



DATE: June 28, 2010

TIME: 10:00AM

MEETING: Special Town Board Meeting, Town of Portville, New York

LOCATION: Municipal Building 1102 Portville-Olean Road, Portville, NY 14770

PRESENT: Terry Keeley, Supervisor
William Stern, Deputy Supervisor
Gary Woodhead, Councilperson
Terri Batt, Councilperson (Absent)
Charlene Van Dusen Councilperson
Stuart Frost, Highway Superintendent
James Parks, Town Clerk

Administrative Process

1. Pledge of Allegiance
2. Introduction of Board Members
3. Determination of Quorum

New Business

Agenda Item #1 Residential Energy-Producing Windmill Standards RES-20100616.14

A motion was made by Councilperson Van Dusen, seconded by Councilperson Stern and approved by the Town Board to adopt the amendment to RES-20100616.14 that sets the guidelines for the installation of residential energy producing windmills. VOTE: Stern (YES), Woodhead (YES), Van Dusen (YES), Keeley (YES), Batt (Absent) MOTION CARRIED 4-YES 0-NO

(Refer to attachment accompanying these minutes)

The Town Board convened to executive session at 10:39AM and reconvened at 11:04AM.



Agenda Item #2 Purchase Of Highway Equipment

A motion was made by Councilperson Woodhead, seconded by Councilperson Van Dusen and approved by the Town Board to have Supervisor Keeley contact the truck manufacture and pursue alternative options than the purchase of a new truck. VOTE: Stern (YES), Woodhead (YES), Van Dusen (YES), Keeley (Abstain), Batt (Absent) MOTION CARRIED 3-YES 0-NO 1-ABSTAIN

Agenda Item #3 Summer Help Highway Department

A motion was made by Councilperson Stern, seconded by Councilperson Woodhead and approved by the Town Board to authorize Supervisor Keeley to work through the question with the town attorney based on information supplied by Superintendent Frost of when the summer help was hired and who legally does the hiring. VOTE: Stern (YES), Woodhead (YES), Van Dusen (YES), Keeley (Abstain), Batt (Absent) MOTION CARRIED 3-YES 0-NO 1-ABSTAIN

Adjournment

Being there was no further business a motion to adjourn at 11:52AM was made by Councilperson Stern, seconded by Councilperson Keeley and approved by the Town Board. VOTE: Keeley (YES), Stern (YES), Woodhead (YES), Batt (Absent) Van Dusen (YES). MOTION CARRIED 4-YES 0-NO.

Respectfully submitted and signed,

James Parks
Town Clerk
Town of Portville, New York



TOWN OF PORTVILLE, NEW YORK

Resolution RES-20100616.14 – Residential Energy-Producing Windmill Standards

- WHEREAS,** The Town of Portville is supportive of residential property owners' efforts to conserve energy and find alternative, cost-effective methods of energy production that are environmentally friendly and not disruptive to the existing community ambiance; and,
- WHEREAS,** Residential energy-producing windmills of select configuration complement the aforementioned objective; and,
- WHEREAS,** No State of New York or County of Cattaraugus decision process is required as a prerequisite to the town board of the Town of Portville's definition of compliant-implementation other than the State of New York Building and Fire Code compliance; and,
- WHEREAS,** Implementation of residential energy-producing windmill standards will be complementary to and not in any way contradictory to any provisions of the existing Town of Portville Land Use Control Ordinances or any other Town of Portville regulation, resolution, code or ordinance.

NOW, THEREFORE, the Town Board of the Town of Portville resolves that the following is hereby enacted and incorporated as an addendum to the existing Town of Portville Land Use Control Ordinance:

That residential energy-producing windmills may be installed and operated on any property within the Town of Portville as long as the following criteria are met:

1. The radial blade length as measured from the drive shaft to the blade tip shall not exceed 15 feet; and,
2. The distance below the center of the drive shaft to the top of any tree within 200 horizontal feet shall be no less than 10 feet but no greater than 80 feet; and,
3. The distance from the base of the energy-producing windmill to any residential structure, existing at the time of energy-producing windmill installation, on any other property other than the property on which the energy-producing windmill resides shall be no less than 400 feet; and,
4. The operational decibels shall not exceed 40 at a distance of 300 feet; and,
5. A building permit is issued prior to construction of the energy-producing windmill and a certificate of operation is issued by the Town of Portville building inspector prior to the initiation of operation of the energy-producing windmill.