



Town of Porter
Town Board Meeting
 ~ Agenda ~

3265 Creek Road
 Youngstown, NY 14174
TownofPorter.Net

Barb DuBell
 716-745-3730

Monday, April 10, 2017

7:00 PM

Town Hall Auditorium

I. Call to Order

7:00 PM Meeting called to order on April 10, 2017 at Town Hall Auditorium, 3265 Creek Rd., Youngstown, NY.

Attendee Name	Present	Absent	Late	Arrived
Supervisor Mert Wiepert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Deputy Supervisor Jeff Baker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Thomas Baia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Larry White	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman J. Duffy Johnston	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Town Clerk Barb DuBell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Deputy Town Clerk Kara Hibbard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. Resolutions

1. **Resolution 2017-37**
Minutes Approval
2. **Resolution 2017-38**
Audited Vouchers
3. **Resolution 2017-39**
Acceptance of Supervisor's Report
4. **Resolution 2017-40**
Board of Assessment Review Appointment
5. **Resolution 2017-41**
Town Historian
6. **Resolution 2017-42**
Bicentennial Flag Day Parade & Faire

III. Reports

1. **Report 2017-64**
Supervisor's Report

2. **Report 2017-65**
Town Clerk
3. **Report 2017-66**
Bookkeeper
4. **Report 2017-67**
Recreation
5. **Report 2017-80**
Tax Collector
6. **Report 2017-79**
Building Committee / Lighting
7. **Report 2017-69**
Assessor
8. **Report 2017-70**
Building Inspector/Code Enforcement Officer
9. **Report 2017-71**
Highway
10. **Report 2017-72**
Engineer
11. **Report 2017-73**
Attorney
12. **Report 2017-74**
Grant Writer
13. **Report 2017-75**
Calendar of Events
14. **Report 2017-76**
Public Comments
15. **Report 2017-77**
Town Board Comments



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2017-37

Meeting: 04/10/17 07:00 PM

Minutes Approval

Resolution to approve the minutes of the March 13, 2017 meeting of the Porter Town Board.



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2017-38

Meeting: 04/10/17 07:00 PM

Audited Vouchers

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



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2017-39

Meeting: 04/10/17 07:00 PM

Acceptance of Supervisor's Report

Resolution to accept the Supervisors report for March 13, 2017.



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2017-40

Meeting: 04/10/17 07:00 PM

Board of Assessment Review Appointment

Resolution to appoint John Bis to the Board of Assessment Review effective April 13, 2017 until September 30, 2021.



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2017-41

Meeting: 04/10/17 07:00 PM

Town Historian

Resolution to appoint Lynn Zanardi as Town Historian and Gary Zanardi as Deputy Historian.



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2017-42

Meeting: 04/10/17 07:00 PM

Bicentennial Flag Day Parade & Faire

Resolution for the Town of Porter to fund \$650 to be used for a band at the Bicentennial Flag Day Parade & Faire.



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2017-64

Meeting: 04/10/17 07:00 PM

Supervisor's Report

Like to welcome John Bis on his new position on the Town of Porter Board of Assessment review. John will be replacing Ted Hogan after many years of service.

Summer Fest is taking place again this year

The town offices will be closed this Friday April 14, 2017



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2017-65

Meeting: 04/10/17 07:00 PM

Town Clerk

Water \$30,268.67
Sewer \$ 5,583.30
Clerk Fees \$ 882.46

TOWN WIDE TIRE DAY

On Saturday, **April 22nd** there will be a **Town Wide Tire Day from 8:00 am to 2:00 pm**, at the **Red Brick School Parking Lot, 240 Lockport Road, Youngstown**. This is for **Village of Youngstown and Town of Porter residents only**. Tires with or without rims are accepted.

On March 20, 2017 I received the following letter of resignation from Edward Hogan:

I, Edward Hogan, am resigning my position on the Board of Assessment review effective immediately.

I want to thank you as well as the members of the Porter Town Board for the opportunity you have given me to serve the community.

Respectfully yours,
Edward Hogan



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2017-66

Meeting: 04/10/17 07:00 PM

Bookkeeper

Payroll completed for the month of March

Worked with NYS auditor

Worked with Accountant for 2016 year end

Trained with Harris computer system to familiarize day to day duties

Would like to go over with town board about new backup system for Micro Fund.

Will be attending training in Batavia 11,12, and 13

Met with Key Risk management & Town Supervisor went over insurance and added new picnic shelters at Porter on the Lake.

Worked in records room to label and organize past bookkeeping records.

Working with NYS retirement to re-work and train on weekly and monthly reporting.



