

Supervisor Mark Illig called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, December 13, 2023, at the Pulteney Town Hall with the Pledge of Allegiance.

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

Bill Weber reflected on the recent passing of Steve Hoose and Bob Wagner. Bill did not know Steve, but wish he had, as he often admired the corner of Stone Road and Glodes Corners where Steve planted and maintained trees over the years. After speaking with his wife, Deb, Bill discovered that Steve was disabled by serious illness making him unable to continue work at Mercury Aircraft as a welder. Through the years, Steve lived a quiet life surrounded by the many animals he raised and nurtured. When speaking with anyone that knew Steve, they all had the same response, he was well liked and a true friend to those around him. He passed too young at the age of 62. Bob Wagner, Bill knew from the early 1960's, when he would hang out with his brothers when Bob lived across the road from Gold Seal winery. After Bob's dad, Herman, passed he inherited the Empire telephone company, eventually passing it on to his son, Brian, later becoming Empire Access. Bill also recalled Bob, and good friend Bruce Densmore, often at the Branchport Rod and Gun Club seeing who was the best skeet/trap shooter. Bill is not clear who was the consistent better shot. Bob had built a house near Birds Eye Hollow and Bill does not recall seeing him after that. They both will be fondly remembered and greatly missed by many.

Councilman Tones made motion seconded by Councilman Rees to accept the minutes of the November 8, 2023 regular Board meeting and August 28, 2023 budget workshop. All in favor. Carried.

The P&L statements and balance sheets were provided to review.

There are transfers for all 3 Accounts for this month. Councilman White made motion seconded by Councilman Burns to approve the following transfers:

**BUDGET**  
**TRANSFERS**

<b>GENERAL</b>	<b>Increase Budget Line</b>	<b>Amount</b>	<b>Decrease Budget Line</b>	<b>Amount</b>
	A1110.4 - Justice Contr. Exp	\$ 25.00	A1620.51 - Contingency	\$ 25.00
	A1420.1 - Atty Pers. Svcs.	\$ 600.00	A1620.51 - Contingency	\$ 600.00
	A1620.46 - Disposal Svc.	\$ 25.00	A1620.51 - Contingency	\$ 25.00
	A1620.48 - Insurance	\$ 600.00	A1620.51 - Contingency	\$ 600.00
	A1670.42 - Postage/Printing	\$ 250.00	A1620.51 - Contingency	\$ 250.00
	A3620.4 - Bldg Insp Contr Exp	\$ 300.00	A1620.51 - Contingency	\$ 300.00
	A4050.4 - Watershed Contr. Exp.	\$ 250.00	A1620.51 - Contingency	\$ 250.00
	Total	<b>\$2,050.00</b>	Total	<b>\$2,050.00</b>

<b>HIGHWAY</b>	<b>Increase Budget Line</b>	<b>Amount</b>	<b>Decrease Budget Line</b>	<b>Amount</b>
	D5110.1 - General Personal Services	\$20,000.00	D5142.1 - Snow Personal Services	\$20,000.00
	D5130.42 - Truck Repair	\$10,000.00	D5140.1 - Bushes Personal Services	\$10,000.00
	D5132.41 - Telephone	\$ 150.00	D5132.46 - Water	\$150.00
	D5132.42 - Repair/Maintenance	\$ 150.00	D5132.4 - Garage Contr. Exp	\$150.00
	D5132.44 - Electricity	\$ 300.00	D5120.4 - Bridges Contractual Exp	\$300.00
	Total	<b>\$30,600.00</b>	Total	<b>\$30,600.00</b>

<b>WATER</b>	<b>Increase Budget Line</b>	<b>Amount</b>	<b>Decrease Budget Line</b>	<b>Amount</b>
	SW8320.44 - Pump Station Phone/Internet	\$150.00	SW8320.41 Electricity - Master	\$150.00
	SW8330.41 - Chlor Master	\$300.00	SW8340.42 - Generator Fuel	\$300.00
	SW8340.4 - Contr. Exp	\$1,000.00	SW8340.41 - Generator Maintenance	\$1,000.00
	Total	<b>\$1,450.00</b>	Total	<b>\$1,450.00</b>

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

Councilman White made motion seconded by Councilman Tones to pay General Bills in the amount of \$25,820.15 being vouchers No. 23-205 and No. 23-206 to No. 23-224. Roll call vote: Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Supervisor Illig, yes. Carried. The main expense being the NYS Retirement payment for 2024 that if paid in advance we receive a discount. Councilman White asked how the invoiced amount compared to what the Board budgeted? Bookkeeper Welch responded the state gives us a pretty good estimate so the amount is quite accurate, possibly a \$100.00 off.

