

TOWN BOARD MEETING
PORTLAND TOWN HALL
September 13, 2023 – 6:00 P.M.

BOARD MEMBERS PRESENT:

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

ABSENT:

Patti Farrell	Council
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OTHERS PRESENT:

Joel Seachrist	Attorney
Ken Becker	Highway Superintendent
Gloria McCormick	Dog Control Officer
Barb Smith	Town Clerk

3 members of the public

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

MINUTES:

RESOLUTION 84-2023

On a motion of Council Miller, seconded by Council McIntyre the following resolution was

ADOPTED Aye 4 Lewis, McIntyre, Miller, Thompson

Nay 0

Absent 1 Farrell

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

DEPARTMENTAL REPORTS:

RESOLUTION 85-2023

On a motion of Council McIntyre, seconded by Council Thompson the following resolution was

ADOPTED Aye 4 Lewis, McIntyre, Miller, Thompson

Nay 0

Absent 1 Farrell

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 86-2023

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

Nay 0

Absent 1 Farrell

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

CORRESPONDENCE:

- Letter dated August 7, 2023 from Williamson, increasing cost for next years budget.
- Letter from Mr. Dale Carlson, Planning Board merging with Zoning Board.
- NYCLASS Summary Statement showing additional income from interest.

PLANNING AND ZONING BOARD TRAINING:

RESOLUTION 87-2023

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

Nay 0

Absent 1 Farrell

RESOLVED The Portland Town Board approves Planning Board Chairman, Mr. Dale Carlson and anyone else who would like to attend the Planning and Zoning Board Training in Jamestown, NY, on November 15th at a cost of \$20 per person. This training is presented by Southern Tier West.

PUBLIC COMMENT:

No public comment.

OLD BUSINESS

CBI/NCCWD:

Supervisor Lewis stated they received the \$125,000.00 grant money. \$69,000.00 of grant monies was paid to Clark Patterson Lee. \$30,000.00 was loaned to CBI from the town. \$30,000.00 needs to be paid back to the town. Supervisor Lewis will get with Accountant Dan Laurito on process to pay back the town.

North County Water District changed the board configuration and added two more legislatures. This is now a nine (9) member board. These members include town supervisors, three (3) legislatures and two (2) community members. This prevents biased voting.

Council Miller questioned if CBI purchased a new jeep. Supervisor Lewis said yes.

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WD #2 PROJECT:

Supervisor Lewis said contractor has started staging materials at VanBuren Bay Point. Supervisor Lewis spoke with Municipal Solutions and we are waiting on Rural Development to schedule Pre-Construction Meeting. Matt at Municipal Solutions reached out to Rural Development to approve everything Council Miller asked if they could start construction? Supervisor Lewis replied no not until there is a Pre-Construction Meeting.

MUSEUM:

Supervisor Lewis stated contractor is 95-99 percent complete with painting and did a phenomenal job. There was additional invoice \$884.00 for fixing cracked panes and broken windows. Supervisor Lewis approved additional work and payment of invoice.

ARPA FUNDS:

Supervisor Lewis noticed the generator pad was installed. Superintendent Becker stated pad was installed on September 13th and generator is on the line and being built.

Community Park Pavilion roofs are completed.

Ron Burgun is planning on coming back to clear land behind Town Hall Building.

Council Thompson stated she had a couple complaints about bathrooms at Community Park. Superintendent Becker stated they are cleaned a couple times a week and Supervisor Lewis said they are very basic bathroom because they have been vandalized in the past. Supervisor Lewis and Superintendent Becker would like complaints to specify exactly what their concerns are.

GENERAL CODE/ZONING LAWS:

Supervisor Lewis, Town Clerk, Barb Smith and Code Officer, Wendy Spinuzza met with Town Attorney Joel Seachrist to review email and processes from General Code that was received. The email was including an invoice for updating Zoning Laws. Town Clerk went back and there were initial payments to General Code for updating Zoning Laws. Supervisor Lewis and Mr. Seachrist worked together to answer their questions. Mr. Seachrist stated it is a good idea to have this in place for the Town. It is very beneficial to community and Code Office with laws online and updates for everyone to access. Many municipalities have this done.

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

Supervisor would like to put this on hold at this time.

