



DATE: July 16, 2008

TIME: 6:00PM

MEETING: Town Board Meeting, Town of Portville, New York

LOCATION: Westons Mills Community Center, 1310 Olean Portville Road, Westons Mills, New York

PRESENT: Terry Keeley, Supervisor  
Dennis Cornell, Deputy Supervisor  
William Stern, Councilperson  
Gary Woodhead, Councilperson  
Terri Batt, Councilperson  
James Parks, Town Clerk

Public and media.

### **Procedural Compliance**

The meeting was opened by Supervisor Keeley asking attendees to stand and join him in the "Pledge of Allegiance".

Supervisor Keeley welcomed everyone and asked the town board and town clerk to introduce themselves. Five board members were present to satisfy a quorum.

### **Public Comments**

Mrs. Nauenburg thanked Walter Putt, CEO, and the Town Board for their efforts in cleaning up the mess on Steam Valley Road.

Mr. James Clancy of Lillibridge Road addressed the Board with concerns of trees falling on the roadway due to water erosion. Highway Superintendent Frost will meet with Mr. Clancy and bring back to the Board recommendations to correct this problem.

### **June 17, 2008 Minutes Review**

The minutes of the June 17, 2008 Town Board meeting were reviewed and a motion to approve was made by Councilperson Stern, seconded by Councilperson Woodhead and approved by the Town Board. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES) MOTION CARRIED 5-YES 0-NO



## Department Reports

The following monthly department reports were given:

- Town Clerk
- Town Justice
- Highway Department
- Assessor
- Building Department
- Dog Control Officer
- Planning Board

A motion was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board to accept the Department Reports as given. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

## New Business

### **Agenda Item #1: HIGHWAY EMPLOYEE INSURANCE/MOWER SALE**

Highway Superintendent Frost gave an overview of the proposed Blue Shield 102 Policy. He stated this policy nearly parallels the previous and would be \$6,525.24 less. A motion was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board to accept the Blue Shield 102 Policy. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

Highway Superintendent Frost noted since replacing the 240 International mower it should be disposed of at public auction. A motion was made by Councilperson Cornell, seconded by Councilperson Woodhead and approved by the Town Board to sell the mower at [www.auctionsinternational.com](http://www.auctionsinternational.com) VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

**Agenda Item 1a: FINACIAL UPDATE**

Supervisor Keeley gave an update regarding the Town's balance sheet, expenses, and earned interest.

(Refer to attachment accompanying these minutes)

**Agenda Item #2: MILEAGE RATE CHANGE**

A discussion and recommendation to change the Town business mileage reimbursement and change the rate from \$0.42 to \$0.58 to better align to both IRS rate and the reality of rising fuel costs. A motion was made by Councilperson Stern, seconded by Councilperson Woodhead and approved by the Town Board to update the reimbursement rate to \$0.58 effective July 17, 2008. Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

**Agenda Item #3: RESOLUTION RES-20080716.6 SOUTHWESTERN ASSOCIATION OF FIREMEN DAY**

The Town Board held a discussion recommending the adoption of RES-20080716.6 acknowledging the 100<sup>th</sup> anniversary of the Southwestern Association of Firemen. The proclamation will make July 30, 2008 Southwestern Association of Firemen Day. A motion was made by Councilperson Cornell, seconded by Councilperson Woodhead and approved by the Town Board to proclaim **July 30, 2008 Southwestern Association of Firemen Day**. Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

(Refer to attachment accompanying these minutes)

**Agenda Item #4: RESOLUTION RES-20080716.7 WOLF RUN ROAD SPEED LIMIT REDUCTION**

The Town Board held a discussion recommending the adoption of RES-20080716.7 to reduce the Wolf Run Road speed limit to 45 MPH. The Town Board will submit form TE 9a to the Cattaraugus County Department of Public Works and NYS DOT for approval. A motion was made by Councilperson Batt, seconded by Councilperson Cornell and approved by the Town Board to adopt RES-20080716.7 and submit necessary forms. Keeley (YES), Cornell (YES), Stern (ABSTAIN), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

(Refer to attachment accompanying these minutes)



