

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, August 11, 2021, at the Pulteney Town Hall with the Pledge of Allegiance.

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

Bill Weber took a moment to speak of the recent passing of Susan Smith. Sadly, Sue recently passed away tragically on July 31st while riding in a charity motorcycle event in Pine City. Sue was the daughter of Zeke and Kay Clark. She grew up in Pulteney and graduated from Hammondsport Central School in 1978. She had worked at the Southern Tier Shopper and resided in Big Flats. She is survived by a daughter, son, 2 grandchildren, 2 sisters; Carolyn Schuler and Pam Fingar and 2 brothers; Mike Tietjen Jr. and Dave Clark. Bill would often see Sue at Mike's house and last saw her at Kay's funeral in Hammondsport. She was a lovely person and passed away entirely too soon. Sue will be fondly remembered and sadly missed.

Councilman White made motion seconded by Councilman Burns to accept the minutes of the July 14, 2021 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 pointed out on the P&L statement under income, (2) good sources of income that were not anticipated when budgeting last year are the County reimbursement of sales tax, as it is expected to be close to or even above the amount as it historically, and mortgage tax, as anything for sale this year has been sold in record time. Supervisor Illig mentioned the added line item for Federal Aid as we have received half of the ARPA funding of \$64,403.53. Councilman White attended a webinar today that touched upon different approaches of how municipalities can spend the Federal aid. Supervisor Illig is scheduled to attend the webinar next week and the sub-committee of Supervisor Illig, Councilman White and Councilman Burns will meet to focus on a direction in moving forward regarding the spending of funds. Supervisor Illig reported the General, Highway, and Water District are on target and in good shape.

Councilman Yastremski made motion seconded by Councilman White to authorize to pay General Bills in the amount of \$12,606.61 being vouchers No. 21-140 to No. 21-161. Roll call vote: Councilman Yastremski, yes; Councilman White, yes; Councilman Burns, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted vouchers are overall routine this month for General, however voucher No. 21-156 to Overholt's Sealcoating for \$580.80 was intended to be listed under the Water District rather than General. Bookkeeper Welch will make a journal entry and reimburse the amount from Water into General in the amount of the cut check.

Councilman White made motion seconded by Councilman Yastremski to pay Highway Bills in the amount of \$23,529.29 being vouchers No. 21-122 to No. 21-137. Roll call vote: Councilman Yastremski, yes; Councilman White, yes; Councilman Burns, yes; Supervisor Illig, yes. Carried. Routine vouchers for Highway.

Councilman Yastremski made motion seconded by Councilman Burns to pay Water District #1 Bills in the amount of \$14,940.58 being vouchers No. 21-62 to No. 21-74. Roll call vote: Councilman Yastremski, yes; Councilman White, yes; Councilman

Burns, yes; Supervisor Illig, yes. Carried. The main expense being to Ferguson Enterprises, Inc. for meter replacements.

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

As seen in the Municipal Services report, the Building Dept. continues to be extremely busy with plan reviews on 4 new houses. Lauren commented 2 out of the 4 new houses are nearing a million dollars each. He is still working on the house that burned in 2020 has finally been approved by OGS only to be shut down by DOT. He is hoping to move the location of the new structure over slightly to appease DOT and allow for the new owners to be able to at last rebuild.

Regarding the Water report, Supervisor Illig mentioned 33 out of the 127 failing meters have been replaced since hiring Todd Bennett last month to assist Chuck. The process is now moving along nicely and he has worked out well. Supervisor Illig reported Chuck did contact the DOH and there was not an issue with Todd working under Chuck who is licensed with Operator Class C and D.

Highway Supt. Gibson commented the Dept. has completed stone and oil. The Towns of Prattsburgh, Wayne, and Urbana assisted. They did Ford, Briglin, and Depew Roads and part of Thomas Rd. It ended up being 3 miles total. They have done most of the dust oil and will finish hopefully on Monday. They have patching finished and are going to start repair work on lower Armstrong this week. The first round of CHIPS funding should be received in mid-September and should be for approx. \$55,000 with a total reimbursement of \$280,000.00 for this year. Highway Supt. Gibson warned next month there will be a voucher for approx. \$140,000.00 that we will use CHIPS funding for once received. Highway Supt. Gibson reported the Fire Commissioners have asked the Dept. to put down a small section of millings on the other side of the Fire Dept. driveway when they have time. As a trade-off, they are offering for the Highway Dept. to take a large pile of the leftover millings. Supervisor Illig asked Highway Supt. Gibson if the millings are useful and if an appropriate trade? Highway Supt. Gibson confirmed it would save us money in the long run as the millings would be useful. The Board agreed for the Highway Dept. to proceed with assisting when they have the opportunity.

