

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

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

Bill Weber reflected on the recent events and war in Israel with flags flying at half-staff in remembrance of the lives lost as a result of the terrorist attacks. He noted how this is different from past wars in 1967 and 1973 that were territorial in nature and the events in Israel now utter savagery with nothing but the intention to kill. He commented how we should remember how fortunate we are and never forget the terror and problems occurring in the Middle East, including the ongoing Ukraine/Russian war. We should always remember our fellow Ukrainian natives that immigrated to Pulteney: Dr. Konstantin Frank, Myron Baran, and Steve Boychenko.

Councilman Tones made motion seconded by Councilman White to accept the minutes of the September 6, 2023 regular Board meeting. All in favor. Carried. Bookkeeper Welch relayed the budget workshop minutes from August 28, 2023 were not ready for approval and she will provide when available.

There are no transfers at this time and the P&L statements and balance sheets were provided to review.

Councilman White made motion seconded by Councilman Tones to pay General Bills in the amount of \$6,431.30 being voucher No. 23-169 and vouchers No. 23-170 to No. 23-187. Roll call vote: Councilman Tones, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Councilman Tones made motion seconded by Councilman Rees to pay Highway Bills in the amount of \$24,943.47 being vouchers No. 23-165 to No. 23-188. Roll call vote: Councilman Tones, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Councilman White noted voucher No. 23-187 to Sunoco LLC will need reissued in the correct amount of \$775.89 and corrected on the abstract.

Councilman Rees made motion seconded by Councilman Tones to pay Water District #1 Bills in the amount of \$30,055.84 being vouchers No. 23-89 to No. 23-103. Roll call vote: Councilman Tones, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Supervisor Illig mentioned the main expense is voucher No. 23-102 to the Village of Penn Yan applying their increased rate.

Continuing with finances, Councilman White questioned the status of a previous cut check to Sunoco that was paid, we have shown as being deposited, however a representative has contacted the Town stating they have not received payment. We have provided them the cancelled check shown as deposited and that we have satisfied payment. Last communication we have received was they are going to research further as the bank the check was deposited into is not a bank they reportedly use. Councilman White suggested Supervisor Illig contact our bank, Five Star, to cancel check/stop payment if possible. Supervisor Illig will call and investigate.

Supervisor Illig reported we have received our installment of CHIPS funding. Quarterly billing for the Water Dept. went out at the new rate of \$135.00 on October 5<sup>th</sup> with payments starting to come in. Supervisor Illig mentioned he will be attending a

meeting with the Village of Penn Yan to discuss the Town of Pulteney should not have to pay for the mandatory flushing cost we do on our part to reduce residuals from water coming from Penn Yan. He estimated the charge is approx. \$5,800.00 a year. He will report back after the meeting.

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

Clerk Button relayed our current mower Don Strzepek is willing to continue working in the cemeteries trimming, fixing headstones, etc. going into the fall/winter now that his mowing season is coming to a close. Supervisor Illig asked Highway Supt. Gibson to contact Don to go ahead with continued work. Don has done a great job and we appreciate his services.

Municipal Services Manager Welch commented he has been in touch with the contractor for the Chidsey Hill solar project. There still is not a scheduled start date and has not heard of any recent NYSEG involvement. He also reported it appears the potential solar project on Cross St. is now looking unviable. On a side note, Supervisor Illig mentioned, after recently speaking to a contractor relaying how nice his interaction was working with Lauren, what a positive direct reflection on the Town of Pulteney and a thanks for his continued good work and efforts.

In the water report, Supervisor Illig wanted the Board to take notice that there are issues with humidity and rust factors in the chemical room of the master meter building that calls for sandblasting. W.O. Dluzak sought out a quote with the contractor coming back with \$16,500.00. W.O. Dluzak felt this was entirely too high of a quote and it was decided that he and Todd Bennett will perform the necessary tasks that will end up saving the Town approx. 13,000.00-\$14,000.00. Supervisor Illig noted this again shows the commitment and efforts of Town employees.

Supervisor Illig reported the Assessor and Apprentice have been working on County mandated computer updates. Assessor Oliver continues to report the apprenticeship is going well and is optimistic for a smooth transition when he retires at the end of the year. Supervisor Illig mentioned once Assessor Oliver does retire, he has discussed being available as a consultant, in particular when the Town performs the next revaluation.

Supervisor Illig stated the Town AUD has been finalized for the year.

