

PORTLAND TOWN BOARD MEETING
PORTLAND TOWN HALL
MAY 12, 2021 - 7:00 P.M.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

Gary Miller	Council
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OTHERS PRESENT:

Ken Becker	Highway Superintendent
Joel Seachrist	Attorney
Roxane Sobecki	Town Clerk
Wendy Spinuzza	Code Office
Daniel Thompson	Justice

4 members of the public

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

MINUTES

37-21

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 Minutes from the previous meeting as presented.

DEPARTMENTAL REPORTS

38-21

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 Departmental Reports as presented:

Monthly reports received and filed:

- Town Clerk
- Code Office
- Assessor
- Justice

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TREASURY REPORT

39-21

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 Treasury Report for April 2021 as presented by the Supervisor.

CORRESPONDENCE:

- Supervisor Schrantz stated a letter was sent to Lock City Supply from the Town regarding meter pits that were ordered by CBI, the letter states the Town is not responsible.
- Supervisor Schrantz stated he was asked about a food truck possibly using the town hall parking lot, he will get more information.

JUSTICE DEPARTMENT:

Town Judge Daniel Thompson informed the board that the Court is up and running again. He told the board the current court officer is out for an impending medical condition and not be able to return until possibly August. Judge Thompson requested permission to hire an additional part-time court officer on a temporary basis, until the current court officer is medically cleared to come back to work.

40-21

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 authorizes the court to hire a temporary Part-Time Court Officer.

SOLAR LIBERTY:

Property owner Kevin Powell and Adam Rizzo of Solar Liberty presented to the board a solar permitting package for review and discussion of two sites. Mr. Rizzo told the board these projects comply with all town regulations. The first site is located between Onthank Road and Pecor Street by the railroad tracks. This is on all non-productive land, non-gravel property. Mr. Powell told the board the solar project would encompass about ten acres, 4.05 MW. Mr. Powell told the board this project would be invisible from most homes and easy to shield for the others. Core samples will be taken and there will be no battery storage. The access road will be off Route 20. The second location is between Fay Street, Route 20 and Webster Road. Mr. Powell stated the solar arrays will be within a fifty-acre site. The closest home will be more than 1200 feet away. This project should be invisible from most homes. Mr. Powell stated the land drops off; he will construct a 6 to 8-foot berm. This is a 3.25 MW project.

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Attorney Seachrist stated he will have to review the application but may need to do separate applications. Mr. Powell told the board he would be happy to give a tour of the proposed sites. Attorney Seachrist stated the Town may need to bring in an engineer. Attorney Seachrist stated a complete application will be needed before moving forward and setting a public hearing.

41-21

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

Nay 0

Absent 1 Miller

RESOLVED The Portland Town Board has received an application for two solar projects, pending evaluation if the application is complete this will be turned over to the Planning Board for review and recommendations.

Supervisor Schrantz will setup a date when the board can review the properties.

OLD BUSINESS:

WATER DISTRICT 2:

Attorney working on easements.

PROPOSED WATER DISTRICT 9:

Supervisor Schrantz stated surveys were sent to all property owners within the proposed water district, this has been turned over to the engineer.

CODE OFFICE:

Supervisor Schrantz stated the town has received several applications and asked the zoning committee to meet with the Code Officer to setup interviews for the part-time clerk position.

Supervisor Schrantz said the Planning Board has openings for two alternates, Clerk Sobecki will put this on the Town's website.

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FIREWORK PERMITS

42-21

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

RESOLUTION DESIGNATING TOWN CODE ENFORCEMENT OFFICER

AS PERMIT AUTHORITY FOR PURPOSES OF PENAL LAW SECTION 405.00

WHEREAS, **Section 405.00 of New York's Penal Law authorizes a Town Board to designate a town officer to grant and issue permits for public displays of fireworks, and the Town Board desires to name such an officer, and**

WHEREAS, **the skills and expertise required to review applications for such permits coincide with those required in other matters routinely dealt with by the Town's Code Enforcement Officer, and the Town Board deems it efficient and appropriate for the Code Enforcement Officer to administer such subject matter,**

NOW, THEREFORE, BE IT RESOLVED

- 1. The Town Board does hereby designates the Town Code Enforcement Officer as the "permit authority", as that term is defined in Section 405.00 of the Penal Law, for the public display of fireworks in the Town of Portland outside the Village of Brocton.**
- 2. This resolution shall take effect immediately.**

LAND BANK

43-21

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

RESOLUTION AUTHORIZING THE USE OF MUNICIPAL LANDFILL TIPPING CREDITS FOR THE DEMOLITION OF 8666 FIRST STREET, PORTLAND 161.10-2-42

The Board of the Town of Portland, New York, hereby resolves as follows:

WHEREAS, The Town of Portland Code Enforcement Officer has determined that the property known as 8666 First Street, Portland SBL # 161.10-2-42 is in a state of structural collapse and ordering its demolition as soon as possible; and

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WHEREAS, the Town of Portland has requested the Town's assistance via the Chautauqua County Shared Services Agreement for additional tipping fee credits to cover the cost of debris disposal, and

WHEREAS, the Chautauqua County Land Bank Corporation will be utilizing grant monies from Enterprise Community Partners to cover demolition expenses incurred for the demolition; and

WHEREAS, the Town currently has 240 tons tipping fee credits available for demolition and derelict structure disposal through the shared services agreement; now therefore be it

RESOLVED, that the Town Board of Portland authorizes the use of up to 240 tons of tipping fee credits of its municipal landfill credits for the disposal of all waste and debris associated with the demolition of 8666 First Street, Portland 161.10-2-42, assigned to the Chautauqua County Landfill as per the Shared Services Agreement.

AUDITS:

Council Manzella stated an audit was done for the Tax Collector, all was in order. The Town Supervisor is the only audit left to do.

BUDGET TRANSFERS

44-21

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

Nay 0

Absent 1 Miller

RESOLVED the Portland Town Board approves the following budget transfers as presented by the Supervisor.

GENERAL FUND TOWNWIDE

\$725	FROM	A1990-4	CONTINGENT ACCOUNT
	TO	A1910.4	UNALLOCATED INSURANCE
\$50	FROM	A1990.4	CONTINGENT ACCOUNT
	TO	A1920.4	MUNICIPAL DUES
\$1,360	FROM	A1990.4	CONTINGENT ACCOUNT
	TO	A1355.2	ASSESSOR EQUIPMENT
\$605	FROM	A1990.4	CONTINGENT ACCOUNT
	TO	A1410.2	TOWN CLERK EQUIPMENT

GENERAL FUND OUTSIDE VILLAGE

\$360	FROM	B3620.4	SAFETY INSPECTION CONTRACTUAL
	TO	B3620.2	SAFETY INSPECTION EQUIPMENT

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BOARD MEMBERS/TOWN CLERK:

Supervisor Schrantz asked the Dog Control committee to meet with the Dog Control Officer to review a dog enumeration and a rabies clinic. He asked the committee to report back at the June meeting.

HIGHWAY DEPARTMENT:

- Highway Superintendent Becker told the board he was approached by a homeowner on Highland Ave. with a complaint of standing water in the ditch and off the roadway on private property. He said this is becoming a problem, there is no where for the water to go. He said this will cause an issue with the road in the future if not corrected. Council Manzella stated the town cannot go on private property unless there are damage/issues with Town roads. Supervisor Schrantz asked the Highway committee to meet with Mr. Becker and report back.
- Mr. Becker told the board big trash day is May 15th, 8-3 at the Village of Brocton Barns.
- Ripley, Westfield and Portland will be oil and stoning roads under the shared service agreement.
- A property owner on Mathews Road has asked if the speed limit can be reduced, the speed is currently 55. Mr. Becker told him to present a petition to the Board, this will then be turned over to the County.
- Some pavilions at the park need some TLC.
- Mr. Becker is looking into having auto shut offs on the water spickets at the park.
- Mr. Becker gave the board two quotes for Roof/Window/Fascia Repairs at the Museum for their review.

PAY BILLS

45-21

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

ADOPTED Aye 4 Schrantz, Boltz, Farrell, Manzella

Nay 0

Absent 1 Miller

RESOLVED the Portland Board approves the bills for May 2021 as presented.

GENERAL FUND	\$12,693.08
TOWN OUTSIDE VILLAGE	\$116.74
HIGHWAY OUTSIDE VILLAGE	\$18,166.99
LIGHT	\$391.62
TRUST & AGENCY	\$572.47

With no further business, on a motion of Council Farrell, seconded by Council Boltz the meeting adjourned at 8:50 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki-Town Clerk