

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, October 14, 2020, at the Pulteney Town Hall with the Pledge of Allegiance.

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

It is noted those in limited attendance wore masks and social distancing was practiced at 6 feet apart.

Fortunately, there were not any recent Town passing's for Bill Weber to speak of this month.

Councilman Tones made motion seconded by Councilman White to accept the minutes of the September 9, 2020 budget workshop and regular Board meeting. All in favor. Carried.

Councilman White made motion seconded by Councilman Burns to authorize to pay General Bills in the amount of \$23,666.92 being vouchers No. 20-161 to No. 20-178. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted voucher No. 20-166 to Don Strzepek for our contractual mowing payment and No. 20-162 for tree service in Glen View cemetery. In reference to voucher No. 20-170 to Larry's Latrines, Bookkeeper Welch stated she will call this week to cancel for the season. Also, voucher No. 20-177 to the Pulteney Highway Account for \$17,000.00, Supervisor Illig explained was due to a previous incorrect transfer from the Highway Account into the General Account. This was a clerical mistake picked up throughout the audit process and is being refunded into the proper account.

Councilman Tones made motion seconded by Councilman Yastremski to pay Highway Bills in the amount of \$23,130.04 being vouchers No. 20-185 to No. 20-208. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig stated there are vouchers for rock salt and oil with remaining vouchers overall routine. Councilman White asked what voucher No. 20-196 to Northern Supply, Inc. was for? Highway Supt. Gibson responded snow plow parts. Councilman Yastremski wanted to address and question voucher No. 20-184 paid last month to Keuka Lodge in the amount of \$1600.00. He believes the Board should not have paid that voucher as they were not aware and did not question what it was for until after the roll call vote when reviewing vouchers during the quarterly audit/review. The voucher was for fill used for the culvert replacements the Highway Dept. did on Town Line and Brown Roads. The fill came from the gravel pit the Town used to own, now owned by Keuka Lodge. Councilman Yastremski questioned why we were taking material that was stock piled now rather than when we owned the gravel pit. After doing some research, he stated at the time of the gravel pit sale, approximately 1500-ton was stockpiled and would remain the Town's with no fees assessed. A contract was needed for anything additional that needed mined in future years and the Town would be billed as deemed appropriate. Where did the 1500-ton stockpile go? Highway Supt. Gibson stated there remains a stockpile left over. It has been years since we sold the gravel pit, so now we are being billed from the owner for anything taken. Highway Supt. Gibson chose to get the fill from Keuka Lodge as other

options would have been more expensive. Councilman Yastremski questioned why the Town has an active gravel pit permit for property we do not own? He continued stating we currently still have equipment on the property as well as Town of Pulteney signs still posted. Councilman Yastremski reiterated the Board never should have approved that voucher and the Town took on entirely too much liability by removing material from the pit. Councilman Yastremski commented he is in continued discussions with the DEC and will contact the owner of Keuka Lodge to get his view of the situation. Any signed contract between the Town and owner will need reviewed and further updates to come.

Councilman Burns made motion seconded by Councilman Tones to pay Water District #1 Bills in the amount of \$2,551.55 being vouchers No. 20-84 to No. 20-95. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig commented vouchers are overall routine.

**2020 Budget Adjustments**

10/14/20

<b>GENERAL</b>	<b>FROM</b>	<b>Amount</b>	<b>TO</b>
	A1110.4 - Contractual Services	\$ 250.00	A1010.4 - Contractual Expenses \$250.00
	A1620.51 - Contingency	\$ 1,500.00	A1620.4 - Contractual Expenses \$1,500.00
	A1450.4 - Contractual Services	\$ 500.00	A1620.41 – Telephone \$500.00
	A1670.41 - Office Supplies	\$ 750.00	A1620.43 - Supplies \$750.00
	A1620.2 - Equipment	\$ 750.00	A1620.49 - Water \$750.00
	A1620.2 - Equipment	\$ 100.00	A3610.1 - Personal Services \$100.00
	A7310.4 - Contractual Services	\$ 1,500.00	A7310.2 – Equipment \$1,500.00
	A1355.4 - Contractual Services	\$ 250.00	A7550.4 - Contractual Expenses \$250.00
	A1730.4 - Contractual Services	\$ 500.00	A8810.4 - Contractual Expenses \$500.00
	<b>Total</b>	<b>\$6,100.00</b>	<b>\$6,100.00</b>

<b>HIGHWAY</b>	<b>FROM</b>	<b>Amount</b>	<b>TO</b>
	D5142.4 - Contractual Expenses	\$1,000.00	D9040.8 - Worker's Comp \$1,000.00
	<b>Total</b>	<b>\$1,000.00</b>	<b>\$1,000.00</b>

<b>WATER</b>	<b>FROM</b>	<b>Amount</b>	<b>TO</b>
	SW8310.6 - Fuel & Maintenance	\$ 1,000.00	SW8310.4 - Contractual Expense \$1,000.00
	SW8310.6 - Fuel & Maintenance	\$ 600.00	SW8330.41 - Contractual Expense \$600.00
	SW8340.4 - Contractual Expense	\$ 500.00	SW8330.41 - Chlor Master \$500.00
	<b>Total</b>	<b>\$2,100.00</b>	<b>\$2,100.00</b>

Supervisor Illig made motion seconded by Councilman Tones to approve the above transfers in the General, Highway, and Water Accounts.

