

TOWN OF PORTLAND BOARD MEETING
PORTLAND TOWN HALL
FEBRUARY 13, 2019 – 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
Drew Smith	CBI Water
Art Miller	Village of Brocton Trustee
Members of the Justice Department	
Mark Odell	County Legislature
Clarence Grover	Dog Control
One member of the public	
Roxane Sobecki	Town Clerk

Supervisor Schrantz opened the Board Meeting at 7:00 P.M. with the pledge to the flag.

MINUTES

02-06-19

On a motion of Council Boltz, seconded by Council Manzella the following resolution was ADOPTED Ayes 4 Schrantz, Boltz, Farrell, Manzella, Miller

Nays 0

RESOVLED The Portland Town Board approves the Minutes from the January 9, 2019 board meetings.

DEPARTMENTAL REPORTS

02-07-19

On a motion of Council Miller, seconded by Council Farrell the following resolution was ADOPTED Ayes 4 Schrantz, Boltz, Farrell, Manzella, Miller

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

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TREASURY REPORT

02-08-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board approves the Treasury Report for January 2019 as presented by the Supervisor.

CORRESPONDENCE:

Supervisor Schrantz read the following:

- Letter from Mike & Nancy Manzella-Fifth annual Darren Manzella-Lapeira Run 2018 was a greet success. Over \$14,000 was generated to help support local Veterans in need of financial assistance. The Sixth Darren Manzella-Lapeira Memorial Run will be held July 27, 2019.
- Carter Cable TV.
- Arbor Day Community Grant
- Cornell Local Roads Program

JUSTICE:

Hon. Husted, Hon. Thompson and Hon. DeJoe addressed the board requesting the room off the courtroom, which was formerly used as the office for the Village Justice be assigned to the Court for offices of the Town Justices. Judge Husted said she has obtained two new computers thru a grant for the Judges at no cost to the town. Village Trustee Miller told the board he sees no problem leaving the desk for the Judges to use. The Board told Judge's DeJoe, Thompson and Husted the use of the room is theirs.

SURPLUS PRINTER

02-09-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED Canon Printer PC1080F is made surplus.

COUNTY LEGISLATOR:

Chautauqua County Legislator Mark Odell was present, he updated the board on issues at the County Level. Supervisor Schrantz told Mr. Odell the new Peerless Street Bridge needs to be turned over to the County. The old bridge was never under the County, any bridge over 20 feet should be a County Bridge. Mr. Odell told the board he will investigate this issue.

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OLD BUSINESS

VILLAGE/TOWN REPRESENTATIVES:

Village of Brocton Trustee Art Miller was present. He told the board the Village has a lot of work to do. He discussed with the board the condition of the old hardware building and trying to get it torn down.

HIGHWAY GARAGE FLOOR

02-10-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board authorizes the Supervisor to sign Urban Engineers proposal for professional Service. Urban will prepare concrete floor slab plans, floor trench drains and connections, and specifications required for bidding the repairs. Total fee for services by Urban Not to Exceed \$13,952.00.

CHADWICK BAY:

Next meeting February 21st, 5:30 at the Fireside Restaurant.

NORTH COUNTY WATER:

Supervisor Schrantz told board members North County Water Project has bid out for Phase 2. 716 Site Contracting has been awarded the bid. Phase 2 will include Sheridan and East Town Dunkirk. The North County Water Board is reviewing taking down Town of Portland's Water Tower. The CBI billing office is up and running. The board discussed selling the Portland Water Truck to CBI.

WATER TRUCK

02-11-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board agrees to sell the water truck, 2013 Ford 150 EXT to CBI Water for \$8,000.

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**WATER DISTRICT 2:
02-12-19**

RESOLUTION CALLING PUBLIC HEARING

At a regular meeting of the Town Board of the Town of Portland, Chautauqua County, New York, held at 87 West Main Street, in Brocton, New York, in said Town, on the 13th day of February 2019, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Schrantz, and upon roll being called, there were

PRESENT: Supervisor Schrantz

Council Miller

Council Farrell

Council Manzella

Council Boltz

Clerk Sobecki

The following resolution was offered by Council Miller who moved its adoption, seconded by Council Boltz, to-wit:

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RESOLUTION DATED FEBRUARY 13, 2019.

