

February 12, 2014

Supervisor William Weber called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, February 12, 2014, at the Pulteney Town Hall with Pledge of Allegiance.

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

Supervisor Weber asked for a moment of silence to honor the memory of Illa Hoad and Hugh Fullerton.

Councilman Cole made motion seconded by Councilman Musso to accept the minutes of the January 8, 2014 meeting and the January 22, 2014 meeting. All in favor. Carried.

Michael Hanna from the County Legislator spoke briefly about Steuben County Department of Shared Services and the push to incorporate more shared services. He also mentioned that the voters changed over to a Charter Government and they are looking to re-district. Hanna also recommended that we make use of work crews to do general labor jobs in the spring. Contact the Department of Public Works and ask for June if the town is interested in hiring one of these crews.

Supervisor Weber gave the financial reports: the cash balances in all accounts prior to paying this month's vouchers are currently \$350,841.18 in the General Fund, \$645,990.06 in the Highway Fund and \$269,818.54 in the Water Dept.

Councilman Cole made motion seconded by Councilman Musso to pay Water District No. 1 Bills in the amount of \$175,895.90 being vouchers No. 14-10 to No. 14-16 on Abstract No. 2 and vouchers No. 14-8 to 14-9 on Abstract No. 1A in the amount of \$482.96. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Burns to pay General Bills in the amount of \$8,508.98 being vouchers No. 14-15 to No. 14-38 on Abstract 2 and vouchers No. 14-13 to 14-14 on Abstract 1A in the amount of \$713.38. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Illig to pay Highway Bills in the amount of \$14,957.89 being vouchers No. 14-16 to No. 14-42 on Abstract 2 and voucher No. 14-15 on Abstract 1A in the amount of \$82.96. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Town Clerk reported that any person interested in attending the STC Annual Leadership Conference at CCC needs to fill out a registration form and turn it in no later than March 10th. Councilman Illig made motion seconded by Councilman Musso to accept the Code Enforcement Officer's (CEO) & Watershed Officer's; Zoning Officer's; Water Plant Operator's; Dog Control Officer's; Historians and Justice's reports. All in favor. Carried.

Highway Superintendent Gibson reported they have been busy plowing and sanding roads. They have also had two pumps rebuilt on the roller and it is now ready to be painted. Highway Superintendent Gibson has also started to get some prices on gravel due to the fact that our current gravel pit has just about been used up.

Supervisor Weber reported that the town is attempting to come up with a plan to present to the Commissioners regarding our relationship with KWIC. The plan would include a more thorough

definition of what Zone 1 is and its separateness from the other zones. Our plan would be to have KWIC control Zone 1, the area that has the most readily affects the lake, and allow our CEO, Watershed, & Zoning Officer to control and maintain Districts 2,3 and 4. Supervisor Weber also noted that KWIC sent a bill to the town in the amount of \$4, 625 which we have no intention of paying.

Supervisor Weber reported on a new issue with the Union. The Union is claiming that the town has unpaid insurance premiums in the amount of \$8,000 that is owed to the Teamsters. Bookkeeper Apenowich reported that this issue was supposed to be fixed with the union and nothing more was owed. Supervisor Weber reported that he left a message for John Farwell and has not yet heard a response back.

Supervisor Weber reported that all documents pertaining to the Gamba Lawsuit have now been transferred over from Bill Reed to Patricio Jimenez. The next hearing is scheduled for March 4th, with Judge Furfure. Atty Jimenez is going to request a dismissal at this hearing, but is fairly certain that the Judge is going to order the case proceed to trial. The town has already spend \$1100 in attorney fees for this case.

Supervisor Weber has spoken with Carl Stone about fixing the ceiling in the clerk's office. Carl has agreed to do the job on a weekend when nobody will be in the office and will work on a time and material basis. Councilman Musso made motion seconded by Councilman Cole to hire Carl Stone on a time and material basis to fix the ceiling. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to purchase a new microwave for the town hall. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Supervisor Weber announced that the county is again going to accept free disposal of used tires with a limit of 10 tons, about 2 dump truck loads.

Town Clerk Keesey mentioned that the Town of Pulteney Rabies Clinic will most likely be scheduled for either May 10 or May 17.

Environmental Emergency Services is looking for a \$500 contribution. The money is used to fund weather reports and other emergency services relating to natural disasters/weather issues. Supervisor Weber noted that the Town of Italy held a hearing regarding their zoning laws around wind power and turbine systems.

Supervisor Weber made motion seconded by Councilman Musso to appoint John Ballam as Dog Control Officer and Sherri Ballam as Deputy Dog Control Officer. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried. Supervisor Weber will handle any correspondence on dog control issues. There are two interested candidates in the Planning Board. Jeff O'Brien and Louis Dominick would both like to be considered. Highway Superintendent Gibson is going to get a recommendation from the Planning Board at their next meeting and bring it back to the Town Board Members.

There are two vacancies on the Board of Assessment Review. Supervisor Weber made motion seconded by Councilman Burns to appoint Gaylyne Smith to fill one of the vacancies. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried. The second vacancy will possibly be filled by Jeff O'Brien if he is not chosen for the Planning Board.

Supervisor Weber asked the board members to look at the Pulteney website and let the

Webmaster know of any corrections/additions.

Councilman Musso made motion seconded by Councilman Cole to pay the planning board quarterly in the total amount of \$200/year subject to the chairperson's recommendation. All in favor. Carried.

Supervisor Weber reported that the Planning Board denied the Special Use Permit for a kennel to be established on Ford Rd. The property owners have been given until March 1, 2014 to comply with the zoning laws. The board discussed what would happen on March 2nd if the owners did not comply and Atty Jiminez felt the most viable option would be to file a civil lawsuit against the owner alleging a public nuisance.

Councilman Illig made motion seconded by Councilman Cole to accept and sign the contract with the Pulteney Free Library. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried. The payment to the library will be 26,900 and will be available on request.

Supervisor Weber made motion seconded by Councilman Cole to accept and sign both agreements with the Teamsters Unions. One being then union contract and the other being a participation agreement. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to accept and sign the contract with Fire District #2 regarding fuel storage. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to accept and sign the contract with Attorney Patricio Jiminez as Town Attorney. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

The internet connection for the Clerk's Office has always been through the Southern Tier Library System and it has been decided that it would be beneficial for the Town Clerk's Office to have it's own separate internet connection. Councilman Musso made motion seconded by Councilman Cole to pay \$46.98/month for an internet connection through Empire Access. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Supervisor Weber reported that it has been decided we need a written contract with the Fire Company regarding storage of town gravel on their property. A tentative contract has been written, but there is a question regarding the term. The board will discuss it again at the March meeting.

The Planning Board needs to schedule a hearing for the new town sign laws. After the Town Board has a chance to review the finalized sign laws, they will make a decision at the March meeting and possibly schedule a hearing with the Planning Board in April.

For public concerns, Richard French wondered if a light could be installed that would make it much brighter in the entryway to the building. This would allow people to better see the keyhole when trying to gain access or leave the premises.

Councilman Musso made motion seconded by Councilman Cole to adjourn. All in favor. Carried.

Meeting adjourned at 8:40 PM.

Town Clerk