**Agenda Item #5                      RESOLUTION RES-20080716.8 TRAFFIC SAFETY STATE ROUTE 305**

The Town Board held a discussion recommending the adoption of RES-20080716.8 to improve traffic safety between Spragues's Maple Farms Restaurant and the Town of Portville boundary limit on state route 305. Citing recent and numerous accidents the Town Board recommended filing form TE 9a with the Cattaraugus County Department of Public Works and NYS DOT, which includes a traffic light at the intersection of SR-305 and Deer Creek Road and a reduction in speed limit to 35 MPH, for approval. A motion was made by Councilperson Stern, seconded by Councilperson Woodhead and approved by the Town Board to adopt RES-20080716.7 and submit necessary forms. Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES). Batt (YES) MOTION CARRIED 5-YES 0-NO

(Refer to attachment accompanying these minutes)

**Agenda Item #6                      BUDGET PLANNING**

A discussion was held on the formation process to prepare data for the 2009 budget. The Town Board acknowledges increased fuel cost and other overhead as major concerns for next year's budget. Public input will be invited during the joint Town Board Budget/ Town Board meeting.

**Agenda Item #7                      EXPENSE REVIEW**

A review and discussion took place regarding filed expenses and monthly vouchers. A motion was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board to approve for payment the June 2008 monthly bills. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES) MOTION CARRIED 5-YES 0-NO

(Refer to attachment accompanying these minutes)



**Agenda Item #8                      Santa Claus Lane Parade**

Gary Van Dusen on behalf of his wife, Santa Clause Lane Chair Charlene Van Dusen, submitted the following committee members and meeting schedule;

Cindy Heinz; Rachel Boyer; Sara, Mia & Anna Augustini; Heather Wray; Jean Smith; Rita Martin and Judge Hale. The first scheduled meeting is August 5, 2008 at the Portville Free Library starting at 6:30PM. The second meeting will be September 2, 2008 also at 6:30 PM. The public is invited to attend.

