

Supervisor William Weber called a regular meeting of the Pulteney Town Board to order at 7:00 PM on Wednesday, October 14, 2015, at the Pulteney Town Hall with the Pledge of Allegiance. Supervisor Weber then took a moment of reflection on the recent passing of two valued community members, Lyle Conrad and Lawrence (Larry) Tillman. They will be fondly remembered and sadly missed. Supervisor Weber also sent out well wishes to our Health Officer, Alise Irwin, for a speedy recovery of a recent health issue.

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

Councilman Musso made motion seconded by Councilman Cole to accept the minutes of the September 9, 2015 meeting with the one correction Councilman Cole pointed out. 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. The General Account is about financially even as it should be, the Highway Account is ahead, and the Water District Account is on track, with more income coming in throughout the remainder (last quarter) of the year. All and all, the Accounts are tracking nicely.

Supervisor Weber reported the statement bank balances as follows: Water District \$82,816.91; Highway Capital Reserve \$149,163.97; Highway Fund \$245,044.26; and General Fund \$196,034.25.

Councilman Cole made motion seconded by Councilman Burns to make the following Highway transfers: From Account D1620.49 to Account D5110.4 in the amount of \$5,000.00. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to make the following Water District transfers: From Account SW8310.11 to Account SW8310.1 in the amount of \$5,192.25, from Account SW8310.6 to Account SW8340.4 in the amount of \$1,800.00, and lastly from Account SW8330.45 to Account SW8340.2 in the amount of \$500.00 for a grand total of \$7,492.25. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Cole made motion seconded by Councilman Burns to make the following General transfers: From Account A1670.42 to Account A1110.4 in the amount of \$350.00, from Account A1410.2 to Account A1410.4 in the amount of \$150.00, from Account A1620.2 to Account A1620.4 in the amount of \$2,000.00, and lastly from Account A1670.41 to Account A3510.4 in the amount of \$200.00 for a grand total of \$2,700.00 for General transfers. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Supervisor Weber made motion seconded by Councilman Musso to accept and pay Attorney Jimenez's legal fees regarding the Gamba lawsuit in the amount of \$2,480.00. Roll call vote: Councilman Illig, yes; 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 \$618.53 being vouchers No. 15-191 to No. 15-192 and Bills in the amount of \$13,525.08 being vouchers No. 15-193 to No. 15-214. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Illig made motion seconded by Councilman Burns to pay Highway Bills in the amount of \$9,220.00 being voucher No. 15-184 (in which the Town purchased a used Highway truck), Bills in the amount of \$208.06 being vouchers No. 15-185 to No. 15-186, and lastly Bills in the amount of \$30,723.17 being vouchers No. 15-187 to No. 15-212. Roll call vote: Councilman Illig, yes; 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 #1 Bills in the amount of \$4,192.04 being vouchers No. 15-83 to No. 15-85 and Bills in the amount of \$2,528.81 being vouchers No. 15-86 to No. 15-98. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; 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 Burns to place those reports on file. All in favor. Carried.

Supervisor Weber, along with Water Operator Chuck Dluzak, reported that the Water Department is running efficiently. After his recent interview with the Department of Health, Water Operator Dluzak should be receiving his C and D certification from Albany within the next 30 days.

Municipal Services Manager Lauren Welch commented that this past month has continued to be very busy in regards to building applications. He also commented that he will be out of the office 10/20-10/23 for the annual State code classes and testing.

Highway Superintendent Gibson reported how busy the Highway Department has been as well. They have finished grading roads and have been cold patching. They hauled gravel on Glodes Corners Road with the assistance from Prattsburgh, Wayne, and Urbana. They have begun getting the trucks ready for winter. Highway Supt. Gibson had reported last month various quotes for a new 1-ton truck and has continued to research. The Town is looking at having to spend approximately \$50,000.00 + trade in, that would be taken out of the Highway Capital Reserve Account. Councilman Musso made motion seconded by Councilman Cole, with Board approval, to move forward with a letter of intent to Maple City Dodge dealership in purchasing a new 1-ton truck with the expected delivery time of March. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Supervisor Weber made motion seconded by Councilman Illig to recess the regular meeting and open the scheduled public hearing on the preliminary Town budget for 2016. 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

NOTICE IS HEREBY GIVEN that the Preliminary Budget for the Town of Pulteney for the fiscal year beginning January 1, 2016, has been completed and is on file in the office of the Pulteney Town Clerk at 9226 CR 74 in Pulteney, NY, where it is available for inspection by any interested persons at the hours of the Town Clerk.

