

**MINUTES** of a Regular Meeting of the Village Board of Trustees held Tuesday evening, January 27, 2004 at 7:00 PM in the Maxwell Building, 127 Main Street, Penn Yan, New York.

**PRESENT:** Mayor D. Marchionda; Deputy Mayor W. Allison, Trustees M. Christensen (joined the meeting at 7:07 PM), L. Sackett, and G. Smith; Director of Public Works Balsley; Asst. Director of Public Works R. Osgood; Village Attorney E. Brockman; Police Chief S. Hill; and Village Treasurer D. Rogers

**ABSENT:** Trustees N. Koek and R. Schwingle; Fire Chief Pallar; Recreation Director Doyle; Street Superintendent Jensen (plowing Village streets); CEO Lyon and Cemetery Superintendent Trenchard

Public Attendees: Mrs. Nancy Taylor, several other guests believed to be snowmobile enthusiasts, Mrs. Armstrong and Anne Gunn

News Media present: Gina Muscato, Finger Lakes Times

The Mayor called the meeting to order at 7:00 PM and led the Pledge Allegiance to the Flag.

**CALL FOR EXECUTIVE SESSION:**

At 7:01 PM, MOTION by Trustee Allison, seconded by Trustee Sackett to hold an *executive session* on pending litigation at this time. Unanimously Carried.

At 7:20 PM, MOTION by Trustee Allison, seconded by Trustee Christensen to adjourn the *executive session* and return to the regular meeting. Unanimously Carried.

**MINUTES:**

MOTION by Trustee Christensen, seconded by Trustee Sackett to approve the minutes of the January 13, 2004 regular Village Board meeting with the following corrections:

Under ATTORNEY

► (5) should read, "Attorney Brockman suggested to the Board that in the event the Board's consensus was to allow snowmobile operation on the Outlet Trail the ¶132-11 of the Village Code should be amended. Rules, enforcement and insurance issues would also need to be addressed."

► MOTION by Trustee Allison, seconded by Trustee Koek to adopt *Resolution No. 03-2004* should read, "and refer the proposed law and SEQR Forms"

► MOTION by Trustee Allison, seconded by Trustee Koek to adopt *Resolution No. 04-2004* should read, "and refer the proposed law and SEQR Forms" Unanimously Carried.

**GUESTS, PUBLIC REQUESTS & COMMENTS:**

No one spoke, but the Mayor left this option open throughout the meeting.....

**MAYOR:**

MOTION by Trustee Smith, seconded by Trustee Sackett to adopt *Resolution No. 05-2004* "Appointment of Inspectors" for the General Village Election on Tuesday, March 16, 2004. Unanimously Carried.

**ATTORNEY:**

Attorney Brockman has received notification from Sheriff Spike regarding the abandoned vehicle in the Sheriff Department's parking lot. They provided the necessary information and after research, it appears that the only way to resolve this is through local legislation.....

MOTION by Trustee Allison, seconded by Trustee Sackett to authorize Attorney Brockman to undertake preparing a proposed local law and present it to the Village Board within 30 days. Unanimously Carried.

**CORRESPONDENCE:**

MOTION by Trustee Sackett, seconded by Trustee Christensen to grant a banner permit to St. Michael's School entitled "Celebrate Catholic Schools Week" to be erected on upper Main Street from January 26<sup>th</sup> to February 2<sup>nd</sup>. Unanimously Carried.

MOTION by Trustee Smith, seconded by Trustee Christensen to approve the *Rochester Bassmasters'* request to use the Village boat launch site on Sunday, August 29<sup>th</sup> to hold a 1-day fishing tournament. Unanimously Carried.

Mayor Marchionda explained the zoning amendment request from the Y.C. I.D.A. re: rezoning an area of Route 14A on the south end of the Village from Single-Family Residential (R1) to General Commercial (GC).....

MOTION by Trustee Allison, seconded to Trustee Sackett to refer the above mentioned request to the Planning & Development Committee and the Planning Board for their consideration. Unanimously Carried.

Mayor Marchionda referred a letter received from Bob Hawley re: snowmobiles on the Outlet Trail, to the Parks and Recreation Committee.