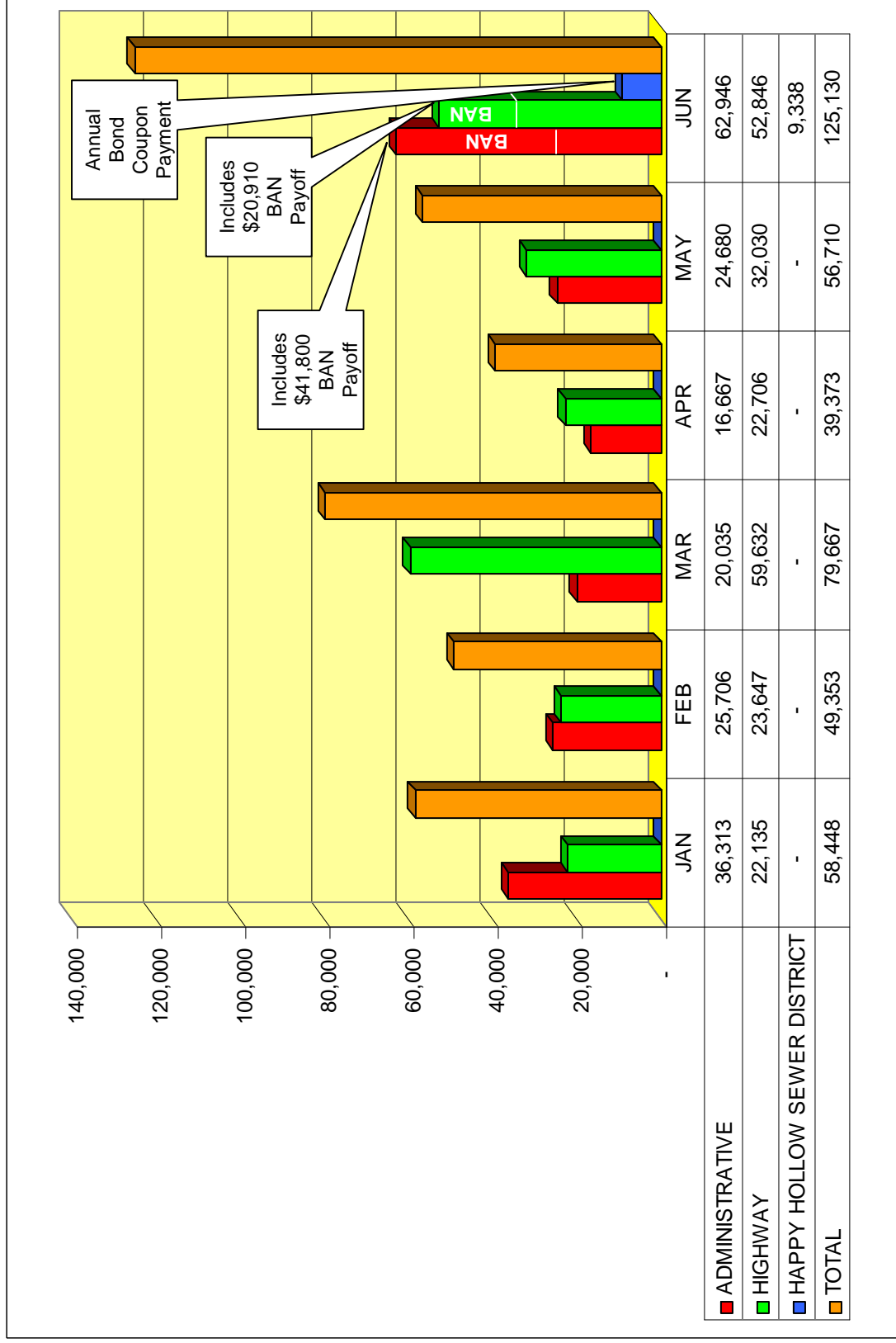
**Adjournment**

Being there was no further business a motion to adjourn at 8:00PM was made by Councilperson Stern, seconded by Councilperson Batt and approved by the Town Board. VOTE: Keeley (YES), Cornell (YES), Stern (YES), Woodhead (YES), Batt (YES). MOTION CARRIED 5-YES 0-NO.