Highway Superintendent Gibson reported the Dept. has completed fall grading and have been mowing roadsides. They had work done on the 2007 Sterling and 2013 Peterbilt. They helped the Towns of Urbana and Prattsburgh with graveling and in turn they helped us on our roads. Highway Supt. Gibson commented we are getting a generator for the Highway barn on a state contract bid. They have the pod for the tank and generator poured and gas line in. He is suggesting they buy a tank vs. rent. The DEC was due to inspect the gravel pit the beginning of October as the list of requirements that needed to be accomplished for remediation have been done. Supervisor Illig will report back after the inspection takes place. The Highway Union contract expires at the end of the year. Supervisor Illig asked Councilman Rees to assist him in meeting negotiations. Councilman Rees agreed. They will contact the Teamsters Union Rep and the Town Union Rep in moving forward to begin discussions.

Supervisor Illig reported Judge Benedict has retired from her full-time job as an Attorney. She has now rescheduled the ADA Court session to be the 1<sup>st</sup> Monday of the month at 10AM.

Attorney Galvan commented she has not received any updates regarding the litigation matter.

There was not a Planning Board meeting this past Monday and there is not a ZBA meeting scheduled in October.

Under old business, Supervisor Illig noted he has a potential full-time ZBA member and Town Health Officer appointment that he is hopeful he can confirm at the November meeting.

Continuing with old business, at the September Board meeting it was agreed to continue doing research on STR's. Councilman Burns was to contact the Town of Urbana, however in her absence this evening, there is not an update. Councilman White needs more time to go through her paperwork to discuss her research further. Attorney Galvan was to contact the County to seek information regarding how many actual STR's exist in Pulteney that self-report and pay occupancy tax. She was informed that the Granicus program (who monitors STR properties including Airbnb and Vrbo) has a contract with the County. If the County was to provide that information, they would be violating the contract Granicus and the County have with each other. There is a possibility the Town can submit a FOIL request to the County for that information, depending if the County is required under FOIL to share that information, would avoid the breach of contract claim by Granicus. Supervisor Illig will contact County Legislator Mike Hanna, as well as Jack Wheeler and Scott Van Etten, to see if there is still a way the County can share this information with the Town, if not, we will plan to file a FOIL request for the information.

Under new business, at the September meeting, with minor adjustments the Board agreed upon and approved, the Board adopted the tentative budget. Now presented is the proposed preliminary budget. Supervisor Illig asked the Board if they had any questions, concerns, changes? All denied with the exception of Highway Supt. Gibson. He noted in the Highway budget line item D5132.47 boot allowance (Councilman White addressed this still needs changed to read clothing allowance) needs to be \$4,000.00 rather than \$3,000.00. It was agreed to offset the \$1,000.00 by decreasing line item D5140.1 by \$1,000.00. All agreed. With nothing further heard from the Board nor public, Councilman White made motion seconded by Councilman Tones to adopt the 2024 preliminary budget as presented with the approved Highway line-item changes and schedule a public hearing for November 8, 2023 at 7:30PM. Roll call vote: Councilman Tones, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried. Clerk Button will publish a legal notice of the scheduled public hearing and proposed elected official salaries as required.

The intermunicipal agreement between the Town of Jerusalem and the Town of Pulteney for the transmission of water from Penn Yan to Pulteney expires December 31, 2023. Supervisor Illig pointed out page 3, #2 the rate per EDU will be \$48.00 per customer. This is the same rate, in fact he mentioned the entire contract is the same, as we signed in 2019. Supervisor Illig asked the Board if they wanted to act on the agreement this evening or take home and review? The consensus being, as long as the document is the same contract as previous, the Board is good with acting now.

Councilman Rees made motion seconded by Councilman Tones to execute the agreement between the Town of Jerusalem and the Town of Pulteney for the transmission of water from Penn Yan to Pulteney as presented. Roll call vote: Councilman Tones, yes; Councilman Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Continuing on the agenda, as submitted since the beginning of the Water District, Supervisor Illig made motion seconded by Councilman White to adopt the following Resolution:

**Resolution Authorizing Town Water/Sewer Re-levy to be placed on the 2024 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 Rees, yes; Councilman White, yes; Supervisor Illig, yes. Carried.

Lastly under new business, Councilman Tones made motion seconded by Councilman Rees 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, 2023 to April 1, 2024.

**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.

Supervisor Illig asked if anyone from the public had any comments/questions? With nothing heard, other than a reminder to vote on November 7<sup>th</sup>, Supervisor Illig made motion seconded by Councilman Tones to adjourn the regular meeting. All in favor. Carried. Meeting adjourned at 7:42 PM.

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Erica Button, Town Clerk

