

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, March 17, 2015 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor L. MacKerchar; Trustees W. Allison: C. Benedict; C. Christensen; B. Church; D. Reeve; R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; Police Chief M. Hulse; Municipal Chair R French

ABSENT: CEO B. Lyon; Fire Chief J. Housel

News Media present: Gwen Chamberlain, Chronicle Express; David Specksgoor, Dundee Observer

PUBLIC: County Legislator Mark Morris, Stefan Lewandowski

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Church, seconded by Trustee Benedict to authorize to have an Executive Session for discussion on a contractual agreement.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MINUTES:

MOTION by Trustee Allison, seconded by Trustee Stewart to approve the Village Board Minutes from February 17th, 2015 and Special Board meeting on March 2nd, 2015

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

GUESTS, PUBLIC REQUEST & COMMENTS:

Stefan Lewandowski is one of the organizers for The End is Near Winter music event which was held on Saturday March 14th. He stopped in too give the Board an update. Stefan explained things went very well and the weather was pretty good for this time of year, they sold 540 tickets and felt had a good turnout for the time of year and the first time having it. Stefan thanked the Electric and DPW Crews for their help. He mentioned they are looking at doing something later on in July.

MOTION by Trustee Allison, seconded by Trustee Benedict to authorize First Presbyterian Church to hold the annual Easter Sunrise Service on April 5, 2015 at 7:00AM at Indian Pines Park.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Reeve, seconded by Trustee Benedict to authorize the Saturday morning Farm Market to sell local produce. They will be using the East side of Main Street between Jacob and Elm Streets from the middle of May to the middle of October, 2015 between 6:00am – 1:00pm.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Christensen, seconded by Trustee Church to authorize the PY Baseball and Softball Opening Day Parade on Saturday May 2nd starting at 10:00 AM. Route – begin at boat launch – Keuka Street up Elm Street to Baseball Complex.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MAYOR:

MOTION by Trustee Benedict, seconded by Trustee Church to have the Organizational meeting on Monday April 6th at 5:00PM along with a Special Village Board meeting

MOTION by Trustee Church, seconded by Trustee Christensen to set a Budget Workshop and a Special Village Board meeting for Monday, March 23 at 10:00AM.

Discussion: Mayor explained if we have the budget workshop in March we can hold the Public Hearing in April. Trustee Reeve is unable to attend the meeting on Monday March 23rd. He has some concerns he would like to discuss. Mayor MacKerchar explained really need to have this meeting we are about ready for the closing of the Penn Yan Marine site and might need to take some action that night. After a brief discussion Trustee Reeve will relay his concerns by e-mail or speak with each Board member regarding his concerns.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Mayor MacKerchar explained Justice Hibbard will be retiring from his position in June, 2015. Mayor had asked people to send in a request if they are interested in the opening. Mayor did receive a few responses to fill the Justice position. Mayor MacKerchar announced Atty. Matthew Conlon will be the new acting Village Justice effective April 1, 2015. Atty. Conlon and anyone else will have to run in the next March's Village election.

ATTORNEY:

MOTION by Trustee Christensen, seconded by Trustee Reeve to authorize Resolution No 18-2015 Proposed Local Law Authorizing the Awarding of Purchase Contract on the Basis of "Best Value" and set a Public Hearing for Tuesday April 21, 2015 at 6:00PM.

Discussion: Atty. Brockman explained this is to use for purchases for public improvement contracts for the Village. You are able to go with the best value from the bid that was offer instead of the lowest bid amount.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

COMMUNITY REVITALIZATION:

Mayor MacKerchar explained there is money available if anyone is interested in facade program stop and get an application

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize the Notice of Award to Slack Chemical Co. for the following Chemicals for 2015-2016:
Sodium Hypochlorite: Drums and Bulk \$1.179/gallon;
Phosphate \$10.49/gallon;
Sodium Flouride \$.794/lb

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Christensen to authorize the Notice of Award to Holland Co. for Liquid Alum Sulfate at \$.80/gallon for 2015-2016.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Church to authorize the Notice of Award to Casella Waste Management for Hauling of Liquid Sludge at a flat rate of \$415.00 for 8500 gallon for 2015-2016.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Benedict to authorize to go out for bid for RFPs for engineering and administrative support as required by the CDBG Grant.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Christensen to approve Utility Payment Agreements in the amount of \$16,645.27

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Brent Bodine mentioned he had a pre-construction meeting today to discuss the new water main on Lake Street- the tentative start date is April 20th and will have it completed by June 30th.

