

TOWN OF PORTLAND  
BOARD MEETING  
PORTLAND TOWN HALL  
MAY 13, 2020 – 7:00 P.M.

**BOARD MEMBER PRESENT:**

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

**BOARD MEMBER ABSENT:**

Gary Miller	Council (conference call)
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**OTHERS PRESENT:**

Joel Seachrist	Attorney
Ken Becker	Highway Superintendent (conference call)
Roxane Sobecki	Town Clerk
Dale Carlson	

Supervisor Schrantz opened the meeting at 7:00 with the pledge to the flag.

Supervisor Schrantz stated we are experimenting with a phone conferencing system tonight to see how it works for future meeting.

**MINUTES**

**35-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzella

Nay 0

Absent 1 Miller

RESOLVED The Portland Town Board approves the Minutes from the previous meeting as presented.

**DEPARTMENTAL REPORTS**

**36-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzella

Nay 0

Absent 1 Miller

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

Monthly reports received and filed:

- Town Clerk
- Code Office

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**TREASURY REPORT**

**37-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED the Portland Town Board approves the Treasury Report for April 2020 as presented by the Supervisor.

**CORRESPONDENCE:**

Supervisor Schrantz read the following

1. Jenean Roth-Petition from Portland/Brocton residents against the future construction of any wind turbines.
2. Dale Carlson-the letter discussed the Abundant Solar project, stating not certain what stage has been reached. Suggested a Host community agreement that would benefit all Portland residents. Town areas of concern-Community Park with repairs and expansion and Portland Fire Department, in need of a replacement truck.
3. Dale Carlson-Wind Law-stating one of the 3 or 4 major concerns seems to be setback requirements, stating the law can be amended to accommodate the benefits and concerns of the residents as well as the project owners. The letter included a graft of proposed setbacks prorated downward for smaller towers.
4. William Westin-asked the board to abide by the Chautauqua County Health Departments recommendation that the set back for Wind Turbines be 1.5 miles.
5. Roxanne McFadden- support of extending the moratorium on Wind Turbines.
6. Dale Carlson-letter stating the wind law moratorium is due to expire, until the State's restrictions are lifted or until Portland has established an acceptable video conferencing system, the process cannot be properly and transparently conducted. A draft resolution was attached.
7. Valerie Pawlak-Great Lakes Council
8. Chaut. County Dept. of Human Resources.
9. Chautauqua Hometown Heroes Veterans Memorial-a Memorial is being constructed in Mayville. Supervisor Schrantz read a list of Veterans that were "Killed in Action-POW/MIA-Died non-Battle-Purple Heart Recipient" that will be on this Memorial. A list of Portland Veterans that will be on the memorial can be viewed at the Clerk's office.

Supervisor Schrantz read the Resignation Letter from Thomas Webb, the letter stated due to moving out of Portland in the near future he will no longer be able to serve on the BAR.

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**38-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED the Portland Town Board accepts the resignation of Thomas Webb from the Board of Assessment and Review, effective immediately.

Supervisor Schrantz read a letter of interest from Dale Carlson to become a member of the Board of Assessment Review.

**39-20**

**APPOINTMENT TO THE BAR**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED the Portland Town Board appoints Dale Carlson to the Board of Assessment Review to fill the position of Thomas Webb with a term to expire September 31, 2020.

**WIND/SOLAR**

The board and attorney discussed the Wind Moratorium which is due to expire at the end of May. The board decided with COVID-19 it may be best to extend the moratorium six more months.

**40-20**

**PUBLIC HEARING/WIND MORATORIUM**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED a Public Hearing will be held by the Portland Town Board on May 28, 2020, regarding Local Law No. 1 of 2020. The proposed local law would extend the current moratorium on the construction of large-scale wind farms for six months.

Supervisor Schrantz stated this Public Hearing will be limited to electronic means due to the New York on PAUSE. Clerk Sobecki will post on the website login information for this meeting.

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**EWT COMMUNITY WIND PROJECT:**

Supervisor Schrantz stated Eric Holton, of EWT sent to the board a summarize and highlighted presentation for review. Mr. Holton asked the board to possible have a video conference or phone call to walk through the presentation and answer any questions the board may have. Supervisor Schrantz told the board he would like to setup some type of conference. Attorney Seachrist suggested using his office, stating he has a large screen for a video conference.

