

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, January 20, 2009 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor D. Marchionda Jr.: R. Church; M. D'Abbracci; B. Hoban ; R. Stewart; N. Taylor; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; CEO B. Lyon; Director of Public Works E. Balsley; Police Chief Mitchell; Street Superintendent R. Jensen; Parks Director D. Doyle; Assistant Director of Public Works R. Osgood; Fire Chief B. Winslow

ABSENT: Trustees W. Allison; Cemetery Superintendent L. Axtell;

News Media present: Amanda Folts, Finger Lakes Times; Peg Thompson, Dundee Observer

PUBLIC:

Robert Krause and Rosalie Ayers (Reigning Cats & Dogs), Dan Banach

Mayor Marchionda called the meeting to order at 7:00 PM.

CALL FOR EXECUTIVE SESSION: MOTION by Trustee Stewart, seconded by Trustee Hoban to have an Executive Session to discuss negotiations and to discuss a current litigation.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Stewart to approve the revised Resolution No. 55-2008 Amend budget Jacob Creek/E. Main Street grant.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

To amend the budget by increasing A5110.403 DPW: Jacob Creek/ East Main Grant \$50,000 and increasing A3505 Multimodal Grant \$50,000.

This is due to an unexpected award of grant money following the approval of the budget. The past motion was for \$40,000 – should have been \$50,000.

MOTION by Trustee Church, seconded by Trustee Hoban to approve revised Resolution No. 56-2008 Budget Transfers for 2008-2009 Budget year.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: Clerk/Treasurer S. Wilber explained that the previous account number was incorrect, the account description/name was correct just the last two number incorrect.

<u>IO:</u>	A1010.46	Board of Trustees – Travel/Conference	
600.00			
	A1110.413	Village Justice - Court Reporting	
500.00			
	A1325.41	Finance - Contractual Services	
200.00			
	A1325.48	- Professional Fees/Publications	
200.00			
	A1420.5	Attorney - Supplies & Materials	
100.00			

1,000.00	A3120.12	Police	- Part Time
	A3120.20		- Equipment
1,000.00	A5110.23	Street Maint	- Moto Pave & Sealing
14,000.00	A5110.41		- Contractual Services
2,500.00			

TOTAL

20,100.00

FROM:

600.00	A1010.48	Board of Trustee – Prof fees/Publicitn/Local Laws	
	A1110.42	Village Justice	- Phone/Internet/Utilities
500.00	A1325.12	Finance	- Part-Time
400.00	A1420.46	Attorney	- Conferences/Travel
100.00	A3120.1	Police	- Personal Services
1,000.00	A3120.43		- Insurance
1,000.00	A5110.1	Street Maint.	- Personal Services
16,500.00			

TOTAL

20,100.00

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve the amend payment to J. Perry Cab for the correct amount of \$2,000.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Aye		

Carried

Discussion: Clerk/Treasurer S. Wilber explained that the money was coming from DPW equipment reserved fund.

Clerk/Treasurer S. Wilber explained at last month’s Village Board meeting there was a Motion to approve the payments and there were questions regarding the payments for three the Firehouse projects. Three contractors were paid. KOS Development \$3, 476.00, James & Son Const. Co. \$21,000.00 and Deborah Jean Inc. \$4, 800.00.

MINUTES:

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve the Village Board Minutes from December 16th, 2008.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Aye		

Carried

GUESTS, PUBLIC REQUEST & COMMENTS:

Bob Krause gave an update they have had around 12 volunteers working on building and setting up 6 shelters and 6 feeding station for the feral cats. Have 40 spots for February for spay and neutering. Mr. Krause has received a few more calls from residents. Looking for a space to hold the clinics - 2 days a month. Looking to form a permanent low cost clinic for Yates County. Trustee D’Abbracci has been in contact with a gentleman in Elmira, having the same problems he will forward a package to Trustee

D'Abbracci with information on how they handled the cats. Discussed that Reigning Cats & Dogs apply for grant money. As a low income area we might be able to be approved. Trustee D'Abbracci will get together with Mr. Krause when the information arrives. Mayor Marchionda stated that they stay on track for right now.

Atty. Brockman would like to review the information on the Senior Citizen Property Tax Exemption. He mentioned will need to have a local law written up and a public hearing set. Atty. Brockman will keep Board informed.