The Mayor announced that the Racket Club has invited the Village Board to attend their open house on Saturday, January 31<sup>st</sup> from 2:00 PM to 3:30 PM. They also thanked the Village for their cooperation in helping this project get started.

**AUDIT:**

MOTION by Trustee Smith, seconded by Trustee Christensen to pay the current bills as submitted:

Village:	Paid before audit: General	77.91	
	General Fund	26,775.00	Unanimously Carried.

Municipal:        Paid before audit: Electric  
                      Electric Fund  
                      Water Fund  
                      Sewer Fund

No meeting held  
01/22/2004

**FINANCE & ADMINISTRATION:** G. Smith, Chair

MOTION by Trustee Smith, seconded by Trustee Sackett to approve Village Treasurer Rogers attending the New York State Society of Municipal Finance Officers seminar regarding *Controlling Health Costs* on Wednesday, February 4, 2004 in Liverpool, NY. Unanimously Carried.

Trustee Smith tabled Resolutions 06-2004 and 07-2004 to a later date.

**PERSONNEL:** N. Koek, Chair

MOTION by Mayor Marchionda, seconded by Trustee Christensen to confirm hiring Thomas J. Dunham as Police Officer effective upon passing the exams for the Yates County Mental Health, and Y.C. Worker's Comp. He will begin at START with the annually salary of \$29,833. After successfully completing Police Basic School in June, he will be employed full-time. Unanimously Carried.

**PARKS & RECREATION** – R. Schwingle, Chair

The next meeting is scheduled for Wednesday, February 18, 2004 in the PY Middle School Cafeteria at 4:00 PM.

**PLANNING & DEVELOPMENT:** M. Christensen, Chair

The last meeting was held on Monday, January 26<sup>th</sup> at 7:00 PM in the Village Office.

Trustee Christensen informed the Board that the committee began the task of reviewing permit uses, existing definitions as well as to create new definitions. Too many uses are now falling under the "all other uses" category.

**AD-HOC BUILDING COMMUNITY:** D. Marchionda, Chair

The last meeting was held on Tuesday, December 16<sup>th</sup> at 6:30 PM in the Village Office.

Update: the Frank J. Marianacci Construction Company has begun some work at the Phase II site.

**PUBLIC SAFETY:** L. Sackett, Chair

No meeting was held on Thursday, January 1, 2004; the next meeting is scheduled for February 5, 2004 at 6:00PM in the Fire House.

**PUBLIC WORKS:**

No meeting is scheduled for Monday, February 16<sup>th</sup> (President's Day) at 1:00 PM in the Village Office, 2<sup>nd</sup> floor.

A meeting has not been rescheduled at this time.

**Streets:**

Trustee Allison reported that the Street Department has been, and still is busy with snow removal.

Trustee Allison also informed the Board that T-R-T has started the Cornwell and East Elm Streets, etc. Sanitary Sewer Improvements project.

**Buildings:**

The Oliver House developed a problem with one of their radiators. It was spraying moisture all over the wallpaper and could not be turned off. Fingar Plumbing & Heating was called to close off the pipe in the basement until it is decided what should be done.

**MUNICIPAL:**

The last meeting was held on Thursday, January 8, 2004 at 2:00 PM in the Maxwell Building; the next meeting is scheduled for February 5<sup>th</sup>.

MOTION by Trustee Allison, seconded by Trustee Sackett to authorize the Mayor to sign the "Intermunicipal Water Agreement" with the Town of Pulteney. Unanimously Carried.

Director of Public Works updated the Board with regard to the two compact fluorescent light bulbs being given to residential customers. He stated that probably half of the supply has already been depleted, leaving about 2200 bulbs.

**OTHER BUSINESS:**

Mayor Marchionda welcomed the *Family Dollar Store* to the Village. Their grand opening is scheduled for Thursday, January 28<sup>th</sup> at 9:00 AM.

The Mayor asked if there was anything else to be brought in front of the board at this time? No one spoke.

At 7:37 PM, MOTION by Trustee Allison, seconded by Trustee Sackett to adjourn the regular Village Board meeting. Unanimously Carried.

---

Linda K. Banach, Village Clerk

\*The next Village Board meeting is scheduled for Tuesday, February 10<sup>th</sup> at 7:00 PM in the Maxwell Building.