

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, February 10, 2021, at the Pulteney Town Hall with the Pledge of Allegiance.

Roll call: Supervisor Mark Illig; Councilman Elizabeth White; Councilman Michael Yastremski; Councilman Tammy Tones; Highway Superintendent Terry Gibson; Bookkeeper Rebecca Welch; and Town Clerk Erica Giambra. Absent was Councilman Kathleen Burns and Attorney Mark Schlechter.

It is noted those in limited attendance wore masks and social distancing was practiced at 6 feet apart.

Bill Weber took a moment to speak of the recent passing of 3 Town residents. Gordon (Gordy) Bates, Bill knew well in the 1970's when he had an onion farm on the muck in Prattsburgh with his wife, Jean. After retiring, they moved to Roff Point. Bill specifically has 2 fond memories to share. He remembers the time he needed help taking an engine out of a boat and Gordy drove a forklift, all the way from Prattsburgh to Stone Point and back, just to assist Bill. The second, when a picture of a buck his nephew shot went viral and Gordy rushed to Bill's house to see the picture and mount. All good memories. Supervisor Illig commented he knew Gordy when he would see him on Thursday nights at the Robin's Nest in Prattsburgh as well as at the Bath County Club. As he tended to the grounds, Gordy would give Supervisor Illig's father-in-law numerous lost and found golf balls, enough that he would never need to buy again. He was a great fellow. Gordy passed a few months ago at Taylor Health after spending the last 5-6 years there after suffering a stroke. Duane Bergstresser, Bill has fond memories of when he would visit with him and his wife, Kathy. He also enjoyed their visits at several Town Planning Board meetings discussing one of Duane's hobbies, gun collecting. Interesting enough, it was Duane and Kathy's depleted well that Chesapeake Energy chose to apply for an injection well that aroused tremendous interest and opposition to the intended hydrofracking in the Keuka region. Fortunately, they were in Florida at the height of the protests. Duane passed at the Penn Yan Manor after a short stay. Ed Updike, Bill met in 1988 under strenuous terms. It was at a time in Town when the building code was fairly hard to interpret. Ed had inherited property and started building a house in which Bill, as Town Supervisor, was involved with having to shut the project down. There was finally resolution between the Town and Ed's Attorney and Bill and Ed became good friends thereafter. Ed passed away suddenly at his home. They all will be fondly remembered and sadly missed.

Councilman White made motion seconded by Councilman Tones to accept the minutes of the January 13, 2021 organizational and regular Board meeting. All in favor. Carried.

There are no transfers for this month. The balance sheets and profit & loss reports were available to review. Supervisor Illig commented, as Clerk Giambra will report, all tax revenue has been paid in full to the Town. After tax collection ceases on March 31, 2021, the County is responsible for collecting all unpaid parcels.

Councilman White made motion seconded by Councilman Yastremski to authorize to pay General Bills in the amount of \$58,075.45 being vouchers No. 21-17 to No. 21-40. Roll call vote: Councilman Tones, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted the main expense for General this month is a voucher to the Pulteney Free Library for \$41,010.00,

as approved by the voters of Pulteney in the November election. Supervisor Illig pointed out the annual payments to KWIC and KLOC that all municipalities on the lake pay into. Voucher No. 21-21 to Eastern Security is for the upgrade to the camera security system and Voucher No. 21-36 to Steuben County Real Property is an annual payment for software. Remaining vouchers are overall routine.

Councilman Yastremski made motion seconded by Councilman Tones to pay Highway Bills in the amount of \$58,034.07 being voucher No. 21-23 and vouchers No. 21-24 to No. 21-41. Roll call vote: Councilman Tones, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Voucher No. 21-23 to Maple City Dodge for Highway Supt. Gibson's previously approved truck and voucher No. 21-40 to ST Coots LLC for gravel were the main expenses for Highway this month.

Councilman Tones made motion seconded by Councilman White to pay Water District #1 Bills in the amount of \$197,608.86 being vouchers No. 21-9 to No. 21-15. Roll call vote: Councilman Tones, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out voucher No. 21-13 in the amount of \$196,497.00 to M&T Bank for our annual bond payment for the Water District. Each resident in the Water District pays an EDU tax on their Town and County tax bill that goes toward this payment. It is a 30-year bond and we are at approx. year 13 or 14.

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

Supervisor Illig sadly reported that Water Operator Dluzak's mother recently passed away unexpectedly. Our thoughts and prayers continue to go out to Chuck and his entire family.

