

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, March 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; Councilman Kathleen Burns; Highway Superintendent Terry Gibson; Attorney Jennifer Prossick; Bookkeeper Rebecca (Kirch) Welch; and Town Clerk Erica Giambra.

Bill Weber took a moment of reflection speaking of the recent passing of good friend and neighbor, Marcel (Lou) Letourneau. Marcel, as his wife Betty Ann called him, Lou as most referred to him, lived on Stone Point for many years. After retiring from his family business, the Party House in Rochester, he and Betty Ann resided at Keuka Lake full time. Lou was a Pulteney Fire Commissioner and well known within the community. After selling his home on Stone Point, he lived various places in Town in the summers, the last being Larry Fischer's mobile home park. Lou lived a full life and will be remembered and missed by many.

Councilman Yastremski made motion seconded by Councilman Musso to accept the minutes of the February 13, 2019 regular Board meeting. All in favor. Carried.

Councilman Goodwin made motion seconded by Councilman Musso to pay General Bills in the amount of \$13,470.46, being voucher No. 19-38 and vouchers No. 19-39 to No. 19-50, No. 19-56 to No. 19-63, and No. 19-65. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Supervisor Illig commented the main expensive voucher was to KWIC in the amount of \$5,200.00, otherwise vouchers were overall routine.

Councilman Burns made motion seconded by Councilman Goodwin to pay Highway Bills in the amount of \$14,357.58 being vouchers No. 19-38 to No. 19-58. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted vouchers for fuel and rock salt. Councilman Yastremski questioned the voucher to Northern Supply, Inc what the expense was for which Highway Supt. Gibson responded steel cutting edges & plow shoes.

Councilman Yastremski made motion seconded by Councilman Musso to pay Water District #1 Bills in the amount of \$28,862.16 being voucher No. 19-22, No. 19-23, and vouchers No. 19-24 to No. 19-35. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Supervisor Illig explained voucher 19-23 was a refund to a resident that was being charged double (2 EDU's rather than 1) on her tax bill. The main expense in the Water District was a voucher to the Town of Jerusalem in the amount of \$17,804.00 per contract. Supervisor Illig stated he, Lauren, and Chuck had a meeting with Town officials in Jerusalem regarding the Water District contract between the 2 Towns that expired in December. They are proposing continuing with the same contract as past being we pay them a rate of \$48.00 per customer. In addition, we are responsible for 17% of water main repairs from their tank to the 4 corners in Branchport and 50% of water main repairs from the Pulteney Town line to the 4 corners. There was a clerical error within the contract, therefore revisions need to be made prior to being proposed to the Board. A verbal agreement was made at the meeting, however once the

contract is revised and provided to the Board, approval would be needed. The contract should be made available at the April meeting. Once approved, the agreement will be in effect for 5 years.

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

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

Clerk Giambra reported nearing the end of tax season, she has collected approx. 2.6 million which is on track as previous years. At this time, 212 bills remain unpaid.

Aside from his report, Municipal Services Manager Welch commented he has begun working on the new distillery as paperwork has recently been provided to him. He has finished 1203 State construction reports for 2018. There has been the start of several complete tear down and rebuilding of new residences on the lake road.

Water Operator Dluzak reported there continues to be more repairs and predicts no end in sight at this point. Recently, 2 other leaks were found near the Yacht Club. A boil water notice was issued yesterday, March 12th, for residents from 12890 to 13345 West Lake Road due to a breach in the water system with the loss in pressure. Calls and notices were sent out. All necessary precautions and testing have and are being taken and the boil water notice should be lifted by Friday the 15th. Lauren and Chuck have pictures of the latest repairs they can make available to the Board at the April meeting.

Supervisor Illig met with Assessor Oliver last week who provided an updated assessed value chart for School, Town & County, and Village taxes comparing the Towns of Urbana, Wayne, and Pulteney, and the Village of Hammondsport. The chart exhibits the Town of Pulteney has the second lowest property tax rate with the Town of Wayne being the lowest.

Highway Superintendent Gibson attended a conference in Albany last week, along with 600 other Town Highway Superintendents and Town officials, to support the CHIPS program and the need for additional funds. Unfortunately, he reported the future looks dim regarding receiving any extra money for this program over the next few years. The State explains any surplus of funds are being budgeted toward mass transit. He continued, reporting the Dept has been busy plowing and sanding. This year they have used more material than in the past, however they remain in good shape. As the Board requested, they have taken down part of the fence around the tennis courts preparing for upcoming work. He mentioned the Dept recently had problems with the transmission computer in the grader. Fortunately, the main computer is working fine, however it is a reminder that if that fails, they are in trouble as a new one cannot be ordered. Highway Supt. Gibson is suggesting to start looking for used graders to purchase simply for a back-up main computer if needed. Supervisor Illig agreed that was wise to look into.

Supervisor Illig reported Historian Ray Emery recently was hospitalized so there is not a Historian report for this month.

Attorney Prossick mentioned the tax litigation the Town was involved in has settled and will provide further information once she has been served the paperwork.

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

Under old business, Attorney Prossick reported she finally received the article of title from the abstract company for the property the Ambulance is located on. As

suspected, the property is quite complicated and involves 5.56 acres under one tax map number. Over the years, several parcels have come to create this one parcel. The property includes the community garden, pond, and Highway Department. Attorney Prossick suggested the Board have the property surveyed and decide what portion the Town wants to keep vs sell or convey to the Fire Dept. Inevitably, a subdivision will be necessary in moving forward. Supervisor Illig reiterated from previous discussions with the Fire Commissioners, the prospect of building a new Ambulance garage next to the Fire Dept doesn't make sense for the taxpayers of the community when the future of the Ambulance Corp is so up in the air at this time. They have expressed their willingness to take back the building where the Ambulance is currently housed. Supervisor Illig asked the Board for their comments. It was in overall agreement, due to the complicated nature of the property, to form a committee, hire a surveyor, decide how to subdivide the property, and make a recommendation to the Board with the approval of the Fire Commissioners. Councilman Musso and Councilman Yastremski agreed to chair the committee and will meet with the Commissioners in proceeding forward and present a proposal after thorough review and consideration. Updates to come from the committee in April.

Regarding the tennis courts, as previously mentioned the Highway Dept has begun removing part of the fencing. Highway Supt Gibson has attempted to contact paving companies and is still awaiting quotes. He is in hopes with the weather getting a little warmer, he will get the companies attention soon.

Continuing with old business, as discussed last month, it was recently discovered by the Comptroller an error occurred in calculating the tax cap in the 2019 budget. Due to a reassessment of all Town properties this past fall, the taxable assessment increased by \$45,000.00. This amount was not taken into account properly resulting in an overtax of \$23,132.00 to residents. To ensure the Town remains under the State mandated tax cap, the Comptroller made a recommendation to transfer \$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. Last month, the Board approved a 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. The Board agreed to transfer funds from the Highway Account due to the availability of unexpended funds. Once Attorney Prossick researched further, she discovered it is not appropriate to transfer those funds out of the Highway Account. The funds strictly need to be transferred from the General Account. Fortunately, this was discovered prior to any fund transfer. Supervisor Illig made motion seconded by Councilman Burns to rescind the Resolution approved at the February 13, 2019 Board meeting allowing the transfer of \$23,132.00 from the General Highway Account into the Tax Cap Reserve Account. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Supervisor Illig made motion seconded by Councilman Yastremski to transfer \$23,132.00 from the General Account into a Tax Cap Reserve Account at Five Star Bank at the recommendation of the State Comptroller's Office to correct the error within the 2019 budget and incorporate in the 2020 budget correctly. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.

Supervisor Illig commented the General Account will most likely be short on funds at the end of the year and an intermunicipal transfer could be necessary and can be dealt with at that time.

Lastly under old business, Supervisor Illig had asked the Board to review and consider a letter requesting a speed limit reduction and/or placement of cautionary signage on Baughman Road. He also suggested the Board go to the area in question to physically view. The area has a blind knoll and a history of accidents, one serious accident occurring at the end of last year. After discussing, it was agreed proper cautionary signage is necessary. As shown with past requests, the Board is confident the County and State would not recommend a speed limit change. Highway Supt. Gibson will place signage in the appropriate areas.

Last month Councilman Musso and Councilman Goodwin, along with Lauren and Chuck, formed a committee to work on establishing policies within the Water District. Councilman Musso reported the committee has not had a chance to meet and will report back at the April meeting.

Under new business, Pulteney land owner John Billone, had requested to be placed on the agenda to address the Board in regards to (2) significant water leaks on his property at the end of last year. As directed by the Board, W.O. Dluzak recently sent John a water bill in the amount of \$3,797.24 pertaining to both leaks. After receiving the bill, John has questions and would like clarification as to how the bill amount was configured. As reported at previous meetings, the Water District lost approx. 200,000 gallons of water due to a major leak near the property of 10,000 Delights beginning on Christmas Eve. As John confirmed, the leak having to be found by a specialized consulting firm, was on his side of the meter. According to water logs provided, the leak started on 12/24 and lasted till 12/28, however the consultant found the leak on 12/27. John is questioning shouldn't the water have been turned off on the 27th once found? He also inquired how the software worked, why it took 5 days to find the leak, and how the calculations were determined. Continuing, John stated he believed he fixed the leak, only to have a call a few weeks later from Chuck discovering a second leak as registered on the water data log. This leak measured for 7 days. John is questioning after recently going through the first incident, why did it now take 7 days to find the leak and shut the water off? The second leak consumed another 67,000 gallons, couldn't this have been avoided or at least minimized? John agrees he should have to pay and expects a bill for the first leak, however charges for the second leak he does not feel to be equitable and is looking for some relief. Supervisor Illig thanked John for his comments, questions, and fair attitude. He suggested the water committee of Councilman Musso, Councilman Goodwin, Lauren, and Chuck review the information provided and make a recommendation to the Board at the April meeting in regards to remediation. Based on what the Board approves, Supervisor Illig will get back to John with a Board decision.

Next on the agenda, Steuben Brewing also requested to address the Board. Owner Chad Zimar and Manager Blaine Mays were present to speak of their desire to start up an Adopt a Highway Program in the Town of Pulteney. Blaine explained Steuben Club Members have expressed an interest in helping the community and want to take an initiative to benefit the Town by cleaning up sections of roads. They have contacted the State and County and are awaiting further information and approval. All together, they are asking to adopt 9 miles of State, County, and Town roads within the

Town of Pulteney. Crews would work in the right-a-ways and clean up garbage. The Board overwhelmingly agreed it was a great idea. Once they have the State and County paperwork approved, for them to come back to the Board to determine if and what particulars need adhered to and approved. Councilman Musso mentioned along with Steuben Brewing, other local businesses might want to be a part of improving the community through this program. Further updates to come.

The 23rd Annual Regional Leadership Conference at Corning Community College is Thursday, April 4, 2019. The Southern Tier Central Regional Planning & Development Board is in charge of the conference. Supervisor Illig stated it is the Town's tradition to pay the \$50.00 registration fee to those Town Officials/Board Members that are interested in attending. Supervisor Illig made motion seconded by Councilman Burns to pay the registration fee for those individuals interested. All in favor. Carried. Clerk Giambra stated the deadline will be March 20th to inform her if planning on attending.

It is that time of year to plan the annual Town rabies clinic. Clerk Giambra spoke with Eastview Veterinary Clinic and confirmed they are able to provide a Veterinarian on Saturday, April 27, 2019 from 9 AM-11 AM. Supervisor Illig made motion seconded by Councilman Goodwin to approve the rabies clinic to be held on Saturday, April 27th, from 9 AM-11 AM at the Pulteney Town Barn, advertise in The Shopper and Town website, and provide payment to Eastview for Veterinarian services. All in favor. Carried.

Lastly on the agenda, in regards to the Memorial Day celebration, Councilman Burns stated she is happy to chair the event, however will not be in attendance this year. Also, she is willing to start taking suggestions on speakers. Supervisor Illig commented he will consider and get back to her with any ideas.

Supervisor Illig asked if there were any public comments or concerns at this time. John and Holly Phillips were present and asked the Board what the Highway Dept's plan for Chidsey Hill Road was for this year? They stated they have lived on Chidsey Hill for 12 years and the condition of the road the past 5 years has just been horrible. The road is spongy when wet and the dust is unbearable. Serious accidents have almost occurred because of the dust. The Board deferred to Highway Supt. Gibson who reported the Dept plans to stone and oil the road hopefully in early June. The Phillips were grateful to hear the road is being addressed. Councilman Musso added that stone and oil will help in the immediate future but will only last a few years if the road is not maintained properly. In general, he commented Town roads are in disrepair and is a reminder something needs to be done long term.

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

Meeting adjourned at 8:28 PM.

Town Clerk

