

TOWN BOARD MEETING
PORTLAND TOWN HALL
June 08, 2022 – 6:00 P.M.

BOARD MEMBERS PRESENT:

Richard Lewis	Supervisor
Dave McIntyre	Council
Tammy Thompson	Council
Gary Miller	Council
Patti Farrell	Council

OTHERS PRESENT:

Joel Seachrist	Attorney
Barb Smith	Town Clerk

3 members of the public

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

MINUTES

RESOLUTION 52-2022

On a motion of Council Miller, seconded by Council Thompson the following resolution was
ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

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

DEPARTMENTAL REPORTS

RESOLUTION 53-2022

On a motion of Council McIntyre, seconded by Council Thompson the following resolution was
ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, 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
- Dog Control

TREASURY REPORT:

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RESOLUTION 54-2022

On a motion of Council McIntyre, seconded by Council Farrell the following resolution was ADOPTED Ayes 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nays 0

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

CORRESPONDENCE:

Supervisor Lewis read letter from the Chautauqua County Fair Association. They would like the Town to purchase an aluminum bench for a donation of \$150. The bench would be placed at the fairgrounds with the Town's name on the bench. Town is not interested in this purchase.

Supervisor Lewis received information from the NYS Department of Taxation & Finance showing the final State equalization rate of 45.00 for our municipality.

Supervisor Lewis read email from Liz Ehmke. Liz is requesting the use of Community Park on 8/27/22 for the I Am Loved Event. The event will be all day set up at 7am and cleanup by 7pm. Liz was hoping to block off both park entrances one for parking the other for the event. Also, if an additional 4 barrels for garbage collection could be dropped off. The event is for the community and include local area Churches. All is free. Concern with Bounce house insurance would be the same as last year and the church would provide additional coverage. Town Clerk will reach out to Liz Ehmke to verify bounce house insurance coverage.

I AM LOVED EVENT/COMMUNITY PARK:

RESOLUTION 55-2022

On a motion of Council Miller, seconded by Council McIntyre the following resolution was ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

RESOLVED The Portland Town Board approves the I Am Love Event for (Brocton/Portland Ministerial Association) on 8/27/22 at Community Park.

Chautauqua County Office Emergency Services - Kick off meeting will be on June 14th at 1-2pm.

Supervisor Lewis has the zoom links if anyone would like to attend. Council McIntyre questioned what is the meeting for? Supervisor Lewis responded it is for Hazard Mitigation.

Supervisor Lewis stated he received correspondence from the NYS Taxation and Finance - Real Property Office. This Correspondence was for the railroad.

PUBLIC COMMENT:

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None

OLD BUSINESS

WD2:

Supervisor Lewis questioned Mr. Seachrist on WD2 easements. Mr. Seachrist will have easements and letter to the Town Clerk by the end of the week. Supervisor Lewis stated the ban was up for WD2 and Town made and interest payment on the loan.

GREENCREST/VAN BUREN POINT DRAINAGE:

Supervisor Lewis thanked Mr. Seachrist for completing the easement for Vergotz. Superintendent Becker and Town employees were able to complete the new line in before the owner's lawn contractor arrived. Supervisor Lewis stated we are still waiting on engineering study.

WATER EXTENTION - 21 BRIX, ONTHANK ROAD

Supervisor Lewis said we are waiting on Clark, Patterson, Lee (CPL) for the extension of district for 21 Brix. Supervisor Lewis said all the pipe is in the ground and buried on Onthank Rd. Superintendent Becker needs to finish end cap and automatic flusher. Once finished can get it pressure tested.

CBI:

Supervisor Lewis has been attending monthly meetings at the County. The Town of Portland and Village of Brocton have concerns about new language of the IMA and the responsibilities shifting off of themselves. Supervisor stated CBI lost two employees Drew Smith who hold the license and the billing clerk. Supervisor Lewis may want to schedule a joint meeting between the Town and the Village to see what are options are and make some decisions.

DOG CONTROL:

Council Thompson stated she would like to see the Dog Control Report more detailed. Council Miller stated DCO did put details on her mileage report. Town Clerk stated DCO did not have the new mileage report and would make sure she was given a copy.

MUSEUM:

Supervisor Lewis stated we are waiting on report from Clark, Patterson, Lee (Engineers). Supervisor Lewis did reach out to CPL and did not get a response back. Council Thompson concerned about Museum advertising when they are open. Council McIntyre asked if the hours were on the website? Council Thompson asked about social media, Face Book account? Supervisor Lewis and Mr. Seachrist said that is fine and a good way to advertise.

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NEW BUSINESS:

Supervisor Lewis handed out Agreement to Spend Town Highway Funds from Superintendent Ken Becker. Supervisor asked Board members to please sign.

SOLAR PROJECT 7820 FELTON ROAD:

Supervisor Lewis stated planning board sent back approving the project to move forward. Mr. Seachrist will read a similar resolution the town will adopt. Mr. Seachrist will present the actual resolution to Town clerk to add to the minutes.

**SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY
FOR THE APPLICATION OF OMNI PORTLAND SOLAR LLC:
RESOLUTION 56-2022**

On motion by Council Miller, seconded by Council McIntyre, the following resolution was adopted by the Town Board of the Town of Portland:

ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

RESOLVED The Portland Town Board approves the following:

WHEREAS, Omni Portland Solar LLC has applied for a Special Use Permit and Zoning Overlay District to construct and operate a large-scale solar energy system in the Town of Portland, at 7820 Felton Road, on parcels designated as SBL 194.00-1-44 & 40; and

WHEREAS, the Town Board has received and reviewed a report and recommendation from the Town of Portland Planning Board regarding the projects; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the Town Board intends to serve as Lead Agency for SEQRA review of these actions and wishes to conduct a coordinated environmental review thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines that the project is a Type I action for SEQRA purposes, states its intention to serve as Lead Agency. and will circulate Lead Agency Notices along with Part 1 of the Long Form Environmental Assessment Form and any other supporting documentation to all Involved Agencies, which shall be given 30 days from the mailing of the Lead Agency Notice to consent, while Interested Agencies will be given notice but not required to consent pursuant to 6 NYCRR Part 617.6.

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OPEN PUBLIC HEARING FOR SOLAR PROJECT 7850 FELTON ROAD:

RESOLUTION 57-2022

On a motion of Council McIntyre, seconded by Council Farrell the following resolution was
ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

RESOLVED The Portland Town Board approves Public Hearing for Solar Project 7850 Felton Road
to be held on July 13th at 6:15 at Town Of Portland.

DEPUTY DOG CONTROL:

RESOLUTION 58-2022

On a motion of Council Miller, seconded by Council Farrell the following resolution was
ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

RESOLVED The Portland Town Board approves Rich Carpenter as Deputy Dog Control assisting Gloria
McCormick the Dog Control Officer.

Supervisor Lewis said there were cost for repairs to the Dog Shelter. Highway guys put up new ceiling
panels, Supervisor Lewis installed sink and hot water tank as shared services with the Village.
Shelter needs to be painted, but will happen when the Highway employees have time.

NEW ASSISTANT COURT CLERK:

RESOLUTION 59-2022

On a motion of Council McIntyre, seconded by Council Farrell the following resolution was
ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

RESOLVED The Portland Town Board approves Angela Bittinger as Assistant Court Clerk.

BUDGET TRANSFERS:

RESOLUTION 60-2022

On a motion of Council Thompson, seconded by Council Farrell the following resolution was
ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

RESOLVED the Portland Town Board approves the budget Transfers for May 2022.

GENERAL FUND TOWNWIDE

\$2,000	FROM	A1990.4	Contingent Account
	TO	A1440.4	Engineer Contractual

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HIGHWAY FUND OUTSIDE VILLAGE

BUDGET MODIFICATIONS:

Modify 2022 Adopted Budget by increasing Revenue line DB3501 CHIPS funding by \$73,677 and increasing expenditure line DB5112.2 Improvements Capital Outlay by \$73,677 for actual 2022 CHIPS, EWR, 7 Pave-NY allocations.

SUBSCRIPTION FOR OBSERVER:

Supervisor Lewis asked board about renewing subscription to the Observer. The boards decision was not to renew subscription.

ACCESS CHAUTAUQUA:

Supervisor Lewis explained that there was no response from Access Chautauqua regarding donation. Town Clerk Barb reached out to other Town Clerks and the explanations were we always just paid the invoice. Supervisor Lewis was not comfortable with those answers. Board decision was not to pay invoice.

CHADWICK BAY REGIONAL COMMISSION:

Supervisor Lewis reviewing the invoice from the Chautauqua Region Economic Development Corporation. This invoice is for 2022 Annual Membership Dues for \$1600.00
Supervisor Lewis reached out to Mr. Nate Aldrich, he can attend the next board meeting in July. Mr. Aldrich can answer questions at that time.

BANNERS:

Supervisor Lewis said with Council Thompson hard work and grief, the banners are being hung. The Town spent a total of \$635.81 on materials for banners. Supervisor Lewis sent vouchers to the Village of Brocton, the village agreed to split the cost of materials. Council Thompson thanked Supervisor Lewis and Superintendent Becker for their assistant. Supervisor Lewis wanted to give Council Thompson a big thank you for her time and hard work on the whole banner process. A big Congratulation for a job well done.

TOWN BOARD/CLERK:

Town Board:

Council Miller noted the Court Rate of pay should be noted. Supervisor Lewis stated Court Clerk will be getting the rate of pay for Clerk as stated in the Re-organizational meeting which was in January 2022.

Council Farrell said she went to Harvest View to buy two flower pots for the Marmaduke Statue.

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Supervisor Lewis updated the Board on the status of Sue Hindman and Ken Becker health issues. Both are doing better but for Sue Hindman it will be a slower process.

TOWN CLERK:

- nothing to report.

HIGHWAY DEPARTMENT:

Ken Becker Highway Superintendent unable to attend meeting.

BILLS

RESOLUTION 61-2022

On a motion of Council McIntyre, seconded by Council Farrell the following resolution was ADOPTED Aye 5 Lewis, McIntyre, Miller, Farrell, Thompson

Nay 0

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

GENERAL FUND	\$ 15,635.30
TOWN OUTSIDE VILLAGE	\$ 464.40
HIGHWAY TOWNWIDE	\$ 10,931.97
HIGHWAY OUTSIDE VILLAGE	\$ 63,514.98
CAPITAL PROJECTS	\$ 2,179.70
<u>TRUST & AGENCY</u>	<u>\$ 99.98</u>
TOTAL	\$ 92,826.33

Executive Session. No session needed per Supervisor Lewis.

With no further business, on a motion to close meeting by Council Miller, seconded by Council Farrell the meeting adjourned at 6:46 p.m. Carried unanimously.

Respectfully Submitted by,

Barb Smith-Town Clerk