

As noted at the January Board meeting, Supervisor Mark Illig is out of Town from 1/25/23-3/25/23, with Councilman Burns being appointed as Deputy Supervisor, she will be acting Supervisor during his time away. Councilman Burns called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, February 8, 2023, at the Pulteney Town Hall with the Pledge of Allegiance.

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

Bill Weber took a moment to reflect and speak of the recent passing of Dana DiGiulio.

Bill didn't know Dana well, but spoke with Kathy Wheat who went to grade and high school with Dana. When he lived in Pulteney, he resided on Gibson Hill just below Paul Schnipelsky. He retired in 2008 and sadly had a stroke several years ago. He and his wife then moved to Canandaigua to make it easier for dialysis treatments. Dana will be fondly remembered and sadly missed by many.

Councilman White made motion seconded by Councilman Rees to accept the minutes of the January 11, 2023, organizational and regular Board meeting. All in favor. Carried.

Beginning with finances, Bookkeeper Welch reported she has recently made payroll clerical errors when calculating the Board adopted 7% adjustments (4% salary raise and 3% inflation adjustment). Due to employees being on different pay schedules, she stated she miscalculated the adjustments but has since made a payroll spreadsheet that she ensures shows the correct calculations in moving forward.

Councilman Tones made motion seconded by Councilman White to pay General Bills in the amount of \$62,602.60 being vouchers No. 23-15 to No. 23-34. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried. Councilman Burns pointed out voucher No. 23-30 to the Pulteney Free Library for this year's annual budgeted amount of \$46,010.00 as voted and approved by the constituents of Pulteney.

Councilman Tones made motion seconded by Councilman Rees to pay Highway Bills in the amount of \$19,735.72 being vouchers No. 23-17 to No. 23-38. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried. Routine vouchers overall.

Councilman Tones made motion seconded by Councilman Rees to pay Water District #1 Bills in the amount of \$90,528.44 being vouchers No. 23-13 to No. 23-26. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried. Councilman Burns pointed out the main expenses are due to the recent "big dig". These vouchers present the main bills, however additional bills remain to come in. Due to the unexpected major expenses, the Board will need to secure a loan with Five Star Bank. Bookkeeper Welch received a tentative quote for a 1- and 2-year BAN, however in moving forward, needs official amounts of how much we will need to borrow and for how long. Once that is determined, a Resolution needs drafted for Board approval. Voucher No. 23-22 to Marchionda Excavating, Inc. in the amount of \$72,689.65 has been Board approved, however after discussion, it was agreed

to hold this check until after the March 8th meeting once a loan is secured and approved by Resolution.

There are no transfers needed at this time.

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

Clerk Button reported tax season is continuing into February busy as always. So far, she has collected over \$2.9 million out of the over \$3.3 million in amount billed. The Town has been paid in full, including the Fire & Ambulance Districts and the unpaid water bill re-levies. She has sent a check to the County for the majority payment due, with the remaining to be paid at settlement time in April. She will be sending an email from the Southern Tier Central Regional Planning and Development Board that the annual Corning Community College Conference is April 6th. She is asking all those interested to RSVP by March 16th to accommodate registration and payment.

Municipal Services Manager Welch commented he has been working on completing the State 1203 report for 2022. In his report, he noted an update on the house he had to condemn the end of December due to a water leak caused by a frozen meter and no heat. The tenants are moving and he believes the owner intends to sell.

In the Water report, W.O. Dluzak mentioned if Board members or water customers had questions or wanted more information in regards to the “big dig” he would be happy to discuss further and to contact him directly. Councilman White asked Bookkeeper Welch to put together a summary of numbers to review, otherwise she doesn’t need a formal get together. Clerk Button noted in working with Lauren and Chuck, we need to make water customers aware the quarterly rate is increasing this coming quarter in April from \$105.00 to \$110.00. Lauren believes sending a mass email to the customers would be the best way. Clerk Button agreed and suggested also publishing in the next Grapevine edition. Councilman White noted the Board will need to further discuss increasing rates at budget time, as they need to anticipate continuous water repairs and build a cash reserve, especially now in light of this latest “big dig”.

Highway Superintendent Gibson reported the Dept has been sanding roads, and filling potholes. He met with the Peterbilt salesman and it will take approx. a year to get a truck if a spot opens up. Clerk Button had sent a letter of intent as approved by the Board at the January meeting, however to guarantee the price this year, the salesman is suggesting we send another letter including the purchase price of \$333,762.00. Highway Supt. Gibson spoke with Supervisor Illig and he is in favor of resending the letter with the price. Councilman Burns asked if this letter would obligate the Town to purchase, or as before, we still have 24 hours to decide? Highway Supt. Gibson confirmed this is similar to the first letter that does not obligate us and would at least open the door to the possibility of being able to purchase this year. Councilman White asked when payment would be expected if purchased? Highway Supt. Gibson stated payment is not expected until the truck is complete. The Board agreed to send a letter of intent along with the purchase price of \$333,762.00 guaranteed if able to receive the truck by the end of this year.

