

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, April 10, 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 to speak of (2) recent passing's in Town. Harold Simonson, Bill did not know, however he knew his parents Paul and Ruth, sister Millie Hill, and nephews Eric and David Hill. His sister Marva survives him. He was a long-haul truck driver for over 30 years and had moved to North Carolina in the late 1970's. Harold was a native of Pulteney and sadly he moved back to the area to spend his last days passing the day after his arrival. George Doty Jr., Bill knew well and enjoyed visiting with him and his wife, Evelyn, at their dairy farm on Chidsey Hill. George had a steer named "Jim" that weighed over 3,000 pounds and was publicized in a news article for his great size. George and Evelyn were great supporters of Prattsburgh Central School and donated the score board in the gym for basketball games. They both will be fondly remembered and missed by many.

Councilman Yastremski made motion seconded by Councilman Musso to accept the minutes of the March 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 \$5,671.43 being voucher No. 19-64 and vouchers No. 19-67 to No. 19-81. Roll call vote: Councilman Yastremski, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out voucher No. 19-64 was to Upstate Title Agency for the abstract of title for the Ambulance/Town office building, otherwise vouchers were overall routine.

Councilman Yastremski made motion seconded by Councilman Musso to pay Highway Bills in the amount of \$109,618.38 being voucher No. 19-49, No. 19-59, and vouchers No. 19-60 to No. 19-81. Roll call vote: Councilman Yastremski, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted voucher No. 19-59 was for \$89,000.00 to George & Swede for the recent roller purchase. Highway Supt. Gibson commented the roller is scheduled to be delivered tomorrow. Councilman Yastremski questioned the voucher to David Gee. The voucher was for tree work in Glen View cemetery. Councilman Yastremski asked why the expense is coming out of the Highway fund rather than the General fund? It was noted this is how it has been done in the past and ultimately was agreed upon to continue taking the expense from Highway.

Councilman Musso made motion seconded by Councilman Yastremski to pay Water District #1 Bills in the amount of \$5,535.46 being vouchers No. 19-38 to No. 19-48. Roll call vote: Councilman Yastremski, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. Supervisor Illig stated vouchers were overall routine including meter replacements and lab work.

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 she has her tax settlement appointment with the County tomorrow afternoon. She collected over 2.8 million and approx. \$100,000.00 more than last year. There are 117 out of 1,703 bills that remain unpaid that now belong to the County. The annual rabies clinic is Saturday, April 27th from 9-11 AM at the Pulteney Highway barn on Mill St. The clinic is being advertised in the Shopper, Town website, and QKA radio station.

Aside from his report, Municipal Services Manager Welch commented spring has sprung and the Dept. is getting very busy. The new distillery building permit application was approved. Construction continues of several new residences on the lake road.

Water Operator Dluzak was not present, however Supervisor Illig commented Chuck has been busy working on the lake road marking out curb stops, shut off valves, and seasonal water turn-ons.

Supervisor Illig met with Assessor Oliver last week who provided an update. With the Town of Pulteney performing a total reassessment last fall and since Keuka Lake properties are selling more than the assessed value, the tax levy in 2020 in the Town of Pulteney will not be 100%. The assessed value of the Town will be at 96% or 97% which is still very good. A slight adjustment will need to be made to the tax rate. Councilman Musso asked if this will affect the 2% tax cap? Supervisor Illig stated by adjusting the tax rate accordingly ensures all values are equated properly.

Supervisor Illig spoke with DCO Ballam who expressed a series of issues with neighbors complaining of animal cruelty in a particular area of Town. They have been reaching out and having a hard time getting a hold of the proper officers, however recently spoke with Sherriff Allard and the matter is being addressed and hopefully resolved.

Highway Superintendent Gibson reported, as expected, we are not receiving any additional funding through the CHIPS program. In 2018, we received \$150,000 in funding. This year we will only receive \$129,000. He is attempting to get a quote from E. Stanley Paving for the Town Hall/new library parking lot, however has not been able to contact as of yet. The Town has \$25,000 budgeted for the parking lot to share the expense with the library. The Dept. has been busy hauling in gravel for this year's projects with the assistance of the County and the Town of Prattsburgh. Soil & Water assisted with the Tobey Road compost site and also did some work on the tennis courts. The grader has been repaired and they hope to start grading next week.

Since the roller is being delivered tomorrow, Highway Supt. Gibson suggested putting the old roller on the Auctions International site to sell. It is an obsolete roller that you cannot get parts for anymore, therefore it could be quite worthwhile to the right bidder. Supervisor Illig made motion seconded by Councilman Musso to place for bid the '89 Tampa Highway roller on the Auctions International site accepting the highest bid by the end of 2 wks. Roll call vote: Councilman Yastremski, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried.

Attorney Prossick reported the State has mandated, through the Dept of Labor, the Town must adopt a sexual harassment policy including receiving State certified training. Training must be completed and a policy adopted prior to October. If an employee has already taken the training, they can sign a certification stating so. This mandate applies to vendors as well. She suggested the Association of Towns might offer training.

Attorney Prossick will send Clerk Giambra a model policy to review and provide to the Board to be put on the agenda for the May Board meeting.

Regarding the website, Clerk Giambra confirmed the historian page has been corrected and updated.

There was not a Planning Board meeting for April, however there is a ZBA scheduled public hearing April 16th at 7 PM.

Under old business, as reported last month, Attorney Prossick received the article of title from the abstract company for the property the Ambulance is located on. Councilman Musso checked in with the Fire Commissioners and as previously discussed they have expressed their willingness to take back the building. Due to the complicated nature of the property, a subdivision will be necessary in moving forward. Councilman Musso made motion seconded by Councilman Yastremski authorizing to hire a surveyor, once the survey is received submit an application and proposal (signed and approved by the Fire Commissioners) to the Planning Board for review and scheduled hearing. Roll call vote: Councilman Yastremski, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. Councilman Musso and Councilman Yastremski will continue to chair the committee with Lauren's assistance with the Planning Board application and proposal.

Regarding the tennis courts, Councilman Yastremski, Supervisor Illig and Highway Supt. Gibson recently met with Larry's Paving who provided a quote to mill, repave, and fill in/fix cracks on the tennis and basketball courts. The quote is for \$24,820.00. Councilman Yastremski commented the quote and service proposal sounded reasonable. The grounding is even pavement therefore the cracks are not being caused from shifting. Attorney Prossick reported since the proposed project is under \$35,000, it does not need to be placed out for bid and this quote is acceptable. When discussing financing, it was determined it was not probable to use Highway funds as the courts are not a public road. Supervisor Illig stated the General Account is not assessible for funding, especially with the tax cap calculation issue. In addition, we will need approx. \$2,000.00 for painting lines, fencing, nets, etc. Bookkeeper Welch commented she is willing to look into possible grants offered. Councilman Musso suggested since we do not have an exact total needed, with the exception of the quote from Larry's Paving, if we were to borrow the money, to increase the amount ensuring we have contingent funds for the entire project. By using existing funding currently to pay Larry's Paving, we can then borrow the total amount needed later once exact figures are known. Supervisor Illig made motion seconded by Councilman Goodwin to authorize executing the quote for Larry's Paving for \$24,820.00, cut the check (\$12,410.00 now & \$12,410.00 upon completion), have Highway Supt. Gibson schedule work to begin, and once exact figures are known borrow the full amount needed with Five Star Bank. Roll call vote: Councilman Yastremski, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried.

Supervisor Illig reported he secured a Memorial Day speaker, seasonable resident and Vietnam Veteran, John Schutt. He will be an interesting speaker and we thank him in advance for his willingness to be a part of the celebration.

Lastly under old business, Steuben Brewing was present to give an update on their progress with wanting to adopt 9 miles of State, County, and Town roads within the Town of Pulteney. Blaine Mays stated they have met with State and County officials,

have begun mandatory training, and submitted the proper paperwork. Blaine added cautionary and Adopt-A-Highway signs have been ordered, they have been given vests and hard hats, instructions as to when to call in their work dates, how many people, where, etc. Steuben Brewing will need to add the Town along with the State and County to their insurance coverage. Attorney Prossick noted the Town must establish a policy in moving forward. She will draft an agreement and present to the Board at the May meeting for approval.

Under new business, recently Councilman Musso and Councilman Goodwin, met with Lauren and Chuck, to work on establishing policies within the Water District. At this time, they are recommending not setting a precedent and leaks remain the responsibility of the resident. Last month, the Board had a resident that was charged a large bill due to (2) significant leaks that were on his side of the meter. He was requesting some relief, particularly on the second leak charge. The committee determined the bill will be his responsibility, however deducted \$105.00 for the last quarter charge. In moving forward, a Water District policy must be adopted. Chuck has contacted neighboring Towns to review their policies. Councilman Yastremski recommended a policy should include once a leak is detected, Chuck has the authority to shut the water off that is feeding the leak. The Board agreed. Supervisor Illig offered to assist Lauren and Chuck in drafting a formal policy proposal for the Board to review and eventually adopt within the next month or two. Further updates to come.

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. The Town of Jerusalem is proposing continuing with the same contract as in the past, being we pay them a rate of \$48.00 per active customer. In addition, we are responsible for 17.3% 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 needed to be made prior to being proposed to the Board. A verbal agreement was made at the meeting; however, the contract needs formal approval. Once the revised contract was received, it was provided to the Board via email prior to the meeting. In addition, hard copies of the December 2013 contract and the revised 2019 proposed contract were made available to the Board. Supervisor Illig pointed out the only difference between the 2 documents are clerical errors under section 5.1 and 5.2. Supervisor Illig asked if the Board was prepared to act now or if they needed additional time to take home and study further? The Board requested additional time to review and tabled the contract until the May meeting. Once approved, the agreement will be in effect for 5 years.

Continuing with new business, Nancy Cole was present to discuss the upcoming LULA (Land Use Leadership Alliance) 9th annual training. The training is scheduled for Monday, April 29th from 5-8 PM at the Yates County Auditorium. Discussion and presentations will include education on wastes, pesticides, land slopes, DEC, among several others. There will be (2) continuing education credits given for attending the training. She promoted all Town officials to attend if able.

Supervisor Illig asked if there were any public comments or concerns at this time. With nothing heard an 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 8:08 PM. _____ Town Clerk