Councilman Tones made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$50,222.54 being vouchers No. 23-209 and No. 23-210 to No. 23-240. Roll call vote: Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Supervisor Illig, yes. Carried. Supervisor Illig noting the main expense being for retirement, in addition gravel and tires.

Councilman Rees made motion seconded by Councilman White to pay Water District #1 Bills in the amount of \$38,731.57 being vouchers No. 23-113 and No. 23-114 to No. 23-128. Roll call vote: Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Supervisor Illig, yes. Carried. Main expenses being for retirement and to the Village of Penn Yan for cost of water.

Councilman White asked for an update on the “missing but deposited” Sunoco check reported the last few months. Supervisor Illig reported Sunoco’s fraud team has performed an investigation and they believe on separate occasions 2 checks were stolen out of their mailbox and remotely deposited into a bank account they do not use. Their fraud team is to contact the bank that the checks were deposited into to complete the process and pull the checks back. Once this occurs, we should receive our compensated payment of the 2 checks deposited. Currently, since the Board reissued the checks to settle the outstanding balance, we are now up to date and in fact have a credit with

Sunoco. The reissued checks were sent to a different address that Sunoco provided us with after the issues occurred. It was noted Sunoco is on state contract and we can switch vendors if so choose.

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

Clerk Button has been prepping for tax season and, as a reminder, the annual Town Christmas luncheon is tomorrow noon at the Firehall.

Municipal Services Manager Welch commented business as usual for the end of the year. Still quite a lot of construction on the lake road with 4 new houses being built throughout the winter. He is done with his state classes and testing for the year. The Chidsey Hill solar project is finally under way with the driving of 6-8 pilings and they will test in all directions for stability.

In the water report, Supervisor Illig mentioned, as noted previously, we are still struggling on a flushing schedule with Penn Yan and Jerusalem. Chuck is still working with the DOH due to THM testing being high in the past. There is a water meeting in Penn Yan tomorrow morning that Supervisor Illig will be attending. He will be mentioning that the Village of Penn Yan should not be charging us to flush their water simply due to Pulteney being the end of the line. Penn Yan has hired a consultant, and it might be something in the future for Jerusalem and us to do the same, to develop a plan and coordinate together for a thorough, consistent flushing plan. Stay tuned.

Supervisor Illig reported the Board has 2 intermunicipal agreements presented to them between the Town of Urbana and the Town of Pulteney regarding the Assessor and Deputy Assessor. The Assessor agreement is a contract that was reviewed and agreed upon this spring when hiring Cherokee as apprentice with the intention of transitioning to Assessor January 1, 2024. Supervisor Illig asked if the Board had any questions or comments? With the exception of the 2 typos in paragraph 1, nothing was heard. Supervisor Illig made motion seconded by Councilman Burns to adopt the intermunicipal agreement the Town of Urbana has drafted between the Town of Urbana and the Town of Pulteney for Assessor services effective January 1, 2024 to December 31, 2024. All in favor. Carried. For the intermunicipal agreement between the Town of Urbana and the Town of Pulteney for Deputy Assessor to have Dave work with Cherokee as needed, Supervisor Illig would like to discuss further with the Town of Urbana so no action will be taken tonight and will discuss at the next meeting.

Highway Superintendent Gibson reported the Dept. is done mowing roadsides, have the cemetery cleaned up, and were out sanding roads twice. He mentioned the need to consider replacing the flail mower as they have been having problems lately. Ideally one would need ordered to be received before June. Highway Supt. Gibson stated we can get on state bid and they should be in stock. He will get 2-3 quotes and present to the Board at the January meeting. He is estimating one will cost approx. \$16,000.00.

Attorney Galvan did not have anything to report, however would like to commence a short executive session at the end of the meeting.

There is not a Planning Board nor ZBA meeting scheduled for December.

Under old business, Supervisor Illig will address the Health Officer appointment at the January meeting as well as the BAR appointment that must be made by February due to the training requirements.

In continuation with the ongoing short term rental discussion, Councilman Burns reported the Town of Urbana held a public hearing last evening so will be interesting to hear if they adopted the proposed Local Law and regulations.. She noted that in the proposed Law they are leaving enforcement to their Planning Board and Code Officer and the application fee has gone from \$500.00 to \$5,000.00. Councilman Burns also mentioned the Town of Wayne adopted and is regulating STR by self-reporting. Councilman White is still going through her research and will report her findings at a later date, but mentioned it would be wise to at least be looking into adding short-term rental to our Zoning Law definitions.