MAYOR:

Mayor Marchionda read the Agreement between the County Legislature and Village of Penn Yan for the County's intent for assisting the Village with funding for the 2009 summer lifeguard services for the parks. The County will include the \$10,800.00 in their 2009 budget.

MOTION by Trustee Stewart, seconded by Trustee Taylor to authorize Mayor Marchionda sign the agreement with the County for the funding of \$10,800 for the 2009 lifeguard season for the parks.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: Mayor Marchionda asked S. Wilber Clerk/Treasurer to look into when we would know for sure if we will receive the money.

Mayor Marchionda would like an ad place in the paper advertising for Village resident to sit on the County Planning Board for the Village. The person cannot currently be sitting on a Village Board. Resumes/application can be submitted to the Village Office for review.

ATTORNEY:

Atty. Brockman stated he would like to review the sewer law before going over the Full Environmental Assessment form. Ed Balsley mentioned it's around 170 pages. Atty. Brockman and Trustee Hoban both agreed that it's very technical and would like to see if someone could help explain the law before the next meeting. Atty. Brockman mentioned that the Board does need to have knowledge of the law. Dan Banach from the Municipal Board stated not sure if the Board would need to review it line for line. Was decided to have it sent by e-mail to the Board members for their review, two requested hard copies. Trustee Church asked any reason why couldn't Mr. Elliott come to the February 17th Village meeting – 6:00pm was discussed. Ed Balsley will check to see if Bob Elliott is available to come and review it with the Board, it would be before the regular Village Board meeting at 7:00pm.

Trustee Stewart talked about Workplace Violence Prevention Act. He sat down with Mrs. King and Mrs. King gave a quote of \$13,500 for the training. That included the initial training and the follow up training for the second year on all employees, also any new employees during that time. Trustee Stewart and Finance Committee felt this was high. Trustee Church asked Sarah Purdy at the County –how they complete the training. There resources were from the Sheriff Office, a person from CSEA out of Albany. Trustee Stewart contact Chief Mitchell and Ben Sward from CSEA. Both were glad to help out in any way they could. Trustee Hoban asked no action was done at the Personnel Committee- correct? Trustee Stewart commented correct. Atty. Brockman felt not appropriate to use in house staff – would encourage their input. Looking at it in a legal matter. Was discussed that the Board could do a RFP (Request for Proposal).

MOTION by Trustee Stewart, seconded by Trustee Hoban to request a RFP for the Workplace Violence Prevention Act proposal.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: S. Wilber asked if Atty. Brockman would help with the RFP and they would also notify Mrs. King. Atty. Brockman stated this is professional services and would not be subject to bids.

Atty. Brockman stated should be having closing for Basin Street in mid February.

MOTION: by Trustee Church, seconded by Trustee D'Abbracci to pay current Village and Municipal bills as submitted.

AUDIT:

VILLAGE:

Paid before Audit - General Fund	\$	12,850.00
General Fund		132,604.14
Capital Fund		6,559.74
TOTAL VILLAGE AUDIT:	\$	152,013.88

MUNICIPAL:

Paid before Audit	\$	66,798.92
Capital Paid before Audit		00.00
Electric Fund		35,259.96
Sewer Fund		38,353.64
Water Fund		41,674.24
Capital Projects		00.00

TOTAL MUB AUDIT:	\$	188,646.50
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Grand total 340,660.39

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Aye		

Carried

Trustee Church explained that they met with the Auditors –we did not expect to approve it at tonight’s meeting but we asked them to make a few changes in terminology - make it simpler to understand. Should have it back soon so you have time to review and then approve at next month’s meeting.

FINANCE & ADMINISTRATION:

MOTION by Trustee Church, seconded by Trustee Stewart to approve Resolution No 2-2009 – Authorize the Records Manager to cooperate in a Grant Application with the County and the Village.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Aye		

Carried

AUTHORIZE THE RECORDS MANAGER TO COOPERATE IN A GRANT APPLICATION

WHEREAS, the Village’s maps and plans are an important set of active archival records, now stored in several places; and

WHEREAS, they number nearly 3,000 unindexed items with insufficient files to hold them; and

WHEREAS, the County of Yates is embarking on a large project to deal with cartographic records; and

WHEREAS, the County Records Manager has proposed to submit a cooperative application for a grant not to exceed \$125,000 under the State Archives program, to benefit and involve both the county and the village, and funded from the Local Government Records Management Improvement Fund, in order to address these issues;

NOW, THEREFORE, BE IT RESOLVED, that the trustees of the village of Penn Yan agree to cooperate with the County in this project, to provide work space if necessary, to grant access to relevant records, and to consider means of continuing the indexing and storage procedures agreed to in consultation, and be it further resolved that the County Records Manager and the Village Records Manager be provided with copies of this resolution.

