

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, January 17, 2017, at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor MacKerchar; Trustees C. Benedict; K. McLoud; D. Reeve;(via skype) R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Deputy Clerk/Treasurer H. Pealer; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; Police Chief M. Hulse; CEO B. Lyon; Municipal Commissioner D. Banach

ABSENT: Trustee’s Allison; Condella; Fire Chief M. Clancy

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC: Bill Laffin, Ray Spencer, Stephen Lewandowski, Mark Morris, Molly Gaudio, John Steinmetz, Billy Wigsten, Don Wright, Chris Wright, Pete Townsend

At 6:00 PM, Mayor MacKerchar called the Village Board meeting to order.

6:00PM PUBLIC HEARING – Comprehensive Plan

At 6:00PM **MOTION** by Trustee Benedict, seconded by Trustee McLoud to open the Public Hearing for the Comprehensive Plan.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

Mayor MacKerchar asked the Board and public if anyone has any comments or concerns with the Comprehensive Plan. Mayor “Thanked John Steinmetz and Molly Gaudio for all their efforts in this project”.

Atty. Brockman reviewed Part 1, 2 and 3 in full the FEAF (Full Environmental Assessment Form) – Comprehensive Plan – 2016. He stated if anyone has any comments or input to speak up. There were a few concerns Trustee Benedict had concerns and after a discussion the Board felt need to change the answers to two questions. Part 2 page 2 question # 3 Impacts on Surface Water should be changed to YES not NO and on page 9 question # 16 Impact on Human Health should be NO not YES. They had concerns with page 3 question #5 on Part 2 Impact on Flooding because of the flood back in 2014. Brent Bodine and the Atty. reminded the Board that each project they do will have their own SEQRA and we take a closer look at that time. Board understood. Mayor MacKerchar asked again if any comments or concern from the public.

At 6:35PM **MOTION** by Trustee Benedict, seconded by Trustee McLoud to close the Public Hearing.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 1 - 2017 Adoption of Full Environmental Assessment Form (FEAF) and §GML 239-m Referral to County Planning Board.

WHEREAS, the Village of Penn Yan is undertaking the adoption of a Comprehensive Plan for land use purposes in the Village of Penn Yan; and

WHEREAS, the Board of Trustees of the Village of Penn Yan was previously designated as “Lead Agency” for SEQRA purposes for the adoption of a Comprehensive Plan, the action was determined to be a “Type I” and accordingly an FEAF has been prepared ; and

WHEREAS, a public hearing has previously been held with respect hereto.

NOW THEREFORE BE IT RESOLVED:

1. The FEAF is adopted.
2. The proposed Comprehensive Plan is referred to the Yates County Planning Board, together with the FEAF pursuant to the GML.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent Allison & Condella

6:05PM PUBLIC HEARING – Amend the Preservation of Historic Areas Chapter

At 6:35PM **MOTION** by Trustee Benedict, seconded by Trustee Stewart to open the Public Hearing.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent Allison & Condella

Mayor MacKerchar asked the Board and public if anyone have any comments or concerns with the Local Law for Preservation of Historic Areas Chapter. Billy Wigsten had concerns, one was with the Serious State of Disrepair regarding exterior surfaces, he feels the way it is worded is the Historical Committee could come and tell me when I have to paint my house. CEO Bruce Lyon understands it takes time and would give you time before citing you also it's not in the Village Code but the State Code to protect all structures. Second Mr. Wigsten checked into and reviewed the listing for funding and did not find a single one that helps with residential, all were for businesses or non-profit. Yes you get a small tax break on the taxes through the Village. Nowhere does it have they help with finances to the historical homeowners to fix or restore your place up. He feels you should have something to help the Historical district out. Mayor explained the Historic Committee is looking into that. Trustee McLoud questioned regarding houses that are already in disrepair what happens at that point, the committee had been told by a representative from Albany there comes a point when a house can die. Trustee McLoud doesn't see anything that covers that in the Local Law only about fixing it up, we need to have what do you do when houses are already gone and not able to repair. Mayor reminded everyone that they can still come to the Village Board for an appeal process. Trustee McLoud feels we need to have something added to cover after a house is in disrepair.

After a lengthy discussion Atty. Brockman reviewed in full Part 1, 2 and 3 of the SEAF. Mayor asked again if anyone else had comments or concerns with the Local Law.

At 7:15PM MOTION by Trustee Reeve, seconded by Trustee Benedict to close the Public Hearing.

Discussion: Trustee McLoud feels the code should address how to handle the houses that are in disrepair. Trustee Benedict mentioned the Historic Committee has stated they are looking at the rest of the code and this can be added on later. Atty. Brockman stated we can adopt this tonight and have items added later. Board agreed.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent Allison & Condella

MOTION by Trustee Reeve, seconded by Trustee Stewart to authorize Resolution No 13-2017 Adoption of Local Law Amending the Preservation of Historic Areas Chapter of the Code of the Village of Penn Yan.

WHEREAS, the Board of Trustees previously dealt with SEQRA issues related to this proposed Local Law, by declaring itself Lead Agency, designating the Local Law as a "Unlisted" and therefore a Short Environmental Assessment Form (SEAF) has been prepared and reviewed; and

WHEREAS, a further public hearing was held before the Board of Trustees on said proposed Local Law on January 17, 2017; and

WHEREAS, the Board of Trustees previously received a copy of the revised proposed Local Law in excess of ten (10) days prior to the consideration hereof.

NOW THEREFORE BE IT RESOLVED, THAT

1. The SEAF is hereby adopted.
2. The Board of Trustees of the Village of Penn Yan adopts the proposed Local Law.
3. The Village Clerk is directed 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 the Local Law, including the entry thereof in the minutes of the Meeting of the Board of Trustees.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent Allison & Condella

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize to have an Executive Session for legal counsel.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MINUTES:

MOTION by Trustee Stewart, seconded by Trustee McLoud to approve the Village Board Minutes from December 20, 2016.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

GUESTS, PUBLIC REQUEST & COMMENTS:

MAYOR:

MOTION by Trustee McLoud, seconded by Trustee Stewart to authorize Resolution No 2-2017 Mileage Allowance beginning January 1, 2017 mileage will be \$.535. A reduction from \$.54.

“WHEREAS the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties;

NOW THEREFORE BE IT RESOLVED:

1. The Board of Trustees of the Village of Penn Yan will authorizes reimbursement to such officers and employees at the rate of per mile as set forth in the IRS standard mileage table.
2. That this resolution is effective immediately.”

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize Resolution No 3-2017 Proposed Local Law to Establish New York State Tax Cap Waiver for 2017- 2018 Village Budget and set a Public Hearing for February 21th, 2017 at 6:00PM.

WHEREAS, New York State has mandated a One and 15/100 (1.15%) percent tax cap; and

WHEREAS, the Village of Penn Yan does not anticipate exceeding the One and 15/100 (1.15%) percent 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

WHEREAS, a waiver of the tax cap appears appropriate for the Village of Penn Yan under the circumstances; and

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

NOW THEREFORE, BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan hereby determines that it is in the best interests of the residents and property owners of the Village of Penn Yan to waive the tax cap to ensure that the Village is not in violation of the tax cap law embodied in §3-c of the General Municipal Law.
2. The Board of Trustees designates itself as “Lead Agency” for SEQRA issues related hereto, determines that there will be no environmental impacts resulting from this action, therefore declares this to be a “Type II” action and accordingly no environmental review will be undertaken.
3. That a public hearing on the proposed Local Law is hereby scheduled for February 21, 2017 at 6:00 p.m. at the Village Hall and that notice thereof be made by legal counsel.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

ATTORNEY:

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 14-2017 SEQRA Issues related to Clinton Street Stone Arch Flood Repairs.

WHEREAS, a stone arch provides passage for Jacob’s Brook to flow under Clinton Street in the Village; and

WHEREAS, an extreme flooding event in May, 2014 caused considerable damage to the wings, streambank, sidewalk and railings adjacent to the stone arch; and

WHEREAS, government funding has been made available for the repair and restoration work of the Clinton Street stone arch and its environs; and

WHEREAS, involved and interested government agencies have performed their own environmental review and therefore “Lead Agency” notice to those agencies is not necessary; and

WHEREAS, the Board of Trustees of the Village of Penn Yan intends to act as “Lead Agency” for addressing SEQR issues related to this action.

Now Therefore, be it resolved that:

1. The Board of Trustees of the Village of Penn Yan declares itself as “Lead Agency” for this action.

2. The Board of Trustees determines that the repairs and restoration work for the Jacob’s Brook stone arch under Clinton Street is an “Unlisted” action and therefore a Short Environmental Assessment Form (SEAF) will be completed.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

Atty. Brockman review Part 2 and 3 of the SEQRA, Part 1 was reviewed at November’s Village meeting.

MOTION by Trustee McLoud, seconded by Trustee Stewart to adopt and authorize the Mayor to sign the (SEAF) Short Environmental Assessment Form, Issues related to Clinton Street Stone Arch Flood Repairs. (Near 111, 112, 114 and 115 Clinton Street).