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Supervisor Lewis was approached by Village Mayor Craig Miller for a memorial for Don Reinhoudt. The Mayor was inquiring a spot by the Town's Marmaduke Statue. Council Miller said the Brocton Fire Department Exempts are having a meeting regarding memorial. Mr. Reinhoudt was a member of the Brocton Fire Department. Supervisor Lewis would like to join efforts for a memorial for Mr. Don Reinhoudt.

NEW BUSINESS:

DOG CONTROL:

Gloria McCormick, the Dog Control Officer submitted a quote from the Contractor Bender's Home Improvement for the roof on dog kennel. Discussion on the remodel at dog kennel regarding fence and enlarging kennel. Gloria included epoxy flooring quote from Apollo Concrete Coatings.

RESOLUTION 88-2023

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

Nay 0

Absent 1 Farrell

RESOLVED The Portland Town Board approves the quote from Bender's Home Improvements LLC to place roof and build leanto over dog pens on kennel building at a cost of \$4,700.00.

RESOLUTION 89-2023

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

Nay 0

Absent 1 Farrell

RESOLVED The Portland Town Board approves the quote from Apollo Concrete Coatings for \$3,637.34 to proceed with epoxy coating on Dog Kennel floors, inside and out.

DCO stated dog enumeration if going well. Counts are up and she thanked Rich Carpenter, Dog Control Deputy for doing a good job with his part of the enumeration.

COURT OFFICER VEST:

Town of Portland Justice Court submitted a letter to purchase of a Body Armor Vest for Court Security Officer Dietzen. The cost will be split three ways with the Town of Pomfret, Town of Sheridan and Town of Portland at a cost of \$600.00 to be put in 2024 Court budget.

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RESOLUTION 90-2023

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

Nay 0

Absent 1 Farrell

RESOLVED The Portland Town Board approve the purchase of Body Armor Vest for Court Security Officer Dietzen at a cost of \$600.00 budgeted in 2024.

BROCTON-PORTLAND FUEL DEPOT:

Supervisor Lewis in reviewing invoice for fuel charges, found the school ran report for fuel which included several July amounts for August Invoice. July's amounts were already paid. Supervisor Lewis contacted school and they are going submit a revised report for August Invoicing. Supervisor Lewis suggested we pay closer attention to fuel invoices in the future.

MIDLAND ASPHALT:

Supervisor Lewis stated there was an incident that Superintendent Becker notified him and was aware of. Supervisor Lewis received a letter in the mail from Midland Asphalt requesting a \$30,000.00 or some split for restitution of incident. Superintendent Becker documented the incident. Supervisor Lewis stated he did not understand why this was our responsibility. This did not happen in our township or our equipment or we didn't rent the equipment or request insurance binder. Council Thompson ask for clarification was it our employee that backed into their equipment. Superintendent Becker stated yes. That is why they are pursuing this. Superintendent Lewis spoke with Mr. Seachrist who stated this is an insurance matter. Supervisor Lewis then submitted information to our insurance representative. Discussion continued regarding damage and cost of repairs.

TOWN BOARD MEMBERS/TOWN CLERK:

Nothing to report.

HIGHWAY DEPARTMENT:

Superintendent Becker stated they are finishing paving for the year working with other township. Swede Road is completed with paving. Swede Road residence are very happy.

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BILLS:

RESOLUTION 91-2023

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

Nay 0

Absent 1 Farrell

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

GENERAL FUND	\$ 40,322.16
TOWN OUTSIDE VILLAGE	\$ 362.23
HIGHWAY TOWNWIDE	\$ 940.42
HIGHWAY OUTSIDE VILLAGE	\$152,980.20
ST. LIGHT	\$ 430.30
<u>CAPITAL PROJECTS</u>	<u>\$ 6,702.80</u>
TOTAL	\$201,648.11

EXECUTIVE SESSION:

On a motion made by Supervisor Lewis, seconded by Council Miller the Board moved into Executive Session at 6:54 p.m. regarding a personnel issue.

On a Motion of Council Thompson and seconded by Council McIntyre the Board returned to regular Session at 7:09 p.m.

With no further business, on a motion of Council Miller, seconded by Supervisor Lewis the meeting adjourned at 7:10pm. Carried unanimously.

Respectfully Submitted by,



Barb Smith-Town Clerk