

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, February 9, 2022, at the Pulteney Town Hall with the Pledge of Allegiance.

Roll call: Supervisor Mark Illig; Councilman Elizabeth White; Councilman Richard Rees; Councilman Tammy Tones; Councilman Kathleen Burns; Highway Superintendent Terry Gibson; Attorney Jennifer Galvan; Bookkeeper Rebecca Welch; and Town Clerk Erica Giambra.

Fortunately, Bill Weber did not have any recent passing's in Town to report of.

Councilman White made motion seconded by Councilman Tones to accept the minutes of the January 12, 2022 organizational and regular Board meeting. All in favor. Carried.

The balance sheets and profit & loss reports were available to view. Councilman Burns pointed out that on the P&L General statement the \$256.22 in donations for the playground is not being shown. The playground donation line item is being shown as \$2,000.00, which is what was received in grant funding, but as approved and noted last month, there were donations that needed transferred from contingency into the playground line item to total \$2,256.22 for the beginning of 2022. Bookkeeper Welch will adjust to correct the error on the statement in moving forward.

Supervisor Illig stated he and Bookkeeper Welch are continuing to work on and organize the P&L statements further to provide clearer more accurate account information. They are contacting vendors to send payment to the proper accounts, as approved at the January meeting, to deposit all income into the Town established checking accounts. Supervisor Illig confirmed the transfer of the General and Highway fund balances into the General money market account and the Highway money market account respectively. Supervisor Illig stated he closed the Highway Capital Reserve Account that had a dormant status. Bookkeeper Welch needs to confirm where the limited funding in that account got transferred to.

Councilman Tones made motion seconded by Councilman White to authorize to pay General Bills in the amount of \$14,279.28 being voucher No. 22-21, and No. 22-22 to No. 22-42. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out the annual payment to KWIC and KLOC otherwise vouchers are routine.

Councilman Burns made motion seconded by Councilman Rees to pay Highway Bills in the amount of \$16,196.98 being vouchers No. 22-14 to No. 22-36. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Vouchers are overall routine for Highway this month.

Councilman White made motion seconded by Councilman Burns to pay Water District #1 Bills in the amount of \$211,166.70 being vouchers No. 22-9 to No. 22-23. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out voucher No. 22-18 in the amount of \$199,827.00 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 15. The payment increases slightly each year over the course of the

bond. Supervisor Illig also mentioned a voucher for an emergency repair of a leak. Seasonal residents on the lake road had left their water on and a pipe exploded. They happened to be one of the last residents that we did not get a chance to do a meter replacement with them traveling to Florida for the winter. This leak was on our side of the meter so the Town paid for the repair. Councilman White asked if we ever bill the home owner for an emergency repair? Supervisor Illig replied we do bill the owner for the excavating and repair cost when the leak is on their side of the meter. This has only happened a few times and each situation has been handled individually as every situation is different in a leak/emergency situation. Lastly, Supervisor Illig commented we are at the end of meter replacements which should last approx. 10 years so should be good for the near future.

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

Clerk Giambra reported tax season is continuing into February busy as always. So far, she has collected over \$2.7 million out of the over \$3.1 million due in amount billed. The Town has been paid in full, including the Fire & Ambulance Districts and the unpaid water bill relevies. She will be writing a check to the County tomorrow for the majority payment due, with the remaining to be paid at settlement time in April. She had sent an email to the Board from the Southern Tier Central Regional Planning and Development Board that the annual Corning Community College Conference is March 31st. She is asking all those interested to RSVP by March 17th so she can register those individuals and send payment. The conference is in person this year and the schedule has several new, interesting, and relevant topics.

Municipal Services Manager Welch commented the Dept. has still not slowed down given the time of year. As mentioned last month, he is forecasting the Planning and Zoning Boards will have a busy year with a full roster of hearings.

Supervisor Illig met with Assessor Dave Oliver and he is on schedule in completing the revaluation process of all parcels. Lauren has also been working with Dave updating him with recent construction and building projects as the deadline is March 1st.

Highway Superintendent Gibson reported the Dept. has been busy plowing and sanding. The Glen View cemetery now has a 911 address. This should help when giving directions and for GPS. The new grader is not scheduled to be here now until July. Highway Supt. Gibson has signed a lease for a grader for May and June. The 2022 mowing contract was approved at the same rate as previous years at the January meeting, however since then, the contractor has contacted Supervisor Illig and due to rising costs of gas, equipment, and help, he is asking for \$7,000.00 for the season rather than \$6,600.00 as approved. The proposed mowing contract was again provided to the Board for their review. Councilman White made motion seconded by Councilman Burns to approve the 2022 mowing contract with Don Strzepek with the seasonal adjustment to \$7,000.00 as presented. All in favor. Carried.

Supervisor Illig reported to the Board at the year-end meeting, that Highway worker, Wade Hilton, was injured in a non-work-related accident and as a result had a broken foot. Although he was able to receive disability insurance, the amount was quite minimal compared to his normal pay so it was proposed and approved to pay his portion of the monthly required union dues and his portion of health insurance which totaled

\$271.00. Fortunately, he is back to work, however reiterating, since the disability pay was so minimal, Supervisor Illig is proposing to again pay for Wade's portion of union dues and health insurance for January in the amount of \$557.58. Supervisor Illig intends to call our insurance agent to inquire about increasing the amount received in a disability claim as the amount set currently is so low. Councilman Burns made motion seconded by Councilman Rees to pay Wade Hilton's portion of union dues and health insurance for January in the amount of \$557.58. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Councilman Rees brought to the Board's attention a concern regarding accessibility to water hydrants with all the snow we have received. Several, particularly on the lake road, are in the right-a-way, whose responsibility is it to shovel out the buried hydrants? The owner? Town? The Board agreed it brings up a good question and the need for further discussion. Should the Town look into getting volunteers to shovel? Boy Scouts? The Board will consider further. Stay tuned.

