

Deputy Supervisor/Councilman Mark Illig called a regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, March 11, 2015, at the Pulteney Town Hall with the Pledge of Allegiance. Councilman Illig then took a moment of reflection on the passing of four honorable community women: Barbara Welles, Mary Pizura, Effie Leenstra, and Louise Hutches. Alise Irwin graciously remembered each woman and talked of their contributions and attributes. All will be remembered and sadly missed. Councilman Illig noted that Supervisor Weber is out of Town on vacation, therefore he is conducting the Board meeting this evening.

Present were: Councilman Nancy Cole; Councilman Richard Musso; Councilman Mark Illig; Councilman Kathleen Burns; Highway Superintendent Terry Gibson; Attorney Patricio Jimenez; Bookkeeper Joyce Apenowich; Bookkeeper Becca Kirsch and Town Clerk Erica Giambra. Absent were: Supervisor William Weber.

Councilman Illig announced the meeting will be slightly out of order as we have a guest speaker. Councilman Cole introduced Scott Bryant, Commercial Sales Consultant for Solar Liberty, out of Buffalo, NY. Scott provided an excellent overview of Solar Liberty and the benefits and incentives of having solar power. Solar Liberty has been installing systems for over 11 years and has worked with over 85 municipalities. They offer Power Purchase Agreements (PPA), in which the Town can purchase solar power at a discounted/decreased rate for a fixed amount of time (20 yr contract) with no upfront capital. Solar Liberty maintains, operates, and monitors the system at no extra charge. There are possible substantial financial savings for our municipality along with an environmental benefit for the community. The next steps in moving forward would be to provide utility bills for the municipality buildings to Solar Liberty. This would allow for a complete analysis for a Town PPA. Solar Liberty would then come back and go over the analysis and set up future dates for presentations and provide more information at that time.

Councilman Musso made motion seconded by Councilman Cole to accept the minutes of the February 11, 2015 meeting. All in favor. Carried.

Councilman Cole made motion seconded by Councilman Musso to make the following Water District transfer: From Account SW8389.4 to Account SW8340.4 in the amount of \$2,500.00. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay General Bills in the amount of \$72.04 being voucher No. 15-38. Vouchers No. 15-39 to No. 15-58 in the amount of \$10,608.03 and voucher No. 15-59 in the amount of \$307.50. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay Highway Bills in the amount of \$37.66 being vouchers No. 15-33 to No. 15-34 and in the amount of \$14,930.43 being vouchers No. 15-35 to No. 15-58. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay Water District #1 Bills in the amount of \$1,395.35 being voucher No. 15-17 and in the amount of \$12,233.18 being vouchers No. 15-18 to No. 15-24. Roll call vote: Councilman

Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes.
Carried.

Regarding reports, Clerk Giambra announced other than what will be mentioned under new business, the Town and County taxes will be collected until March 31, 2015, with a reconciliation appointment date of April 7, 2015 with the County.

Highway Superintendent Gibson announced in his report they have been busy plowing and sanding, including hauling in sand. Water should remain in the ditches as the snow melts and rain comes, as they have pushed back the snow so water can get to the ditches and the culvert pipes have been opened. There is a lot of winter damage to the roads in which repairs will be made in the spring. Highway Supt. Gibson along with 13 other Superintendents from Steuben County attended a conference in Albany in an attempt to receive more CHIPS funding. At this point, it does not look like this area will be awarded any more funding, however once the budget is passed we will know the definite outcome.

In the Supervisor report, Councilman Illig announced that Supervisor Weber will be back March 18. Councilman Illig has gained a new appreciation and is thankful for the work of the Town employees, Council, and Highway Department. Everyone has worked well and business has run smoothly while Supervisor Weber has been away.

Municipal Services Manager Lauren Welch reported that activity for the wastewater department has been slow this month, however has been a busy month for special use permit applications with a busy building season expected.

Water Operator Chuck Dluzak reported there have been a few new water hookups, which for wintertime is rare but always good. The water department has been busy repairing water leaks in which Deputy Highway Supt Tears was very helpful with the leak at the Town Barn.

Under old business, Attorney Jimenez reported the Gibson Road Lawsuit is unfortunately at a delay for reasons that are unclear from the plaintiffs attorney. Their attorney has had the stipulation of settlement for over a month now, however they have not signed and returned the document. Due to this fact, the Court will need to schedule another conference date, expected around late March/early April to come to a conclusion otherwise we will plan to go to trial in the summertime.

Regarding the Town/Court Security System, there still has been no progress or updates regarding the necessary repairs that need to be completed for the system to work satisfactorily. Attorney Jimenez is authorized to write a letter regarding the insufficiencies and the need to communicate with the installer in order to resolve this situation. With any luck, we will have some form of a resolution to the situation by the April Board meeting. If still not resolved at that time other options will be deemed necessary.

Councilman Illig briefly discussed the shared services plan for the County. There are expected projected savings and the ability of shared equipment still being discussed. Once Supervisor Weber returns he will keep everyone informed on updates.

Under new business, Councilman Illig reiterated that the Town Board will need to make an appointment of a new Town Court Security Officer as our current Officer will need to take a possible permanent medical leave of absence. Councilman Cole made motion seconded by Councilman Burns to appoint Gordon Lanphere as the new Officer. All in favor. Carried.

Councilman Illig announced that the Town Clerk will be announcing a "last call" to register for the STC Regional Planning & Development Board Leadership Conference at Corning Community College on April 1st, 2nd, and/or both days. Attending 1 day is \$40.00, 2 days \$70.00. Please let Clerk Giambra know if you would like to attend so registration and payment can be sent by the deadline of March 25, 2015. Councilman Cole made motion seconded by Councilman Musso to pay for the registration fee of attending individuals. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Councilman Illig announced that Clerk Giambra has set a date with Eastview Vet Clinic for a Rabies Clinic on May 9, 2015 from 9 am to 11 am at the Pulteney Town Barn. Councilman Musso made motion seconded by Councilman Burns to approve and advertise in the Southern Tier Shopper. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Councilman Illig reported that the NYS Annual Clerk's Association Conference is April 26-29. The fee for registration, conference, and overnight accommodations is \$790.00. Councilman Cole made motion seconded by Councilman Burns to approve and pay for Clerk Giambra to attend. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Highway Supt announced that there is a signs and safety training seminar in Waterloo on April 8th. The cost is \$50.00. Councilman Musso made motion seconded by Councilman Cole to approve and pay for Highway Supt Gibson to attend. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Councilman Illig reported that the Annual Town Finance School is May 14-15 and the cost is \$329.00. Bookkeeper Kirsch would also like to be reimbursed in lieu of mileage. Councilman Musso made motion seconded by Councilman Cole to approve and pay for Bookkeeper Kirsch to attend. Roll call vote: Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes. Carried.

Councilman Illig brought up for discussion the possibility of automatic handicap access for the Town Hall. It was decided that the Board would entertain estimates and will continue to discuss and look into.

Councilman Illig announced the Board has received 1 potential bid for the gravel pit. Clerk Giambra read the following Title that was advertised in the Democrat and Chronicle, The Corning Leader, and the Town website.

**TOWN OF PULTENEY NOTICE OF SALE OF REAL PROPERTY KNOWN AS THE
TOWN OF PULTENEY GRAVEL PIT**

The Town of Pulteney of Steuben County, New York, will receive bids for the sale of the real property known as the Town of Pulteney Gravel Pit with a tax map ID # of 37.16-01-44.00 until March 10, 2015. Ten percent (10%) of the bid price shall accompany the bid, in the form of a certified check payable to the Town of Pulteney. Deposits will be returned to unsuccessful bidders after the bid opening. Bid sheets are available at the offices of the Town Of Pulteney.

The bids shall be reviewed at a regular meeting of the Pulteney Town Board held at the Pulteney Town Hall on the 11th day of March, 2015.

The Town will convey the parcel by warranty deed or other such type deed as negotiated with the purchaser. Said conveyance will be subject to any and all conditions, restrictions,

zoning, actions of the Town of Pulteney, building inspectors and the requirements of the New York State Municipal and Town Laws with regard to the sale of municipal real property. Affecting said parcel and structures located thereon, if any, and to such facts as would be disclosed by survey and inspection.

The Town of Pulteney makes no warranty or representation as to the condition, dimensions, location or physical existence of the property described herein, or to the marketability of its title, and the purchaser assumes all risk thereof. It shall be the responsibility of the purchaser to investigate all aspects of the parcel, structures located thereon, if any, and the status of the parcel.

The Town of Pulteney reserves the right to reject any and all bids received, or to withdraw the parcel from sale at any time. Any final sale shall be subject to the approval of the Pulteney Town Board, permissive referendum, if any, any requisite environmental review and approval, conflict of interest investigation and the requirements of the New York State Municipal and Town Laws with regard to the sale of municipal real property.

Dated: February 24, 2015

Erica Giambra, Town Clerk

William Weber, Town Supervisor

Councilman Illig had Clerk Giambra open the 1 sealed bid. It was an official signed sealed bid for \$100,000.00 U.S.D. with 10% of the bid price accompanying the bid in the form of a certified check. Councilman Illig announced that the bid will be further discussed in an executive session.

Under public comments and concerns, Blaine Mays was in attendance and wanted to address and introduce himself to the Board and Attorney Jimenez. Mr. Mays provided Atty. Jimenez with paperwork including letters in support of the denial of a special use permit currently in front of the Town Planning Board. Highway Supt. Gibson noted that the decision is strictly up to the Planning Board not the Town Board. If need be, after the Planning Board it will go to a Board of Appeals.

Councilman Cole made motion seconded by Councilman Musso to recess the regular meeting and go into a closed executive session to discuss the sale of the gravel pit. All in favor. Carried.

Councilman Illig made motion seconded by Councilman Cole to close the executive session and return to the regular meeting. All in favor. Carried.

Councilman Illig asked for a Roll Call vote on the motion to accept the \$100,00.00 bid for the sale of the gravel pit. Roll call vote: Councilman Burns, no; Councilman Cole, no; Councilman Musso, no; Councilman Illig, no. Denied.

Councilman Illig made motion seconded by Councilman Musso to authorize Atty. Jimenez to draw up a letter to the bidders Attorney, explaining the rejected decision and authorize Clerk Giambra to send the certified check back to the bidder. All in favor. Carried.

Councilman Musso made motion seconded by Councilman Illig to adjourn the meeting. All in favor. Carried.

Meeting adjourned at 8:45 PM.

_____, Town Clerk