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2017-67

Meeting: 04/10/17 07:00 PM

Recreation

RE: Recreation Report

- The Story Hour Program continues in the Youngstown Library on Tuesdays and in the Ransomville Library on Wednesdays at 9:30 and 11:00am. There will not be Story Hour on April 11th or 12th due to the schools being closed for Spring Break.
- The Saturday Story Hour Program continues and will be held on the 2nd Saturday in April.
- Yoga continues on Wednesdays at 6:30pm in the Cora Gushee Room at the Youngstown Village Center.
- Tai Chi is cancelled until further notice.
- The 2017 Grant Application for Recreation and Story Hour has been submitted to Niagara County. We hope to receive at least the same level of funding as the last several years, which is a total of \$3000.
- We are accepting resumes until May 25th for our Summer Recreation Leaders; interviews will be held on Monday, June 5th.
- Our next meeting will be on Monday, April 3rd, 2017 at 7:00pm.



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2017-80

Meeting: 04/10/17 07:00 PM

Tax Collector

RE: 2017 TOWN/COUNTY COLLECTIONS

As of April 5, 2017 Town Tax Collector's account has the sum of \$490,483.88.

This represents all payments and penalties collected to date.

Final remittance to the County Treasurer will be made on/or before April 13, 2017.

Respectfully yours,

Sally A. Hogan, Collector
Town of Porter



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2017-79

Meeting: 04/10/17 07:00 PM

Building Committee / Lighting

Proposal from: M. H. Thilk Electric

Subject: Outside lighting photocell and sidewalk lighting.

Option #1: Extension of night light photocell system out from under the building overhang. Proposal includes materials and labor to install above listed equipment.

Materials	\$	60.00
Labor	\$	60.00
Sub-total		\$120.00
Sales Tax	\$	
Freight	\$	
Total	\$	120.00

Option #2: Installation of two BLEDR24 sidewalk fixtures. Units are to be installed on the East side of the main entrance sidewalk to provide lighting from the parking lot to the main entrance. Units are to be wired underground and connected to existing night light system. Proposal includes materials and labor to install above listed equipment. Freight on lights is estimated. Fixtures are \$1080.00.

Materials	\$1,230.00
Labor	\$ 480.00
Sub-total	\$1,710.00
Sales Tax	\$
Freight	\$ 40.00
Total	\$1,750.00

- Notes:**
- 1) Proposal prices are protected for 30 days from proposal date.
 - 2) Tax exemption forms are required to be filed to remove any applicable sales taxes.
 - 3) Equipment orders require a 50% down payment at the time of order with the balance due upon delivery of equipment to the job site.



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Assessor

ASSESSOR'S REPORT

March 2017

Processed February deed transfers.

Closed receipt of exemption applications for 2017 roll.

Continued to process building permits for 2017 roll.

Made 25 on-site and drive by inspections.

Collected March deed transfers and bank code changes from Niagara County ORPTS.

Submitted legal notice to Niagara Gazette tentative roll.

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

-	357 Howard Dr	TAV \$133,000	Sales Price \$179,000
-	379 Dansworth	TAV \$221,600	Sales Price \$284,000
-	3053 Dickersonville Rd	TAV \$251,400	Sales Price \$284,000
-	3636 Ransomville Rd	TAV \$414,500	Sales Price \$840,000



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Building Inspector/Code Enforcement Officer

BUILDING DEPARTMENT REPORT - March 2017

Building permits issued as per the report

Periodic progress inspections on ongoing construction projects throughout the Town

Prepared materials for the Planning and Zoning meetings

Attended Niagara Frontier Building Officials meeting

Meeting with Human Resources Consultant



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Highway

Department of Public Works

Monthly Report for March 2017

Highway Department:

1. Called out to plow and salt 4 times.
2. Completed a town wide brush pickup due to the high winds on March 8th and 9th.
3. Completed roadside debris picks up on all town roads.
4. The first scheduled brush pick up is Monday April 17th for areas west of Lutts Road and Tuesday April 18th for areas east of Lutts Road. Regularly scheduled brush pick up will start on Monday May 1st. The brush pick up schedule will be advertized in the Sentinel next week.

Drainage Department:

1. Investigated numerous drainage issues due to the heavy rains 3/31 and 4/1.

Water and Sewer Department:

1. Completed monthly meter readings.
2. Completed scheduled generator maintenance on lift station generators.
3. We are working on I&I inspections during wet weather events.
4. We are working on electrical upgrades to both Woodcliff Lift stations to allow easier portable generator connection should the power be off for a extended period of time. Currently no emergency standby power exists at either station; we will try to address this in the 2018 sewer budget.

