

TOWN OF PORTLAND BOARD MEETING  
PUBLIC HEARING ON LOCAL LAW 1 & 2 OF 2017 & REGULAR BOARD MEETING  
PORTLAND TOWN HALL  
JUNE 14, 2017-6:45 P.M.

**BOARD MEMBERS PRESENT:**

Daniel Schrantz	Supervisor
Jerry Boltz	Council
Gary Miller	Council
Rick Manzella	Council

**BOARD MEMBERS ABSENT:**

Patti Farrell	Council
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**OTHERS PRESENT:**

Ron Delcamp	Highway Superintendent
Ann Belcher	Reporter
Harold Smith	Planning Board Chairman
Residents of Van Buren Point	
Roxane Sobeki	Town Clerk

Supervisor Schrantz opened the Public Hearings at 6:45 p.m. on Proposed Local Laws 1 and 2 of 2017 with the pledge to the flag.

**Local Law 1 of 2017-** Enacting Regulations for Solar Energy Systems:

Supervisor Schrantz stated the affidavit of publication was posted in the Observer on May 25, 2017.

Supervisor Schrantz and Planning Board Chairman Harold Smith reviewed with the Board the proposed law.

Local Law 2 of 2017-Amending the Zoning Code Section 202 of the Town of Portland Zoning Code to insert new definition of "Accessory Building or Use."

Supervisor Schrantz stated the affidavit of publication was posted in the Observer on May 25, 2017.

Supervisor Schrantz and Planning Board Chairman Harold Smith reviewed with the Board the proposed law. A member of the public asked if this would change the existing code. Supervisor Schrantz said this law will allow a structure like a garage, barn, etc. to be built prior to the construction of a primary residence.

Supervisor Schrantz thanked the Planning Board for all their work.

With no further questions from the Board or Public the Board moved into the Regular Board Meeting at 7:05 p.m.

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**MINUTES**

**06-40-17**

On a motion of Council Miller, seconded by Council Manzella the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED the minutes of the previous meeting of May 10, 2017 is approved as submitted.

**DEPARTMENTAL REPORTS**

**06-41-17**

On a motion of Council Boltz, seconded by Council Manzella the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED the Portland Town Board approves the Departmental Reports as presented.

Monthly reports received and filed:

- Code Enforcement
- Justice
- Town Clerk
- Assessor
- Water
- Water Department
- Dog Control

**TREASURY REPORT**

**06-42-17**

On a motion of Council Miller, seconded by Council Boltz the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED the Portland Town Board approves the Treasury Report as presented by the Supervisor.

**CORRESPONDENCE**

Supervisor Schrantz read the following correspondence:

- Highway workers attended a pipeline safety class.

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- Thank you from the American Legion for flag donation.
- Tentative equalization rate is 57%, Supervisor Schrantz stated this is the same as last year.
- Planning Board Member Resignation letter from Thomas Vitale.

**RESIGNATION**

**06-43-17**

On a motion of Council Boltz, seconded by Council Manzella the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED the Portland Town Board accepts the resignation of Thomas S. Vitale from the Planning Board.

- Letter of interest to serve on the Planning Board from Dale Furman.  
Chairman Smith stated the Planning Board now has two applications.

**PUBLIC COMMENT:**

James Simmons (Van Buren Point Board Member) addressed the board with concerns VBP has regarding their Gabion Wall. He stated he has been in contact with the Corps of Engineers, DEC, and the County, he is looking for any information on how to maintain the wall. Supervisor Schrantz told him he will give him all the information the town has and a copy of the last inspection. Discussion followed.

Planning Board Chairman Harold Smith asked if the letter dated June 6, 2017 addressed to the board has been reviewed regarding the Codification of Town Laws. Mr. Smith stated this will cost \$12,000 to \$15,000 and suggested that the Town board seek a grant and possibility hire a grant writer. Supervisor Schrantz told him he will review this, it's possible the cost could be spread out over 3 to 4 years.

