

The regular meeting of the Prattsburgh Town Board was called to order on May 20th 2024, at 6:30 P.M. at the Ingleside Christian Church, Ingleside, NY. Supervisor Wordingham led the Pledge of Allegiance.

PRESENT:

Albert Wordingham Supervisor
Angela Einwachter Councilmember
Elizabeth Peck Councilmember
Janette Payne Councilmember
Pete Scheid Councilmember
Edward Brockman Legal Counsel
Kim Sobolewski Town Clerk

MINUTES

On a motion made by Councilmember Einwachter, seconded by Councilmember Payne, the April 15th 2024, Meeting Minutes were accepted as presented.

Councilmember Einwachter- Aye
Councilmember Peck-Aye
Councilmember Payne-Aye
Councilmember Scheid-Aye
Supervisor Wordingham-Aye

FINANCIAL REPORT

On a motion made by Councilmember Einwachter, seconded by Councilmember Schein, the May 2024 financial report was accepted as presented by Supervisor Wordingham.

Councilmember Einwachter- Aye
Councilmember Peck-Aye
Councilmember Payne-Aye
Councilmember Scheid-Aye
Supervisor Wordingham-Aye

AUDIT OF BILLS

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the board approved payment of the following bills on ABSTRACT #5 to be paid as presented. The total amount to be paid on ABSTRACT #5 is \$143,233.91.(Voucher#166-212)

Councilmember Einwachter- Aye
Councilmember Peck-Aye
Councilmember Payne-Aye
Councilmember Scheid-Aye
Supervisor Wordingham-Aye

HIGHWAY

Shared services from the county, Borrowed a pay loader for 1/2 a day.
Shared services from Pulteney, Bath, Wheeler hauling gravel to Gleason Road and Fisher Rd.
Tiled all of Gleason Road and flat part on Fisher Rd. With a section of Rosy Hill.
Skim coated Gleason Rd. with gravel, we will finish the rest later in the summer.
Did a gravel lift on the flat on Fisher Road.
Fix four Rd. Signs.
Patched potholes.

Swept all roads.

Hauled in 1A stone from Hansons to make Cold patch.

Hauled in 1A stone from Spallina to cover Hotchkin Road.

Men attended DIG safe course in Urbana.

Bob Goldrich hauled in number six and medium stone for sluice pipes.

Mowed around buildings twice.

Working on getting ready to oil and stone Ingleside in the next couple of weeks.

T-021- DEF sensor.

G-112 alternator, mirrors, replaced. shimmed blades, serviced, greased

T-304 inspection, air leak, grease.

T-305 serviced, greased.

T-103 serviced, greased.

WATER

We had B&B Tree Service cut 10 trees at the reservoir that were in danger of falling on the tank and fence.

Ed and I finished up changing the Water District Policy

I sent in April's Water Report to the DOH

I took May's Coli/Ecoli water sample to the Wayland Lab

I finished our 2023 Annual Water Quality Report and published it on the Town Website

I took the UDIG Certified Excavator Program class in Hammondsport

I have been working on finalizing Empire's new water service

I turned on 3 services

Fred and I had water training in Big Flats

I weed trimmed all fire hydrants, the pump house, the reservoir and the maintenance shop

The generator at the pump house was serviced

Fred, Russ and I fixed a service on Howe St

I started working on exercising curb shutoffs on Howe St

I created new forms for our next meter change out

I cold patched one driveway from a previous dig

I cleaned the front gutters and siding at the town hall

UDIG

Tickets – 57

Mark outs – 6

Emergency – 1

CODE ENFORCEMENT

Report for 4/15/2024 thru 5/19/2024

Permits apps - 11

Appearance Tickets-0

Renewals- 0

Building inspections- 10

Septic Inspections – 0

C of O/C of C –1

Compliance inspections - 2

Compliance orders – 1

Phone Calls – 102

Incidents – 0

Emails – 128

Plan Reviews, worked on code files, Fire & safety check list update, In service training

SUPERVISOR

4/12/24 I received confirmation from USDA Rural Development that Prattsburgh has been approved for a loan and grant for the Phase IV water system improvement project. Receiving this confirmation will help us in applying for additional grants, therefore reducing the loan amount.

