

TOWN BOARD MEETING  
PORTLAND TOWN HALL  
October 11, 2023 – 6:00 P.M.

**BOARD MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

Joel Seachrist	Attorney
Ken Becker	Highway Superintendent
Barb Smith	Town Clerk

7 members of the public

Supervisor Lewis opened board meeting at 6:00pm with pledge to the flag.

**MINUTES:**

**RESOLUTION 92-2023**

On a motion of Council Miller, seconded by Council McIntyre the following resolution was  
ADOPTED Aye 5 Lewis, McIntyre, Miller, Thompson, Farrell  
Nay 0

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

**DEPARTMENTAL REPORTS:**

**RESOLUTION 93-2023**

On a motion of Council Thompson, seconded by Council McIntyre the following resolution was  
ADOPTED Aye 5 Lewis, McIntyre, Miller, Thompson, Farrell  
Nay 0

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

Monthly reports received and filed:

- Town Clerk
- Code Office
- Justice
- Dog Control

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**TREASURY REPORT:**

**RESOLUTION 94-2023**

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

Nay 0

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

**CORRESPONDENCE:**

- Invoice from Chautauqua County Chamber of Commerce.

**RESOLUTION 95-2023**

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

Nay 0

RESOLVED The Portland Town Board will not renew the yearly Membership to the Chautauqua County Chamber of Commerce for \$195.00.

- NYCLASS Summary Statement showing additional income from interest.

**PUBLIC COMMENT:**

Van Buren Resident questioned when the meters will arrive for Water District 2. Supervisor Lewis responded that would be at the end of the project but currently there is a brass shortage all around so the fittings are backordered. Also, when will the project start? Project has already had a pre-construction meeting but actual on-site slated for October 16<sup>th</sup> weather permitting.

A resident questioned Supervisor Lewis on defunding the Brocton-Portland Senior Citizen program? Is this true? What was the reason? Supervisor Lewis responded he was advised by Town Attorney that using tax payer's money to fund senior citizens group is not legal. Resident responded that program has been funded for many years and they have several seniors that attend the meetings. It is important for socialization and a meal is provided. The resident questioned what red flag was raised to defund program? Resident read a letter from previous board commending the Brocton-Portland Senior Citizens Association Program for paving the way for the town's future. Supervisor Lewis responded that if State Comptroller was to come in an Audit, he does not want to be responsible for tax payers money being used to fund the Senior Citizens program that is not legal. Resident questioned what action or correct term could be used to legally get funds appropriated to the Seniors? Discussion continued with Town Attorney regarding New York State Law showing where monies can be appropriated. Residences will research the NYS law for the next meeting. Town Attorney suggested checking with Village as they are allowed to have a recreation program that could accept a donation from the Town. Supervisor Lewis stated the Village has a Youth Recreation Program that the Town donates to. Council Thompson suggested to keep in mind that there might be a problem with the Villages Budget that runs June thru May.

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**CBI/NCCWD:**

Supervisor Lewis stated there were some personnel issues and they hired a new office person that started on October 10<sup>th</sup>. Committee is still looking for Supervisor to fill open position at CBI. Supervisor Lewis suggested contacting County to contact Director of North County Water to allow him to supervisor CBI. Two candidates were offered the job, both candidates declined.

**WD #2 PROJECT:**

Supervisor stated there was a progress map showing the scheduled for work. There is a shortage on brass which may hinder the project. Project is slated to be completed in May of 2024. This date may be extended with delays with material. Supervisor Lewis stated he was getting calls regarding galvanized pipes the owner have, need to be replaced. Contractor will hookup to whatever pipe is existing. It may be advised to replace the galvanized piping. The meter pits will be placed at the road.

**MUSEUM:**

Supervisor Lewis stated there is nothing to report. Council Thompson wanted it noted that she requested final report from Museum curator Rob Pawlak for this board meeting. No report as of meeting. Supervisor Lewis said Highway department will winterize.

**ARPA FUNDS:**

Supervisor Lewis provided list of distributed ARPA funds. Also noted, 30 percent of Delivery of Generator has been paid.

Council Thompson questioned is Ron Burgun planning on coming back to clear land behind Town Hall Building? Clearing is supposed to be completed by the end of this year.

**NEW BUSINESS:**

**PRESENT 2024 TENTATIVE BUDGET:**

Supervisor presented the tentative budget. Supervisor stated all union employees to receive their raise per their contract. Supervisor Lewis stated he gave the hourly clerks a 3% raise. Council Farrell questioned a raise for the Town Clerk. Supervisor Lewis stated No Elected officials received a raise or Code Officer. Council Thompson questioned what other employees received raises other than the union contract employees? Supervisor Lewis responded hourly clerks and Museum Curator. Council Miller question who were the employees not getting a raise Town Clerk and Code Officer. Council Miller felt all fulltime employees should get a raise. Supervisor Lewis defined fulltime employees. Supervisor Lewis feels everyone deserves a raise but would have to increase the taxes. Council Miller suggested cutting some things. Discussion continued who was a full time. Council Miller questioned what increase the Union employees received. Supervisor Lewis stated they received 4 percent plus .25 cents per contract. Council Thompson did the math for the 3 percent increase on the Town Clerk and Code Officers is about a \$2,700.00 wage impact for the year. That would be an increase that would need to be considered.

