

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, March 19, 2013 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor R. Church; Trustees W. Allison; C. Christensen; M. Christensen; 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 Hulse; CEO B. Lyon; Fire Chief R. Simpson

ABSENT: Trustee Winslow

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

PUBLIC: Carol Robeson with 20/20, Mark Morris

Mayor Church called the Village Board meeting to order at 6:02 PM.

CALL FOR EXECUTIVE SESSION:

NO call for Executive Session tonight

MINUTES:

MOTION by Trustee C. Christensen, seconded by Trustee Allison to approve the Village Board Minutes from February 19, 2013

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee M. Christensen, seconded by Trustee Reeve to authorize First Presbyterian Church to hold the annual Easter Sunrise Service on March 31, 2013 at 7:00am at Indian Pines Park.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize Penn Yan area Council of Church to hold the annual C.R.O.P. walk on May 5, 2013 at 1:00 pm.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize the Penn Yan area Council of Churches to hold the annual Turkey Walk on November 3, 2013 at 1:00pm.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee Allison to authorize the VFW to hold the annual Memorial Day parade on Monday May 27, 2013 at 10:00am.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MAYOR:

Mayor Church welcomed Gary Meeks the new Clerk/Treasurer.

MOTION by Trustee Stewart, seconded by Trustee Reeve to authorize a Budget Workshop for Monday March 25, 2013 at 9:00AM.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

Mayor Church reminded the Board the Organization meeting is Monday April 1, 2013 at 5:00PM.

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to set a Public Hearing for April 16th at 6:00PM for the approval of the budget.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart

Nays 0 Abstain 0 Absent Winslow

ATTORNEY:

MOTION by Trustee Reeve, seconded by Trustee M. Christensen to authorize Resolution No 15-2013 Proposed Local Law amending the code of the Village of Penn Yan to Authorize Traffic Control Signals at Specific Intersections and set a Public Hearing for April 16, 2013 at 6:05 PM.

WHEREAS, the Board of Trustees of the Village of Penn Yan deems it appropriate to consider a Local Law to authorize traffic control signals (traffic lights) at various intersections in the Village; and

WHEREAS, the Board of Trustees intends to act as lead agency for the purposes of the review of this proposed Local Law under the provisions of SEQRA; and

WHEREAS, it appears that there will be no environmental impact by the adoption of such a Local Law and such adoption may accordingly be deemed a “Type II” Action pursuant to NYCRR617.5(c)(16); and

WHEREAS, a proposed Local Law has been circulated to the Board of Trustees.

Now Therefore, be it

RESOLVED, that the Board of Trustees of the Village of Penn Yan hereby establishes itself as Lead Agency pursuant to 6NYCRR § 617 for the purposes of the environmental review of this action; and be it further

RESOLVED, that the Board of Trustees of the Village of Penn Yan determines that no environmental impact will occur by the adoption of this Local Law, the adoption of such Local Law is a “Type II” Action pursuant to NYCRR 617.5(c) (16); and it is further

RESOLVED, that a public hearing is scheduled for April 16, 2013 at 6:05 p.m. and that requisite notice thereof be made.

DISCUSSION: After a brief discussion – Atty. Brockman will revise the Local Law to show the Street to show East Main & Lake Street for the traffic light.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

Atty. Brockman reviewed in full the SEQRA with the Village Board for Zoning District Classification of Property on west side of Sherman Street and 1984 Outlet Road.

MOTION by Trustee Reeve, seconded by Trustee M. Christensen to authorize Resolution No 16-2013 Regarding SEQRA Issues, Setting a Public Hearing and Referral to the County Planning Board of the Local Law Establishing Zoning District Classification for Two Parcels of Land Being Annexed to the Village and set a Public Hearing for April 16, 2013 at 6:10 PM.

WHEREAS, the Board of Trustees of the Village of Penn Yan has approved annexation of two parcels of land, to wit: approximately 0.623 acre on the west side of Sherman Street and approximately 0.55 acre known as 1984 Outlet Road, each of which will be assigned a zoning district classification. The Sherman Street property is recommended to be classified as General Residential (R-2) and the 1984 Outlet Road property is recommended to be classified as Single Family Residential (R-1); and

WHEREAS, a proposed Local Law has been prepared and circulated to the Board of Trustees with respect thereto; and

WHEREAS, the action has previously determined to be an unlisted action and on SEAF has been prepared.