There is a Planning Board meeting scheduled for Monday, February 14th with 2 scheduled public hearings and 3 applications to review.

There is not a Zoning Board of Appeals meeting scheduled for February but likely for March with possibly 3 hearings scheduled.

Under old business, recently Councilman White and Councilman Burns attended a webinar through the Associations of Towns regarding ARPA funding. They both felt the webinar was beneficial and had some positive takeaways. The webinar provided information on the "Final Rules" which is approx. 500 pages of ARPA funding guidelines. It was noted there might be another AOT webinar on reporting in the near future which would be very helpful as reporting and timelines are still unclear. Tentatively, the timelines provided in the webinar include first reporting by April 30, 2022, obligate funds by 12/31/24, and spenditure of funds by 12/31/26. As mentioned earlier in the meeting, the annual CCC conference is being held March 31, 2022 and there is an ARPA class scheduled that hopefully would be worthwhile for those Board members that are able to attend, and if possible, Bookkeeper Welch. Continued information and updates to come.

As previously discussed at Town Board meetings, however recently proposed to the Planning Board, is a noise ordinance. The proposed ordinance is actually a template of what the Town of Jerusalem currently has enacted. The proposed ordinance was given to Town Attorney Galvan to review, and provide feedback/suggestions. She provided a memo to the Board of her comments in considering implementation of a noise policy or ordinance. She reviewed her summary to the Board that included, if the Board was to take action, which route to take in establishing a policy vs local law. Each requiring different language and legal consequences varying between civil vs. criminal action. Supervisor Illig mentioned a main concern with noise control, and why this topic is being brought to light, is mostly due to absentee landlords with short term rentals. He stated in moving forward with a policy, rather than a local law, would at least be a starting point and the policy would be referred to law enforcement. If issues and concerns dramatically continue, the Board at that time can revisit the possibility of a local law if necessary. Attorney Galvan added if they chose the ordinance route, one thing to remember is the added legal expenses that would arise regarding prosecuting offenders. In addition, for

short term renters, what is the likely hood short-term renters would even appear to answer a summons and be held accountable resulting in a court administrative nightmare with no benefit or recourse? Councilman Rees asked if the Town would be able to hold the property owners responsible? Atty. Galvan would have to investigate that further but that would require enacting a local law rather than policy. The Board agreed to have Atty. Galvan look into further prosecuting the landowner vs. the renter. It was also agreed that if a proper policy can be worded with expectation of hours and limitations, rental property owners can put that policy in the rental agreement making it more aware to renters. Since we do not have a police dept, enforcement ultimately falls on the local law enforcement of the NYSP and Sheriff's Office. Supervisor Illig commented he did ask Trooper Matt Nesbitt how many tickets he has had to write due to noise issues and he stated none. Any issue is usually resolved after a one-time appearance from law enforcement. Bill Weber asked if anyone had contacted the Town of Jerusalem for feedback since the proposed ordinance is what they have currently enacted? Bill Dineen of the Planning Board was going to get in touch with them and other surrounding Towns and report back. The Planning Board has a meeting February 14th, Clerk Giambra will send to the Planning Board Atty. Galvan's memo and comments for their review. It is ultimately up to the Planning Board to make a recommendation to the Town Board of no action or any action (whether that be a policy or a local law). If they choose to recommend action, they would need to draft a policy/ordinance or recommend the Town of Jerusalem's template adding/changing however they see fit in moving forward. Thank you to Atty. Galvan for her research and insight. Further updates to come.

Under new business, Councilman Burns wanted to provide an update of plans for the playground. A committee of herself, Carol, Barb, and Dorothy met to discuss improvements that can be made to the library and playground. As previously discussed, the Town did receive a grant and donations for permanent benches that are ordered, we are just awaiting delivery. It was asked if the Town Highway Dept. could assist with cementing in the benches after arrival as well as with yearly playground chips delivery? Highway Supt. Gibson agreed they will be able to help. The library is looking into applying for more grants with interest in having musical instruments outdoors. They would like to eventually develop in the next 3-5 years the field south of the tennis courts. There was discussion of the parking lot, the concrete and curb stops are deteriorating and the lot will need striping again this year. It was asked for Councilman Burns to discuss with the library funds in their budget to assist with these projects since the parking lot is shared. Also suggested, since Dorothy did such a beautiful job with the library, potentially expanding the landscaping to include the perimeter of the parking lot and Town Hall. Lastly, the library is looking to add a "free little library" near the Town drinking fountain so it is near the playground. Supervisor Illig noted, as future planning develops, contingency funds could possibly be available if needed. Exciting things to come with further updates.

Supervisor Illig asked the Board/public if anyone had any comments or questions? With nothing heard, Supervisor Illig stated there is the 4th quarter audit of financials that must be performed by the Board. Once the quarterly audit was successfully completed and the Board signed off on, and no need for an executive session, Councilman Burns made motion seconded by Councilman Rees to adjourn the meeting. All in favor. Carried. Meeting adjourned at 8:14PM.

Erica Giambra, Town Clerk