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Council Thompson suggested reconsidering amount and look at Budget before the next Board meeting to vote on Budget. Council Thompson stated her opinion that appointed Elected employees should not expect to get a raise they have been appointed. Council Thompson feels hourly employees should be getting a raise. Council Thompson suggested to look at budget to see if there is some place to cut to come up with money. Discussion continued regarding the Tax Cap and cutting things out of the budget. Supervisor Lewis stated the other big increase was the Court. The income for the court is down considerably. Council Miller pointed out an increase for Superintendent Becker thru the Village and noted he is definitely well worth it. Superintendent Lewis stated the village is paying that increase. Supervisor Lewis stated he would be glad to meet to discuss budget.

Supervisor Lewis removed items on the Committee List.

Council Thompson questioned who is offered the health insurance? Supervisor Lewis said fulltime employees including Town Superintendent and Town Clerk.

**INTERMUNICIPAL AGREEMENT FOR HIGHWAY SUPERINTENDENT:  
RESOLUTION 96-2023**

On a motion of Council Miller, seconded by Council Farrell the following resolution was  
ADOPTED Aye 5 Lewis, McIntyre, Miller, Thompson, Farrell  
Nay 0

RESOLVED The Portland Town Board approves Supervisor Lewis to sign and present the Intermunicipal Agreement for Highway Superintendent Services to the Village of Brocton.

**DOG CONTROL:  
RESOLUTION 97-2023**

On a motion of Council Farrell, seconded by Council Thompson the following resolution was  
ADOPTED Aye 5 Lewis, McIntyre, Miller, Thompson, Farrell  
Nay 0

RESOLVED The Portland Town Board approves the payment of \$2,000.00 to Owner/Operator Carl Yaskow to repair, replace the fence and extend dog kennel.

**TAX COLLECTOR - HIRE DEBRA DELCAMP:  
RESOLUTION 98-2023**

On a motion of Council McIntyre, seconded by Council Thompson the following resolution was  
ADOPTED Aye 5 Lewis, McIntyre, Miller, Thompson, Farrell  
Nay 0

RESOLVED The Portland Town Board approves to hire Debra Delcamp as Tax Collector.

Supervisor Lewis stated Debra Delcamp will train before being appointed in January as Tax Collector.

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**NYS PARK PROPERTY PURCHASE:**

Supervisor Lewis was approached with a phone call by Jay Bailey who runs most of the state parks in the region. They would like to purchase a parcel of land next to the State Park for educational purpose to educate people how to grow grapes. Mr. Bailey wanted to present to the board to make sure there were no objections of them purchasing parcel. Council Thompson ask where the location was? Supervisor Lewis stated it was next to the NYS Park House on Route 5. Discussion regarding safety crossing back and forth on Route 5. Supervisor Lewis will report to Mr. Bailey the boards concern for safety.

**PUBLIC HEARING FOR TENTATIVE BUDGET/BOARD MEETING:**

**RESOLUTION 99-2023**

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

Nay 0

RESOLVED The Portland Town Board approves to change November's Board meeting to Monday, November 6, 2023. There will be a Public Hearing for the tentative Budget at 6:00pm with the monthly Board Meeting to immediately follow.

**TOWN BOARD MEMBERS/TOWN CLERK:**

Nothing to report.

**HIGHWAY DEPARTMENT:**

Superintendent Becker spoke with International Truck representative the new truck is complete, it just needs some programming and expected to deliver in two weeks.

**SELLING INTERNATIONAL F550 TRUCK:**

**RESOLUTION 100-2023**

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

Nay 0

RESOLVED The Portland Town Board approves to surplus the 2013 F550 Truck with Plow and list on Auctions International.

Superintendent Becker spoke with Town Attorney, Mr. Seachrist about turn around at Forest Avenue. The title search did not find anything showing the town has right away. Superintendent Becker did contact owner who moved the car and said there should be enough room to turn around. Supervisor Lewis asked if we should get something in writing? Superintendent Becker sent a message to owner regarding an easement, owner was willing to discuss it.

Superintendent Becker said paving is all complete. 3.2 miles of asphalt in the Town. Swede Road, Parcel and Finley roads are complete. The Supervisor said they all look very good.

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Superintendent Becker was contacted by the Thruway Authority. Pecor Street Bridge has been hit multiple times by oversized vehicles and outside bridge needs to be repaired. Thruway proposed to close bridge for two weeks to repair. If they can't close bridge for two weeks it will be five month project to fix, possibly closing one side then the other. Thruway will notify all parties involved ex: schools, railroad, fire departments. Superintendent Becker will be the point of contact with the thruway.

Superintendent Becker said they will start winterizing Community Park within the next week or two.

**BILLS:**

**RESOLUTION 101-2023**

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

Nay 0

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

GENERAL FUND	\$ 28,734.79
TOWN OUTSIDE VILLAGE	\$ 282.37
HIGHWAY OUTSIDE VILLAGE	\$ 23,053.48
ST. LIGHT	\$ 448.78
<u>CAPITAL PROJECTS</u>	<u>\$ 4,000.00</u>
 TOTAL	 \$ 56,519.42

**EXECUTIVE SESSION:**

On a motion made by Council Thompson, seconded by Supervisor Lewis the Board moved into Executive Session at 7:10 p.m. regarding a personnel issue.

On a Motion of Council Miller and seconded by Council McIntyre the Board returned to regular Session at 7:34p.m.

With no further business, on a motion of Council Miller, seconded by Supervisor Lewis the meeting adjourned at 7:35pm. Carried unanimously.

Respectfully Submitted by,



Barb Smith-Town Clerk