

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, March 20, 2012 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor R. Church.; Trustees; W. Allison; C. Christensen; D. Reeve; R. Stewart; B. Winslow; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; Police Chief Hulse; Parks Director D. Doyle; CEO B. Lyon; Fire Chief R. Simpson

ABSENT: Trustee M. Christensen

News Media present: Gwen Chamberlain, Chronicle Express; Rory Sasson, Dundee Observer

PUBLIC: Mark Morris

Mayor Church called the Village Board meeting to order at 6:00 PM.

PUBLIC HEARING - Amendment to "Sidewalks" Article of the Streets and Sidewalks Chapter of the Village code

At 6:01PM Mayor Church called the Public Hearing to order.

At 6:01PM MOTION by Trustee Allison, seconded by Trustee Winslow to open the Public Hearing. Mayor asked if anyone had any comments

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

At 6:06PM MOTION by Trustee Reeve, seconded by Trustee Winslow to close the Public Hearing.

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

Atty. Brockman mentioned the DPW is requesting the change for the code, to be more efficient to fit with the budget process and have applicants apply earlier in the year. Atty. Brockman reviewed the complete SEQR with the Village Board regarding the Amendment to the Streets and Sidewalks Chapter in full.

MOTION by Trustee Reeve, seconded by Trustee Allison to adopt and authorize the Mayor to sign the SEQR form - Amendment to the Streets and Sidewalks Chapter of the Village Code.

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to approve Resolution No. 9-2012 Adoption of Amendment to the "Sidewalks" Article of the Streets and Sidewalks Chapter of the Code of the Village of Penn Yan.

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to authorize an Executive Session to discuss a personnel issue.

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

MINUTES:

MOTION by Trustee C. Christensen, seconded by Trustee Reeve to approve the Village Board Minutes for February 21, 2012 and revised minutes for December 22, 2011 and January 17, 2012.

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

GUESTS, PUBLIC REQUEST & COMMENTS:

Trustee Winslow stated unsure why for Operation Graduation they want to be put on the Village's insurance, when on a school bus the registration is under Penn Yan School District. Trustee Winslow will check with the school's agent and if we have to, will go and discuss this with the School and find out what insurance of the Village they are looking for us to provide. Mayor asked to have this placed on the April 2, Organization meeting agenda.

MAYOR:

Mayor Church reminded the Board of two special meetings, the Organization meeting is April 2, 2012 at 5:00PM and Budget Workshop on Tuesday March 27th at 9:00AM.

Mayor Church mentioned he was asked by the committee (KWIC) Keuka Watershed Improvement Cooperative to lease the Trustees room in the Village Hall on a three year lease. They are moving out of the Keuka Business Park, Trustee Reeve stated he thinks they don't have to move. Trustee Winslow mentioned there are several office spaces within the Village. After the brief discussion was decided to have Mayor Church contact Steve Butchko, Chairman and tell him we are not interested in going into an n agreement with them.

ATTORNEY:

Atty. Brockman discussed the deed regarding transferring land from Warren Lloyd to the Village. Land is 25feet wide and 450 long at Pleasant Ave off of South Avenue this could potentially develop in the future. This will allow the Village to open up the Road. Trustee Allison explained Mr. Lloyd approached us and attended a Public Works meeting. Committee went to see the property in question. Trustee Allison feels this is a positive move for the Village. Trustee Stewart question about cost. No money transferring to Mr. Lloyd but \$1.00. Paid approximately \$500.00 for a survey and will have to pay for filing of deed.

MOTION by Trustee Allison, seconded by Reeve to authorize the Mayor to sign the supporting documents for the deed transfer from Warren Lloyd to the Village property located off of South Avenue on Pleasant Avenue.

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

COMMUNITY REVITALIZATION:

Mayor Church explained had an applicant who withdrew his application and will reapply as a later date.

MUNICIPAL:

MOTION by Trustee Winslow, seconded by Trustee Allison to approve Resolution 10 - 2012 to appoint Brent Bodine as the Village delegate at the MEUA Semi-Annual meeting April 24th and April 25th, 2012 in East Syracuse, NY.

