

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, February 13, 2019, at the Pulteney Town Hall with the Pledge of Allegiance.

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

Bill Weber took a moment of reflection speaking of the recent passing of Pulteney's last WWII Veteran, Colonel John Rose. Col. Rose passed away just two months shy of his 99th birthday. He served our Country for 30 years as a combat pilot in the Pacific during WWII and later in the Korean War. Bill fondly remembers visits listening to classical music in the background while discussing John's interests, including President Abraham Lincoln and fishing expeditions out west. Col. Rose lived a full life and will be remembered and missed by many.

Councilman Goodwin made motion seconded by Councilman Yastremski to accept the minutes of the January 9, 2019 organizational and regular Board meeting. All in favor. Carried.

Councilman Musso made motion seconded by Councilman Goodwin to pay General Bills in the amount of \$43,969.64, being voucher No. 19-14 and vouchers No. 19-15 to No. 19-37. Roll call vote: Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Supervisor Illig commented the main expensive voucher was to the Pulteney Free Library for the budgeted amount of \$33,892.00 that was placed on the ballot in November and passed by Town of Pulteney voters.

Councilman Goodwin made motion seconded by Councilman Musso to pay Highway Bills in the amount of \$24,905.78 being vouchers No. 19-16 to No. 19-37. Roll call vote: Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted vouchers were overall routine this month for Highway.

Councilman Yastremski made motion seconded by Councilman Goodwin to pay Water District #1 Bills in the amount of \$12,475.36 being vouchers No. 19-10 to No. 19-21. Roll call vote: Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Expenses were overall routine, including meter replacements.

Balance sheets and profit & loss reports were available to view. There are no transfers for this month.

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

Clerk Giambra reported it remains a busy time with tax collection. She has collected a little over \$2.5 million in taxes out of the total amount billed of approx. \$3 million. Collection is right on track as previous years. She contacted Top Dog Studio to get an update in regards to the 3 local businesses interested in adding their name to the list of signs at one of the locations as you are coming into Town. Top Dog emailed the specs and she has provided them to the Board. The Board agreed to offer the option for businesses to purchase a 48"x10" sign (the same dimensions as what is advertised currently) for the price of \$100.00 each. Clerk Giambra will contact the interested parties

to receive approval and move forward. The 23rd Annual Regional Leadership Conference is Thursday, April 4th at Corning Community College. Clerk Giambra has registration forms and emailed the information to all Town officials/Board members. The registration deadline is March 23rd.

Municipal Services Manager Welch didn't have any remarks aside from his report.

Water Operator Dluzak stated there was another major leak recently within the Water District. This past week a gentleman came into the Town Clerk's office reporting a leak near the bottom of Gibson Hill. Once W.O. Dluzak investigated, water was in fact running directly across the road. The Dept of Transportation ditched what they were able to and then Monday, with the assistance of the Town of Milo and Marchionda Excavating, we were able to resolve the issue. Once excavation began, 3 other leaks were actually discovered within the area. This area is known to have had a lot of repairs in the past. It is believed, due to the weather and bad valves, that a gasket blew. Unfortunately, this can happen at any time and the repair will end up costing approx. \$10,000.00 W.O. Dluzak reported. Due to this major leak, there was a breach in the water system with the loss in pressure and a boil water notice was issued on February 11th for residents from 12625 to 13345 West Lake Road. Calls and notices were sent out. All necessary precautions and testing have and are being taken and the boil water notice should be lifted tomorrow the 14th. Further updates at the March meeting.

Highway Superintendent Gibson reported the uniform contract has run out. The Dept does not want to renew the contract as they have been extremely dissatisfied with the service as well as the expense. He found a different vendor to go with, however they are now stating we are not in an area they are willing/able to deliver to. The Dept has provided the Board a proposal in which each employee would receive a \$600.00 allowance annually to be able to purchase independently the clothing needed. In the proposal, they figure an allowance would save the Town approximately \$5000.00 annually. Attorney Prossick noted the union contract allows for up to 11 sets of uniforms, which this certainly comes in under. Supervisor Illig noted \$600.00 (and above) the employee would receive a 1099 and be reported as income. Another option would be for the Town to order the clothing, allowing for the purchase to be tax exempt. It would be up to the individual as to which option they desire. Councilman Yastremski made motion seconded by Councilman Goodwin to accept the proposal from the Highway Department as presented to receive an annual \$600.00 clothing allowance for each employee to purchase said clothing. Roll call vote: Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried.

Highway Supt. Gibson recently met with Dave Gee at Glen View Cemetery to discuss several trees that need cut. Dave plans to return at the end of the month to take care of approx. 6 trees for now that are in the worst condition.

Highway Supt. Gibson continued, stating due to the weather he would like to add on 2 more agreements for the expenditure of Highway moneys. He is proposing, as presented in the State mandated forms, stone & oil 1.2 miles near Lower Middle Road to Shuart Road and stone & oil 1 mile near Chidsey Hill Road to Coryell Road. In addition, stone & oil 1 mile near Glodes Corners Road to Armstrong Road and stone & oil 3/10th mile near Brown Road to Mill Street. These agreements allow the Town to spend a certain allotment on these proposed roads. The Board agreed and executed the

agreements. The signed forms will be filed in the Town Clerk's office and sent to the County Superintendent for approval. Councilman Yastremski noted he is in favor of the proposed roads, however that in addition Briglin Road is the last major road going to a business that must be done. Highway Supt. Gibson agreed.

Supervisor Illig commented Historian Ray Emery emailed an addendum with his report of monthly activity and correspondence as requested.

Regarding the Supervisor report, Supervisor Illig stated he will be out of Town next week. Councilman Musso will act as Deputy Supervisor in his absence.

Attorney Prossick mentioned there will be a need for a brief executive session after the regular meeting regarding litigation. She also reported, as on the agenda under old business, she still has not received anything from the abstract company. They ensure her she will have the necessary information for the March meeting.

There was not a Planning Board meeting for February nor a ZBA meeting scheduled for this month.

At this time being 7:30 PM, Supervisor Illig called for the opening of bids for a used Highway roller. A public notice was placed soliciting bids for a used 2016 or newer drum roller. Highway Supt. Gibson reported we received one bid from George & Swede. Caterpillar contacted him, however they only wanted to bid a new roller and we only had interest in used. George & Swede is bidding a 2016 Hyundai 84" single drum roller for \$89,000.00. This particular make and model is the same roller the Town has leased for the last 2 years. Leasing was costing the Town approx. \$16,000/year, therefore as reported at the January meeting, the Board agreed to purchase a used roller. The payback would be within 5 years and the previous used roller the Dept had lasted 30 years. Regarding financing, Supervisor Illig stated there is \$23,000.00 in the Highway Capital Reserve Account that can be used and we could get a loan for the remainder. Councilman Musso asked if receiving only 1 bid was acceptable? Attorney Prossick replied the Town just has to put the bid out, receiving 1 is fine. Supervisor Illig made motion seconded by Councilman Yastremski to accept George & Swede's bid for a 2016 Hyundai HR110C-9 84" single drum roller at \$89,000.00 using \$23,000.00 out of the Highway Capital Reserve and finance for 3 years (2020,2021,2022) the remaining \$66,000.00 authorizing Supervisor Illig and Bookkeeper Welch to contact Five Star Bank to secure financing. Roll call vote: Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Delivery will be scheduled and needed by May 1st.

Under old business, Supervisor Illig stated the committee met in January to discuss the tennis courts and are making a recommendation of the following:

Pulteney Tennis Court Project: Proposed Scope of Work

Project:

1. Remove a portion of the existing fence to allow work to proceed and to prepare for the new size
2. Mill the entire surface to base (contract with Steuben County Highway through shared services) County employees have visited sight and have agreed to use County equipment and personnel to complete work--estimate \$2,000-4,000
3. Repave section to facilitate proper size for (1) tennis court/pickleball court (70 x 110 feet)

4. Repave basketball court (35 x 110 feet): Terry Gibson securing bid for this portion of the project
5. Paint lines—tennis/pickleball and basketball courts (contract this work out)
6. Purchase or reuse polls and install fencing

How to finance Project: Borrow the money with a 3-year payback with the intention to retire debt at earliest possible date.

The committee also recommended when replacing the court, to have the tennis/pickle ball court run east to west rather than north to south to make more uniform next to the basketball court. Supervisor Illig reiterated this is a proposal, no formal action will be taken tonight as specifics on quotes are still needed. Highway Supt. Gibson is meeting with paving companies to receive quotes next month. The Board was in agreement on the proposal and to move forward in this direction.

Under new business, it has been determined the Water Dept. is in need of a policy regarding water leaks. As mentioned at the January meeting, the Water District lost approx. 200,000 gallons of water due to a major leak near the property of 10,000 Delights. The Town is required to pay extra for water we receive from Penn Yan once we go over 13 million gallons. Leaks can occur on our side of the meter being our responsibility or can be due to an owner's doing. Each situation is different, therefore Supervisor Illig is requesting Councilman Musso and Councilman Goodwin, along with Lauren and Chuck, to form a committee establishing a policy deferring to such situations. They can bring a recommendation to the Board for approval in moving forward.

In addition, the committee is being asked to recommend handling rental properties within the Water District. There have been recent events that whose name the account is in, tenant vs owner, has come into question. A policy needs to be in effect mandating if only the landowners name can be on account or if the tenants name is allowed. Updates to come from the committee in March.

Continuing with new business, Supervisor Illig explained it has been recently discovered there is an issue with the calculation of the tax cap in the 2019 budget the Town Board approved at the November 14, 2018 meeting. Supervisor Illig stated this past fall, Assessor Oliver did a reassessment of all properties within the Town that resulted in the taxable assessment of the Town increasing. When calculating the budget, one of the goals was to stay under the State mandated tax cap. When passing the budget, it was thought the Board accomplished that goal. However, when Bookkeeper Welch submitted a required document to the State, they determined the calculation was not correct due to the revaluation of \$45,000.00 was not accounted for properly. Based on the miscalculation, the Town fell over the cap and overtaxed by \$23,132.00. Following the State's recommendations, we need to set aside \$23,132.00 into a Tax Cap Reserve Account that cannot be touched until next year to count as revenue and be incorporated and calculated correctly into the tax levy. Supervisor Illig recommends transferring \$23,132.00 from the General Highway Account into a Tax Cap Reserve Account that will be established and later replacing those funds when able back into the Highway Account. Supervisor Illig makes motion seconded by Councilman Yastremski to adopt the following Resolution allowing the transfer of \$23,132.00 from the General Highway Account into a Tax Cap Reserve Account at Five Star Bank at the recommendation of the State Comptroller's Office to incorporate in the 2020 budget and tax levy. Roll call vote:

Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried.

Next on the agenda, the Board received a letter and request to look into a speed limit reduction on Baughman Road. As the residents were not able to be present this evening, Supervisor Illig asked the Board to take home the letter and consider. Supervisor Illig will discuss options with Highway Supt. Gibson and make a recommendation at the March meeting. The request is for the speed limit to be reduced to 35 mph and/or Town cautionary signage. Included in the letter, recently a serious accident occurred as well as other legitimate reasons for the request. Supervisor Illig also suggested the Board go to the area in question to physically view. Further discussion in March.

Supervisor Illig reported in 2012 a Resolution was originally adopted regarding the NYS Retirement System and the reporting of a standard work day/record of activities for elected and appointed officials. There is a need to adopt an updated Resolution for (2) appointed officials to send to NYS Retirement and the Office of State Comptroller. Supervisor Illig made motion seconded by Councilman Goodwin to adopt Form RS 2417-A Standard Work Day and Reporting Resolution for Elected and Appointed Officials as shown below. All in favor. Carried.

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Town of Pulteney / Location code 30718 hereby establishes the following as standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (hrs/day)	Term Begins/Ends	Days/ Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not submitted (Check box if no record of activities completed or timekeeping system)
Elected Officials								
Appointed Officials								
Bookkeeper	Rebecca Kirch	****	*	6	01/01/2019-12/31/2019	18.64		
Water Operator	Charles Dluzak	*****	*	6	01/01/2019-12/31/2019	29.89		

Lastly on the agenda, although not present, Supervisor Illig discussed the Memorial Day celebration with Councilman Burns and she agreed to chair the event again this year.

Supervisor Illig asked if there were any public comments or concerns at this time. None being heard, as stated previously there is a need for an executive session. All are welcome to stay until the executive session is over, however there will be no further business conducted with the exception of a quarterly review and audit.

Supervisor Illig made motion seconded by Councilman Yastremski to recess the regular meeting and enter into an executive session. All in favor. Carried.

Once the executive session was completed, Supervisor Illig made motion seconded by Councilman Musso to recess the executive session and resume the regular meeting. All in favor. Carried.

Bookkeeper Welch provided all necessary documents for a formal quarterly audit which was completed successfully.

Supervisor Illig made motion seconded by Councilman Yastremski to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 8:25 PM.

Town Clerk