**OLD BUSINESS**

**VILLAGE/TOWN REPRESENTATIVES:**

Board discussed the Village of Brocton's Zoning Officer having an office at the Town Hall, maybe down the road the offices of Portland and Brocton's Zoning can be combined.

**TOWN HIGHWAY GARAGE:**

Supervisor Schrantz requested to go into Executive Session regarding litigation with the garage floor.

**NORTH COUNTY WATER PROJECTS:**

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Supervisor Schrantz informed the Board the project will be bid out in two phases, the first phases bids will be open June 21<sup>st</sup>, 10:00am at the Village of Brocton. The second phase which will be east of Dunkirk will be going out to bid this year. The Town is working on easements for this project.

**GREENCREST DRAINAGE/VBP DRAINAGE DISTRICT:**

Supervisor Schrantz has been in contact with the engineer who will be reviewing the districts to determine if Greencrest and Van Buren Point should be one or two districts.

**WATER DISTRICT 2 IMPROVEMENT PROJECT/WD8:**

Supervisor Schrantz told the Board he has been in contact with Rural Development, they will be sending funding information soon.

**CONSOLIDATING FUND GRANT:**

Supervisor Schrantz told the Board joint water billing/maintenance/equipment is still being reviewed for regional water.

**COMPREHENSIVE PLAN:**

Supervisor Schrantz stated the Town is still looking for members to serve on a committee to review and start implementing the new Comprehensive Plan.

**WATER AGREEMENT WITH POMFRET:**

No news to report.

**RAILS TO TRAILS:**

Supervisor Schrantz told the Board the first packet regarding the SAM grant has been sent in. This grant will be used by Rails to Trails to make repairs to the culvert off Woleben Road which has had extensive damage from the 2014 storm. Council Manzella asked since the Town is the lead agency for the SAM grant for Rails to Trails, would the town be liable if there was another 100-year storm that could cause catastrophic damage, or financially in any way? Supervisor Schrantz stated he has checked with the town attorney who said everyone would be liable, but a least it shows the town is trying to correct this problem. Supervisor Schrantz also said Rails to Trails have notified the Railroads, DOT and Thruway.

**LAND BANK:**

Supervisor Schrantz told the board he has been in contact with the Land Bank regarding the 6384 Route 20 property. The Land Bank does not want to rehab this property and has asked the town if they would like this property back on the County list for auction.

**06-44-17**

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On a motion of Council Manzella, seconded by Council Miller the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED the Portland Town Board supports the property located at 6384 Route 20, Portland, New York be placed on the Chautauqua County Auction list.

## **NEW BUSINESS**

### **JCAP GRANT:**

Supervisor Schrantz told the board the court has received a grant in the amount of \$1,300 to apply to purchase a copy machine for the courtroom. Three quotes were reviewed by the board:

Canon Image Class MF7470                      \$2,682.29

Kyocera FS-6525MFP Multifunction            \$2,273.00

Kyocera Ecosys M3550idn                      \$2,074.00

The Courts recommendation would be the Kyocera Ecosys FS-6525MFP due to its key features and it is a standalone machine.

### **06-45-17**

On a motion of Council Miller, seconded by Council Boltz the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED on the recommendations of the Court the Portland Town Board approves the purchase of a copy machine- Kyocera Ecosys FS-6525MFP Multifunction (\$2,273.00) using JCAP grant money in the amount of \$1,300. —and an additional amount of \$973.00 out of the Justice Equipment Budget.

## **LOCAL LAW 1 OF 2017**

### **06-46-17**

On a motion of Council Manzella, seconded by Council Boltz the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

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RESOLVED the Portland Town Board adopts Local Law 1 of 2017 Enacting Regulations for Solar Energy Systems. A complete copy is attached.

