

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:03 PM on Wednesday, December 13, 2017, at the Pulteney Town Hall with the Pledge of Allegiance.

Present were: Supervisor Mark Illig; Councilman Richard Musso; Councilman Mark Goodwin; Councilman Michael Yastremski; Councilman Kathleen Burns; Highway Superintendent Terry Gibson; Attorney Jennifer Prossick; Bookkeeper Rebecca Kirch; and Town Clerk Erica Giambra.

Bill Weber took a moment of reflection to speak of (4) recent Town passing's. Don Howe was a summer neighbor of Bill's on Stone Point for 20 years. He was a retired school teacher from Pennsylvania and passed away at the age of 90. Roberta Fleishman was such a nice person to be around and passed away at the age of 65 due to complications from surgery. Lewis Wright, unfortunately Bill stated he did not know, lived below the former Methodist Church and lived with his Mother, Marian, who just passed recently as well. Lewis was 63. Daniel Rumsey, again Bill did not know, lived on CR 77 with his wife and 2 kids and passed away of natural causes at the young age of 29. Supervisor Mark Illig spoke of the passing of friend and neighbor, Phyllis Ross. Phyllis and her husband Bob, married 66 years, became close friends with Mark and his wife Chris when they moved to Pulteney. Phyllis was a spirited community member and neighborhood party organizer. She belonged to the Pulteney Presbyterian Church and Town Bone Builders. Unfortunately, stemming from a fall last December, Phyllis passed away at a nursing home at the age of 85. They all will be fondly remembered and sadly missed.

Councilman Goodwin made motion seconded by Councilman Musso to accept the minutes of the November 8, 2017 regular Board meeting. All in favor. Carried.

Regarding finances, Supervisor Illig stated we are still waiting for the CHIPS reimbursement, however it looks like finances are in reasonable shape. He will be keeping a close eye on the fund balances and the Board will finalize finances at the year-end meeting.

Supervisor Illig stated there are transfers to be made from each Department in order to pay bills, which is typical nearing the end of the year.

In the General Account, Councilman Burns made motion seconded by Councilman Musso to transfer a total of \$6,495.00 (Account A1620.51 to Accounts A1620.42, A1620.44, A1620.49, A3510.4, A5182.4, and A7310.4). Roll call vote: Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried.

In the Highway Account, Councilman Goodwin made motion seconded by Councilman Yastremski to transfer a total of \$36,050.00 (Accounts D5110.4, D5130.41, D5140.1, D5132.4, and D5132.43 to Accounts D5110.1, D5130.2, D5130.4, D5130.42, and D5110.2). Roll call vote: Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried.

Lastly in the Water Account, Councilman Musso made motion seconded by Councilman Burns to transfer a total of \$250.00 (Accounts SW8320.44 and SW8340.42 to Accounts SW8310.47 and SW8340.41). Roll call vote: Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried.

Prior to paying bills, Councilman Yastremski questioned the voucher to New York State Retirement. He pointed out the majority of the \$39,856.00 bill is being taken out of the Water District, which he does not believe the Board can do. Attorney Prossick agreed, stating the amounts out of each Department need to be proportioned. Especially due to the Water Department Account being a separate District, taxpayers pay into that Account, therefore the funds should be used strictly for the Water Department. Supervisor Illig asked Attorney Prossick if the Board can assess a Water District fee for services for 2017. She does not believe that is acceptable, however she needs to research further. After thorough discussion, Supervisor Illig suggested the Board proceed in paying the Department bills minus the Retirement voucher out of each Department. All agreed.

Councilman Yastremski made motion seconded by Councilman Musso to pay General Bills in the amount of \$17,523.48 (\$22,523.48-\$5,000.00 retirement) being vouchers No. 17-238 to No. 17-241 and No. 17-242 to No. 17-262. Roll call vote: Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. Supervisor Illig commented all vouchers were overall routine. Supervisor Illig asked the Board if they had any questions. Councilman Musso questioned what the voucher to the State Comptroller labeled in an overpayment and clearing Account. Bookkeeper Kirch explained the voucher is a result of the total court monies being deposited and then paying the comptroller their allotted share.

Councilman Yastremski made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$69,229.32 (\$74,229.32-\$5,000.00 retirement) being vouchers No. 17-220; 17-230 to No. 17-232 and No. 17-233 to No. 17-249. Roll call vote: Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out the voucher to Key Government Finance Inc. regarding payments for the lease to buy 2017 Peterbilt Highway truck. In addition, there was an expensive voucher for gravel.

Councilman Musso made motion seconded by Councilman Goodwin to pay Water District #1 Bills in the amount of \$6,589.06 (\$36,445.06-\$29,856.00 retirement) being vouchers No. 17-128 to No. 17-130 and No. 17-131 to No. 17-140. Roll call vote: Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. Supervisor Illig stated the vouchers were overall routine except regarding seasonal turnoffs and the need for excavating services to repair broken valves. This has occurred a few times and repairs are being done as needed.

With all bills being paid with the exception of the NYS Retirement bill, returning to discussion, Supervisor Illig explained his desire to pay the retirement bill now is due to receiving a discount for early payment. The bill is due December 15th to receive the discount and is paid in advance for the upcoming 2018 year. The bill is a lump sum for all employees. The lump sum is based on a percentage of the entire Town payroll. On Attorney Prossick's recommendation, the Board agreed the bill needs to be paid proportional to employees in each Department. Supervisor Illig suggested to pay the bill proportioned this evening and then between now and the end of the year meeting have himself, Attorney Prossick, and Bookkeeper Kirch research and discuss the possibility of

assessing the Water District with an administrative charge for the future. Based on this meeting, they will bring a recommendation back to the Board at the year-end meeting. The proportioned breakdown determined to be, based on the 2017 budget, is \$17,000.00 out of the General, \$17,000.00 out of Highway, and \$5,856.00 out of Water. Supervisor Illig made motion seconded by Councilman Yastremski to pay the NYS Retirement bill of \$39,856.00 based on each of the proportioned amounts from each Department. Roll call vote: Councilman Yastremski, yes; Councilman Burns, yes; Councilman Goodwin, yes; Councilman Musso, yes; Supervisor Illig, yes. Carried. It was noted the amount of the retirement bill came in less than what was budgeted for 2017. (\$41,840.00 was budgeted vs. \$39,856.00)

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

Clerk Giambra mentioned the Christmas luncheon is tomorrow at noon. Also, it is nearing tax season so be on the look-out for your Town and County tax bill at the end of the month.

Municipal Services Manager Welch mentioned along with his report, the Dep't continues to be extremely busy. Several new construction projects, including replacement houses and continuation of incoming Planning and Zoning Board applications.

Water Operator Dluzak was not present, however provided his monthly report.

Supervisor Illig reported he had checked in with Assessor Dave Oliver and all is well in his Department.

Highway Superintendent Gibson reported they have finished mowing roadsides and snow plowed for the first time this season on Monday. They have hauled in sand, stone, and have been ditching. The grader Highway Supt. Gibson mentioned last month that needed repaired, is up and running. They have finished cleaning leaves in all Town cemeteries.

Attorney Prossick reported there will be a need for a short executive session at the end of the meeting.

Supervisor Illig stated the Planning Board had a meeting with (2) scheduled hearings on December 11th. There was (1) hearing that involved neighbor concern regarding building a distillery and the attendance was heightened, however he stated he believes the Planning Board did a good job controlling the meeting and overall the hearings went well.

The next Zoning Board meeting has not officially been scheduled, however it appears there will be a hearing on January 16th at 7pm.

Under old business, regarding the Prattsburgh Library tax update, Supervisor Illig stated he met with Prattsburgh Library President Kathy Zajchenko. She in turn went to the Business Manager of the Prattsburgh School District to see if there was any action that could be taken to make more favorable for Pulteney residents paying this additional School tax. The School stated legally the Prattsburgh Library cannot give any money to the Pulteney Free Library due to the funding being a tax. Supervisor Illig stated at this point, unfortunately the issue is closed as all attempts from the Town Board have been made.

Clerk Giambra reported she has received the official election results from the Steuben County Board of Elections dated November 27, 2017. Town Supervisor Mark

Illig won as a write-in with 212 votes; Town Clerk Erica Giambra won with 427 votes; Town Councilman Michael Yastremski won with 367 votes; Town Councilman Kathy Burns won as a write-in with 147 votes; Highway Superintendent Terry Gibson won with 262 votes; and the Town Library Proposal won with 365 yes votes. Congratulations to all elected officials!

Supervisor Illig reiterated the 3rd annual Town of Pulteney Christmas luncheon is tomorrow, December 14th at the Town Hall at 12pm. Once the meeting has adjourned, Supervisor Illig asked the Board members to assist with moving the tables and chairs to set up for the luncheon.

Under new business, Supervisor Illig reported the Pulteney Free Library is in the process of applying for a grant from the USDA for financing, however there is an issue with the deed and title to the land due to the reverter clause. As it states now, if the Library were to cease, the land would revert back to the Town. The USDA is requesting an agreement that the lien from the grant is paid first before the Town “takes back” the Library and land. The Library’s Attorney, Attorney William Reed, recommended the Town pass a Resolution. Supervisor Illig made motion seconded by Councilman Burns to pass a Resolution authorizing Supervisor Illig to sign a Subordination Agreement that will allow for the placement of a first mortgage lien and, in the event of a foreclosure, the property will not revert back to the Town. All in favor. Carried. Attorney Prossick will work with Attorney Reed on the necessary documentation.

Supervisor Illig noted there is a current vacancy on the Planning and Ethics Board. He introduced Tammy Tones, who was present for the meeting and who ran for Town Council this past November. After discussing the duties and responsibilities with Supervisor Illig, Tammy had stated she would be interested. Supervisor Illig made motion seconded by Councilman Yastremski to appoint Tammy Tones to the Pulteney Planning and Ethics Boards beginning today to serve out Pam Kelly’s terms. All in favor. Carried. Clerk Giambra will provide both oaths of office to Tammy. Welcome!

There are several terms that expire at the end of the year that members have agreed to be re-appointed. Supervisor Illig made motion seconded by Councilman Yastremski to re-appoint the following Board members: Health Officer Jan Stone (1/1/18-12/31/18); Planning Board Terry Gibson and Dan Radigan (1/1/18-12/31/24); Ethics Board Pat Rafalowski (1/1/18-12/31/22); Zoning Board of Appeals Les Rosenbloom (1/1/18-12/31/22). All in favor. Carried.

Continuing with new business, Supervisor Illig stated the Year End Meeting to finalize bills and any old/new business will be Thursday, December 28th at 3pm. Clerk Giambra will place notice and send an email to Board members prior as a reminder.

Supervisor Illig asked if there were any public comments or concerns at this time. None being heard, as stated previously there is a need for an executive session. All are welcome to stay until the executive session is over, however there will be no further business conducted.

Supervisor Illig made motion seconded by Councilman Musso to recess the regular meeting and enter into an executive session. All in favor. Carried.

Once the executive session was completed, Supervisor Illig made motion seconded by Councilman Musso to recess the executive session and resume the regular meeting. All in favor. Carried.

Supervisor Illig made motion seconded by Councilman Burns to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 8:12 pm.

_____ Town Clerk