**GREENCREST/VAN BUREN POINT DRAINAGE:**

Supervisor Schrantz read a letter from Jeanne Colombo (Greencrest resident), the letter asked when will residents be seeing the water line project commencing. Ms. Colombo stated she would like some independent yard work done, asking if she should wait. Ms. Colombo asked for an approximate, or real date, for when the work will commence and how long will the project continue. The letter also asked when Patterson Lane be redone, with proper run off. She asked about the Town's use of the Greencrest right of way that goes down Wilson. The Break wall has been damaged. She stated the drainage pipe is no longer secure, asking when this would be fixed. Highway Superintendent Becker stated the ice did some damage, when the weather is better the Highway Department will address the the issue off Wilson. Supervisor Schrantz told board members he has been in contact with the engineer regarding the Water District 2, and possibly sending out surveys to residents in that district regarding this project. Supervisor Schrantz stated due to COVID-19 this project has been delayed. Attorney Seachrist stated there are over 100 easements needed for this project, he is making progress and should have them done soon. Supervisor Schrantz stated he will respond back to Ms. Colombo.

**WATER DISTRICT 8**

**41-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED The Portland Town Board authorizes the Supervisor to sign Form E 6, the Board also approves the Pay Application #7 in the amount of \$230,097.09 and Pay Application #8 in the amount of \$130,474.46 to J.D. Northrup Contraction, Inc.

Supervisor Schrantz updated the board on Water District 8 project. All water lines are in place and residents can hook in at any time. Regarding restoration work, Highway Superintendent Becker and Supervisor Schrantz had many areas of concern. Mr. Schrantz told the board some people can't even mow their yards in areas. Mr. Becker stated a lot needs to be addressed and resolved, from resident's yard restoration to blacktop issues. Supervisor Schrantz told the board the town will hold back the retainer money until these issues are corrected.

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**AUDIT:**

Council Manzella said he will be contacting the Tax Collector for her audit.

**COVID-19:**

Supervisor Schrantz told board members the town needs to come up with a plan regarding opening and protecting the employees and residents. Highway Superintendent Becker told the board his crew will be working full hours, he will be splitting the crew up, having staggered lunch and breaks.

**ZONING OFFICE TABLET/PROGRAM**

**42-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED the Portland Town Board approves the Code Officer to purchase a tablet with updates to BAS program at a cost of \$1,200. The Village of Brocton will pay 1/3 of cost.

**SEAL TOWNHALL PARKING LOT:**

Supervisor Schrantz asked the Highway Superintendent to get quotes to seal the parking lot.

**BOARD MEMBERS:**

Attorney Seachrist told the board the Governor thru the budget process is trying to do away with Article 10, saying it's taking too long. Article 10 is a section of the law that deals with renewable energy projects over 25 MW. Over 25 MW is taken out of local control, the Governor can override any local law. To speed the development of large energy resources the Governor has created the Office of Renewable Energy Siting (ORES). Attorney Seachrist told the board regulations are still being written. Projects that are starting now can stay with Article 10 or go to the new process. He stated there is a lot of uncertainty given the virus. Attorney Seachrist stated going back to the County Health Departments recommendations of a mile and one-half setbacks, given Article 10 or ORES if a large project were to come along it may be out of the local municipalities hand.

Council Miller stated his concern regarding sales tax loss due to COVID-19, saying the Town needs to be budget cautious.

**HIGHWAY DEPARTMENT:**

Highway Superintendent said Large Trash Day will be held on May 16<sup>th</sup> from 8-2 at the Village of Brocton Tool House. He discussed with the board the condition of the Museum roof, stating the back half needs to be replaced.

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**ROAD-PAVING/OIL & STONED**

**42-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED Superintendent Becker gave a list of roads that will be oil & stoned or paved this year (2020) for their review and signatures.

Ellicott Road (commencing at Fay Street leading to West to Bridge)

Pratt Road (commencing at Route 20 leading to Route 5)

Woleben Road (commencing at Munson Road and leading to Prospect Station Road)

Campbell Road (Commencing at Woleben Road leading to Ellicott Road)

Bear Lake road (commencing at Ellicott Road and leading to Pomfret Town Line)

**PAY BILLS**

**43-20**

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzell

Nay 0

Absent 1 Miller

RESOLVED the Portland Town Board approves the Bills for May 2020.

GENERAL FUND	\$10,034.95
TOWN OUTSIDE VILLAGE	\$251.90
HIGHWAY TOWNWIDE	\$2,931.65
HIGHWAY OUTSIDE VILLAGE	\$2,771.69
LIGHT	\$396.86
CAPITAL PROJECTS	\$24,640.00

With no further business, on a motion of Council Boltz, seconded by Council Farrell the meeting adjourned at 8:30 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki-Town Clerk

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