2017 Cornell Local Roads Highway School

I would like the board's permission to attend this years Highway School in Ithaca June 11th thru June 14th.

Respectfully submitted,

Scott B. Hillman, Superintendent of Highways



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Engineer

TOWN OF PORTER Engineering Report April 2017

1. General Engineering Support

Submitted proposal on March 13th to provide professional engineering services in connection with the installation of a new generator at Town Hall. Completed on-site condition assessment of existing services. Next step is to schedule kick-off meeting with the To



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Attorney

No report.



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2017-74

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Grant Writer

Grants Status Report: Projects we are currently working on:

LWRP: We had our first public hearing was held on April 3rd. We had 52 people were in attendance. A summary of the public is attached. Committee met on Thursday the 6th to review progress on the report (also attached)

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

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

SECTION I Local Waterfront Revitalization Area Boundary

1.1 Existing Coastal Management Program Area Boundary

The Town of Porter Waterfront Revitalization Area (LWRA), as established under the New York State Coastal Management Program (CMP), includes lands and water located along the Niagara River and Lake Ontario shorelines within the Town. This boundary includes lands situated along the Niagara River, south of the Village of Youngstown, and lands located north of the Village and along the shoreline of Lake Ontario. The New York State CMP boundary is delineated as follows:

1.1.1 Upland Boundary of the CMP

Beginning at the shoreline of the Niagara River and proceeding in a easterly direction along the municipal boundary between the Town of Lewiston and the Town of Porter, to a point

located approximately 750 feet inland; then proceeding due north to the southern boundary of the Village of Youngstown.

The CMP boundary in the Town of Porter resumes at the shoreline of the Niagara River, thence proceeding in an easterly direction along the northern boundary of the Village of Youngstown to the intersection with the western right-of-way of Lake Road (State Route 18). Thence proceeding to the north and then generally to the east, following Lake Road to the intersection with Creek Road, where Lake Road continues due east. The boundary continues in a northeasterly direction along the northern right-of-way of Lake Road (SR 18) to the municipal boundary with the Town of Wilson; then proceeding north along the boundary between the Town of Porter and the Town of Wilson to the shoreline of Lake Ontario.

1.1.2 Waterside Boundary of the CMP

The waterside boundary for the New York State CMP begins at the intersection of the municipal boundary between the Town of Lewiston and the Town of Porter and the mean low water line of Niagara River. The waterside boundary then proceeds to the west along the municipal boundary of the Town of Porter, and over the surface waters of the Niagara River, to the intersection with the international boundary between the United States and Canada, which is generally located at the center of the River. The boundary then turns to the north, following the international boundary line to a point where it intersects with the southern municipal boundary between the Town of Porter and the Village of Youngstown; then proceeding to the east along this municipal boundary line to the mean low waterline of the Niagara River.

The waterside boundary resumes at the mean low water line of the Niagara River, proceeding west along the northern municipal boundary between the Town of Porter and the Village of Youngstown, and over the surface waters of the Niagara River, to a point where it intersects with

the international boundary between the United States and Canada. The waterside boundary then turns northwest, following the international boundary through the center of the Niagara River, extending into the waters of Lake Ontario. At this point, the boundary extends in a northwesterly direction over the surface waters to a point in the center of the Lake where it turns in an east northeasterly direction and continues to a point where it intersects with the municipal boundary between the Town of Porter and the Town of Wilson; then proceeding due south along the municipal boundary to the mean low waterline of Lake Ontario.

1.2 Proposed Town of Porter Local Waterfront Revitalization Area (LWRA) Boundary

1.3

The boundary for the Town of Porter Local Waterfront Revitalization Area (LWRA) shall encompass all of the land area and water area lying within the following boundary, as described below.

1.3.1 Upland Boundary of the LWRA

As with the existing CMP boundary, the upland boundary for the Town of Porter LWRA is split into two distinct sub-areas and includes all the lands located within these two separate waterfront areas. These sub-areas are described as follows.

- **Sub-Area 1 - Niagara River (Map 1A)**

Beginning at the mean low water line of the Niagara River and proceeding in a westerly direction along the municipal boundary between the Town of Lewiston and the Town of Porter to the center line of the Robert Moses Parkway; thence proceeding in a northerly direction along the Robert Moses Parkway to the intersection with the southern boundary for the Village of Youngstown. The LWRA boundary then proceeds in a westerly and southerly direction, following the southern boundary of the Village of Youngstown boundary to the mean low water line of the Niagara River.