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

The balance sheets and profit & loss reports were available to review.

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

Other than items on the agenda, Clerk Giambra reported as a reminder for everyone to vote in the upcoming elections. You can do so by 3 options: absentee ballot, early voting in Bath, or in person November 3<sup>rd</sup> at the Pulteney Free Library.

Municipal Services Manager Welch commented the Dept. is busy as seen in his report. You can tell the weather is changing as residents are in a rush to get projects done before the snow falls.

For the Assessor report, Supervisor Illig stated Assessor Oliver is continuing to do well working his normal hours 9-4 on Thursdays.

Highway Supt. Gibson reported the Dept. has been spot grading roads and roadside mowing is almost completed for the year. They are getting equipment ready for the snow season. They assisted the Town of Wayne with stone and oil projects and helped the Town of Urbana haul gravel. He received a quote from Maple City Dodge on a new pickup truck that is on the agenda.

There was a Planning Board meeting this past Monday the 12<sup>th</sup> in which 2 applications were reviewed. A public hearing is scheduled for both applications for November 9<sup>th</sup>. Attorney Schlechter was not able to attend the meeting to discuss the proposed lighting regulations, however should be able to attend the November meeting. There is not a Zoning Board of Appeals meeting scheduled for October. Lauren commented he is expecting possibly in December to schedule a ZBA meeting.

Under old business, as reported last month, the Town of Pulteney has been selected by the NYS Comptroller's Office for an audit. Due to COVID, most everything requested is being sent via secured email file, however the auditors recently have made 2 trips to the Town Hall to conduct an IT audit. We are still undergoing the data collection process with no written feedback at this time. Once a formal analysis and report are provided, the Board will set up committees to work on updating administrative policies. Supervisor Illig thanked Bookkeeper Welch and Clerk Giambra for their continued extensive efforts in providing the requested documentation.

Continuing with old business, as mentioned earlier, Highway Supt. Gibson received a quote from Maple City Dodge for a 2021 1500 Tradesman Quad Cab 4x4 pickup truck in the amount of \$27,382.00. As a Highway line item, \$20,705.00 is currently budgeted for 2020, therefore the remaining amount will need to come out of another line item within the Highway budget. This proposed truck would be similar to the recently purchased Water Dept. truck. Supervisor Illig explained it has been beneficial for the Water Dept. to trade in every 2 years to not have the upkeep of maintenance. Highway Supt. Gibson's current truck is a 2008 Chevy Silverado with 135,000 miles. Supervisor Illig stated it would be wise in doing the same with the Highway Dept. truck as the Water Dept truck in trading in. We also received an offer from the Friendly's dealership in Penn Yan for approx. \$32,000.00. This quote with Maple City is a state contract bid. Supervisor Illig made motion seconded by

Councilman Yastremski to authorize Highway Supt. Gibson to purchase the quoted 2021 1500 Tradesman Quad Cab 4x4 for \$27,382.00 and sell the current 2008 Chevy Silverado on Auctions International. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Lastly, under old business, Supervisor Illig made motion seconded by Councilman Burns to adopt the following Resolution:

**RESOLUTION**

**WHEREAS**, the Town of Pulteney Zoning Board of Appeals, following a public hearing on June 18, 2019, approved Application No. 04/2019, filed by the Town of Pulteney, for an area variance to Section 420 of the Town of Pulteney Zoning Regulations pertaining to property located at 4 Mill Street, Pulteney, New York, so as to allow for the subdivision of said property and to separate a structure and building lot, designated as 9203 County Route 74, Pulteney, New York and to donate said structure and building lot to the Town of Pulteney Fire District; and

**WHEREAS**, a Resolution from the Town of Pulteney Zoning Board of Appeals, attached hereto and made a part hereof, granting Application No. 04/2019 for the within area variance, was presented to the Town Board of the Town of Pulteney, for the purpose of approving the subdivision of the subject property and the transfer of the above structure and building from the Town of Pulteney to the Town of Pulteney Fire District, but no formal vote took place; and

**WHEREAS**, the Town Board of the Town of Pulteney is desirous of approving the subdivision of the above property and the transfer of the above structure and building lot from the Town of Pulteney to the Town of Pulteney Fire District for its continued use as an ambulance facility; and

**WHEREAS**, the Town Board of the Town of Pulteney finds that the subdivision and transfer of the above property would help support the Town of Pulteney Fire District and Ambulance Corps and be a benefit to the entire Town of Pulteney community;

**NOW**, therefore, it is hereby

**RESOLVED**, that the Town Board of the Town of Pulteney hereby approves the subdivision of the property located at 4 Mill Street, Pulteney, New York, pursuant to Town of Pulteney Zoning Board of Appeals Application 04/2019 for an area variance for said property, and to transfer that part of the subject property designated as 9203 County Route 74, Pulteney, New York, from the Town of Pulteney to the Town of Pulteney Fire District; and it is further

**RESOLVED**, that the Town Board of the Town Pulteney shall file with the Steuben County Clerk's Office all necessary documents to effectuate the subdivision of 4 Mill Street, Pulteney, New York and the transfer of the property designated as 9203 County Route 74 from the Town of Pulteney to the Town of Pulteney Fire District.

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Under new business, the Board held a budget workshop September 9, 2020 prior to the regular Board meeting to formulate the 2021 tentative budget. Once all the numbers were refigured after the September meeting, the tentative budget was emailed to the Board for their review prior to this evening. Supervisor Illig commented there were fairly minor changes added from Board direction at the budget workshop to the tentative budget that was emailed. Supervisor Illig pointed out the following: In the General budget, increasing the contingency to \$42,088.00 to build a fund balance and for additional work on the playground and around the tennis/pickleball court. Due to the last 3-4 years with the Town Hall renovations, tennis/pickleball court, etc. the fund balance has been reduced to 0 since we paid for projects directly rather than borrowing the funds. Supervisor Illig mentioned it is suggested that 10-20% of the budget should be in cash reserves hence important to build back up. In the Highway budget, the fund balance is reduced from \$127,149.00 to \$114,849.00, decrease in CHIPS funding from \$140,000.00 to \$120,000.00, and increased contractual road repair expenses from \$160,000.00 to \$179,705.00. In the Water budget, increase meter sales from \$170,000.00 to \$185,000.00, and increase the fund balance from \$77,067.00 to \$89,449.00. Supervisor Illig asked the Board if they had any questions or comments. Councilman White asked on the summary page if that included any cash reserves? Supervisor Illig denied. With nothing further heard, Councilman Burns made motion seconded by Councilman Tones to adopt the 2021 tentative budget as the 2021 preliminary budget as presented. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Supervisor Illig made motion seconded by Councilman Tones to schedule a public hearing at the regular Board meeting on the proposed 2021 preliminary budget on November 11, 2020 at 7:30PM and Clerk Giambra publish as needed. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

The 2021 preliminary budget is proposing a 2% tax increase. The tax cap set by the State this year is 1.56%, therefore there is a need to override the tax cap. Local Law No. 1 of 2020 was presented to the Board and public to review. Supervisor Illig asked if there were any comments or questions. With nothing heard, Supervisor Illig made motion seconded by Councilman Burns to schedule a public hearing at the regular Board meeting November 11, 2020 at 7:25PM on proposed Local Law No. 1 of 2020 entitled "A Local Law to override the tax levy limit established in General Municipal Law 3-c" as presented this evening and Clerk Giambra publish as needed. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

It was brought to the Board's attention at the last meeting, safety concerns regarding the playground. Councilman Burns and Councilman White agreed to co-chair a committee to develop a vision for the playground while addressing any safety concerns that have arisen. Carol McGill presented the concerns last month and agreed to assist on the committee along with Dorothy Graham. Both were in attendance this evening and presented a drafted proposal to the Board of a detailed plan in moving forward with the playground. The draft was listed in steps of importance of what should be addressed first. As a reminder, Supervisor Illig commented any projects will need to wait until 2021 as the General fund for 2020 has been exhausted. Supervisor Illig has asked

Highway Supt. Gibson and the Highway Dept. to go through the proposal and assist with projects in stages they are capable of. After discussing the detailed list, it was agreed the playground committee will meet with Highway Supt. Gibson to see what projects can be done first for 2021, mainly addressing safety concerns. The Game Time Representative, who sold us the playground equipment in the past, should be contacting Clerk Giambra with quotes on replacement equipment. Being a long-range project, further updates to come.

Continuing with new business, through the audit process, it was noted that the original Resolution of the establishment of a Highway Capital Reserve Fund could not be located. The auditors suggested to re-establish and update the Resolution at this evening's Board meeting to have on file and send to the auditors. Councilman White made motion seconded by Councilman Burns to adopt the following Resolution:

**Town of Pulteney Re-Affirmation of the establishment of a Highway Capital Reserve Fund**

**WHEREAS**, the Town of Pulteney Highway Capital Reserve Fund Resolution was due to be updated according to the New York State Comptroller's Office; and

**WHEREAS**, the previous Resolutions were unable to be located;

**NOW, THEREFORE**, it is hereby:

**RESOLVED**, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Town of Pulteney Highway Capital Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of equipment.

The chief fiscal officer (CFO) is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The CFO may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Pulteney. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The CFO shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing Board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c.

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

As submitted since the beginning of the Water District, Councilman Yastremski made motion seconded by Councilman Tones to adopt the following Resolution:

**Resolution Authorizing Town Water/Sewer Re-levy to be placed on the 2021 Tax Roll**

**WHEREAS**, certain water account customers may be delinquent in paying their quarterly water bills, it may be necessary to have the arrears added to their Town and County tax bills.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Pulteney hereby authorizes the Steuben County Real Property Tax Office to re-levy the delinquent water charges to the owner of the property and that the Town of Pulteney will provide the necessary information to the County.

Memo from the County Real Property Tax Service attached hereto.

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Supervisor Illig made motion seconded by Councilman Tones to adopt the following updated Resolution:

**Standard Work Day and Reporting Resolution**

**BE IT RESOLVED**, that the Town of Pulteney / Location code 30718 hereby establishes the following as standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (hrs/day)	Term Begins/Ends	Days/ Month (based on Record of Activities)
<b>Elected Officials</b>						
Highway Superintendent	Terry Gibson	****	*	6	01/01/2020 - 12/31/2021	31.77
<b>Appointed Officials</b>						
Assessor	David Oliver	****	*	6	10/01/2019 – 9/31/2025	5.38
Bookkeeper	Rebecca Welch	****	*	6	01/01/2020-12/31/2020	18.64
Water Operator	Charles Dluzak	****	*	6	01/01/2020-12/31/2020	29.89

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Yastremski, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Supervisor Illig made motion seconded by Councilman Burns to publish the following notice, as in previous years, in the Southern Tier Shopper.

**PUBLIC NOTICE**  
**TOWN OF PULTENEY RESIDENTS**

In order to do an efficient job of plowing snow this winter, there will be **NO PARKING** along the Town Roads or Right-of-Ways in the Town of Pulteney from November 1, 2020 to April 1, 2021.

**All vehicles will be towed away at the owner's expense.**

Please remember that plowing driveways across roadways is dangerous, as well as against the law. Anyone plowing snow across the roadway will be subject to a violation and may be issued an appearance ticket.

By order of Terry Gibson, Highway Superintendent

All in favor. Carried.

Lastly under new business, Supervisor Illig asked the Board their thoughts on Halloween and Trick-or Treating in the Town of Pulteney this year. He commented the Pulteney Fireman's Auxiliary have canceled the Trunk or Treat event and several surrounding Towns have cancelled Trick or Treating. Supervisor Illig made motion seconded by Councilman Burns for the Board to neither endorse nor condemn Trick or Treating this year within the Town. There will be no set hours as in the past, however if residents choose to, to please abide by COVID protocol by wearing masks, social distancing, and wash/sanitize hands. All in favor. Carried. Clerk Giambra will place a public notice in the Shopper.

In addition, Councilman Burns stated the Community Garden Committee had their final meeting of the year last evening. She presented the Board a quote from Hamm's Landscaping. The quote is for \$2,400.00 for the building, installation, top soil, etc. for 8 raised garden beds. They will be made out of pressure treated wood and 2 out of the 6 will be wheel chair accessible. The owner of Hamm's stated any additional fees over the quote Hamm's will donate. The Board had agreed at the budget workshop to budget \$2,400.00 toward the 2021 community garden since the \$1,200.00 budgeted for 2020 has not been used. Supervisor Illig noted for Councilman Burns to accept the quote from Hamm's in the amount of \$2,400.00 for the raised beds right after the first of the year. Also discussed at the community garden meeting, the committee plans to re-do the policy and procedures of the garden, including setting a \$50.00 fee to adopt a bed to allow for incoming revenue to keep the garden successfully going. Nancy Cole attended the garden meeting and has a \$250.00 gift card to Judd's that she is willing to donate to purchase a dwarf blue spruce tree to be able to decorate for Christmas in the future.

Supervisor Illig stated there is no need for an executive session and asked the public if they had any comments or questions at this time.

With nothing heard, Councilman Yastremski made motion seconded by Councilman Tones to adjourn the regular meeting. All in favor. Carried.

Meeting adjourned at 8:20PM.

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Erica Giambra, Town Clerk



