

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, July 12, 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; Attorney Jennifer Galvan; Highway Superintendent Terry Gibson; Bookkeeper Rebecca Welch; and Town Clerk Erica Button.

There were not any recent Town passings for Bill Weber to reflect on.

Supervisor Illig introduced our Town Assessor Apprentice, Cherokee Mitchell. Cherokee was employed by the Town in April to apprentice Assessor Dave Oliver until he retires at the end of the year. She is working with him in Urbana and Wayne also. The apprenticeship has gone very well so far and we welcome Cherokee to the Town.

Councilman Burns made motion seconded by Councilman Tones to accept the minutes of the June 14, 2023 regular Board meeting and June 26, 2023 special Board meeting. All in favor. Carried.

To begin with finances, Supervisor Illig pointed the Board to the proposed transfer sheet for the 3 Departments. The payment on the grader is due therefore he is proposing transferring \$149,191.00 from the General money market account to the Highway money market account. Looking at the General balance sheet, this would leave the General money market account with \$232,218.97. The Board had considered paying off the grader, but now with various financial surprises, it was agreed to finance \$100,000.00 and pay \$201,310.00 rather than pay off the full amount due. After reviewing the additional transfers, Councilman Tones made motion seconded by Councilman White to approve the following transfers:

**2023**  
**BUDGET**  
**TRANSFERS**

07/12/23

<b>GENERAL</b>	<b>Increase Budget Line</b>	<b>Amount</b>	<b>Decrease Budget Line</b>	<b>Amount</b>
	A1450.4 - Election Contractual Expense	\$ 1,000.00	A1620.51 - Contingency	\$ 1,000.00
	A1620.43 - Supplies	\$ 300.00	A1620.51 - Contingency	\$ 300.00
	A7410.4 - Contractual Expenses	\$ 200.00	A1620.51 - Contingency	\$ 200.00
	A8989.4 - Benevolence	\$ 100.00	A1620.51 - Contingency	\$ 100.00
	Total	<b>\$1,600.00</b>	Total	<b>\$1,600.00</b>

<b>HIGHWAY</b>	<b>Increase Budget Line</b>	<b>Amount</b>	<b>Decrease Budget Line</b>	<b>Amount</b>
	D5130.2 - Equipment	\$ 149,191.00	GENERAL MONEY MARKET	\$149,191.00
	D5130.42 - Truck Repair	\$ 1,000.00	D5120.4 - Bridges Contractual Exp	\$1,000.00
	Total	<b>\$150,191.00</b>	Total	<b>\$150,191.00</b>

WATER	Increase Budget Line	Amount	Decrease Budget Line	Amount
	SW8310.41 Equipment	\$500.00	SW8310.44 - Supplies	\$500.00
	SW8330.41 - Chlor Master	\$500.00	SW8340.4 - Contractual Expenses	\$500.00
	Total	<b>\$1,000.00</b>	Total	<b>\$1,000.00</b>

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

Supervisor Illig thanked Attorney Galvan for drafting the Bond Anticipation Renewal Note and Resolution so timely as the due date for payment on the grader quickly snuck up. After reviewing the documents and noting: the interest rate went up from 3.9% to 6%, in addition Councilman White pointed out the documents refer to a penalty, however not specific, if the grader was to be paid off before the year and term is up; Councilman Rees made motion seconded by Councilman Tones to authorize to renew the BAN by Resolution No. 14 in the amount of \$100,000.00 for a period of 1 year as presented. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried.

Continuing with finances, Councilman White made motion seconded by Councilman Burns to pay General Bills in the amount of \$10,061.26 being vouchers No. 23-114 to No. 23-136. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried.

Councilman Rees made motion seconded by Councilman Tones to pay Highway Bills in the amount of \$414,889.74 being vouchers No. 23-114 to No. 23-131. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. The main expense being, as noted earlier, voucher No. 23-119 in the amount of \$201,310.00 to Five Star Bank for the grader payment. Additional expenses include, stone and oil for paving that we will be reimbursed for in September thru CHIPS funding. Supervisor Illig reported we have \$168,000.00 budgeted and will receive actual \$324,000.00 in CHIPS funding this year.

Since further research is needed, Supervisor Illig is asking the Board to approve voucher No. 23-70 to Ferguson Enterprises in the amount of \$3,000.00 however not send the check until he confirms with Chuck regarding a credit we were to receive from the company. Councilman White made motion seconded by Councilman Burns to pay Water District #1 Bills in the amount of \$4,403.41 being vouchers No. 23-68 to No. 23-75 however holding voucher No. 23-70 for the time being. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried.

The P&L statements and balance sheets were provided to review. Also provided was a report of municipal CD's being offered at this time through Five Star Bank. Supervisor Illig is recommending transferring 100,000.00 out of the General money market account and \$100,000.00 out of the Highway money market account into a year long CD while the interest rates are low for municipalities being half the rate of a regular CD. Councilman White suggested 180 days rather than a year to give more flexibility. The Board agreed. Councilman Burns made motion seconded by Councilman White to transfer 100,000.00 out of the General money market account and \$100,000.00 out of the

Highway money market account into a 180-day CD with an interest and APY rate of 2.0%. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. Supervisor Illig will contact our municipal officer at Five Star tomorrow to authorize.

