

June 11, 2014

Supervisor William Weber called the regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, June 11, 2014, at the Pulteney Town Hall with Pledge of Allegiance. The passing of Eleanor Swiegart was recognized with a moment of silence following the Pledge.

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

Councilman Illig made motion seconded by Councilman Musso to accept the minutes of the May 14, 2014 meeting. All in favor. Carried.

Councilman Musso made motion seconded by Councilman Burns to make the following transfers. In the General Account from A1620.2 in the amount of \$300.00 to A1355.4 and A1410.4, split evenly between both accounts. In the Water District Account from SW8330.41 in the amount of \$100.00 to SW8330.4, from SW8330.45 in the amount of \$500.00 to SW8330.45, and from SW8389.4 in the amount of \$560.00 to SW8340.41. Also \$4,120.00 was added to the General Account A1110.2 and \$4,120.00 was added to the General Account A1110.41. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

The bank balances for each account at the end of May, stand at; \$269,691.24 in the General Account, \$82,472.66 in the Water Department Account, \$454,624.86 in the Highway Department Account, and \$69,716.16 in the Highway Capital Reserve Account.

Councilman Musso made motion seconded by Councilman Illig to pay General Bills in the amount of \$6,411.98 being vouchers No. 14-83 to No. 14-103 on Abstract No. 6. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Illig made motion seconded by Councilman Musso to pay General Bills in the amount of \$150.56 being vouchers No. 14-81 to No. 14-82 on Abstract No. 5b and to pay General Bills in the amount of \$18.45 being voucher No. 14-61 on Abstract No. 4a and to pay General Bills in the amount of \$609.98 being vouchers No. 14-81a and No. 14-82b on Abstract No. 5c Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$27,822.81 being vouchers No. 14-107 and No. 14-119 to No. 14-131 on Abstract No. 6 and Highway Bills in the amount of \$57.23 being vouchers No. 14-117 and No. 14-118 on Abstract No. 5b. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Illig made motion seconded by Supervisor Weber to pay Water District No. 1 Bills

in the amount of \$17,224.76 being vouchers No. 14-40 to No. 14-49 on Abstract No. 6 and Water District No. 1 Bills in the amount of \$1,313.13 being voucher No. 14-39 on Abstract No. 5b. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried

A presentation was given by Tom Klaseus from the NYS Department of Health. He spoke mostly about the formation of KWIC and its purpose and responsibility within the Town of Pulteney. Mr. Klaseus urged the board to reconsider their vote to withdraw from KWIC due to the fact that our withdrawal will negatively impact the 7 other municipalities within the organization. He stated that KWIC is there to oversee all 8 municipalities surrounding Keuka Lake and make sure that waste water systems are built to the same regulations everywhere.

Clerk Keeseey reported that both herself and Bookkeeper Apenowich will be on vacation the week of July 14, 2014. A motion was made by Supervisor Weber seconded by Councilman Musso to allow the clerk to advertise this closure in both The Shopper and The Leader. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, 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; Water Plant Operator; Dog Control Officer; Historian and Justice. All in favor. Carried.

Ken Forenz is researching different security systems for the Town Hall. Supervisor Weber clarified a few of his questions so that he could move forward in the search. A grant of \$3,500.00 has been secured to pay for the system. Bookkeeper Apenowich is going to look into how long that grant is available to us before it expires. Once the Town has decided on an appropriate system, an advertisement for quotes will be released to the public. Once a contractor has been secured for the installation, they will make a decision on the number of cameras needed and where they should be placed on/in the building. The contractor will have to fit whatever work is needed within our budget of \$3,500.00.

Water Plant Operator Forenz mentioned that we now have a total of 324 customers and there are also a large number of leaks within our system.

Highway Superintendent reported that the Highway Department spend two days in Branchport trying to help with the damage caused by flooding. Also, they are busy grading roads, mowing roadsides, and cold patching roads that have bad spots, as well as cleaning out all of the large culvert pipes in order to prevent future problems.

Supervisor Weber made motion seconded by Councilman Illig requesting that Highway Superintendent Gibson sit down with the Town Attorney to draft a bid proposal. The advertisement needs to be worded in a way that makes it clear that the Town may accept any bid it chooses as long as it best meets the Town's needs.

Supervisor Weber reported that a letter had been received from a concerned citizen about the littering that is taking place around the Town Pond. Supervisor Weber made motion seconded by

Councilman Musso to purchase trash cans and signs that contain language concerning the penalties for littering on town property. The Highway Department will be in charge of emptying the trash cans. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Attorney Jimenez reported on the dog situation on Ford Rd. A public nuisance lawsuit has been filed with the county court and the town is currently awaiting a trial date. The Attorney reiterated that the Justice at the town level has done everything that can be done on a local level and we now have to wait and see how it will be handled at the county level. He reminded the Board that our main goal is the abatement of the situation and we need to keep that end goal in mind as the situation progresses.

Attorney Jimenez also reported that the trial date for the Gamba Lawsuit (Gibson Rd.) is scheduled for July 15th. It is the attorney's belief that the town has a fairly strong case in that numerous witnesses have been found who attest to the fact that they have never seen it used as a real road. The witnesses can attest to this fact going all the way back to the 1930's.

Supervisor Weber spoke about the proposed sign law. He has discovered in his research that if the town approves a sign to be placed in the right-of-way, we will most likely be liable for any accident that may occur. Steuben County has a "standard" that all signs have to meet in order to be placed within their right-of-way. Therefore, Supervisor Weber and Councilman Burns are going to work together with Attorney Jimenez to develop a "standard" for all town signs to be placed in the town's right-of-way.

Time Warner Cable has presented the town with a franchise renewal contract. Supervisor Weber is going to look into this contract and also look into possible other franchise options besides Time Warner.

Supervisor Weber presented a resolution allowing certain town employees (Highway Superintendent, Deputy Highway Superintendent, and Water Plant Operator) to take home the town vehicles. This has become a concern due to the fact that the Highway Superintendent of Avoca had a fire at his home in which the town truck was burned. The Town of Avoca's Insurance Providers questioned whether the Superintendent had permission to have the town truck at his house. Supervisor Weber made motion seconded by Councilman Burns to accept the resolution. Bookkeeper Joyce Apenowich brought to light the fact that the IRS has issues with employees taking home town vehicles and therefore using town gas to get to and from work. According to IRS rules, the employees who are using town gas and vehicles need to be taxed on this use because it is a benefit provided to them by the town. Supervisor Weber withdrew his motion and will investigate the issue further.

Alise Irwin and Paul Schnipelsky both spoke on behalf of the Pulteney Free Library and described the reason behind the library's wish to build their new facility on the land where the town tennis court is currently located. In order for the Library to receive funding through the Steuben County IDA, they need to "take advantage of the town's assets." Keuka Lake is one of Pulteney's most valuable assets and the library would like to create a building that would highlight the lake. The Library has agreed that part of their project would include the creation of

a brand new tennis court located on the current ballfield. The library does not need a yes or no answer right this minute, but would like a decision sometime in the near future so that they can move forward with their design plans.

Supervisor Weber reported that the sign located at the entrance to the Town Hall has become very faded and hard to read. He has secured a quote from Top Dog in the amount of \$209.40 per side and the Library has agreed to pay for one side of the sign as they share space on it with the town. Councilman Musso made motion seconded by Councilman Burns to go ahead and authorize Top Dog to create and install a new sign for the total amount of \$418.80 to be split evenly between the Pulteney Free Library and The Town of Pulteney. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Illig to adjourn. All in favor. Carried.
Meeting adjourned at 9:04 PM.

Town Clerk

Addendum:

The special meeting of the Water Department Committee was called to order by Chairman Weber at 11 AM on the 25th of June in the Town hall. Present were Councilmen Cole and Musso, Supervisor Weber, CEO Welch and Water Plant Operator Forenz. Town Clerk Keeseey duly posted the meeting notice on the Town Hall door, Clerk's Office, and Post Office bulletin board.

The impending resignation of Ken Forenz was reviewed and upon a motion by Councilman Cole, Seconded by Councilman Musso, all in favor voting AYE, it was decided to run a help wanted ad in local media, put it on the local radio station 92.9 and on the Pulteney website.

The meeting was adjourned at 11:30 AM.

Submitted by William Weber, acting Secretary