

TOWN OF PORTLAND RE-ORGANIZATIONAL MEETING/BOARD MEETING  
PORTLAND TOWN HALL  
JANUARY 08, 2020 – 7:00 P.M.

**BOARD MEMBERS PRESENT:**

Daniel Schrantz	Supervisor
Patti Farrell	Council
Rick Manzella	Council

**BOARD MEMBERS ABSENT:**

Jerry Boltz	Council
Gary Miller	Council

**OTHERS PRESENT:**

Ken Becker	Highway Superintendent
Joel Seachrist	Attorney
Art Miller	Village of Brocton Trustee
Eric Holton	EWT Direct Drive Wind Turbines
Roxane Sobecki	Town Clerk
Approximately 6 to 7 residents	

Supervisor Schrantz opened the meeting at 7:07 p.m. with the pledge to the flag.

The Affidavit of Publication to hold the Annual Organizational Meeting was posted in the Observer on December 26, 2019.

Supervisor Schrantz and the Board reviewed the Re-organizational and Procurement policy for 2020.

**01-20**

**RE-ORGANIZATIONAL/PROCUREMENT POLICY 2020**

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

ADOPTED Ayes 3 Schrantz, Manzella, Farrell

Nays 0

Absent 2 Miller, Boltz

RESOLVED the Portland Town Board approves the Re-Organizational and Procurement Policy for 2020:

## **Re-Organizational - 2020**

**DESIGNATION OF MEETING NIGHT** BY THE SUPERVISOR RESOLVED that the official meeting night for the Town of Portland Board shall be the second Wednesday of each month at 7:00 p.m.

**DESIGNATION OF OFFICIAL NEWSPAPER** BY THE SUPERVISOR RESOLVED that the Dunkirk Observer shall be the official newspaper for the publication of the Town's legal notices.

**TOWN BOARD SALARIES** BY THE BUDGET OFFICER WHEREAS, the Town Board for the Town of Portland set individual town salaries in the town budget, advertised such salaries and held a public hearing on

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them; THEREFORE, BE IT RESOLVED; Pursuant to Section 27(1) of the Town Law, salaries shall be set in the amount of the annual Town Budget.

**SETTING HIGHWAY EMPLOYEES HOURLY RATE OF PAY** RESOLVED the hourly rate of pay of all full-time highway employees under the CSEA Agreement shall be **21.35 per hour** per Union Contract. First Year Employees 90% of rate, Second Year Employees 100% of rate.

**SETTING ALL OTHER SALARIES & HOURLY EMPLOYEES RATE OF PAY**

Supervisor	\$8,000/year
BUDGET OFFICER	\$1,400/year
Councilperson (4)	\$3,150/year (each)
Superintendent of Highways	\$58,539
Town Justices (2)	\$11,150/year (each)
Court Clerk	\$17.79 (per union contract)
Assistant Court Clerk	\$15.00 /per hour
Town Clerk	\$31,768/year
Tax Collector	\$7,750 /year
Deputy Tax Collector	\$15.00 per hour
Assessor	\$31,500/year
Dog Control Officer	\$8,900/year
Zoning & Inspection Officer (part time)	\$26.59 per hour
Zoning & Inspection Officer (full time)	\$23.00 per hour
Clerk II	\$15.00 per hour
Historian-Museum	\$15.00 per hour

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**DESIGNATION OF BANK DEPOSITORIES AND AUTHORIZING DEPOSIT AND INVESTMENT OF ALL TOWN MONEY BY THE BUDGET OFFICER**

WHEREAS, Section 11 of the General Municipal Law provides that the town may authorize the Supervisor to deposit or invest money not for immediate expenditure in a special deposit accounts or certificate of deposit issued by a bank,

RESOLVED, the Town Board authorizes the use of online banking service though M&T Commercial services with the following persons having user access: Supervisor Daniel Schrantz, Town Clerk Roxane Sobecki and, Town Accountant Daniel Laurito of Bahgat & Laurito-Bahgat.

THEREFORE, BE IT RESOLVED, Community Bank, N.A. New York; Bank of New York, MBIA Class Cooperative of Armonk and M&T Bank, New York be designated as the official depositories for deposits of all money received by the Supervisor and all other Town Officers, and the Supervisor is authorized to invest in the United States Government Securities approved by the State Comptroller,

THEREFORE, BE IT FURTHER RESOLVED; the Supervisor is hereby authorized to determine the rate and time of the payment of interest on the above authorized deposits and investments.

