

TOWN OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
SEPTEMBER 13, 2017 - 7:00 P.M.

**BOARD MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

Ann Belcher	Reporter
Ron Delcamp	Highway Superintendent
Roxane Sobeki	Town Clerk
Joel Seachrist	Attorney
Ken Becker	Deputy Highway Superintendent
Approximately 5 residents	

Supervisor Schrantz opened the meeting at 7:04 with the pledge to the flag.

**MINUTES**

**09-64-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

RESOLVED the Portland Town Board approved the Minutes from the August 9, 2017 board meeting as presented.

**DEPARTMENTAL REPORTS**

**09-65-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

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

Monthly reports received and filed:

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

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**TREASURY REPORT**

**09-66-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

RESOLVED the Portland Town Board approves the Treasury Report for July 2017 as presented by the Supervisor.

**CORRESPONDENCE:**

- New York Power Authority.
- Mayor/Supervisor Meeting, 9-28-17.
- Cable 5- letter stating the Village of Mayville would be the lead agency in negotiating a contract with Spectrum. The Attorney will review.
- Civil Service Training Seminar-Chautauqua County Department of Human Resources on October 4<sup>th</sup> from 1-4pm.
- Training Session in Buffalo on vacant properties, September 20th, Supervisor Schrantz and Code Officer Signe Rominger will be attending.

**PUBLIC COMMENT:**

John Bigelow of 8708 Smith Street addressed the board with concerns of violation notices and fines he has had to pay in court regarding his property. He told the board he has gotten fined for issues that other residents have not. He went on to list different violations within the Town. The Attorney stated he could submit a complaint, the code office will follow thru. Supervisor Schrantz told Mr. Bigelow the code office is trying to cleanup property, he will discuss this issue with her. He also noted if residents are in violation of the code they will be receiving a letter. He assured Mr. Bigelow he is not getting singled out. Attorney Seachrist added New York State Code states you cannot have any unregistered, unlicensed vehicle in your yard.

Jim Simmons of Van Buren Point told the board the Army Corps of Engineers have viewed and inspected the Gabion Wall. He asked the board to call him when they receive a copy of the inspection.

**OLD BUSINESS:**

**VILLAGE/TOWN REPRESENTATIVES:**

Supervisor Schrantz thanked the Town/Village Highway crews for all their hard work after the storm last week. Council Boltz also thanked them for helping with the removal of trees from the cemetery after the storm.

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**TOWN HIGHWAY GARAGE:**

Supervisor Schrantz told the board tentative dates for the arbitration hearing is scheduled for September 28<sup>th</sup> and 29<sup>th</sup>.

**CADWICK BAY:**

Meeting scheduled for September 14<sup>th</sup>, 5:30 at the Fireside Manor.

**NORTH COUNTY WATER PROJECT:**

A public hearing is scheduled for September 27<sup>th</sup>, 6:45 pm in Mayville. The purpose of the public hearing is on the adoption of the modified Map and Plan for the construction of improvements for the water district.

**WATER DISTRICT 8:**

Supervisor Schrantz reported a letter of conditions was received from USDA for Loan/Grant funding, this included a RUS Grant in the amount of \$750,000, ECWAG Grant in the amount of \$500,000 and a RUS loan in the amount of \$594,000. He stated this is the best grant funding the Town will ever see for this project. The next step is to schedule a meeting with the Engineer, Attorney, Supervisor and Town Clerk.

**WATER DISTRICT 2 IMPROVEMENT PROJECT:**

Supervisor Schrantz noted the town is proceeding forward with the full application to USDA. The County Health Department has sent a letter with their concerns about water pressures in that area. Supervisor Schrantz said this letter may help regarding better funding for this project.

**GREENCREST DRAINAGE:**

Supervisor Schrantz reported the engineer has been in contact with USDA for grant funding.

Mr. Simmons told the board the Van Buren area is going to lose around 400 ash trees to the emerald ash borer, this will have an effect with the ongoing drainage issue, since the trees help to wick away some of the water. He said they are working with the Davey Resource Group to try and help this situation.

**DATA COLLECTION-KLW:**

Supervisor Schrantz read the assessors monthly report which states all data entry is done.

**CONSOLIDATING FUND GRANT:**

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Supervisor Schrantz told the board a meeting has been scheduled for September 27<sup>th</sup> with Williams Law regarding the water billing for regional water. He noted other software companies are also being looked at.

**WATER AGREEMENT WITH POMFRET:**

Supervisor Schrantz told the board the agreement is still being reviewed by the attorneys, they are working out some details. A meeting is being scheduled with the City of Dunkirk, Portland and Pomfret to review meter readings for WD2.

**CODIFICATION OF TOWN LAWS:**

Supervisor Schrantz told the board this will be reviewed at budget time.

**TRAFFIC PETITION - ROUTE 5:**

The board discussed the petition signed and presented at the August board meeting. This petition was signed with over 85 signatures asking for a speed reduction along Route 5 within the Town of Portland. Supervisor Schrantz stated letters were sent to the Sheriff's Department and State Police regarding excess speed along Route 5 within the Town of Portland. Both responded, saying more patrol will be sent to this area.

**ROUTE 5 PETITION**

**09-67-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

RESOLVED the Portland Town Board turned the Route 5 road petition over to the Highway Superintendent to review and send to the State DOT for review.

The Board discussed the excess traffic along Webster Road due to the bridge closure on Route 20. Supervisor Schrantz told the board he has received complaints about excess speed, he suggested a letter be sent about this issue to the Sheriffs and State Police.

**NEW BUSINESS:**

**BOARD OF ASSESSMENT AND REVIEW APPOINTMENT**

**09-68-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

RESOLVED the Portland Town Board re-appoints Marv Zirkle to the Board of Assessment and Review commencing October 1, 2017 thru September 30, 2022.

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**BUDGET 2018:**

Supervisor Schrantz called a Special Meeting on the Tentative Budget on October 5, 2017, 2:00pm at the Town Hall.

**JACP GRANT:**

**09-69-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

RESOLVED the Portland Town Board supports the Portland Justice Court to apply for the 2017-2018 Justice Court Assistance Program (JACP) Grant.

**NYS COMPTROLLER AUDIT**

**09-70-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

RESOVLED The Corrective Action Plan (CAP) is approved by the Portland Town Board and will be sent to the NYS Comptroller's Office for the Audit of Water Operations for the period covered January 1,2014 to January 25, 2017.

**UNION NEGOTIATIONS:**

Meeting set for September 26, 2017 at 2:00. Supervisor Schrantz asked to go into Executive Session regarding the negotiations.

**WATER FEES**

**09-71-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella  
Nays 0

RESOLVED the Portland Town Board approved the following water fees, effective immediately.

**TYPICAL FEES FOR NEW WATER INSTALLATION  
WATER DISRICTS 1, 2, 3,4,5,6 and 7**

**WATER DEPARTMENT 785-1572**

3/4"      **1"**

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1. APPLICATION FEE	\$ 50.00	\$ 50.00
2. TAPPING FEE	\$300.00	\$ 300.00
3. TAPPING SADDLE	\$100.00	\$ 150.00
5. METER	\$220.00	\$ 350.00
6. METER SETTER INC. VALVE	\$160.00	\$ 210.00
7. CURB STOP VALVE	\$100.00	\$ 150.00
8. CURB BOX	\$ 75.00	\$ 75.00
9. Copper from Main to Valve or PLASTIC CTS PIPE to Valve	\$ 300.00 \$ 100.00	\$ 400.00 \$150.00

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10. ROAD PUSH (where main is on Opposite side of residence.)	\$800.00
Road Push for 1"	\$1,200.00

**ANY ROAD PUSH FOR COUNTY OR STATE ROADS ADD \$200.00 MORE**

- Additional costs for digging, copper from house to curb, valve inside of house, tie ins etc. are homeowner's responsibilities.
- Meter pit installation will cost **\$650.00, INSTALLED BY CUSTOMER, INCLUDES:** Application fee, meter, meter setter inc. valve, **Drainage required on all Meter Pits.** Contact the Water Department to see if a meter pit is required for your service or a one-inch line service. Meter Pits will be required if residents do not have a basement. **All service connections can use Type K Soft Copper Tubing or the equivalent of PEX Water Service Tubing with tracing wire.**
- The Town of Portland requires the use of Watts' pressure valve 24AUB or equivalent; due to the high pressure in Water District. **(80 PSI or over - required by law) THIS IS THE OWNERS RESPONSIBLY.**
- The Town of Portland strongly recommends brass or nylon fitting after the meter connections.
- Special Highway permit needed to cross town roads with open cut. Cost \$100.00 plus \$2.00 per ft. of pavement.

**By signing your water application, you are agreeing to all the above terms.**

**MARMADUKE COMMITTEE:**

Council Farrell thanked the highway crew for installing the guest book by the statue.

**DOG CONTROL:**

Supervisor Schrantz reviewed a letter from The Golden Retriever Rescue of Southwestern NY. The letter stated there is a serious, ongoing issue of persistent barking and neglect of dogs at a Village of Brocton address. Supervisor Schrantz asked the dog committee to meet with the Dog Control Officer to review this issue and how we can proceed forward.

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**BOARD MEMBERS:**

Supervisor Schrantz told the board he has been in touch with the land bank regarding the burnt-out house on Route 20 in Portland. He was told to rehab the house the town would need a structural engineer's opinion that the brick is ok from the fire. This could possibly cost no more than \$500.00.

Councilman Manzella told the board he attended the last Village of Brocton board meeting.

Attorney Seachrist gave the board for their review an Intermunicipal Agreement between the Village of Brocton and Town of Portland to consolidate the code enforcement function into a single location at the Town Hall while still maintaining their own offices.

**HIGHWAY DEPARTMENT:**

Superintendent Delcamp gave the board quotes for a tractor with a side/rear mower and broom for their review.

**PAY BILLS**

**09-72-17**

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

ADOPTED Ayes 5 Schrantz, Miller, Boltz, Farrell, Manzella

Nays 0

RESOVLED the Portland Town Board approves the bills for September 2017.

GENERAL FUND	\$16,682.68
TOWN OUTSIDE VILLAGE	\$361.84
HIGHWAY TOWNWIDE	\$3,980.62
HIGHWAY OUTSIDE VILLAGE	\$73,247.13
LIGHT	\$970.39
WATER	\$5,244.45
CAPITAL PROJECTS	\$544.00

**EXECUTIVE SESSION:**

On a motion of Council Miller, seconded by Council Boltz the Board moved into Executive Session at 8:35 pm requested by the Supervisor to discuss pending litigation with New Horizon Park, Union Negotiations and personal with the Town Clerk.

On a motion of Council Boltz, seconded by Council Miller the Board returned to Regular Session at 8:50 p.m.

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With no further business, on a motion of Council Farrell, seconded by Council Manzella the meeting adjourned at 8:51 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki-Town Clerk