Under new business, the current Highway Union Contract expires December 31, 2023. Supervisor Illig, Councilman Rees, The Highway Dept., and Union Representative met to negotiate a new contract. This meeting was held after the November Board meeting when the adopted budget was approved. After negotiating at the meeting, it was agreed upon a 4% increase over the next three years for the union employees. Additionally, it was agreed the members that do not take insurance will get an increase in reimbursement from \$1,000.00 to \$2,000.00. Jason and Chuck currently get this reimbursement and Supervisor Illig stated that Fred should be considered into this reimbursement as well. There were not any other changes to the contract and overall, Councilman Rees commented negotiations went well and were fairly easy. Supervisor Illig contributed this to the good relations the Town has with its union employees. Due to the 4% negotiations, it was agreed it would only be fair if the non-bargaining employees received the same 4% merit increase. This being said, the budget has already been approved for a non-bargaining employee increase of 3%. Supervisor Illig stated due to this, the budget cannot be altered at this point, however if approved, after January 1, 2024 a 1 % increase for non-bargaining employees can be taken out of contingency funds. A spread sheet was provided to the Board presenting the financial difference a 1% increase would make. Regarding the proposed union contract, the Board agreed this was a good deal for the Town and union employees and did not have any further questions or comments. Councilman White made motion seconded by Councilman Tones to adopted the Highway Union Contract as presented effective January 1, 2024-December 31, 2026. Roll call vote: Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Supervisor Illig, yes. Carried. It was noted that when the next contract is due to be made to ensure that the negotiation meeting is held in August or September, well prior to holding a public hearing and adopting the budget. Supervisor Illig will draft a letter requesting to change the timeline as such. After discussing, the Board agreed the total amount 1% would make for non-bargaining employees to come out of contingency funds being \$2406.00 is reasonable and to adjust to coincide with the union contract increase. Supervisor Illig made motion seconded by Councilman Rees to approve a 1% merit increase (going from 3-4%) for non-bargaining employees as presented in the spreadsheet. Roll call vote: Councilman Rees, yes; Councilman White, yes; Councilman Tones, yes; Councilman Burns, yes; Supervisor Illig, yes. Carried.

Annually it is the duty of every justice to present court records, at least once a year, to the Town Board for auditing purposes with a Board Resolution and supporting documents to be sent to OCA's Internal Audit Services unit. After a successful audit was performed and signed off on, Councilman White made motion seconded by Councilman Tones to adopt the following Resolution:

**RESOLUTION AUTHORIZING A COURT AUDIT AND REVIEW HAS BEEN CONDUCTED AND ALL NECESSARY DOCUMENTS BE SENT TO THE PROPER AUTHORITY WITHIN THE STATE OF NEW YORK UNIFIED COURT SYSTEM**

**WHEREAS**, at the December 13, 2023 Town of Pulteney regular Board meeting, the Town Justice financial records and dockets, for the calendar year ending 2022 as requested, were duly examined and found to be acceptable within the standards of Municipal accounting procedures. In addition, collected Court fines/fees have been turned over to the proper officials of the Town as required by law.

**NOW THEREFORE BE IT RESOLVED**, the Town Clerk is hereby authorized to send a copy of this Resolution and any necessary supporting documents to the appropriate authority within the State of New York Unified Court System.

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

Recently our IT consultant, Fred Schulte, contacted Supervisor Illig mentioning he is looking into cutting back on his activities and intends to not provide his services to the Town going into next year. Fred has selflessly given his time and services to the Town since 1995. He has saved the Town an incredible expense and we are so very thankful for his assistance for 28 years. Supervisor Illig checked with the Towns of Wayne and Urbana and they use a company STC out of Penn Yan and Watkins Glen. He and Fred will contact the vendor and plan to meet with STC next week to discuss their services further and get a quote to bring back to the Board to review.

Continuing on the agenda, Planning Board member Megan Granata's term expires at the end of the year. She has agreed to serve another term. Councilman White made motion seconded by Councilman Burns to re-appoint Megan Granata to the Planning Board for the term of 1/1/24-12/31/30. All in favor. Carried.

Lastly on the agenda, the need to schedule an annual year end Board meeting to pay vouchers from now until year end. The Board agreed to schedule the meeting for Thursday, December 28<sup>th</sup> at 1:00PM. Clerk Button will advertise as needed.

Supervisor Illig wanted to mention that Penn Yan is looking into grant proposals to standardize the water agreements that were made with each municipality that they provide water to. Before entering into any new agreement, it is being noted that a municipal Attorney should be hired to look at the agreement to ensure it is appropriate and the water service is consistent for each individual municipality.

Supervisor Illig announced there is a need for an executive session. Supervisor Illig made motion seconded by Councilman White 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 reported there is a need for a quarterly review, all are welcome to stay until after the review but no further business will take place. After a successful audit was performed, Councilman Burns made motion seconded by Councilman Tones to

adjourn the regular meeting. All in favor. Carried. Meeting adjourned at 7:58 PM.  
Merry Christmas!

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Erica Button, Town Clerk