**DESIGNATION OF ACCOUNTANT/BOOKKEEPING SERVICES** by the Town Board Resolved the Supervisor is authorized to sign the 2019 Bookkeeping Services with Bahgat & Laurito-Bahgat Certified Public Accountants & Advisors at a rate of \$1,400 per month.

**APPOINTING DEPUTY SUPERVISOR** WHEREAS, from time to time the Supervisor needs the deputy to act for him in making deposits, sign of payroll checks and receiving supplies from the Board of Elections, County Clerk, and other such official acts that he may not be able to do himself; THEREFORE, BE IT RESOLVED, Pursuant to Section 42 of the Town Law, that the Supervisor appoints **Jerry Boltz, Deputy Supervisor**, without salary for a period of one year from January 01, 2020 through December 31, 2020.

**APPOINTMENT OF SECRETARY TO SUPERVISOR & TOWN BOARD** BY THE SUPERVISOR RESOLVED that **Roxanne McFadden** is appointed Secretary to the Supervisor and Town Board for a period of one year from January 01, 2019 through December 31, 2019 paid per hour not to exceed \$350.00.

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**APPOINTMENT OF TOWN BOARD COMMITTEES BY THE SUPERVISOR**

**APPOINTMENT OF TOWN BOARD COMMITTEES:**

**2020**

HIGHWAY	Rick Manzella	Jerry Boltz
AUDIT	Patti Farrell	Gary Miller
YOUTH	Patti Farrell	Rick Manzella
PARKS & HISTORICAL	Patti Farrell	Jerry Boltz
INSURANCE	Rick Manzella	Patti Farrell
WATER	Rick Manzella	Gary Miller
BUILDING	Jerry Boltz	Gary Miller
DOG CONTROL	Rick Manzella	Gary Miller
NEGOTIATION	Patti Farrell	Jerry Boltz
CABLE	Jerry Boltz	Patti Farrell
PLANNING BOARD & ZONING BOARD	Rick Manzella	Gary Miller
TRASH & RUBBISH	Rick Manzella	Patti Farrell
JUSTICE	Jerry Boltz	Gary Miller
ASSESSING	Jerry Boltz	Gary Miller
JOINT SERVICES	Rick Manzella	Gary Miller
FIRE DEPARTMENT	Gary Miller	Jerry Boltz
FUEL DEPOT	Patti Farrell	Rick Manzella
Library	Gary Miller	Rick Manzella
Solar/Wind	Rick Manzella	Gary Miller

**MILEAGE RATE** BY THE SUPERVISOR RESOLVED, that the Town of Portland shall pay **57.5** cents per mile for the use of private vehicles for Town Official, when on town business for 2020.

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**APPOINTMENT OF SUPERINTENDENT OF FIRES AND FIRE WARDENS BY THE TOWN BOARD** RESOLVED that Pursuant to Town Law Section 29(12) Jerry Boltz shall be designated to act as Superintendent of Fires for the ensuing year in the case of the absents of the Town Supervisor and Pursuant to Section 3-1911 of the Conservation Law, the Town Board appoints the following Fire Wardens from January 02, 2020 through December 31, 2020-**Harold Smith, Tim Farnham, and Jim Deakin, without salary.**

**APPOINTMENT OF DOG CONTROL OFFICER BY THE TOWN BOARD**

RESOLVED, that **Clarence Grover** is re-appointed Dog Control Officer for the Town of Portland from January 01, 2020 through December 31, 2020 at a rate of pay of \$8,900/year, with **Diane Grover** acting as Deputy Dog Control Officer with a salary not to exceed \$200.00.

**PROCUREMENT POLICY BY THE TOWN BOARD**

RESOLVED the Portland Town Board adopts the Town Procurement Policy for 2020.

