

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

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

Bill Weber took a moment to reflect on the current Russian invasion of Ukraine. As he knew and remembers well, 3 Ukrainian immigrants to Pulteney who became American citizens: Konstantin Frank, Myron Baran, and Steve Boychenko. He is sad to imagine the conversations now with them of today's troubled times and to sense their pain of what is happening in their homeland.

Bill remembers the passing of 2 Town residents Florence Tillman Clark and Dorman Gleason. Florence, he knew from the senior lunches at the Presbyterian Church. She would attend the lunches and church events with her husband, Loren. Bill would have liked to have known her when the Town was involved in a lawsuit on Gibson Road. As her and Loren lived on Gibson Hill, he would have enjoyed talking to her about the road and its use and closure. At the bottom of Gibson Hill lived her sister, Lucille. Thinking back, he said that part of Pulteney should have been referred to as Tillmanville. She lived to be 100 years old and was a lovely delightful lady. Dorman Gleason, Bill only met a few times. Supervisor Illig however commented, when he first moved to Pulteney, he would go on walks with his dog through Dorman's vineyards. They would have nice talks and Dorman especially enjoyed Mark's dog. Supervisor Illig remembers him well into his 80's working in the vineyards regardless of weather. Dorman also owned a vineyard on Mill St. and would be seen going through Town on his tractor. He was an extremely hard worker and a great guy. They both will be fondly remembered and sadly missed.

Councilman Burns made motion seconded by Councilman Tones to accept the minutes of the February 9, 2022 regular Board meeting. All in favor. Carried.

Councilman Tones made motion seconded by Councilman Rees to authorize to pay General Bills in the amount of \$64,161.99 being vouchers No. 22-43 to No. 22-61. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out voucher No. 22-55 to the Pulteney Free Library for this year's annual budgeted amount of \$45,110.00 as voted and approved by the constituents of Pulteney. Also noted, voucher No. 22-57 to Steuben County for the annual payment for Workman's Compensation that is divided out between the 3 Accounts. Lastly, voucher No. 22-43 is to Attorney Galvan as Bookkeeper Welch needed to make an adjustment to her pay and is now all squared away.

Councilman Rees made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$30,529.28 being vouchers No. 22-37 to No. 22-58. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. The most expensive vouchers being for the portion of Workman's Compensation and diesel fuel, otherwise vouchers are overall routine.

Councilman Tones made motion seconded by Councilman Rees to pay Water District #1 Bills in the amount of \$9,181.82 being vouchers No. 22-24 to No. 22-31. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman Tones, yes;

Supervisor Illig, yes. Carried. Supervisor Illig pointed out the voucher for Workman's Compensation and the annual software support payment.

The balance sheets and profit & loss reports were available to view. There are no transfers needed at this time. As Clerk Giambra reported last month, the Town has been paid in full regarding tax collection. As approved at the year end meeting and the February meeting, to pay Wade Hilton's portion of the monthly required union dues and his portion of health insurance since he was out on disability, Supervisor Illig is proposing to the Board they approve a final payment in the amount of \$280.29. Supervisor Illig made motion seconded by Councilman Rees to pay \$280.29 for a final payment for Wade Hilton's portion of February union dues and insurance premium while still on disability. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried.

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

Clerk Giambra reported tax season continues into March having collected so far approx. 2.9 million. The amount collected is on average for this time of year, however there still remain 205 unpaid bills, which is high. She will collect taxes for the remainder of the month ending March 31<sup>st</sup> and has a settlement appointment with the County on April 12<sup>th</sup>. A reminder, those interested in the annual Corning Community College Conference on March 31<sup>st</sup> are being asked to RSVP by March 17<sup>th</sup> so she can register those individuals and send payment.

Municipal Services Manager Welch commented he finished the NYS 1203 report for 2021. The Dept. continues to be busy. There are 3 variances for Tuesday the 15<sup>th</sup> and he is working on potentially 2 more for April. There also is a possible major sub-division application being submitted in the near future.

In the Water report, Supervisor Illig wanted the Board to take note of the Dept. receiving a quote for cleaning the bottom of the Mill Street tank for \$5,600.00. This is necessary for water maintenance as time goes on after approx. 14 years, sediment settles and builds up leading to murky water in some areas. This quote and recommendation are for 2 divers to come in to clean. It was mentioned if possibly ARPA funding can be used to fund this maintenance project? Supervisor Illig stated the ARPA committee will look into further.

For the Assessor report, Supervisor Illig noted it should be interesting with the Town undergoing a revaluation year in 2022, that part of the data Assessor Oliver uses in revaluation are sale prices, considering currently and in the last year, sales have been startling with properties selling for well over the assessed value. Assessor Oliver has indicated on average, the assessed value of a property will increase approx. 10%-15% give or take, depending on each individual assessed property. Supervisor Illig is predicting a busy Board of Assessment Review grievance day. Stay tuned.

Highway Superintendent Gibson reported the Dept. is still busy plowing and sanding. The roads are in fair shape considering how the weather has been as of late. He commented they are not out of the woods yet and did have some washouts from the early melting. They have been getting the grader ready to place on the Auctions International site. Someone is coming out to take pictures on March 23<sup>rd</sup> and then will post along with a snow plow and pressure washer for sale. Highway Supt. Gibson reported he is seeing about a 30% increase in fuel and oil prices. He figures it costs \$65.00 more a day per

truck for fuel. Some of the truck filters have increased approx. 50% and are hard to get. He mentioned to the Board next month he will be in need of (2) spreader chains that are approx. \$1500.00 apiece and a set of tires for the mower tractor that range approx. \$1600.00-\$1800.00.

There is a Planning Board meeting scheduled for this Monday the 14<sup>th</sup> with 3 scheduled public hearings.

As stated earlier, there is a Zoning Board of Appeals meeting scheduled for the 15<sup>th</sup> with 3 scheduled public hearings.

Under old business, Supervisor Illig noted when Councilman White returns from vacation and those that are able attend the CCC conference that is holding a training on ARPA funding, the committee will schedule a meeting in moving forward with how to spend the funding. Councilman Burns mentioned another possible expenditure could be the parking lot that, as reported last month, needs re-striped and curb stops replaced. Again, the committee will need to research further. Continued information and updates to come.

Regarding the proposed noise ordinance vs. policy, Supervisor Illig and Highway Supt. Gibson (Chair of Planning Board) discussed and agreed to urge the Planning Board to make a recommendation one way or another, to take action or do nothing, at their March 14<sup>th</sup> meeting in moving forward. Chair Gibson expressed that he is in favor of pursuing a policy rather than ordinance at this time. If down the road residents disagree and believe an ordinance is still in need, the Planning Board can revisit the subject. Supervisor Illig agreed that a policy, that could be given to rental owners to put into their rental agreement making renters more aware, is a step in the right direction and appropriate at this time. As mentioned last month, Supervisor Illig commented he had asked Trooper Matt Nesbitt how many tickets he has written due to noise issues and he stated none. Any issue has been resolved after a one-time appearance from law enforcement. Lauren noted in his discussions today, he spoke with Town of Jerusalem officials and they have pretty much done away with the noise ordinance they enacted (which is the template for what was proposed to the Planning and Town Board). By enacting an ordinance, it has been their experience, that neighbors are taking the law into their own hands because there is in fact a law, which is not helping matters and in turn causing more problems. Councilman Burns agrees she has an issue with enacting a law when it has been agreed that it would not be enforceable and we don't even know how prevalent the noise issue in Town is, as it has been reported 911 cannot give us accurate information regarding calls submitted. She believes it would be a lot to enact a law, especially if it was not necessary nor enforceable, and in the meantime causing administrative issues and concerns. Atty. Galvan did look into, as discussed and requested last meeting, to see if the Town can hold the property owners accountable rather than the short-term renters. The research she found was it would be very improbable to charge and hold accountable the property owners when they are not present at the time of the "crime". Proceedings would not be successful in Court and would be expensive in attempting to prosecute. She stated at least a policy would provide education and a warning with no added expense or liability to the Town. It was asked if Atty. Galvan would be able to attend the Planning Board meeting on Monday, she agreed.

Continuing with old business, the Board requested Attorney Galvan review the current outdated procurement policy and update reflecting NYS standards. The revised policy was provided to the Board and each section was reviewed with discussion. Attorney Galvan will take the Board's discussion of amounts and wording revisions and provide a clean copy to review at the April meeting.

Under new business, as mentioned earlier, Town Highway employee Wade Hilton was in need of disability insurance for several months this winter. Currently the Town disability policy pays up to \$170.00/week. Supervisor Illig has stated he feels this is an embarrassing amount that any employee cannot live on. He reached out to our insurance agent and they provided various options for disability insurance. The figures were provided to the Board prior to this evening to review. Since she was not going to be present, Councilman White emailed her thoughts suggesting to continue to have the Town pay the minimum amount at an annual premium of \$299.00, but then offering for employee's the option to purchase additional protection. Supervisor Illig is recommending a policy that would increase the weekly benefit from \$170.00 to \$450.00. With the Town currently paying an annual premium of \$299.00, this increase in benefit would add an additional \$786.64. He noted in the General P&L statement we are currently under budget for insurance expense and have contingency funds available. He asked the Board their thoughts? It was agreed the additional expense is reasonable, and although it is an expense that is not used very often (fortunately), it is a benefit that is fair for our employees to have if the situation arose. Supervisor Illig made motion seconded by Councilman Tones to increase the insurance premium for disability insurance with our current agency Sprague Insurance to the level of paying 50% of the employee's salary up to \$450.00/week. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman Tones, yes; Supervisor Illig, yes. Supervisor Illig will contact our agent to proceed with the approved rate.

Councilman Burns has volunteered to Chair the annual Memorial Day celebration again this year although she mentioned she will not be able to be in attendance. Thank you to Councilman Burns.

As noted earlier, the annual CCC conference is Thursday, March 31<sup>st</sup>. As in the past, the Town has paid for attendees to register. We tentatively have 7 individuals interested with the cost being \$50.00 per registrant. Bookkeeper Welch is authorized to cut the check for payment, with the voucher to be approved at the April meeting.

Supervisor Illig asked the Board/public if anyone had any comments or questions? With nothing heard, and no need for an executive session, Councilman Rees made motion seconded by Councilman Burns to adjourn the meeting. All in favor. Carried. Meeting adjourned at 8:08PM.

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Erica Giambra, Town Clerk

