

Supervisor Mark Illig called the organizational meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, January 11, 2023, at the Pulteney Town Hall with the Pledge of Allegiance.

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

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

Councilman Burns made motion seconded by Councilman Rees designating the second Wednesday of the month at 7:00 PM as the regular Town Board meeting night. All in favor. Carried.

Councilman White made motion seconded by Councilman Tones to accept The Public Officials Blanket bonding of all necessary Town employees to be in effect for the year 2023. Said coverage is with the Travelers Casualty and Surety Co. of America with Sprague Insurance Company as agent for bonding of all employees \$50,000 each and additional bonding on Supervisor and Deputy Supervisor- \$50,000; Town Clerk/Tax Collector- \$150,000; Bookkeeper- \$100,000; and Town Justice- \$75,000. All in favor. Carried.

Councilman Tones made motion seconded by Councilman White consenting to the temporary assignment of the Town of Pulteney Justice to preside in other Town/Village courts in the Seventh Judicial District as need arises during the year 2023 and approve the temporary assignment of Judges from other Town/Village courts in the Seventh Judicial District to its court as need arises during the year 2023. All in favor. Carried.

Councilman Burns made motion seconded by Councilman Rees to accept the following Board Appointments:

**BOARD APPOINTMENTS:**

<u>-WATER PLANT OPERATOR</u>	Chuck Dluzak
<u>-MUNICIPAL SERVICE MANAGER</u>	Lauren Welch
<u>-DOG CONTROL OFFICER</u>	Debra Matthews
<u>-RECORDS MANAGEMENT &amp; ACCESS OFFICER &amp; REGISTRAR OF VITAL STATISTICS</u>	Erica Button
<u>-DEPUTY TOWN CLERK/ DEPUTY REGISTRAR OF VITAL STATISTICS</u>	Donna Conley
<u>-CEMETERY REGISTRAR</u>	Donna Conley
<u>-HISTORIAN</u>	Ray Emery
<u>-HEALTH OFFICER</u>	Nancy Snyder
<u>-TOWN ATTORNEY</u>	Jennifer Galvan, Esq.
<u>-WEBMASTER</u>	Don Radigan
<u>-COMPUTER CONSULTANT</u>	Fred Schulte
<u>-NECROLOGIST</u>	Bill Weber

All in favor. Carried. Supervisor Illig noted he has spoken with the individuals above and all have agreed to the appointments.

Councilman Burns made motion seconded by Councilman Rees to designate the official legal newspaper as the Corning Leader, in addition continue to publish in the Southern Tier Shopper. All in favor. Carried.

Supervisor Illig made motion seconded by Councilman Tones to designate Five Star Bank as the official bank the Town will continue to use. All in favor. Carried.

Supervisor Illig made motion seconded by Councilman Tones to accept the 2023 IRS standard \$.655 per mile to reimburse Town employees. All in favor. Carried.

Councilman White made motion seconded by Councilman Tones to approve the following Town of Pulteney 2023 pay schedule:

**Bi-Weekly: Highway**

Deputy HWY Supt.:	Jason Tears
MEO	James Sprague
MEO	Tim Cheney
MEO	Fred McAllister

**Bi-Weekly: General**

Town Clerk	Erica Button
Bookkeeper	Rebecca Welch
Highway Supt.	Terry Gibson
Municipal Svcs Mgr	Lauren Welch

**Bi-Weekly: Water**

Water Operator Supt.	Lauren Welch
Water Operator	Chuck Dluzak

**Monthly: General**

Supervisor	Mark Illig
Justice	Mary Hope Benedict
Court Clerk	Erica Button
Assessor	David Oliver
Attorney	Jennifer Galvan, Esq. (Voucher)

**Quarterly: General**

Councilman	Kathy Burns
Councilman	Elizabeth White
Councilman	Richard Rees
Councilman	Tammy Tones
Water Clerk	Erica Button
DCO	Debra Matthews
Historian	Ray Emery

**Annual: General**

Registrar of Vital Stats	Erica Button
Deputy Town Clerk/Registrar & Cemetery Registrar	Donna Conley
Health Officer	Nancy Snyder
Board of Assessment Review	Voucher (Paid in June)

All in favor. Carried.

Councilman Rees made motion seconded by Councilman Burns to authorize the petty cash fund for the Town Clerk/Tax Collector of \$100.00. All in favor. Carried.