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

COMMUNITY REVITALIZATION:

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize the application for Dennis Hart for 126 Main Street for a total amount of \$13,934.00. (\$6,967.00) would be the grant and (\$6,967.00) would be the loan, pending Historic approval of the process.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MUNICIPAL:

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize the sewer forgiveness in the amount of \$618.50 to Patricia Lampson at 144 Stark Avenue.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize the Mayor to sign the Grant Agreement for the CDBG on Sheppard Street, Johnson Avenue and Myrtle Avenue. Project # 895PW158-16

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 10-2017 appointing the Director of Public Works as Section 3 Coordinator for the CDBG Project 895PW158-16 for Sheppard Street, Johnson Avenue and Myrtle Avenue.

Whereas, the NYS Homes and Community Renewal’s (HCR) Fair and Equitable Housing Office (FEHO) is responsible for ensuring grant recipients of HUD funding comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968; and

Whereas, the Village of Penn Yan has been awarded a CDBG Grant #895PW158-16 for the replacement of the water mains on Sheppard Street, Johnson Avenue and Myrtle Avenue in Penn Yan; and

Whereas, the Village of Penn Yan must designate a Section 3 Coordinator for this project;

NOW, THEREFORE, BE IT:

RESOLVED that the Village Board of the Village of Penn Yan hereby names the Director of Public Works as the Section 3 Coordinator for their CDBG Grant #895PW158-16.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize sign Resolution No 11 -2017 appointing the Director of Public Works as Labor Standards Officer for the CDBG Project 895PW158-16 for Sheppard Street, Johnson Avenue and Myrtle Avenue.

Whereas, the NYS Homes and Community Renewal’s (HCR) Fair and Equitable Housing Office (FEHO) is responsible for ensuring grant recipients of HUD funding comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968; and

Whereas, the Village of Penn Yan has been awarded a CDBG Grant #895PW158-16 for the replacement of the water mains on Sheppard Street, Johnson Avenue and Myrtle Avenue in Penn Yan; and

Whereas, the Village of Penn Yan must designate a Labor Standards Officer for this project;

NOW, THEREFORE, BE IT:

RESOLVED that the Village Board of the Village of Penn Yan hereby names the Director of Public Works as the Labor Standards Officer for their CDBG Grant #895PW158-16.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize Resolution No 12 -2017 appointing the Code Enforcement Officer as Fair Housing Officer for the CDBG Project 895PW158-16 for Sheppard Street, Johnson Avenue and Myrtle Avenue.

Whereas, the NYS Homes and Community Renewal’s (HCR) Fair and Equitable Housing Office (FEHO) is responsible for ensuring grant recipients of HUD funding comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968; and

Whereas, the Village of Penn Yan has been awarded a CDBG Grant #895PW158-16 for the replacement of the water mains on Sheppard Street, Johnson Avenue and Myrtle Avenue in Penn Yan; and

Whereas, the Village of Penn Yan must designate a Fair Housing Officer for this project;

NOW, THEREFORE, BE IT:

RESOLVED that the Village Board of the Village of Penn Yan hereby names the Code Enforcement Officer as the Fair Housing Officer for their CDBG Grant #895PW158-16.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize reducing the sewer EDUs assignment on the Keuka Estate Mobile Home property from 61 EDUs to 35 EDUs. This will be re-evaluated upon successful annexation into the Village.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize working with Stork Insurance to file an insurance claim for the expenses involved with the electrical outage that occurred on January 4, 2017 at the intersection of Main Street and Clinton Street.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

Amended **MOTION** by Trustee Stewart, seconded by Trustee McLoud to authorize working with Stork Insurance to file an insurance claim for the municipal expenses involved with the electrical outage that occurred on January 4, 2017 at the intersection of Main Street and Clinton Street.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee McLoud to approve Utility Payment Agreements in the amount of \$7,014.65

FINANCE & ADMINISTRATION:

MOTION: by Trustee Benedict, seconded by Trustee McLoud to pay current Village and Municipal bills as submitted.

