

Regular Town Board Meeting
September 18th, 2023

The regular meeting of the Prattsburgh Town Board was called to order on September 18th, 2023, 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
Kim Sobolewski Town Clerk

MINUTES

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the August 21st, 2023, 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 Scheid, seconded by Councilmember Payne, the September 2023 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 Peck, the board approved payment of the following bills on ABSTRACT #9 to be paid as presented. The total amount to be paid on ABSTRACT #9 is \$153,395.27 (Voucher#332-368)

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

APPROPRIATIONS

On a motion made by Councilmember Scheid, seconded by Councilmember Einwachter, the September 2023 appropriations were accepted as presented.

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

HIGHWAY

Since our last meeting we have:
Ditched all of Wheaton and Moore Roads
Changed a cross pipe on Moore Road
Did a pipe extension on Black Lock Road
Hauled in 360 ton of item 4, 90 ton of bank run
Grated down to the water tower
Gravel lift on a section of McMichael and Reservoir Roads
Finished grading all the dirt roads, now we our spot grading hills and washes
Five downed trees
Provided shared services with Pulteney for two days oiling and stoning, and Urbana for 4 days
Currently we are doing a gravel lift on Hotchkiss Road
Rather big project intended for Davis Road creek
G-112 new idler pulley, new belt, new fan belt
T-103 Complete service
R-118 Service
T-100, T-200 Inspected

CODE

WATER

8/22 – Weed trimmed at the pump house and reservoir
8/23 – Worked on the RCAP customer list
8/24 – Janette and I met with Becky Simms for RCAP survey update
8/24 – Cleaned up trees by the green
8/29 – Painted at the Maintenance Shop
8/30 & 8/31 – Flushed Hydrants
9/1 – Installed new door trim at the Maintenance Shop
9/5 – Sent in Augusts' monthly water report
9/11 – Started working on the 2024 budget
9/12 & 9/15 – Repaired or replaced 4 curb boxes with Russ
9/13 – Replaced a hydrant by the highway barn
9/15 – Replaced a curb shut off valve and curb box on North Main St with Fred and Russ
8/25, 9/1 & 9/8 – Fred and I started locating and recording curb box locations
9/18 – Started cleanup from curb box replacements
Dig Safe
Tickets – 33

SUPERVISOR

8/24/23 Ed Brockman, Angela, and I had a meeting with Carrie McKeiver (Prattsburgh’s Representative from Restore New York) to discuss the town’s obligation with respect to the grant for Chris Costanza.

We discussed at length award details, project documents, and project timeline in order of events.

8/28/23 The town owes a round of thanks to Kim, Angel, and Tia for the spectacular job they did organizing and running the festival. There was something for everyone. They set the bar pretty high for next year.

9/5/23 With the exception of a minor detail the purchase offer to buy the church property for the town’s wastewater project should be complete by 9/11/23 in terms of the legal work. The Presbytery has already agreed to the deal, so the only thing left is to get approval from the court.

9/6/23 As a lot of people from Prattsburgh are aware there have been several issues that have slowed the project on main street. Chris Whipple, Chris Underhill, Angela Einwachter, Chris Costanza, Amanda Costanza, and I met to regroup and establish a plan to move the main street project forward.

9/11/23 I signed the revised purchase offer for the church property for the wastewater district.

9/13/23 The Planning board is very busy working on the new Empire building project as well as a proposed 3.5-megawatt solar project. The Planning board will be addressing both projects on 9/14/23 at the town hall.

9/13/23 I have spent a lot of time in the last two weeks working on the 2024 budget.

9/13/23 I was contacted by Omar Sanders (Restore N.Y. grant for main street) to review the progress of the on main street. Chris Whipple, Angela Einwachter, and I had a zoom meeting to address Omar’s questions and concerns. The town will provide a timeline of events and other documents in the next few days for Omar to review.

ROLLER

On a motion made by Councilmember Einwachter, seconded by Councilmember Peck, the Board declared the Volvo surplus equipment, and will be sold.

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye

Supervisor Wordingham-Aye

CODE FEES

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

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye

Supervisor Wordingham-Aye

Town of Prattsburgh

Resolution No. 25 -2023

Adoption of Amended Code Enforcement Fee Schedule

Motion by Councilperson Scheid, seconded by Councilperson Peck to adopt the

Following resolution:

WHEREAS, the Town of Prattsburgh, as part of its municipal government, operates, manages and funds a Code Enforcement Office which utilizes a Code Enforcement Officer for Code Enforcement; and

WHEREAS, the Local Law which authorizes the Town of Prattsburgh to administer and enforce the New York State Fire Prevention, Building and Energy Codes of the State of New York provides for the Town to charge fees for the various permits, inspections and other code enforcement actions which are a requisite part of such Code Enforcement; and

WHEREAS, the fee schedule also includes charges related to the administration of the Town's Land Use (Zoning) laws adopted pursuant to Article 16 of the Town Law.