Discussion: S. Wilber Clerk/Treasurer mentioned this would help the County and Village both to organize maps that we have storage in several different places.

PERSONNEL:

MOTION by Trustee Stewart, seconded by Trustee Hoban to approve Resolution No 1-2009 reclassify of job description for Building Maintenance.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

**BUILDING MAINTENANCE MECHANIC
Job Description**

DISTINGUISHING FEATURES OF THE CLASS: This class involves a variety of building maintenance and repair tasks of a skilled nature. Although employees in this class, by reason of personal training and experience, generally devote most of their time to work of a single specialized field, they are required to work along various mechanical lines as the occasion demands. In this respect the class differs from such classes as Painter, Carpenter, Plumber, etc., which limit incumbents to a single trade. The duties of this class differ from building Maintenance Worker by reason of the more skilled nature of the work involved. Incumbents perform their duties with some latitude for independent planning or laying out of the working details; in those cases where supervisory responsibilities are involved the Building Maintenance Mechanic acts as foreman over a number of workers who perform maintenance and repair jobs of a semi-skilled nature.

TYPICAL WORK ACTIVITIES: (Illustrative Only)

- Supervises or performs repairs to plumbing, steam lines, electric wiring and equipment, furniture, doors
- and windows, hardware and varied mechanical equipment and machinery;
- Installs shelving, storage cabinets and new hardware;
- Does skilled painting work;
- Oversees and takes part in ordinary building cleaning operations;
- On assignment, may operate a variety of light or heavy highway construction and road maintenance equipment;
- Oversees the operation of a central heating system;
- Makes inspections of property to ascertain repair needs;
- Estimates material required for repairs;
- Keeps daily time and material records;
- Supervises and participates in a general grounds maintenance program.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS: Thorough knowledge of the practices, processes, materials and tools of the principal trade in which the experience has been gained; good knowledge of one or more additional trades; good knowledge of modern buildings and grounds maintenance and repair practices; familiarity with the operation and maintenance of heating systems; ability to plan and supervise the work of others; ability to understand oral and written directions; mechanical aptitude; dependability; thoroughness; good physical condition.

MINIMUM QUALIFICATIONS: One year of experience as a journeyman in one of the recognized skilled trades or four years of experience in either general building construction or maintenance work in one or more of the standard trades, such as carpentry, plumbing, electrical; or any equivalent combination of experience and training.

NOTE: If the position involves the operation of highway maintenance or construction equipment, then

The following special requirement applies:

Eligibility for an appropriate level Chauffeur's license issued by New York State at the time of application for appointment. Possession of the license at time of appointment.

Trustee Stewart explained a copy of the performance evaluation form has been given to the CSEA President to review and get back to Trustee Stewart. Trustee Stewart had spoken with the former PBA President Donovan about doing the same for the Police Department. He mentioned they are reviewing with the County to see if they already have something in place for the Police Department.

Trustee Stewart mentioned reviewing job description for Mr. Balsley, Director of Public Works. Was decided to meet with a group to review and get input for any changes on the job description. Meet on Friday (Jan. 23 at 9:00am) (Ed Balsley, Dick Osgood, Mayor Marchionda, Rich Stewart, Bob Hoban, Jerry Nissen and David Payne and Shawna Wilber). Need this done so we can start to advertise and be able to get someone on board to work with Ed Balsley before he leaves. Mayor Marchionda and Dan Banach suggested that the test be considered when reviewing the job description and what ever we decide to change the two should match. Test is set to be given for next December. Would like to have someone in place to work with Mr. Balsley for a bit before he retires.

PARKS & RECREATION:

Trustee D’Abbracci looking into the possibility of charging when you leave your trailer at the boat launch. He also spoke about the need to update the Parks Master Plan. Old plan was done in 2001- needs updating. Trustee D’Abbracci stated the board members have a copy of the Parks Master Plan. They are to review it and will prioritize items, update with newer pictures. Trustee D’Abbracci, Dan Doyle, Chris Vaughan will meet about the Arts Festival and Trustee D’Abbracci will report back to the Board with updates.