PURSUANT to Section 108 of the Town Law, the proposed salaries of the following elected Town Officials are hereby specified as follows:

Supervisor.....	\$10,000.00
Town Clerk/Tax Collector.....	\$25,000.00
Justice.....	\$ 5,830.00
Councilmen (4 @ \$2,000 ea.).....	\$ 8,000.00
Highway Superintendent.....	\$50,908.00

FURTHER NOTICE IS HEREBY GIVEN that the Pulteney Town Board will meet and review said Budget at a Public Hearing on **Wednesday, October 14, 2015 at 7:30 PM** at the Pulteney Town Hall located at 9226 CR 74, Pulteney, NY.

By Order of the Pulteney Town Board
Erica Giambra, Town Clerk
September 29, 2015

Copies of the tentative budget were made available and on hand for the public. Supervisor Weber reported the total assessed value for the Town is \$281,782,311.00, however the total assessed taxable value is \$269,468,896.00. The tentative tax rate for 2016 is figured to be \$2.95/1000. This remains consistent as in the past, where in 2014 the tax rate was \$2.98/1000 and in 2015 \$2.96/1000 respectively. Therefore, there will be no tax increase and the budget falls below the mandated levy in which taxpayers will be eligible to receive a rebate check from New York State. However, Supervisor Weber did note that if the levy remains the same and is consistent with using the Fund Balance, in the next few years taxes will indeed increase.

Supervisor Weber also highlighted the water rate will remain the same as well at \$125.00 quarterly, and a yearly EDU (Unit of Water Usage) rate of \$326.31.

Supervisor Weber then opened the hearing to the public for any comments/questions. There were questions regarding an increase in taxes in the years to come. If the Town did not use the Fund Balance at all this coming year 2016, it was figured taxes would increase 17% and there would be no eligibility of a rebate from the State. The tax rate would go from 2.95% to approximately 3.50%. It is definitely a topic taxpayers need to pay attention to in the future.

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.

Under old business, regarding the Library property update and deed status, Attorney Jimenez reported that Attorney Reed approved the language of the deed and is in the process of working with the Library Board of Trustees. The next move in finalizing the agreement is at the hands of the Library Board. The Library is still in need of obtaining the abstract with survey. Supervisor Weber offered to assist in obtaining these documents.

Regarding the security system situation, Supervisor Weber reported that we still have not been able to make contact with the installer after leaving messages. Supervisor Weber consulted Attorney Jimenez as what options the Town has in regards to suing the installer and getting back the down payment that has already been paid. Attorney Jimenez suggested he could start the process of filing a small claims case in which it would be filed in the Pulteney Town Court. Supervisor Weber made motion seconded by Councilman Illig for Attorney Jimenez to prepare the necessary documents to begin legal action and open a small claims case against the security system installer. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Regarding the sale of the gravel pit, Attorney Jimenez reported the deed is finished and in Attorney Burns' possession. Atty. Burns will need to meet with the purchaser and the deal hopefully should be finalized by the November Board meeting. It was noted that the purchaser is possibly requesting that a separate contract be drawn in regards to Highway Supt. Gibson having access and use the gravel that remains at the pit. This should be a non-issue and all parties should be in agreement.

Wrapping up old business, 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. Attorney Jimenez provided a sample ordinance at the September meeting for the Board to review and discuss. Supervisor Weber read his suggested changes. Supervisor Weber made motion seconded by Councilman Cole to schedule a public hearing for November 11, 2015 at 7:30 PM and to authorize Clerk Giambra to advertise such hearing. The hearing on the proposed Tobey Road Compost Site Ordinance will be heard as Local Law No. 3 of the year 2015. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. 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. A Town Board Resolution is needed to authorize the re-levy. Councilman Illig made motion seconded by Councilman Burns to resolve the following **Resolution:**

Whereas certain water account customers may be delinquent in paying their quarterly water bills, it may be necessary to have the arrears added to their Town and County tax bills.

Therefore, be it resolved that the Town of Pulteney hereby authorizes the Steuben County Real Property Tax Office to re-levy the delinquent water charges to the owner of

the property and that the Town of Pulteney will provide the necessary information to the County.