As seen in the historian report, Historian Ray Emery is back to work on a regular basis and fortunately has recovered from an extended illness. Supervisor Illig has spoken with him a few times recently and he sounds and is doing well. Welcome back Ray!

For the Supervisor report, Supervisor Illig passed a thank you card around for Eli Hill who receives his Eagle merit badge this Saturday. For his Eagle Scout project, Eli repainted the cannon in Glen View cemetery. Supervisor Illig will be out of Town so Councilman Burns will attend the ceremony to represent the Town of Pulteney and thank Eli again for all his dedication and hard work. We wish him the best in the future!

The Planning Board met this past Monday, August 9th with 1 scheduled hearing for sub-division, and 2 sub-division applications for review with hearings scheduled for September. The Zoning Board of Appeals does not have a meeting scheduled for August.

Under old business, On June 25, 2021 the Town Board received via email the final financial and IT audit report by the Office of the State Comptroller (OSC) and was posted to their OSC web site for the public to view. The Board has 90 days (by September 23, 2021) to respond with a written corrective action plan (CAP) that addresses the audit's findings and recommendations. Councilman White has spoken with

our IT admin to schedule a meeting along with Supervisor Illig. She has done some research and intends to put together a proposal to be reviewed in the next few weeks. For the financial response, Supervisor Illig commented, in continuing with the initial response given within the 30-day timeline, he and Bookkeeper Welch had formulated a budget planning process that he presented to the Board last month. He advised the Board to take home and review to discuss this evening. Supervisor Illig stated one of the recommendations from the auditors was to have a written budget policy. He went through the report outlining the budget process. Councilman White suggested the Board review further after the budget workshop. This will allow for a detailed budget discussion and can then formulate a CAP. The Board agreed.

Continuing with old business, Attorney Schlechter reported the inflation rate is the last issue in finalizing the solar decommissioning plan on Chidsey Hill. He had suggested to the VP of Delaware River Solar (DRS) to revise the proposal to reflect the actual inflation rate per year capping it at 5%. The last version of the plan does not state the 5% change from their suggested set 2.5% rate; therefore, Attorney Schlechter will reach out to him tomorrow for a revised and final document for the Board to approve at the September meeting.

Supervisor Illig commented last month that recently there has been some discussion that the Veteran stone/monument and plexiglass display outside of the Town Hall needs updated as not all Veteran's within Town are listed. Supervisor Illig has contacted Town Veteran, Dan Schoeffler, who is active in the American Legion in Hammondsport to help update the names of Pulteney Veterans. In addition, Supervisor Illig asked if he could look into how the Town should pursue getting the Home Town Hero banners, as similar surrounding Towns have recently done. Dan is currently working on an updated list based on his knowledge of Veterans in Town and there is a meeting at the American Legion in September that he will attend to get further information.

Last month, ZBA chair Carol McGill and Planning Board member Bill Dineen were in attendance wanting to be placed on the agenda to discuss a potential Town noise ordinance and the short-term rental industry on Keuka Lake. They were not able to make the meeting this evening, however Supervisor Illig reported he discussed the possibility of enforcement with local law agencies and he was told they would in fact enforce a noise ordinance in Town if one was ever adopted and in place. Supervisor Illig is making a recommendation to the Planning Board to draft a noise ordinance to propose to the Town Board. Carol and Bill had provided a copy of what the Town of Jerusalem has adopted. Supervisor Illig asked the Board their thoughts for when drafting an ordinance, if the Planning Board should use that as a footprint but also changing as needed to fit the Town of Pulteney? Councilman White was for the Town of Jerusalem version and simply substituting for the Town of Pulteney. She felt their policy was appropriate as written. Councilman Burns felt the policy was too stringent, especially with the hours of repose being too early for vacationers on the lake that pay a lot of money to be able to relax and have a good time. Would this ordinance distract vacationers from renting? Attorney Schlechter agreed the Town of Jerusalem policy is very discretionary. There are certainly a lot of issues the Planning Board will have to take into consideration. A noise ordinance has been brought up in the past and has never been enacted as the notion is extremely complicated and ultimately, the Planning and Town Boards were not able to find an end

solution in sight, therefore have been reluctant in pursuing. Supervisor Illig stated members of the public have asked the Board to investigate and it is only right to do so. It is up to the Planning Board now to draft a policy and we will move forward from there.

