

August 13, 2014

Supervisor William Weber called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, August 13, 2014, at the Pulteney Town Hall with Pledge of Allegiance. Supervisor Weber also took a moment to recognize the passing of three community member; Meghan Applebee, Kevin Stone, and Dan Griffin.

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

Councilman Musso made motion seconded by Councilman Cole to accept the minutes of the July 9, 2014 meeting. All in favor. Carried.

Councilman Cole made motion seconded by Councilman Burns to make the following transfers. In the General Account from A1620.2 in the amount of \$100.00 to A1355.4, from A1620.4 in the amount of \$1,800.00 with \$800.00 going to A1620.49 and \$1,000.00 going to A7310.4. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to make the following transfer in the Water District Account from SW9060.8 in the amount of \$3,400.00 with \$500.00 going to SW8320.41, \$300.00 going to SW8320.43, and \$2,600.00 going to SW8340.4. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Supervisor Weber also noted that there has been a correction in the Highway Account. The current bank balances for each account stand at; \$230,419.50 in the General Fund Savings, \$86,232.52 in the Water District Operating Account, \$154,762.18 in the Highway Fund Savings, and \$174,727.74 in the Highway Capital Reserve Account.

Councilman Musso made motion seconded by Councilman Cole to pay General Bills in the amount of \$600.00 being voucher No. 14-127 on Abstract No. 7b and \$2,780.31 being vouchers No. 14-128 to No. 14-130 on Abstract No. 7c. Also, to pay General Bills in the amount of \$5,233.89 being vouchers No. 14-131 to No. 14-149 on Abstract No. 8. \*\*Voucher No. 14-134 in the amount of \$5,200.00 for KWIC is being delayed. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$202.70 being vouchers No. 14-135 and No. 14-149 on Abstract No. 7b and to pay Highway Bills in the amount of \$18,133.61 being vouchers No. 14-150 to No. 14-170 on Abstract 8. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to pay Water District No. 1 Bills in the amount of \$1,992.01 being vouchers No. 14-56 and No. 14-57 on Abstract No. 7b and to pay Water District No. 1 Bills in the amount of \$24,717.22 being vouchers No. 14-58 to No. 14-66 on Abstract No. 8. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

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

Highway Superintendent Gibson reported that they replaced a head wall on Dug Road and set rip rap stone to hold the pipe in place. This damage was caused by the recent heavy rainfall.

Through shared services, two of our town trucks have been helping Prattsburgh to stone and oil various roads while our town has benefited from a dozer borrowed from Soil & Water. The Dozer was used to clean out some creeks and waterways. The Highway Department has also been busy cold patching Lower Middle Rd., Briglin Rd., and Shuart Rd and spreading liquid calcium in front of houses for dust control.

Under old business, Attorney Jimenez reported that he will be writing a resolution to be ready at the September meeting pertaining to employee use of town equipment. The resolution will include language that limits employees personal use of town equipment.

Attorney Jimenez reported on the dog situation on Ford Rd. The defendant did not show up for court and the Judge granted all of Pulteney's requests. The next step for the town will be to push for a default judgment. However, CEO Welch has inspected the premises, which now appear to be vacant, and he has condemned the home. Supervisor Weber thanked the Ballam's for all of their hard work and perseverance with this situation.

There has been no further movement with the Gibson Rd. Lawsuit. A date has yet to be set for the trial, but Attorney Jimenez believes that it may possibly be scheduled for sometime in November.

Highway Superintendant Gibson has taken a look at the tennis courts and has deemed that the east side of the court is much worse than the west. He is going to use some crack filler in an attempt to temporarily fix the problem. The library reported that they are still unable to make a decision as to where they want the new building to be located. The town board has asked them to come to a decision as quickly as possible so that the Town's 2015 budget can be better prepared. Supervisor Weber made motion seconded by Councilman Musso to recess the regular meeting and enter into the first scheduled hearing. All in favor. Carried.

At 7:30, Clerk Keesey read the following legal ad that was published in The Leader:

On Weds. August 13, 2014, the Pulteney Town Board will hold a public hearing on the town's franchise agreement with Time Warner Cable at 7:30 PM at the Pulteney Town Hall.

Supervisor Weber reported that the franchise agreement will last for a term of 15 years and that the town does receive a franchise fee from Time Warner. The Town has a franchise agreement with both Time Warner Cable and Empire Family of Services. Between these two companies, we received almost \$9,000.00 in franchise fees last year. There were no public comments during the hearing. Councilman Musso made motion seconded by Councilman Burns to approve the franchise agreement and authorize Supervisor Weber and Clerk Keesey to sign the appropriate paperwork. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Supervisor Weber made motion seconded by Councilman Musso to close the public hearing and resume the regular meeting. All in favor. Carried.

Continuing with old business, Highway Superintendent Gibson reported that the Town Highway Department will be totally done and removed from the Town Gravel Pit by next spring. The gravel consists of about 13 acres with portions that have been leveled and graded due to state specifications. Portions of the property also contain a nice view of Keuka Lake. Councilman Musso made motion seconded by Councilman Cole to allow Supervisor Weber to hire a few appraisal services to come and appraise the property. This will give the Town an idea of how much the land is worth before moving forward with the idea of selling it. Roll call vote:

Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes.

Carried.

Supervisor Weber made motion seconded by Councilman Musso to again recess the regular meeting and enter into the second scheduled hearing. All in favor. Carried.

At 7:45, Clerk Keesey read the following legal ad that was published in The Leader:

On Weds. August 13, 2014, the Pulteney Town Board will hold a public hearing on the new Town sign laws at 7:45 PM at the Pulteney Town Hall.

Supervisor Weber noted that the only changes made to the previous draft of the Sign Law dealt with the issuing of permits and the limitations of signs placed in the right-of-way. Supervisor Weber has spoken with the County who stated that they do allow signs to be placed in the right-of-way as long as they meet particular regulations. The CEO will be in charge of making sure signs meet all regulations and are placed appropriately along the roadways. Public comments centered around the concern that 6 square feet was not large enough for an off premises sign. Another citizen wondered if the town would enforce a break-away system on all signs located in the right-of-way and whether or not signs that did not currently meet the specifications would have to be removed. It was decided that the Board would delay a decision on the Sign Law until more local businesses have been made aware of the changes. Councilman Musso is going to make contact with multiple local businesses, re-work the current sign law and present it to the Board at the September meeting. Supervisor Weber made motion seconded by Councilman Cole to close the public hearing and resume the regular meeting. All in favor. Carried.

Continuing old business, the KWIC meeting that took place in Pulteney went very well. There seems to be a little headway being made. Councilmen Musso & Illig have created a proposal that they have asked Supervisor Weber to submit to the KWIC Board at the next meeting. The proposal consists of three requirements that KWIC must agree to in order for the Town of Pulteney to remain a member. The three requirements are:

1. The total cost for each town as members of KWIC for 2015 shall be no greater than \$5,000.00.
2. Beginning immediately, KWIC shall collect no fees from any resident for the services they provide as part of their mission to protect and improve the Keuka Lake Watershed.
3. The KWIC Board of Directors shall continue to contract with an agency such as the Yates County Soil and Water Conservation District that performs their part of the KWIC mission with professionalism and respect for our residents.

If the KWIC Board agrees to these terms, then the Town of Pulteney shall rescind the 2013 resolution to withdraw from the organization and the adjusted payment will be paid to KWIC.

It was reported that wood chips for the playground were arrived and spread throughout the playground by volunteers. The drainage issues in the playground have also been fixed.

Under new business, Supervisor Weber has acquired two bids for an Air Conditioning System to be installed in the Town Hall Meeting Room. The first bid was from Keeler's in the amount of \$4,300.00. The second bid came from Isaac's in the amount \$6,100.00. Both bids include all materials and installation minus the electrical work. The Town will have the electrical work done by a third party. Councilman Cole made motion seconded by Supervisor Weber to hire Keeler Services for the job. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, no; Supervisor Weber, yes. Carried.

Supervisor Weber reported that 16 individuals submitted applications and resumes for the new Water Plant Operator position. The list was narrowed down to three individuals who sat for

interviews and Charles Dluzak was chosen as the winning candidate. Chuck Dluzak is currently undergoing training to become certified in the position. Supervisor Weber made motion seconded by Councilman Musso to sign a resolution to create a Municipal Services Department under the leadership of Lauren Welch, as manager and to hire Charles Dluzak as the replacement for Ken Forenz. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Also, under new business, Supervisor Weber reported that Theresa Keesey has submitted a letter of resignation as the Town Clerk. She will be returning to the teaching profession starting September 2, 2014 and her resignation is effective as of August 28, 2014. Supervisor Weber made motion seconded by Councilman Cole to accept Clerk Keesey's resignation. All in favor. Carried.

Supervisor Weber made motion seconded by Councilman Cole to recess the regular meeting to go into executive session to discuss personnel issues. All in favor. Carried.

Supervisor Weber made motion seconded by Councilman Musso to close executive session and reopen the regular meeting. All in favor. Carried.

Supervisor Weber noted that during executive session, the board the appointment of a replacement Town Clerk and also a salary increase for Lauren Welch as he moves forward with becoming Manage of Municipal Services.

Supervisor Weber made motion seconded by Councilman Cole to appoint Erica Giambra as the new Town Clerk. She will hold the position until December 31, 2014 when the newly elected clerk will then take offices. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Supervisor Weber made motion seconded by Councilman Cole to raise Lauren Welch's salary by \$9,000.00. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Burns, yes; Supervisor Weber, yes. Carried.

Councilman Cole request permission to speak with the solar panel company who spoke with the town last year about the possibility of leasing town land to install solar panels. She is going to ask the company to come and present at the September board meeting.

Councilman Burns made motion seconded by Councilman Cole to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 9:40 PM.

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Town Clerk

#### A Resolution

With the resignation of Water Plant Operator Ken Forenz, it has become necessary to think of the future and formulate a new plan for the Town of Pulteney to provide services to the community.

To this end it is suggested to form the Department of Municipal Services to include Zoning, Watershed, Building (Codes) and the Water Department under the leadership of Lauren Welch, as manager.

To replace Ken Forenz the team of Councilman Cole and Musso with Lauren Welch's assistance, it has been decided to hire Charles Dluzak as the replacement for Ken Forenz on a probationary term until he achieves his Dept. of Health Certifications.

Therefore be it resolved that the Dept. of Municipal Services is hereby formed and Charles Dluzak is hired as the Water Dept. Pump Attendant reporting directly to Mr. Welch.

By Supervisor Weber  
Seconded by Councilman Musso  
13th August, 2014