible to get, and meet, all the requirements of the permit.

FINAL REMARKS:

- a. The RFP has not been sent in.
- b. We need to find an unmet niche for the Park and market that.
- c. There will be no scheduled Park Committee meetings until at least February 2011. In the interval, any Information updating will be by E-Mail. If a meeting is needed, then the Committee will be contacted.

RESULT:	REPORT ISSUED
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17. Report 2010-178**Correspondance**

No correspondence to report

RESULT: REPORT ISSUED

18. Report 2010-179**Calendar of Events**

Zoning Board of Appeals	Thursday, December 16, 2010 @ 7:30 PM
Town Hall Closed	Friday, December 24, 2010
Year End Meeting	Wednesday, December 29, 2010 @ 3:00 PM
Town Hall Closed	Friday, December 31, 2010
Organizational Meeting	Monday, January 3, 2010 @ 3:00 PM
Planning Board	Thursday, January 6, 2011 @ 3:00 PM
Town Board meeting	Monday, January 10, 2011 @ 7:00 PM

RESULT: REPORT ISSUED

19. Report 2010-180**Town Board Comments**

With no further business to conduct, the regular meeting of the Porter Town Board was adjourned at 8:30 p.m.

Submitted by,

Barbara Dubell
Deputy Town Clerk

RESULT: REPORT ISSUED