**PRIOR APPROVAL FOR PURCHASES UP TO \$3,000.00 BY THE HIGHWAY SUPERINTENDENT AND**

**\$500.00 BY THE SUPERVISOR** RESOLVED, that the Superintendent of Highways be authorized to purchase any small piece of hand equipment and parts to replace tools and implements for the Highway Department in the amount not to exceed \$3,000.00 per single item without prior approval of the Town Board; for the purchase of any piece of equipment or supplies in excess of the amount pursuant to the Town Board Procurement Policy; THEREFORE BE IT FURTHER RESOLVED, that the Supervisor be authorized to purchase any necessary equipment and supplies needed for the Town Board in the amount not to exceed \$500.00 per single item for the year beginning January 01, 2020.

**APPOINTMENT TO THE PLANNING BOARD BY THE TOWN BOARD** RESOLVED, that **Robert Patterson Sr.**

Is re-appointed to the Planning Board for a five -year term beginning January 01, 2020 through December 31, 2024.

**RE-APPOINTMENT OF CHAIRMAN TO THE PLANNING BOARD BY THE TOWN BOARD** RESOLVED, that

**Harold Smith** re-appointed as Chairman of the Planning Board for a one -year term beginning January 01, 2020 through December 31, 2020.

**RE-APPOINTMENT OF THE ZONING BOARD OF APPEALS BY THE TOWN BOARD**

RESOLVED, that **Mike Felsman** appointed to the Zoning Board of Appeals for a Five-year term beginning January 01, 2020 through December 31, 2024.

**RE-APPOINTMENT OF CHAIRMAN OF THE ZONING BOARD OF APPEALS BY THE TOWN BOARD**

RESOLVED, that **Lowell Reynolds** is re-appointed as Chairman of the Zoning Board of Appeals for a one -year term beginning January 01, 2020 through December 31, 2020.

**DESIGNATION OF LEGAL COUNSEL BY THE TOWN BOARD** RESOLVED that **Joel Seachrist Law Offices, P.C.** is appointed Attorney for the Town of Portland at a rate of \$125.00 per hour and the Supervisor is authorized to enter into a retainer agreement for a period of January 01, 2020 through December 31,

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2020. BE IT FURTHER RESOLVED, that should a conflict of interest arise, the Town Council Board will retain another attorney of choice.

**APPOINTMENT OF DEPUTY HIGHWAY SUPERINTENDENT BY THE HIGHWAY SUPERINTENDENT** RESOLVED, that **Rick Comstock** is appointed Highway Deputy Superintendent for a one- year term beginning January 01, 2020 through December 31, 2020 with a \$1,300.00 annual salary.

**APPOINTMENT OF LOCAL HISTORIAN BY THE SUPERVISOR** RESOLVED, that **Rob Pawlak** is appointed as TOWN HISTORIAN beginning January 01, 2020 through December 31, 2020. BE IT FURTHER RESOLVED that **Jim Boltz** be appointed Assistant to the Local Historian for a one -year term beginning January 01, 2020 through December 31, 2020.

**RE-APPOINTMENT OF REGISTRAR OF VITAL STATISTICS BY THE SUPERVISOR** RESOLVED, that **Roxane Sobecki**, Town Clerk, be appointed the Registrar of Vital Statistics beginning January 01, 2020 through December 31, 2020.

**APPOINTMENT OF DEPUTY TOWN CLERK AND REGISTRAR OF VITAL STATISTICS BY THE TOWN CLERK** RESOLVED, that **Roxanne McFadden** be appointed to a one- year term as Deputy Town Clerk beginning March 01, 2020 through December 31, 2020 at an hourly rate of \$15.00, and **Darlene Fox** be appointed to a one-year term as Deputy Town Clerk beginning January 01, 2020 through December 31, 2020 at a stipend of \$3,000 for the year 2020, and BE IT FURTHER RESOLVED that **Roxanne McFadden** and **Darlene Fox** be appointed to a one- year term, beginning January 01, 2020 through December 31, 2020, as Deputy of Registrar of Vital Statistics, without salary.

**APPOINTMENT OF DELEGATE TO THE LAKE ERIE CONCORD GRAPE BELT HERITAGE ASSOCIATION, INC.** BY THE TOWN BOARD RESOLVED, that **Robert Patterson Sr.**, be appointed as delegate from the Town of Portland to the Lake Erie Concord Grape Belt Heritage Association beginning January 01, 2020 through December 31, 2020.

