

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, May 11, 2022, at the Pulteney Town Hall with the Pledge of Allegiance.

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

Bill Weber took a moment to reflect on the passing of 2 Town residents: Rhonda Bennett and Karla Hoad. Bill did not know Rhonda, but she left behind her husband Dean, 2 sons, daughter, 6 grandchildren, and 6 great-grandchildren. She passed away too young at the age of 67. Karla Hoad, Bill also did not know, although he commented he certainly should have as she was the sister to Town Clerk Donna Conley and Dog Control Office Sabin Hoad. She had worked for Shirley's Lumber, McConnell's, and Bath National Bank. Karla lived near the intersection of Judson Road and CR 76 in South Pulteney and was a life-long resident. She also passed too young. They will be fondly remembered and sadly missed.

On a happy note, Bill reported it is Nancy Cole's 86th birthday this coming Monday, May 16th. As she is related to most people in Town, he said to have everyone wish "Aunt Nancy" a happy birthday!

Councilman White made motion seconded by Councilman Burns to accept the minutes of the April 13, 2022 regular Board meeting. All in favor. Carried.

Councilman Tones made motion seconded by Councilman White to authorize to pay General Bills in the amount of \$5,567.48 being vouchers No. 22-85 to No. 22-103. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out the most expensive voucher was for our contractual mowing. Councilman Burns questioned if the voucher to Top Dog Studio was categorized correctly under youth program contractual expense? Supervisor Illig replied it is suitable for now to take out of that line-item, and if need be, down the road, we can do a line-item transfer. Remaining vouchers are routine.

Councilman Rees made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$40,639.01 being vouchers No. 22-84 to No. 22-103. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried. Supervisor Illig stated most vouchers are overall routine, including for oil and gravel.

Councilman White made motion seconded by Councilman Rees to pay Water District #1 Bills in the amount of \$964.06 being vouchers No. 22-46 to No. 22-50. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried. Minimal vouchers routine.

The balance sheets and profit & loss reports were available to view. There are transfers in the General and Water Accounts needed at this time.

5/11/22

2022
BUDGET
TRANSFERS

GENERAL	Increase Budget	Amount	Decrease Budget	Amount
	Line		Line	
	A1450.4 - Contr Exp - Elections	\$ 500.00	A1620.51 - Contingency	\$ 500.00
	A1670.42 - Postage/Printing	\$ 2,000.00	A1620.51 - Contingency	\$ 2,000.00
	A1670.43 - Advertising	\$ 2,000.00	A1620.51 - Contingency	\$ 2,000.00
	Total	\$4,500.00	Total	\$4,500.00

HIGHWAY	Increase Budget	Amount	Decrease Budget	Amount
	Line		Line	
	NO TRANSFERS			
	Total	\$0.00	Total	\$0.00

WATER	Increase Budget	Amount	Decrease Budget	Amount
	Line		Line	
	SW8310.44 - Supplies	\$1,000.00	SW8310.7 - Emergency Repair	\$1,000.00
	SW8340.7 - Jerusalem Transfer	\$1,000.00	SW8310.7 - Emergency Repair	\$1,000.00
	Total	\$2,000.00	Total	\$2,000.00

Supervisor Illig made motion seconded by Councilman White to approve the transfers as shown above in the General Account totaling \$4,500.00. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried.

Supervisor Illig made motion seconded by Councilman Tones to approve the transfers as shown above in the Water Dept. totaling \$2,000.00. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried.

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

As a reminder, Clerk Giambra reported the annual Town rabies clinic is scheduled for Thursday, June 2nd from 5-7pm at the Town Highway Barn in a drive-thru manner as

we have done the last 2 years with the start of COVID. Anyone available and willing to help out is greatly appreciated.

Municipal Services Manager Welch commented the Dept. has been busy as usual, especially with the weather improving, but nothing out of the ordinary.

Supervisor Illig stated he has been coming up to the Town Hall on Thursdays for an hour or two when Assessor Oliver is here for office hours tending to residents asking questions and/or disputing their updated assessments. As of May 1st, the County website is now updated providing access to all tentative assessments for individuals to review and get comparables. Grievance Day in Pulteney is May 26th from 4-6pm and 7-9pm.

Highway Superintendent Gibson reported the Dept. has been ditching on lower Armstrong Rd and will be doing more work on the road throughout the summer. They have been getting Wright Rd ready for stone and oil and will be blacktopping Gibson Hill this year. With higher oil prices, it is likely the Dept. will be doing less dust oil this year. Highway equipment was placed on the Auctions International website. We received \$40,200 for the Volvo grader, \$370.00 for a snow plow, and \$2,000.00 for an old pressure washer. The income from all 3 will go toward the down payment for the new grader that tentatively will be done June 2nd then will need plow equipment installed. There were 8 rims that were to be placed on the Auctions International site, however when Highway Supt. Gibson came into work Monday morning, 7 of them were stolen. He filed a report with the NYSP.

Supervisor Illig reported in November of 2020, the Town Board directed him to write a letter to the NYS DEC requesting to have the current mining permit for the gravel pit canceled/revoked at the earliest possible date. In December of 2020, the DEC confirmed receipt of the letter, however noted they will only be able to assist in our request once all affected acreage has been restored, in accordance with the terms and conditions of the permit. The valid mining permit must be maintained until the final reclamation has been approved by the DEC. After speaking with Steve Army at the DEC, Supervisor Illig was told he can apply for a reclamation only permit, which would allow site restoration, but would prohibit mining and the removal of materials. Supervisor Illig and Highway Supt. Gibson went down to the gravel pit today and Supervisor Illig reported, from what he can see, nothing has been removed since the sale of the gravel pit. He will apply for this reclamation only permit but we are essentially responsible to slope off and seed before site restoration.

Councilman Burns mentioned it has been reported to her that some pickleball players would like the Town or library to pay for pickleball nets to allow for tournaments and more play time. With their not being a storage area for the nets and locked buildings when not open, it is too difficult and not practical for the Town and library to be responsible for. Players were told they will need to bring their own pickleball nets if they so choose to. Also, regarding the tennis/pickleball courts, Supervisor Illig and Councilman Burns checked out the conditions. They spoke with Larry's Paving and are confident the cracks can be repaired and sealed with a heating gun. Larry will be up to look at asap.

Supervisor Illig noted the Town website was down for a short time but now back up and working.

There was a Planning Board meeting this past Monday, May 9th. There were no scheduled public hearings but the proposed noise policy, that has been a topic for

discussion since last fall, is now being recommended from the Planning Board to the Town Board to review. Further discussion under old business.

There is not a Zoning Board of Appeals meeting scheduled for May. Lauren commented potentially a meeting for June with 2 public hearings?

Under old business, provided to the Board was a 2021 breakdown of purchases that the committee researched to use ARPA funding for. Councilman White explained, as shown in the report, the replacement revenue breakdown is divided into the General Fund, Highway Account, and Water Dept. The total amount of ARPA funding the Town will receive is \$129,332.95. We have already received half of the funding with the other half to be received later this year. Going through the breakdown report, replacement revenue is being split into \$57,664.23 into the General fund, \$34,491.19 into Highway, and \$37,177.53 into Water. The first half of the grant funding has been deposited and transferred into the General and Water, with the remaining funding to be deposited and transferred once received into Highway and as appropriated. Councilman White continued commenting with the Final Rule being announced the end of March, this has allowed for a much user friendly, manageable system with the State and Federal Government assuming the average loss for each municipality is 10 million, therefore any amount under 10 million can be used toward general Town functions and expenses, particularly infrastructure related, with only minor guidelines. April 1st the reporting site opened up and the committee enrolled the Town the end of the month. Now that the Town is enrolled, we have until 2024 to report and 2026 to spend the designated funding. With the Board in agreement of how to spend the funding, reporting should be done by the end of the year after we receive the final installment. Supervisor Illig thanked the committee for their time and efforts throughout this process.

Regarding the proposed noise policy, as mentioned earlier, Supervisor Illig stated the Planning Board approved (3-2) for the policy to be recommended to the Town Board for review. Atty. Galvan had drafted a proposed policy but was told not to include hours of repose, as that was a topic of discussion and disagreement on set hours at past Planning Board meetings. The Planning Board suggested the Town Board hold a public informational special meeting, not a hearing, at the Fire Hall to get public input and feedback on the proposed policy. First the Board would need to get the viewpoint of the community if the policy is even a good idea, and if so, what would be the majority opinion on set quiet hours. Supervisor Illig suggested the Town Board have the informational meeting separate from a regular Town Board meeting, allowing for enough time to advertise in the Shopper several times, Town website, social media, etc. and hold the special meeting after the June 8th Town Board meeting on June 15th at 7PM at the Fire Hall. Supervisor Illig asked the Board's thoughts/comments? The Board agreed the proposal and approach sounded reasonable, just need to check schedules. Councilman Burns asked how the Board will assess the majority vote? Will the majority vote be abided by? Supervisor Illig stated it is ultimately the Town Board's decision and the author of the final document and at the July Town Board meeting the Board would decide what course of action to take. Supervisor Illig made motion seconded by Councilman Tones to apply to reserve the Pulteney Fire Hall on June 15th at 7pm and to advertise in the Shopper at least twice to hold a special Town Board meeting/public forum to get public input on a proposed noise policy. All in favor. Carried.

Councilman Burns reported our speaker we had scheduled for Memorial Day, Mike Hanna, unfortunately is not going to be able to attend. Bill Weber has kindly stepped up and will speak of the Ukraine War and the Ukrainian connections to Pulteney. Unfortunately, the Hammondsport band is also unable to attend, as they have a new band Director getting used to the new position. She is hoping one of the Hammondsport Boy Scouts will read "In Flanders Field" poem, and mentioned the American Legion, and Pulteney Fire and Ambulance Departments will be on hand. Clerk Giambra will contact Ian Walruth to ask if his family and Boy Scouts are able to help with the cemetery Veteran flags as in years past? Councilman Burns stated it appears the celebration will be a scaled down version again this year and with the number of COVID cases increasing to not have the parade and just meet at the cemetery. The celebration will be held Monday, May 30th at noon.

Under new business, Supervisor Illig had sent an email to the Board suggesting Assessor Oliver receive a stipend for the time spent outside of office hours to complete this year's complex reassessment process. He stated a lot of Dave's time spent is at nights and on weekends and he believes a stipend is warranted for Dave going above and beyond his regular duties. The Town gets reimbursed for completing a reassessment which on average is \$3-\$5 per parcel. Supervisor Illig is recommending a stipend of \$3400.00 which is 2/3 of what we are expected to be reimbursed. He asked the Board their thoughts/comments? Councilman White and Councilman Tones agree a stipend is warranted, however being their first time on the Board going through a Town revaluation, they are not sure how much is appropriate. Councilman Burns mentioned Dave is on the high-end scale of what an Assessor makes as his salary for Pulteney for 1 day a week is \$18,700.00. He is also paid via Urbana for his split time in Urbana and Wayne at their contractual rate. Councilman Rees asked if Dave has an estimate of how much extra time he has spent, and the last time we did a Town reassessment, was he given a stipend and how much? Supervisor Illig responded he believes approx. 10-40 mins per parcel on average extra time and the last reassessment he believes we paid a stipend of \$1200.00. Councilman Rees questioned will residents feel as if the Assessor is getting a "pushback" doing the revaluation and hence receiving a stipend? After continued discussion, Councilman White suggested splitting what we would receive for a reimbursement from the State of approx. \$5100.00 with the remaining being a stipend of \$2600.00 for Assessor Oliver. Supervisor Illig made motion seconded by Councilman White to approve a stipend of \$2600.00 to Assessor Dave Oliver for his additional work outside of his normal hours to be received when the assessment process is completed on July 1, 2022. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes.

On the agenda under new business and Highway staffing, Highway Supt. Gibson reported that tomorrow (after 2 weeks' notice) will be Highway worker Wade Hilton's last day. Highway Supt. Gibson mentioned he has a part-time worker lined up, Fred McAllister. Fred has worked for the Town of Prattsburgh Highway and Water Departments. Supervisor Illig stated it is the responsibility of the Highway Supt. to hire his workers. The Board wishes Wade well! For personnel reasons, Supervisor Illig stated a short executive session will be required.

Lastly on the agenda, is a reminder of the annual mandated NYS sexual harassment and discrimination training. Councilman Burns reported the library uses a

particular site and form to keep track of the training. Carol McGill will give the information to Clerk Giambra to forward to employees and volunteers for those that have not taken the training yet through another employer. If need be, if someone does not have access to a computer, Librarian Barb Radigan can set the training up in the library.

Supervisor Illig asked the Board/public if anyone had any comments or questions? Jim Sprague was present who stated he is a life-long resident of the Town, taxpayer, and Highway Dept. worker. He is speaking today as a taxpayer of the Town and has concerns regarding the gravel pit. He noted the gravel pit was sold in 2015, in November of 2020 the Town Board directed Supervisor Illig to revoke the mining permit, yet the Town is still going on the property using Highway equipment, fuel, etc. with no contract with the land owner. He commented the insurance liability this entails. As mentioned earlier, Supervisor Illig responded the DEC did not revoke the permit as he asked due to the Town being responsible to remediate before the DEC will sign off on. Mr. Sprague also questioned where the gravel "pile" that was there prior to the gravel pit sale went to? Supervisor Illig stated the "pile" is still there as he saw today. Mr. Sprague recollected the "pile" is far smaller than it once was being 10-12 ft high. Supervisor Illig commented that if he is alleging any misdoings that he needs to present facts. As admitted previously, Supervisor Illig stated when the gravel pit was sold, there was a certain date that gravel and the "pile" (that was mined prior to sale) was to be removed by and that didn't happen by mistake due to mismanagement of the property transfer. Supervisor Illig reiterated, the only reason the Town is going on the property now is to work on remediating, as we are responsible to do. Mr. Sprague stated that the Town therefore should have a contract with the landowner, being as the Town should not be going on the property without. Mr. Sprague commented this has been going on for 7 years and the Town needs to be done with the gravel pit. Both Supervisor Illig and Mr. Sprague firmly agreed the gravel pit chapter needs closed. Supervisor Illig will continue to have conversations with the DEC, as they recently did an inspection of the gravel pit but have not received the reports, and to see how we can finalize the reclamation process, having in writing, including requesting a reclamation only permit.

With nothing further heard, Supervisor Illig, as mentioned, noted the need for a short executive session. He stated all are welcome to stay but there will be no further business after the executive session. Supervisor Illig made motion seconded by Councilman Burns to recess the regular meeting and enter into an executive session. All in favor. Carried. Councilman Rees made motion seconded by Councilman Tones to adjourn the executive session and resume the regular meeting. All in favor. Carried. Supervisor Illig made motion seconded by Councilman White to adjourn the regular meeting. All in favor. Carried. Meeting adjourned at 8:29PM.

Erica Giambra, Town Clerk

