

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, October 13, 2021, at the Pulteney Town Hall with the Pledge of Allegiance.

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

Bill Weber took a moment to speak of the recent passing of long time Town resident John Eckel. As long as Bill could remember, John with his wife Jean, lived on the corner of Main Street and Brown Road in the large white house along with his small zoo of farm animals. As some people had become to complain about the zoo, the Town Board asked John to attend a Board meeting to discuss further. John explained he had long established the animal collection well before the Zoning Law was passed in 1990, making his endeavor “grandfathered”. The Board agreed and wished him well. Another memory Bill shared was when the Town was considering hiring a Constable in which John came to a Board meeting interested in the position. The Town Attorney asked for John’s law enforcement credentials, of which he had none. Unfortunately, John was not eligible but the Board thanked him for his interest and willingness to serve. John will be fondly remembered and sadly missed by many.

Councilman Burns made motion seconded by Councilman Tones to accept the minutes of the September 8, 2021 regular Board meeting. All in favor. Carried.

The balance sheets and profit & loss reports were available to review. There are no transfers this month.

Councilman Tones made motion seconded by Councilman Burns to authorize to pay General Bills in the amount of \$4,656.20 being vouchers No. 21-178 to No. 21-193. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted voucher No. 21-182 to Don Strzepek for our lawn service that should now be finished for the season.

Councilman Burns made motion seconded by Councilman Yastremski to pay Highway Bills in the amount of \$25,490.59 being vouchers No. 21-154 to No. 21-173. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. The main expenses being for gravel and our portion of the culvert replacement on Gay Road which will be reimbursed through CHIPS funding.

Councilman Yastremski made motion seconded by Councilman Tones to pay Water District #1 Bills in the amount of \$5,644.24 being vouchers No. 21-82 to No. 21-92. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Supervisor Illig commented on voucher No. 21-83 to Aqua Logics for software support issues as well as voucher No. 21-88 to Ferguson Enterprises for finishing up meter replacements. We have cleared out their inventory and are awaiting backordered meters at this point.

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

Clerk Giambra reported the Town had approved at the September meeting to hold trick-or-treat hours Sunday, October 31st from 6-8pm along with the Ladies Auxiliary having trunk-or-treat before-hand. Trick-or-treat is still on, however the Auxiliary has

decided to cancel trunk-or-treat for this year hoping to have the family event next year. Supervisor Illig mentioned after Clerk Giambra researched and reached out to NYSEG in an effort to change the Town outdoor street lighting to LED, we received notification that 32 of our street lights will be replaced with LED lighting costing us \$1,369.00 for the unexpired life of the old lights. The switch will have a pay-back of 0.5 years. The LED savings per year will be \$2,547.50. This will be great cost savings all the way around. Unfortunately, NYSEG reported it could take up to a year to replace all the lights but will be a great benefit once completed.

As seen in the Municipal Services report, the Building Dept. continues to be extremely busy. There still has not been any resolution for the property on the lake road that burned in 2020 regarding the DOT shutdown to rebuild. Lauren is expecting will end up having to be resolved in Court.

Along with the water report, Supervisor Illig stated there are approx. 28 meters left to be replaced. The problem now is the Dept. is having trouble contacting residents, particularly seasonal residents who go south, if needing to enter into the residence. They will continue to work through and has been a great effort collectively replacing the meters.

For the Assessor report, Assessor Oliver provided a document based on the impact of lake access on the overall assessment of Pulteney, Wayne, Hammondsport, and Urbana for the Board's information and review.

In the DCO report, Deb Matthews mentioned the 45 owners that are late renewing dog licenses that were due June 30, 2021. She has been working to contact by phone or in-person.

Highway Supt. Gibson commented the County helped put down shoulders on Brown Road and guardrails on Dug Road. The Dept. replaced a box culvert on Lower Middle Road and have been grading and hauling gravel. John Deere brought in a grader on State bid for the Dept. to test out. Further discussion on the agenda under new business. Highway Supt. Gibson reported he is interested in purchasing a new pressure washer. The current one is 21 years old and is ready to be replaced. We have the option to trade in, if a new grader is purchased, or can place on the Auctions International site for bid. He priced out new washers and will cost \$5995.00 for new. We would be eligible to use CHIPS funding for this purchase also. The Board agreed reasonable, necessary, and to move forward with the purchase. Lastly, Highway Supt. Gibson stated with fuel prices rising, we might be tight on what we budgeted for fuel expense for 2021 and possibly might need to do a transfer at the end of the year.