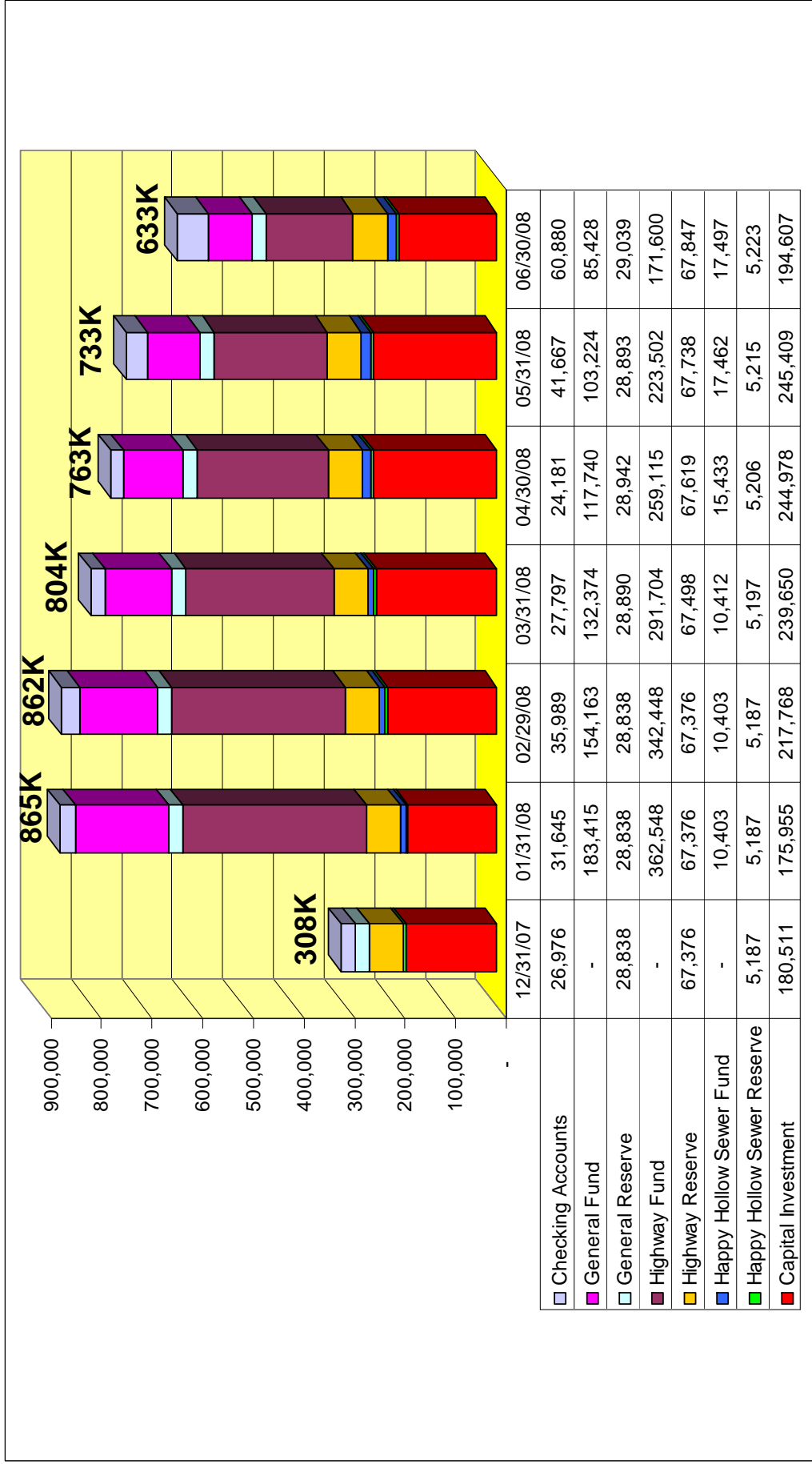
Respectfully submitted and signed,

James Parks  
Town Clerk  
Town of Portville, New York

# Monthly Operating Expense



# Month-Ending Cash Asset Balance Sheet



# Interest Earned – June , 2008

	Interest Paid	Average Daily Balance	Annual Percentage Rate
<b>MBIA NYCLASS</b>			
Highway Reserve	108.43	67,795	1.92%
General Reserve	46.41	29,017	1.92%
Sewer District Reserve	8.30	5,219	1.91%
General Fund	152.13	94,991	1.92%
Highway Fund	312.13	194,703	1.92%
Sewer District Fund	34.53	21,528	1.92%
Investment Fund	335.84	209,634	1.92%
<b>Total</b>	<b>997.77</b>	<b>622,888</b>	<b>1.92%</b>
<b>COMMUNITY BANK, NA</b>			
DEC Licensing Fees	-	1	0.00%
General and Highway Fund	6.59	50,599	0.16%
Happy Hollow Sewer District	0.18	4,235	0.05%
Tax Collection	-	5	0.00%
Town Clerk	-	295	0.00%
Town Justice (Hale)	-	3,075	0.00%
Town Justice (Piaggi)	-	5	0.00%
Trust And Agency	-	6,303	0.00%
<b>Total</b>	<b>6.77</b>	<b>64,519</b>	<b>0.13%</b>
<b>Grand Total</b>	<b>1,004.54</b>	<b>687,407</b>	<b>1.75%</b>



# TOWN OF PORTVILLE, NEW YORK

**Resolution RES-20080716.6: RECOMMENDATION TO PROCLAIM JULY 30, 2008 SOUTHWESTERN ASSOCIATION OF VOLUNTEER FIREMEN DAY**

**WHEREAS,** beginning July 30, 2008, the Southwestern Association of Volunteer Firemen will celebrate its 100<sup>th</sup> anniversary of fighting fires and saving lives.

**WHEREAS,** while this celebration of the commitment and dedication of firefighters is most well-deserved, it is truly recognized by the communities that are served by these selfless individuals that their professionalism and effectiveness have been the hallmark of enhancing the longevity of our lives and property when placed at risk.

**WHEREAS,** the Town of Portville depends almost exclusively on volunteer firefighters. Their excellence in delivery demonstrates daily the efficiency and result-oriented skills that have allowed our community to thrive when challenged by a myriad of risk challenges such as fires, flood, and accidents.

**WHEREAS,** the Town Board extends its appreciation for the important contribution you make daily.

NOW, THEREFORE, I, TERRY KEELEY, Supervisor of the Town of Portville, in accordance with a joint resolution of the Town Board of Portville, New York, do hereby proclaim July 30, 2008, as

**Southwestern Association of Volunteer Firemen Day**

in Portville, New York, and encourage all of our citizens to express their appreciation to all firefighters for their many contributions to saving lives and property.

WORKING DRAFT FOR JULY 16, 2008 TOWN BOARD MEETING



TOWN OF PORTVILLE, NEW YORK

**PROCLAMATION**

BY THE SUPERVISOR OF THE TOWN OF PORTVILLE, NEW YORK

**WHEREAS,** beginning July 30, 2008, the Southwestern Association of Volunteer Firemen will celebrate its 100<sup>th</sup> anniversary of fighting fires and saving lives.

**WHEREAS,** while this celebration of the commitment and dedication of firefighters is most well-deserved, it is truly recognized by the communities that are served by these selfless individuals that their professionalism and effectiveness have been the hallmark of enhancing the longevity of our lives and property when placed at risk.

**WHEREAS,** the Town of Portville depends almost exclusively on volunteer firefighters. Their excellence in delivery demonstrates daily the efficiency and result-oriented skills that have allowed our community to thrive when challenged by a myriad of risk challenges such as fires, flood, and accidents.

**WHEREAS,** the Town Board extends its appreciation for the important contribution you make daily.

NOW, THEREFORE, I, TERRY KEELEY, Supervisor of the Town of Portville, in accordance with a joint resolution of the Town Board of Portville, New York, do hereby proclaim July 30, 2008, as

**Southwestern Association of Volunteer Firemen Day**

in Portville, New York, and encourage all of our citizens to express their appreciation to all firefighters for their many contributions to saving lives and property.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the official seal of the Town of Portville to be affixed on this 16<sup>th</sup> day of July, 2008.

**Terry Keeley**



# TOWN OF PORTVILLE, NEW YORK

**Resolution RES-20080716.7: RECOMMENDATION TO REDUCE WOLF RUN ROAD SPEED LIMIT TO 45 MPH**

**WHEREAS,** the community and the municipal government view that Wolf Run Road in the Town of Portville is often co-occupied by persons walking along its narrow shoulders, is often co-occupied by slow moving farm equipment, and is often tranversed by farm animals.

**WHEREAS,** the community and the municipal government view that Wolf Run Road in the Town of Portville has a topology that limits visibility in many instances of forthcoming road obstructions with subsequent and insufficient response time in many instances to avoid those obstructions.

**NOW, THEREFORE,** the Town Board of the Town of Portville resolves unanimously to recommend to the County of Cattaragus and the New York State Department of Transportation that the speed limit be reduced from 55 miles per hour to 45 miles per hour.

WORKING DRAFT FOR JULY 16, 2008 TOWN BOARD MEETING

Regional Traffic Engineer  
Region No. \_\_\_\_\_  
Department of Transportation

Gentlemen:

The Town Board of the Town of **Portville**, by a resolution adopted **July 16, 2008**, and the County Superintendent of Highways of the County of **Cattaraugus**, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on

**Wolf Run Road**, a **County Road**

between **Haskell Road (Cattaraugus County Route 27)** and **Haskell Road (Allegany County Route 6)**.

Upon receipt of the notice that the regulation herein requested has been established, the **Town** of **Portville** will provide, install and maintain signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

Dated: **July 16, 2008** \_\_\_\_\_

**James Parks** \_\_\_\_\_  
Town Clerk  
(716) 933-6658 Office  
(716) 933-7877 Fax

Dated: \_\_\_\_\_

**David J. Rivet** \_\_\_\_\_  
Commissioner Public Works  
(716) 938-9121 Office  
(716) 938-2752 Fax

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Comments by Commissioner Public Works



# TOWN OF PORTVILLE, NEW YORK

**Resolution RES-20080716.8: RECOMMENDATION TO IMPROVE TRAFFIC SAFETY BETWEEN SPRAGUE'S MAPLE FARMS RESTAURANT AND THE TOWN OF PORTVILLE BOUNDARY LIMIT ON STATE ROUTE 305**

**WHEREAS,** the community and the municipal government observe that many serious accidents involving injury and death have been caused by routine excessive speed well above the posted speed limit and with inadequate visibility and distance within which to stop or avoid accidents between Sprague's Maple Farms Restaurant near the intersection of State Route 305 N at Temple Street and State Route 305 N at the Cattaraugus and Allegany Counties' border.

**WHEREAS,** the community and the municipal government want appropriate action taken to mitigate the life-threatening risk posed by these current conditions.

**NOW, THEREFORE,** the Town Board of the Town of Portville resolves unanimously to recommend to the County of Cattaraugus and the New York State Department of Transportation that: 1) the speed limit between the Cattaraugus and Allegany Counties' border on State Route 305 N to the intersection of State Route 305 N and Temple Street be reduced from 45 miles per hour to 35 miles per hour; 2) a traffic light be installed at the intersection of State Route 305 N and Deer Creek Road with a signal warning sign no less than one quarter mile in either direction; and 3) photo radar and applicable signage to trigger ticketing for any vehicle traveling at or above 40 miles per hour.

WORKING DRAFT FOR JULY 16, 2008 TOWN BOARD MEETING

Regional Traffic Engineer  
Region No. \_\_\_\_\_  
Department of Transportation

Gentlemen:

The Town Board of the Town of **Portville**, by a resolution adopted **July 16, 2008**, and the County Superintendent of Highways of the County of **Cattaraugus**, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on

**State Route 305 N (Portville Obi Road, a State Highway**

**between State Route 305 N at Temple St and State Route 305 N at Cattaraugus and Allegany Counties' Border.**

Upon receipt of the notice that the regulation herein requested has been established, the **Town** of **Portville** will provide, install and maintain signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

Dated: **July 16, 2008**

**James Parks**  
Town Clerk  
(716) 933-6658 Office  
(716) 933-7877 Fax

Dated: \_\_\_\_\_

**David J. Rivet**  
Commissioner Public Works  
(716) 938-9121 Office  
(716) 938-2752 Fax

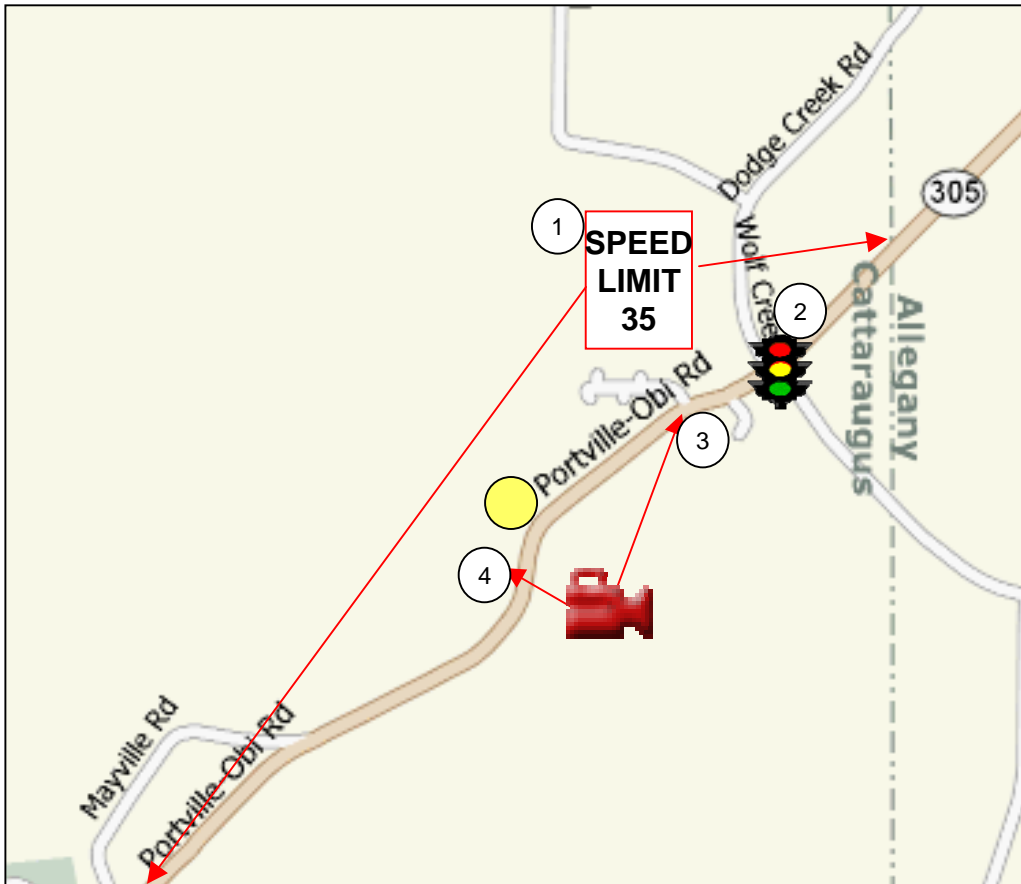
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Comments by Commissioner Public Works

# Town of Portville

TE 9a Supporting Documentation  
Route 305 N From Sprague's Maple Farms  
To Cattaraugus/Allegany Counties' Border  
July 16, 2008

- 1 Change Speed Limit From 45 MPH To 35 MPH.
- 2 Install Traffic Light At SR-305 N at Deer Creek.
- 3 Install Photo Radar Camera To Ticket Speeders Above 40 MPH Going North.
- 4 Install Photo Radar Camera To Ticket Speeders Above 40 MPH Going South.



**TOWN OF PORTVILLE**  
**Unpaid Bills Detail**  
As of July 16, 2008

	<u>Total Due</u>	<u>General</u>	<u>Highway</u>
<b>Austin Locksmithing &amp; Security Inc</b>			
	63.00		
Total Austin Locksmithing & Security Inc	63.00	63.00	
<b>Buffalo Crushed Stone</b>			
	1,969.39		
	2,987.84		
Total Buffalo Crushed Stone	4,957.23		4,957.23
<b>Cattaraugus Co Clerks Association</b>			
	20.00		
Total Cattaraugus Co Clerks Association	20.00	20.00	
<b>Donovans Easten Supply</b>			
	1.98		
Total Donovans Easten Supply	1.98		1.98
<b>Edward J. Bysiek, CPA</b>			
	660.00		
Total Edward J. Bysiek, CPA	660.00	660.00	
<b>Frost, Stuart</b>			
	50.00		
Total Frost, Stuart	50.00		50.00
<b>Hale, Dan</b>			
	16.38		
Total Hale, Dan	16.38	16.38	
<b>Johnson Distributing Inc</b>			
	16.90		
Total Johnson Distributing Inc	16.90		16.90
<b>Keeley, Harry W.</b>			
	172.91		
Total Keeley, Harry W.	172.91	172.91	
<b>Kinley Sand &amp; Gravel</b>			
	238.68		
Total Kinley Sand & Gravel	238.68		238.68
<b>Milton CAT</b>			
	232.88		
Total Milton CAT	232.88		232.88
<b>NYS Clerks Association, Inc.</b>			
	50.00		
Total NYS Clerks Association, Inc.	50.00	50.00	
<b>NYS Office of the State Comptroller</b>			

**TOWN OF PORTVILLE**  
**Unpaid Bills Detail**  
As of July 16, 2008

	<u>Total Due</u>	<u>General</u>	<u>Highway</u>
	6,095.00		
Total NYS Office of the State Comptroller	6,095.00	6,095.00	
<b>Parks, James -</b>			
	122.04		
Total Parks, James -	122.04	122.04	
<b>Portville Concrete Products Inc</b>			
	65.53		
Total Portville Concrete Products Inc	65.53		65.53
<b>Portville Truck &amp; Auto Repair Inc</b>			
	300.53		
Total Portville Truck & Auto Repair Inc	300.53		300.53
<b>Richard-Cin Signs &amp; Supplies</b>			
	198.00		
Total Richard-Cin Signs & Supplies	198.00		198.00
<b>Rinker Oil Corp</b>			
	1,328.40		
Total Rinker Oil Corp	1,328.40		1,328.40
<b>State Line Supply Company</b>			
	61.20		
Total State Line Supply Company	61.20		61.20
<b>Subcon Industries</b>			
	21.00		
Total Subcon Industries	21.00	21.00	
<b>The Paper Factory</b>			
	9.90		
	84.99		
Total The Paper Factory	94.89	94.89	
<b>The Times Herald</b>			
	16.71		
Total The Times Herald	16.71	16.71	
<b>United Refining Company of Pennsylvania</b>			
	842.64		
Total United Refining Company of Pennsylvania	842.64		842.64
<b>Worth W Smith Co Surplus</b>			
	118.56		
Total Worth W Smith Co Surplus	118.56		118.56
<b>TOTAL</b>	<b>15,744.46</b>	<b>7,331.93</b>	<b>8,412.53</b>