Councilman Rees made motion seconded by Councilman Burns to authorize the petty cash fund for the Town Justice/Court Clerk of \$100.00. All in favor. Carried.

Councilman White made motion seconded by Councilman Tones to approve the following:

**SUPERVISOR APPOINTMENTS:**

DEPUTY- Councilman Burns  
BOOKKEEPER- Rebecca Welch  
KWIC/KLOC ALTERNATE- Councilman Rees

All in favor. Carried.

Councilman White made motion seconded by Councilman Tones to approve the following:

**COMMITTEE APPOINTMENTS:**

RECREATION- Councilman Burns  
WATER- Councilman White & Councilman Tones  
AGRICULTURE- Supervisor Illig  
DEVELOPMENT- Supervisor Illig  
COMMUNITY GARDEN- Councilman Burns

All in favor. Carried. Supervisor Illig commented the committee appointments are if the need arose for the Board to take action on an issue, the committees would make a recommendation of how to proceed.

Councilman White made motion seconded by Councilman Tones to accept Highway Superintendent Gibson's appointment for Highway Supt. Deputy Jason Tears. All in favor. Carried.

Supervisor Illig announced the Town of Pulteney Investment Policy is on file and can be reviewed at any time for 2023.

Councilman Rees made motion seconded by Councilman Burns to approve the 2023 dog shelter contract with the Town of Wayland being a continuation from the 2022 contract. All in favor. Carried.

Regarding the 2023 mowing contract, Highway Supt. Gibson reported our current mower, Don Strzepek, has agreed to enter into a contract for 2023 however will need to adjust the rate. Once he has come up with his annual/seasonal rate, he will propose a new contract to the Board.

If needed, Gordon Lanphere is available to be contacted for Court/Town Hall security.

At this time, Supervisor Illig called the regular meeting of the Pulteney Town Board to order.

Councilman White made motion seconded by Councilman Tones to accept the minutes of the December 14, 2022 regular Board meeting and December 29, 2022 year end meeting. All in favor. Carried.

To begin the meeting, Supervisor Illig noted the necessary transfers were made after the year end meeting into the money market accounts to cover expenses until tax funds are available. The balance sheets and profit & loss reports were available to view.

Councilman White made motion seconded by Councilman Tones to authorize to pay General Bills in the amount of \$34,452.55 being vouchers No. 23-1 to No. 23-14. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried. Supervisor Illig commented the main expense for General this month was to The Keller Group for our 2023 annual insurance premium that Supervisor Illig meets with the agent every year to keep the premium consistent year to year.

Councilman Burns made motion seconded by Councilman Rees to pay Highway Bills in the amount of \$5,710.50 being vouchers No. 23-1 to No. 23-16. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried. Vouchers are overall routine for Highway this month.

Councilman Tones made motion seconded by Councilman Burns to pay Water District #1 Bills in the amount of \$215,195.72 being vouchers No. 23-1 to No. 23-12. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried. Supervisor Illig pointed out voucher No. 23-8 in the amount of \$203,158.00 to M&T Bank for our annual bond payment for the Water District. Each resident in the Water District pays an EDU tax on their Town and County tax bill that goes toward this payment. It is a 30-year bond and we are at approx. year 16. The payment increases slightly each year over the course of the bond. The payment is due early February before the next meeting, so prior to the meeting and once funds are collected, Bookkeeper Welch will mail the cut check. Supervisor Illig also mentioned voucher No. 23-9 for an emergency repair of a leak in late December as well as voucher No. 23-3 for material the Highway Dept. hauled in for an upcoming major repair project.

Continuing with the Water Dept., Supervisor Illig is proposing to transfer line item in the Water District SW8310.11 Water Supervisor salary of \$23,320.00 into the General Account line item A1620.51 Contingency in moving forward. He stated this is necessary to increase funding in the Water District. Councilman White commented the Board should have taken the time when budgeting, to establish better emergency reserve funds other than making transfers and having to increase rates this year. Supervisor Illig agrees, in hindsight rather than reducing the quarterly rate from \$132 to \$105 over the years, a cash reserve should have been built. Supervisor Illig continued, stating funds have been on track thus far and this situation is unprecedented, but when budgeting in the future, emergency reserve funds will need to be addressed at that time, especially as the Water District is aging. Councilman Burns made motion seconded by Councilman Rees to transfer the Water Dept. Supervisor salary line item SW8310.11 of \$22,423.07 (after 1 payroll of \$896.93 has already been deducted) into the General Contingency line item A1620.51. Roll call vote: Councilman White, no; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried.

