

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

On October 12th of this year, Bill Weber reflected on the horrible tragedy that occurred in our tight knit Town. Four promising, young individuals passed away in a horrible car accident. Korbie Higgins, Coy Miner Jr., Nicole Wise, and Adam Bellamy, all from within the community, lost their life that fateful morning.

Bill continued reflecting of the passing of Don Patoine and June Marie Allis. Don moved to Pulteney from New England and spoke with such a distinctive accent. During the public outcry about the possibility of deep well waste water injections off of Armstrong Road, Don stated at a public meeting he would park his truck on the entrance to the well and they would have to run him down to get to the site. Another memory Bill had of Don was him putting out hundreds of tires when the Town had a free trash collection. The Public Works Commissioner called Bill stating there was no way the County was going to take all those tires. Don was not happy. Bill enjoyed his visits with Don and admired his craftsman's skill in tree work. Bill did not know June; however, he spoke with Junior Gibson who reported June had 6 brothers and 6 sisters. She grew up on Gallagher Road, was a part of the extended Snyder family and lived in the Pulteney-Prattsburgh area all her life. She had a good life of 92 years.

All will be fondly remembered and sadly missed by many.

Councilman Yastremski made motion seconded by Councilman Musso to accept the minutes of the October 9, 2019 regular Board meeting and October 28, 2019 special Board meeting. All in favor. Carried.

Councilman Goodwin made motion seconded by Councilman Burns to pay General Bills in the amount of \$13,855.83 being vouchers No. 19-205, No. 19-206, No. 19-207, and No. 19-208 to No. 19-227. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out vouchers No. 19-206 and No. 19-207 to Neal Perkins for work in the old library/office space. Remaining vouchers were overall routine this month in the General Account.

Councilman Burns made motion seconded by Councilman Yastremski to pay Highway Bills in the amount of \$19,696.40 being vouchers No. 19-194 to No. 19-215. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried. Vouchers were also routine in the Highway Account.

When discussing the Water District #1 bills, Supervisor Illig commented on voucher 19-124 to Dock Hardware & AwR Rigging in the amount of \$2,600.00. He explained this is to purchase cubicles from a vendor in Rochester for the new office space. Lauren added in looking for cubicles/furniture, this is by far the most inexpensive route to take. This voucher would include (5) 12'x12' cubicles. Lauren stated the cubicles are able to be delivered upon our direction as we are waiting for the floor to be

completed. Councilman Musso had concerns in regards to purchasing cubicles vs. actual closed room offices being built within the space. Supervisor Illig suggested the Board and anyone interested from the public take a tour of the space.

Upon returning from the tour, at 7:25PM Supervisor Illig made motion seconded by Councilman Burns to recess the regular meeting and enter into the first scheduled public hearing regarding the proposed Local Law No. 1 of the year 2019 to override the tax levy limit established in General Municipal Law 3-c. All in favor. Carried. The Local Law was provided to the Board and public. As previously reported at the last several meetings, Supervisor Illig stated there is a 3% tax increase proposed which would override the tax levy limit of 2% established by the State making this Local Law necessary to adopt. He explained the proposed 2020 budget has been presented and discussed since August. Due to an administrative clerical oversight at the regular Board meeting in October, the proposed Local Law No. 1 of 2019 was never officially presented to the Board nor a public hearing scheduled. Therefore, on October 28, 2019 at 6:00PM a special meeting of the Town Board was called to order to do so. A public hearing was scheduled and legal due notice was sent and posted. There were questions from the public of why the tax cap needs overridden, especially with all the new construction within Town and an increase in property sales. Supervisor Illig explained with the exception of the Town of Pulteney voters passing a Town proposition on election day to increase the library budget line on the 2020 budget for operating costs by \$3,390 totaling \$37,282 annually and a minimal employee pay increase, the Board was not proposing any other increases. Even with fairly minimal changes, due to the extremely low tax cap set at 2%, the need to override the cap. There were other public comments asking if the tax increase will raise next year to 4% and the year after? There was suggestion of the Town Board not living within their means. It was noted there was a legal notice published in the Corning Leader, however it was suggested it be published in the Shopper and Town website as well. Going back to the library vote, it was asked how the voters know by voting yes for the library that this will in fact raise their taxes? The wording of how to phrase the proposition is decided among the Library Board and approved by the Board of Elections. Supervisor Illig asked if there were any further questions or comments. With nothing further heard, Supervisor Illig thanked the public for their comments. Supervisor Illig made motion seconded by Councilman Musso to close the public hearing on Local Law No. 1 of 2019 and resume the regular meeting. All in favor. Carried.

