

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
April 12, 2023 – 6:00 P.M.

**BOARD MEMBERS PRESENT:**

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

**ABSENT:**

Gary Miller	Council
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**OTHERS PRESENT:**

Joel Seachrist	Attorney
Ken Becker	Highway Superintendent
Daniel Thomas	Town Justice
Barb Smith	Town Clerk

7 members of the public

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

**MINUTES:**

**RESOLUTION 24-2023**

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

Nay 0

Absent 1 Miller

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

**DEPARTMENTAL REPORTS:**

**RESOLUTION 25-2023**

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

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
- Dog Control

**TREASURY REPORT:**

**RESOLUTION 26-2023**

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
April 12, 2023 – 6:00 P.M.

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

Nay 0

Absent 1 Miller

RESOLVED The Portland Town Board approves the Treasury Report for March 2023 as presented by the Town Clerk.

**CORRESPONDENCE:**

- Letter from Chautauqua County Workers' Memorial. Event to be held on May 6, 2023.
- Charter Communications - check for Franchise Fee.
- Chautauqua County Department of Human Resources Letter of payroll Certification for 1/1/2023-12/31/2023.
- Letter from Chautauqua County Agricultural & Farmland Protection Board to notify they will be using a new assessment form going forward.
- Letter from State of New York Department of Taxation and Finance - Notice of Tentative Railroad Ceiling, for city and town assessment roll to be filed in 2023.
- Letter from SPCA Serving Erie County who the Town has a partnership with. Letter includes updates and changes.
- Department of the Treasury (IRS) - acknowledgment of receipt of our tax-exempt bond form.
- Email from Independent Health with COVID-19 updates.
- Letter from resident to Town Supervisor and Code Enforcement Officer with request. Supervisor Lewis would like to board to review. Code Officer will review and respond accordingly.
- NY Class Statement as of March 31, 2023.

**PUBLIC COMMENT:**

Robert Patterson Sr. came in late to meeting with comments. Mr. Patterson said CBI has been flushing the line on Onthank Road. Supervisor Lewis said yes they are flushing to be able to test. Mr. Patterson was upset regarding where the meter pits was located and who needs to pay for the meter pit. Supervisor Lewis stated if you as a residence need or want a meter pit installed it is paid for by you the resident. Mr. Patterson questioned who on his road has a meter pit and did they pay for it? Supervisor Lewis and Superintendent Becker stated some people have meters in their house but if they have a meter pit outside they had to pay for it. Discussion continued and explanations were given to Mr. Patterson regarding meter pits and water hookups and his responsibilities.

**OLD BUSINESS**

**CBI:**

Supervisor Lewis stated CBI continues to be about the same. Council Thompson presented a current issue regarding emergency with CBI Water. What is the process when a person has an emergency water issue? Supervisor Lewis spoke with current employee at CBI. The employee stated to Supervisor Lewis

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
April 12, 2023 – 6:00 P.M.

that they do not want to put the emergency number on the phone recording because it is listed on the email. Council Thompson explained she had a water emergency and called the number listed on her bill with no response until the next day. Council Thompson used her contacts to help with her emergency at that time, but if other residents do not have that advantage what would happen? Supervisor Lewis will mention at North County Water Meeting on Thursday April 13, 2023. Council Thompson questioned if she could file a personal complaint? Council Thompson will wait for response from North County Meeting. If answer is not acceptable with a correct resolution she will file a formal written complaint.

**WD #2 PROJECT:**

- 1) Supervisor Lewis stated the BAN Bond Anticipation Note is up to resell. May 2, 2023 it sells and May 11, 2023 is the closing date.
- 2) Supervisor Lewis announced bids were open on March 27, 2023 for the WD #2 project. Supervisor Lewis gave sheets to board for Cost Summary of Bids and a Bid Tabulation Sheet with Contractors and their bid prices. Project was budgeted in 2018. St. George was low bidder. Supervisor Lewis said we may be able to get grant funding. We are going to try to get the WII8 grants. Supervisor Lewis feels the grants might be more available this year as there were more funds not used. That being said we have to decide are we going to pursue going forward or completely discard the whole water project which the town would be out of a sizeable amount of money? Supervisor Lewis would like the boards thoughts?

**WD #2 ADDITIONAL FUNDS:**

**RESOLUTION 27-2023**

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

Nay 0

Absent 1 Miller

RESOLVED The Portland Town Board allows Supervisor Lewis to authorize Municipal Solutions to submit to Rural Development for additional grant monies for WD #2 Project.

Supervisor Lewis explained that process may take three months and have to check with contractor to hold bid price that was submitted in March. Attorney Seachrist stated the Town may have to hold a special meeting during this process.

**MUSEUM:**

Supervisor Lewis said the back roof was tore off and a new roof placed on Tuesday April 11, 2023. The contractor is going to get pricing on the front roof. Supervisor Lewis and Council Farrell have a meeting with Museum Historian Rob Pawlak on Friday April 14<sup>th</sup> to see what other projects need to be addressed will the possibility of using ARPA funds. Supervisor Lewis will report back at next board meeting.