Clerk Giambra stated she has collected over 2.7 million out of the over 3 million due in amount billed. There remain 284 unpaid tax bills out of 1711 to date. Collection revenue is ahead of schedule than in previous years. She recently reached out to NYS records management regarding the LGRMIF grant the Town of Pulteney applied for on 3/13/20. We have not received any notifications or updates on the process and the representative reported she didn't have any information to share currently, other than grant funding recipients are unfortunately in a holding pattern. Stay tuned.

As seen in the Municipal Services report, Lauren commented so far construction has been good for 2021. Projects are ongoing on the lake and on the hill.

For the Water report, fortunately things have been calm, especially with how cold temperatures have been.

Supervisor Illig mentioned all is well in the Assessor Dept. with the exception of the untimely legislation that recently passed regarding the provision that covers senior citizens and persons with disabilities to carry over their exemptions for the 2021 assessment roll as reported last month. Assessor Oliver wishes they would have made the decision earlier in the year, as he had already spent a lot of time and expense mailing out exemption forms when in retrospect was unnecessary.

DCO Matthews provided a monthly report and Clerk Giambra reported thanks to her calling owners as unlicensed reminders, a few dog owners have been in to get their dogs licensed and up to date.

Regarding a Justice report, Clerk Giambra noted in person appearances have been at a stand-still since November mandated by the State. Court was held virtually on

January 28th and in moving forward will continue to schedule virtual appearances until further notice.

Highway Supt. Gibson relayed the Dept. has hauled in gravel for this year's projects with the Towns of Urbana, Prattsburgh, and Wayne's assistance. They have been busy plowing and sanding. Highway Supt. Gibson's new pickup truck is in service. We have the 2008 pickup, a snow plow, and 8 ft flail mower as surplus equipment to sell on Auctions International. Highway Supt. Gibson noted there are still 4-5 street lights that are out in Town. Bookkeeper Welch mentioned she has continued to call to report the outages and is being told there is a wait list with NYSEG.

An agreement for the expenditure of Highway Moneys was provided to the Board. It is an agreement between the Town Highway Supt, Steuben County, and the Town Board allowing for the expenditure of money for road repairs and maintenance. Supervisor Illig asked if the Board had any questions. With none being heard, Supervisor Illig made motion seconded by Councilman White to execute this agreement and file with the County Highway Supt. and Clerk Giambra. Roll call vote: Councilman Tones, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Supervisor Illig spoke with Historian Ray Emery recently and he should be able to provide a report to submit in March. He is currently working on a grant project for a historical marker in Town.

As reported at the January meeting, there is a community solar farm project in the works in Town on Chidsey Hill Road. At the Planning Board meeting this past Monday the 8th, a public hearing was scheduled for March 8th at 7PM. Bergmann Engineers and Delaware River Solar are heading the project. They are proposing a 35-acres farm with 8-acres being solar panels. The Town adopted a Solar Law in 2017 that is in conjunction with NYS solar regulations. The applicants researched the Town Solar and Zoning Law and the project is in accordance with both. Supervisor Illig commented a member of the Planning Board was concerned this would be the start of several community solar farms in Town. It is being reported, the solar energy interconnecting into the electrical grid can only accommodate so much, therefore this would be the only commercial farm that would be able to be installed in Town. Being a community solar farm, every resident in Pulteney will have the opportunity to subscribe and receive 10% off their NYSEG bill. Further updates in March.

There is not a Zoning Board of Appeals meeting scheduled for February. Lauren is thinking probably April he will have applications to schedule a meeting.

At this time, 7:30PM, Supervisor Illig made motion seconded by Councilman White to recess the regular meeting and enter into the scheduled public hearing regarding the proposed Local Law No. 1 of the year 2021 "Town of Pulteney Outdoor Lighting Law". All in favor. Carried. The Local Law was presented to the Board and public at the January meeting and a public hearing was scheduled for this evening at 7:30PM. Clerk Giambra placed a public hearing legal notice in the Corning Leader. The Planning Board unanimously approved, at their January 11th meeting, the proposed Law for the Town Board to act upon. Supervisor Illig commented the Planning Board, including Town resident Jack Lucek, have discussed and worked on this proposal for well over a year. It is a concise 1-page document for the Town to fall back on and for Lauren to enforce, if the need arose. The purpose of the Law is to regulate illumination in accordance with Pulteney's Comprehensive Land Use Plan. Bill Weber asked how the