**LOCAL LAW 2 OF 2017**

**06-47-17**

On a motion of Council Miller, seconded by Council Boltz the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED the Portland Town Board adopts Local Law 2 of 2017 Amending Section 202 of the Town of Portland Zoning Code to insert the following new definition of ACCESSORY BUILDING OR USE, Amending Section 1105 of the Town of Portland Zoning Code-Fees. A complete copy is attached.

**CHAUTAUQUA COUNTY MULTI-JURISDICTIONAL PLAN**

**06-48-17**

On a motion of Council Miller seconded by Council Boltz the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

**TOWN OF PORTLAND  
AUTHORIZING THE ADOPTION OF THE  
CHAUTAUQUA COUNTY MULTI-JURISDICTIONAL ALL-HAZARD  
MITIGATION PLAN**

**Town of Portland, New York**

**WHEREAS** the Town of Portland recognizes the threat that natural hazards pose to people and property within Portland; and

**WHEREAS** Chautauqua County has prepared a Multi-hazard mitigation plan, hereby known as the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan dated September 2015.

**WHEREAS** Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan dated September 2015 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Portland from the impacts of future hazards and disasters; and

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**WHEREAS** adoption by the Town Board of the Town of Portland demonstrates its commitment to the hazard mitigation and achieving the goals outlined in the Multi-Jurisdictional Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF PORTLAND** adopts the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan date September of 2015.

**MARMADUKE COMMITTEE:**

Council Boltz told the board more bricks have been received. A new sign with a cartoon of Marmaduke will be going up soon.

**DOG CONTROL:**

Rabies Clinic will be held at the Brocton Fire Hall on Lake Ave. June 29<sup>th</sup> from 5 to 7 p.m.

**BOARD MEMBERS:**

Council Miller stated the Brocton/Portland Development Corp. is looking for new members. The Corp. will be changing the sign at Haywood Heights with updated phone numbers.

Council Miller also said he would like to meet with the Village of Brocton to review shared services and consolidation of some services. He stated there is a lot of grant money available and the town needs to put a push on this. The board discussed the duplication of services. Council Miller said he will attend the next Village Board Meeting on the 21<sup>st</sup>.

**HIGHWAY:**

Highway Superintendent Delcamp told the board the town hall parking lot can wait until next spring to be seal.

**BILLS**

**06-48-17**

On a motion of Council Boltz seconded by Council Manzella the following resolution was

ADOPTED Ayes 4 Schrantz, Manzella, Boltz, Miller

Nays 0

Absent 1 Farrell

RESOLVED the Portland Town Board approves the Bills for June 2017.

GENERAL FUND \$8,944.51

TOWN OUTSIDE VILLAGE \$650.39

HIGHWAY TOWNWIDE \$951.00

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HIGHWAY OUTSIDE VILLAGE	\$9,766.68
LIGHT	\$493.36
WATER	\$5,130.67
CAPITAL PROJECTS	\$64.00

**NORTHERN CHAUTAUQUA COUNTY LOCAL WATERFRONT REVITALIZATION PROGRAM:**

Don McCord and Pat Gooch entered the meeting at 8:10 pm.

Mr. McCord and Mr. Gooch gave a short presentation to the board regarding the Local Waterfront Revitalization Program (LWRP). This is an opportunity to participate in the State's Coastal Management Program (CMP). The LWRP boundary is proposed by local communities and, once approved by the Department of State, becomes part of the CMP. Mr. Gooch gave the board a list of pros and cons. A community workshop is scheduled for July 24<sup>th</sup>, 7:15 at the Town Hall. The development of the final LWRP will be the focus of this workshop, discussion will be on future land use and projects for the waterfront area.

**EXECUTIVE SESSION:**

On a motion of Council Manzella, seconded by Council Miller the Board moved into Executive Session at 8:37 pm requested by the Supervisor to discuss pending litigation regarding the garage floor and the audit with the State Comptroller.

On a motion of Council Boltz, seconded by Council Miller the Board returned to Regular Session at 8:55 p.m.

With no further business, on a motion of Council Manzella, seconded by Council Boltz the meeting adjourned at 8:56 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki-Town Clerk



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