

**Town of Portville
Regular Board Meeting
January 14th, 2020**

Pledge to Flag: 6:03PM

Board Members Present:

Tim Emley, Supervisor, Stuart Frost, Deputy Supervisor, David Suain, Councilman,
Todd Johnson, Councilman, Thomas Rowe, Councilman

Others: Sherry Austin, Bob Austin, John Krist, Andre Gayton, Tyler Robinson, Sharon Orcutt, Cindy Wagner, Danae Carrier, Todd Shaw, Tami Attwell, Bob Fischer, Holly Fischer

Motion to accept the Board Meeting Minutes from December 10th, 2019.

Motion: Thomas Rowe Second: David Suain All Ayes

Motion to approve Abstract #013 and pay monthly vouchers #584 - #598 in the amount of \$13,103.93 .

Motion: Tim Emley Second: Stuart Frost All Ayes

Motion to approve Abstract #001 and pay monthly vouchers #1 - #34 in the amount of \$42,766.62.

Motion: Tim Emley Second: Todd Johnson All Ayes

Motion to designate the Town of Portville as Lead Agency for the proposed Solar Farm being developed by Dimension Energy at 2188 Windfall Rd.

Motion: Stuart Frost Second: Thomas Rowe All Ayes

RESOLUTION #01-2020 – Authorization to Pay Pre-Pays

BE IT RESOLVED; that the Town Board does hereby authorize the Bookkeeper to pay – utility bills, NYS Retirement payments, health insurance bills, union fees, bills from the Office of the State Comptroller for the Justice Court Fund, liability, disability and workers comp. insurance, Verizon cell phone bills, Fire District tax revenue, membership dues, software renewals and any conference fee or training fee.

Resolved: Todd Johnson **Second:** David Suain **All Ayes**

Department Head Reports/Updates:

Planning Board: Property on 305 S/proposed boat launch—next phase will be having it delineated by DEC to gauge the environmental impact and to see what we need to do to get it approved to move forward.

Dog Control: Report filed.

Code Enforcement: Report filed. Complaint/picture of Colwell property given to board members and copy left for Walt Putt.

Courts: Report filed.

Assessors Report: N/A

Highway Department: Todd gave an overview of salt/sand supply and usage.

Clerk: Audit request came from the Uniform Justice Court. 2019 Audit needs to be completed. Stuart Frost offered to do the audit and Tim Emley offered to do it with him in February. Robin Pearl requested that the Town Board pass a local law that will give residents more exemptions on their taxes (Unreimbursed medical expenses being deducted from income which increases their percentage of exemption as well as a law matching Cattaraugus County income scale for percentage of exemption. The Town Board thought it was a good idea to pass this law and it will be written and presented to the Town Board for approval.

Old and New Business:

Prosecuting Attorney Contract ready for signature.

Motion to execute contract for Prosecuting Attorney, Michael Burke.

Motion: Thomas Rowe

Second: Todd Johnson

All Ayes

***SEE LAST PAGE FOR CONTRACT**

Board Members: Tim gave an updated status on the proposed Solar Farm at 2188 Windfall Rd. and showed the Town Board members pictures that show before and after pictures of the site without and late with solar panels in place as well as the trees planted to cover the view.

Public Comment: Sharon Orcutt inquired about the status of the East End Cemetary on Prosser Rd.

Meeting Adjourned: 6:40PM

Motion: Thomas Rowe

Second: Todd Johnson

All Ayes

Respectfully Submitted, Lora J. Weitzel, Town Clerk

January 2020

Contract: Town of Portville – Prosecuting Attorney

Terms: Every other month unless required or requested by the Town Justice or Town Supervisor.

Attorney Michael Burke has been hired by the Town of Portville at a rate of pay of \$100.00 per hour not to exceed one hour per month, every other month, unless more time is requested by the Town Justice or the Town supervisor. This shall be an annual board appointment and the board will have the right to terminate the contract upon thirty days' notice. The Prosecuting Attorney shall be duly licensed to practice law in New York and continue to be licensed while working as Town Prosecutor.

Your employment title shall be that of a private contractor and not an employee of the Town of Portville. (General Municipal Law 103-g)

The Town Prosecutor shall be liable to any and all acts of his/her negligence, gross negligence, and intentional conduct and shall indemnify and defend the Town from the same, and hold the Town harmless.

If time worked shall exceed one hour, payment will be established by 1/4 hour (s).

For Example: 1 hour 15 minutes worked = \$125.00

1 hour 30 minutes worked = \$150.00

1 hour 45 minutes worked = \$175.00

Signatures:



Prosecuting Attorney Michael Burke

Date: 2, 3, 20



Town Supervisor

Date: 1, 14, 2020