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

Municipal Services Manager Welch commented he is working on Zone 1 inspections currently. In addition, he noted he will be contacting the owners of the unfortunate fire on the corner of Boyd and CR 78 to get an update and will keep the Board posted.

Lauren and Supervisor Illig recently met with DOT to discuss DOT's installment of a 2<sup>nd</sup> set of guardrails on certain properties on the lake road taking away from the owners parking. Supervisor Illig was told letters were sent out to property owners regarding fixing their retaining wall and if the wall wasn't fixed DOT was planning to place additional guard rails. DOT is having owners contact an engineer to be responsible for securing their property and parking. Supervisor Illig relayed it appears it is DOT's position that management of the ROW is the property owner's responsibility unless an affected ROW is due to road failure. Since the ROW is practically impossible to determine on the lake road due to the nature of the road, this has caused quite a lot of concern and uncertainty to property owners. Councilman Rees agreed stating there are additional areas on the lake road, not just in Pulteney, where DOT has installed guard rails. The lack of communication between DOT, the Town, and property owners Councilman Rees believes is uncalled for and is progressively getting worse. The Town was recently informed that the projects involving upgrading culverts and drainage systems will be lasting at least until December 2024. DOT and construction zones will not be going away any time in the near future on the lake road.

Supervisor Illig reported the Assessor's log in procedure has changed in the County system and now is requiring using a personal phone to log into the site. Supervisor Illig contacted County Manager Jack Wheeler explaining we do not budget for employees to have personal phones nor is this acceptable to our Assessor. Jack is researching further and will contact Supervisor Illig with an update of why the change in procedure.

Highway Superintendent Gibson reported the Dept. has been busy grading roads, putting down gravel, replaced guardrails on upper Brown Road, have part of the stone and oil projects completed, and finished the paving project on Brown Road. He is interested in purchasing a generator for the Town Highway barn that could be purchased with CHIPS funding. Supervisor Illig stated it's a good idea and to move forward with getting quotes.

Supervisor Illig commented he had sent a letter to the DEC stating we have completed remediation of the gravel pit and would like the permit revoked. He has not heard back but has a call in to get an update of where the revocation stands. In addition, he has called Larry's Paving regarding sealing the cracks on the tennis courts and is being told by the beginning of August they will be here to complete the work. If not, Supervisor Illig will look for an alternative company.

Attorney Galvan reported she has an update on the pending litigation that will be discussed in executive session.

There was a not Planning Board meeting this past Monday the 10<sup>th</sup> however there is a scheduled Zoning Board of Appeals meeting July 18<sup>th</sup> with 1 public hearing.

Under old business, Supervisor Illig noted he has not had much success as 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. He has a potential candidate for our Town Health Officer position and will hopefully confirm at the August meeting.

Next on the agenda, as discussed last month, the Pulteney Fire District Board of Fire Commissioners is requesting that the Town of Pulteney consider passing a Local Law giving Firefighters up to a 10% reduction in their real property taxes. Attorney Galvan provided a formal document that was largely based on the state statute that the County has adopted. After the Board reviewed the presented document, Supervisor Illig made motion seconded by Councilman Burns to approve proposed Local Law No. 4 of 2023 and schedule a public hearing for August 9, 2023 at 7:30pm and have Clerk Button advertise as needed. All in favor. Carried.

Under new business, Supervisor Illig placed an ad in the Shopper notifying Pulteney Water District customers of significant increases in the operating and capital cost rates being charged by the Village of Penn Yan. In May we were informed of a price increase starting June 1, 2023 for purchased water from Penn Yan to increase from \$46,102.00 to \$81,334.00 per year. This will increase the cost per customer by \$23.28/quarter or \$93.10/year. The notice informed the customers the Board will be discussing and possibly taking action to increase future water rates. Attorney Galvan researched and found the Town is permitted to change their water rates during the calendar year. Supervisor Illig is recommending to the Board raising the next quarter rates beginning October 1, 2023 to \$135.00/quarter. He asked the Board their thoughts? They all believed it was necessary and was in agreement. Supervisor Illig made motion seconded by Councilman Burns effective October 1, 2023 to adjust the quarterly water rates per customer to \$135.00/quarter. Roll call vote: Councilman Burns, yes; Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Supervisor Illig, yes. Carried. Supervisor Illig is going to draft a letter to send to the water customers notifying them of this increase and the reasons the need for. There will be continued meetings with the Village of Penn Yan and the surrounding municipalities to express their frustration over these substantial increases being charged.

Lastly on the agenda, is payment for the grader which was previously discussed and addressed.

Supervisor Illig asked if anyone from the public had any comments/questions? It was asked if Pulteney can go on our own Water District and/or drill a well for access rather than Penn Yan. Supervisor Illig noted the cost of having our own Water District is unknown, however regardless, the contract we have signed with the Village of Penn Yan is in effect for quite some time and we would acquire significant penalties if we were to break the contract. With nothing further heard, Supervisor Illig 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 Tones to adjourn the regular meeting and enter into an executive session. All in favor. Carried. Supervisor Illig made motion seconded by Councilman Burns to close the executive session and resume the regular meeting. All in favor. Carried. Supervisor Illig made

motion seconded by Councilman White to adjourn the regular meeting. All in favor.  
Carried. Meeting adjourned at 7:45 PM.

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Erica Button, Town Clerk