

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, September 11, 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; Bookkeeper Rebecca (Kirch) Welch; and Town Clerk Erica Giambra.

Supervisor Illig took a moment to remember and honor the anniversary of September 11th and pay tribute to those who lost their life that fateful day.

There were not any passing's within the Town for Bill Weber to speak of this month.

Councilman Yastremski made motion seconded by Councilman Musso to accept the minutes of the August 14, 2019 regular Board meeting. All in favor. Carried.

Councilman Yastremski made motion seconded by Councilman Musso to pay General Bills in the amount of \$20,023.63 being vouchers No. 19-166 to No. 19-178. Roll call vote: Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out voucher 19-170 is to Larry's Paving for the remaining payment for the completed tennis/pickleball/basketball court paving project. Also voucher 19-177 is to the Town of Urbana for the summer rec program that the Town of Urbana, Pulteney, and Wayne contribute to. The Town of Pulteney had approx. 15 kids participate this summer and is a worthy program. Remaining vouchers are overall routine.

Councilman Musso made motion seconded by Councilman Goodwin to pay Highway Bills in the amount of \$18,942.20 being vouchers No. 19-157 to No. 19-169. Roll call vote: Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Councilman Yastremski asked Highway Supt. Gibson what voucher 19-166 to Suit-Kote Corp in the amount of \$12,741.80 was for, he responded dust oil and crack sealing.

Councilman Goodwin made motion seconded by Councilman Musso to pay Water District #1 Bills in the amount of \$11,523.57 being vouchers No. 19-96 to No. 19-105. Roll call vote: Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Vouchers are overall routine, including voucher 19-105 to the Village of Penn Yan for our quarterly contractual water payment.

Balance sheets and profit & loss reports were available to view. There are no transfers for this month. Supervisor Illig pointed out there is a primary concern with the General fund balance mainly due to the tax cap calculation error in which \$23,132.00 needed to be transferred into a tax cap reserve account. The Highway Account remains on track and in good shape. This coming quarter, water billing will bring in the most profit for the Water Dept. with the increase in population and water usage in the summer months so we are expecting to be in good shape and on schedule. The Board will have to address how to handle the General Account deficiency in the upcoming months.

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

Clerk Giambra reported after speaking with Librarian Barb Radigan, upcoming elections will now be held in the new Pulteney library rather than the Town Hall.

As seen in his report, Municipal Services Manager Welch commented the Dept. is busy as usual with building questions, wastewater issues, and property transfers.

Supervisor Illig mentioned he and Lauren met with a concerned summer resident recently that brought to their attention a notable contamination area. During heavy rain storms, this resident would notice high levels of foamy water in his nearby creek that appears to come from his neighbor upstream who fertilizes his farm with manure. The resident had photos, specific detailed documentation, had attempted to contact the DEC and Soil & Water, and even had water samples from the lake taken. He was not getting the support he needed from any agency so he came to Supervisor Illig and Lauren to discuss the matter. They had a teleconference with the DEC in which the DEC expressed they do not have the budget for water testing and any testing the resident collected would never hold up in Court. The DEC referred to the foamy areas that enter the lake as an organic event. Councilman Musso commented when doing inspections, the DEC only inspects the farms, not the field themselves and farmers are allowed to spread fertilizer up to 30ft to a creek. Supervisor Illig offered for the Town or KLA to pay for water sampling and testing if needed. After not receiving much assistance from the DEC, the resident and Town will continue to try and make progress to relieve this situation going to higher Government officials if necessary. Supervisor Illig will keep the Board/public posted on any new information and hopeful resolution.

The Water Dept. continues to be very busy with repairs and meter replacements.

For the Assessor report, Supervisor Illig stated he met with Assessor Dave Oliver and they reviewed a chart referencing the assessed value for 2018 School tax, 2019 Town & County tax, and 2018 Village tax based on the 2018 assessment roll. The chart displayed the Village of Hammondsport and Towns of Urbana, Pulteney, and Wayne. The chart was available to the Board and public. The Town of Pulteney is in the second lowest tax bracket next to the Town of Wayne.

Highway Supt. Gibson reported he found a company in Canada that can hopefully program the ECM unit for the grader. He sent the parts and with any luck they can finally set up the codes. He purchased an 8' mower for \$500.00 at the DOT auction, as approved under \$1,200.00 at the August meeting. Also approved at a previous meeting, the Town of Erwin has received their new truck so we can purchase their old truck for our back up truck at any time. The approved purchase amount was for \$45,000.00. Bookkeeper Welch will cut the check. Lastly, Highway Supt. Gibson reported The Dept. has also been busy grading and graveling roads and started mowing and ditch work.

There was not a Planning Board meeting held in September and there is not a Zoning Board of Appeals meeting/hearing scheduled for September either.

At this time, Supervisor Illig noted it was brought to our attention this morning there evidently is ongoing internet chatter in regards to the Ladies Auxiliary proposing to have a "Trunk or Treat" rather than a "Trick or Treat" for Halloween in the Town of Pulteney this year. The Auxiliary proposed the idea to the Board at the August meeting and it was unanimously approved. The event will be held Saturday, October 26th from 4:30-6:30pm at the Pulteney Firehall (outside). Deb Ford was present representing her Facebook page the "Pulteney Crier". She stated she had received a number of emails and posts of negative feedback toward the new proposal. The overall concern people expressed was for those that don't have kids and/or the elderly that cannot get out of the house and would not participate in a "Trunk or Treat". She also commented people enjoy

decorating their houses and this doesn't give them a reason to. Ultimately, she sees both sides, however is concerned and believes residents in general were caught off guard of the change. Donna Colvin, from the Ladies Auxiliary, reiterated the idea and reasons for the proposal to the Board last month (see August minutes). She also commented she wished anyone concerned would have contacted the Auxiliary to get the facts prior to taking to social media. The Auxiliary does a lot for the community including 3 parties a year with the majority of the expense paid for by the Auxiliary. Donna continued stating the rationale for the "Trunk or Treat" is appropriate and times are changing. The main reason is for the overall safety of the kids. The Town does not have a lot of teenagers, mostly all small children, that with no sidewalks and limited lighting in Town makes it very dangerous for them to be out in the dark on Halloween night. Lori Egresi, also with the Auxiliary, stated their intentions by no means are to take away from Halloween but to get the community more involved and make it more of a celebration in a safer manner. Lori mentioned October 3rd the Auxiliary is going to hold a community meeting at the Pulteney library to present information, answer any questions, and address concerns. The Auxiliary had to get approval from the Town Board and the Fireman's Commissioners first and now they can present to the public. Theresa Keesey was present and expressed the community wide meeting should have been prior to proposing to the Board for approval. She is concerned that the overall tradition of Halloween will be lost by changing the event and is sad as Pulteney is a small safe community that we should be able to hold a "Trick or Treat" on Halloween during evening hours as usual. The Auxiliary responded they are simply offering to try the "Trunk or Treat" event this year and if it does not work or go over well with the community, the Town can change back to the traditional Halloween evening "Trick or Treat". Supervisor Illig stated the Board is sticking by their decision and approval and is looking forward to the event. Thank you to all for their comments and respectful behavior.

Under old business, regarding the Ambulance building update, Supervisor Illig stated he and Lauren have spoken with the surveyor. The next step is finding the deed(s) to the property. Lauren and Clerk Giambra will work on obtaining and will report back next month.

Regarding the tennis courts, Supervisor Illig has contacted the painter letting him know Larry's Paving has finished. He is scheduled to come next week. Once the painting is completed and the fencing replaced, the tennis court/pickleball court/basketball court should finally be ready to use!

Continuing with old business, Clerk Giambra has contacted Deanna Tompkins, the Urbana Town Clerk, who is a certified trainer for the sexual harassment policy adopted by Governor Cuomo. Governor Cuomo passed Section 201-g of the NY Labor Law mandating all employers throughout NYS to adopt a sexual harassment prevention policy including providing a training for "all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with the Town of Pulteney". The Board adopted the State's Model Policy on May 8, 2019. Deanna is willing to come to the Town Hall and train whoever is in need. She stated the training should take approx. 20 minutes. Clerk Giambra asked the Board their availability and when would be good to schedule the training. It was decided before our next Board meeting on October 9th at 6:30pm would be best. Clerk Giambra will contact

Deanna to confirm and will send out an email to those that have not previously received the training to attend.

Under new business, the 2020 Tentative budget was provided to the Board and public to review. Supervisor Illig stated a 3% tax increase is proposed. He commented if you own a \$150,000.00 home, the tax increase would be approx. \$15.00. Supervisor Illig pointed out, on Highway Supt. Gibson's recommendation, he lowered the CHIPS funding to \$140,000.00 from \$150,000.00 and increased general road repairs. Highway Supt. Gibson questioned why the fuel amount was lowered. Supervisor Illig responded according to the P&L statement, we are at 46% usage/expense through September and still need to be reimbursed by the Fire Dept. for fuel. He stated we lowered the amount because of this but ultimately is a guesstimate. It is always hard to say with the fluctuating fuel prices. Highway Supt. Gibson also questioned the decreased amount for snow removal. He stated salt and sand prices have been and are expecting to continue to increase. Supervisor Illig will take a look at the numbers and bring back up to the budgeted amount for this year. He asked the Board if anyone had any further comments or questions regarding any of the Dept's. With nothing further heard, he stated he and Bookkeeper Welch will transfer the tentative numbers (increasing the snow removal) and propose the 2020 Preliminary budget at the October Board meeting to review and adopt. After adoption in October, a scheduled public hearing will need to be made for the meeting in November. Since the Board is proposing a 3% tax increase, the tax cap will be overridden and a Local Law will need to be adopted in November prior to adopting the final budget.

Due to miscommunication at the August meeting, Town Attorney candidate, Mark Schlechter, was not present and was asked to attend this evening. Supervisor Illig welcomed and introduced Attorney Schlechter. The Board had been given Attorney Schlechter's resume prior to the August meeting. He presented his background and experience and asked the Board if they had any questions. Councilman Musso asked if he had worked for another municipality before in which he responded he has not. That being said, he worked under Judge Bradstreet for 21 years dealing with municipal issues including litigation, contracts, mediation, etc. He was asked if he was able to attend all Board meetings. Attorney Schlechter agreed that was not an issue unless an emergency arose. Supervisor Illig commented he previously discussed the current salary for the Attorney position being at \$9600.00 and was agreeable to both parties. He comes highly recommended by Attorney Prossick amongst many other notable individuals. With nothing further heard, Supervisor Illig made motion seconded by Councilman Burns to appoint Attorney Mark Schlechter to the term of September 11, 2019-December 31, 2019. Roll call vote: Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. The Board again welcomed Attorney Schlechter and is looking forward to a great working relationship.

Lastly under new business, Supervisor Illig reported the Highway Union Contract expires December 31, 2019. Supervisor Illig asked Councilman Goodwin to assist himself and Highway Supt. Gibson in developing a proposal to present to and negotiate with the Local 529 Teamsters Union. Councilman Goodwin agreed, they will schedule a meeting and report back.

Supervisor Illig asked if there were any public comments or concerns at this time. Jack Lucek, Town resident on Wright Road, was present and wanted to start by thanking the Highway Dept. for the appropriate signage they have placed and the condition of the roads. Great job! He is also interested in discussing lighting regulations. The Town of Pulteney has some lighting regulation language, as mentioned within the Town Sign Law, however aside from that nothing further. He looked into neighboring Towns and the majority have some form of lighting regulations/restrictions. He is proposing to the Board, he draft a policy to address lighting issues concerning traffic safety, glare, etc. The Board agreed that would be beneficial and once he drafts to present to the Planning Board. Upon approval from the Planning Board, the policy would get presented to the Town Board, a hearing scheduled and a Local Law adopted. The policy would become included into the Town Zoning Law.

After a quarterly audit was successfully reviewed and approved, with nothing further heard an no need for an executive session, Councilman Yastremski made motion seconded by Councilman Burns to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 8:17 PM.

Erica Giambra, Town Clerk