PLANNING BOARD:

MOTION by Trustee Hoban, seconded by Trustee D’Abbracci to accepted the resignation letter from Ann Kratochvil that is effective immediately.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Aye		

Carried

Mayor wanted to Thank Ann for her hard work and dedication to the Historic Commission. Will send a formal letter to her.

PLANNING & DEVELOPMENT:

Trustee Hoban mentioned the Planning & Development Board sent Town of Milo a letter with their concerns about water quality and the flow in front of Red Jacket Park with Morgan Marina request for additional docking.

PUBLIC SAFETY:

Trustee Taylor mentioned they met the other day and all is good, no problems.

Chief Mitchell brought up that at the Public Safety meeting it was discussed about Morgan Marine Expansion and the lack of parking at Red Jacket Park. That most of the spaces in front of Red Jacket Park are taken up by the employees from the Marina.

POLICE DEPARTMENT:

MOTION by Trustee Taylor, seconded by Trustee D’Abbracci to approve Investigator Donovan and Sgt Dunham attends the Evidence room management training session put on by DCJS on March 3 & 4th in Branchport, NY. No fee is required.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Aye		

Carried

MOTION by Trustee Taylor, seconded by Trustee D’Abbracci to approve Investigator Donovan and maybe another office attends the Legal Issues for NY Law Enforcement Officers training seminar on May 28 & 29th in Steuben County. No fee required.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Aye		

Carried

Trustee Taylor mentioned that Chief Mitchell received notice from DCJS their funding has been pulled and are unable to do the staffing study of the PY Police Department. She recommends that the board accepts the last study and the study that was part of the Shared Services with the County. All agreed.

Trustee Taylor stated that Officer Jeff Stewart is the new PBA president; he will start labor management meetings in the next month. Trustee Taylor commended the Penn Yan Police Department with the investigation for the robberies during the Holidays. They did a good job.

FIRE DEPARTMENT:

MOTION by Trustee Taylor, seconded by Trustee Church to approve Ryan Bailey be elected as a member of the Sheldon Hose Co.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Trustee Taylor on behalf of Chief Winslow, the fire department and Board wanted to express their gratitude to the following people/business who allowed the Village access and storage of fire trucks during the renovation of the firehouse. Scott McCreedy of McCreedy Chevrolet, Jeff Gifford of Yates Blodgett, Jim Merritt of NYS Dept. of Transportation and Rich Leppert of Penn Yan Flight.

Trustee Stewart asked about snowmobiles that are going into the Cemetery with regards to the rope and sign area. Thought it was against policy or a law was passed a few years ago. Mayor Marchionda stated we authorized the law for the Outlet Trail. Mayor Marchionda explained the State prefers a direct 90 degree crossing. An actual safe crossing would go directly over a residents yard, which is part of the State's right of way and over to Indian Pines Fruit stand. The way it is set up right now is the next best thing. We have tried to accommodate everyone. Chief Mitchell explained they have moved the crossing a bit and it is now at the 90 degree crossing. Chief Mitchell explained that we handle complaints as they come in. Trustee Church wondered if there were any complaints this year and Chief Mitchell stated he is unaware of any abuse or complaints on the Outlet Trail.

CODE ENFORCEMENT:

Bruce Lyon showed the yearly report-breakdown that he submits to New York State. This shows what Code does annually – what we do and what we except.

MOTION by Trustee Taylor, seconded by Trustee Church to approve Bruce Lyon attends the annual FLBOA (Finger Lakes Building Officials Association Incorporated) Conference in Rochester on March 16-19th, 2009. Cost of \$390.00

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: This is a yearly requirement that Mr. Lyons needs to attend and S. Wilber will check to be sure money is available for him to attend.

PUBLIC WORKS:

Mayor Marchionda was questioned about the snow removal on Village sidewalks. It was discussed that Lake and Liberty Street were the biggest problems. S. Wilber did explain that the Village office have sent letters out telling business and residents they need to keep sidewalks clean of snow and or ice. Office has mailed out a total of 21 letters. Nine were sent to business and rest to residents. She also explained that we put a note on the Village bills to remind residents to clean the sidewalks. Randy Jensen explained that the Village crew did clean up one sidewalk today. It took the crew one and half hours to do it along with salt and equipment. They will be billing the resident for this. Randy wants to remind residents they need to be sure the width of the walks are shoveled at least 32" we have residents with scooters that use these walks. They need to keep sidewalks clean around the areas were the cross walks are. We cannot stress enough to shovel the walks.