Now Therefore, be it

RESOLVED, that a public hearing on the proposed Local Law is hereby scheduled for April 16, 2013 at 6:10 p.m. in the Village Offices and that due notice thereof be made by the Village Attorney; and it is further.

RESOLVED, that the proposed is referred to the Yates County Planning Board for review and action pursuant to GML §239-M, together with the draft SEAF.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

COMMUNITY REVITALIZATION:

No update

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize the attendance of Mike Mullins at GE Meter School being held June 11th to 14th in Dover, NH at a cost of \$800 for the school and \$408 for the hotel (\$1,208) plus mileage.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee Allison, seconded by Trustee C. Christensen to authorize Resolution No 23-2013 to appoint Brent Bodine as the Village delegate at the MEUA Semi-Annual meeting being held April 17th and April 18th, 2012 in East Syracuse, NY.

At a regular meeting of the Village Board of the city/Town/Village of Penn Yan, New York, held on March 15, 2013, the following resolution was adopted:

Motion by _____, seconded by _____.

WHEREAS, the Village Board of the City/Town/Village of Penn Yan, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and WHEREAS, the semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 17 and April 18, 2013 to be held at the Embassy Suites Hotel, 6646 Old Collamer Road, East Syracuse, New York, 13057 and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast over one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Brent Bodine be and is hereby designated as the accredited delegate

of the City/Town/Village of Penn Yan, New York.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee Allison, seconded by Trustee M. Christensen to forgive a portion of Melinda Alden’s sewer bill for 307 E. Elm Street in the amount of \$104.77 since Bill Jensen confirmed that this water did not enter the public sewer system.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee Allison, seconded by Trustee M. Christensen to forgive a portion of the February sewer bill for Megan Peter, a tenant at 222 Clinton Street in the amount of \$90.18 contingent upon confirmation that this water could not have entered the public sewer system.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee Allison, seconded by Trustee M. Christensen to approve Utility Payment Agreements in the amount of \$14,985.19

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

FINANCE & ADMINISTRATION:

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

WARRANT:

		Amount:
Paid Before Audit:		
General		26,895.88
Electric		380,736.16
Sewer		8,666.05
Water		8,955.95
Capital Projects		
Total Paid Before Audit		\$ 425,254.04
Current Audit:		
General		\$ 61,352.89
Community Development - CRC		-
Electric		50,477.76
Sewer		47,420.30
Water		65,746.78
Capital Projects		-
Total Current Audit Items		\$ 224,997.73
TOTAL AUDIT		\$ 650,251.77

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee Stewart to authorize Resolution No 9-2013 Revised Budget Transfer 2012-2013.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize a paid before April's warrant of \$269.65 to Card member Service for Visa payment.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee Allison to authorize Resolution No 17-2013 Budget Amendment 2012-2013.

<u>Increase</u>			
Budget	3-A-3410-2-200	Fire Equipment	458,552.00
Revenue	3-A-5730-00	Bond Anticipation Notes	220,222.00
Revenue	3-A-2665-00	Sale of Equipment	40,000.00
Revenue	A963	Budgetary Reserve for Fire Equipment	198,330.00

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee Allison to authorize Resolution No 18-2013 Revised budget Transfers 2012-2013.

<u>TQ:</u>			
<u>Account Id</u>	<u>Description</u>	<u>Date</u>	<u>Fund Totals</u>
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -3410-0-000	FIRE		
3-A -3410-2-200	Fire-Equipment	58,125	
3-A -3410-4-400	Fire-Grant		
3-A -3410-4-410	Fire-Contractual Services		
3-A -3410-4-411	Fire-Vehicle Repairs		
3-A -3410-4-412	Fire-Gas & Oil		
3-A -3410-4-413	Fire-Department Contract		
3-A -3410-4-414	Fire-Equipment Repairs		

