

Regular Town Board Meeting  
October 21<sup>st</sup>, 2024

The regular meeting of the Prattsburgh Town Board was called to order on October 21<sup>st</sup>, 2024, at 6:30 P.M. at the Prattsburgh Town Hall, Prattsburgh, 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

**PUBLIC HEARING- (TAX CAP)**

A motion was made by Councilmember Einwachter and seconded by Councilmember Scheid and duly carried, the hearing was open at 6:30 P.M. On a motion made by Councilmember Einwachter and seconded by Councilmember Payne and with all board members in favor and with all persons desiring to be heard having been heard, the hearing was closed at 6:35 P.M.

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

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

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

TOWN OF PRATTSBURGH

Resolution No.23 -2024

Adoption of a Local Law Authorizing a Real Property Tax Levy In Excess of the Limit Established By General Municipal Law Section 3-c.

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

WHEREAS, a proposed Local Law has been drafted and circulated to the Town Board with respect to this matter; and

WHEREAS, the Town Board has previously dealt with SEQRA issues; and

WHEREAS, a public hearing was held before the Town Board on said proposed local law on October 21, 2024.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Town Board of the Town of Prattsburgh adopts said proposed Local Law.

2. The Town Clerk is directed, through the Town's legal counsel, to file such Local Law with the Secretary of State of the State of New York and provide for the requisite publication and posting of the Notice of Adoption of such Local Law together with such other acts that are customarily associated with the adoption and implementation of a Local Law, including the entry thereof in the minutes of the Town Board Meeting.

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 held on the 21st day of October, 2024, at which a quorum was present and participated in throughout, said Resolution having been unanimously 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 22nd day of October, 2024.

(SEAL)

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Kim Sobolewski, Town Clerk  
Town of Prattsburgh

**PUBLIC HEARING- (SOLAR)**

A motion was made by Councilmember Scheid and seconded by Councilmember Einwachter and duly carried, the hearing was open at 6:35 P.M. On a motion made by Councilmember Einwachter and seconded by Councilmember Scheid and with all board members in favor and with all persons desiring to be heard having been heard, the hearing was closed at 6:40 P.M.

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

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

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

Town of Prattsburgh  
Resolution No. 24-2024

Proposed Local Law Establishing A Moratorium on Industrial Solar Energy Facilities and Battery Energy Storage Facilities and/or Processing of Applications With Respect Thereto and Referral To the County Planning Department for Review  
Motion by Councilperson Einwachter, seconded by

Councilperson Scheid to adopt the following resolution:

WHEREAS, there is presently an interest in creating industrial solar energy facilities and battery energy storage facilities in the Town of Prattsburgh; and

WHEREAS, the Town of Prattsburgh has no local law or regulations to regulate such facilities in the Town; and

WHEREAS, the issue has arisen of whether there is a need for regulation of such facilities in the Town; and

WHEREAS, to facilitate the Town's review of the need for regulations to control industrial solar energy facilities and battery energy storage facilities, the Town Board has completed a proposed draft Local Law establishing a six-month moratorium on the construction, submission and processing of applications for such facilities; and

WHEREAS, the Town Board previously determined this to be a Type II action and therefore no environmental review was undertaken; and

WHEREAS, a public hearing was held regarding this Local Law on October 21, 2024.

NOW THEREFORE BE IT RESOLVED, THAT

The proposed Local Law is referred to the Steuben County Planning Department for review pursuant to General Municipal Law Section 239-m.

Ayes: Noes:

Certification

I, Kim Sobolewski, the undersigned Clerk of the Town of Prattsburgh, DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Town Board, held on the 21st day of October 2024, including the Resolution contained therein, with the original thereof on file in my office, and the same is a true and

correct copy of the proceedings of the Town Board and of such Resolution set forth therein and of the whole of said original so far as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Town Board had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law, said meeting was open to the general public and that notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Town Board present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this 22nd day of October 2024.

\_\_\_\_\_  
Kim Sobolewski

Town Clerk – Town of Prattsburgh

### **PUBLIC HEARING- (2025 BUDGET)**

A motion was made by Councilmember Einwachter and seconded by Councilmember Scheid and duly carried, the hearing was open at 6:40 P.M. On a motion made by Councilmember Peck and seconded by Councilmember Scheid and with all board members in favor and with all persons desiring to be heard having been heard, the hearing was closed at 6:45 P.M.

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

On a motion made by Councilmember Einwachter, seconded by Councilmember Peck, the Board approved the adoption of the 2025 Budget.

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

### **MINUTES**

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the September 16<sup>th</sup>, 2024, September 30<sup>th</sup>, 2024, and October 10<sup>th</sup>, 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 Peck, the October 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 Payne, the board approved payment of the following bills on ABSTRACT #10 to be paid as presented. The total amount to be paid on ABSTRACT #10 is \$319,067.37 (Voucher#385-431)

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

### **APPROPRIATIONS**

On a motion made by Councilmember Einwachter, seconded by Councilmember Scheid, the board approved the October 2025 appropriations.

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

### **HIGHWAY**

Since our last meeting we have received shared service from the county, Pulteney, and wheeler We have given shared service to the county, wheeler, and the town of Urbana.

We have installed or replaced pipes on- Wheaton, cook school, Dillenbeck, and Williams, Mattoon, and Cayward roads

We have finished grading all roads with the exception of reservoir. We are waiting for the home to be delivered first. We plan on going out and hitting some of the bad spots again before the snow flies.

We used up the rest of the cold patch on McMichael, and Black lock.

We received from Hubbard's gravel 2534 hundred tons of gravel We used about half of the gravel, as a gravel lift on rosy hill. The rest are going to various roads before cold weather hits. We are currently changing tires and getting ready for winter. Today we are undercoating the trucks. And we will be putting the snowplow frames on shortly.

Al and I have worked on motor grader quotes. As well as quotes for two sets of tires for the ten wheelers. And we have gotten ourselves signed into FEMA to start claiming flood damages. I checked with Martin door. And it looks like next week they will be around to do the installation. I am looking at pricing to update the bathroom in the barn.

Also throughout this last month we have done a ton of FEMA repair work. It's just too much to list. If anyone needs to know in detail, please reach out to me personally.

Repairs and maintenance

Tractor 119 new master switch, and inner tube in front tire Truck 205 new steering knuckle

Grader-112 replaced the regen ignition system, and replaced the gear selector Excavator -115 machine broke down on Dillenbeck. Had to call service to have it fixed on sight. It ended up being the power control relay. And a fuse.

Truck -103 installed new fenders. I made a new wire harness for the back half of the truck.

Truck -304 clutch brake, coolant lines

Truck 021 replaced bent spreader bar

Truck -104 replaced brakes and hubs, and replaced the drag link

All trucks were greased and washed several times throughout the month.

All FEMA work will be stopped at this point until the spring.

I'd like to thank everyone for being patient with the flood damage, it's going to be a long process.

## **WATER**

I sent in our Lead Service Line inventory to the DOH and EPA

I sent in Iron, Manganese, Nitrates and Disinfection Byproducts results to the DOH

Fred and I had a training Hammondsport

I weeded the pump house, all fire hydrants and the up to the Reservoir

I read water meters

I data logged 5 high usage meters

I sent in our September water report to the DOH

I have disassembled 312 old meters to send to the scrap yard

Fred and I checked and pumped out all main valve boxes

I met with Kory Bay and Frey and Campbell about replacing the school water meter

I helped the County Highway blacktop spots that we have dug up

Fred, Russ and I cleaned up from our service line install that we did on Fairgrounds Rd

I took apart our 2" trash pump to clean and service it

The Wayland Lab we had been using has shut down, so I found a new Lab in Savona to go to

I took our October Coli/E.coli sample to the new lab GHM Environmental

I have been working at the shop getting ready for winter

I had Russ clean out the creek up at the Reservoir to avoid washing out the driveway

I have been cleaning the pump house, shop and the reservoir to get ready for our sanitary survey with the DOH on October 29th

*UDIG*

Tickets – 40

Mark outs – 5

Emergency – 3

Site Meetings – 1

## **CODE**

Permits apps -9

Appearance Tickets-0

Renewals- 3

Building inspections- 19

Septic Inspections – 0

C of O/C of C –4

Compliance inspections -5

Compliance orders – 0

Phone Calls – 104

Incidents – 0

Plan/Permit app. Reviews. Paperwork, worked on code files, Teams Meeting with LMC & 9x30

## **SUPERVISOR**

9/12/24 John Perry and I met with the John Deere sales representative today. It is clear that with the repair costs we are incurring to keep the highway equipment operational we have to change the way we acquire equipment. We are looking at purchasing and trading in after five years or various lease programs. In either case leasing with a buyout or buy and replacing after five years has to be the goal.