Motion by Trustee Church, seconded by Trustee Hoban to approve to advertise for the 2009 Sidewalk Improvement Program. Residents cost is \$4.25 per square foot. Applications are due by March 31, 2009.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Trustee Church talked about the landslide problem that was created by the Village years ago at the Manley's resident on East Elm Street. This needs to get fix – Mrs. Manly has been very patient. Dick Osgood would like permission to start to order materials for this.

MOTION by Trustee Church, seconded by Trustee Hoban to authorize Dick Osgood place an order for some of the materials that is needed for the landslide on East Elm Street.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Dick Osgood had a few options to repair the landslide. Option 1 - repair the landslide and keep the drainage as it is now basic where the out flow is now. Option 2- is to purchase the property; we could fix the drainage issues and not the landslide. This would be easier but would not fix the landslide problem. If purchased would take off tax roll and the property is not a buildable lot. Dick stated the best thing is to have it done – hire a local contractor by the hour that has the equipment and manpower. Other way is the bid process and we come up with insurances and bonds. Dick is aware of one local contractor that does have the insurance and this would be on file. The person has the capability and expertise along with the equipment that could do the job. He also owns the property next door. Trustee Church questioned Dick what was the estimated amount - \$130,000. Mayor Marchionda explained this is a lot of money to spend but feels we do not have a choice, a bank that is sliding off and threatening a private structure and drainage is still an issue. Atty. Brockman questioned Dick Osgood are we sure the method we employed to repair the problem, will it repair it for the indefinite future. Dick feels comfortable with the repair. Trustee Church mentioned we have discussed this for almost a year. He is not happy spending this kind of money but unsure what else to do. Atty. Brockman questioned can we get an estimate from contractors if we go the Bond route. Dick feels no this is a time and material job, we have lost 40 feet of pipe already. Atty. Brockman questioned is this an emergency situation. Dick replied yes and would like to start immediately.

MOTION by Trustee Church, seconded by Trustee D'Abbracci to declare that Manley's pipe failure as an emergency situation.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

MOTION by Trustee Hoban, seconded by Trustee D'Abbracci to direct the Public Works Department to proceed with the repairs of the Manley's pipe without purchasing the additional property. Will go with option # 1.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: S. Wilber questioned when will the project be completed. Dick Osgood hopes by May 31, 2009 but it will also depend on Mother Nature. Dick mentioned it won't take long for the concrete structure to get built. Will need the concert structures in before the snow melts. Dick explained the project will go from top to bottom rather than from bottom upwards.

Trustee Church would like Mayor Marchionda to sign the letters to Senator Winner Jr., Assemblyman Bacalles and Senator Schumer. We are requesting funds that are necessary to repair the stone arch culvert on Clinton Street. It was originally constructed in 1870 and is deteriorating.

Dick Osgood mentioned they are talking about the Salt Storage building. Looking at putting up a temporary or portable Salt storage building on our own complex. Trustee Church mentioned it's stored at the State right now. We need to be out by 2010, about 18 months – due to the conduction of the building.

We are now in the process of what are we going to do and where to put the building. Trustee Church mentioned that S. Wilber and he are starting to find money to put in the DPW Barn reserve fund.

Dick Osgood discussed the Quote for Survey Work at Red Jacket Park. We got quotes from David Anderson and Rick Wilson. David was the lowest at \$1,400.00. We need a survey to show where exactly everything is, Pavilion, lifeguard station, bathrooms, playground and the larger trees etc. Dick mentioned awhile ago we applied for a grant for the Outlet Trail which included work at Red Jacket Park. Looking at new bathrooms at the Park but need to know where things are before you can move and or replace them. We have received notice that we were award the money but no contract yet from the State. Trustee Hoban feels survey needs to be done. Dan Doyle mentioned that if we do the survey now and before the contract comes in we cannot use that as part of your match. S. Wilber wonders can we wait a month or two to see if the contract comes in. Was decided to wait a month or so and see if the contract comes in.

Trustee Church mentioned would like the grants to go through the Planning & Development Committee. They will work with the Committee that is asking for the grant. Will have more control of what grants have been applied for and where they stand. Also to be sure we have done all the correct steps within the time allotted for the grant.

