

**April 09, 2014**

Supervisor William Weber called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, April 9, 2014, at the Pulteney Town Hall with Pledge of Allegiance.

Present were: Supervisor William Weber; Councilman Nancy Cole; Councilman Richard Musso; Councilman Mark Illig; Councilman Kathleen Burns; Highway Supt. Terry Gibson; Atty. Patricio Jimenez; Bookkeeper Joyce Apenowich and Town Clerk Theresa Keesey.

Councilman Musso made motion seconded by Councilman Illig to accept the minutes of the March 20, 2014 meeting. All in favor. Carried.

Supervisor Weber gave the financial reports: we have \$13,192.01 in the Court Escrow Account, \$2,454.74 in the General Fund, \$269,758.26 in the General Fund Savings, \$911.68 in the Highway Fund, \$569,150.20 in the Highway Fund Savings, \$69,713.30 in the Town of Pulteney Account, \$5,372.36 in the Trust & Agency Account, and \$57,572.35 in the Water District Operating Account. These are the balances prior to the checks being paid tonight.

Councilman Musso made motion seconded by Councilman Cole to make a transfer in the Highway Account from D5110.2 in the amount of \$1,000.00 to A5120.4 and from D5110.2 in the amount of \$400.00 to A5132.48. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Illig made motion seconded by Councilman Burns to make a transfer in the Water District Account from SW8389.4 in the amount of \$1,200.00 to SW8340.4 and from SW8310.4 in the amount of \$250.00 to SW8310.44. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to make a transfer in the General Account from A1410.11 in the amount of \$77.00 to A1410.4 and from A1420.1 in the amount of \$8,000.00 to A1420.4 and from A1670.42 in the amount of \$450.00 to A1355.4. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to pay General Bills in the amount of \$6,050.51 being vouchers No. 14-39 to No. 14-60 on Abstract No. 4. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to pay General Bills in the amount of \$350.00 being voucher No. 14-38 on Abstract No. 3A. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Illig made motion seconded by Councilman Cole to pay Highway Bills in the amount of \$56,678.47 being vouchers No. 14-69 to No. 14-95 (skipping voucher no. 14-45) on

Abstract 4. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay Water District No. 1 Bills in the amount of \$4,720.78 being vouchers No. 14-25 to No. 14-32 on Abstract No. 4. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Supervisor Weber pointed out on our Profit & Loss Statement that we have spent about 1/2 of our budget in both the General Account and the Highway Account. For the Water District, it shows that we have pretty much spent all of the budget, however, not all of the money for the Water District has been collected.

Town Clerk Keesey reported that all of the tax rolls have been returned to the county, both paid and unpaid, and the town is left with a profit of \$4,885.43 in the Tax Account due to penalties and fees collected.

Councilman Burns made motion seconded by Councilman Illig to receive and place on file the following reports: Code Enforcement Officer (CEO) & Watershed Officer, Zoning Officer; Water Plant Operator; Dog Control Officer; Historian and Justice.

Code Enforcement Officer would like to have someone hired by the town to do some filing work. All of the zoning files, KWIC files, water files need to be organized and consolidated. Supervisor Weber made motion seconded by Councilman Illig to have CEO Welch hire a person to help at \$10/hr for no more than 25 hours. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Water Plant Operators report showed that we now have 323 people hooked up to the water. He also pointed out that we are currently past the AWWA standard time for having a tank inspection and that it is highly recommended we have one done within the next year or two due to the problems we have been having with icing in the Mill St. tank. He included a quote from Statewide AquaStore Inc. for \$2,200.00 per tank or \$3520.00 if both tanks are completed on the same day.

There was discussion about creating a discount water rate for commercial customers ONLY. The Waterfront Restaurant would like to be added to our water line and this would benefit the town through increased revenue and decreased flushing costs. Councilman Illig made motion seconded by Councilman Cole to set a commercial rate of \$13.60 per thousand for the first 100,000 gallons used and then \$10.00 per thousand for anything over the 100,000 gallons. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Supervisor Weber made motion seconded by Councilman Cole to recess the regular meeting and begin the hearing on the Proposed Sign Laws.

Town Clerk Keesey started the hearing by reading the ad notice that was published in The

Leader. Supervisor Weber then read the Proposed Sign Law in its entirety to the public. Public concerns were voiced and centered around the issue of no signs being allowed in the road right of way, sign materials, and the sizes of signs being allowed on and off premises. After all public concerns/comments had been heard, Lisa Stone, chairman of the Planning Board, requested that the town board give the planning board some feedback on where to head with this issue. Councilman Illig thanked the Planning Board for all that they have done in creating this proposed sign law and reminded the public that this was just a starting point.

Supervisor Weber made motion seconded by Councilman Cole to close the public hearing and resume the regular meeting of the Town Board.

The Highway Superintendent reported that they have started to fix some bad spots on Wisse Gully and Gay Rd. They have also been hauling stone, plowing, sanding, and sweeping the roads. Highway Superintendent Gibson and Deputy Jason Tears attended the STC Regional Conference at CCC. Highway Superintendent Gibson has been looking at loader options with Hyundai and has proposed that we lease a loader with the option to buy. If we go with this option, we will have the loader in our possession within the next two or three months, but the first payment will not be made until 2015. The loader will also be covered under a full warranty for those three years. Councilman Cole made motions seconded by Supervisor Weber to authorize Highway Superintendent Gibson to purchase the Hyundai Loader on a three year lease for \$45,000 per year. Roll call vote: Councilman Cole, yes; Councilman Musso, no; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Illig reported on the KWIC board and that they are in the process of reducing the costs of their program. At the last KWIC meeting, two gentleman from the Department of Health spoke about changes that might occur if KWIC's mission were to change. The Department of Health has said that they will take away KWIC's ability to give waivers to property owners. This will then force property owners to have to go through the Department of Health for these waivers which will be a much more difficult and time consuming process than what is already in place with KWIC. There is still hope that we can continue to be involved with KWIC in protecting Keuka Lake, but it still remains to be seen how, or if, that will happen.

Attorney Jimenez reported that there is a hearing scheduled on May 21, 2014 for the owner of the dogs on Ford Rd. The offender has hired an attorney out of Rochester to defend her. The town's main goal/objective is to bring the owner into compliance with not only the number of dogs owned, but also to control the excessive noise from these dogs. It was discussed whether or not our dog control officer and code enforcement officer should continue to write tickets and Attorney Jimenez recommended that they continue to do so. Dog Control Officer Ballam has already written 6 new tickets since Judge Benedict set the trial date and will continue to do so. Attorney Jimenez advised that these tickets will continue to establish proof of the public nuisance if the case proceeds to trial.

Attorney Jimenez reported that a trial date has been set for July 15, 2014 in the Gamba/Gibson Rd. Lawsuit. The Gamba's attorney has mentioned that his clients will accept a qualified abandonment agreement which would require the town to grade and gravel this road.

Ken Forenz, Pulteney Fire Chief, stated that he currently has the Gravel Storage Contract between the Town and the Fire Department, but needs to make some adjustments in dates. The fire company meets next Monday, and then Ken will bring the contract back to us.

Supervisor Weber read A Resolution to Honor Barbara Radigan. Councilman Cole made motion seconded by Councilman Burns to authorize Supervisor Weber to sign and display this resolution around town. All in favor. Carried.

The town has received correspondence from our energy supplier offering us the opportunity to "go green" at the cost of \$.03 MORE per kilowatt hour. Supervisor Weber made motion seconded by Councilman Musso to NOT accept a green power proposal that was mailed to the town. All in favor. Carried.

There are a few electrical issues in the Town Hall. The breaker box is very disorganized with many unlabeled or incorrectly labeled breakers, the central vacuum system is not working properly, and some sort of heating system needs to be installed in the attic in order to prevent future pipes from freezing and breaking. Supervisor Weber made motion seconded by Councilman Cole to hire Mark Wright on a time and materials basis for \$30/hr for up to a total of 10 hours. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Illig made motion seconded by Councilman Musso to authorize Supervisor Weber to find a suitable supplier of a port-a-potty for the playground area at an estimated cost of \$125/month. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

James Johnson from Steuben IDA will be attending our May meeting to discuss the different opportunities for businesses in our town.

There is currently just under \$250,000.00 unexpended in the Highway Department that needs to be discussed. There was discussion about possibly setting up a capital reserve account. Bookkeeper Apenowich, Supervisor Weber, and Highway Superintendent Gibson will be meeting at a future date to discuss how best to deal with the extra money.

Town Clerk Keesey announced that our current lease with XEROX, for the office copy machine, will be ending at the end of April. A representative from XEROX dropped off a number of different options with their costs, but there is always the option to continue with our current machine on a month to month basis. Councilman Illig made motion seconded by Supervisor Weber to continue with our same machine and services on a month to month basis, while also researching the cost of buying a new copier from a different source. All in favor. Carried.

Lauren Welch, Building Department, mentioned that there has been a pipe that burst in the Ambulance Building and some repairs need to be made. There was also a lot of water damage to the walls and they could use a new coat of paint. Supervisor Weber made motion seconded by Councilman Musso to authorize Supervisor Weber to get some estimates for the painting. All in favor. Carried.

The board members proceeded to look over all the books and conduct the quarterly audit reports. Councilman Illig made motion seconded by Supervisor Weber to adjourn. All in favor. Carried.  
Meeting adjourned at 10:14 PM.

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Town Clerk

### A Resolution to Honor Barbara Radigan

Whereas: Barbara Radigan, Director of the Pulteney Free Library, completed her twentieth year of service to the citizens of Pulteney in March 2014; and

Whereas, Barbara has maintained the Library as a welcoming, helpful, and forward-looking resource for the community; and

Whereas, patrons and visitors of all ages have found the Library's materials, workshops, and technology to be helpful for doing school work, seeking employment, keeping up with current events, and managing personal communications, and

Whereas, Barbara Radigan is valued beyond the local library as mentor for other members of the Southern Tier Library System,

Now therefore be it

RESOLVED that the Supervisor and Board Members of the Town of Pulteney hereby extend warm thanks and hearty congratulations to Barbara for the outstanding work she has done in behalf of a grateful community. This resolution is presented to Barbara Radigan, and copies will be prominently displayed in the community of Pulteney.