Supervisor Illig had a few things to report. First, we received notification the grant Carol McGill applied for, to be used for new benches near the playground, has been approved for \$2,000.00 from the Keuka Area Fund. Thank you to Carol for her efforts in submitting the application and in securing the funding. Secondly, there was an article in the Corning Leader regarding Towns listed to be in fiscal stress. The Town of Pulteney was listed based on the recent audit results, and due to a reflection of the fund balance and accounting reporting errors, not mismanagement of finances. Supervisor Illig reassured that the Town should not have been labeled in fiscal stress. Lastly, when reviewing the mowing contract we have with Don Strzepek, he has realized, and was dependent and due to the weather, Don has mowed approx. 25 times this year rather than the typical 15 times. He is asking the Board to consider a \$500.00 stipend as a

compensation due to his increase in mows, gas, travel, etc. Supervisor Illig commented Don does a great job and didn't ask for anything additional, however would be a good gesture from the Board to acknowledge. The stipend would come out of contingency. Supervisor Illig made motion seconded by Councilman Burns to approve a one-time stipend of \$500.00 to Don Strzepek for his additional lawn mowing service this year. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Carried. Councilman Yastremski mentioned the tipped over headstones in Glen View that still need fixed if possible. Don had offered in the past to fix when he was able after lawn mowing season is over. Highway Supt. Gibson will contact Don and discuss further with him.

The Planning Board had a meeting this past Monday, October 11th with 2 scheduled hearings. As has been a topic of discussion, the Planning Board touched upon the notion of a possible noise ordinance. Highway Supt. Gibson commented there is a good article regarding regulation of short-term rentals in the Association of Towns "Town and Topics" recent edition going along with the noise concern issue. Bill Dineen, member of the Planning Board, was going to reach out to Supervisor Illig to discuss enforcement procedures in moving forward. The Planning Board will not meet in November. The Zoning Board of Appeals does not have a meeting scheduled for October.

Under old business, Supervisor Illig has contacted Town Veteran, Dan Schoeffler, who is active in the American Legion in Hammondspport to help update the names of Pulteney Veterans. Supervisor Illig is awaiting to hear an update from Dan who had an American Legion meeting the end of September.

Continuing with old business, the Pulteney Fire Commissioners had 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. There was question as to why the Town Board needed to enter into this agreement? After discussing with Fire Commissioner's Don Ballam and Nick Forenz, by entering into a municipality agreement allows the Fire District the ability to receive insurance coverage and workman's compensation through the State. Supervisor Illig confirmed the agreement has nothing to do with taxes nor the Town Board's budget as the Fire Commissioners are elected members of the Fire District and adopt their own budget and set the rates. Supervisor Illig asked the Board if they had any questions? With nothing heard, Supervisor Illig made motion seconded by Councilman Yastremski to authorize Supervisor Illig to sign the inter-municipal agreement for EMS and Ambulance Service (Ambulance District #1 Municipal Agreement Renewal) effective January 1, 2022 through December 31, 2024. All in favor. Carried.

In regards to the ARPA funding, Supervisor Illig did not have much to update except we received notification the first project funding expenditure report has been extended to April 30, 2022 rather than October 31, 2021. This is welcomed news and are in hopes we soon will have some formal guidelines as to what we can spend the funding specifically on. Once, Councilman White returns from her vacation, she, Supervisor Illig, and Councilman Burns will get together to begin discussing recommendations of what the best ways are to utilize the funding for the Town.

Beginning with new business, last month the Board adopted the 2022 tentative budget with the intention of this evening adopting the 2022 preliminary budget. There

have been no changes from the tentative to what is being presented tonight. Supervisor Illig asked the Board if they had any questions or comments? With nothing heard, Councilman Yastremski made motion seconded by Councilman Burns to adopt the 2022 preliminary budget as presented and schedule a public hearing for November 10, 2021 at 7:30PM. All in favor. Carried. Clerk Giambra will publish as needed.

Continuing with new business, on September 14, 2021 Attorney Schlechter resigned as our Town Attorney. In his letter, he mentioned another municipal law Attorney as a possible replacement. Clerk Giambra is also reaching out to our previous Town Attorney, Jennifer Prossick, with any recommendations. Supervisor Illig stated as the Board decided to do when hiring our current DCO, that members of the Board would rotate when interviewing candidates for Town positions. Supervisor Illig asked Councilman Tones, and when she returns will ask Councilman White, to take the lead during the interview process for a Town Attorney. Councilman Tones agreed. We will await Attorney Prossick's recommendation and reach out to Attorney Schlechter's suggestion. If needed, we will place a public notice of vacancy. Updates and further discussion at the November meeting.

As discussed over the last several meetings, going back to last year, the notion the Highway Dept. is in need of a new grader. The current grader is a 2004 Volvo with obsolete parts. As reported in the Highway Supt. report, the John Deere rep brought a grader for the Dept. to test out. It is the recommendation of Highway Supt. Gibson and Councilman Yastremski that we should proceed with purchasing a new rather than used grader. Although a used would be less expensive, there would be no warranty and it is extremely hard to find a good used grader. The quote the John Deere rep provided the Town is for a 2022 John Deere 672G motor grader with 6WD for \$332,556.11. Supervisor Illig has contacted our Town bank, Five Star, to discuss financing options. The recommended option is to secure a bond anticipation note. This would renew every year for 5 years up to 10 years. The Town would be obligated to pay the interest charge then pay as little or as much as possible until the loan is paid off. The lease on the roller will be paid off this year and the 2018 Peterbilt will be paid off next year freeing up those expenses for new equipment. Highway Supt. Gibson noted that after October 31st all John Deere equipment will be going up 4% so now would be the time to purchase. Councilman Yastremski added that if ordered now, will take 4-5 months, allowing for delivery to be here for spring. With no further discussion, Councilman Yastremski made motion seconded by Councilman Tones to allow Highway Supt. Gibson to purchase a 2022 John Deere 672G motor grader with 6WD for \$332,556.11 to be financed through a bond anticipation note. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Supervisor Illig, yes. Clerk Giambra will provide the John Deere rep with a letter of intent.

As submitted since the beginning of the Water District, Supervisor Illig made motion seconded by Councilman Burns to adopt the following Resolution:

Resolution Authorizing Town Water/Sewer Re-levy to be placed on the 2022 Tax Roll

WHEREAS, certain water account customers may be delinquent in paying their quarterly water bills, it may be necessary to have the arrears added to their Town and County tax bills.

NOW THEREFORE BE IT RESOLVED, that the Town of Pulteney hereby authorizes the Steuben County Real Property Tax Office to re-levy the delinquent water charges to the owner of the property and that the Town of Pulteney will provide the necessary information to the County.

Memo from the County Real Property Tax Service attached hereto.

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

Lastly under new business, Councilman Burns made motion seconded by Councilman Tones to publish the following notice, as in previous years, in the Southern Tier Shopper.

PUBLIC NOTICE
TOWN OF PULTENEY RESIDENTS

In order to do an efficient job of plowing snow this winter, there will be **NO PARKING** along the Town Roads or Right-of-Ways in the Town of Pulteney from November 1, 2021 to April 1, 2022.

All vehicles will be towed away at the owner's expense.

Please remember that plowing driveways across roadways is dangerous, as well as against the law. Anyone plowing snow across the roadway will be subject to a violation and may be issued an appearance ticket.

By order of Terry Gibson, Highway Superintendent

All in favor. Carried.

Supervisor Illig stated there is no need for an executive session and commented that the celebration of life held for Edna Tears this past weekend at JB's had a great turnout and was a nice representation of the community for the Tears and Yastremski families. He asked if the public/Board 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 7:45PM.

Erica Giambra, Town Clerk