AUDIT:

		Amount:
Paid Before Audit:		
General		30,427.39
Electric		220,699.70
Sewer		10,869.71
Water		10,547.61
Capital Projects		
Total Paid Before Audit		\$ 272,544.41
Current Audit:		
General	\$	52,329.06
Community Development - CRC		-
Electric		50,170.47
Sewer		63,059.27
Water		20,675.38
Capital Projects		-
Total Current Audit Items		\$ 186,234.18
TOTAL AUDIT		\$ 458,778.59

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee Stewart to authorize Resolution No 4-2017 Budget Transfers for 2016-2017 Fiscal Year (Central Ave. extension)

TO:			Fund
Account Id	Description	Date	Totals
A -5110-2-210	Street Maintenance-Asphalt Concrete	5,000	
A -5110-2-220	Street Maintenance-Stone & Gravel	2,000	
A -5110-2-260	Street Maintenance-Storm Sewer Maint.	17,500	
A -5110-4-410	Street Maintenance-Contractual Services	2,000	
A -5110-4-500	Street Maintenance-Supplies & Materials	3,500	
		<u>30,000</u>	
			General 30,000
			Electric -
			Sewer -
			Water -
			<u>30,000</u>
FROM:			
Account Id	Description	Date	
A 8760-4-410	Emergency Disaster - Contractual Services	30,000	
		<u>30,000</u>	
			General 30,000
			Electric -
			Sewer -
			Water -

30,000

Central Ave. extension project was to be contracted out but a decision was made to do this in house at a lower expense, thus freeing up disaster recovery funds for other non budgeted project (Seneca Street retaining wall). Budget transfer is being made from disaster recovery account to streets to cover the cost of materials and services.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 5-2017 Budget Amendments for 2016-2017 (purchase new livescan fingerprinting equipment).

Increase Revenue Budget

A-3389-00	State Aid - Public Safety	10,000.0 0
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Increase Expense Budget

A-3120-4-510	Police - Computer Supplies	10,000.0 0
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Budget amendment to increase revenue for grant provided by the State to the Village for the purchase of new livescan (fingerprinting) equipment, with a corresponding increase to the expense budget.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee Stewart to authorize Resolution No 6-2017 Budget Transfers for 2016-2017 Fiscal Year (share/cost of livescan fingerprinting software).

<u>TO:</u>			<u>Fund</u>
<u>Account Id</u>	<u>Description</u>	<u>Date</u>	<u>Totals</u>
A -3120-4-510	Police - Computer Supplies	10,089	
		<u>10,089</u>	
		General	10,089
		Electric	-
		Sewer	-
		Water	-
		-	<u>10,089</u>
<u>FROM:</u>			
<u>Account Id</u>	<u>Description</u>	<u>Date</u>	
A -3120-4-410	Police-Contractual Services	10,089	
		<u>10,089</u>	
		General	10,089
		Electric	-
		Sewer	-
		Water	-
			<u>10,089</u>

Budget transfer within the police department budget to fund the local share/cost of the livescan (fingerprinting) software that is being only partially funded through a grant. The funds are being transferred from contractual services where we had budgeted for lab testing costs from Yates County that are not going to be needed.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 7-2017 Budget Transfers for 2016-2017 Fiscal Year (higher cost for repairs and miscellaneous expenses).

TO:			Fund
Account Id	Description	Date	Totals
E -0742-1-130	Repairs-Dist Substation	21,000	
E -0742-4-510	Repairs-Undergrd Conductors	1,200	
E -0742-7-720	Repairs-Underground Services	4,300	
E -0785-2-200	Misc General Expense	<u>4,000</u>	
		<u>30,500</u>	
		General	-
		Electric	30,500
		Sewer	-
		Water	-
		-	<u>30,500</u>
FROM:			
Account Id	Description	Date	
E -0741-2-200	Distribution-Substation-Labor	25,500	
E -0741-2-220	Operation-Substation	<u>5,000</u>	
		<u>30,500</u>	
		General	-
		Electric	30,500
		Sewer	-
		Water	-
			<u>30,500</u>

Budget transfers within the electric department to cover higher than anticipated costs for repairs and miscellaneous expense, with funds being transferred from substation labor and operations which are well below budget.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

PERSONNEL:

MOTION by Trustee Stewart, seconded by Trustee Benedict to authorize the changes to the Village employee handbook - Pg. 25 Returning to Work after an illness or injury. If you have been absent due to a prolonged illness or injury, or after having been hospitalized, you must provide certification from the attending physician. Failure to do so could result in disciplinary action up to and including discharge. When an employee is released back to work from their attending physician **with restrictions**, the Department Supervisor must be notified. The Department Supervisor will then determine if the employee is able to perform the majority of their duties, with the restrictions. The possibility of further injury must be taken into consideration.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

Atty. Brockman asked to have the motion amended to add after certification “of fitness to perform duties, or limitation thereof,

