

Supervisor William Weber called a regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, May 13, 2015, at the Pulteney Town Hall with the Pledge of Allegiance. Supervisor Weber then took a moment of reflection on the recent passing of 5 community members. Merlynn Burchett, Ray Somerville, Lois Tillman, Steve Cheney, and Stephanie Bates all will be forever remembered and sadly missed.

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

Councilman Cole made motion seconded by Councilman Burns to accept the minutes of the April 8, 2015 meeting. All in favor. Carried.

County Legislator Mike Hanna introduced Steuben County District Atty. Brooks Baker and Under Sheriff Jim Allard. They were in Town to discuss the current drug issue in Steuben County and what we can do as a community to assist in the ongoing team effort of law enforcement and legislators. There has been an increase in overdoses especially in the younger population with the increase in usage of bath salts, heroin, and methamphetamines. There has been an 80% increase in felony criminal court cases with the rise in usage of these drugs. Sheriff David Cole has developed the Steuben County Drug Interdiction Plan which was created as a co-op to share man power, info, and resources to effectively work together as a unit within the County. Attorney Baker wants us as a community along with police, legislature, and prosecutors to become a Drug Intelligence Gallery that is all linked in together. In November, a Legislative Package and Agenda developed in which takes aim at the production (pharmacy logs), prevention (social host law), payment/financial aspect (second hand dealer law), and profit (misdemeanor forfeiture law). Together, all have a main goal of pushing dealers and users out of Steuben County. As a community we need to report and in turn save lives.

Sheriff Allard wanted to reiterate the importance of the Drug Tip Line at 844-DRUG-TIP and the new website at www.844DRUGTIP.com. Every tip is examined and acted upon and to spread the word through public education.

Supervisor Weber announced and explained the General, Water District, and Highway Profit & Loss Statements and Balance Sheet Statements which were all made available to view.

Supervisor Weber reported the statement bank balances as follows: Water District \$81,416.78; Highway Capital \$158,344.21; Highway Fund \$417,564.67; and General Fund \$254,118.24.

Supervisor Weber announced that there were no Highway transfers to be made at this time.

Councilman Illig made motion seconded by Councilman Musso to make the following Water District transfers: From Account SW8389.4 to Account SW8310.4 in the amount of \$550.00. Also, from Account SW8389.4 to Account SW8340.4 in the amount of \$2,800.00. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to make the following General transfers: From Account A1620.51 to Account A4050.49 in the amount of \$200.00. Also, from Account A1670.41 to Account A1620.43 in the amount

of \$50.00. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to pay General Bills in the amount of \$326.24 being voucher No. 15-81, and in the amount of \$8,702.89 being vouchers No. 15-82 to No. 15-106. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay Highway Bills in the amount of \$24.87 being voucher 15-86, in the amount of \$16,350.18 being vouchers No. 15-87 to No. 15-110, and in the amount of \$2,730.97 being voucher 15-111. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay Water District #1 Bills in the amount of \$558.29 being vouchers No. 15-27 to No. 15-28, and in the amount of \$11,382.71 being vouchers No. 15-29 to No. 15-36. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

On hand were the Water Department, Municipal Services, Dog Control Officer and Justice report to view.

Clerk Giambra commented the Rabies Clinic at the Highway Town Barn that was held May 9, 2015, was a success. A special thank you to all those who assisted in making the Clinic a great event. Also, the Annual Town Clerk Conference that was held in Rochester April 26-29 was extremely informative and beneficial as a whole.

Municipal Services Manager Lauren Welch commented that this month has been very busy in regards to building applications and expensive construction projects. Also, he has issued several violation notices on spring clean up of junk and garbage around houses.

Manager Welch reported that the Water Department has also been extremely busy repairing and re-excavating a water leak near White Top on West Lake Road, water testing, billing, and turning on seasonal water. After a first failed attempt to fix the White Top leak, Marchionda Excavating of Penn Yan, and the original installers of the system North Country Contractors of Henderson, NY, managed to successfully repair the leak. Thanks to their efforts, as well as an entire group effort of Town officials and the Water Department, the system appears to be working effectively. Manger Welch has photographs available of the process of repairing the leak if interested.

In Highway Superintendent Gibson's report it explains how busy the Highway Department has been as well. They have installed new driveway pipes, replaced the dry well top at the Town Hall, graded potholes, hauled stone in for cold patch mix including making the cold mix, repaired and installed new guard rails, and have prepared roads for black top and stone and oil. The roads that will need to be resurfaced are Mill St, Roff Hill Rd, Judson Rd, Brown Rd, and the lower part of Armstrong Rd.

At this time Councilman Cole made motion seconded by Councilman Burns to recess the regular meeting and to open a public hearing on the Town of Pulteney notice of qualified abandonment. All in favor. Carried.

Clerk Giambra read the public notice advertised:
THE TOWN OF PULTENEY OF STEUBEN COUNTY, NEW YORK, WILL HOLD A PUBLIC HEARING AND MEETING ON MAY 13, 2015 AT 7:30PM REGARDING THE QUALIFIED

ABANDONMENT OF A .13 MILE UNIMPROVED PROPERTY COMMENCING AT THE CURRENT END OF GIBSON ROAD AND ENDING AT THE EDGE OF PROPERTY OWNED BY PETER AND MARY BETH GAMBA.

DATED: April 16, 2015,
Erica Giambra, Town Clerk

Attorney Jimenez handed out a map of the area and explained the terms and procedure of "abandonment". He read over the stipulation of settlement in which states this area will remain on the map as a road however by abandoning the road the Town has no legal responsibility and liability to care for it under any and all circumstances. The plaintiff's have agreed and signed. With the Board and Highway Superintendent Gibson's signature this would allow Clerk Giambra to proceed with a certificate of abandonment to submit to Judge Furfure for signature. This certificate will put the stipulation into effect and terminate the lawsuit.

Councilman Burns made motion seconded by Councilman Musso to close the public meeting and return to the regular meeting. All in favor. Carried.

Councilman Musso made motion seconded by Councilman Illig to adopt the stipulation of settlement of qualified abandonment and proceed with Supervisor Weber and Highway Supt Gibson to sign the document and have Attorney Jimenez submit. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

Under old business, Supervisor Weber announced he received approval from the Planning Board at the May 11, 2015 meeting to subdivide .6 acres of Town property to the Pulteney Free Library. Supervisor Weber made motion seconded by Councilman Burns to agree to the subdivision and pass a **Resolution** to draw up a deed to convey action that the Town of Pulteney and the Library will be tenants in common and to authorize Clerk Giambra to publish a public notice of a hearing for June 10, 2015 at 7:30 pm so the public can be heard regarding the conveyance of property. Roll call vote: Councilman Musso, yes; Councilman, Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried

Supervisor Weber touched upon the Gravel Pit and possible sale of. The Town can provide an inspection report from the DEC that will warrant a complete bill of health and compliance for the property that would ensure a buyer would not have any financial remediation when going forward. The appraisal amount of the property is \$134,000, and that is what the Town will expect and want to receive in order to sell the gravel pit. Attorney Jimenez suggested that in continuing a lasting discussion of the gravel pit, the Board should go into an executive session to discuss matters further due to legal factors.

Regarding the security system situation, Supervisor Weber was pleased to report he had a pleasant face to face meeting with the installer and agreed upon an arrangement in the near future for the installer to come back, adjust the system so it fits the needs of the Court/Town Hall, and provide training. In addition, he will offer an additional quote to upgrade the system that is now in place.

Supervisor Weber reported that the Municipal Power Contract is in place. The contract switched the supplier from American Power to Constellation Energy. It is believed this switch is a good opportunity to save money based on kilowatt usage.

Supervisor Weber received a notice from the Homeland Security and Emergency Services, in which it has training programs and resources regarding disaster and emergency services. Supervisor Weber looked into the program more and gave the

Town's contact information in case of an emergency we will receive resources and assistance.

Under new business, Supervisor Weber received information regarding the speed limit change on CR74 between Stone Rd. and Judson Rd. The Board needs to pass a **Resolution** requesting this change and complete a NYSDOT TE9a form. This will get sent to the County Commissioner for his signature then will be forwarded to NYSDOT for their review and final approval/denial. Councilman Cole made motion seconded by Councilman Musso to approve the request for the County to change the speed. All in favor. Carried.

Keeler Services provided a quote for the installation of an AC unit for the Judge's Chambers for parts and labor including electric at \$2900.00. Councilman Cole made motion seconded by Councilman Illig to accept the quote and have Clerk Giambra call Keeler to install the unit. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried. Councilman Illig made motion seconded by Councilman Musso to give the previous portable AC unit to Jean O'Neil. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

Supervisor Weber addressed the situation with the outside water fountain and its inability to work properly due to plumbing issues/location. Councilman Illig made motion seconded by Councilman Burns to authorize Supervisor Weber and Municipal Manager Welch spending not more than \$1000.00 for supplies and resources to ensure a fountain is working properly for the outside area. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

Due to ZBA Chairman Steve Cheney's tragic passing, there is a position on the ZBA Board that needs filled. Supervisor Weber made motion seconded by Councilman Musso to elevate Jan Stone from an alternate position and make her a full member and by the June meeting have the Board come up with other names for an alternate to replace Jan's position. All in favor. Carried.

There will also be a position open on the Planning Board effective in August. Stacy Forenz has put in her resignation. Supervisor Weber mentioned Tom Smith's name as a potential member. Again, by the June meeting the Board will need names to decide full time replacements.

Under public comments and concerns, Alise Irwin wanted to thank the Town Officials for their support in the ongoing efforts of a potential new library site. Also, she noted there is an art project on display in the meeting room to remind everyone of the daily ongoing projects and programs that the Library promotes and develops.

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

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

Councilman Musso made motion seconded by Councilman Illig to authorize Attorney Jimenez to provide Clerk Giambra suitable acceptable Notice of Sale wording in which she will advertise for no more than \$1000.00 the sale of the gravel pit on the

Town website and by roadside sign. The appraisal, the DEC report, and a map of the area will be made available in the Town Clerk's office during regular clerk hours for review. The Board will advertise through the summer and re-evaluate the sale in August. Roll call vote: Councilman Musso, yes; Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Supervisor Weber, yes. Carried.

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

Meeting adjourned at 9:50 PM.

Town Clerk