Supervisor Illig made motion seconded by Councilman Musso to adopt the following **Resolution (#11): Town of Pulteney Adoption of Local Law #1 of 2019 to override the tax levy limit established in General Municipal Law 3-c**
WHEREAS, the Town of Pulteney wishes to adopt Local Law #1 of the year 2019; and

WHEREAS, the Town of Pulteney has reviewed and after due notice held a public hearing at the November 13, 2019 regular meeting of the Town Board; and

WHEREAS, the purpose of the Law is to override the 2.0% New York State tax cap for 2020 enabling the Board to adopt a budget with a 3.0% tax cap for 2020 in the Town of Pulteney; and

NOW, THEREFORE, it is hereby

RESOLVED, that the Town of Pulteney hereby adopts Local Law #1 of 2019 Tax Cap Override Law a copy of which is attached hereto; and it is further

RESOLVED, that the Town Clerk is hereby authorized to send the Law to be filed with the New York State Secretary of State and go into effect once filed.

Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.

Before entering into the second public hearing of the evening, Councilman Musso suggested the Board discuss the proposed Highway Union Contract on the agenda prior to adopting the budget. The Board agreed. The proposed Union contract was provided to the Board prior to tonight's meeting. Supervisor Illig stated he, Councilman Goodwin, Highway Supt. Gibson, and the Highway Union members met to negotiate with the Local Teamsters Union Representative. The Highway Union employees proposed a 4% raise in 2020, 2021, and 2022, in addition (10) paid holidays rather than the current (9) to include Columbus Day. After negotiating, it was agreed upon on all sides to propose a 2% raise in 2020, 2021, and 2022, and approve the paid Columbus Day holiday. Supervisor Illig asked the Board if they had any questions or comments. With none heard, Supervisor Illig made motion seconded by Councilman Goodwin to adopt the following **Resolution (#12): As negotiated, authorizing the Town Supervisor to renew and enter into an agreement with the Town of Pulteney and Teamsters Local Union No. 529**

WHEREAS, the current Highway Union Contract expires on December 31, 2019; and

WHEREAS, both parties have met and have come to an agreement, which has been presented and reviewed by the Town of Pulteney Board; and

WHEREAS, upon signing the Contract will be in effect January 1, 2020 to December 31, 2022;

NOW THEREFORE, it is hereby

RESOLVED, the Town of Pulteney Supervisor is hereby authorized to sign the above-stated Agreement with the Teamsters Local Union No. 529.

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 recess the regular meeting and enter into the second scheduled public hearing of the evening regarding the proposed 2020 Town of Pulteney preliminary budget. All in favor. Carried. Supervisor Illig reiterated the Board began the budget process in August, meeting with the Department heads and receiving input from the Board along the way. A budget workshop was held August 28, 2019. Supervisor Illig asked the Board and public if they had any comments or questions. With nothing heard, Supervisor Illig made motion seconded by Councilman Burns to close the public hearing on the proposed preliminary budget and resume the regular meeting. All in favor. Carried.

Supervisor Illig made motion seconded by Councilman Musso to approve the following **Resolution (#13): Town of Pulteney Adoption of the 2020 Budget**

WHEREAS, the Town of Pulteney wishes to adopt the proposed preliminary budget as presented for the year 2020; and

WHEREAS, the Town of Pulteney has reviewed and after due notice held a public hearing at the November 13, 2019 regular meeting of the Town Board; and

NOW THEREFORE, it is hereby
RESOLVED, that the Town of Pulteney hereby adopts the 2020 budget; and it is
further

RESOLVED, that the Town Clerk is hereby authorized to send the adopted
budget to the Steuben County Clerk of the Legislature Office.

Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes;
Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.

Returning to Water District #1 vouchers, Supervisor Illig made motion seconded
by Councilman Musso to pay Water Bills in the amount of \$3,675.48 being vouchers No.
19-122 to No. 19-130. Roll call vote: Councilman Musso, yes; Councilman Yastremski,
yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.
With the exception of voucher 19-124 as discussed earlier, vouchers were overall routine.
After the office space tour, it is the consensus of the Board the cubicles should work and
be appropriate within the space.

Balance sheets and profit & loss reports were available to view. There are no
transfers for this month. As Supervisor Illig has pointed out previously, 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. Next
month, the Board will need to approve a transfer from the Water Account into the
General Account that will get transferred back in January. We will be able to release
those funds out of the tax cap reserve account January 1, 2020.

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

Clerk Giambra congratulated Supervisor Illig, Highway Supt. Gibson, Elizabeth
White, and Tammy Tones for their re-elected/elected positions on November 5th.
Addressing the website, Clerk Giambra apologized to the public as the Local Law No. 1
of 2019 public notice and preliminary budget notice should have been posted on the
website. We have had issues with the websites main page and has affected posting
updates and reminders. She will continue discussion with the webmaster to resolve the
continuing issues.

As seen in his report, Municipal Services Manager Welch commented he has
provided the Assessor paperwork on annual building permits for review. He also
attended his annual State training courses in Montour Falls the end of October.

The Water Dept. continues to be busy with repairs and meter replacements. An
annual DOH inspection was conducted and Water Operator Dluzak has begun winter shut
offs.

Highway Supt. Gibson reported Town had its first snow fall of the year with all
equipment working well. The Dept. finished mowing roadsides and have the equipment
cleaned and put away for winter, including the water truck. The Highway trucks have
been inspected and suited up for winter. The Dept. borrowed a small track excavator
from Soil & Water to clean out plugged creeks. Councilman Yastremski asked how the
progress of the grader is coming along? Highway Supt. Gibson stated the company out
of Canada has reported they cannot fix the programming and he is planning to speak with
someone from the County Highway Dept. tomorrow to get input as we cannot continue to
borrow the County's grader all next year.

For the Supervisor report, Supervisor Illig wanted to get the thoughts of the Board in regards to possibly commemorating the loss of 4 young lives in the form of a memorial of some kind. Councilman Burns reported she believes the families got permission from the property owners of where the tragedy occurred and a permanent cross with the individual's names will be placed. The Board agreed that was an appropriate tribute.

Councilman Musso commented he attended the Fire banquet recently in which Nancy Snyder was awarded the NYS Norton Logan Award for her service in the Dept. for 39 years and is still an active volunteer today. We thank Nancy for her service and Congratulations on the prestigious award!

Attorney Schlechter reported there remains one Article 7 Supreme Court case that is still pending, however winding down. He has met with Assessor Oliver and an appraisal should be completed within the next 2 months. In the meantime, he will continue to appear at the scheduled Court dates. Further updates to follow.

There is a Planning Board meeting scheduled for November 18th with (2) sub-division applications to review for possible hearing. Currently, there is not a Zoning Board of Appeals meeting scheduled for November.

Under old business, regarding the Ambulance building update, Lauren is still waiting to hear from the surveyors, McConnell and Muller. He will continue to try to contact. Once the survey maps are received, Planning Board Chairman Gibson can stamp the maps approved and be filed with the County to finalize the sub-division. Remodeling of the new office space has begun, is coming along nicely, and is tentatively under budget. Supervisor Illig provided the Board with a Town office summary of expenses to date. Supervisor Illig, Clerk Giambra, and Lauren are meeting with CPE Interlink tomorrow to discuss a business phone system similar to the one the Town of Urbana uses. Between heating, electricity, water, and phone lines there expects to be a cost savings by moving all offices into the Town Hall. We are looking on track to transfer ownership to the Fire Dept. the first of the year.

Regarding the tennis courts, at the October meeting the Board accepted a quote from Reale Fence for \$6,805.17 to finally complete the tennis court project. We sent a check for 50% down and have been awaiting their arrival. Supervisor Illig recently spoke with the vendor and they should be here next week to complete.

Under new business, the Town fees schedule was provided to the Board. The Board was asked to review, in particular the returned check fee. It currently is set at \$15.00. Clerk Giambra is suggesting the fee be raised to the expected \$30.00. The Water District has already set their rate for returned checks at \$30.00 and the Town Clerk's Office should update and follow suit. Supervisor Illig made motion seconded by Councilman Goodwin to raise the returned check fee for the Town of Pulteney to \$30.00 from \$15.00 effective immediately. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.

Continuing with new business, Water Operator Dluzak provided the Board with a purchase offer to trade in the 2017 Chevy Silverado Water District truck with 20,169 miles for a 2020 RAM with no mileage for \$3,675.52. Initially, when the Board approved the purchase of the 2017 Water District truck, it was discussed it should be on a 2-3-year replacement plan. The current truck is in need of new tires, brakes, etc. and

makes sense to trade in and upgrade now, especially at a low price for a new vehicle. Supervisor Illig made motion seconded by Councilman Burns to enter into a purchase agreement with Friendly's in Penn Yan to trade in the 2017 Chevy Silverado 1500 for a 2020 RAM 1500 as proposed for \$3,675.52. Roll call vote: Councilman Musso, yes; Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Supervisor Illig, yes. Carried.

Lastly, under new business, Supervisor Illig announced the Town Christmas luncheon will be Thursday, December 12th, Noon at the Fire Hall. Clerk Giambra will send out an email invitation in the next week or 2.

Supervisor Illig asked if there were any public comments or concerns at this time. There was a question in regards to the tax cap reserve account that was discussed earlier and why it was necessary. Supervisor Illig summarized stating when preparing the 2019 budget, due to the 2018 reval, there was a miscalculation and the State suggested transferring funds into a tax cap reserve account for 2019 that can't be accessed until January 1, 2020. (See February 13, 2019 Board minutes)

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

Meeting adjourned at 8:20 PM.

Erica Giambra, Town Clerk