3-A -3410-4-415	Fire-Health Services		
3-A -3410-4-416	Fire-Ladder Testing		
3-A -3410-4-420	Fire-Phone/Internet/Utilities		
3-A -3410-4-430	Fire-Insurance		
3-A -3410-4-450	Fire-Computer Services		
3-A -3410-4-480	Fire-Hose Testing		
3-A -3410-4-500	Fire-Supplies & Materials		
3-A -3410-4-520	Fire-Bunker Gear/Bags/Gloves		
3-A -3410-4-530	Fire-Fire Equipment		
3-A -3410-4-590	Fire-Haz-Mat		
3-A -9785-0-000	DEBT SERVICE LEASE PAYMENTS		
3-A -9785-6-600	Fire Truck Lease Principal		
3-A -9785-7-700	Fire Truck Lease Interest		
		<u>58,125</u>	
			General 58,125
			Electric -
			Sewer -
			Water -
			- 58,125

FROM:

Account Id	Description		Date
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -9785-0-000	DEBT SERVICE LEASE PAYMENTS		
3-A -9785-6-600	Fire Truck Lease Principal	50,000	
3-A -9785-7-700	Fire Truck Lease Interest	<u>8,125</u>	
		<u>58,125</u>	
			General 58,125
			Electric -
			Sewer -
			Water -
			58,125

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize Resolution No 19-2013 Budget Transfers 2012-2013.

TO:

Account Id	Description		Date	Fund Totals
3-A962	Budgetary Provisions - DPW Equipment Reserve			
3-A511	Reserve Funding - DPW Equipment			
3-A-2665	Sale of Equipment			
3-A -0000-0-000	GENERAL FUND			
3-ES-8130-0-000	SEWAGE TREATMENT			
3-ES-8130-4-410	Sewage Treatment-Contractual Services	33,000		
		<u>33,000</u>		
				General -
				Electric -
				Sewer 33,000
				Water -
				- 33,000

FROM:

Account Id	Description		Date
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-ES-8130-0-000	SEWAGE TREATMENT		
3-ES-8130-4-505	Sewage Treatment-Process Machinery	33,000	
		<u>33,000</u>	
			General -
			Electric -
			Sewer 33,000
			Water -

33,000

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee Reeve to authorize Resolution No 20-2013 Budget Transfers 2012-2013.

TO:			Fund
Account Id	Description	Date	Totals
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -5110-0-000	STREET MAINTENANCE		
3-A -5110-2-200	Street Maintenance-Equipment		
		<u>4,000</u>	
		<u>4,000</u>	
		General	4,000
		Electric	-
		Sewer	-
		Water	-
		-	<u>4,000</u>
FROM:			
Account Id	Description	Date	
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -5110-0-000	STREET MAINTENANCE		
3-A -5110-4-520	Street Maintenance-Salt & Sand		
		<u>4,000</u>	
		<u>4,000</u>	
		General	4,000
		Electric	-
		Sewer	-
		Water	-
		-	<u>4,000</u>

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee Reeve to authorize Resolution No 21-2013 Budget Transfers 2012-2013.

TO:			Fund
Account Id	Description	Date	Totals
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -8020-0-000	PLANNING		
3-A -8020-1-100	Planning-Personal Services		
3-A -8020-4-410	Planning-Contractual Services		
3-A -8020-4-480	Planning-Professional & Training		
3-A -8020-4-490	Planning-Engineering Fees		
3-A -8020-4-500	Planning-Supplies & Materials		
		<u>2,325</u>	
		<u>2,325</u>	
		General	2,325
		Electric	-
		Sewer	-
		Water	-
		-	<u>2,325</u>
FROM:			
Account Id	Description	Date	
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		

3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -8020-0-000	PLANNING		
3-A -8020-1-100	Planning-Personal Services		
3-A -8020-4-410	Planning-Contractual Services		
3-A -8020-4-480	Planning-Professional & Training	175	
3-A -8020-4-490	Planning-Engineering Fees	2,150	
3-A -8020-4-500	Planning-Supplies & Materials		
		2,325	
	General		2,325
	Electric		-
	Sewer		-
	Water		-
			2,325

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee C. Christensen, seconded by Trustee Allison to authorize Mayor Church signs the contract with Municipal Solutions, Inc. for four proposals 1. Bond-Anticipation Note borrowings 2. Long-Term Serial Bond Borrowing 3. Secondary Market Disclosure 4. General Financial Services.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

Trustee C. Christensen mentioned she wanted everyone to know how much we appreciated and wanted to thank our past Clerk/Treasurer Shawna Wilber. She was very willing to come in and help Gary with these transfers and other questions he had. She was very helpful.