4/16/24 Dwight Kanyuck (Knauf-Shaw) who represents Prattsburgh and Cohocton in the Terra-Gen project held oral arguments with O.R.E.S. In Prattsburgh's case Dwight was arguing two issues. First that the town's set back law from a property line should not be waived and second that building permits issued prior to Terra-Gen's receiving a draft permit for all O.R.E.S. health and safety regulations should be enforced. The judge seemed receptive to the town's setback law, but not so much with the building permits. We will know by May 2nd if a hearing will be allowed for either topic.

4/22/24 Kory and I had another discussion on teaming up to get additional funding for the waste water project. Kory has talked to the school's engineers and financial advisors to find a path forward. Once some ideas are formulated, we will all get together to discuss.

4/25/24 I had meeting with the highway crew to get an update on the challenges they are facing with repairs. We talked about identifying ways to get larger returns on the available money in the highway budget. We have set up one account where we can purchase repair parts on a wholesale basis instead of paying retail. We have also found two individuals that can offer service on the earth moving equipment rather than using the manufacturers. We will realize substantial savings based on the hourly rate difference.

5/1/24 We received very good news today! A few months ago, we applied for a grant from the Susquehanna River Basin Commission (SRBC) for \$114,000. Today we received confirmation that we have been awarded the grant. The money will

be used to purchase and install approximately 168 meters, a number of meter pits, and other miscellaneous software and hardware. This project should be completed sometime in July.

5/6/24 Angela and I had a phone conversation with Dwight Kanyuck (Knauf-Shaw) regarding the findings of the administrative law judges at O.R.E.S. The Terra-Gen Project has exceeded the noise and light flicker laws of Prattsburgh. In both cases O.R.E.S. has found the town laws “over burdensome” and over ruled them. Regarding the ruling on setbacks for open building permits O.R.E.S. found that seasonal residents don’t require the same setbacks as full-time residences. On all three issues O.R.E.S. stated that adjudication is not warranted.

5/8/24 As you may remember we started a salary analysis of the customers in the water district with the help of RECAP a few months ago. The initial results were not favorable to Prattsburgh receiving a grant, so we have decided to resume the analysis next year. Based on the economy we hope that the state will revise the household numbers so that Prattsburgh will qualify.

5/13/24 Pete and I sat in on a Microsoft Teams Meeting with the Costanza’s and Larson Engineering Group (LDG) to discuss the reports on Chapter 13 and building code regarding the Main Street Project. LDG was hired as a third party to review the project. Hopefully the project will move forward.

5/15/24 Dwight Kanyuck (Knauf-Shaw) and I had a meeting to discuss the next step in the Terra-Gen project. It is probable that since O.R.E.S. has overridden the town’s laws that Prattsburgh will have wind turbines. Dwight and I are discussing the formula for compensation that would yield Prattsburgh the largest financial gain.

HIGHWAY COMPUTER

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the Board approved the Highway Department to purchase tools from Amazon through Kim Sobolewski.

Councilmember Einwachter- Aye
Councilmember Peck-Aye
Councilmember Payne-Aye
Councilmember Scheid-Aye
Supervisor Wordingham-Aye

INVESTMENT POLICY

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the following was approved:

Councilmember Einwachter- Aye
Councilmember Peck-Aye
Councilmember Payne-Aye
Councilmember Scheid-Aye
Supervisor Wordingham-Aye

Resolution No. 9 -2024

Proposed Investment Policy of the Town of Prattsburgh
Steuben County

Motion by Councilperson Einwachter, seconded by Councilperson Scheid to adopt the following resolution:

WHEREAS, General Municipal law (GML) §11 requires every municipality to adopt internal policies and procedures governing investments and deposits of moneys; and

WHEREAS, the Town Board of the Town of Prattsburgh has reviewed the within proposed investment policy; and

WHEREAS, it appears that there will be no environmental impacts as a result of the adoption hereof;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Prattsburgh designates itself as “lead agency” for SEQRA purposes and declares the adoption hereof to be a Type II action and therefore no SEQRA review is required and does hereby adopt the following investment policies and procedures as of the date of the adoption hereof:

Investment Policy

1. PURPOSE OF THE INVESTMENT POLICY

This investment policy applies to all moneys, funds and other financial resources available for deposit or investment by the Town of Prattsburgh. All public officers and employees of the Town of Prattsburgh shall adhere to the terms of this policy.