MOTION by Trustee Church, seconded by Trustee D'Abbracci to approve Randy Jensen advertises for Bids for a new Loader for the DPW.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: Trustee Church would like Randy to report back to the Public Works Dept. on the bids. Dick Osgood talked about the PY Marine property. Feels would be good to have on hand of what we have available for that property as in Utilities, sewer, how much water can they can handle etc. If this is sold to a developer , they will be wondering about this. Dick could do what we have now for water and sewer. Ed can check into electric. Mayor Marchionda and Trustee Church both feel should wait until it's sold and have them inquire on what they want. At this time we have no idea what anybody will do with the property and no money is available to have the survey done.

STREETS:

No Report

CEMETERY:

No Report

BUILDINGS:

MUNICIPAL:

MOTION by Trustee Church, seconded by Trustee D'Abbracci to authorize spending up to \$225,000 for the PLC system upgrade at the Water Treatment Plant. This figure included the VSG Enviromation bid of \$164,200.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Trustee Church read the motion for \$50,000 if available for the survey and design work for the sewer projects.

Discussion: Mayor Marchionda would like Dick Osgood to review the figure that is needed for the survey and design work for the sewer projects. Dick will discuss with S. Wilber the amount and will report back at next meeting.

MOTION by Trustee Church, seconded by Trustee Taylor to authorize the attendance of up to four employees at the MEUA Winter Engineering Workshop being held Friday 11th & 12th in Easy Syracuse. Cost of \$88.00 per person.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: Trustee Stewart questioned if it was in the budget and yes it is.

MOTION by Trustee Church, seconded by Trustee Taylor to authorize the attendance of up to six employees Municipal or Village Board members to attend the Finger Lakes Water Works Conference Annual business meeting on February 5th in Geneva. Cost \$22.00 per person.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Taylor to authorize three employees to participate in the 2009 Lineworker Safety and Training Program. Courses are offered in Bath throughout the year. Cost \$1,700 per participant. This training is required by OSHA.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Taylor to pay payment request No. 2 from RAM Consulting for electrical engineering services for power system mapping; this payment is part of the total cost of the mapping project, which was authorized by the Village in March, 2008.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

Discussion: Ed Balsley stated the payment request had not made it in time for the audit today – needed a separate motion .

MOTION by Trustee Church, seconded by Trustee Stewart to approve the Payment Agreements in the amount of \$5,307.60.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

COMMENTS:

Ed Balsley discussed the memo with regards to Bob Elliott. He is no longer affiliated with Lu Engineers. He is currently contemplating starting his own engineering business. The MUB wishes to maintain a continuity of professional services from him. Ed Balsley talked about the emergency generator service by the Firehouse. This was put in by the independent emergency efficiency program. Which Penn Yan is a member and the program paid the entire amount for the insulation of the genitor. Not only the purchase of the genitor but the transfer strip at the Firehouse. Which also includes labor, and miscellaneous materials. This did not impact the Budget – the cost was around \$85,000.

Dan Banach mentioned at yesterday's meeting the auditors shared with them that Penn Yan was the 3rd lowest on the list for lost of electric current. We had 3% of the total electric that we buy. Some customers were as high as 12%. We were 3rd out of 48 customers. Dan commended Ed Balsley and the electric crew for this accomplish.

ADJOURNMENT:

At 9:35 PM, MOTION by Trustee Church, seconded by Trustee D'Abbracci to adjourn the regular Village meeting and enter into Executive Session.

Mayor Marchionda called the Executive Session meeting to order at 9:40 pm.

ADJOURNMENT OF EXECUTIVE SESSION:

At 10:55 PM, MOTION by Trustee Taylor, seconded by Trustee Hoban to leave Executive Session and return to regular Village Meeting.

MOTION by Trustee Stewart, seconded by Trustee Hoban to settle the Officer Crandall's grievance by entering into a Memorandum of Understanding between the Village, the PBA and Officer Crandall, wherein he would be allowed one (1) week of paid vacation, with the MOU stipulating that the settlement would not be considered a "past practice" for any purposes, the MOU to be executed by the Mayor upon approval of the content thereof by Trustee Stewart and Village Attorney Brockman.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D'Abbracci	Aye		

Carried

ADJOURNMENT:

At 11:00 PM MOTION by Trustee Church , seconded by Trustee Taylor to adjourn the regular meeting

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: