

July 9, 2014

Submitted by William Weber, acting Secretary

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

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

Councilman Musso made motion seconded by Councilman Cole to accept the minutes of the June 11, 2014 meeting. All in favor. Carried.

Councilman Cole made motion seconded by Councilman Burns to make the following transfers. In the General Account from A1355.2 in the amount of \$50.00 to A1355.4, from A1620.42 in the amount of \$200.00 to A1620.45, and from A5010.4 in the amount of \$150.00 to A76310.4.

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

Councilman Illig made motion seconded by Councilman Musso to make the following transfer in the Highway Account from D5110.4 in the amount of \$2,000.00 to A5110.2. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

The current bank balances for each account stand at; \$242,391.98 in the General Fund Savings, \$58,909.27 in the Water District Operating Account, \$303,448.52 in the Highway Fund Savings, and \$174,727.74 in the Highway Capital Reserve Account.

Councilman Cole made motion seconded by Councilman Musso to pay General Bills in the amount of \$7,293.45 being vouchers No. 14-104 to No. 14-126 on Abstract No. 7. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to pay Highway Bills in the amount of \$89,509.77 being vouchers No. 14-119 to No. 14-133** on Abstract No. 7 and to pay Highway Bills in the amount of \$45,921.70 being voucher No. 14-134 on Abstract No. 7a. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

****The voucher numbers were revised to No. 14-132 to No. 14-147 (skipping No. 14-135)**

Councilman Cole made motion seconded by Councilman Musso to pay Water District No. 1 Bills in the amount of \$1,038.95 being vouchers No. 14-50 to No. 14-55 on Abstract No. 7. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

The following reports were received and placed on file: Code Enforcement Officer (CEO) & Watershed Officer, Zoning Officer; Dog Control Officer; Historian and Justice.

Highway Superintendent Gibson reported that they paved a section of Brown Rd, stoned and oiled lower Wright Rd, Cross St, and Armstrong Rd. Both the Towns of Wayne and Urbana helped out with these projects. The Highway Department has also been mowing roadsides and continuing to grade roads. A couple of our trucks helped Urbana with cleaning gravel out of the flume and the Highway Department has also taken possession of the new loader that was purchased.

In the Supervisor Report, Supervisor Weber mentioned that there is a Playground Inspection and Maintenance Training available to anyone who is interested. In years past, the Town's Insurance Provider has attended these trainings and Supervisor Weber is going to suggest that they attend again.

Attorney Jimenez reported on the dog situation on Ford Rd. During Town Court last week, Cindy Gibbs plead guilty to all zoning violations and excessive barking tickets. The Judge gave her a conditional discharge which included the following terms. Gibbs has to bring the number of dogs on her premises down to 7 and has to follow all recommendations made by CEO Lauren Welch in keeping down the noise level of the animals. For up to one year, Lauren Welch may make unannounced visits to the Gibbs' residence in order to make sure that she is still in compliance with the conditional discharge. If she is found to be non-compliant, it will result in a violation which will put the case right back on the court docket. Also, Judge Latham of the Steuben County Court System is set to hear the Town's civil lawsuit (public nuisance case) against Ms. Gibbs. If she is found guilty at the county level, anymore than 7 dogs can automatically be seized and taken from the premises.

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

The Town of Pulteney hereby solicits bids for one new, unused, all season dump body. The specifications are available at the Town of Pulteney Highway Department. The Town will consider any and all bids submitted and make a selection based on the best value for the Town, taking into consideration Town's needs. Accordingly, the determination will not be based solely on the lowest bid. All bids must be submitted no later than Friday, July 4, 2014. Bids should be delivered in person or via mail to the Pulteney Town Hall, Attention Theresa Keesey, Town Clerk. Bid opening will be July 9, 2014 at 7:30 PM at the Pulteney Town Hall.

Supervisor Weber then proceeded to open the three bids that were delivered. The first bid was from Henderson Truck Equipment out of Watertown, NY. Their bid was for a MG QS10 14' Painted Steel Side Dump Body to be installed on the existing town cab and chassis for a price of \$42,515.00. The second bid was from Smart Systems Inc. out of Bath, NY. Their bid was for a 14' Air-Flo all season side tilt body with central grease system body lighting, spreader apron, air operated tailgate and painted to match cab which would be installed on the existing town cab and chassis for a price of \$45,780.00. The third and final bid was from Valley Fab & Equipment Inc. out of Boston, NY. Their bid was for a 14' Steel Side Dump Body and Hoist. It would also come with a one year warranty on equipment and a two year warranty on cylinders for a price of \$36,468.57.

Supervisor Weber made motion seconded by Councilman Musso to authorize Highway Superintendent Gibson and Councilman Illig to go over the bids and purchase the dump body that best suits the town's needs. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

Concerning the person use of town equipment, Attorney Jimenez has recommended that the Town have a document in writing that clearly states the definition of what is/is not allowed as far as personal use goes. Attorney Jimenez will come up with this written resolution and present it for board approval.

Nagle Surfaces looked at the Town Tennis Courts and has recommended that our tennis courts be ripped up and rebuilt from the ground up. They reported that the numerous cracks extend well below the surface and that a drainage system should also be installed before being rebuilt. The

board discussed the pros and cons of totally rebuilding the tennis courts or just making surface repairs due to the fact that the library has asked for permission to build in the tennis court location anyway. It was decided Highway Superintendent Gibson and Councilman Burns will look into the safety hazards of the current court and whether they can be temporarily repaired. They will get a quote for those "temporary" repairs. Supervisor Weber and Bookkeeper Apenowich will look into getting a more precise quote on what it will cost to total remove the tennis courts and rebuild them.

Supervisor Weber made motion seconded by Councilman Cole to authorize Highway Superintendent Gibson to purchase littering signs to be placed around the Town Ponds. Attorney Jimenez will help with the language used on the signs. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

Attorney Jimenez gave an update on the Gamba Lawsuit (Gibson Rd.). The Gamba's have procured a new attorney who has asked for an adjournment. A new date has not been set for the case, but it will most likely be in October or November.

The Town has received a quote from Crystal City Communications for the purchase and installation of a 5 camera surveillance system in the amount of \$3,741.75. Four of the cameras will be placed on the outside of the building and one will be placed inside. Most, if not the full cost, of the system will be covered by a grant that has been procured for it. Councilman Musso made motion seconded by Councilman Cole to accept this quote and move forward with the purchasing of this system. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

Highway Superintendent Gibson reported that after the last few tons of gravel are crushed, the Town Gravel Pit will be unusable. This property consists of about 11-13 acres. Councilman Illig made motion seconded by Councilman Cole to allow Attorney Jimenez to look into the possibility of selling this piece of property and what the process might look like. All in favor. Carried.

Supervisor Weber reported that Ken Forenz will be resigning as the Water Plant Operator in order to take a new position with Steuben County. With his resignation, the idea of possibly creating a Department of Municipal Services has been discussed. This Department of Municipal Services would include the Water Department, Zoning, Building, and Watershed Departments and would be overseen by a Department Manager.

The Pulteney Playground has had a slight facelift with the addition of a load of wood chips and some drainage issues being repaired by the Highway Department.

Councilman Illig made motion seconded by Councilman Musso to authorize Supervisor Weber to get some quotes on a wall mounted air conditioning unit for the Town Hall meeting room. All in favor. Carried.

Public concerns/comments consisted of Alise Irwin who extended an invitation for all citizens to come and "stand on the land" where the library would like to put their new building. On Saturday, July 19, 2014 between 9 AM and noon, the architect who has designed the new library will be available to present the project plans. Don Strezpek (lawnmower) expressed concerns that the seats that have been added to the garden beds at the Community Garden are not allowing him to get his mowers in between the beds. It was brought to our attention that the seats can be untied and flop down against the side of the beds which would allow his mower to get through. Richard French encouraged the town board and other citizens to attend a meeting on August 5, 2014 at 6:30 PM concerning the possible closure/reduction in hours of the Pulteney Post Office. The

meeting will be a chance for citizens to express their opinions on what should happen with the Post Office.

Supervisor Weber made motion seconded by Councilman Musso to recess the regular meeting to go into executive session to discuss the resignation of Ken Forenz and possible creation of a Municipal Services Department. 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 discussed matters dealing with the resignation of the Water Plant Operator and the creation of the Department of Municipal Services. Councilman Musso and Councilman Cole will work on a list of applicants for the position. They will create a short list from all applicants and then review that short list with Ken Forenz and Lauren Welch. Bookkeeper Apenowich and Supervisor Weber will be working to refine a job description of the positions being created.

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

Meeting adjourned at 9:57 PM.

Town Clerk