WHEREAS, the Town presently has a fee schedule for Code Enforcement activities that is in need of amendment; and

WHEREAS, the Town Board intends to address any SEQR issues related to this action.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Town Board of the Town of Prattsburgh designates itself as "Lead Agency" with respect to SEQR issues related to this action and finds this action will not result in any detrimental environmental impacts. Therefore, the Town Board declares this to be a "Type II" action and accordingly no SEQR review of this action will be necessitated.

2. The proposed amended Fee Schedule for the Code Enforcement Office attached hereto as Schedule "A" and hereby made a part hereof, is hereby adopted and is to be applied to all activities of the Code Enforcement Office as set out in such schedule including administration of the Town's land use Local Laws.

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 25 2023 was adopted at the regular meeting the Town of Prattsburgh Town Board held on September 18, 2023, 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: September 19, 2023 _____

Kim Sobolewski – Town Clerk

LEAD AGENCY

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

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye

Supervisor Wordingham-Aye

Town of Prattsburgh
Resolution No. 26 -2023

With Respect To the Project To Renovate and Restore the Properties known as 12, 14 and 16 Main Street, Prattsburgh, New York by 20 Portsmouth LLC

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

WHEREAS, Christopher Costanza and Amanda Costanza, through their 20 Portsmouth LLC, own properties known as 12, 14 and 16 Main Street (Main Street Project), in the Town of Prattsburgh, being mixed residential and commercial properties; and

WHEREAS, those properties are in a physical condition requiring renovation and restoration; and

WHEREAS, the owners have acquired a Restore NY Grant to assist in the project; and

WHEREAS, the renovation and restoration project may have an environmental impact;

WHEREAS, the Restore NY Grant protocols require a SEQRA review; and

WHEREAS, the Town Board of the Town of Prattsburgh is the Local Project Administrator for the Restore NY Grant; and

WHEREAS, The Town Board intends to seek "Lead Agency" status with respect to that requisite SEQRA review.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Town Board of the Town of Prattsburgh determines pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617, hereafter called SEQRA, that the proposed project is an "Unlisted" Action under SEQRA and therefore a Short Environmental Assessment Form (SEAF) must be prepared.
2. The Town Board declares its intent to establish itself as Lead Agency in the coordinated review for this action.
3. The Town Clerk through the Town Legal Counsel shall notify all involved agencies of the Town Board's intention to designate itself as lead agency.
4. A coordinated review will be performed.
5. This resolution shall take effect immediately.

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 26 2023 was adopted at the regular meeting the Town of Prattsburgh Town Board held on September 18, 2023, 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: September 19, 2023

Kim Sobolewski

TAX CAP OVERRIDE

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

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye
Supervisor Wordingham-Aye

TOWN OF PRATTSBURGH

Resolution No. 27 -2023

Proposed Local Law To Establish New York State Tax Cap Override For Fiscal Year 2024

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

WHEREAS, New York State has mandated a tax cap for annual increases of municipal budgets; and

WHEREAS, the Town of Prattsburgh does not anticipate exceeding the tax cap; and

WHEREAS, the New York State Tax Cap Law is complex to follow and includes significant penalties if all rules are not followed and such tax cap is violated; and

WHEREAS, an override of the tax cap is permitted under State Law and appears appropriate for the Town of Prattsburgh under the circumstances; and

WHEREAS, a proposed Local Law has been distributed to the Town Board; and

WHEREAS, the Town Board intends to act as “Lead Agency” with respect to SEQRA issues related to this action.

NOW THEREFORE, BE IT RESOLVED, THAT

1. The Town Board of Town of Prattsburgh hereby determines that it is in the best interests of the residents and property owners of the Town of Prattsburgh to override the tax cap as provided in the General Municipal Law to ensure that the Town is not in violation of the tax cap law embodied in §3-c of the General Municipal Law for the year of 2024.
2. The Town Board designates itself as “Lead Agency” for SEQRA issues related hereto, determines that there will be no detrimental environmental impacts resulting therefrom, therefore declares this to be a “Type II” action and accordingly no environmental review will be undertaken.
3. A proposed Local Law overriding the tax cap pursuant to General Municipal Law Section 3-c has been circulated to the Town Board.
4. That a public hearing on the proposed Local Law is hereby scheduled for October 16, 2023, at 6:30 p.m. at the Town Hall and that notice thereof be made by legal counsel.

CERTIFICATION OF CLERK

STATE OF NEW YORK)

COUNTY OF STEUBEN)

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 27 -2023 was adopted at the meeting of the Town Board of the Town of Prattsburgh held on September 18, 2023 , 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: 09/19/2023

Kim Sobolewski–Town Clerk Town of Prattsburgh

EXECUTIVE SESSION

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, with all Board Members favor, the Board will go into Executive secession regarding the pending negotiations of a contract to discuss details that many have a negative impact on the town if made public.

Councilmember Einwachter- Aye

Councilmember Peck-Aye

Councilmember Payne-Aye

Councilmember Scheid-Aye
Supervisor Wordingham-Aye

On a motion made by Councilmember Einwachter and seconded by Councilmember Peck, the board agreed to exit executive session and resume regular session.

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 Payne, and duly carried, the Regular meeting was adjourned at 9:05 P.M.

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

Respectfully submitted,
Kim Sobolewski, Town Clerk