A RESOLUTION CALLING A PUBLIC HEARING OF THE TOWN BOARD OF THE TOWN OF PORTLAND, CHAUTAUQUA COUNTY, NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW, TO CONSIDER AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN OF PORTLAND WATER DISTRICT NO. 2 IN AND FOR SAID TOWN AT A MAXIMUM ESTIMATED COST OF \$2,601,000.

WHEREAS, the Town Board of the Town of Portland, Chautauqua County, New York, has had under consideration a map and plan as well as an estimate of cost for a proposed increase and improvement of the facilities of the Town of Portland Water District No. 2, consisting of the installation of new water main, including approximately 23,000 linear feet of 6-inch and 8-inch water main, land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto; and

WHEREAS, said map, plan and estimate of cost are on file in the office of the Town Clerk for public inspection; and

WHEREAS, the maximum estimated cost of such increase and improvement of facilities is \$2,601,000, and the proposed method of apportioning such cost is on a benefit basis to the benefited properties within Town of Portland Water District No. 2, with financing anticipated to be received from the United States Department of Agriculture, Rural Development Program, and

WHEREAS, said map, plan and estimate of cost are on file in the office of the Town Clerk for public inspection; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement

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pursuant to Section 202-b of the Town Law;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Portland, Chautauqua County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Portland, Chautauqua County, New York, shall be held at 87 West Main Street, Brocton, New York, in said Town, on the 13th day of March, 2019 at 7:00 o'clock P.M., prevailing time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Town of Portland Water District No. 2 in said Town, referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. SEQRA DETERMINATION: It has been determined that the aforesaid purpose constitutes an Unlisted Action under the SEQRA regulations of the State of New York which will not have a significant impact upon the environment.

Section 3. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the *Dunkirk Observer*, the official newspapers of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Portland, Chautauqua County, New York, will meet at 87 West Main Street, Brocton, New York, in said Town, on the 13th day of March, 2019, at 7:00 o'clock P.M., prevailing time, for the purpose of conducting a public hearing relating to the increase and improvement of the Town of Portland Water District No. 2

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in said Town, consisting of the installation of approximately 23,000 linear feet of water main, and including land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto, at a maximum estimated cost of \$2,601,000, all of which will be apportioned on a benefit basis to the benefited properties within the said district, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

SEQRA DETERMINATION: The aforesaid purpose constitutes an Unlisted Action under the SEQRA regulations of the State of New York which will not have a significant impact upon the environment.

Dated: Brocton, New York

February 13, 2019.

BY ORDER OF THE TOWN BOARD

OF THE TOWN OF PORTLAND, CHAUTAUQUA
COUNTY, NEW YORK

Roxane Sobecki, Town Clerk

Section 4. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Council Miller	VOTINGAye
Council Farrell	VOTINGAye
Council Manzella	VOTINGAye
Council Boltz	VOTINGAye
Supervisor Schrantz	VOTINGAye

The resolution was thereupon declared duly adopted.

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WATER DISTRICT 8:

Supervisor Schrantz stated only one more easement is needed for the project to move forward, should be able to go out to bid soon.

A copy of Water District 8 Lateral Restrictions Resolution was given to each board member for their review.

CODE OFFICE:

The board discussed hiring another person in the Code Office, Supervisor Schrantz asked board members Miller and Boltz to meet with Code Officer Signe Rominger to discuss the needs of the office and report back to the board at the March meeting

COMPREHENSIVE PLAN:

Supervisor Schrantz stated the joint meeting with the Village, Town, and Comprehensive Committee went well. The first issue the committee would like to address is the Junk Car Zoning Ordinance. Other items discussed were holding a Big Trash Collection and establishing a strong and lasting relationship with the Lake Eire State Park. Supervisor Schrantz told the board the large trash day needs to be looked into further.