- **Sub-Area 2: Lake Ontario (Map 1B)**

Beginning at the mean low water line of the shoreline of the Niagara River and proceeding in an easterly direction along the boundary between the Village of Youngstown and the Town of Porter to the western right-of-way line of the Robert Moses Parkway. Thence, proceeding in northeasterly direction along the right-of-way line of the Robert Moses Parkway to northern terminus of North Creek Road, where the boundary heads south, following North Creek Road to the intersection with Creek Road; thence continuing in a southerly direction to the intersection of Creek Road and Youngstown-Lockport Road (SR 93). At this point, the LWRA boundary turns east, following Youngstown-Lockport Road to the intersection with Meadow Drive; thence turning north, following Meadow Drive to the north and then east, where it intersects with Youngstown-Wilson Road. The boundary then follows Youngstown-Wilson Road in a northeasterly direction to the intersection with Cothran Road; thence following Cothran Road in a northerly direction to the intersection with Lake Road (SR 18).

The LWRA boundary then follows the northern right-of-way of Lake Road in a northeasterly direction to the intersection with the western boundary of the property located at 1762 Lake Road (SBL 33.0-1-10); thence following this property line due south, for a distance of approximately 4,000 feet, to the point of intersection with Youngstown-Wilson Road. The boundary then turns in a northeasterly direction, following Youngstown-Wilson Road to the intersection with Porter Corners Road, where the boundary heads north to intersection with Lake Road (SR 18). The LWRA boundary then proceeds in a northeasterly direction along the northern right-of-way of Lake Road (SR 18) to the municipal boundary with the Town of Wilson; then proceeding north along the boundary between the Town of Porter and the Town of Wilson to the shoreline of Lake Ontario.

1.3.2 Waterside Boundary of the LWRA

The waterside boundary for the New York State CMP begins at the intersection of the municipal boundary between the Town of Lewiston and the Town of Porter and the mean low water line of Niagara River. The waterside boundary then proceeds to the west along the municipal boundary of the Town of Porter, and over the surface waters of the Niagara River, to the intersection with the international boundary between the United States and Canada, which is generally located at the center of the River. The boundary then turns to the north, following the international boundary line to a point where it intersects with the southern municipal boundary between the Town of Porter and the Village of Youngstown; then proceeding to the east along this municipal boundary line to the mean low waterline of the Niagara River.

The waterside boundary resumes at the mean low water line of the Niagara River, proceeding west along the northern municipal boundary between the Town of Porter and the Village of Youngstown, and over the surface waters of the Niagara River, to a point where it intersects with the international boundary between the United States and Canada. The waterside boundary then turns northwest, following the international boundary through the center of the Niagara River, extending into the waters of Lake Ontario. At this point, the boundary extends in a northwesterly direction over the surface waters to a point in the center of the Lake where it turns in an east northeasterly direction and continues to a point where it intersects with the municipal boundary between the Town of Porter and the Town of Wilson; then proceeding due south along the municipal boundary to the mean low waterline of Lake Ontario. This waterside boundary is consistent with the State CMP waterside boundary.

1.4 Description and Rationale for Modifications to the LWRA

1.5

The Local Waterfront Revitalization Area boundary has been revised to more effectively plan for, manage and protect cultural and environmental resources along the waterfront.

1.3.1 Modifications to the Upland Boundary of the LWRA

Sub-Area1 - Niagara River

The existing LWRA boundary in Sub-Area 1 has been modified to extend inland to western right-of-way of the Robert Moses Parkway. This would allow for the inclusion of lands within this subarea that have potential for future development, as well as lands that encompass significant areas of State and Federal wetlands. Additionally, the Town is supportive of the development of a multi-use trail that could extend along the western side of the Robert Moses Parkway. At present there is a multi-use trail that extends along the parkway, terminating at Pletcher Road in the Town of Lewiston, which provides a direct connection with Joseph Davis Park (which is immediately south of the Town of Porter). The extension of this multi-use trail further to the north could provide for the additional connection with Fort Niagara State Park, as well as Four Mile Creek State Park and Porter on the Lake Town Park. It would provide greater opportunity to connect the Town of Lewiston and the adjoining City of Niagara Falls, and become a more visible part of the Niagara River Greenway. It would also open up the future opportunity to extend a trail (whether on-road or off-road) along Lake Road (SR 18), which is located just south of Lake Ontario and is part of the Great Lakes Seaway Trail.

- **Sub-Area 2 - Lake Ontario**

The boundary of the State CMP is recommended for amendment in Sub-Area 2 in Porter to include additional land area. Sub-Area 2 would be expanded further inland to include the State-owned lands that extend out to the Robert Moses Parkway, the Niagara Frontier Country Club, and a greater extent of the lands that surround the Six-Mile Creek corridor.