2. OBJECTIVES

The primary objectives of investment activities by the Town Board of the Town of Prattsburgh, in declining order of priority, are:

- A. Compliance with any and all applicable federal, state and other legal requirements for investment of municipal financial resources.
- B. The protection and safeguarding of the investment of municipal financial resources.
- C. To provide sufficient liquidity to meet operating obligations of the Town of Prattsburgh through its various operations.
- D. To obtain a reasonable rate of return (yield) on the deposits and investments.

3. DELEGATION OF AUTHORITY TO SUPERVISOR

The Town Board’s responsibility for administration of the investment program is delegated to the Town Supervisor. The Supervisor shall maintain an adequate internal control structure to provide a satisfactory level of accountability based on database records incorporation, description, amounts of investment, transaction dates and other relevant information.

4. LEVEL OF CARE IN MANAGING INVESTMENTS

All participants in the investment process shall seek to act responsibly as custodian of the public trust and shall avoid any transaction that might impair public confidence in the Town of Prattsburgh to govern effectively. Investments shall be made with judgment and care, in accordance with the prevailing circumstances which the average person of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from any personal business activity that could conflict with proper implementation of the investment policy or which could impair their ability to make impartial investment decisions on behalf of the Town of Prattsburgh. All participants should also avoid the appearance of impropriety with respect to deposits and investments.

5. DIVERSIFICATION OF INVESTMENTS

It is the policy of the Town of Prattsburgh to diversify its deposits and investments by financial institution, by investment instrument and by maturity scheduling.

6. INTERNAL INVESTMENT CONTROLS

It shall be the policy of the Town of Prattsburgh for all moneys collected by any officer or employee of the Town, to transfer those funds to the Supervisor within thirty (30) days of receipt thereof, or within the time period specified in law, whichever is shorter. The Supervisor and any other public officer or employee of the Town having custody of money, shall be responsible for establishing and maintaining an internal control structure to provide reasonable assurance that deposits and investments are safeguarded against loss from unauthorized use, application or disposition, that financial transactions are executed in accordance with proper authorization, are recorded properly and managed in compliance with applicable laws and regulations.

7. DESIGNATION OF DEPOSITARIES

The following banks and trust companies are authorized for the deposit of monies up to the following maximum amounts:

Depository Name	Maximum Amount	Officer
_____	_____	Supervisor_____
_____	_____	Supervisor_____
_____	_____	Supervisor_ ____

8. COLLATERALIZING OF DEPOSITS

All bank deposits of the Town of Prattsburgh, including, but not limited to, certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured in accordance with the provisions of subsection 3 of §10 of the General Municipal law of the State of New York and/or any amendment or successor laws to such law.

9. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateral deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released, as well as the events which will enable the Town of Prattsburgh to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Town of Prattsburgh, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Prattsburgh or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of the custodian for the Town of Prattsburgh, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, under any circumstances be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Town of Prattsburgh with a perfected interest in the securities.

10. PERMITTED INVESTMENTS

As authorized by §11 of the General Municipal Law of the State of New York, the Town Board of the Town of Prattsburgh authorizes the Town Supervisor to deposit such moneys that are not required for immediate expenditure by the Town of Prattsburgh, for terms not to exceed its projected cash flow needs in the following types of investments:

- A. Special time deposit accounts;
- B. Certificates of deposit;
- C. Obligations of the United State of America;
- D. Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
- E. Obligations of the State of New York;
- F. Obligations issued pursuant to §24.00 or §25.00 of the Local Finance Law of the State of New York (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Prattsburgh;
- G. Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies, where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments;
- H. Certificates of Participation (COPs) issued pursuant to §109-b of the General Municipal Law of the State of New York.
- I. Obligations of this local government, but only with any moneys in a reserve fund established pursuant to §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n of the General Municipal Law of the State of New York.

All investment obligations shall be payable or redeemable at the option of the Town of Prattsburgh within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Prattsburgh within two (2) years of the date of purchase.

11. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Prattsburgh shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits as to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Town of Prattsburgh conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition for deposits therein by the Town of Prattsburgh. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Town Supervisor and any other public officer having custody of money are responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually by those officers.

12. PURCHASE OF INVESTMENTS

The Town Supervisor and other Public Officers of the Town of Prattsburgh having custody of money are authorized to contract for the purpose of investments.

- A. Directly, including through a repurchase agreement from an authorized trading partner.
- B. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law of the State of New York, where such program meets all the requirements set

forth in the Office of the State Comptroller Opinion No. 88-48, and the specific program has been authorized by the Town Board of the Town of Prattsburgh.

C. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the Town Board of the Town of Prattsburgh.

All purchased obligations, unless registered or inscribed in the name of the Town of Prattsburgh, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the public officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Prattsburgh by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as specified in §10 of the General Municipal Law of the State of New York.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of the custodian for the Town of Prattsburgh, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or any other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government with a perfected interest in the securities.

13. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- A. All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- B. Trading partners are limited to banks or trust companies authorized to transact business in the State of New York.
- C. Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America pursuant to which principal and interest are guaranteed by the United States of America.
- D. No substitutions of securities is permitted.
- E. The custodian shall be a party other than the trading partner.

Ayes:

Albert Wordingham Supervisor
Angela Einwachter Councilmember
Elizabeth Peck Councilmember
Janette Payne Councilmember
Pete Scheid Councilmember

Noes:

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)

COUNTY OF STEUBEN) SS:

I, the undersigned, Town Clerk of the Town of Prattsburgh, Steuben County, New York, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a meeting of the Town Board of the Town of Prattsburgh, duly and regularly called and held on the day of , 2024, at which a quorum was present and participated in throughout, said Resolution having been passed, and that the same has not been in any way rescinded or annulled but is still in full force and effect and is duly entered in the minutes of said meeting.

IN WITNESS WHEREOF I have hereunto set my hand and the seal of the said Town the 21st day of May, 2024.

(SEAL)

Kim Sobolewski, Town Clerk
Town of Prattsburgh

ARPA FUNDS

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the following was approved:

Councilmember Einwachter- Aye
Councilmember Peck-Aye
Councilmember Payne-Aye
Councilmember Scheid-Aye

Supervisor Wordingham-Aye

Town of Prattsburgh

Resolution No. 10 -2024

Approval of ARPA Funds for Purchase of Real Estate For the Proposed Wastewater Sewer System

Motion by Councilperson Scheid, seconded by Councilperson Einwachter to adopt the following resolution:

WHEREAS, the Town is considering creation of a sewer system for a part of the Town; and

WHEREAS, the purchase of real estate for use in the system will be required; and

WHEREAS, real property is available for that purpose at a price representing fair market value; and

WHEREAS, a delay in creating the sewer system was caused by the so called Covid19 pandemic; and

WHEREAS, ARPA funds are available for that purpose.

NOW THEREFORE BE IT RESOLVED, THAT

1. It is determined by the Town Board that the creation of a sewer district within the Town of Prattsburgh will serve as a betterment of the community and improve the health, safety and welfare of the residents thereof.

2. The Town Board of the Town of Prattsburgh approves the use of ARPA funds for the purchase of the subject real property at fair market value subject to terms and conditions approved by the Town Supervisor and Town Legal Counsel.

3. The Town Supervisor is authorized and directed, on behalf of the Town Board of the Town of Prattsburgh, to expend ARPA funds for such purchase subject to audit by the Town Board.

CERTIFICATION OF CLERK

STATE OF NEW YORK)

COUNTY OF STEUBEN)

TOWN OF PRATTSBURGH)

I, Kim Sobolewski, Clerk for the Town of Prattsburgh, County of Steuben and State of New York, do hereby certify that the before mentioned RESOLUTION 2024 was adopted at the meeting of the Town Board of the Town of Prattsburgh Held on May 20, 2024, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: May 21, 2024

Kim Sobolewski – Town Clerk

Town of Prattsburgh

FEE SCHEDULE

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the Board approved the public hearing to take place June 17th 2024 at 6:35 P.M.

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye

Supervisor Wordingham-Aye

JUNIOR CLASS CLEANUP

On a motion made by Councilmember Scheid, seconded by Councilmember Payne, the Board approved the Junior Class cleanup project at The Rotary Park.

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye

Supervisor Wordingham-Aye

RESCHEDULE PUBLIC HEARING

On a motion made by Councilmember Scheid, seconded by Councilmember Einwachter, the Board approved rescheduling the public hearing for water rates to June 17th.

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye

Supervisor Wordingham-Aye

ADJOURNMENT

On a motion made by Councilmember Peck, seconded by Councilmember Einwachter, and duly carried, the Regular meeting was adjourned at 8:14 P.M.

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye

Supervisor Wordingham-Aye

Respectfully submitted,
Kim Sobolewski, Town Clerk