**WATER EXTENTION - 21 BRIX, ONTHANK ROAD:**

Supervisor Lewis has not heard back from the Jordan's, the Owners of 21 Brix to date.

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
April 12, 2023 – 6:00 P.M.

**ARPA FUNDS:**

Supervisor Lewis made a spreadsheet of Allocated ARPA Funding. Supervisor Lewis got a quote from BECC Electric for a generator as a guideline on pricing. Supervisor Lewis questioned should we dedicate some of the ARPA Funds to purchase a generator? Council Thompson thought it would be beneficial to get a generator for the Town Hall. Supervisor Lewis stated we can dedicate \$80,000.00 of ARPA monies now but it can be moved at a later date.

**ARPA FUNDS:**

**RESOLUTION 28-2023**

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

Nay 0

Absent 1 Miller

RESOLVED The Portland Town Board approves allocating \$80,000.00 from the ARPA to purchasing a generator for the Town Office Building.

**FIREFIGHTER TAX EXEMPTION:**

Supervisor Lewis stated the assessor had some information from the Village of Brocton. We have all year to work on, but just keep in mind.

**GARY MUCHA PROPERTY:**

Supervisor Lewis signed all the paperwork to move the property over to Mr. Mucha. Mr. Seachrist did not include the easements for utilities in the paperwork. Mr. Seachrist said he could include them in the deed if Mr. Mucha wanted them included. Mr. Mucha was satisfied with current paperwork from Mr. Seachrist. Mr. Seachrist will send to Peter Clark for additional paperwork to be signed.

**LIFE FLIGHT LANDING ZONE:**

Supervisor Lewis wanted to reiterate that the Town would not be putting a lot of money into landing area. It would just be cleared and would be an alternate place for the helicopter to land beside the school.

**NEW BUSINESS:**

**NEW HIRE DEPUTY COURT CLERK:**

**RESOLUTION 29-2023**

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
April 12, 2023 – 6:00 P.M.

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

Nays 0

Absent 1 Miller

RESOLVED The Portland Town Board approves new hire Lisa Haltiner as deputy Court Clerk for Judge Daniel Thompson and Judge Daniel Larish.

Supervisor Lewis stated Lisa Haltiner had previously interviewed for deputy court clerk position and has experience as clerk for the court in Ripley.

**LOCAL LAW FOR BATTERY STORAGE:**

Supervisor Lewis shared the sample Law for the Town of Clymer drafted by Town Attorney Mr. Seachrist. The law is regarding Battery Storage. This sample is for Board to review for changes or additions for the Town. Supervisor Lewis would like everyone to read over and discuss at the next board meeting.

**SIGN AT HAMLET OF PORTLAND LINE (MUSEUM/DON REINHOUDT):**

Council Thompson had concerns if there were other highlighted areas for the Town to include. Council Thompson would like to include Museum Historian Rob Pawlak. It was agreed to table until next board meeting.

**DONATION TO LIBRARY:**

Supervisor Lewis question would the Town be interested in donating to the Library for their Summer music series. The Village donated \$500. Julie Patcher director from Library explained what programs and said they were having movies in the commons. She does not have any sponsorships at this time for the movies. Mr. Seachrist would like to sponsor. Supervisor Lewis would like to donate \$500 from the Town.

**DONATION TO AHIRA HALL MEMORIAL LIBRARY:**

**RESOLUTION 30-2023**

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

Nays 0

Absent 1 Miller

RESOLVED The Portland Town Board approves donating \$500 to the Ahira Hall Memorial Library for their Summer programs.

**TOWN BOARD MEMBERS/TOWN CLERK:**

No comments.

**HIGHWAY DEPARTMENT:**

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
April 12, 2023 – 6:00 P.M.

Superintendent Becker discussed shifter on grater. Superintendent found a place to ship parts. The part was shipped and received back and works well.

**PAYMENT ON GRATER PART:**

**RESOLUTION 31-2023**

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

Nays 0

Absent 1 Miller

RESOLVED The Portland Town Board approves the payment of grater part to Alta Construction Equipment of NY in the sum of \$5,500.00.

Superintendent Becker said they will be starting some pipe project for some Owners. Also, will start sweeping cleanup from snow plowing in the next few weeks. Supervisor Lewis thanked Superintendent Becker and guys for all they do for the Town/Village.

**BILLS:**

**RESOLUTION 32-2023**

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

Nay 0

Absent 1 Miller

RESOLVED the Portland Town Board approves the bills be paid April 2023 as presented.

GENERAL FUND	\$ 64,858.47
TOWN OUTSIDE VILLAGE	\$ 269.00
HIGHWAY TOWNWIDE	\$ 3,856.03
HIGHWAY OUTSIDE VILLAGE	\$ 9,259.44
ST. LIGHT	\$ 458.46
<u>CAPITAL PROJECTS</u>	<u>\$ 6,700.00</u>
TOTAL	\$ 85,401.40

**EXECUTIVE SESSION:**

No executive session.

With no further business, on a motion of Council McIntyre, seconded by Council Thompson the meeting adjourned at 6:50pm. Carried unanimously.

Respectfully Submitted by,

Barb Smith-Town Clerk

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
April 12, 2023 – 6:00 P.M.