9/18/24 The town continues to work on the Main Street project. The representative from the D.O.S. has been discussing the “sticking points” with our code person as well as the applicants and their architect. This has been a very arduous process but the fact that all parties are still looking for solutions shows hope.

9/19/24 John Perry and I met with the sales representative from John Deere to continue our discussion on purchasing or leasing new equipment. We are going to create a spread sheet to help determine when a piece of equipment should be replaced so that we can lessen the cost of repairs.

9/24/24 We received word today that Terra-Gen has been awarded the permit for the wind project that covers Prattsburgh, Wheeler, Avoca, Howard, and Cohocton. The next step for Terra-Gen is to secure financing and get an agreement from the utility for interconnection. They will also commence detailed design which will be submitted to O.R.E.S.

9/26/24 Matt Bull and I had a conversation about the financing for the wastewater project. At the end of July, we applied for the second time for the W.Q.I.P. (Water Quality Improvement Program) Grant thru the D.E.C. At the same time, we submitted an application for the Pro-Housing Communities capital program which is part of the C.F.A. Representatives from the C.F.A. have been in contact with Matt asking questions about the Prattsburgh Project. We could have answers from both of these agencies in the next couple of months.

9/30/24 The Town Board along with John Perry, Chris Underhill, Jeannette Underhill, and Kim met to discuss the 2025 budget. It appears at this time that the budget will stay within the state’s requirement of the two percent cap over the previous year. We are meeting again on October 10th at 6:30 to finalize. At that time a public hearing will be set.

10/1/24 Chris Whipple, Angela Einwachter, and I had a zoom Microsoft Teams meeting with Laura Cooney from LMC (main street project representative) and Amanda Costanza to work on a resolution for the three remaining code issues holding up the project. The missing piece to the meeting yesterday was the response from the state regarding the three issues. Hopefully the state will submit their findings in the next couple of days. Even though there are still challenges I thought the meeting was productive.

10/8/24 John Perry and I spent a couple of hours attending a webinar put together by F.E.M.A. regarding tropical storm Debby that hit us in August. Even though it is not certain that there will be reimbursement money that the town had to spend we are filling out all the necessary forms to submit. John has taken care to document all the repair work in the form of pictures, equipment, materials, and man hours.

10/10/24 John Perry and I completed and submitted the paperwork to initiate the reimbursement process from F.E.M.A. for Tropical storm Debby that occurred last August. The process could take a year or more, but we hopefully will be reimbursed 75% of the cost (materials, equipment, and labor) to complete the repairs caused by the storm.

10-10-24 The town board passed the preliminary budget for 2025. There is a 2.55% increase over 2024. The increase is below this year’s rate of inflation. The public hearing will be held at the October board meeting.

10/15/24 In a discussion with Chris Murray our current DHSSES (Division of Homeland Security and Emergency Services) representative regarding Tropical Storm Debby last August. Prattsburgh’s RPA (Request for Public Assistance) should be accepted by the end of the month. At that time Prattsburgh will be appointed a DAR (Disaster Assistance Representative) and a PDMG (Program Delivery Manager) from FEMA. In the meantime, all the damage needs to be documented on a spread sheet.

### **ARPA-GENERATOR**

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. 25-2024

Approval of ARPA Funds For Purchase and Installation of Generator for the Town Hall

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

WHEREAS, the Prattsburgh Town Hall is the center of administrative operations for the Town; and

WHEREAS, presently the Town Hall is without an alternative source of power in the event of loss of electric service; and

WHEREAS, the Town Board deems it necessary to acquire such an alternate source of power by the installation of a natural gas operated electric generator; and  
WHEREAS, it is the intent of the Town Board to utilize funds received as part of the American Rescue Plan Act (ARPA) distributions to the Town of Prattsburgh for this acquisition; and  
WHEREAS, the need for an alternate source of power for the Town Hall has been recognized for some time and acquisition thereof was delayed due to the so called Covid-19 pandemic; and  
WHEREAS, an offer has been received from Finger Lakes Power Systems for a Generac brand 22 kilowatt natural gas generator for a cost not to exceed \$13,000.00, including installation and connection to the Town Hall electric system.  
NOW THEREFORE BE IT RESOLVED, THAT