The inclusion of these lands within the LWRA boundary would enable the Town to ensure that future, long-term development of these areas is consistent with the policies and vision for the waterfront, potentially enable additional public recreation opportunities, and to better protect natural resources that exist within and around the Niagara Frontier Country Club and the Six-Mile Creek corridor.

Town of Porter

Local Waterfront Revitalization Program

PUBLIC INFORMATION MEETING - MEETING SUMMARY

Date of Meeting: April 3, 2017

A public meeting for the Porter Local Waterfront Revitalization Program (LWRP) was held in the court room auditorium at Porter Town Hall to gather input from the community. This meeting was advertised in local newspapers and through the posting of fliers around the Town. After introductions of the Project Team and the Waterfront Advisory Committee, a brief presentation was conducted on the project. The following information was offered through public comments.

General Questions and Comments:

- Explained the proposed changes to the LWRA boundary, which will be expanded to take in more area to better control future development potential, open up opportunities for multi-use trail connections and better protect natural resources.
- Explained that the LWRA includes upland areas and surface waters in the Niagara River and Lake Ontario.
- Aside from the two State parks and the Town park, there are no other publicly owned lands on the waterfront.
- Development of the Porter LWRP will take into consideration the policies and objectives of the Town of Lewiston and Village of Youngstown LWRPs.
- The zoning along the waterfront, which was the result of the Comprehensive Plan, does not allow for commercial uses along the shoreline.
- There are concerns about the potential for the Federal Government to cut funding for the Great Lakes and how that will impact the Town and Lake Ontario.
- The biggest concern in the community is shoreline erosion:
 - Lack of concern about potential impacts from International Joint Commission (IJC) decision to allow the water level in Lake Ontario to seek/return to natural highs and lows (2014 Plan)
 - Cost of stabilizing the shoreline for private property owners
 - Need a local representative on the IJC
 - The Town of Wilson charges less for a shoreline protection permit and lets you do whatever you want; why isn't it that way in Porter?

- The Canadian government is investing in shoreline protection; the US should do more
- The Army Corps of Engineers made some improvements along the shoreline a long time ago; they need to do more now

It was requested that the Town work to set up a meeting between the Town, the NYSDEC and the Army Corps of Engineers; representatives from the NYSDOS and Niagara County should be a part of this meeting. This is a very politically driven issue that fall beyond the ability of the LWRP to address. We need to determine what information should be included in the LWRP that can strengthen relationships, as well as recognize the reality of the existing situation.

Guided Public Interaction:

When you think of the Porter Waterfront, what is your main impression/what comes to mind?

The Town of Porter Waterfront is...Peace, quiet and beauty

- A place with public parks and open space
-

What are the most important opportunities for waterfront revitalization?

- Expand accessibility to Four Mile Creek State Park
- Kayak/canoe launch at Port on the Lake Town Park
- Be more welcoming to boaters coming across the river or lake from Canada (security issues)
- Bike path that connects the two State parks and connects the Town to Art Park and other places to the south
- Potential for better use and more amenities at Porter on the Lake Town Park
- Connect Four Mile Creek State Park with Porter on the Lake Town Park
- Porter on the Lake Town Park - open to anyone, spread the word
- Cross-river ferry from Youngstown
- Open up more views of the Lake from State Route 18, which is a Scenic Byway

What are the important constraints facing the waterfront?

- Much of the waterfront is private, residential development
- Don't let big commercial uses ruin the waterfront
- A lot of individual homeowners who are not necessarily aware of what is going on
- Canadian side of the lake has more money
- Property maintenance / need to better enforce property maintenance regulations
- Willow Beach - seasonal homes, septic, potential for flooding
- Water quality / algae blooms in Lake Ontario
- Sewer overflows (I&I) and beach closures
- Poor roadway conditions on portions of Robert Moses Pkwy. and State Route 18

- Overzealous Border Patrol and Homeland Security (issue for kayakers/small vessels)
- Lack of a local weigh station that would allow for community fishing derbies

What is your vision for the waterfront?

- Stable shoreline
- Improved water quality
- No more jet boats on the Niagara River



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2017-75

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Calendar of Events

GOOD FRIDAY - TOWN HALL CLOSED - Friday, April 14th

TOWN WIDE TIRE DAY Saturday, April 22nd from 8:00 AM - 2:00 PM @ Red Brick School

Zoning Board Meeting Thursday, April 27th @ 7:00 PM Town Hall

Planning Board Meeting Thursday, May 4th @ 7:00 PM Town Hall

Town Board Meeting Monday, May 8th @ 7:00 PM Town Hall



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Public Comments

Comments



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2017-77

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Meeting: 04/10/17 07:00 PM

Town Board Comments

The regular meeting of the Porter Town Board