

Supervisor Mark Illig called the special meeting of the Pulteney Town Board to order at 1:00 PM on Monday, June 26, 2023, at the Pulteney Town Hall with the Pledge of Allegiance.

Roll call: Supervisor Mark Illig; Councilman Kathleen Burns; Councilman Richard Rees; Councilman Elizabeth White; Councilman Tammy Tones; Bookkeeper Rebecca Welch; and Town Clerk Erica Button.

Supervisor Illig called a special meeting to further discuss reallocating ARPA funding to the Water Department as well as a possible loan from the General Account to the Water District.

As there was not a majority vote at the June 14, 2023 regular Board meeting regarding the ability to reallocate ARPA funding from what was originally submitted to the Treasury Dept, all Board members have done further research and due diligence on the matter since. Supervisor Illig asked each Board member their views at this point in time. Councilman Rees believes we are within our rights to legally reallocate the funding. He contacted an Attorney with Harris Beach that is a firm that works on municipal projects confirming his beliefs. An email of the Attorney's findings and recommendations was provided to the Board. Councilman Burns agreed. After additional research, she now believes the "big dig" was potentially a threat to public health and an emergency repair situation that had to be fixed to mitigate the health and safety concerns for our water customers. Supervisor Illig agreed. He contacted an accounting firm Lumsden McCormick that provided eligible uses of ARPA funds confirming and providing research and recommendations that the ARPA funds can be moved to the Water District and used for the "big dig". Councilman Tones agreed stating most of the research she has found the wording has been generalized but appreciates the additional work of the Board in contacting parties to assist in navigating the correct path to take. Councilman White disagreed and remains concerned the "big dig" project does not qualify to claim revenue loss when reporting on projects. Councilman Burns did find where water infrastructure can qualify under revenue loss. Councilman White doesn't see in the Final Rule how and where we are able to change our reporting. The Board was provided a summary of the 2021 ARPA Replacement Revenue Breakdown between the 3 Departments. The Town was allotted \$129,332.95 and the Board came up with a plan of where to allot funds within the Departments. The total amounts allotted to each Department is what Bookkeeper Welch submitted to the Treasury, not the actual breakdown of line per line within each Dept. Bookkeeper Welch believes we are allowed to edit the report until 2024 and a final report must be submitted in 2026. After further being discussed, Supervisor Illig made motion seconded by Councilman Burns to reallocate under ARPA requirements \$57,664.23 from the General fund and \$15,750.64 from the Highway Account totaling \$73,414.87 to the Water Department and for Bookkeeper Welch to transfer those funds allowing for the 2 Water District vouchers No. 23-59 to Marchionda Excavating in the amount of \$7,417.92 and No. 23-64 to the Village of Penn Yan in the amount of \$11,538.00 that were withheld due to lack of funding at the June 14, 2023 Board meeting to be paid. Roll call vote: Councilman White, no; Councilman Tones, yes; Councilman Burns, yes; Councilman Rees, yes; Supervisor Illig, yes. Carried 4-1. Bookkeeper Welch will edit the next ARPA report that is to be submitted with the updated totals allotted to the 3 Departments and mail the 2 checks accordingly.

The next topic on the agenda is a proposed Resolution authorizing an additional \$25,000.00 interfund loan from the General Money Market Account to the Water District Checking Account. Supervisor Illig stated this would be an insurance backup for any unexpected repairs/emergencies that can be authorized granted the loan, with interest, be paid back to the General fund by December 29, 2023. After discussing, the Board agreed to wait and see if this loan is necessary, especially being that ARPA funding was authorized to transfer into the Water Department. Supervisor Illig is also going to follow up with our Insurance Agent to investigate if any part of the “big dig” would be covered under our policy. The Board will hold off for the time being with an interfund loan.

As mentioned at the June 14th Board meeting there is an issue with THM results and the flushing schedule of the Town of Jerusalem and Village of Penn Yan. Supervisor Illig and W.O Dluzak met today with officials from both municipalities to further discuss addressing short- and long-term solutions. Hunt Engineers will perform a study to provide recommendations for a solution as well as possible grant opportunities. Stay tuned.

Lastly, we received a response from North Country Contractors from the letter Supervisor Illig sent assessing any responsibility the company might have regarding installing the system and the depth of the 20ft connection at the “big dig”. They responded admitting no errors on their part and regardless the statute of limitations expired years ago.

Supervisor Illig asked if anyone from the public had any comments/questions? With nothing heard, he announced there is a need for an executive session, all are welcome to stay until after the session but no further business will take place. Supervisor Illig made motion seconded by Councilman Rees to adjourn the regular meeting and enter into an executive session. All in favor. Carried. Councilman Burns made motion seconded by Councilman Tones to close the executive session and resume the regular meeting. All in favor. Carried. Supervisor Illig made motion seconded by Councilman Rees to adjourn the regular meeting. All in favor. Carried. Meeting adjourned at 1:38 PM.

Erica Button, Town Clerk