PULLMAN CAR:

Supervisor Schrantz stated he would like to form a committee to investigate moving the Pullman car “Haysville” to the Brocton/Portland area.

AUDITS:

Council Manzella stated the audits of the Town Clerk and Court Clerk have been done, everything was satisfactory.

COURT AUDIT

02-14-19

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

ADOPTED Ayes 5

Nays 0

RESLOVED the audit of the Portland Town Court was conducted on February 4, 2019 by the Portland Audit Committee, all records were in order.

TOWN HALL PHONE SYSTEM:

Clerk Sobbecki presented to the board two quotes to update the phone system at the town hall for their review.

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MUNICIPAL SOLUTIONS WATER DISTRICT 2

02-15-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board authorizes the Supervisor to sign Amendment No. 1 to Contract Dated May 10, 2016 with Municipal Solutions, Inc.

WATER DISTRICT 8 ENGINEER AGREEMENT

02-16-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board authorizes the Supervisor to sign the Amended Engineer Agreement with Clark Patterson Lee for Water District No. 8.

LAND BANK/BROWN PROPERTY

02-17-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED The Town of Portland turns over the property at 6384 West Main Road, Portland, 161.10-1-36 to the Land Bank of Chautauqua County.

SNOW PLOW TRUCK/USDA

02-18-19

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

ADOPTED Ayes 5

Nays 0

RESOLVE the Portland Town board accepts the project as complete and authorizes final payment to Kenworth Northeast Group, Inc. in the amount of \$179,411.00for a 2019 Kenworth T470 Truck/Dump Body, Vin #1NKBHJ8X0KR299754,

BE IT FURTHER RESOLVED the Portland Town Board has determined the 2019 Kenworth T470 meets all specifications.

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NEW BUSINESS

PLANNING BOARD APPOINTMENT

02-18-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED On the recommendation of the Planning Board, the Portland Town Board appoints Lori Foster to the Planning Board to fill the vacancy of Daniel Thompson with a term to expire 12/31/20.

MARMADUKE COMMITTEE:

Council Farrell and Boltz discussed with the board transferring the money out of the Development Corp. into the Town's account. The committee would still stay intact and oversee the statue.

DOG CONTROL:

Dog Control officer Clarence Grover told the board the following:

- Heater at the dog pound had to be replaced.
- Since the Town has taken over the Village Court, he has not been able to issue tickets, not in the Town's court system. He suggested the Village review their dog laws.
- The rabies clinic for this year is scheduled for June 8th from 2-5 at the Brocton Fire Hall.
- Will continue the Dog Enumeration this summer.

BOARD MEMBERS:

Council Miller asked at what equalization rate on the assessor's monthly report to the board is she showing for property sales. Supervisor Schrantz told Mr. Miller he will ask the assessor.

Council Farrell asked why the Town has not had a newspaper reporter present at the Board Meetings. Village Trustee Miller stated the Village has also not had a reporter, he told the board he has contacted the newspaper. Supervisor Schrantz said he will contact the newspaper.

HIGHWAY DEPARTMENT:

Highway Superintendent Becker informed the board he shut down Chautauqua Road last week. The Village of Brocton is having the water shed logged. Mr. Becker told the board they did not respect his wished and logged in the rain making the road unpassable. Mr. Becker stated they will log under his supervision and will be repairing the road.

Mr. Becker told the board Rick Comstock and himself will be traveling to Watertown next week to inspect the new plow truck.

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BILLS

02-19-19

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

ADOPTED Ayes 5

Nays 0

RESOLVED the Portland Town Board approves the bills for February 2019.

GENERAL FUND	\$12,267.34
TOWN OUTSIDE VILLAGE	\$297.54
HIGHWAY TOWNWIDE	\$12,267.18
HIGHWAY OUTSIDE VILLAGE	\$9,892.00
LIGHT	\$724.24
CAPITAL PROJECTS	\$179,411.00

With no further business, on a motion of Council Boltz, seconded by Council Manzella the meeting adjourned at 9:00 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki-Town Clerk