

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Monday, April 3, 2017, at the Pulteney Town Hall with the Pledge of Allegiance. This meeting was rescheduled at the March 8, 2017 regular Board meeting.

Present were: Supervisor Mark Illig; Councilman Mark Goodwin; Councilman Richard Musso; Councilman Michael Yastremski; Councilman Kathleen Burns; Highway Superintendent Terry Gibson; Attorney Jennifer Prossick; Bookkeeper Rebecca Kirch; and Town Clerk Erica Giambra.

Councilman Goodwin made motion seconded by Councilman Musso to accept the minutes of the March 8, 2017 regular Board meeting. All in favor. Carried.

The balance sheets and profit/loss statements were made available to review. Supervisor Illig asked if there were any questions or concerns in which there were none.

Councilman Musso made motion seconded by Councilman Yastremski to pay General Bills in the amount of \$3,637.81 being voucher No. 17-70, voucher No. 17-71, and vouchers No. 17-72 to No. 17-86. Roll call vote: Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out there was nothing out of the ordinary or note-worthy this month in General.

Councilman Burns made motion seconded by Councilman Goodwin to pay Highway Bills in the amount of \$59,471.89 being voucher No. 17-58 and vouchers No. 17-59 to No. 17-80. Roll call vote: Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Supervisor Illig stated the main expense for Highway this month in continuing with the 5-year plan, the final payment of \$45,462.83 for the 2013 Peterbuilt Highway truck.

Councilman Musso made motion seconded by Councilman Burns to pay Water District #1 Bills in the amount of \$6,060.94 being vouchers No. 17-35 to No. 17-43. Roll call vote: Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. The main expense in the Water District was for a new chlorinating system. Water Operator Dluzak has sent the non-working old chlorinator to the company several times to be repaired to no avail. Now the Dept. finally has a new proper working system.

Supervisor Illig stated there are no transfers this month.

The Highway, Water Department, Municipal Services, DCO, and Justice reports were all available to review.

Clerk Giambra reported as of today, she has collected a little shy of 2.7 million dollars with 1,532 tax bills being paid, 173 tax bills remain unpaid. The last day for tax collection was March 31<sup>st</sup>, all further payments must be paid to Steuben County Finance Dept. She stated she settles with the County on April 12<sup>th</sup>. In addition, as a reminder the Town rabies clinic is May 6<sup>th</sup> from 9-11am at the Pulteney Highway Barn. On April 27<sup>th</sup>, there is an annual LULA (Land Use Leadership Alliance) training from 5-8pm at the Yates County Building Auditorium.

Municipal Services Manager Welch commented along with his report, the Dept. is overwhelming busy with several new construction projects, with the addition of FOIL requests. He is looking into prices for an IPAD Pro that would assist in working in the field more efficiently.

Highway Superintendent Gibson reported the Dept. is still plowing and sanding. They installed new LED lighting in the main shop. This will be very worthwhile and cost effective overall. The 1995 GMC sold for \$14,800 on Auctions International. There were over 2,000 views and several bids. He hasn't heard from the State yet in regards to if there will be an increase in CHIPS funding this year. After the budget passes, the State will send out an email as to the decision. There is an unexpected large culvert pipe on Town Line Rd. that needs replaced. Steuben County Soil and Water Dept. will assist with the project. It is a shared road with the Town of Prattsburgh so they will need to contribute a portion of the cost to replace the culvert. There is a gas pipe that runs across the culvert pipe so Highway Supt. Gibson has been in contact with Chesapeake to ensure it is ok to cut the pipe with no problems to repair the culvert pipe. Highway Supt. Gibson is hoping to get started with the replacement as soon as possible.

In talking with Assessor Dave Oliver, Supervisor Illig reported there has been some difficulties with agriculture exemptions, in which the deadline was March 1<sup>st</sup>. Also, the STAR program has changed and is now controlled by the state rather than local Assessor offices, therefore individuals have had issues regarding that exemption as well.

Supervisor Illig commented we did not receive a monthly report from Historian Ray Emery, but he is maintaining his work with the Facebook page he started and everyone should check it out.

Supervisor Illig stated the Planning Board has been and will be busy with new applications being submitted. Manager Welch gave a brief synopsis of a subdivision and 2 special use permits for the Planning Board to review at the April 10<sup>th</sup> meeting. The Planning Board will report back with further information. Manager Welch stated he has 2 potential upcoming variances for the Zoning Board of Appeals. Stay tuned.

For the Supervisor report, Supervisor Illig stated the recent KWIC/KLOC meeting that was held in Pulteney, March 27<sup>th</sup> went very well. Councilman Goodwin and Councilman Musso attended. KWIC/KLOC is in the process of applying for a grant to combat the recent sightings of the aquatic species, starry stonewort, in Keuka Lake. They are on a high level of alert as it has been confirmed in the outlet and reported elsewhere. It is only known to grow in shallow water. Supervisor Illig stated also during the meeting KLOC opened bids for masonry work on the outlet damn. They were expecting bids to be around \$30,000, however the bids to construct the damn and spillway were for \$80,000. They will need to look into this project further. Councilman Musso asked if the employees that work for Yates County Soil & Water, that also do work for KWIC/KLOC, are under either the Town of Pulteney or KWIC/KLOC insurance. They are not an employee of the Town or KWIC/KLOC so they are not on either insurance. They have their own under Yates County Soil & Water. Also under the Supervisor report, Supervisor Illig mentioned we had an employee of PERMA come to do an inspection/audit. It went very well. She toured all the Town buildings. She is to send her recommendations and give the Town a list of mandated trainings to continue to keep record of.

Under old business, Supervisor Illig reported while at the KWIC/KLOC meeting he had a conversation with Janet Stone, in which she volunteered to fulfill the Town Health Officer vacancy. She is a retired Air Force Nurse. Supervisor Illig made motion seconded by Councilman Goodwin to appoint Janet Stone as Town Health Officer effective April 3, 2017 effective to December 31, 2017. All in favor. Carried.

Regarding the Memorial Day celebration, Councilman Burns stated via email she got in touch with Dan Radigan to discuss having the celebration afterwards at the Fire Hall. He expressed interest in hosting, however other than the facility he asked what more does the Town need from the Fire Company? Also, he questioned who was to get the 1 day alcohol permit? Security? He believes it is a good idea, but needs to know requirements and details. Councilman Musso commented the Village of Hammondsport puts on an event every year and gets an on premises consumption license. Clerk Giambra will contact the Village Clerk to discuss details and the process to obtain. It was also mentioned that inside the Fire Hall possibly the Pulteney Free Library could put something on for the kids, while the adults/businesses remained outside. It was discussed this might be an event to consider in 2018 rather than this year due to the timing factor. Councilman Burns will report further at the May meeting.

Under old business, as discussed at the March meeting, after speaking with Attorney Prossick, Supervisor Illig reiterated the Board must first add solar/wind reference to the Town Comprehensive Plan prior to adopting any recommendation of a solar ordinance from the Planning Board. Supervisor Illig had proposed to the Board that under Natural Resources in the Town Comprehensive Plan they add, "Work with the Planning Board and Town Officials to regulate the installation of solar and wind power systems to ensure installations are consistent with our goal to maintain our unique scenic resources." Supervisor Illig stated he purposely wrote as a vague, generic statement due to the regulation will be thru the ordinance. It was suggested by Councilman Musso at the March meeting to not specifically state the term "goal". He recommended it is proper to address scenic resources, but not necessarily state as a "goal". After the Board having the month to review the Comprehensive Plan as a whole and consider, Supervisor asked the Board their thoughts. Councilman Burns agreed to eliminate having "a goal" and less is better. She suggested the sentence Supervisor Illig proposed would be acceptable reading, "Work with the Planning Board and Town Officials to regulate the installation of solar and wind power systems." Councilman Musso agreed taking it a step further and suggesting to change the word "regulate". After some discussion, the Board agreed the sentence should read, "Work with the Planning Board and Town Officials to monitor the installation of solar and wind power systems." With no objections, Supervisor Illig stated a public hearing will be held May 10, 2017 at 7:30pm, and he is authorized to complete a SEQR and have Clerk Giambra send for referral to the County Planning and Development Board and advertise in the Town official paper. Purpose of said hearing is to amend the Town of Pulteney Comprehensive Plan.

In regards to the Solar Energy Law the Planning Board approved at their February meeting, Supervisor Illig stated Manger Welch is the author behind the ordinance, in which he blended the NYS Solar Model Law in addition to input from other Towns similar to Pulteney. Supervisor Illig commented the proposed ordinance is a good template to start with in having regulation in place in reference to solar energy. Supervisor Illig asked the Board for their thoughts regarding the ordinance. Councilman Musso questioned the 4 Districts are not specifically mentioned nor defined. Manager Welch pointed out it does state ground mounted solar energy systems will only be allowed in District #3 with large scale systems being allowed only with a special use permit within District #3. Roof mounted systems will be allowed in all 4 Districts. Councilman Burns questioned fencing, in which Manager Welch stated the Planning

Board will regulate. It was noted that Wayne and Urbana have both declared a moratorium regarding solar installations. Supervisor Illig stated the Town of Pulteney has no intention of doing so at this time as it has not been deemed necessary. Supervisor Illig asked the Board if there were any further questions, in which there were none. With no objections, Supervisor Illig stated a public hearing will be held May 10, 2017 at 7:45pm, a SEQR will be completed and Clerk Giambra will send for referral to the County Planning and Development Board and advertise in the Town official paper. Purpose of said hearing is to regulate zoning for solar energy in the Town of Pulteney with the adoption of Local Law #1 for the year 2017, Town of Pulteney Solar Energy Law. Once the Law is adopted it will be sent to NYS to be filed.

As mentioned in the previous months, Supervisor Illig requested Attorney Prossick to research the process and options for taxation of solar installation. Solar systems in general are subject to regular assessment and taxation, however NYS offers an option to “opt out” of and have solar installation become tax exempt as an incentive. It has been the census of the Board to allow for residential/personal use to be tax exempt and commercial/for profit installations to be taxed. District #3 is where the taxation would apply. Although in theory this is what the Board would prefer to do, Atty. Prossick researched the matter discovering the tax exemption is all or nothing. It has to apply to both residential and commercial, cannot tax 1 and not the other. After discussing, the Board decided they do not want to discourage residential individuals that desire solar systems, therefore they have no choice but to leave all systems as tax exempt. Supervisor Illig stated there is no action needed and to keep the NYS tax exemption for residential and commercial systems in place.

Continuing with old business under the council report last month, Councilman Musso announced he recently went to a training at the fire academy in Montour Falls and the NYS Fireman’s Association is looking for assistance from local government bodies to endorse expanding cancer coverage to volunteer firefighters. As it is now, only on-the-job injuries such as burns are covered. It is presumptive in nature that if a firefighter is diagnosed with cancer, it came from their line of work. This of course is quite difficult to prove, which is why cancer is currently not covered. Councilman Musso requested the Board to review the handout the NYS Fireman’s Association provided and get their opinion at the April Board meeting in regards to if they would be willing to support expanding the proposed coverage. It was unanimously agreed that Supervisor Illig will send a letter on behalf of the Town Board and the Town of Pulteney in support of expanding the coverage.

Under new business, Welch’s Hometown Market is requesting to apply for an on premises beverage license. Lauren stated they want to sell, specifically beer, however not serve. Supervisor Illig made motion seconded by Councilman Musso to approve and be in support of Welch’s Hometown Market 30-day advance notice of application for a new on premises beverage license. All in favor. Carried. Attorney Prossick will draft a Resolution for Clerk Giambra to sign and seal for Lauren to provide to the State with his application.

With no public comments or concerns, there was no need for an executive session. Councilman Musso made motion seconded by Councilman Burns to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 8:25 PM. \_\_\_\_\_ Town Clerk