Since on the Water District, Supervisor will provide the Water report and update on the upcoming major water project. We received permission today from DOT to go ahead with the emergency repair. We needed 2 permits, one for the size of the excavator needed, and the other to shut down the road when doing the repair. The plan is to do the repair this coming Sunday the 15<sup>th</sup> and Monday the 16<sup>th</sup>. The repair is such a major project mainly due to having to excavate down 20ft. They believe the leak is coming from an area where 3 connections were installed 20ft down when the District was first installed, as opposed to being installed 4ft down, where the connection was supposed to be. The connections never should have been installed at that depth and it is not understood why that occurred in the first place. They also are not positive if the pipe has been slowly leaking this entire time or the collar over the pipe has shifted/loosened over time? Once the repair is finally fixed, they will cap off the pipe at 20ft and reconnect at the intended 4ft. Once we have repaired this major leak and stabilized the system, we will then be able to look at smaller leaks that are occurring. Supervisor Illig reported we have already spent 26% of our emergency funding in the Water Account and have approx. lost 1-3 million gallons of water. We cannot transfer funds from General nor Highway into the Water Account so depending on how much this major repair costs, the Board will have to discuss further means of paying for. Councilman Rees asked if we can hold the engineers who installed the pipeline at that depth to be held accountable or if grant options are available? Supervisor Illig responded since the District was installed over 15 years ago there is no insurance coverage and can't go back to hold them liable. Grant funding, even if applied for and awarded, at this time is being complicated by funds not being released. Stay tuned.

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

Clerk Button reported tax season is well under way and busy as always. So far, she has collected approx. \$570,000.00 out of the over \$3.3 million due in amount billed in just 11 days. She will be writing a check to the Town tomorrow for the General levy fund.

Municipal Services Manager Welch commented the Dept. has not slowed down too much given the time of year. Other than the major leak repair as noted earlier, there were 2 other leaks around New Year's, with one house needing him to condemn. The leak was caused by a frozen meter due to no heat and the water became so deep it was coming out of the basement windows with all electrical services being under water. In addition, he has completed the necessary zoning law changes that were proposed and approved by the Planning Board this past Monday the 9<sup>th</sup> at their meeting. Further discussion regarding zoning changes under new business.

Supervisor Illig met with Assessor Dave Oliver and he has made it known he is at the end of his career and plans to retire the end of the year. He has found an interested party that is willing to take the mandated Assessor training classes who could be a potential candidate to hire part-time as an intern, while Dave is still working, to gain on the job training. We currently have an informal agreement with the Towns of Wayne and Urbana to "share" Dave's services and in moving forward will need to discuss a new hire with them. Dave will report back with the progress of the candidate and training.

Highway Superintendent Gibson reported the Dept. has been hauling sand, tree trimming, and have started working on putting a new clutch in the mower tractor. He has

spoken with 2 salesmen (Peterbilt and International) regarding new truck prices. It is looking like a new truck will cost approx. \$320,000.00. The last truck purchased was \$230,000.00. That being said, at this time there are not any available to be purchased. Highway Supt. Gibson is recommending the Board submits a letter of intent to both dealers for the desire to purchase a truck when one becomes available. The letter would not obligate the Town to purchase rather they would have 24 hours to decide. The letter would at least open the door to the possibility. The Board all agreed to move forward and have Clerk Button send the letters of intent.

For the Supervisor report, Supervisor Illig commented that with his wife recently retiring, they have made plans to go to Florida from approx. 1/25/23-3/25/23. He has spoken with Councilman Burns requesting her, as appointed Deputy Supervisor, to be acting Supervisor for administrative needs. She has agreed. With her as acting Supervisor, Supervisor Illig made motion seconded by Councilman Tones to allow Councilman Burns to receive Supervisor Illig's portion of salary for the 2 months he is away. Roll call vote: Councilman White, yes; Councilman Tones, yes; Councilman Burns, abstain; Councilman Rees, yes; Supervisor Illig, yes. Carried. Supervisor Illig noted he will be available by phone and computer when needed.