1. The Town Board of the Town of Prattsburgh designates itself as “Lead Agency” with respect to SEQRA issues related to this action determines that there will not be any adverse environmental impacts from this action, 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 Town Board determines that the Generac generator system is the best value for such procurement based upon the dependability of Generac products, as well as the proximity of the Generac distributor for service and maintenance.
3. The Town Board approves the use of ARPA Funds for the procurement of the 22 kilowatt Generac natural gas powered generator, including installation and connection thereof, from Finger Lakes Power Systems in Penn Yan, NY for a cost not to exceed \$13,000.00.
4. The Town Supervisor is authorized and directed, on behalf of the Town Board of the Town of Prattsburgh, to purchase and have installed the 22 kilowatt Generac generator from Finger Lakes Power Systems and to utilize ARPA funds for that procurement and the installation thereof, 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 regular meeting the Town of Prattsburgh Town Board held on October 21, 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: October 22, 2024

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Kim Sobolewski – Town Clerk Town of Prattsburgh

**ARPA HIGHWAY**

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. 26-2024

Approval of ARPA Funds For Purchase of Tires For Highway Department Trucks

Motion by Councilperson Scheid, seconded by

Councilperson Einwachter to adopt the

following resolution:

WHEREAS, the Town of Prattsburgh Highway Department owns, maintains and operates a number of trucks as part of its highway operations; and

WHEREAS, those trucks, from time to time require, replacement of worn out tires; and

WHEREAS, the so-called Covid-19 pandemic interfered with the schedule of tire replacement for the Highway Department trucks; and

WHEREAS, the Highway Department is currently in need of the acquisition of twenty-two (22) tires for its trucks; and

WHEREAS, quotes are being sought for pricing the requisite tires; and

WHEREAS, it is the intent of the Town Board to utilize funds received as part of the ARPA distribution to the Town of Prattsburgh for the acquisition of the requisite tires.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Town Board of the Town of Prattsburgh designates itself as “Lead Agency” with respect to SEQRA issues related to this action and finds that the action falls under the category of “Replacement, rehabilitation or reconstruction of a structure or facility, on the same site... as set out in 6NYCRR617.5.(c)(2) of the SEQR Regulations and that the action does not exceed any of the thresholds set out in 6NYCRR617.4 of the SEQR Regulations, 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 Town Board approves the use of ARPA Funds for the procurement of the tires at a cost not to exceed \$9,000.00.

3. The Town Supervisor is authorized and directed, on behalf of the Town Board of the Town of Prattsburgh, to procure the requisite tires at the lowest responsible cost, subject to audit by the Town Board.

CERTIFICATION OF CLERK

STATE OF NEW YORK)

COUNTY OF STEUBEN)

TOWN OF PRATTSBURGH)

I, Kim Sobolewski, Town 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 regular meeting the Town of Prattsburgh Town Board held on October 21, 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: October 22, 2024

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Kim Sobolewski – Town Clerk  
Town of Prattsburgh

#### **WATER RELEVY**

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 27. -2024

Relevy of Past Due Water Bills

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

WHEREAS, the Town of Prattsburgh contains a Water District for a particular area of the Town; and

WHEREAS, the Town Board of the Town of Prattsburgh administers that Water District; and

WHEREAS, the Town generates bills to the municipal water customers in the Water District for the purpose of paying for the costs of operating the Water District; and

WHEREAS, certain of the bills to water customers remain unpaid although due demand for payment has been made.

NOW THEREFORE BE IT RESOLVED, THAT

The water bills that are past due and remain unpaid be forwarded to Steuben County with a request that those delinquent water bills be added to the 2025 Town and County tax bills for the real property parcels to which the municipal water was provided and to which the unpaid water bills respectively pertain.

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 regular meeting the Town of Prattsburgh Town Board held on October 21, 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: October 22, 2024

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Kim Sobolewski – Town Clerk Town of Prattsburgh

**EXECUTIVE SESSION**

On a motion made by Councilmember Einwachter, seconded by Councilmember Peck, with all Board Members favor, the Board will go into Executive secession to confer with legal counsel.

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

On a motion made by Councilmember Peck and seconded by Councilmember Scheid, the board agreed to exit executive session and reenter 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 Scheid, and duly carried, the Regular meeting was adjourned at 8:13 P.M.

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

Respectfully submitted,  
Kim Sobolewski, Town Clerk