FINANCE & ADMINISTRATION:

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

AUDIT:

		Amount:
Paid Before Audit:		
General		31,775.99
Electric		411,412.35
Sewer		8,916.38
Water		8,689.60
Capital Projects		
Total Paid Before Audit		\$ 460,794.32
Current Audit:		
General	\$	41,838.21
Community Development - CRC		-
Electric		41,779.64
Sewer		28,210.52
Water		16,503.47
Capital Projects		-
Total Current Audit Items		\$ 128,331.84
TOTAL AUDIT		\$ 589,126.16

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Benedict to authorize Resolution No 17-2015 Budget Transfers for 2014-2015 Fiscal Year.

TO:

Account Id	Description	Date	Fund Totals
ES-8120-4-418	Sanitary Sewer-Maintenance on Buildings/	1,150	
EW-8340-4-418	Transmission & Distr-Maint on Buildings	600	
		1,750	
			General -
			Electric -
			Sewer 1,150
			Water 600
			1,750

FROM:

Account Id	Description	Date	
ES-8120-4-500	Administration-Supplies & Materials	1,150	
EW-8340-4-500	Transmission & Distr-Supplies & Material	600	
		1,750	
			General -
			Electric -
			Sewer 1,150
			Water 600
			1,750

Budget transfer to cover the material costs associated with the cold storage area of the building modification associated with the MUB break room.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

Trustee Church Thanked Gary Meeks Clerk/Treasurer for his hard work on the budget as the new tax cap spending could only be 1.68% and we are right under that. The Supervisors did a very good job by helping to keep cost down. The report will be reviewed on the Monday the 23rd.

PERSONNEL:

MOTION by Trustee Benedict, seconded by Trustee Allison to accept the resignation of C. Andrew Moesch effective March 2, 2015.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

PUBLIC SAFETY:

POLICE DEPARTMENT:

Monthly active report

FIRE DEPARTMENT:

Monthly Fire Department report

Year to Date Fire Department report

CODE ENFORCEMENT:

MOTION by Trustee Christensen, seconded by Trustee Reeve to authorize Bruce Lyon, CEO to attend the FLBOA – (Finger Lakes Building Officials Association) yearly conference on March 16-19th in Rochester, NY. Totaling \$390.00.

Discussion: Atty. Brockman mentioned this is 5 days of training which is required by the State.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Christensen, seconded by Trustee Reeve to authorize Bruce Lyon to attend the NYS Flood Plain & Storm Water Managers Association meeting for April 27-29 in Syracuse, NY. Total cost \$311.00 (\$215.00 for meeting and \$96.00 for one night stay)

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Reeve to award DC Masonry for any necessary cemetery foundation work for the cost of \$.42/sq.in. for 2015-2016.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Reeve to award Connect-A-Service the 2015-2016 bid for snow and ice removal.

Rates \$.15/sq.ft. for snow depth less than 6 in.
\$.20/sq.ft. for greater than 6in.
Ice/snow pack treatment at a rate of \$.02/sq.ft. for material only

Discussion: Trustee Stewart question about the rates. Bill Jensen explained these are cheaper than what we are paying now. Now it is \$60.00 just to show at job site and \$70.00 an hour to do work. This new rate is considerably less and yes it's the same type of service.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Reeve to go out for bid again for Household Debris Removal

Discussion: Brent Bodine explained we did not receive any bids the first time this went out; we will tweak the specifications and go out for bids again. This is something new for us. We are hoping to get one contractor who is able to pick up all different types of items. This is similar to mowing and snow removal.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Christensen **to** award the 2015-2016 hot mix bituminous contracts to Dolomite Products, Inc. per their bid, as follows:

