

Supervisor Mark Illig called the organizational meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, January 10, 2018, at the Pulteney Town Hall with the Pledge of Allegiance.

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

Bill Weber took a moment of reflection to speak of (2) recent Town passing's. Alan Fox lived on Brown Road and was the son of Jim and Stasia Fox. He worked as a newspaper deliverer and passed away after a long-fought battle with lung cancer at the age of 56. Leo Hafer was always seen, regardless of weather, around noon walking on Route 54A to Branchport daily. He was a WW II veteran and worked at NYSEG for 30 years. They both will be fondly remembered and sadly missed.

Supervisor Illig made motion seconded by Councilman Musso designating the second Wednesday of the month at 7:00 PM as the regular Town Board meeting night. All in favor. Carried.

Supervisor Illig made motion seconded by Councilman Yastremski to accept The Public Officials Blanket bonding of all necessary Town employees to be in effect for the year 2018. Said coverage is with the Travelers Casualty and Surety Co. of America with Sprague Insurance Company as agent for bonding of all employees \$50,000 each and additional bonding on Supervisor and Deputy Supervisor- \$50,000; Town Clerk/Tax Collector- \$150,000; Bookkeeper- \$100,000; and Town Justice- \$75,000. All in favor. Carried.

Supervisor Illig made motion seconded by Councilman Goodwin consenting to the temporary assignment of the Town of Pulteney Justice to preside in other Town/Village courts in the Seventh Judicial District as need arises during the year 2018 and approve the temporary assignment of Judges from other Town/Village courts in the Seventh Judicial District to its court as need arises during the year 2018. All in favor. Carried. Attorney Prossick commented that this year due to recent changes, Honorable Mary Hope Benedict could be called on now more than ever to preside over criminal cases in other Town/Village courts within the Seventh Judicial District.

Councilman Yastremski made motion seconded by Councilman Musso to accept the following Board Appointments:

**BOARD APPOINTMENTS:**

<u>-WATER PLANT OPERATOR</u>	Chuck Dluzak
<u>-MUNICIPAL SERVICE MANAGER</u>	Lauren Welch
<u>-DOG CONTROL OFFICER</u>	John Ballam
<u>-DEPUTY DOG CONTROL OFFICER</u>	Sherri Ballam
<u>-RECORDS MANAGEMENT &amp; ACCESS OFFICER &amp; REGISTRAR OF VITAL STATISTICS</u>	Erica Giambra
<u>-DEPUTY TOWN CLERK/ DEPUTY REGISTRAR OF VITAL STATISTICS</u>	Donna Conley
<u>-CEMETERY REGISTRAR</u>	Donna Conley

-HISTORIAN  
-HEALTH OFFICER  
-TOWN ATTORNEY  
-WEBMASTER  
-COMPUTER CONSULTANT  
-NECROLOGIST

Ray Emery  
Janet Stone  
Jennifer Prossick, Esq.  
Don Radigan  
Fred Schulte  
Bill Weber

All in favor. Carried.

Councilman Yastremski made motion seconded by Councilman Musso to designate the official legal newspaper as the Corning Leader, in addition continue to publish in the Courier Advocate and the Southern Tier Shopper. All in favor. Carried.

Councilman Yastremski made motion seconded by Councilman Musso to designate Five Star Bank as the official bank the Town will continue to use. All in favor. Carried.

Councilman Yastremski made motion seconded by Councilman Musso to accept the 2018 IRS standard \$.545 per mile to reimburse Town employees. All in favor. Carried.

Councilman Goodwin made motion seconded by Councilman Musso to approve the following Town of Pulteney 2018 pay schedule:

**Bi-Weekly: Highway**

Deputy HWY Supt.:

Jason Tears

MEO

James Sprague

MEO

Tim Cheney

**Bi-Weekly: General**

Town Clerk

Erica Giambra

Bookkeeper

Rebecca Kirch

Highway Supt.

Terry Gibson

Municipal Svcs Mgr

Lauren Welch

**Bi-Weekly: Water**

Water Operator Supt.

Lauren Welch

Water Operator

Chuck Dluzak

**Monthly: General**

Supervisor

Mark Illig

Justice

Mary Hope Benedict

Court Clerk

Erica Giambra

Assessor

David Oliver

**Quarterly: General**

Councilman

Kathy Burns

Councilman

Mark Goodwin

Councilman

Mike Yastremski

Councilman

Rich Musso

DCO

John Ballam

Historian

Ray Emery

**Annual: General**

Registrar of Vital Stats

Erica Giambra

Cemetery Registrar

Donna Conley

Health Officer Janet Stone (Voucher)  
Board of Assessment Review Voucher (Paid in June)

All in favor. Carried.

Councilman Musso made motion seconded by Councilman Yastremski to authorize the petty cash fund for the Town Clerk/Tax Collector of \$100.00, as well as the petty cash fund for the Town Justice/Court Clerk of \$75.00. All in favor. Carried.

Councilman Goodwin made motion seconded by Councilman Musso to approve the following:

**SUPERVISOR APPOINTMENTS:**

DEPUTY- Councilman Musso  
BOOKKEEPER- Rebecca Kirch  
KWIC/KLOC ALTERNATE- Councilman Goodwin

Councilman Musso made motion seconded by Councilman Yastremski to approve the following:

**COMMITTEE APPOINTMENTS:**

RECREATION- Councilman Burns  
WATER- Councilman Musso & Councilman Goodwin  
AGRICULTURE- Councilman Yastremski  
DEVELOPMENT- Supervisor Illig  
COMMUNITY GARDEN- Councilman Burns  
MEMORIAL DAY CHAIRMAN- Councilman Burns

All in favor. Carried.

Councilman Yastremski made motion seconded by Councilman Musso to accept Highway Superintendent Gibson's appointment for Highway Supt. Deputy Jason Tears. All in favor. Carried.

Supervisor Illig announced the Town of Pulteney Investment Policy is on file and can be reviewed at any time for 2018.

Supervisor Illig made motion seconded by Councilman Goodwin to renew the 2018 dog shelter lease contract the Town has with Betty Walden, in which Supervisor Illig pointed out how accommodating Betty is being a 24hr/7day service, amongst other key highlights within the contract. All in favor. Carried.

Councilman Yastremski made motion seconded by Councilman Musso to renew Gordon Lanphere's security guard contract for the Town Court/Town Hall. All in favor. Carried.

At this time, Supervisor Illig called the regular meeting of the Pulteney Town Board to order.

Councilman Musso made motion seconded by Councilman Goodwin to accept the minutes of the December 13, 2017 regular Board meeting and the minutes of the December 28, 2017 year end meeting. All in favor. Carried.

The balance sheets and profit/loss statements for January 2018 were made available to review. Supervisor Illig pointed out there is a slight fiscal issue regarding the General Budget sheet that he will keep an eye on and plan as needed. Supervisor Illig asked if there were any questions or concerns in which there were none.

Councilman Yastremski made motion seconded by Councilman Goodwin to authorize to pay General Bills in the amount of \$51,778.48, however wait until in receipt

of a tax revenue check, being vouchers No. 18-01 to No. 18-18. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Supervisor Illig commented the main expensive vouchers were from Lloyd D. Sprague & Son, Inc. for our 2018 annual insurance premium and to Steuben County for Workman's Compensation.

Councilman Musso made motion seconded by Councilman Yastremski to pay Highway Bills in the amount of \$20,381.76 being vouchers No. 18-01 to No. 18-09. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Again, the main expensive voucher for Highway was to Steuben County for Workman's Compensation.

Councilman Goodwin made motion seconded by Councilman Musso to pay Water District #1 Bills in the amount of \$195,776.56 being vouchers No. 18-01 to No. 18-09. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. A voucher for Workman's Compensation was also applied to the Water District. The main expense for the Water District was the mortgage payment to M&T bank that is due February 15<sup>th</sup>. This motion is also to authorize to pay once the tax revenue check is received. Clerk Giambra will be writing a check next week for the tax revenue for General and the Water District.

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

Clerk Giambra reported it is a very busy time currently with tax collection. She has collected approx. \$750,000 in taxes out of the approx. total amount of \$3 million.

Municipal Services Manager Welch mentioned along with his report he has been busy as well with January starting off very cold. He has also been working with the Assessor updating property information.

Aside from his report, Water Operator Dluzak commented the Water Department has had to do curbstops repairs as needed. Detected by a specific machine, he has found 7 water leaks so far, this winter mostly due to the extreme cold weather.

Highway Superintendent Gibson commented in his report they have been busy plowing and sanding. The new truck is in Rochester, however is in need of the body and plow to be put on. As of now he is not being told a timeline of when that will occur. The Dept. put a new exhaust system on the 2007 Sterling truck. The grader is down again with parts being delivered on Thursday hopefully.

Along with the DCO report, Supervisor Illig stated he recently had a discussion with DCO John Ballam and it was pointed out that in over 10 years he has not had a change in salary (other than approved percentage increases along with other staff members). Supervisor Illig is recommending the Board increase the DCO salary from \$4,650.80 (the approved budgeted amount for 2018) to \$5,000.00. Supervisor Illig reviewed with Attorney Prossick that the Board is in fact allowed to change salaries after passing a budget. Councilman Yastremski made motion seconded by Councilman Goodwin to increase DCO John Ballam's salary to \$5,000.00/yr. plus the standard IRS mileage rate. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.

Supervisor Illig mentioned Historian Ray Emery was recently hospitalized with the flu, however is fortunately feeling better and back home.

The Planning Board had a meeting this past Monday January 8<sup>th</sup>. Supervisor Illig commended the Planning Board and neighbors/public in attendance of the meeting/hearing regarding a special use permit for a major recreational development of a 15-site campground referred to as “glamping”. Supervisor Illig felt the meeting ran well. The Planning Board did vote to change the time of the scheduled meetings to 7:00pm rather than 7:30pm. The special use application will next have to go in front of the Town of Pulteney ZBA in an upcoming month. The next ZBA meeting is January 16<sup>th</sup> at 7pm with (1) hearing scheduled appealing the interpretation of the Zoning Law regarding a building permit that was issued.

Supervisor Illig reported once the new Library is built and the Town re-gains the current space the Library is in now, a decision will need to be made of what to do with that space. He stated the Board should prepare for that occurrence and form a committee to review how to best occupy that space. Supervisor Illig stated there possibly is grant funding available for consolidation of office space. Stay tuned.

Under old business, Supervisor Illig stated he would like a meeting scheduled with himself, Councilman Goodwin, Councilman Musso, Bookkeeper Kirch, and Water Operator Dluzak to review the water billing procedures and ensure all proper standards are being met. It was agreed upon January 17<sup>th</sup> at 10:00am to hold the meeting.

Clerk Giambra performed the official oath of office to Supervisor Illig, Councilman Yastremski, and Highway Supt. Gibson. Clerk Giambra was officially sworn in by Judge Benedict in December. Clerk Giambra will give Councilman Burns the oath of office when available.

Under new business, Supervisor Illig commented he had a discussion with Chairman of the Zoning Board, Larry Fischer, regarding if the ZBA should appoint a new alternate member or appoint an additional full-time Zoning Board member. It was Chairman Fischer’s thought to appoint an alternate to keep with the 5 full-time members ensuring there would not be a tie vote. Supervisor Illig agreed. Supervisor Illig made motion seconded by Councilman Goodwin to appoint Zoning Board of Appeals alternate member Carol McGill to a term of 5 years effective (1/1/18-12/31/22). All in favor. Carried. Supervisor Illig stated there was also a reappointment on the Board of Assessment Review. Supervisor Illig made motion seconded by Councilman Yastremski to reappoint BAR member Nancy Jenkins to a term of 5 years effective (10/1/17-9/30/22). All in favor. Carried.

Supervisor Illig stated as a legal formality the New York State Family Leave Act needs to be addressed. Once he and Bookkeeper Kirch researched the proposed Act, he is now recommending to the Board the Town of Pulteney employees opt out of the New York State paid family leave program. Supervisor Illig made motion seconded by Councilman Yastremski to approve the following Resolution:

**RESOLUTION**

**OPT OUT OF NEW YORK STATE PAID FAMILY LEAVE PROGRAM**

WHEREAS the Federal Leave Act sets forth certain rights to employees who want to take time off due to serious illness etc. and still protect their jobs, and

WHEREAS the NY Paid Family Leave Act provides the same benefits but also sets up a system whereby the employee can also be paid while on leave beginning January 1, 2018, and

WHEREAS Federal and State Law requires basic rights under these laws be posted in the Town.

Therefore, Be It Resolved that the Town of Pulteney opt out of the New York Paid Family Leave Program that would be added to our existing statutory disability policy.

All in favor. Carried.

Continuing with new business, Supervisor Illig commented that although it is still winter, it is time to think of spring and the upcoming mowing season. Both Supervisor Illig and Highway Supt. Gibson are recommending it is in the public's best interest every few years to review and formally bid out the Town of Pulteney mowing contract. Supervisor Illig suggested in February Clerk Giambra advertise the bidding with a formal contract signed in March. An update will be given at the upcoming Board meetings.

Not on the agenda, however Supervisor Illig wanted to discuss, the financing of the new Highway Peterbilt truck. He stated since this is the last piece of equipment the Highway Dept. will be purchasing under the set 5-year replacement plan and due to the hiring of a new full-time Highway employee in June, Supervisor Illig is recommending financing the truck over 5 years. Going along with the option of a 5-year financing term, Supervisor Illig made motion seconded by Councilman Yastremski to authorize to take \$60,000.00 from the Highway capital reserve fund as partial payment for the new Highway Peterbilt truck. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Continuing, Supervisor Illig made motion seconded by Councilman Goodwin to authorize Supervisor Illig and Bookkeeper Kirch to negotiate with Five Star Bank as to the financing of the remaining \$156,000.00 balance of the new Highway Peterbilt truck over a 5-year term. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.

Supervisor Illig reported in October the Board passed a Resolution allowing the continuation of a Cold War Veterans Exemption without regard to the 10-year limitation that was filed with Steuben County Real Property. Clerk Giambra has since received notice from Steuben County Real Property that to allow for the continuation the Town must pass a Local Law rather than a formal Resolution. Attorney Prossick will draft a Local Law extending the Cold War Exemption for the Board to review at the February Board meeting and to schedule a public hearing at the March Board meeting. This Local Law will be No. 1 of 2018.

Under public comments, Deb Ford was present and wanted to inform the Board and public that last March she developed a Facebook page called the "Pulteney Crier". Deb commented she posts facts that are brought to her attention to assist other residents and the community. It is strictly informational with no comments posted unless they are approved and validated by Deb. For example, she explained she posts power outages, weather alerts, various Town of Pulteney Board meeting dates and times, listing of local businesses, etc. She has gained quite a following of 300 interested community members and continues to grow. Supervisor Illig commented he believes the site is great and the Board thanks Deb for her time and willingness to assist in getting important information to the public.

With nothing further heard and no need for an executive session, Supervisor Illig made motion seconded by Councilman Musso to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 8:07 PM.

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Town Clerk