**AUTHORIZING TOWN SUPERVISOR TO SIGN SHARED SERVICE AGREEMENT WITH THE COUNTY** RESOLVED, that the TOWN SUPERVISOR FOR THE TOWN OF PORTLAND be authorized to sign the Shared Service Agreement and any addendums for the year 2020.

**APPROVING THE TOWN BOARD TO PAY ASSOCIATION OF TOWNS DUES** that the Town Board for the Town of Portland pay the Annual Town Association Membership Dues for the year beginning January 01, 2020 as authorized by Article 8 of the Town Law. These dues are computed from the latest complete information of the Town's "Total Town Revenue" as reported to the Office of the State Comptroller.

**DESIGNATION OF REPRESENTATIVES AT THE ASSOCIATION OF TOWN MEETING** RESOLVED, that Roxane Sobecki is hereby authorized to attend the annual meeting of the Association of Towns in New York City. Roxane Sobecki is authorized to represent the Town at the Annual Business Meeting of the Association

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of Towns and that the Town Clerk will furnish her with the letters of appointment to be presented to the Association Rules Committee:

THEREFORE, BE IT FURTHER RESOLVED that **Roxane Sobecki** is named as alternate of the Annual Business Meeting of the Association. AND BE IT FURTHER RESOLVED that the expenses of the Town Delegates for rooms, meals and telephone service be billed to the Town. The Town will pay up to three night's accommodations at single room rates and four days of meal allowance at \$100.000 per day.

**APPOINTMENT OF DEPUTY TAX COLLECTOR BY THE TAX COLLECTOR** RESOLVED, that **Diane Grover** is appointed as Deputy Tax Collector for a one- year term beginning January 01, 2020 through December 31, 2020 at \$15.00 per hour.

**APPOINTMENT OF SECRETARY TO THE PLANNING BOARD**, RESOLVED, that the secretary to the Planning Board shall be paid a \$50.00 stipend for each meeting beginning January 01, 2020 through December 31, 2020, not to exceed 12 meeting within the year.

**CHADWICK BAY REPRESENTATIVE** RESOLVED, that Portland Town Supervisor **Daniel F. Schrantz and Jerry Boltz** be appointed to Chadwick Bay as the Town of Portland's representatives beginning January 01, 2020 through December 31, 2020.

**ZONING/PLANNING BOARD** RESOLVED, pay rate for Zoning and Planning Board members are **\$500** for chairman and **\$300** for members for the year. Stipend will be paid in December, pay will be prorated if term served is less than a year.

## MINUTES

### 02-20

On a motion of Council Farrell, seconded by Council Manzella the board made the following resolution  
ADOPTED Ayes 3 Schrantz, Manzella, Farrell

Nays 0

Absent 2 Miller, Boltz

RESOLVED The Portland Town Board approves the Minutes from the December 11<sup>th</sup> and December 30, 2019, board meetings. Note correction in the December 11<sup>th</sup> meeting under Code Officer hourly rate, rate should read: Hourly rate of \$23.00/hour with full benefits, at 30 hours per week to start.

## DEPARTMENTAL REPORTS

### 03-20

On a motion of Council Farrell, seconded by Council Manzella the board made the following resolution  
ADOPTED Ayes 3 Schrantz, Manzella, Farrell

Nays 0

Absent 2 Miller, Boltz

RESOLVED the Portland Town Board approves the Departmental Reports as presented:  
Monthly reports received and filed:

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

**CORRESPONDENCE:**

- Southern Tier West-Powers & Duties Training on February 20<sup>th</sup>, 6-8 pm.

**Supervisor Schrantz read his goals for 2020:**

1. Continuation and completion of water district no. 8.
2. Aggressively continue to seek the necessary funding and grants to proceed to the next step for construction and bidding out water district no. 2 rebuild and improvements.
3. Move forward to creating a drainage district for the Greencrest and Van Buren area.
4. Continue to work with the North Chautauqua County Water District to continue with new water mains and system to supply water from the City of Dunkirk for more stable water rates and to have available water supply for economic growth and for Municipalities to have the ability to expand their water district if needed.
5. Continue to review the new comprehensive plan to recommend what areas to begin to implement.
6. Continue to pursue shared services to investigate ways to reduce costs while providing the best services to taxpayers.
7. Up grading and reviewing the wind turbines and solar laws and projects for the residents of the Town of Portland.

