

TOWN OF PORTLAND PUBLIC HEARING AND REGULAR BOARD MEETING  
LOCAL LAW 1 AND 2 OF 2016  
PORTLAND TOWN HALL  
FEBRUARY 10, 2016-7:00 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:**

Mark Odell	Legislator
Ron Delcamp	Highway Superintendent
Joel Seachrist	Attorney
Ann Belcher	Reporter
Roxane Sobecki	Town Clerk

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

County Legislator Mark Odell told the Board the monies from the logging project in the Town of Arkwright have been earmarked for the necessary maintenance at Luensman Park. He explained the project went out to bid but had no response so the County will have to re-bid this out. The Board discussed with Mr. Odell the issue on Rails to Trails off of Wolebon Road.

**Supervisor Schrantz opened the Public Hearing:**

**7:10 P.M.-Proposed Local Law 1-2016**, entitled "Amending Section 1102 of the Town of Portland Zoning code." Attorney Seachrist reviewed the proposed law with the Board. A complete copy of the law is attached.

With no questions and concerns from the Board or Public on a motion of Councilman Manzella, seconded by Councilman Boltz the Board closed the Public Hearing on Local Law 1-2016 at 7:14 P.M.

**Supervisor Schrantz opened the Public Hearing:**

**7:15 P.M.-Proposed Local Law 2-2016**, entitled "Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code." Attorney Seachrist reviewed the proposed law with the Board. A complete copy of the law is attached.

With no questions or concerns from the Board or Public on a motion of Councilman Boltz and seconded by Councilman Manzella the Board closed the Public Hearing on Local Law 2-2016 at 7:18 P.M.

Supervisor Schrantz opened the Regular Board Meeting at 7:19 P.M.

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**MINUTES**

**01-10-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell

Nays 0

Absent 1 Miller

RESOLVED the Portland Town Board approves the Minutes for January 13, 2016 as presented by the Town Clerk.

**DEPARTMENTAL REPORTS**

**01-11-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell

Nays 0

Absent 1 Miller

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

- Tax Collector-Taxes collected \$1,968,631.48, Town Warrant Paid in Full, Chautauqua Co. paid.
- Dog Control
- Assessor
- Justice-Judge Craig-\$10,366.00 and Judge Delcamp-\$10,470.00
- Code Enforcement
- Town Clerk-total disbursements-\$402.76

**TREASURY REPORT**

**01-12-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell

Nays 0

Absent 1 Miller

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

**CORRESPONDENCE**

Supervisor Schrantz read the following correspondence:

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- Barbara Barnes-thanking the board on perusing a proposed drainage district in the Greencrest area.
- Southern Tier West-ARC grant program.
- Access 5 annual report.
- Censes Burrow-survey coming.

**OLD BUSINESS:**

**HIGHWAY GARAGE:**

Supervisor Schrantz told the Board he has been in contact with the attorney, trying to coordinate everyone for court to give dispositions, looking at April.

**CHADWICK BAY/NORTH COUNTY WATER PROJECT:**

Supervisor Schrantz said that Chadwick Bay's main focus currently is Health Insurance County wide. He stated there may be some grant money available for this. A presentation is being coordinated for sometime in March with Kyle Wilber from the State and Don Barber from Tomkins County who was instrumental in their County Wide Health Insurance program.

Supervisor Schrantz told the Board in has talked with the Town's engineer and Kyle Wilber from the State about possible grant funding for the consolidation of water services (maintenance, billing, anything together to save money for the water customers) once regional water goes though. There will be a consolidation grant available that this may fall under. The engineer recommends the Town be the lead agency and send letters to other municipalities to see who would be interested.

**NORTH COUNTY WATER PROJECT:**

Supervisor Schrantz updated the Board on the progress of the Regional Water Project, stating the Legislature will be making a resolution for bonding, once done the formation of a committee will be formed to run the district.

**CABLE:**

Councilman Boltz informed the Board that Al Valentin and he will be on access channel 5 this Saturday to discuss the Marmaduke fundraiser.

**COMPREHENSIVE PLAN:**

The plan is being finalized.

**COURT AUDIT**

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**02-14-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell  
Nays 0  
Absent 1 Miller

RESOLVED that an audit of the Portland Town Court was conducted on January 25, 2016 by the Portland Town Audit Committee, all records were in order.

**PROPOSED WATER DISTRICT 8:**

Supervisor Schrantz asked the Board to review three different options for the proposed water district. He stated he will be contacting the engineer regarding option 3; a portion of Fay Street was left out. Supervisor Schrantz will be scheduling a meeting with the engineer and the Board to review these options.

**O.A.G. DEMOLITON FUNDS:**

Attorney Seachrist told the Board the Town cannot do anything regarding the property on the corner of Pecor and Main Street until a clear title is received.

**TOWN CODE:**

**LOCAL LAW 1 OF 2016**

**02-15-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell  
Nays 0  
Absent 1 Miller

**WHEREAS, a resolution was duly adopted by the Town Board of the Town of Portland for a public hearing to be held by said Board on February 10, 2016 at the Town of Portland Administration Building, 87 West Main Street, Brocton, New York, to hear all interested parties on a proposed Local Law that would update the Town's standards for considering use and area variances to match current New York State law, and**

**WHEREAS, notice of said public hearing was duly published in the *Dunkirk Observer* and posted in the Town Clerk's office, and**

**WHEREAS, the County Planning Department by letter dated January 19, 2016, sent in response to a referral made pursuant to Section 239-m of the General Municipal Law, advised that the proposed Local Law is of local option, and**

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WHEREAS, said public hearing was duly held on February 10, 2016 at the said time and place and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Town Board, after due deliberation, finds it in the best interests of the Town to adopt said Local Law,

NOW, THEREFORE, BE IT

1. RESOLVED, that the adoption of the proposed local law dealing with the administration of town code is a Type II action for purposes of the State Environmental Quality Review Act, for which no further review is required, and be it further

2. RESOLVED, that the Town Board of the Town of Portland hereby adopts said Local Law as Local Law No. 1 of 2016, a copy of which is attached hereto and made a part hereof, and the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Portland, and to give due notice of the adoption of the Local Law to the Secretary of State.

**LOCAL LAW 2 OF 2016**  
**02-16-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell

Nays 0

Absent 1 Miller

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Portland for a public hearing to be held by said Board on February 10, 2016 at the Town of Portland Administration Building, 87 West Main Street, Brocton, New York, to hear all interested parties on a proposed Local Law that would update the Town's regulations for the enforcement of the building code, which were first adopted in 1984, and

WHEREAS, notice of said public hearing was duly published in the *Dunkirk Observer* and posted in the Town Clerk's office, and

WHEREAS, said public hearing was duly held on February 10, 2016 at the said time and place and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

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**WHEREAS, the Town Board, after due deliberation, finds it in the best interests of the Town to adopt said Local Law,**

NOW, THEREFORE, BE IT

**1. RESOLVED, that the adoption of the proposed local law dealing with the administration of town code is a Type II action for purposes of the State Environmental Quality Review Act, for which no further review is required, and be it further**

**2. RESOLVED, that the Town Board of the Town of Portland hereby adopts said Local Law as Local Law No. 2 of 2016, a copy of which is attached hereto and made a part hereof, and the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Portland, and to give due notice of the adoption of the Local Law to the Secretary of State.**

**GREENCREST DRAINAGE:**

Supervisor Schrantz told the Board he is waiting to hear back from the engineer on the cost before the Town can proceed further.

**HIGHLAND AVE. SPEED REDUCTION:**

All paperwork has been submitted to the State and County for a speed reduction.

**DEPUTY TAX COLLECTOR**

**02-17-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell

Nays 0

Absent 1 Miller

RESOLVED on the recommendation of the Tax Collector the Portland Town Board approves Diane Grover as Deputy Tax Collector with term expiring 12-31-16.

**EQUALIZATION RATE:**

Supervisor Schrantz told the Board thanks to the assessor DeaAnna Wheeler the Town's equalization rate will stay at 57%.

**WATER DISTRICT 2:**

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Supervisor Schrantz told the Board he is reviewing with the engineer some grant funding to possibly replace some of the old water mains and meter system within WD2.

**MARMADUKE COMMITTEE:**

Councilman Boltz informed the Board the Statue of Brad Anderson and Marmaduke is currently being made. The committee is focusing on the platform for the statue. The dedication ceremony will be sometime in June. He told the Board the Kickstart program is up and running for donations.

**HIGHWAY:**

Highway Superintendent Delcamp told the Board that the roof on the walking bridge at the park is in poor condition, may look at replacing it with a metal roof.

**PURCHASE TRUCK**

**02-18-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell

Nays 0

Absent 1 Miller

RESOLVED the Portland Town Board authorizes the Highway Superintendent to purchase a 2016 Ford Truck per the specification sheet at a cost of \$31,937.

**PAY BILLS**

**02-19-16**

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

ADOPTED Ayes 4 Schrantz, Boltz, Manzella, Farrell

Nays 0

Absent 1 Miller

RESOLVED the Portland Town Board approves the Bills for February 2016.

GENERAL FUND	\$9,363.47
TOWN OUTSIDE VILLAGE	\$353.07
HIGHWAY TOWNWIDE	\$5,269.81
HIGHWAY OUTSIDE VILLAGE	\$6,125.40
LIGHT	\$773.46
WATER	\$3,902.87

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With no further business, on a motion of Councilman Boltz, seconded by Councilwomen Farrell the meeting adjourned at 7:59 p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki  
Town Clerk