

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, July 13, 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; Bookkeeper Rebecca Welch; and Town Clerk Erica Giambra.

Supervisor Illig reported we received notice from Bill Weber earlier that he is unfortunately in the hospital and unable to make the meeting this evening to speak of the recent passings of Mike Sable, Janet Stone, Barry Cermak, and Frank Hamm. He will speak of all 4 at the August meeting. He is currently undergoing testing and we send him our best wishes and a speedy recovery!

Councilman White made motion seconded by Councilman Rees to accept the minutes of the June 8, 2022 regular Board meeting. All in favor. Carried.

Councilman White made motion seconded by Councilman Tones to pay General Bills in the amount of \$21,465.16 being vouchers No. 22-130 to No. 22-157. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out the main expense being to Keeler Services for \$9,500.00, as previously approved, to convert the outdated fuel oil furnace to propane. Councilman Burns asked if voucher No. 22-146 to MRC, Inc. is for the recently installed benches near the playground, and if so, why are they being labeled as a line item for youth program equipment when they should be under playground donations? Bookkeeper Welch confirmed the voucher is for the benches and will do a journal entry to put them as a line item under playground donations (\$2,000.00 grant funding and \$256.22 private donations from 2 individuals). Councilman Burns thanked the Highway Dept. for installing the benches.

Councilman Tones made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$50,616.34 being voucher No. 22-114 and vouchers No. 22-115 to No. 22-132. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. Supervisor Illig stated the main expenses were for annual road maintenance vouchers that will be reimbursed through CHIPS funding. Councilman White questioned if the grader we have needed to rent while waiting for the new grader to come in will be reimbursed through CHIPS? Supervisor Illig and Highway Supt. Gibson confirmed yes.

Councilman Tones made motion seconded by Councilman Rees to pay Water District #1 Bills in the amount of \$17,206.09 being voucher No. 22-58 and vouchers No. 22-59 to No. 22-70. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out voucher No. 22-60 to W.O. Dluzak to replace tires on the Water truck that he paid for and the voucher is reimbursement. Further discussion under the Water report. Remaining vouchers include the contractual budgeted voucher to the Village of Penn Yan and the on-going purchase of additional water meters.

The balance sheets and profit & loss reports were provided to the Board for review. Supervisor Illig commented in the General P&L, under ARPA funding contingency, reflects a balance of \$27,488.95 due to the transfer of \$37,177.53 into the Water District. The total is the 50% allotted ARPA funding amount we have received at

this time. The remaining 50% we should receive later this summer. There are no transfers needed at this time.

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

Clerk Giambra did not have anything to report other than pertaining to agenda items.

Municipal Services Manager Welch commented the Dept. has been busy as usual, but nothing out of the ordinary. He has been recently dealing with a lot of smaller projects such as decks and sheds. His knee surgery went very well and has tried keeping up with as much as possible in the meantime.

Regarding the Water report, as Supervisor Illig mentioned last month, W.O Dluzak discovered, after he has spent several months and effort replacing meters, the last round of meters that were replaced (approx. 75) the supplier had given us the incorrect meters that measure in cubic feet rather than gallons. We contacted the supplier and they took full responsibility, however since that initial call, they have not followed thru on their end of supplying the proper meters. Chuck did receive a call today that apparently meters are in route from Texas. This will remain a situation that will need to stay on top of. As mentioned, when paying the Water District bills, Supervisor Illig and W.O. Dluzak decided rather than trade in the current Water truck (as has been the policy the past several years getting a low rate to trade in on a NYS bid) to keep the present truck, especially due to the low milage and overall upkeep. The only maintenance issue was the truck was in need of new tires, hence the voucher that was approved earlier in the meeting. Now that we are in different times than in the past, when looking to trade in, it would be very expensive and the dealership could not even guarantee getting a new truck, also led to their decision to stay with the current truck.

Supervisor Illig commented for the Assessor's report, currently we have 1 legal action that is being started against the Town. This is an individual that has attempted to take legal action involving his assessment before. Assessor Oliver will speak with Town Attorney Galvan tomorrow when he is in for office hours. The final assessment roll is on the County website as of July 1st for anyone to view.

Supervisor Illig reported he was at the Highway Dept. when the new grader came in and it is quite impressive.

Highway Superintendent Gibson reported the Dept. finished grading roads before the July 4th holiday, including putting dust oil in front of houses, and started mowing roadsides. As mentioned earlier, they installed the new benches at the playground. Again, a thank you to the Highway crew! As Supervisor Illig noted, the new grader is here, finally. Lastly, he met with Jim Rizzle from the County to discuss putting up another stop sign at the intersection of Cross St. and Roff Hill. He can't guarantee it will help the situation of being a bad traffic area, but certainly is worth the effort to try.

Councilman Burns reported, as mentioned previously, the Town "pickleball crew" is requesting for the Town to purchase 1 or 2 pickleball nets for all residents to use. The problem is since it would be for all residents, the net cannot be locked up in any way and available for public use. It is being suggested to possibly bungie the net(s) to the fence in hopes that everyone respects and it will not get destroyed or disappear. The security cameras at the Town Hall and library should be able to oversee the area near the courts as well. The "crew" had picked out a net that was \$400.00 however it is no longer available.

They have found another net on wheels for \$175.00, therefore are asking for 2 nets. The product is in the Board members packets to review. Councilman Burns is suggesting to purchase 1 to test out and see if something happens to it or if it gets stolen and if so, there will not be another one purchased. Councilman White agrees to purchase 1 to be fair and nice to offer but if it disappears the “crew” or other individuals can bring their own/purchase to store as they please and the Town will not purchase another to replace. Councilman Burns made motion seconded by Councilman White for the Town to purchase a pickleball net as presented for \$174.99 for the community to use at the Pulteney pickleball courts. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White; yes; Councilman Tones, yes; Supervisor Illig, yes. Carried.

There was not a Planning Board meeting this past Monday, July 11th however there is a meeting scheduled for August 8th with 1 application to review as of yet.

There is a Zoning Board of Appeals meeting scheduled for July 19th with 3 scheduled public hearings.

Under old business, last month the Board held a public forum on Wednesday, June 15th at 7PM at the Fire Hall regarding the proposed noise policy, as discussed for the last several months. A public notice was published over the course of 3 weeks in the Shopper, as well as Town website and social media sites welcoming resident input. The Board has not discussed since that evening, Supervisor Illig opened the floor for the Board to offer their comments and stance on the subject. Councilman White is in favor of the policy, however noted under the Prohibited acts, section A, she believes needs to be better defined as it could cause confusion and further trouble. Attorney Galvan noted the definition defined in the section Councilman White is referring to is subjective and can be up for debate. She believes times need to be specified and established for guidelines and possibly specifying decibel measurements. She is split as to the notion of a stand-alone policy or branching off of a short-term rental policy. Councilman Tones relayed that she felt more residents were opposed to the noise policy at the public forum rather than in favor and in particular opposed to setting specific hours. She is worried setting hours could cause more trouble between neighbors and, if hours were to be set, would need to be very broad taking into consideration the Town is an agricultural area. Therefore, she is more opposed to the policy but does feel something should be done. She believes the focus should be more on short term rentals. Councilman Burns was not at the public forum meeting, but feels we should not set decibels and is better to leave vague. She also questioned how do we impose and unenforceable policy? Councilman Rees is not in favor of the policy. For an unenforceable policy, it would increase friction between neighbors rather than improve. It has the potential to leave the Town open to more liability and was meant to address a small amount of individuals that have problems with their neighbors. If there is an issue, you still would call police enforcement regardless. He was surprised from the forum the conversations revolving around short-term rentals and believes that is what needs to be addressed. Supervisor Illig was also surprised of the energy generated by the proposed noise policy. After reflecting, he agrees more residents were opposed to the policy than in favor suggesting it would create more neighbor issues than solving, and it was noted from resident feedback more of a concern around short term rentals. He is proposing to begin action around short-term rentals and to not enact a noise policy at this time. He is suggesting to appoint a broad-based committee of residents to look at regulating short term rentals. As previously

noted, the County has relayed they have no plans in regulating. The concern is beyond noise, it includes safety/fires, septic, parking, etc. issues. Supervisor Illig would like to appoint Bill Dineen, who is a member of the Planning Board, to chair this committee starting with a blank page of defining a short-term rental and moving forward from there. This will be a long thorough process that will need a lot of public input along the way. Supervisor Illig asked the Board their thoughts? Councilman Rees agrees it is a great idea to form a committee; Councilman Burns agrees mentioning there are so many factors to consider and every day they become more of an issue (i.e., short-term renters parking trailers for days in the Town Hall/library parking lot); Councilman Tones agrees stating it would better to look at the broader issue that being short-term rentals; Councilman White agrees commenting to look at Watkins Glen who recently adopted a short-term rental policy that appears thorough and comprehensive. Supervisor Illig made motion seconded by Councilman Burns to form a broad-based citizen's group to investigate short-term rentals in Pulteney advocating for revenue neutral enterprises with Bill Dineen to chair the committee. All in favor. Carried. Going back to the noise policy, Councilman White does not believe it should be voted down now as it is important to support this policy rather than no policy at all. She is suggesting to table the noise policy currently until further time allows of looking into short term rentals and incorporating noise concerns that way. Councilman White made motion seconded by Councilman Rees to table the noise policy vote and discussion at this time until further guidance from the committee looking into short term rentals. All in favor. Carried.

Under new business on the agenda, it was mentioned last month that the Town is in need of an Alternate ZBA member and a Town Health Officer. Supervisor Illig still needs to contact the potential appointees and will make a recommendation of both positions at the August meeting.

Continuing on the agenda, there is Highway voucher No. 22-133 that still needs approved in the amount of \$332,516.11 to Five Star Equipment, Inc. for the purchase of the new John Deere grader. The Board previously agreed we would use a 1-year Bond Anticipation Note in the amount of \$290,000.00 with Five Star Bank at an interest rate of 3.9%. Attorney Galvan prepared the Bond Anticipation Note and Resolution ensuring what was needed from Five Star Bank. Supervisor Illig thanked both Attorney Galvan and Five Star Bank for organizing the paperwork details. Councilman White asked how we intend to pay the balance before 7/14/23? Supervisor Illig stated when preparing the 2023 budget, the Board will look into at that time. Councilman Tones made motion seconded by Councilman Burns to adopt the 1-year Bond Anticipation Note with Five Star Bank and Bond Anticipation Note Resolution as presented and published. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White; yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. Supervisor Illig made motion seconded by Councilman White that after all the approved paperwork is signed, completed, and filed with Five Star Bank, to pay Highway voucher No. 22-133 to Five Star Equipment, Inc. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White; yes; Councilman Tones, yes; Supervisor Illig, yes. Carried.

Additionally, when preparing the budget, Supervisor Illig stated in the Board's packets is a listing of employee's salaries. Supervisor Illig is proposing that the employee compensation for 2023 be based on the inflation rate rather than the 2% that has been given in the past. He believes 2% in today's world is very unreasonable. He

would like the Board to review and consider when preparing to look at employee compensation, that the increase be more than in the past. As of June 2022, the annual inflation rate has accelerated to 9.1%. Further discussion as an agenda item at the August meeting.

Lastly on the agenda, in coordination with the Steuben County Office of the Aging and the Cornell Cooperative Extension, a veggie van is scheduled to arrive at local communities that do not have access to a grocery store with fresh produce in their area. They are planning to be at the Pulteney Community Garden August 3, 24, and September 14th all from 9:00am-11:00am. It is open for anyone to come and purchase fresh produce by using cash, check, debit/credit cards, EBT/SNAP benefits, and Farmers' Market Nutrition Program coupons for both Seniors and WIC. The coupons have eligibility requirements, but if met, can receive a coupon booklet valued at \$20.00. There will be notices around Town and Clerk Giambra will send to webmaster Don Radigan as well as all information is on the County website under Office of the Aging.

Supervisor Illig asked if anyone from the public had any comments/questions? With nothing heard and no need for an executive session, Supervisor Illig stated there is a need for the Board to perform a quarterly audit but there will be no further business addressed. Once the quarterly audit was successfully completed and signed off on by all Board members, Councilman White made motion seconded by Councilman Burns to adjourn the regular meeting. All in favor. Carried. Meeting adjourned at 8:17 PM.

Erica Giambra, Town Clerk