Memo from the County Real Property Tax Service attached hereto.

BY Councilman Illig
SECOND Councilman Burns
Roll call vote, Attest by Town Clerk
14th October, 2015

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.

Councilman Musso made motion seconded by Councilman Cole to authorize the following **Resolution:**

To authorize the application for a JCAP GRANT for COURT associated equipment to request the maximum amount available.

The Town Clerk is hereby authorized to send this RESOLUTION and associated documents to the New York State Justice Court.

BY Councilman Musso
SECOND Councilman Cole
Roll Call Vote, Attest by Town Clerk
14th October, 2015

Continuing with new business, Supervisor Weber reported the need to appoint a new member to the Planning Board to fill the vacant spot left by Louis Dominick's resignation. Clerk Giambra also received Alternate Zoning Board member, Pam Kelly's, resignation. Supervisor Weber made motion seconded by Councilman Cole to accept Pam Kelly's resignation as an Alternate on the Zoning Board and appoint her to fill the vacant term on the Planning Board. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

There remains a vacancy as an Alternate on the Zoning Board. Supervisor Weber asked the Board to think of possible replacements for the November Board meeting.

Councilman Cole made motion seconded by Councilman Musso to authorize Highway Supt. Gibson and Clerk Giambra to advertise in The Corning Leader and Southern Tier Shopper a sealed bid notice for sale of a Highway truck. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Supervisor Weber read the following annual public notice:

PUBLIC NOTICE
TOWN OF PULTENEY RESIDENTS

In order to do an efficient job of plowing snow this winter, there will be **NO PARKING** along the Town Roads or Right-of-Ways in the Town of Pulteney from November 1, 2015 to April 1, 2016.

All vehicles will be towed away at the owner's expense.

Please remember that plowing driveways across roadways is dangerous, as well as against the law. Anyone plowing snow across the roadway will be subject to a violation and may be issued an appearance ticket.

By order of Terry Gibson,
Highway Superintendent

Councilman Cole made motion seconded by Councilman Burns to authorize Clerk Giambra to advertise this public notice in The Southern Tier Shopper. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Councilman Burns made motion seconded by Councilman Cole to schedule Trick or Treat in the Town on Halloween night, October 31, 2015 from 6-8 PM and authorize Clerk Giambra to advertise in The Southern Tier Shopper. All in favor. Carried.

Supervisor Weber reported the Town received a letter from the Hammondsport Chamber of Commerce inviting the Town to become a member. The cost would be \$75.00/year. After some discussion, it was decided to decline the appreciated offer.

At this time, Supervisor Weber called for a vote on the proposed 2016 preliminary budget. Councilman Musso made motion seconded by Councilman Cole to accept the preliminary 2016 budget and make it the adopted 2016 budget, have Clerk Giambra prepare the budget packet with certified cover sheet, and Supervisor Weber take to the County building to be filed. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Supervisor Weber announced there will be an informational meeting at the Town Hall October 28, 2015 at 7:00 PM. There will be a presentation and question and answer session based on the "Sustaining Keuka Project". There will be 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 will discuss the world heritage vision of the Finger Lakes region and specifically Keuka Lake. Supervisor Weber made motion seconded by Councilman Cole to authorize holding the informational meeting and for Clerk Giambra to advertise the meeting in The Southern Tier Shopper and The Corning Leader. Roll call vote: Councilman Illig, yes; Councilman Burns, yes; Councilman Cole, yes; Councilman Musso, yes; Supervisor Weber, yes. Carried.

Under public comments and concerns, Leslie Belsito wanted to thank the Town Board for their efforts in analyzing Districts 3 and 4, specifically regarding commercial and retail businesses, and approving the passing of the recent Town Zoning Law (LL2, 2015). She is very grateful.

Councilman Burns requested the status of the proposed Town speeding zone changes that were sent to the County and State a few months previous, as cars continually are speeding throughout Town. Supervisor Weber read a letter from the State acknowledging receipt of our requests and will investigate and notify the Town of the their finding and any changes. It was also mentioned that a street light is out in front of the Town Hall and NYSEG will need to be notified to fix the light.

Supervisor Weber made motion seconded by Councilman Burns to adjourn the meeting. All in favor. Carried.
Meeting adjourned at 8:45 PM.

Town Clerk