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize the purchase of five (5) 25 KVA and five (5) 37.5 KVA overhead distribution transformers from Howard Industries (Power Sales Group) per their bid of \$984 each for the 25 KVA transformers and \$1,392 each for the 37.5 KVA transformers for a total cost of \$11,880.

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize the purchase of wood utility poles from Bridgewell Resources for the following quantities and costs:

| Quantity/Size | Price Each | Total Cost |
|----------------------------|------------|-------------|
| Six (6), 35' poles | \$178.00 | \$1,068.00 |
| Twenty-five (25) 45' poles | \$314.00 | \$7,850.00 |
| Seven (7) 40' poles | \$275.00 | \$1,925.00 |
| Total Bid | | \$10,843.00 |

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

MOTION by Trustee Winslow, seconded by Trustee Allison to authorize Adam Folts to attend the Apprentice Lineman School, using a Municipal Vehicle.

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

MOTIONS by Trustee Winslow, seconded by Trustee Allison to authorize Jeff Breuer attend the Water Operator Course April 23rd to May 4th; along with the appropriate accommodations for travel and hotel. Cost approximately \$1,100.

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

REGULAR MEETING, VILLAGE OF PENN YAN, NY MARCH 20, 2012

MOTION by Trustee Winslow, seconded by Trustee Allison to authorize the attendance of two (2) Village representatives (Director Bodine and Commissioner Banach) at the MEUA Semi-Annual Meeting being held April 24th and 25th in East Syracuse, NY at a cost of \$110/pp. for the meeting and \$121/pp. for the hotel stay for a total of \$462.

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize the attendance of up to five (5) employees at the FLWVC Spring Meeting being held April 5th in Watkins Glen, NY at a cost of \$22/pp.

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize the attendance of one (1) employee (Steve Castner) at the NYWEA Spring Meeting being held March 23rd in Canandaigua, NY at a cost of \$30.

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

MOTION by Trustee Winslow, seconded by Trustee Allison to authorize the attendance of up to three (3) employees (Bill Jensen, Mike Naylor and Matt Yonts) at the NYRWA's 33rd Annual Technical Conference & Exhibition May 21st to 24th in Verona, NY; the cost is \$325/pp. for the conference and \$357/pp. for the hotel for a total cost of \$2,046.

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

MOTION by Trustee Winslow, seconded by Trustee Allison to declare as 'surplus' the two (2) skid steers currently being used and swap them for two (2) new machines from DJM Equipment, Inc. at a cost to the Village of \$2,794.

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

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to approve Utility Payment Agreements in the amount of \$6,988.64

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

Trustee Allison questioned the work for slip lining on Keuka Street. Brent Bodine stated it's done. Brent explained had the camera looking at Lake Street and Sheppard Street. Will wait to view the video record.

Trustee Stewart asked about the outside group who repaired pot holes. Brent stated did not hire them this year – had a mild winter. Trustee Reeve questioned the infrastructure. Trustee Allison explained have done several surveys on Seneca and Sheppard Street, problem getting information from people/residents from these Streets. Part of the participation we need for funding. Need sewer and water line on these Streets – have 4" lines.

FINANCE & ADMINISTRATION:

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

AUDIT:

| | | Amount: |
|----------------------------------|----|----------------------|
| Paid Before Audit: | | |
| General | | 26,535.93 |
| Electric | | 341,504.12 |
| Sewer | | 7,241.25 |
| Water | | 9,167.59 |
| Capital Projects | | |
| Total Paid Before Audit | | \$ 384,448.89 |
| Current Audit: | | |
| General | \$ | 53,889.19 |
| Community Development - CRC | | - |
| Electric | | 26,901.55 |
| Sewer | | 24,275.86 |
| Water | | 76,236.01 |
| Capital Projects | | - |
| Total Current Audit Items | | \$ 196,846.14 |
| TOTAL AUDIT | | \$ 581,295.03 |

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

At 6:30PM Mayor Church excused Atty. Brockman from the Board meeting.

Shawna Wilber, Clerk/Treasurer handed out the draft of the Village Budget, will be reviewed and worked on at the Budget Workshop on Tues. March 27 at 9:00AM.

PERSONNEL:

MOTION by Trustee Winslow, seconded by Trustee Allison to authorize the permanent promotions retro effective December 20, 2011 –changing titles from (MEO) (L) Medium Equipment Operator - Light to new title of (HEO) Heavy Equipment Operator.

| | | | |
|-----------------------|---------|--------|---------|
| Decker, Erik | Group 5 | Step 9 | \$20.59 |
| Bergstresser, Jeffrey | Group 5 | Step 9 | 20.59 |
| Scutt, Daniel | Group 5 | Step 4 | 20.23 |
| Sisson, Jamie | Group 5 | Step 4 | 20.23 |
| Smith, Joshua | Group 5 | Step 3 | 19.86 |

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

Discussion: Trustee Winslow explained this is the result with negotiations with the CSEA.

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize the permanent promotion of Ron Keech to Water Sewer Supervisor effective March 9, 2012 at Group 8 Step 18 \$25.69.

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

PUBLIC SAFETY:

POLICE DEPARTMENT:

MOTION by Trustee C. Christensen, seconded by Trustee Winslow to approve Chief Hulse and Officer Dawes attends the Empire State Law Enforcement Traffic Safety conference on April 18 and 19th in Albany, NY. Cost of \$204.00 for lodging. Will drive Chief's car.

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

FIRE DEPARTMENT:

Monthly Fire Department report

REGULAR MEETING, VILLAGE OF PENN YAN, NY MARCH 20, 2012

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for Feb 2012
run 03-12-2012 Pg 1

| Description | Number | Firefighters | Manhours |
|-------------------------------|-----------|--------------|--------------|
| Fire Alarms | | | |
| House Fires | | | |
| Business Fires | | | |
| Grass/Brush Fires | | | |
| Outside Building/Barn Fires | | | |
| Car/Vehicle Fires | | | |
| Other Fires | 1 | 1 | 0.4 |
| Wires | 1 | 10 | 0.3 |
| Other Emergency | 4 | 46 | 25.5 |
| Automatic Alarm Fires | 6 | 71 | 21.7 |
| Mutual Aid Scene | 1 | 27 | 1.4 |
| Mutual Aid Standby | | | |
| Public Service | | | |
| Vehicle Accident | | | |
| Total Fire Calls | 13 | 155 | 49.3 |
| Medical/Rescue Calls | | | |
| First Responders | | | |
| Assist Ambulance | | | |
| Other Medical | 1 | 19 | 1.9 |
| Total Med/Resc Calls | 1 | 19 | 1.9 |
| Total ALL Calls | 14 | 174 | 51.2 |
| Other Activities | | | |
| Courses | 1 | 1 | 24.0 |
| Drills | 6 | 86 | 215.5 |
| Monthly Meetings | 11 | 106 | 98.8 |
| Committee Meetings | | | |
| Fire Prevention | | | |
| Fund Raising | | | |
| Parades/Cleanup | | | |
| Work Detail | 10 | 53 | 82.5 |
| Wake/Funeral | | | |
| Line Of Duty | | | |
| Other | | | |
| Total Other Activities | 28 | 246 | 420.8 |
| ***** | *** | ***** | ***** |
| Total ALL Activities | 42 | 420 | 472.0 |

Year to Date Fire Department

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for 2012 YTD
run 03-12-2012 Pg 1