lighting measurements will be taken? A hand-held lighting meter will be donated to the Town to measure with. It was noted this Law will take effect once filed with the Secretary of State and all existing lighting is grandfathered in. Fortunately, there hasn't been a lighting issue, with one exception, and can hopefully be handled between neighbors. Lauren commented this Law will mostly come into play when approving commercial applications. Supervisor Illig asked the Board/public if they had any further comments or questions. With nothing heard, Supervisor Illig made motion seconded by Councilman Tones to close the public hearing on Local Law No. 1 of 2021 and resume the regular meeting. All in favor. Carried. Councilman Tones made motion seconded by Councilman Yastremski to adopt Local Law No. 1 of 2021 as "The Town of Pulteney Outdoor Lighting Law" being a Local Law on its own, separate from the Town Zoning Law. Roll call vote: Councilman Tones, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Clerk Giambra will send the Local Law to the Secretary of State to officially file. Thank you to the Planning Board and Jack Lucek for their efforts in drafting and proposing the Lighting Law.

Under old business, Supervisor Illig reported the auditors continue to request information and documentation for the data collection phase. We will await their written report and move forward from there. Supervisor Illig again thanked Bookkeeper Welch and Clerk Giambra for their ongoing efforts in the extensive process.

Continuing with old business, as mentioned at the December meeting, Governor Cuomo signed legislation requiring all public employers to create contingency operation plans to protect public workers in future health emergencies. Councilman Burns, Councilman White, and Supervisor Illig met to draft a proposed plan to present to the Union representative as requested by February 1, 2021. After reviewing, the Teamsters representative provided some feedback and questioned how Highway Supt. and "staff" were listed in the plan suggesting the need to specify positions. Councilman White made the necessary updates. After review of the final draft, Councilman White made motion seconded by Councilman Tones to adopt the Public Employer Health Emergency Plan for the Town of Pulteney. All in favor. Carried. Supervisor Illig thanked Councilman White and Councilman Burns for their assistance in drafting and developing the adopted plan.

At the January meeting, Supervisor Illig presented the Board with (2) situations involving water customers asking for assistance. As appointees of the Water Committee, he asked Councilman White and Councilman Tones to investigate, review, and present their findings and recommendation to the Board. The first situation, involves a customer asking to be billed one bill for 2 separate properties across the street from one another. After review, the committee is in agreement it is not feasible to fulfill her request for a single bill composed of 2 meters on 2 separate properties. Each parcel has an individual meter with usage rate and it is impossible to meter the water usage for both parcels going through one meter. Councilman White made motion seconded by Councilman Yastremski to deny the customer a combined bill request as the Water District's standard and policy is separate meters, separate bills. All in favor. Carried. The second situation, involves a customer, that due to improper hookup in 2008, had a recent water leak resulting in a water bill of over \$1000.00. They are asking for the bill to be forgiven minus the quarterly rate. After further investigation, the committee agrees there was no negligence on the customers part and since the leak was caused due to an installation

error, they are recommending a one-time forgiveness reducing the bill to the quarterly rate, in addition the amount of water usage similar to the previous quarter due to both quarters being in drought year, reflecting a total of \$179.13. Councilman White made motion seconded by Councilman Yastremski to credit the bill of \$1,089.27 adjusting the bill to \$179.13, as was the previous quarterly bill, as a one-time forgiveness. All in favor. Carried. With each situation, Water Operator Dluzak assisted giving his review and expertise. Supervisor Illig will communicate with the customers the Board's decision in moving forward. Thank you to all involved and a good example why the water committee was developed as these situations are all case by case.

Under new business, in recent months the Planning Board has come close to not having a quorum to be able to hold a scheduled meeting. The current Alternate for the Planning Board resides a good portion of time in Florida, therefore it would be wise to appoint an additional Alternate to the Planning Board. Supervisor Illig made motion seconded by Councilman White to appoint Matthew Roseler as an Alternate member to the Planning Board effective 2/10/21-12/31/27. All in favor. Carried. Clerk Giambra will provide him with copies of the local ordinances, Zoning Law and oath of office.

Supervisor Illig stated there is no need for an executive session and asked the public if they had any comments or questions at this time.

With nothing heard, Supervisor Illig made motion seconded by Councilman Tones to adjourn the regular meeting. All in favor. Carried.

Meeting adjourned at 7:58PM.

Erica Giambra, Town Clerk

