

Supervisor William Weber called a regular meeting of the Pulteney Town Board to order at 7:05 PM on Wednesday, November 11, 2015, at the Pulteney Town Hall with the Pledge of Allegiance. Supervisor Weber then took a moment of reflection to speak of the history of Veteran's Day and to honor all those who have and are currently serving in the military.

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

Councilman Cole made motion seconded by Councilman Musso to accept the minutes of the October 14, 2015 meeting. All in favor. Carried.

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. All Accounts are in order and tracking nicely.

Supervisor Weber reported the statement bank balances as follows: Water District \$100,903.50; Highway Capital Reserve \$149,171.53; Highway Fund \$193,597.34; and General Fund \$182,038.34.

Councilman Musso made motion seconded by Councilman Cole to make the following Highway transfers: From Account D1620.49 to Account D5110.4 in the amount of \$5,000.00, from Account D5130.43 to Account D5110.4 in the amount of \$3,500.00, and lastly from Account D5120.4 to Account D5110.4 in the amount of \$2,723.40 for a grand total of \$11,223.40. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to make the following Water District transfers: From Account SW8320.42 to Account SW8310.1 in the amount of \$1,600.00, from Account SW8340.5 to Account SW8310.1 in the amount of \$2,000.00, from Account SW8310.44 to Account SW8310.47 in the amount of \$150.00, from Account SW8340.41 to Account SW8330.41 in the amount of \$30.00, and lastly from Account SW8340.6 to Account SW8340.4 in the amount of \$3,000.00 for a grand total of \$6,780.00. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to make the following General transfers: From Account A1355.2 to Account A1410.2 in the amount of \$150.00. Roll call vote: 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 \$2,880.00 being vouchers No. 15-215 to No. 15-217 and Bills in the amount of \$3,495.19 being vouchers No. 15-218 to No. 15-236. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Musso to pay Highway Bills in the amount of \$293.33 being vouchers No. 15-213 to No. 15-215 and Bills in the amount of \$18,015.54 (in which included gravel expenses) being vouchers No. 15-216 to No. 15-244. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Musso made motion seconded by Councilman Cole to pay Water District #1 Bills in the amount of \$793.73 being vouchers No. 15-99 to No. 15-106. Roll

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

On hand were the Water Department, Municipal Services, Highway, Dog Control Officer, and Justice reports to view. Councilman Cole made motion seconded by Councilman Musso to place those reports on file. All in favor. Carried.

Water Operator Chuck Dluzak, reported that the Water Department took samples last evening to run quarterly TTHM and HAA5 testing and flushing. The coordination with Jerusalem during this process was spot on and the Department is running efficiently.

Municipal Services Manager Lauren Welch commented that this past month has been down in numbers regarding building applications, however this was a welcomed time due to several previous recent months being so extremely busy.

Highway Superintendent Gibson reported the Highway Department has been busy as usual. It was at this time that Councilman Illig became present and joined the other Town Board members. In continuation with the Highway report, the Department attended an OSHA training in Bath, continued to mow roadsides, cleaned up the leaves in Glenview Cemetery, and have the trucks ready for the winter season. They also rebuilt the headwall on a box culvert on Cross St. The new 1-ton truck has been ordered and expect to receive it around mid-winter. Highway Supt Gibson is also working with the Town of Bath regarding purchasing a 1997 Volvo truck in which we will use for parts. The offer amount is \$1600.00. Highway Supt Gibson will report back to the Board if the Town of Bath accepts the offer. Highway Supt Gibson also reported he has been informed the company that the Highway Dep't orders/cleans their uniforms through (Coyné) is being bought out by another company (Cintas). He will again report back to the Board regarding if Cintas's prices are more or less than Coyné's, and if increased other possibilities of uniform companies to order from.

It was at this time Supervisor Weber chose to open the sealed bids for the 2001 Dodge 3/4 Ton 4x4 Pick-Up Truck. The bids had to be in writing and enclosed in a sealed envelope. Sealed bids were received until Monday November 9, 2015 at 5:00 PM at the Pulteney Town Clerk's Office. There is a minimum bid set at \$500.00. The Town Board reserves the right to reject any and all bids. Supervisor Weber reported we received (2) sealed bids. The first bid was in the amount of \$1,228.00 from Steven R. Kula. The second bid was in the amount of \$520.00 from Timothy Cheney. Councilman Musso made motion seconded by Councilman Cole to accept the higher bid of \$1,228.00 from Steven R. Kula. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried. Clerk Giambra is authorized to contact both bidders with the results.

Under old business, regarding the library property update/deed status, Attorney Jimenez reported that the deed is prepared and he and the library's Attorney, Atty. Reed, are in agreement. However, Atty. Reed is not willing to waive the abstract to avoid any future liability, therefore an abstract needs to be drawn up. Atty. Jimenez reported the abstract will approximately cost \$2000.00. Supervisor Weber made motion seconded by Councilman Musso to approve the Town to pay half of the cost and the library pay half of the abstract bill with a cap of the Town not spending more than \$1000.00. Roll call vote: Councilman Cole, yes; Councilman Musso, yes; Councilman Illig, yes; Supervisor Weber, yes. Carried.

Continuing with old business, Highway Supt. Gibson reported he is working on truck pricing with Valley Fab out of Boston, NY, for the body of the 1-ton truck that is ordered. He will report back with further information at December's Board meeting.

Supervisor Weber made motion seconded by Councilman Illig to recess the regular meeting and open the scheduled public hearing on the proposed Town of Pulteney Local Law 3 of 2015 Tobey Road Compost Site. All in favor. Carried.

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

**NOTICE OF PUBLIC HEARING**  
TOWN OF PULTENEY

PUBLIC NOTICE OF Filing of the Proposed Town Tobey Road Compost Site Ordinance (Local Law No. 3 of the year 2015) with the Town of Pulteney Clerk's Office at 9226 County Route 74, Pulteney, NY.

The Proposed Town Compost Law will be available for review by the public until November 11, 2015 at 7:30pm, at which time there will be a Public Hearing.

Persons wishing to appear at the hearing may do so.

Date of Notice: October 19, 2015

Erica Giambra  
Town Clerk

Supervisor Weber reported that Highway Supt. Gibson brought to the Board's attention at previous Board Meetings that the Town compost site on Tobey Rd. is being abused by contractors. They are tearing up the road, taking up valuable space, and dumping for free. Also, they are dumping more than just yard waste, such as large trees and brush. Therefore, Attorney Jimenez and the Town Board drafted a proposed ordinance to define who is allowed to use the compost site as well as what is permissible and impermissible waste to dump. Supervisor Weber read over these highlights as well as read Article 7 in which covers penalties for violations.

Supervisor Weber then opened the hearing to the public for any comments/questions. It was brought up that there should be a definition for small branches to differentiate one individual's idea from another. It was agreed upon to add under permissible waste to include small branches up to 4" in diameter. It was also discussed that under Article 7 penalties for violations that the penalty was not sufficient enough to deter individuals from violating the ordinance. It was agreed upon to add to the penalties after the indicated fine amount "ordered to pay restitution, including the cost of remediation, as determined by the court". It was questioned why "house guest" was needed to be defined in the ordinance, in which Atty. Jimenez clarified. Lastly, it was discussed that a possible trail cam might be beneficial to be able to keep a watchful eye on the site on a 24 hour basis.

There were no further comments/questions from the public, Supervisor Weber made motion seconded by Councilman Illig to close the public hearing and return to the regular meeting. All in favor. Carried.

Regarding the security system situation, Supervisor Weber happily reported the security system is now working. The installer came to replace the main DVR that was making the system completely inactive, moved a camera so we now have access to the entire parking lot, and enabled 2 of the cameras to have night time vision. Once Judge Benedict has the opportunity to view and approve of the system, as well as ensure full access to the other computer screens, then Supervisor Weber will authorize sending the remaining balance to the installer. It was asked by the public how many hours of storage does the system hold/How long does it record for? Clerk Giambra will contact the installer to go over this information and will report back once she receives an answer.

Regarding the sale of the gravel pit, Attorney Jimenez reported the deed is finished and in Attorney Burns' possession. Atty. Burns wants Atty. Jimenez to research the abstract further regarding lake access, right of ways, and easements. Atty. Burns is requesting to make a few changes to the deed and has some questions regarding some of the provisions that were made. Outside the scope of the deed, Highway Supt Gibson and the purchaser are in agreement and will go along with what Atty. Jimenez and Atty. Burns decide regarding the provisions. Supervisor Weber emphatically reminded Atty. Jimenez that the Town fully expects to have the closing in December.

Wrapping up old business, Supervisor Weber reported the NYS DOT has rejected both requested speed limit changes on Cross St. and CR 74. Their office completed an investigation in which they performed a floating car speed study, and conducted a field review with the DOT personnel and the NYS Trooper Traffic Supervisor. They concluded that the current speed limits were appropriate. The only recommendation they had was to move the Area 30MPH on Cross St. since they concluded it is improperly posted. Councilman Cole and Councilman Musso expressed their disappointment of the findings and asked Atty. Jimenez if there was anyway to refute their findings. It was suggested that we first contact the DOT and ask to see their floating car speed study results and field review study results, since it was not necessarily clear what their reasons of rejection were. Councilman Cole made motion seconded by Councilman Musso to have Supervisor Weber write a letter to the DOT regarding both requested areas to get further data of their study. All in favor. Carried.

Under new business, similar to previous years, we received notice from the County to submit our Town water/sewer re-levy list for the January 1, 2016 tax roll. Water Operator Dluzak reported the re-levy list will be sent next week to the County. Fewer than 20 letters have been mailed out to delinquent customers. Once the customers receive notification they still have an opportunity to pay their bill before being placed on the Town and County taxes. Approximately a dozen customers will end up being placed on the County re-levy list. Again it was noted that regardless of the re-levy of delinquent water charges, an owners water will not be turned off during the delinquency time frame.

Supervisor Weber announced there is an alternate member vacancy for the ZBA Board. Supervisor Weber made motion seconded by Councilman Cole to appoint Gaylyne Smith. All in favor. Carried. Clerk Giambra is to notify her regarding her appointment and oath.

Supervisor Weber also announced there is a Planning Board secretary vacancy as well as a Zoning Board secretary vacancy. Amanda Sprague has submitted her resignation for both positions. Councilman Cole made motion seconded by Councilman

Musso to appoint Clerk Giambra as the Planning Board secretary effective January 1, 2016. All in favor . Carried.

Councilman Musso made motion seconded by Councilman Cole to appoint Clerk Giambra as the Zoning Board secretary effective immediately. All in favor. Carried.

At this time, Supervisor Weber called for a vote on the proposed Tobey Road compost site ordinance. Councilman Musso made motion seconded by Councilman Cole to adopt Local Law 3 of 2015, controlling the use of the Town of Pulteney compost site, as amended after discussions throughout the hearing this evening. All in favor. Carried.

Supervisor Weber opened up the floor to discuss the presentation on "Sustainable Keuka" that was an informational meeting open to the public at the Town Hall October 28, 2015 at 7:00 PM. This entailed a presentation and question and answer session based on the "Sustaining Keuka Project". There were speakers from the Southern Tier Central (STC) Regional Planning and Development Board. This is a project that has been in the works for a few years and discusses the world heritage vision of the Finger Lakes region and specifically Keuka Lake. Councilman Cole reported there was a good turn out of public attendance and there are more copies available of the draft form of the project. Councilman Cole also pointed out eventually the project will all be digital. It was discussed that their recommendations are a good tool for the Town, in which we could have available those recommendations to individuals, however no laws should be enacted due to this project.

Under public comments and concerns, it was again mentioned that a street light is out in front of the Town Hall. NYSEG was contacted and the light is on the list to be fixed. The flag pole light is out as well. Supervisor Weber will attempt to find a boom truck that could assist in changing the light.

Councilman Cole reported there is an annual library meeting November 14, 2015 . On the agenda they will discuss Rita Finley's recent library honor, review the annual report, and have an election of trustees.

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

Meeting adjourned at 8:20 PM.

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Town Clerk