PERSONNEL:

MOTION by Trustee M. Christensen, seconded by Trustee Reeve for the permanent appointment for Brandon Dehond Police Officer Effective March 19, 2013.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee M. Christensen, seconded by Trustee Reeve for the permanent appointment for Wayne Marsh Police Officer effective March 20, 2013.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

PUBLIC SAFETY:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Resolution No 13-2013 Opposing the Process for Enactment of the New York Secure ammunition and Firearms enforcement act of 2013.

WHEREAS, the enactment of the NY SAFE Act on January 15, 2013 by the NYS Legislature and signed by Governor Cuomo, although having several good points including increased criminal penalties and mental health requirements has provoked significant controversy over both the process by which it was enacted and having certain provisions contained within being viewed by many citizens that this Legislature has infringed upon their rights guaranteed to them under the Second Amendment of the United States Constitution; and

WHEREAS, Governor Cuomo has proposed spending \$36 million dollars in his 2013-2014 Executive budget for the implementation of the NY SAFE Act at a time when New York State taxpayers seek tax relief, as fiscal burdens being placed on local village governments for required state services costs are unsustainable, and

WHEREAS, each and every bill that comes before the New York State Legislature before any enactment deserves a fair and open discussion that supports the people’s right to know and access to information which incorporates all points of view in order to ensure that all citizens are heard and that the Legislation has its intended purpose, and in this case benefits the people of the State of New York in reducing gun violence, and

WHEREAS, it is apparent to reasonable people that this thirty-nine page bill was hastily processed, and was adopted after minimal public discussion that contains definitions and exemption flaws, as well as possible unfunded mandates on village governmental agencies; and that the legislature and

Governor did not properly seek out and consider public input to the standard that we do locally for consideration of any local laws;

NOW, THEREFORE, BE IT RESOLVED, THAT THE

Penn Yan Village Board of Trustees wishes to express its concern that the normal due process for such acts was inconsistent, and any future legislation which addresses the fringes of a constitutional freedom regarding the ownership of types of guns and the sale of ammunition in the State of New York be conducted only after an open debate pursuant to which the public is allowed to participate in hearings or otherwise, and express their points of view, and that proper and applicable amendment to this act be enacted; and further

RESOLVED, that certified copies of this resolution be forwarded by the Clerk of this Board to Governor Andrew Cuomo, Senator Thomas O’Mara, Assemblyman Phil Palmesano, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Minority Leader Assemblyman Brian M. Kolb, Inter-County, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Thomas Reed and to the New York Conference of Mayors.

ADOPTED Ayes 5 Church, Allison, C. Christensen, M. Christensen, Reeve
Nays Stewart Abstain 0 Absent Winslow

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Resolution No. 14-2013 In support of the second amendment and for the Repeal of the Safe Act 2013.

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York, and;

WHEREAS, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty and Property is regarded as an Inalienable Right by the People of the Village of Penn Yan, New York, and;

WHEREAS, the People of the Village of Penn Yan, New York, derive economic benefit from all safe forms of firearms recreation, hunting and shooting conducted within in Yates County using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, the Penn Yan Village Board of trustees, being elected to represent the People of the Village of Penn Yan and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, legislation passed by the New York Assembly and Senate infringes on the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens of the Village of Penn Yan, for defense of Life, Liberty and Property and would ban the possession and use of firearms now employed for safe forms of firearms recreation, hunting and shooting conducted within Yates County, New York and the Village of Penn Yan being the County seat of Yates County;

WHEREAS, Trustees of the Village of Penn Yan believes there a many other less intrusive means available, other than rash, confusing, and inarticulately drafted firearms laws that would effectively, control, manage and reduce violence in our society, such as, mental health reforms, anti-bullying programs for schools, enforcement of existing firearms laws to the fullest extent possible, and proper psychological counseling for those in need;

NOW, THEREFORE IT BE AND IS HEREBY RESOLVED

that the Penn Yan Village Board of Trustees does hereby oppose the enactment of the Safe Act 2013 and calls for the repeal of said act. That said act would infringe upon the Right of the People to keep and bear arms and consider such laws to be unnecessary and beyond lawful legislative authority granted to our State representatives, as there is no documented correlation between gun control measures and crime reduction.