| Description | Number | Firefighters | Manhours |
|-------------------------------|------------|--------------|---------------|
| Fire Alarms | | | |
| House Fires | 2 | 77 | 168.9 |
| Business Fires | | | |
| Grass/Brush Fires | | | |
| Outside Building/Barn Fires | | | |
| Car/Vehicle Fires | 1 | 26 | 14.3 |
| Other Fires | 1 | 1 | 0.4 |
| Wires | 9 | 166 | 72.1 |
| Other Emergency | 11 | 210 | 91.2 |
| Automatic Alarm Fires | 16 | 234 | 51.1 |
| Mutual Aid Scene | 4 | 107 | 22.6 |
| Mutual Aid Standby | 1 | 19 | 13.0 |
| Public Service | | | |
| Vehicle Accident | 3 | 66 | 36.4 |
| Total Fire Calls | 48 | 906 | 470.0 |
| Medical/Rescue Calls | | | |
| First Responders | | | |
| Assist Ambulance | 1 | 7 | 0.6 |
| Other Medical | 1 | 19 | 1.9 |
| Total Med/Resc Calls | 2 | 26 | 2.5 |
| Total ALL Calls | 50 | 932 | 472.5 |
| Other Activities | | | |
| Courses | 1 | 1 | 24.0 |
| Drills | 15 | 233 | 511.0 |
| Monthly Meetings | 29 | 342 | 317.8 |
| Committee Meetings | | | |
| Fire Prevention | | | |
| Fund Raising | | | |
| Parades/Cleanup | | | |
| Work Detail | 34 | 213 | 494.8 |
| Wake/Funeral | | | |
| Line Of Duty | | | |
| Other | 1 | 52 | 156.0 |
| Total Other Activities | 80 | 841 | 1503.6 |
| ***** | *** | ***** | ***** |
| Total ALL Activities | 130 | 1773 | 1976.1 |

MOTION by Trustee C. Christensen, seconded by Trustee Allison to approve the removal of Robert Miller from the Active Roll effective 3/6/2012

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

MOTION by Trustee C. Christensen, seconded by Trustee Allison to approve Alex Breeds be elected to membership in the Hook and Ladder Company effective 3/6/2012.

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

MOTION by Trustee C. Christensen, seconded by Trustee Stewart to authorize the Annual Penn Yan Firemen's parade for August 25, 2012.

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

Mayor Church asked the proposed capital plan for the Fire House be reviewed at April's meeting when Trustee M. Christensen is present.

CODE ENFORCEMENT:

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Winslow to declare 2009 Milton Cat 930H pay loader be declared as "surplus" and sold at auction.

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

MOTION by Trustee Allison, seconded by Trustee Winslow to purchase a new pay loader (2012 Milton CAT 930K) be purchased as a cost of \$136,813 on State Contract PC65318

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

Discussion: Trustee Stewart question where the money was coming from. Trustee Allison explained the equipment reserved fund.

PARKS & RECREATION:

Dan Doyle explained the comparison he did with seven other area parks. Explained last year the pavilion had new electric wiring done- new lights and painted the outside (which all material was donated by Birkett Mills). This year Red Jacket Park will be upgraded more - new bath rooms and more parking areas. Mayor felt the new rates were a bit high and Dan Doyle agreed. After a brief discussion Trustee Stewart mentioned the Parks Committee discussed the rates and information and after a brief discussion was decide to move ahead with new rates.

MOTION by Trustee Stewart, seconded by Trustee Reeve to approve to raise the cost of renting the Red Jacket Pavilion from \$50.00 to \$100.00 for Village Residents and non-resident taxpayers, and from \$100.00 to \$200.00 for non - Village resident and non - Village taxpayers.

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

Dan Doyle mentioned Youth Football and Little League are replacing the roof on the concession stand at the Ball Park. Miss Penn Yan is interested in cleaning up the playground behind the old Pudgies, with new paint and upgrading it. Arts Festival also working on cleaning up some of the Outlet Trail.

PLANNING & DEVELOPMENT:

No updates

PLANNING BOARD:

No updates

COMMENTS

Trustee Winslow stated he has received (7) seven sponsors that have committed to sponsor a new Village sign, we are looking to have a total of eight signs placed on Roads when you enter the Village. The Village is responsible for \$500.00 each with all (8) eight signs total is \$4,000.

MOTION by Trustee Reeve, seconded by Trustee Allison to authorize to move forward with the signage for Village of Penn Yan

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

Mayor Church commented on Liberty Street Bridge is on schedule. Done by Memorial Day.

EXECUTIVE SESSION:

At 6:59 PM **MOTION** by Trustee Winslow, seconded by Trustee C. Christensen to authorized to move into Executive Session.

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

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:15 **MOTION** by Trustee Winslow, seconded by Trustee C. Christensen to leave Executive Session and return to regular Village Meeting.

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

ADJOURNMENT:

At 7:15 PM **MOTION** by Trustee Winslow, seconded by Trustee Allison to authorize to adjourn the regular meeting at PM

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

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: