

TOWN BOARD MEETING
PORTLAND TOWN HALL
March 09, 2022 – 6:00 P.M.

BOARD MEMBERS PRESENT:

Richard Lewis	Supervisor
Patti Farrell	Council
Dave McIntyre	Council
Tammy Thompson	Council
Gary Miller	Council (Phone conference in)

OTHERS PRESENT:

Joel Seachrist	Attorney
Ken Becker	Highway Superintendent
Barb Smith	Town Clerk

4 members of the public

Meeting called to Order by Supervisor Lewis at 6:00 p.m. with the Pledge to the flag.

MINUTES

RESOLUTION 25-2022

On a motion of Council McIntyre, seconded by Council Farrell the following resolution was ADOPTED Aye 4 Lewis, Farrell, McIntyre, Thompson

Nay 0

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

DEPARTMENTAL REPORTS

RESOLUTION 26-2022

On a motion of Council Farrell, seconded by Council McIntyre the following resolution was ADOPTED Aye 4 Lewis, Farrell, McIntyre, Thompson

Nay 0

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:

RESOLUTION 27-2022

On a motion of Council Thompson, seconded by Council McIntyre the following resolution was ADOPTED Ayes 4 Lewis, Farrell, McIntyre, Thompson

Nays 0

RESOLVED The Portland Town Board approves the Treasury Report for February 2022 as presented by the Town Clerk.

CORRESPONDENCE:

Supervisor Lewis announced the Brocton Fire Department sent out mailings for the annual Fund Drive.

PUBLIC COMMENT:

John Ames – West Lake Road, Portland, shared concerns about lake front property erosion. Mr. Ames reiterated his concerns of accessing heavy equipment to fix erosion problem. All the residents are experiencing damage from storms.

Mr. Ames has been in touch with several people including John Penhollow County Legislator who looked at the situation. Mr. Ames was also in touch with Nate Aldrich, Economic Development Coordinator with Department of Planning & Development and manager of the Chautauqua County Partnership for Economic Growth, who stated no private owner can apply for grants to help fund this project. Mr. Ames was hoping the Town could get an easement.

Mr. Seachrist presented the question to Mr. Ames why did he think the Town needed to acquire the easement? Mr. Seachrist explained that Mr. Ames he could acquire the easement. Superintendent Becker said the Town can not put a pipe in the ditch that is private property. The property is half Greencrest and half Mr. Sam's property. Continued discussion on options for the easement for lake access and the Sam property. Council Thompson also questioned Mr. Ames if a letter from an attorney to the Sam's would help? Mr. Ames declined at this time and would like to speak with the Sam's personally one more time. Council Thompson asked the question to Mr. Ames can you come in from the water/beach as a home owner?

OLD BUSINESS

GREENCREST/VAN BUREN POINT DRAINAGE:

Supervisor Lewis said we are waiting on Engineering studies to come back.

WD2:

Supervisor Lewis stated the information for the easement were completed by Price Abstract. Mr. Seachrist will work with Town Clerk in completing to transfer names and addresses from spreadsheet to easements. Supervisor Lewis stated that Price Abstract had a not to exceed price of \$1500.00 to compile information for easements. The actual invoice was \$1000.00.

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CBI WATERWORKS:

Supervisor Lewis, Joel Seachrist, Mayor of Brocton, Village Attorney, County Attorney, County Executive, Legislature Niebel, and Kathy Tampio, had a meeting at the county to address concerns with CBI and how its being operated. Supervisor Lewis stated the county would be the mediator and would like to meet with all five (5) towns and villages to get more openness, look at a budget, knowledge of where the monies are being spent, issues like that. This meeting will be schedule toward the end of the month. Supervisor Lewis will update at a later date.

WATER EXTENTION - 21 BRIX, ONTHANK ROAD

Mr. Seachrist talk to Eric White and he agreed it is more of a water district now and he is going to put together map line report, before he puts together the report he will give an estimate of how much that will cost. The board then has to adopt a resolution authorizing expenditure of that money. Mr. Seachrist would like to see this resolution by next month.

MUSEUM:

Clark, Patterson, Lee (Engineers) made an appointment to assess museum on Friday March 11th. This is ongoing.

Council Thompson said she and Council Farrell sat down with Rob Pawlak, Museum Historian. They went through Rob's envisioning and what he would like to do at museum. They are waiting on report from Engineer on Building. They discussed a few physical repairs and paint that are very nominal. Supervisor Lewis we will wait on report of building from engineers.

DOG CONTROL:

RESOLUTION 28-2022

On a motion of Council Thompson, seconded by Council Farrell the following resolution was ADOPTED Ayes 4 Lewis, Farrell, McIntyre, Thompson

Nays 0

RESOLVED The Portland Town Board accepts Dog Control, Clarence Grover and Diana Grover, Deputy Dog Control letters of resignation.

Supervisor Lewis would like to thank Council Farrell, Council Thompson and Craig Miller from the village for all their hard work and meeting regarding Dog Control. Council Farrell and Council Thompson had a Meeting with the Grover's. Council Thompson sent emails updating the Board and Grover's on their meeting. Council Thompson stated the Village approached the Town and wanted the position of Dog Control reviewed and the services provided for the Village. The Board discussed changing the mileage log with odometer readings to support the monthly transaction reports. The Board wanted to implement the enumeration starting with the Village. Council Thompson mentioned how other municipalities sent out post cards to community in advance for the enumeration. Council Thompson stated they wanted to put structure to the Dog Control position and wants to keep connected. Council

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Thompson appreciate their ideas and valuable information but would like better documentation for all involved. Council Thompson read the last paragraph in email (see attached sheets) she sent to the Boards, Town Clerk and Village. The paragraph gives Council Thompson's overall assessment and recommendation to keep Clarence Grover as Dog Control. Council Thompson addressed deputy Diana Grover's health circumstance in assisting Mr. Grover with dog control. Council Thompson pointed out that Mr. Grover is the town's employee and would expect any reports or any dog control jobs be completed by Mr. Grover. Mr. Grover addressed the Board as having health issues and is stepping down from being Dog Control. Clarence Grover and Diana Grover handed Board and Town Clerk their letters of resignation. Mr. and Mrs. Grover are will to help with transitioning to the new Dog Control. Supervisor Lewis thanked the Grover's for their years of service.

UNION NEGOTIATIONS:

RESOLUTION 29-2022

On a motion of Council McIntyre, seconded by Council Farrell the following Resolution was adopt
by: Roll Call Vote

Council McIntyre - Aye
Council Farrell - Aye
Supervisor Thompson - Aye
Council Lewis - Aye

RESOLVED The Portland Town Board accepts Union Agreement to be signed by Supervisor Lewis.

Supervisor Lewis gave everyone a copy of the tentative Union Negotiation agreement. Supervisor Lewis had previous Supervisor Schrantz look over agreement as it was negotiated during his time as Supervisor. The only question was on health insurance. Supervisor Lewis was not concerned about a half percent increase. Council McIntyre questioned if there was any wording in contract for retro pay? Supervisor Lewis had attorney Seachrist look thru and did not see anything regarding retro pay.

MOWING- Town Properties

RESOLUTION 30-2022

On a motion of Council Thompson, seconded by Council Farrell the following resolution was
ADOPTED Ayes 4 Lewis, Farrell, McIntyre, Thompson

Nays 0

RESOLVED The Portland Town Board accepts the Town Clerk Barb Smith to post Ad in Newspaper for Mowing Bids. Post are also located at Town Hall, 87 W. Main St., Brocton and on Town of Portland website. All sealed bids will be presented and opened at the next board meeting on April 13, 2022.

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SOLAR (SOLAR LIBERTY & OMNI):

Supervisor Lewis received a message from past Supervisor Schrantz that there was a banking overdraft on checks sent to Wendel. There was not enough monies deposited in the account from Solar Liberty and Omni. The amount exceeded \$15,000, Supervisor Lewis said the agreement was for \$20,000. Supervisor Lewis spoke with Wendel and Solar Liberty. Supervisor Lewis has more bills to pay to Wendel. Solar Liberty and Omni are going to forward checks. Supervisor Lewis had to move town funds to cover check written to Wendel. When Supervisor Lewis receive checks from Solar Liberty and Omni he will deposit in town funds. Mr. Seachrist stated the problem could have been they were originally one project then split into two projects, each \$10,000.

NEW BUSINESS:

FEMA HAZARD MITIGATION:

FEMA Hazard Mitigation letter from County Emergency Services. Kick off Meeting later in March or April to redo emergency plan. Plan needs to be updated every five (5) years. Mr. Seachrist explained every municipality has to have an emergency plan with statistics about the town. Mr. Seachrist said plan needs to be completed for insurance purposes. Supervisor Lewis will attend meeting.

INSURANCE:

Supervisor Lewis, Ken Becker and Barb Smith met with Randy Graham of Slone-Melhuish Insurance Representative. Town will renew insurance thru New York Municipal Insurance Reciprocal (NYMIR). Randy Graham, Representative, suggested next year we go out for bid on insurance. Supervisor Lewis stated this year the increase was less than 3 percent and felt this was acceptable.

CODE ENFORCER CLERK:

Code Enforcer Clerk gave her two week notice and will be done on March 17, 2022. Supervisor Lewis said this is another position we will have to fill. The Code Officer, Wendy Spinuzza will want to get that position posted as soon as possible.

TOWN BOARD/CLERK:

Town Board nothing to report.

Town Clerk - Just a reminder to all employees and board the Harassment and Discrimination Training on Thursday March 24th. If you can't attend the group training, please get the link and register for the training so you will get the certificate that you completed the training.

HIGHWAY DEPARTMENT:

POST TOWN ROAD:

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RESOLUTION 31-2022

On a motion of Council McIntyre, seconded by Council Farrell the following resolution was
ADOPTED Ayes 4 Lewis, Farrell, McIntyre, Thompson

Nays 0

RESOLVED The Portland Town Board authorizes The Highway Superintendent to post town roads. Also, the Town Clerk Barb Smith will send post notice to newspaper.

Highway Superintendent Ken Becker said with fuel prices escalating, that will raise the fuel bill now and in the future.

There has not been any breakdowns which is good and they put in a lot of hours, the guys did good. Superintendent Becker spoke with Mr. Smith on Onthank waterline ext project. They would like to get this underway this Spring.

Waterbreak on District 8, the homeowner contacted Superintendent Becker. They were able to fix water break. The water break was on a service line.

BILLS

RESOLUTION 32-2022

On a motion of Council Farrell, seconded by Council Thompson the following resolution was
ADOPTED Aye 4 Lewis, Farrell, McIntyre, Thompson

Nay 0

RESOLVED the Portland Town Board approves the bills be paid for February 2022 as presented.

GENERAL FUND	\$46,070.05
TOWN OUTSIDE VILLAGE	\$ 145.51
HIGHWAY TOWNWIDE	\$25,460.07
HIGHWAY OUTSIDE VILLAGE	\$ 3,379.45

Executive Session. No session needed per Supervisor Lewis.

With no further business, on a motion to close meeting by Council McIntyre, seconded by Council Farrell the meeting adjourned at 7:03 p.m. Carried unanimously.

Respectfully Submitted by,

Barb Smith-Town Clerk