

TOWN OF PORTLAND PUBLIC HEARING-LOCAL LAW 1-2018
TOWN BOARD MEETING
PORTLAND TOWN HALL
OCTOBER 10, 2018 - 7:00 P.M.

BOARD MEMBERS PRESENT:

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

OTHERS PRESENT:

Ken Becker	Highway Superintendent
Art Miller	Village of Brocton Trustee
Clarence Grover	Dog Control Officer
Roxane Sobeki	Town Clerk
Dan Thompson	Portland Fire Commissioner

Supervisor Schrantz opened the Public Hearing at 7:05 P.M. with the pledge to the flag.

**PUBLIC HEARING
LOCAL LAW 1-2018**

Providing Terms for the Administration of Town Highways

Supervisor Schrantz stated the Affidavit of Publication was posted in the paper on September 26, 2018.

Supervisor Schrantz read the Local Law and reviewed with the board the law and fees.

**TOWN OF PORTLAND
LOCAL LAW NO. 2 FOR THE YEAR 2018
PROVIDING TERMS FOR THE ADMINISTRATION OF TOWN HIGHWAYS**

Pursuant to Section 10 of the Municipal Home Rule Law, be it enacted by the Town of Board of the Town of Portland, County of Chautauqua and State of New York, as follows:

SECTION 1. Highway work permit.

The Superintendent of Highways may, with the consent of the Town Board, upon the submission of a highway work permit application by any resident or taxpayer or corporation, grant permission for work proposed to be done within the Town's right-of-way, including the laying and maintaining of pipe for any purpose.

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SECTION 2. Required documentation.

The Superintendent of Highways and/or the Town Board may require the applicant to submit any plans, design drawings, engineer's report or other documentation deemed necessary for their review in order to issue a right-of-way work permit.

SECTION 3. Fee.

The fee for a highway work permit shall be in an amount as set forth from time to time by the Town Board.

SECTION 4. Savings Clause

If any part or provision of this Local Law shall be declared invalid, void, unconstitutional, unenforceable by a court of law, all unaffected provisions hereof shall survive such declaration and this Local Law shall remain in full force and effect as if the invalidated portion had not been enacted.

SECTION 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

With no questions from the board or public on a motion of Council Boltz, seconded by Council Miller the Public Hearing closed and the board went into the Regular Board Meeting at 7:15 P.M.

MINUTES

10-91-18

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board approves the Minutes for September 12th and October 4th as presented.

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DEPARTMENTAL REPORTS

10-92-18

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

ADOPTED Ayes 5

Nays 0

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

Monthly reports received and filed:

- Assessor
- Code enforcement
- Town Clerk
- Town Justice
- Dog Control

TREASURY REPORT

10-93-18

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board approves the Treasury Report for September 2018 as presented by the Supervisor.

CORRESPONDENCE:

- Time Warner Cable-price increase.
- Association of Town's annual meeting-February 17th-20th 2019.
- Portland Fire Commissioners-response to the letter the board sent last month regarding coverage in Fire Protection District 2. Supervisor Schrantz asked the board to review the letter, this will be addressed under new business.

OLD BUSINESS

VILLAGE/TOWN REPRESENTATIVES:

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Village Trustee Art Miller was present, he asked the board if had anything to pass on to the Village Board. He told the board the Village passed a resolution to dissolve the Village Justice effective at the end of 2018 subject to permissive referendum. Also, the Town and Village are reviewing joint code/zoning offices.

Supervisor Schrantz stated the Town and Village had a workshop to revisit the Town's Highway Superintendent overseeing the Village Highway Department. The Town Superintendent will continue to oversee the Village Highway Department. The Board's will revisit this again in six months. Supervisor Schrantz thanked Ken Becker and stated anything is possible if we all work together.

HIGHWAY GARAGE:

Supervisor Schrantz and Highway Superintendent Becker meant with Paul Parker of Urban Engineers to review the options for the garage floor. Mr. Parker is interested in engineering the project and will be submitting his fees.

CHADWICK BAY:

The committee's next meeting will be held on October 11th at 4:30.

NORTH COUNTY WATER PROJECT:

Supervisor Schrantz told the board the Regional Water is up and running, with the pumps working well. The Regional Billing Office will be sending the first bills out the end of October. Williamson Law Co. is working with the staff on the billing program.

The Attorney is working on the Inter-Municipal Agreement between the five communities (Portland, Pomfret, Dunkirk, Sheridan, and Village of Brocton), a meeting with all Town and Village Boards along with residents will be scheduled for questions and concerns.

WD2 IMPROVEMENT PROJECT:

Supervisor Schrantz told the board a copy of plans on where the water lines will be has been received from the engineer for the Town's review.

WATER DISTRICT 8:

A list of 14 easements have been received from the engineer. All the Town's paperwork has been submitted, just waiting on USDA for final approval to go out to bid.

ASSESSOR POSITION:

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Supervisor Schrantz stated four persons were interviewed for the Assessor Position. He asked to go into Executive Session to discuss the candidates.

PUBLIC HEARING FIRE CONTRACTS 2019

10-94-18

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

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

Nays 0

RESOLVED the Portland Town Board will hold a public hearing at 2:00 p.m., November 8, 2018 on Fire Contracts for Portland Fire Protection District 1 and 2.

BUDGET PUBLIC HEARING 2019

10-95-18

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

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

Nays 0

RESOLVED the Portland Town Board will hold a public hearing at 2:15 p.m., November 8, 2018 for the 2019 Town Budget.

NEW BUSINESS

LOCAL LAW 1 OF 2018

PROVIDING TERMS FOR THE ADMINISTRATION OF TOWN HIGHWAYS

10-96-18

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

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

Nays 0

RESOLVED the Portland Town Board approves Local Law 1 Of 2018:

**TOWN OF PORTLAND
LOCAL LAW NO. 1 FOR THE YEAR 2018
PROVIDING TERMS FOR THE ADMINISTRATION OF TOWN HIGHWAYS**

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STREETLIGHT CLAIM-REFUND/TROY & BANKS INC.

10-97-18

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

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

Nays 0

RESOLVED the Portland Town Board approves the Streetlight Refund from National Grid, the Settlement Agreement and the associated PSC 214 documents,

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BE IT FUTHER RESOLVED the Portland Town Board authorizes the Town of Portland Supervisor to sign all necessary paperwork.

BUDGET TRANSFERS AND MODIFICATIONS

10-98-18

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

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

Nays 0

RESOLVED the Portland Town Board approves the Budget Transfers and Modifications as presented by the Supervisor.

GENERAL FUND OUTSIDE VILLAGE

\$1,000 FROM B3620.2 SAFETY INSPECTION EQUIPMENT
TO B3620.4 SAFETY INSPECTION CONTRACTUAL

HIGHWAY FUND OUTSIDE VILLAGE

Modify 2018 Adopted Budget by increasing Revenue line DB3501 CHIPS funding by \$95,448 and increasing expenditure line DB5112.2 Improvements Capital Outlay by \$95,448 for actual 2018 CHIPS funding and 2017 rollover balance.

FIRE COMMISSIONERS:

Dan Thompson was present to answer any questions the board may have regarding the response letter from the Fire Commissioners regarding fire protection in district 1 & 2. Mr. Thompson explained the EMS district to the board.

MARMADUKE COMMITTEE:

Council Boltz told the board the final bricks will be installed around the statue.

DOG CONTROL:

Supervisor Schrantz asked to go into Executive Session with the Dog Control Officer regarding possible litigation.

TOWN CLERK:

Clerk Sobeki informed the Board she has meant with DFT regarding a new phone system for the town hall. She has also meant with Spectrum and Verizon. Waiting on DFT's quote before the board can move forward.

HIGHWAY:

Highway Superintendent discussed with the board an issue with a town resident possibly building on the Town right-of-way.

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PAY BILLS

10-99-18

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

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

RESOLVED the Portland Town Board approves the Bills for October 2018.

GENERAL FUND	\$41,529.78
TOWN OUTSIDE VILLAGE	\$201.45
HIGHWAY OUTSIDE VILLAGE	\$71,070.80
LIGHT	\$227.57
WATER	\$7,036.01

EXECUTIVE SESSION:

On a motion of Council Manzella, seconded by Council Boltz the Board moved into Executive Session at 8:15 pm with the Dog Control Officer to discuss possible litigation, Assessor position and with the Highway Superintendent to discuss wages.

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

ASSESSOR:

10-100-18

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

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

RESOLVED the Portland Town Board approves the hire of Darlene Fox as Portland Town Assessor at a rate \$30,000 per year plus mileage/24 hours per week. This becomes effective the end of January 2019.

With no further business, on a motion of Council Farrell, seconded by Council Boltz the meeting adjourned at 8:55 p.m. Carried unanimously.

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Respectfully Submitted by,

Roxane Sobecki-Town Clerk