Regarding the short-term rental industry, Supervisor Illig commented, as mentioned last month, on July 26th there was a KWIC/KLOC meeting scheduled with the other 8 municipalities on Keuka Lake. He proposed the idea of regulating short-term rentals. There was indeed some interest and he asked the Town managers to go to their Town Boards to discuss further, including if regulations were set, would they be individual to each Town or collectively universal, similar to the how the dock and mooring laws on the lake are. It certainly appears to be more feasible if all municipalities combined in agreement to have the same regulations and standards. Again, there is a lot involved with enforcement, administrative duties, fees, liabilities, legalities, home owner rights, etc. Supervisor Illig will continue discussion at the next KWIC/KLOC meeting, see if all want to pursue, and report back.

Lastly under old business, Councilman White has pointed out that our Town procurement policy has not been updated since 2006. The entire policy needs revised as the Board, when taking action, is not following how the policy is currently written. We need to either change our practice or change the document. The policy needs updated to reflect how the Board intentionally takes action going along with State regulations and the GML Section 103 Laws. Supervisor Illig asked Attorney Schlechter to review the present policy and revise so that it is in conjunction with NYS regulations using the same limitations as the State. He has reviewed, but needs time to conduct further research to ensure the policy is updated properly. The amounts, such as a \$1000.00 limit used during a bidding process, needs to be re-established as that is a very low limit and for our Town purposes needs increased. He is hoping to have a concrete document for the Board to review at the September meeting if possible.

Under new business, the Pulteney Fire Commissioners have provided the Board with a proposal of rates for the renewal of the Municipal Agreement between the District and the Town of Pulteney for ambulance service to District #1 for the years 2022-2024. Clerk Giambra provided the Board the agreement that is currently in place to reference when comparing what the Commissioners are proposing for the next 3 years. They are asking for an increase initially of 5% for 2022, 4% 2023 and 3% 2024. They are stating the increase is due to the additional costs they will incur having taken ownership of the ambulance building, formerly owned and maintained by the Town. Councilman Yastremski asked why the Town Board has to enter into this agreement? He stated this should be strictly the Fire Commissioners responsibility as they are elected members of the Fire District and adopt their own budget. They should approve their own rates therefore an inter-municipal agreement should not be necessary for the Town Board to enter into or take action. Due to the confusion and questioning if this document is necessary in moving forward, Supervisor Illig will clarify with the Fire Commissioners. He will report back at the September meeting.

Continuing with new business, Supervisor Illig wanted to report Parson's Engineering Firm contacted him in regards to the former Town dump on Tobey Road, the site of the compost area currently. Parson's is a subcontractor for the DEC and performed an inspection. They are either going to install monitors in 6 wells or go to the residents down stream and perform water testing. Supervisor Illig suggested both were a

good idea. Highway Supt. Gibson stated he actually spoke the Parson's today, and at this time, they plan to put 6 wells in that they can install monitors.

As mentioned earlier, we have received the first installment of the ARPA funding. The subcommittee of Supervisor Illig, Councilman Burns, and Councilman White will be in charge of researching and recommending the best way to utilize the funding for the Town.

Lastly, the Board needs to agree on a date and time to hold a budget workshop. It was agreed to schedule the workshop for Monday, August 30th at 5pm.

Supervisor Illig stated there is no need for an executive session and asked if the public/Board had any comments or questions at this time. With nothing heard, he relayed the Board will now conduct a quarterly audit/review. All are welcome to stay however no further business will be discussed.

Following a successful audit/review, Supervisor Illig made motion seconded by Councilman Yastremski to adjourn the regular meeting. All in favor. Carried.

Meeting adjourned at 8:07PM.

Erica Giambra, Town Clerk