

TOWN OF PORTLAND BOARD MEETING
PORTLAND TOWN HALL
SEPTEMBER 11, 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
Eric Holton	EWT Direct Drive Wind Turbines
Approximately 70 residents	
Joel Seachrist	Attorney
Roxane Sobecki	Clerk

Supervisor Schrantz opened the Board Meeting at 7:00 p.m. with the pledge to the flag. A moment of silenced followed in remembrance of 911.

MINUTES

74-19

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 Minutes from the August 14th and 26 board meetings.

DEPARTMENTAL REPORTS

75-19

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 Departmental Reports as presented:

Monthly reports received and filed:

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

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TREASURY REPORT

76-19

On a motion of Council Manzella, 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 Treasury Report for August 2019 as presented by the Supervisor.

JUSTICE:

Judge Husted thanked the board, her appoint will end at the end of September. She stated all the Village of Brocton cases have been transferred to Portland. She thanked Court Clerk's Gugino and Cave for all their hard work. Supervisor Schrantz and the board thanked Judge Husted.

CORRESPONDENCE:

Supervisor Schrantz read the following:

- Ribbon Cutting Ceremony-E21 Solar Farm on September 20th, 5-7 at 5695 Martin Rd.
- AT&T Communications of New York notice of petition under Article 7 of Real Property Tax Law against the Town of Portland.

77-19

On a motion of Council Boltz, seconded by Council Manzella the following resolution was ADOPTED Ayes 5 Schrantz, Boltz, Miller, Farrell, Manzella

Nays 0

RESOLVED the Town of Portland will engage Hodgson Russ LLP Attorneys for counsel regarding AT&T Communications of New York's Notice of Petition.

- Several letters from residents regarding Wind Turbines and a petition against Wind Turbines from the residents of Star Apartments. Supervisor Schrantz told residents they will be on file in the clerk's office for anyone who wants to review them.

PUBLIC COMMENT:

Numerous residents addressed the board pro and con about Wind Turbines within the Town of Portland. Residents have concerns regarding noise, flicker, DBA's, health concerns, property value, proper setbacks and Infrasound. Residents asked that the Moratorium on Wind be extended saying this is a major undertaking and the Town needs a law that must protect citizens. It was asked that the board do their research. It was asked of the board for a quality wind ordinance with a written property guarantee, a half mile to one-mile setback from property lines, 45 DBA's from 8 a.m. to 8 p.m. and 35 DBA's from 8 p.m. to 8 a.m., environmental test after decommission paid for by the wind company or landowner, opening an escrow account. It was stated that the laws of the Town's of Richland and Somerset are pro health and safety of the residents. A resident from the Town of Arkwright told the board she has been living by wind turbines for over a year, she invited the board to her home to see for

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themselves. She discussed infrasound and some of her health issues she has been experiencing after the turbines were put up. One resident asked the board to review the Wind Local Law better than the Solar Law. Some spoke in favor of the Turbines; a letter was partially read from the law firm of Arnold & Porter in support of renewable energy. The letter stated the project currently meets all zoning restrictions, including the height and setback requirements. It stated the laws of Richland and Somerset are barriers to any meaningful wind energy development. If Portland is to responsibly promote wind development these are the wrong models. Also, several laws referenced where Lowville, Harrisburg, Greenwood, West Union, and Charlotte for the board to review. It was stated people should be able to do what they want on their own property. Eric Holton of EWT stated they had also submitted a letter to the board. He told the board these projects are being built as community projects, by state law the energy goes to small commercial and residential customers. This energy cannot be exported over state lines or to Canada. Mr. Holton stated this is a completely different program than Arkwright, with smaller turbines (326-ft). He asked when reviewing other town laws as models, to consider towns that already have existing wind development. The towns of Summerset and Richland wind laws are anti-wind. Mr. Holton told the board NYSERTA will be releasing a model wind ordinance within the next few months. Supervisor Schrantz thanked everyone for their comments.

OLD BUSINESS:

VILLAGE/TOWN REPRESENTATIVE:

Councilman Miller told the board he attended the last Village of Brocton board meeting. He stated the Village is very interested in sharing a full-time zoning officer with the town. Supervisor Schrantz said he will schedule a meeting to review this.

BATTERY ENERGY STORAGE SYSTEM:

Attorney Seachrist will review and possible add to the current solar law.

TOWN HIGHWAY GARAGE:

The contract has been signed by the town and sent to Northland Contracting for their signatures.

CHADWICK BAY/NORTH COUNTY WATER PROJECT:

Next meeting will be September 19th, 4:00 at the Fireside restaurant.

GREENCREST/VAN BUREN POINT DRAINAGE:

Paul Parker of Urban Engineers has been working with Van Buren Point directors, they are looking for grant money for the drainage issue. They are also looking at the gabion wall which is in poor shape. He has been in contact with the Army Corp of Engineers to see what can be done.

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WATER DISTRICT 2:

Supervisor Schrantz told the board a company has come in to locate all the water lines in the Van Buren area, this is to get a better idea of where easements will be needed. Planning on early spring to bid out the project.

WATER DISTRICT 8:

The project is moving forward, work should begin in the next few weeks.

COMPREHENSIVE PLAN:

Supervisor Schrantz stated a meeting will be scheduled in the fall.

NEW BUSINESS:

BOARD OF ASSESSMENT AND REVIEW

78-19

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

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

Nays 0

RESOLVED the Portland Town Board appoints David Hazelton to the Board of Assessment and Review commencing October 01, 2019 thru September 30, 2024.

FIRE CONTRACTS:

Supervisor Schrantz stated these need to be reviewed.

LED STREET LIGHTS:

Supervisor Schrantz told the board all the streetlights within the Town of Portland will be converted into LED lights. Work will be done over the next 2 to 3 weeks.

BOARD MEMBERS:

Councilman Miller and Manzella discussed the meeting they attended with a representative from the State Health Department and Fire Departments to review having one EMS district, currently there are three.

A meeting will be schedule with represents from the Town, Village, Brocton and Portland fire departments to review this.

HIGHWAY DEPARTMENT:

Superintendent Becker told the board all the major roadwork has been completed. He discussed with the board hiring summer help to mow all the town's properties.

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BILLS

79-19

On a motion of Council Boltz, seconded by Council Miller the following resolution was ADOPTED Ayes 5 Schrantz, Boltz, Miller, Farrell, Manzella

Nays 0

RESOVLED the Portland Board approves the bills for September 2019.

GENERAL FUND	\$7,283.87
TOWN OUTSIDE VILLAGE	\$227.80
HIGHWAY TOWNWIDE	\$91.63
HIGHWAY OUTSIDE VILLAGE	\$97,197.70
LIGHT	\$497.62

With no further business, on a motion of Council Manzella, seconded by Council Farrell the meeting adjourned at 8:25 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki
Town Clerk