As mentioned earlier, there was a Planning Board meeting held this past Monday the 9th where 3 applications were reviewed and scheduled for public hearings as well as the proposed zoning changes/updates being approved for recommendation to the Town Board.

There is not a Zoning Board of Appeals meeting scheduled for January.

Under old business, as being reported on the last several months, at the December Board meeting it was decided for the short-term rental committee of 4 to go back to the drawing board, gather additional members, and discuss further. Supervisor Illig realized this was not an appropriate approach to ask the committee to do and now is asking the original committee to continue their discussion and find a proposal that they can agree on. Chairman Bill Dineen will reconvene with the committee and look at a scaled back version of a short-term rental registry with fire and safety inspections required along with a good neighbor policy? Stay tuned.

Continuing on the agenda, Supervisor Illig is still working on finding candidates for a full-time and alternate Zoning Board of Appeals member.

Under new business, Supervisor Illig stated there is a need to adopt an updated Resolution regarding the NYS Retirement System and the reporting of a standard work day/record of activities for elected and appointed officials. to send to NYS Retirement and the Office of State Comptroller. Supervisor Illig made motion seconded by Councilman Rees to adopt Form RS 2417-A Standard Work Day and Reporting Resolution for Elected and Appointed Officials as shown below. All in favor. Carried.

### **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 )	Tier 1 (Check only if member is in Tier 1)	Not submitted (Check box if no record of activities completed or timekeeping system)
Elected Officials								
Appointed Officials								
Bookkeeper	Rebecca Kirch	****	*	6	01/01/2023-12/31/2023	18.64		
Water Operator	Charles Dluzak	*****		6	01/01/2023-12/31/2023	29.89		

As mentioned last month, there are (2) Town exemptions that are offered to senior citizens and individuals with disabilities. Attorney Galvan has proposed (2) Resolutions that if enacted, would become Local Laws 1 and 2 of 2023 respectively within the Town. Both Resolutions were emailed to the Board for their review prior to this evening. It is up to the Town to develop income guidelines for these exemptions that are offered. Supervisor Illig reported these income guidelines within the Town have not been updated since the early 90's and was set at \$12,000.00. By changing the limit allowing for an increase in income, seniors and the disabled would be able to receive a 50% reduction on Town taxes. After discussing at the December meeting, the Board had agreed upon setting the new guideline at \$50,000.00 income level and is in turn what Attorney Galvan has drafted in the proposed Resolutions. However, after lengthy discussion, The Board agreed to revise that thought and match with what the County is expecting to make as a guideline at \$35,000.00. Attorney Galvan mentioned the County has discussed setting that amount to be able to first know the full impact at that limit and if needed, can revisit and increase. She also noted the Resolutions that are presented are mirrored from the State statutes. Supervisor Illig made motion seconded by Councilman Rees, with the revision of Section 5 a) income guideline from \$50,000.00 to \$35,000.00 under proposed Local Law 1 of 2023 regarding senior citizens and revised Section 4 E. 1) income guideline from \$50,000.00 to \$35,000.00 under proposed Local Law 2 of 2023, to schedule public hearings at 7:30pm and 7:35pm respectively at the February 8, 2023 Board meeting. All in favor. Carried. Clerk Button will legally publish as needed.

Lastly on the agenda, at the January 9<sup>th</sup> Planning Board meeting, it was unanimously approved to recommend the proposed Zoning changes amending Local Law 1 of 2016 entitled "Land Use and Zoning Regulations". The recommended document was emailed to the Board to review prior to this evening. Supervisor Illig asked the Board if they had any comments, questions, revisions? Councilman White made notations and suggestions throughout the document, and after thorough review, the Board was in agreement with her proposed changes. Attorney Galvan will make the revisions, coordinate her and Lauren's updates, format and spell check and have the final version for the Board and public prior to the February meeting. Supervisor Illig made motion

seconded by Councilman Rees to schedule a public hearing on proposed Local Law 3 of 2023, with the approved revisions, amending Local Law 1 of 2016 on February 8, 2023 at 7:40pm. All in favor. Carried. Clerk Button will legally publish as needed.

With no need for an executive session, Supervisor Illig asked if the public had any comments or questions? With nothing heard, Supervisor Illig made motion seconded by Councilman Tones to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 8:38PM.

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Erica Button, Town Clerk