

**Town of Portville  
Regular Board Meeting  
April 12th, 2016**

**Pledge to Flag:** 6:09PM

**Board Members Present:**

Tim Emley, Supervisor, Gary Woodhead, Deputy Supervisor, Kip Morrow, Councilman, Stuart Frost, Councilman, Todd Johnson, Councilman

**Others:** Robert Austin, Sherry Austin, Ryan Brainard, Paul Austin, Bryce Austin, Tim Root, Tami Attwell, Holly Fischer, Bob Fischer, Alex Dean, Todd Shaw

**Motion to accept the Board Meeting Minutes from March 8<sup>th</sup>, 2016.**

**Motion:** Gary Woodhead      **Second:** Todd Johnson      **All Ayes**

**Motion to approve Abstract # 004 and pay monthly vouchers #128 - #173 in the amount of \$50,749.64**

**Motion:** Tim Emley      **Second:** Stuart Frost      **All Ayes**

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**STATE OF NEW YORK**

Town of Portville

County of Cattaraugus

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In the Matter of the Renewal of the Cable Television Franchise Held by **TIME WARNER CABLE NORTHEAST LLC** in the Town of Portville, Cattaraugus County,

**RESOLUTION #05-16 Time Warner Cable Franchise Renewal**

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An Application has been duly made to the Board of the Town of Portville, County of Cattaraugus, New York, by TIME WARNER CABLE NORTHEAST LLC ("Time Warner"), a partnership organized under the laws of the State of New York doing business as 2604 Seneca Ave, Niagara Falls, NY 14305, and holder of a cable television franchise in the Town of Portville for the approval of an agreement to renew Time Warner's cable television franchise for an additional fifteen (15) years. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable communications Policy Act of 1984, as amended, and certain court rulings.

A Public Hearing was held in the Town of Portville on April 12<sup>th</sup>, 2016 at 5:45PM and notice of the hearing was published in the Olean Times Herald on Monday, March 28<sup>th</sup> and again on Monday, April 4<sup>th</sup>, 2016.

**NOW, THEREFORE**, the Board of the Town of Portville finds that:

1. Time Warner has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. The quality of the Time Warner service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and
3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Time Warner can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the Town of Portville hereby renews the cable television franchise of Time Warner in the Town of Portville for fifteen (15) years commencing on the date of approval by the Public Service Commission.

**BE IT FURTHER RESOLVED** that the Board of the Town of Portville hereby confirms that this Franchise Renewal Agreement replaces the original franchise last amended on 07/10/06.

**RESOLVED:** Gary Woodhead      **SECOND:** Stuart Frost      **All Ayes**

The foregoing having received a yea vote was thereby declared and adopted.

**RESOLUTION #06-16 Local Law #1-2016 Local Law to Establish Weight Limitations on Town Roads in the Town of Portville.**

**Be it Resolved**, that the Town Board of the Town of Portville does, **Hereby**, Adopt Local Law #1-2016 Local Law to Establish Weight Limitations on Town Roads in the Town of Portville effective at time of filing with the Department of State.

Resolved: Stuart Frost      Second: Kip Morrow      All Ayes

**Department Head Reports/Updates:**

**Planning Board:** Various projects discussed at the Planning Board Mtg. include: 1. Proposed sign ordinance 2. Business Brochure was made into an electronic document. 3.

Livable Community Training at the County Bldg. on Thurs, April 14<sup>th</sup> at 6:30PM. 4.Houghton Training in May. 5. At the Trail mtg at the County, it was discussed the importance of having a rec. trail in Portville. 6. There will be a River Trail Committee Mtg. on 4/27 at 6PM at the Olean Municipal Building.

**Dog Control:** The dog census and the noise ordinance were discussed.

**Code Enforcement:** Walt answered some questions regarding process necessary before opening up a business in the Town of Portville.

**Courts:** Report filed.

**Assessors Report:** No concerns.

**Highway Department:** The Highway crew have been working on burming and various road work. Work will begin soon at the Linn Launch. New Chips funding was discussed.

**Old and New Business:**

**Motion to accept the 2016 Town Clerk Audit.**

Motion: Gary Woodhead                      Second: Stuart Frost                      All Ayes

**Board Members:** No comments or concerns.

**Public Comment:** Alex Dean was here to discuss "Tech Unleashed". His group will be doing fundraising to acquire a new location in Olean. April-June events are updated on the App. The name of the app is SCREEN.

**Meeting Adjourned:** 7:03PM

Motion: Kip Morrow                      Second: Gary Woodhead                      All Ayes

Respectfully,

Lora J. Weitzel, Town Clerk