Bidder: Dolomite Products, Inc. Signed Non-Collusive? Yes

<u>Item</u>	<u>Price Per Ton</u>
Type 4F Top	\$68.50/ton
Type 7F Top	\$68.50/ton
Type 6F Top	\$64.50/ton
Type 3 Binder	\$58.50
Fine Binder	\$61.50
Type 2 Base	\$55.50

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Church to award the 2015-2016 ready-mix concrete contract to Dolomite per their bid, as follows:

Bidder: Dolomite Signed Non-Collusive? Yes

<u>Transit Mix Concrete</u>	<u>Price Per Cubic Yard</u>
3,500 lb. mix	\$113.00
3,500 lb. mix with fiber	\$122.00
4,000 lb. mix	\$117.00
4,000 lb. mix with fiber	\$126.00
Flowable Fill	\$ 83.00

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Christensen to award the 2015-2016 hauling of materials contract to Marchionda Excavating, Inc. per their bid, as follows:

Bidder: Marchionda Excavating, Inc. Signed Non-Collusive? Yes

	<u>Standard Materials Price Per Ton Delivered</u>	<u>Gabion Price Per Ton Delivered</u>
0 – 25 Miles	\$4.20	\$5.50
26 – 35 Miles	\$5.20	\$6.80
36 – 45 Miles	\$6.75	\$8.75
46 – 50 Miles	\$7.25	\$9.40
51 Miles and Over	\$4.00 per one-way mile	\$5.00 per one-way mile

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Benedict to award Richard L. Wilson the 10 survey jobs that we will have for 2015-2016. Total cost for jobs were \$29,261.45, which was low bid.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Reeve to go out for bid for the remaining balance of the 2014-2015 Paving Plan.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Church to authorize the Mayor signs the five year Indemnification Agreement with Yates County.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Trustee Allison mentioned the DPW Crews are out filling pot holes.

PARKS & RECREATION:

MOTION by Trustee Stewart, seconded by Trustee Benedict to authorize and order Bollard style lighting for the outlet trail.

Discussion: Trustee Stewart mentioned they have discussed this for a few months and decided on this type which is the same style in the mini Park by Main Street. Brent Bodine explained these are standardized lights that will be used at the Waterfront/Penn Yan Marine site. They are LED lights and we will already have grant money from IEEP to help pay for them. We will be bidding this out; Bollard is just the name for the type of light we are getting.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

PLANNING & DEVELOPMENT:

Trustee Reeve “Thanked” Gary and his staff for placing the flyer in with the latest Municipal bills. Trustee Reeve encouraged the Board to attend the Historic Preservation Community Forum on Wednesday, May 13, 2015 from 6:00pm – 8:00pm at the Yates County Auditorium. Trustee Allison is encouraging other residents and residents that live in the Historic District to attend the meeting.

Trustee Reeve mentioned the ZBA is continuing to meet and review the regulations to stay up to date on the State Regulations.

Trustee Reeve mentioned at the Planning & Development meeting on Tuesday, April 14th at 2:00pm the over view of the final 20/20 vision report. Joni Monroe and Roger Brown from Rochester will be attending. We encourage anyone to attend the meeting to hear the outcome of the report.

PLANNING BOARD:

Trustee Reeve explained the Comprehensive Survey on line is done. We had a total of 358 done on line and over 50 turned in to either the Library or Village Office. If you still have a hard copy, you need to get it in to the Village Clerk as soon as you can. We had a good response to the survey.

COMMENTS

Bill Jensen mentioned the Wastewater Treatment Plant should be completed by April 30th.

EXECUTIVE SESSION:

At 6:37 PM, **MOTION** by Trustee Christensen, seconded by Trustee Allison to enter into Executive Session.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:49 PM, **MOTION** by Trustee Christensen, seconded by Trustee Reeve to leave Executive Session and return to regular Village Meeting.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

ADJOURNMENT:

At 7:50 PM, **MOTION** by Mayor MacKerchar, seconded by Trustee Reeve to adjourn the regular Village Board meeting.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: