

TOWN OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
MAY 08, 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
Seth Krull	Engineer-Clark Patterson Lee
Hon Daniel Thompson	Justice
Approximately 15 residents	
Roxane Sobecki	Clerk

Supervisor Schrantz opened the Board Meeting at 7:00 p.m. with the pledge to the flag.

**TOWN JUSTICE:**

Hon Thompson told the board some of the Village of Brocton local laws did not transfer over to the State's SEI program, the court is working this out and should be resolved soon. Hon Thompson asked the board if they had any questions regarding a letter, he had given them. Supervisor Schrantz told the board he would like to go into Executive Session regarding personal.

**MINUTES**

**37-19**

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

Nays 0

RESOVLED The Portland Town Board approves the Minutes from the April 10<sup>th</sup> and May 1<sup>st</sup> 2019 board meetings.

**DEPARTMENTAL REPORTS**

**38-19**

On a motion of Council Manzella, 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 OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
MAY 08, 2019 -7:00 P.M.

- Town Clerk
- Town Justice
- Dog Control

**TREASURY REPORT**

**39-19**

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

ADOPTED Ayes 5

Nays 0

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

**CORRESPONDENCE:**

Supervisor Schrantz read the following:

- Letter from County addressed to the Town of Portland LDC. Supervisor Schrantz stated he needs to investigate further this possibly could be regarding the grant the Town had years ago. It concerns property in the Village of Brocton that the Town maybe named on the mortgage, The Town could possibly acquire the property before it goes to tax auction. If the property gets in the Towns hands the Land Bank may take it down.
- Playground Inspection class- gave information to the Highway Superintendent.
- NYMER-reviewed all Town building's and policies.

**Residents of Greencrest:**

Residents of the Greencrest neighborhood addressed the board with zoning issues regarding a property on Patterson Lane, also discussed was drainage /water issues. It was stated the property on Patterson Lane has unlicensed vehicles, a boat, wood piled up by the road, commercial equipment in the yard that has not been moved. Pictures of the property from 2016 and 2019 were given to the board for their review. Another resident added the property is in very poor condition, holes in the roof etc. Asking if this could possibly be under a maintenance code issue? Supervisor Schrantz told the residents the board is reviewing the Town's code and local laws regarding some of these issues. Currently the Town only has a code/inspection officer for 18 hours a week. Supervisor Schrantz stated the Town may have to hire another person for the office. Also stated commercial equipment in a residential neighborhood should be addressed and added to the Town's zoning regulations. Supervisor Schrantz told the residents he will have more information by the June board meeting.

**VAN BUREN POINT:**

Marty Webster reiterated the issues the Van Buren Point is having with water and drainage. An additional \$20,000 was spent this year pumping water out. Ms. Webster told the board they had to rent a pump; the ones they have could not handle the water, one burnt out. Supervisor Schrantz stated he

TOWN OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
MAY 08, 2019 -7:00 P.M.

did review the area. He has been in contact with our County Legislature and the Army Corp of Engineers. Greencrest residents also stated they are having ongoing issues with drainage. Supervisor Schrantz told residents he is working on this and will keep them informed.

## **OLD BUSINESS**

### **VILLAGE/TOWN REPRESENTATIVE:**

Council Manzella is to attend the June 19<sup>th</sup> Village of Brocton Board Meeting.

### **TOWN HIGHWAY GARAGE:**

Supervisor Schrantz told the Board the Engineer is ready to go out to bid to correct the floor. Supervisor Schrantz is setting up a workshop meeting with the board and Paul Parker (engineer). Supervisor Schrantz requested to go into executive session regarding contractual contract issues.

### **CHADWICK BAY/NORTH COUNTY PROJECT:**

Next meeting for North County Water Project is scheduled for May 16<sup>th</sup>, 4:00 at the Fireside Restaurant, Chadwick Bay meeting to follow at 5:30. Supervisor Schrantz updated the board on the North County Water Project saying the other phase has stated from Silver Creek to Sheridan. Bids will be going out for five master meters. Council Miller asked the status of the Portland Water Tower. Supervisor Schrantz stated the next phase of the project the Water Tower will be taken down.

### **GREENCREST/VAN BUREN POINT DRAINAGE:**

Supervisor Schrantz told residents the engineer is trying to incorporate some of the drainage issues within the Water District 2 improvement project. This will not solve all the issues, but it should help. One resident stated their foundation is failing, they are raising their home, or they will lose the foundation. Supervisor Schrantz told resident the only way to solve this is to create a drainage district, the town is waiting to see what can be incorporated in Water District's 2 Project first. Also, the Town is trying to find grant funding.

### **WATER DISTRICT 2 IMPROVEMENT PROJECT:**

Engineer Seth Krull (Clark Patterson Lee) updated the board and residents on the improvement project. The project is moving forward. The funding agency Rural Development requires a lot of paperwork. Design on this project started last summer, the project is very involved with 4 1/2 miles of water main lines within the development. A lot going on in a small compact area with utilities and roadways. The engineer is trying to lay out water main locations that best fits within budget but avoiding utilities, try to minimize disturbance to properties. Of the 4 ½ miles of water main there will be over 300 service connections and about 130 easements will be needed. The next step will be to contact residents to review the project and obtain the easements. Once finalized the town can go out to bid for the project. The plan is to bid out late fall or early winter. Mr. Krull told the residents that they are trying to incorporate as much of the drainage issues under the scope of the project, this will help but not rectify all the drainage problems.

TOWN OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
MAY 08, 2019 -7:00 P.M.

**WATER DISTRICT 8:**

Supervisor Schrantz stated bids were open for Water District 8 on April 22<sup>nd</sup> at the Town Hall. Low bidder was J.D. Northrup Construction with a bid of \$1,575,040. This amount results in total project costs to be approximately \$81,040.00 greater than the approved total project cost of \$1,844,000.00. For the project to be awarded, the total project costs are to be lower than the approved total cost. To meet this requirement water meter pit assemblies for new services will be removed. The contractor and USDA concur with this.

**AWARD WATER DISTRICT 8 BID**

**40-19**

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

Nays 0

**Whereas**, Bids for Water District 8 project were opened on April 22, 2019. Low bidder for this project is JD Northrup Construction of Ellicottville, NY with a price of \$1,575,040.00. The submitted price results in the total project funding being over by approximately \$81,040.00.

**Whereas**, JD Northrup Construction is acceptable with removing Water Meter Pits from new water serviced bid items for the reduction of \$105,112.70 from their total bid price of \$1,575,040.00.

**Whereas**, this allows the total project funding to be within budget and award to be made.

**NOW, THEREFORE BE IT RESOLVED**, The Town of Portland Water District 8 Project be awarded to JD Northrup Construction of Ellicottville, New York in the amount of \$1,469,927.30.

Supervisor Schrantz stated the next step will be the pre-construction meeting.

**CODE OFFICE:**

Council Miller and Boltz will talk with the code officer to see what the needs are in the office. Possibly hiring another person and splitting the duties or give the code officer more hours.

**STREET LIGHTING:**

Supervisor Schrantz told the board two new LED streetlights have been installed in the Greencrest area for the boards review. For the conversion to LED it was decided to keep the same wattage. The Town will send a letter to National Grid to proceed forward with LED Street Lighting for the Town's 103 roadway lights. This will be at no cost to the Town.

**COMPREHENSIVE PLAN:**

The next meeting is scheduled for May 22<sup>nd</sup>, 7:00 at the Town Hall.

TOWN OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
MAY 08, 2019 -7:00 P.M.

**AUDITS:**

Council Manzella told the board an audit of the Tax Collector has been done; everything was in order. The Supervisor still needs an audit for 2018.

**WIND TURBINES:**

Supervisor Schrantz told the board he would like the board and planning board to meet to review the Wind Turbine Local Law. It was decided to meet May 29<sup>th</sup>, 7:30pm at the Town Hall with the planning board. Supervisor Schrantz said after this meeting he will contact EWT to schedule a meeting with them. Bill Moran asked if the process is moving forward. Supervisor Schrantz told him EWT Direct Drive Wind Turbines(The Netherlands) is moving forward with the application process for wind turbines, no application has been submitted or environmental study has been received at this date. This will be a board decision. Supervisor Schrantz stated he has asked EWT for other projects they have done. There are no similar turbines in New York State to look at. Supervisor Schrantz said he would like to see one of the sizes they are proposing (326 Feet) to know what the town will be dealing with. Diane Clark asked for a map of where the location will be. Ms. Clark told the board the materials from the turbines are not recyclable, they cannot be disposed of after the life of a turbine which is about 20 years. Ms. Clark asked the board what the benefit to the town will be. Supervisor Schrantz told her that is one of the things the board will have to look at. Supervisor Schrantz told the board and residents he is here to represent all people in the Town of Portland and will have to look at how it will benefit the Town of Portland as a whole.

Bill Moran told the board in the Compressive Plan that was done, people voiced their opinion on the importance of the view shed. Ms. Clark commented on the Arkwright Turbine project, saying she knows of four people who don't want to live there anymore due to noise, flicker affect, etc. Mr. Moran also addressed health issues. Supervisor Schrantz thanked the residents.

**MARMADUKE COMMITTEE:**

Council Manzella stated the committee is still waiting on one of their signs.

**DOG CONTROL:**

NYS Ag. & Mkt inspected the dog pound April 11, 2019. Pound and dog control's paperwork rated Satisfactory.

**HIGHWAY DEPARTMENT:**

Highway Superintendent Becker gave the board a list of roads in the Town of Portland that will be oiled and stoned for their signatures.

Mr. Becker told the board he has been approached by the school to fill in the potholes from the bus garage to School Street. The school will pay for all material. Mr. Becker stated the road is in very bad shape. He said the work would take about an hour to do. Council Manzella was not in favor. After

TOWN OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
MAY 08, 2019 -7:00 P.M.

some discussion it was decided to see if the Town or Village has a shared service agreement with the school.

Fuel Depot computer is still down, waiting on cost of a new one.

**SURPLUS TRUCK**

**41-19**

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

ADOPTED Ayes 4 Schrantz, Boltz, Farrell, Manzella, Miller

Nays 0

RESOLVED the Portland Town Board authorizes the Highway Superintendent to surplus 1993 Ford 9000 and advertise on Auction International.

Discussed applying for another equipment grant thru USDA.

Highway Superintendent told the board the 2016 truck warranty has expired, he gave the board the cost of a new truck with the trade in. He also mentioned CBI water maybe interested in purchasing the 2016 pickup truck.

**PAY BILLS**

**42-19**

On a motion of Council Boltz, 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 bills for May 2019.

GENERAL FUND	\$11,340.42
TOWN OUTSIDE VILLAGE	\$508.56
HIGHWAY TOWNWIDE	\$17,543.47
HIGHWAY OUTSIDE VILLAGE	\$9,556.38
LIGHT	\$531.39

**EXECUTIVE SESSION:**

On a motion of Council Manzella, seconded by Council Miller the Board moved into Executive Session at 9:10 pm to discuss personal regarding the Justice Department and Highway Garage Floor Litigation.

On a motion of Council Miller, seconded by Council Manzella the Board returned to Regular Session at 10:10 p.m.

TOWN OF PORTLAND BOARD MEETING  
PORTLAND TOWN HALL  
MAY 08, 2019 -7:00 P.M.

**COURT CLERK**

**43-19**

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 Vera Husted to remain in the Justice Department for 3 more months (July, August, and September 2019) as an advisory to the Justice Department, not to exceed ten hours per week.

With no further business, on a motion of Council Farrell, seconded by Council Boltz the meeting adjourned at 10:11 p.m. Carried unanimously.

Respectfully Submitted by,