**CALL PUBLIC HEARING/SOLAR**

**04-20**

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

ADOPTED Ayes 3 Schrantz, Manzella, Farrell

Nays 0

Absent 2 Miller, Boltz

RESOLVED, that the Town Board of the Town of Portland will hold a public hearing on February 12, 2020 at 7:00 p.m. at the Town of Portland Administration Building, 87 West Main Street, Brocton, New York, regarding the application of Abundant Solar Power (Portland), LLC for a Solar Energy System Overlay District and special use permit for a solar energy facility proposed to be located on approximately 22.8 acres of land at 5771 Route 20, designated on the Chautauqua County tax maps as Section 145.00, Block 3, Lot 37.2.

Supervisor Schratnz stated he will be scheduling a meeting regarding the moratorium the town has on Wind Turbines.

Attorney Seachrist left the meeting at 7:25 p.m.



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**PUBLIC COMMENT:**

Residents discussed with the board solar and wind. It was stated the Town needs laws in place that show the Town does take renewal energy seriously. It was asked to put reasonable restrictions on Wind and Solar. Eric Holton of EWT Wind Turbines told board members his company is working on a visual assessment. This will show board members and residents what the turbines will look like at the requested locations. The County Health Dept. letter to all towns suggested a mile and one half setback for turbines, it was pointed out if the Town where to implement a mile and one half setback there is not one spot in the Town of Portland that a turbine could be constructed.

**VILLAGE/TOWN REPRESENTATIVE:**

Village of Brocton Trustee Art Miller was present. Discussion followed regarding the shared code officer and CBI water billing.

Supervisor Schrantz told the board the agreement between the Village of Brocton and the Town for a shared Code Officers has been completed by the attorney, just waiting for the Village to sign before we can move forward.

**CHADWICK BAY/NORTH COUNTY WATER PROJECTS:**

Supervisor Schrantz told board members Chadwick Bay is taking away it's corporation status which is very costly. This will still be a regional organization. Also working on changing its bylaws. North County Water Meeting will be on January 9<sup>th</sup>, 4:00 at the Fireside.

**GREENCREST/VAN BUREN DRAINAGE:**

Supervisor Schrantz will be setting up a meeting with the engineer, town attorney and himself

**WATER DISTRICT 2 IMPROVEMENT PROJECT:**

Working on core boring, the attorney and clerk will be working on all easements needed.

**WATER DISTRICT 8:**

Supervisor Schrantz stated the project is moving forward, residents from Highland Ave. to Fay Street in Portland can now hook into the water. Letters will be sent to all residents within this district.

**FORM E-3 WD8**

**05-20**

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

ADOPTED Ayes 3 Schrantz, Manzella, Farrell

Nays 0

Absent 2 Miller, Boltz

RESOLVED the Portland Town Board authorizes the Supervisor to Sign Form 3 for Water District 3. Construction to JD Northrup \$146,380.75, Technical Services \$20,400.

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**TOWN COMPUTERS**

**06-20**

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

ADOPTED Ayes 3 Schrantz, Manzella, Farrell

Nays 0

Absent 2 Miller, Boltz

RESOLVED the Town Board approves Estimate #54 from the Town's IT person Michael Joslyn, to update all computers to Windows 10, software, support licenses for Microsoft and possibly replacement of 3 machines.

**AUDITS:**

The Board audit committee will audit the Town Clerk and Court Clerk on January 28<sup>th</sup>, 8:00 a.m.

**HIGHWAY DEPARTMENT:**

Highway Superintendent Becker told the board we need to stay on top of the drainage issues in VBP and Greencrest. He also spoke about shared services with the Village for mowing all Town and Village properties.

**PAY BILLS**

**07-20**

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

ADOPTED Ayes 3 Schrantz, Manzella, Farrell

Nays 0

Absent 2 Miller, Boltz

RESOLVED the Portland Town Board approves bills paid for January 2020.

GENERAL FUND	\$5,834.20
HIGHWAY OUTSIDE VILLAGE	\$5,827.16
CAPITAL PROJECTS	\$148,197.00

With no further business, on a motion of Council Manzella, seconded by Council Farrell the meeting adjourned at 8:10 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki  
Town Clerk

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