

Supervisor William Weber called a regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, November 12, 2014, at the Pulteney Town Hall with the Pledge of Allegiance. Supervisor Weber then took a moment of reflection on the passing of three Pulteney Town residents: Louis Reeve, John Hoban, and Joe Nykiel. In addition, in remembrance of Veteran's Day, Supervisor Weber honored four living members of our community that have served our country proudly: Walter Faber, John Pizura, John Rose, and Steve Boyechko. Councilman Nancy Cole also honored Ted Cole and Douglas Davis for their service and heroism.

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 Erica Giambra. Absent was Councilman Mark Illig.

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

Supervisor Weber announced the finances of the Town's major accounts and how they are tracking nicely. Trust and Agency: \$9,947; Water: \$65,634; General: \$10,753; Highway Fund: \$219,652; General Fund: \$174,130; Highway Capital Fund: \$174,763.

Councilman Burns made motion seconded by Councilman Cole to make the following transfers. In the General Account from A9010.8 in the amount of \$2,369.00 spread over to accounts A1620.2 \$200.00, A1620.4 \$900.00, A1670.41 \$200.00, A1670.42 \$150.00, A1670.44 \$120.00, and A1920.4 \$799.00. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to make the following transfers in the Water District Account from SW8340.2 in the amount of \$320.00 to SW8330.20, and \$465.00 going from SW8340.5 to SW8340.41. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Burns made motion seconded by Councilman Cole to make the following transfer in the Highway Account from D5110.4 in the amount of \$8,000.00 to D5130.42. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to pay General Bills in the amount of \$100.00 being voucher No. 14-187 on Abstract No. 10A. Also, in General Bills in the amount of \$60.00 being voucher No. 14-188 on Abstract No. 11A. On Abstract 11 General Bills in the amount of \$26,020.51 being vouchers No. 14-189 to No. 14-207. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay Highway Bills in the amount of \$59,511.81 being vouchers No. 14-205 to No. 14-226 on Abstract No. 11. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to pay Water District No. 1 Bills in the amount of \$7,573.74 being vouchers No. 14-83 to No. 14-91 on Abstract No. 11. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Supervisor Weber announced the water hookups are increasing at a rapid rate and progressing nicely. Lauren Welch provided the monthly Municipal Services report and commented that the Annual Code Enforcement class was completed on October 21st for 2015. Also, they will once again be reviewing the property on West Lake Rd to remove a dilapidated mobile home due to increasing neighbor complaints. Atty. Jimenez will review and render his opinion at the December Board Meeting. Mr. Welch also brought to the Town Board's attention that they should consider following KWIC's lead and eliminating wastewater fees. Councilman Musso made a motion to adopt KWIC's policy and eliminate wastewater fees seconded by Councilman Burns. Roll call vote: Council Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

At 7:30, Councilman Cole moved to recess the regular Board meeting to open a public hearing on the proposed sign law seconded by Councilman Musso. All in favor. Carried.

Clerk Giambra read the following legal ad that was published in the Corning Leader:

PUBLIC NOTICE OF Filing of the Proposed Town Sign Law with the Town of Pulteney Clerk's Office at 9226 County Route 74, Pulteney, NY.

The Proposed Town Sign Law will be available for review by the public until November 12, 2014 at 7:30 pm, at which time there will be a Public Hearing. Persons wishing to appear at the hearing may do so.

Date of Notice: October 20, 2014

Erica Giambra, Town Clerk

Copies of the Proposed Town Sign Law were made available and on hand for the public. Supervisor Weber explained a brief overview of the Sign Law and asked for any public questions or comments. There was still some questions and concerns on the actual definition of a sign and permanent vs. temporary signage. Attorney Jimenez addressed the legal aspects of the questioning. Councilman Burns suggested and questioned if the Sign Law should actually be made a part of the Town Zoning Law in which the Planning Board will address, make changes/update, or adopt. Councilman Musso moved to close the public hearing seconded by Councilman Burns. All in favor. Carried.

Councilman Burns made a motion to adopt the Proposed Town Sign Law as the Law stands now and add to the Town's Zoning Law seconded by Councilman Cole. Roll call vote:

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

Councilman Cole made motion seconded by Supervisor Weber to receive and place on file the following reports: Dog Control Officer; Historian; and Justice. All in favor. Carried.

Highway Superintendent Gibson reported that they have been preparing Roff Hill for stone and oil for next year and Steuben County came in and installed a new guard rail along the road. Ford Road has been graveled and we received assistance with hauling from the Towns of Urbana and Prattsburgh. The Highway Department has been busy mowing roadsides and finishing grading roads. The truck body is in progress and should be completed by mid month. Equipment on the trucks is ready for when the snow falls.

Councilman Musso asked Supervisor Weber to contact the Steuben County Traffic Safety Board regarding more signage when coming into Town and clarifying the change/reduction in speed limit.

Under old business, Attorney Jimenez recommended that the discussion regarding the Gibson Road Lawsuit be addressed in an executive session due to litigation.

Supervisor Weber and Superintendent Gibson reported that the big cracks in the tennis courts have been sealed. This spring the smaller cracks will be filled in as well. This should hold up the tennis courts for the next few years until they will need to be replaced.

Continuing with old business, Highway Superintendent Gibson reported that there was a meeting with adjoining owners to the Gravel Pit that the Town owns to discuss selling the property vs. giving the property away with long standing rights to other contiguous property and gravel pits. The meeting went well and will continue to discuss into early next year of 2015.

Under new business, it was proposed that due to several advantages including cost cutting measures that a new Toshiba copier for the Town office be purchased. Councilman Musso made a motion to accept the 48 month lease to own contract with Toshiba and Eastern Suffolk Boces including networking services seconded by Councilman Burns. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Also new business, it was discussed that Pat Rafalowski's term on the Board of Assessment Review has expired. Councilman Cole made motion seconded by Councilman Burns to reappoint Pat to a new term that would run 10/1/14-9/30/19. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

It was announced that there are also two vacancies on the Planning Board. Supervisor Weber made a motion to appoint Jim Howitt and Louis Dominick in which they will resume the terms of the individuals that have resigned seconded by Councilman Cole. It will be up to the

Planning Board to select whom will be their new chairperson. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Paul Schnipelsky spoke on behalf of the Pulteney Free Library and announced the recent progress with the library. He handed out a diagram of the preliminary location of the where the new library will be built and surrounding area. The next steps in proceeding forward is the land needs surveyed along with a property description before an agreement can be made with the Town and a hearing be set. We will continue to follow up with this situation.

Alise Irwin announced there will be a Library Meeting in the Town Hall at 1:00 pm. The meeting will introduce and honor the Town of Pulteney Librarian, Barb Radigan. Barb was awarded the distinct honor of Innovative Library Director. This was the first year this honor was awarded and it encompasses 48 libraries in 5 counties. There will also be architecture and pictures on hand of the new potential library. Various plans and ideas will be discussed in moving forward with the building of the library.

Supervisor Weber announced to the public that the remaining issues to be handled are discussions to be held in an executive session and a quarterly audit. Supervisor Weber made motion seconded by Councilman Cole to recess the regular meeting to go into executive session to discuss recent litigation regarding the Gibson Road Lawsuit. 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 made a motion to propose that the Town go to trial and reject the current settlement offered by Gamba's attorney seconded by Councilman Cole. All in favor. Carried.

A quarterly audit was performed and signed by the Board Members.

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

Meeting adjourned at 9:15pm.

Town Clerk