At this time, 7:30pm, Councilman White made motion seconded by Councilman Tones to recess the regular meeting and enter into the first scheduled public hearing regarding the proposed Local Law No. 1 for the year 2023 providing for partial exemption from taxation by the Town of Pulteney of real property owned by persons who

are senior citizens. All in favor. Carried. The Local Law was presented to the Board and public at the January meeting and a public hearing was scheduled for this evening at 7:30pm. Clerk Button placed a public hearing legal notice in the Corning Leader. The income limits had previously been discussed extensively at the December and January Board meetings. Councilman Burns asked the Board or public if anyone had any comments/questions? With nothing heard, Councilman Tones made motion seconded by Councilman White to close the public hearing on Local Law No. 1 of 2023 and resume the regular meeting. All in favor. Carried. Councilman White made motion seconded by Councilman Tones to adopt the following **Resolution:**

TITLE: Adopting Local Law Tentatively No. 1 For the Year 2023, Providing For Partial Exemption From Taxation by the Town of Pulteney For Senior Citizens.

Pursuant to Municipal Home Rule Law and Real Property Tax Law §467

WHEREAS, on January 11, 2023, the Town Board approved the presentment of Local Law tentatively No. 1 for the Year 2023, providing for partial exemption from taxation by the Town of Pulteney for senior citizens, and setting the qualifying income limit at \$35,000; and

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Pulteney Town Board Local Law Tentatively No. 1 for the Year 2023 providing for partial exemption from taxation by the Town of Pulteney for senior citizens.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law was held on February 8, 2023 at 7:30 p.m. in the Pulteney Town Hall, 9226 County Route 74 in the Town of Pulteney, New York; and be it further

RESOLVED, the Clerk of the Town Board has caused a notice of said Public Hearing to be posted on the Town website, published for one insertion in the official newspaper of the Town being The Corning Leader, and has caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Town Board; and be it further

RESOLVED, within twenty (20) days after the final adoption by this Town Board, Local Law Tentatively No. 1 for the Year 2023, the Town Clerk for the Town of Pulteney shall cause one certified copy thereof to be filed in the office of such clerk and one certified copy to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Town Supervisor, Town Clerk and Director of Real Property Tax Services Agency.

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried.

Continuing with reports, in the DCO report, DCO Deb Matthews is requesting to attend an Animal Control Certification training on April 3-6, 2023 in Watkins Glen. She is employed as DCO for 6 municipalities and is asking for each to split the registration fee of \$595.00 in order for her to attend. This training will help her grow in her field and

provide updated information on laws and safety procedures. She is requesting the Town pay \$99.17. The Board agreed and will approve the voucher at the March 8th meeting.

At 7:35pm, Councilman Burns made motion seconded by Councilman Tones to recess the regular meeting and enter into the second scheduled public hearing of the evening on proposed Local Law No. 2 of 2023 providing for partial exemption from taxation by the Town of Pulteney of real property owned by persons with disabilities whose incomes are limited by reason of such disabilities. All in favor. Carried. Clerk Button published a legal notice of public hearing in the Corning Leader. Again, the Local Law was presented and discussed at the December and January Board meetings. Councilman Burns asked the Board or public if anyone had any comments/questions? With nothing heard, Councilman White made motion seconded by Councilman Rees to close the public hearing on Local Law No. 2 of 2023 and resume the regular meeting. All in favor. Carried. Councilman White made motion seconded by Councilman Tones to adopt the following **Resolution:**

TITLE: Adopting Local Law Tentatively No. 2 For the Year 2023, Providing For Partial Exemption From Taxation by the Town of Pulteney For Persons With Disabilities Whose Incomes are Limited by Reason of Such Disabilities.

Pursuant to Municipal Home Rule Law and Real Property Tax Law §459-c.

WHEREAS, on January 11, 2023, the Town Board approved the presentment of Local Law tentatively No. 2 for the Year 2023, providing for partial exemption from taxation by the Town of Pulteney for persons with disabilities whose incomes are limited by reason of such disabilities, and setting that income limit at \$35,000; and

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Pulteney Town Board Local Law Tentatively No. 2 for the Year 2023 providing for partial exemption from taxation by the Town of Pulteney for persons with disabilities whose incomes are limited by reason of such disabilities, as follows:

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law was held on February 8, 2023 at 7:35 p.m. in the Pulteney Town Hall, 9226 County Route 74 in the Town of Pulteney, New York; and be it further

RESOLVED, the Clerk of the Town Board has caused a notice of said Public Hearing to be posted on the Town website, published for one insertion in the official newspaper of the Town being The Corning Leader, and has caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Town Board; and be it further

RESOLVED, within twenty (20) days after the final adoption by this Town Board, Local Law Tentatively No. 2 for the Year 2023, the Town Clerk for the Town of Pulteney shall cause one certified copy thereof to be filed in the office of such clerk and one certified copy to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local law in the supplement to the Session Laws; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Town Supervisor, Town Clerk and Director of Real Property Tax Services Agency.

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried.

Continuing with reports, there is a Planning Board meeting scheduled for this coming Monday, February 13th with 3 public hearings scheduled.

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

Under old business, Councilman Burns spoke with Supervisor Illig who reported Bill Dineen, chair of the short-term rental committee, relayed they are about 70% done with their recommendations to make to the Town Board. Bill will also be heading to Florida for a month so the committee recommendations will be added to the April agenda.

Continuing under old business, Councilman Burns noted there remains openings for an alternate and full-time member on the Zoning Board of Appeals. The Board will continue to work to find appropriate volunteers.

At 7:40pm, Councilman Tones made motion seconded by Councilman White to recess the regular meeting and enter into the last scheduled public hearing of the evening on proposed Local Law No. 3 of 2023 amending Local Law No. 1 for the year 2016 entitled "Land Use and Zoning Regulations". All in favor. Carried. Clerk Button published a legal notice of public hearing in the Corning Leader. The Board has discussed at length the updated changes that Attorney Galvan, Lauren, and the Planning Board have recommended over that last several months. Minus any formatting discrepancies, regarding the document itself presented, Councilman Burns asked the Board or public if anyone had any comments/questions? With nothing heard, Councilman White made motion seconded by Councilman Tones to close the public hearing on Local Law No. 3 of 2023 and resume the regular meeting. All in favor. Carried. Councilman White made motion seconded by Councilman Tones to adopt the following **Resolution**:

TITLE: Adopting Local Law Tentatively No. 3 for the Year 2023, Amending Local Law No. 1 of the Year 2016 Entitled "Land Use and Zoning Regulations"

WHEREAS, on January 11, 2023, the Town Board approved the presentment of Local Law tentatively No. 3 for the Year 2023, amending local law No. 1 for the Year 2016 entitled "Land Use and Zoning Regulations"; and

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Pulteney Town Board Local Law Tentatively No. 3 for the Year 2023 Amending Local Law No. 1 of the Year 2016 Entitled "Land Use and Zoning Regulations", as follows:

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law was held on February 8, 2023 at 7:40 p.m. in the Pulteney Town Hall, 9226 County Route 74 in the Town of Pulteney, New York; and be it further

RESOLVED, the Clerk of the Town Board has caused a notice of said Public Hearing to be posted on the Town website, published for one insertion in the official newspaper of the Town being The Corning Leader, and has caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Town Board; and be it further

RESOLVED, within twenty (20) days after the final adoption by this Town Board, Local Law Tentatively No. 3 for the Year 2023, the Town Clerk for the Town of Pulteney shall cause one certified copy thereof to be filed in the office of such clerk and one certified copy to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Town Supervisor, Town Clerk and Town Zoning Officer.

Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried.

Under new business, Clerk Button provided a quote for a Toshiba e-studio3525ac color copier for the Town Clerk and Bookkeeper office. The current copier is outdated and it became apparent when drafting the amended zoning law, it would be very beneficial to have a color copier. Under state contract, the Town can purchase through a 36-month payment plan with no interest that includes parts, labor, travel, and supplies at \$189.27/month. After the 36 months, we own the equipment. There are several surrounding Towns that use this model and have found it very user friendly and a valuable update to their offices. Councilman Burns made motion seconded by Councilman Tones to move forward with securing a contract rate of \$189.27/month for 36-months for a Toshiba e-studio 3525ac color copier for the Town Clerk/Bookkeeper office. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried.

Lastly on the agenda, our long-time cleaning person, Jean O'Neil, has given her notice that she plans to retire the end of February/beginning of March. Clerk Button has reached out to the Pulteney Free Library to get the contact info of who they use for their cleaning services. They use ProClean Solutions who works with ARC. Clerk Button and Councilman Burns met with the manager this past Monday the 6th to go over the layout of the Town Hall and discuss services. A quote was supposed to be provided to the Board by this evening, however Clerk Button has not received at this point. She will contact the manager again tomorrow and email the quote to the Board asap. After discussing, Councilman White made motion seconded by Councilman Tones to approve a proposed quote from ProClean/ARC as long as it comes in at or under what is currently budgeted for cleaning services. Roll call vote: Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes. Carried.

Councilman Burns wanted to mention she has recently spoken to County Legislator Mike Hanna regarding the County proposing to tax 4% on all short-term rental properties throughout Steuben County. There is a County Legislative meeting February 27th at 10am in which a public hearing will be held on the topic. Being that most short-term rentals are within his jurisdiction of Pulteney, Wayne, and Urbana, Mike suggested each Town write a letter highly recommending that a portion of the revenue the County will be collecting from these rentals, in turn gets sent back to the Towns. Since the municipalities will have to implement any form of regulations, they should benefit by receiving a portion of the incoming funding. Mike will present these letters at the County meeting in support and on the Towns behalf. Further updates and discussion at the March Board meeting.

Councilman Burns asked if anyone from the public had any comments/questions? With nothing heard and no need for an executive session, Councilman Burns announced the Board must conduct a quarterly financial audit. All are welcome to stay, however no further business will be conducted. After the financial review/audit was successfully completed, Councilman Tones made motion seconded by Councilman Rees to adjourn the regular meeting. All in favor. Carried. Meeting adjourned at 7:58 PM.

_____ Erica Button, Town Clerk