RESOLVED, that certified copies of this resolution be forwarded by the Clerk of this Board to Governor Andrew Cuomo, Senator Thomas O’Mara, Assemblyman Phil Palmesano, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Minority Leader Assemblyman Brian M. Kolb, Inter-County, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Thomas Reed and to the New York Conference of Mayors.

ADOPTED Ayes 5 Church, Allison, C. Christensen, M. Christensen, Reeve
Nays Stewart Abstain 0 Absent Winslow

POLICE DEPARTMENT:

Trustee M. Christensen complimented the Police Department on the two big recent drug arrests in the Village.

FIRE DEPARTMENT:

Monthly Fire Department report

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for Mar 2013
run 03-18-2013 Pg 1

Description	er	rs	rs	Description	Number	Firefighters	Manhours	
				Fire Alarms				
Hous	2	61	.4	House Fires	2	61	173.4	
Busin				Business Fires				
Grass				Grass/Brush Fires				
Outsi	1	25	.4	Outside Building/Barn Fires	1	25	10.4	
Car/V				Car/Vehicle Fires				
Other				Other Fires				
Wires				Wires				
Other	4	71	.1	Other Emergency	4	71	20.1	
Auto	7	05	.3	Automatic Alarm Fires	7	105	18.3	
Mutua	3	40	.5	Mutual Aid Scene	3	40	262.5	
Mutua				Mutual Aid Standby				
Public				Public Service				
Veicld	1	22	.9	Vehicle Accident	1	22	24.9	
<hr/>					Total	18	324	509.6
				Medical/Rescue Calls				
First	2	17	.3	First Responders	2	17	5.3	
Assist				Assist Ambulance				
Other				Other Medical				
<hr/>					Total	2	17	5.3
<hr/>					Total	20	341	514.9
				Other Activities				
Cours	10	10	.0	Courses	10	10	144.0	
Drills	5	69	.0	Drills	5	69	161.0	
Mont	7	93	.0	Monthly Meetings	7	93	63.0	
Com				Committee Meetings				
Fire P				Fire Prevention				
Fund				Fund Raising				
Parad				Parades/Cleanup				
Work	5	26	.0	Work Detail	5	26	107.0	
Wake				Wake/Funeral				
Line				Line Of Duty				
Other				Other				
<hr/>					Total	27	198	475.0
*****	**	**	**	*****	***	*****	*****	
<hr/>					Total	47	539	989.9

Year to Date Fire Department

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for 2013 YTD
run 03-18-2013 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires	5	173	257.3
Business Fires			
Grass/Brush Fires			
Outside Building/Barn Fires	1	25	10.4
Car/Vehicle Fires			
Other Fires	1	6	1.2
Wires	4	60	13.6
Other Emergency	18	278	101.4
Automatic Alarm Fires	13	201	40.3
Mutual Aid Scene	5	68	349.9
Mutual Aid Standby			
Public Service			
Vehicle Accident	1	22	24.9
<hr/>			
Total Fire Calls	48	833	799.0
Medical/Rescue Calls			
First Responders			
Assist Ambulance	4	44	15.0
Other Medical			
<hr/>			
Total Med/Resc Calls	4	44	15.0
<hr/>			
Total ALL Calls	52	877	814.0
Other Activities			
Courses	10	10	144.0
Drills	12	183	319.5
Monthly Meetings	21	217	183.0
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup			
Work Detail	20	93	479.3
Wake/Funeral	1	38	19.0
Line Of Duty			
Other			
<hr/>			
Total Other Activities	64	541	1144.8
*****	***	*****	*****
<hr/>			
Total ALL Activities	116	1418	1958.8

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize James Hayes and Bob Miller be elected to Ellsworth Hose Company effective March 5, 2013.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart

Nays 0 Abstain 0 Absent Winslow

Trustee M. Christensen mentioned this month the Fire Department had two calls which could have been fatal. One on Wagner Street and second one at St. Marks Terrace. They did a great job - had a very quick response to both. Trustee M. Christensen stated the Penn Yan school district removed themselves from the game well system

Trustee M. Christensen discussed the Fire Department building project - no decisions will be made tonight. We are starting the budget process and feel we need to keep this in mind. Bill Jensen and Elliott Engineering are reviewing items which need to be repaired including windows- asbestos fees and the biggest is the roof. We need to think on how we are fixing these items – do we ease into them one year at a time or look at a ban or bond. Will discuss these repairs with Fire Department.

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to approve the Penn Yan Fire Department - Garverick Plan for the LOSAP Point System from January 1, 2012 – December 31, 2012. Our insurance agent will submit the report.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

Trustee M. Christensen explained the purchase of Fire Truck tires. After a meeting with the Fire Chiefs and Trombley’s and discussed the age of the tires it was decided to purchase a number of new tires. Amount was under State bid price. We sold the used tires at auction to farmers. We are asking the Finance committee will we use reserve funds or part of the Fire Department budget to help pay for the bill of \$17,000.

CODE ENFORCEMENT:

No update

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Reeve to declare PW#1 as ‘surplus’ and advertise it for sale on e-bay for a reserve price of \$19,620.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize the attendance of Lynn Axtell at the Finger Lakes Funeral Directors Association Meeting being held March 27th in Watkins Glen, NY at no cost to the Village.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize the attendance of Dan Doyle and Bill Knauss at the Sanico Facility Health, Hygiene and Sanitation Show being held April 3rd in Owego, NY at no cost to the Village, except for mileage.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize the attendance of Penn Yan employees at the Dig Safely NY Process Review Training being held April 4th at the Penn Yan Firehouse at no cost to the Village.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
Nays 0 Abstain 0 Absent Winslow

PARKS & RECREATION:

(On Hold) MOTION by Trustee Stewart, seconded by Trustee C. Christensen to authorize Mayor Church signs the Outdoor Tobacco Free Policy for the Village of Penn Yan.

Discussion: Trustee Stewart explained we can get free signs from the Tobacco Free coalition if we have a Policy in place. Mayor would like to know exactly what the wording will be saying of the signs. Trustee Stewart stated these will be placed around the playgrounds. Atty. Brockman had some concerns over the wording in a few places on the policy – he would like to review this first. After a brief discussion it was decided to place this on hold and review at Monday’s meeting. No vote was taken.

(On Hold) MOTION by Trustee Stewart, seconded by Trustee C. Christensen to authorize Resolution No 22-2013 Host Agreement for Milo Metering at Red Jacket Park.

Discussion: Atty. Brockman has questions regarding the wording on the agreement, he asked this to be tabled and placed on the agenda for the April 1st meeting. It was decided to place this on hold until Atty. Brockman has time to review it.

PLANNING & DEVELOPMENT:

No update

PLANNING BOARD:

MOTION by Trustee Reeve, seconded by Trustee Stewart to authorize the hiring of Hunt Engineering to perform Data Collection and NYSDOT Level II Inspection and rating of the four pedestrian bridges that are currently part of the Keuka Outlet Trail for a sum total fee of \$5880.00, subject to the confirmation of funds are available.

Discussion: Trustee Reeve explained Brent Bodine has been working on a grant application regarding the rehabilitation and improvement to pedestrian bridges on the Outlet Trail. Trustee Reeve stated the Outlet Trail is good for this Community - great walking and biking. We need more details to help support the grant. Have some funds in budget already. Brent explained the inspection will help identify problems with the pedestrian bridges and what specifics items need to be corrected.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

COMMENTS

Trustee Reeve discussed the Comprehensive plan for the Village. Last done in 1999 and was approved in 2000, we now have 3-4 issues need to review for this. Trustee Reeve feels we should be looking at this – since we are discussing the budget. Trustee Allison mentioned this should be reviewed every 5 years. Atty. Brockman reminded the Board would need a Public Hearing and could cost up to \$50,000.

ADJOURNMENT:

At 7:17PM **MOTION** by Trustee M. Christensen, seconded by Trustee Allison to adjourn the regular meeting.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart
 Nays 0 Abstain 0 Absent Winslow

Mary Ann Martin, Deputy Clerk