

BOARD MEMBERS PRESENT:

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

OTHERS PRESENT:

Ken Becker	Highway Superintendent
Roxane Sobecki	Town Clerk

12 Members of the public

MINUTES

81-21

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

Nay 0

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

DEPARTMENTAL REPORTS

82-21

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

Nay 0

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

Monthly reports received and filed:

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

TREASURY REPORT

83-21

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

Nay 0

RESOLVED the Portland Town Board approves the Treasury Report for September 2021 as presented by the Supervisor.

CORRESPONDENCE:

Supervisor Schrantz read the following:

- Thank you from Village resident to Village & Town Highway crews on replacing sidewalks.
- Supervisor Schrantz read the following letter from Greencrest Residents:

The property owners of Beach Place and Greencrest subdivisions in the Town of Portland provide notice to the Town of the private activities which have been initiated to address stormwater management concerns in our neighborhood. Over the coming weeks and months, a small group of property owners, at their own expense, will seek professional consultation (including civil/stormwater engineer and environmental attorney) to fully evaluate the concerns about stormwater flooding which has been more prevalent and more destructive in recent years. The scope of this due diligence should provide the Town much of the required background details--on the flooding problems and proposed remedies for stormwater management--so that the Town can more readily engage and enact a series of remedies to this worsening problem. It is our understanding that the State of New York requires local municipalities to remedy downstream water intrusion events which cause damage to property owners.

It is only a matter of time when, not if, extreme flooding events will cause substantial property damage unless proactive, broad-based measures are taken to address stormwater management for our subdivisions. We seek cooperation from and partnership with the Town. We request that the Town respect our preliminary work and the expenses we have incurred to address these concerns with a demonstration of attention appropriate to the seriousness to the problem. To accomplish the aligned goals between the neighborhood and the Town will require the Town of Portland to earmark funds. Likely some of those funds received by non-entitlement units of local

government from the Coronavirus Local Fiscal Recovery Fund of the American Rescue Plan Act of 2021 could be a source of the needed capital. Good stewardship of these federal funds would be towards water management and flood abatement infrastructure projects, such as those subdivisions require to mitigate flooding and prevent future property damage, as well as addressing lake water quality.

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In addition to the financial resources needed to implement planning and infrastructure buildout in the short term, resources will be needed on an ongoing, perpetual basis to maintain all structural and engineering remedies designed as part of a larger and improved flood abatement plan. It seems logical that these responsibilities should become part of a newly created flood or storm water management district charged with this mandate. At the present time, there have been a series of uncoordinated actions that collectively impact and address erosion, flooding and near- shore lake quality. Some preliminary recommendations from the community to be addressed and managed by the Town/stormwater management district:

1) Stormwater generated from east of Route 5 (which includes National Grid's fly-ash site behind the Frame Trucking site) should be managed and retained on the east side of Route 5 to whatever extent possible (including the use of retention ponds) and not be directed towards the Greencrest/Beach Place neighborhoods and Lake Erie.

2) The Town of Portland must update and upgrade the stormwater culverts (and repair the road itself) along Tastor Lane—including one culvert close to Route 5 and a second that historically has drained directly towards Lake Erie.

3) The Town of Portland (or the stormwater management district?) should assume full responsibility for the current maintenance of the small stormwater outlet developed as part of the Beach Place subdivision in the 1980s by Tom Webb who has recently exited

the scene. These responsibilities might include semi-annual clean out and/or other approaches for preventing a repeat of the huge stormwater flooding that happened in July 2021

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PUBLIC COMMENT:

Newly appointed Chautauqua County Legislator John Penhollow introduced himself to the board, stating he is always available to hear concerns. The board discussed the bed tax and the overgrown trees at Luensmun Overlook Park.

Kirk Maytum of Greencrest thanked the Supervisor for reading their letter, stating they want to have a good working relationship with the Town, and will continue to provide information to the board. Also asked if the town could earmark some of the ARPA money for the drainage issues.

OLD BUSINESS:

HIGHWAY INTERMUNICIPAL AGREEMENT

84-21

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

Nay 1 Manzella

RESOLVED the Portland Town Board authorizes the Portland Supervisor to sign the Highway Superintendent Intermunicipal Agreement between the Town and Village of Brocton.

WIND/SOLAR:

Kevin Powell asked the board if the SEQRA process could be started on the Solar Liberty Project and could the board schedule the Public Hearing. After some discussion the board decided to refer to the Planning Board for their recommendations and consult with the attorney, start the SEQRA process possibly at a special meeting and have a Public Hearing sometime at the end of November or first week in December.

Felton Road Solar Project-no news to report.

CHADWICK BAY/NORTH COUNTY WATER:

Chadwick Bay water meeting-November 4th, 5:30 in Dunkirk.

North County Water- October 14th, 4:00 at the Fireside Restaurant.

Supervisor Schrantz told the board North County Water is reviewing extending the water line on Route 5 to the Portland/Westfield line. Council Manzella stated the town needs to know who would be responsible for the water line if this project should move forward.

The board discussed the letter to CBI Water from the Town and Village, Supervisor Schrantz told the board the Village thinks the last line of the letter needs to be taken out before they agree to sign. The board agreed to send the letter as is and the Village could send their own letter.

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CBI LETTER

85-21

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

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

Nay 0

RESOLVED the Portland Town Board authorizes the Supervisor to send the original letter to CBI water.

WATER DISTRICT 2 IMPROVEMENT PROJECT:

Supervisor Schrantz stated an informational meeting will be scheduled for the Public in this district to start having easements signed. He said there are over 100 easements that need to be signed and notarized.

PROPOSED WATER DISTRICT 9:

Supervisor Schrantz told the board the engineer feels ten more homes could be added to the district and surveys will need to be sent out. A public information meeting will be scheduled in the future.

GREENCREST/VANBUREN POINT DRAINAGE:

Highway Superintendent Becker stated weather permitting he still plans on doing the road work on Tastor Lane. The board discussed the agreement with Clark Patterson Lee, this agreement would establish a plan for the Town Highway Department that will focus on infrastructure that the Town is responsible for and result in improved drainage. Highway Superintendent Becker told the board the town needs a plan, he said you can't just throw pipe in the ground. Supervisor Schrantz told the residents of Greencrest present that the town's engineer has spoken with their engineer.

CPL GREENCREST DRAINAGE AGREEMENT

86-21

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

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

Nay 0

RESOLVED the Portland Town Board authorizes the Supervisor to sign the agreement with Clark Patterson Lee. This agreement would include LiDAR Data Processing, Field Survey, Mapping & Drainage Calculations, Meeting with Town, and Alternative & Report at a cost of \$14,760.00.

Supervisor Schrantz told the board the ARPA Funds maybe used to cover this cost.

MUSEUM:

Rob Pawlak of the Museum discussed with the board the Town's website and possibly updating it. He showed them some other Town's websites. Supervisor Schrantz told Mr. Pawlak about some grants he is looking into for the Museum.

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PUBLIC HEARING FIRE CONTRACTS/BUDGET 2022

87-21

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

Nay 0

RESOLVED the Portland Town Board will hold a public hearing at 6:30 p.m. November 4, 2021 regarding Fire Contracts for Portland Fire Protection District 1 and 2 for 2022. Following a public hearing at 6:45 p.m. for the 2022 Budget. A Special Board Meeting to follow.

UNION NEGOTIATIONS:

Supervisor Schrantz told board members he will be meeting on October 22nd with the Union, he asked committee members to attend.

AMERICAN RESCUE PLAN MONEY:

Supervisor Schrantz discussed different projects that will fall under the parameter of what the money can be used for, projects discussed:

- Expansion of Haywood Heights, Council Miller said he feels the town has other issues within the Town that needs to be explored.
- Extend water line on Route 5 to town line, interconnect with Westfield.
- Master Meter on Route 5.
- Waterline in field my Legion.
- Waterline in field off of Highland Ave.
- Waterline to 21 Brix.

BOARD OF ASSESSMENT AND REVIEW:

Supervisor Schrantz stated there is still a vacancy on the board.

HIGHWAY DEPARTMENT:

TRUCK GASKET

88-21

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

Nay 0

RESOLVED the Portland Town Board authorizes the Highway Superintendent to have the Head Gasket repaired with Cummins Sales and Service at a cost not to exceed \$6,029.17.

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BILLS

89-21

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

Nay 0

RESOLVED the Portland Town Board approves the bills be paid for October 2021.

GENERAL FUND	\$13,581.09
TOWN OUTSIDE VILLAGE	\$126.36
HIGHWAY TOWNWIDE	\$2,872.63
HIGHWAT OUTSIDE VILLAGE	\$49,206.52
LIGHT	\$431.56

With no further business, on a motion of Council Miller, seconded by Council Farrell the meeting adjourned at 8:20 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki-Town Clerk