Amend MOTION by Trustee Stewart, seconded by Trustee Benedict to authorize the changes to the Village employee handbook - Pg. 25 Returning to Work after an illness or injury. If you have been absent due to a prolonged illness or injury, or after having been hospitalized, you must provide certification of fitness to perform duties, or limitations thereon, from the attending physician. Failure to do so could result in disciplinary action up to and including discharge. When an employee is released back to work from their attending physician **with restrictions**, the Department Supervisor must be notified. The Department Supervisor will then determine if the employee is able to perform the majority of their duties, with the restrictions. The possibility of further injury must be taken into consideration.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent: Allison & Condella

MOTION by Trustee Stewart, seconded by Trustee Benedict to authorize the changes to the Village employee handbook - Pg. 9 Absences and Call-in Procedure. There will be times when it is necessary to be absent from work. You must contact your Supervisor, to make them aware of your absence. You may call, text or E-mail, no less than 30 minutes before the start of your shift.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

MOTION Trustee Stewart, seconded by Trustee Benedict to authorize the hiring Evan Green a Conditional Provisional appointment as an Apprentice Line Worker, pending passing Yates County Personnel requirements (physical and drug screening). Starting date anticipated to be January 20, 2017, Group 6 Step Start, 21.18 per hour

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

PUBLIC SAFETY:

POLICE DEPARTMENT:

Monthly activity report for December

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 8-2017 SEQRA Issues Related to Adoption of Penn Yan Police Department Vehicle Tow/Impound Policy

WHEREAS, the Village of Penn Yan maintains a Police Department as a part of its Municipal government; and

WHEREAS, Penn Yan Police Department Officers find it necessary under certain circumstances to have motor vehicles towed and/or impounded as a part of their police activities; and

WHEREAS, the Board of Trustees deems it appropriate to adopt a policy establishing uniform criteria under which motor vehicles are towed and/or impounded and

WHEREAS, such a policy has been drafted and proposed for adoption by Chief Hulse of the Penn Yan Police Department, copies of which have previously been distributed to the Mayor and Trustees for their perusal; and

WHEREAS, the Board of Trustees intend to address SEQRA issues related to this action.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan, County of Yates designates itself as “Lead Agency” for purpose of the SEQRA review of this action, determines that the action is an “unlisted” action and therefore an SEAF will be prepared and reviewed.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

Atty. Brockman reviewed in full the SEAF (Short Environmental Assessment Form) Adoption of Motor Vehicle Tow/Impound Policy For the Penn Yan Police Department

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 9-2017 Adoption of SEQRA and Vehicle Tow/Impound Policy For the Penn Yan Police Department

WHEREAS, the Board of Trustees has designated itself as “Lead Agency” for the SEQRA review of this action and reviewed and prepared an Short Environmental Assessment Form (SEAF); and

WHEREAS, the Board of Trustees has reviewed the proposed Tow/Impound Policy.

NOW THEREFORE BE IT RESOLVED, THAT

1. The SEAF is hereby adopted.
2. The proposed Tow/Impound Policy for the Penn Yan Police Department is approved and adopted.
3. Tow/Impound Policy shall become effective immediately upon the adoption hereof and Chief Hulse is authorized and directed to implement such policy forthwith.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

FIRE DEPARTMENT:

Chief's Report for December

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Ryan Jensen be elected to the Hunter Hook and Ladder Company effective January 3, 2017.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

Trustee Benedict mentioned she had completed the 4th quarter LOSAP audit for 2016 on Friday January 13, 2017 all went well.

CODE ENFORCEMENT:

No update

PUBLIC WORKS:

No update

PARKS & RECREATION:

No update

PLANNING & DEVELOPMENT:

Trustee Reeve question who will forward the paperwork to Yates County on the Comprehensive Plan. Atty. Brockman will take care of this. Trustee Reeve mentioned with the new draft adopted will start to work on prioritizing items.

PLANNING BOARD:

COMMENTS

EXECUTIVE SESSION:

At 7:55 PM, **MOTION** by Trustee Benedict, seconded by Trustee McLoud to enter into Executive Session.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

ADJOURNMENT OF EXECUTIVE SESSION:

At 8:09 PM, **MOTION** by Trustee Benedict, seconded by Trustee McLoud to leave Executive Session and return to regular Village Meeting.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

ADJOURNMENT:

At 8:10 PM, **MOTION** by Trustee Benedict, seconded by Trustee McLoud to adjourn the regular Village Board meeting.

ADOPTED Ayes 5 MacKerchar, Benedict, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent: Allison & Condella

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: