

**MINUTES** of a Regular Meeting of the Village Board of Trustees held Tuesday evening, March 20, 2018 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

**PRESENT** Mayor MacKerchar; Trustees; C. Benedict; D. Condella; R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Deputy Clerk/Treasurer H. Pealer; Director of Public Works B. Bodine; Police Chief T. Dunham; CEO B. Lyon

At 6:10 PM Trustee K. McLoud arrive

**ABSENT:** Trustees W. Allison; D. Reeve; Assistant Director of Public Works B. Jensen; Fire Chief B. LaRock

News Media present: Gwen Chamberlain, Chronicle Express

**PUBLIC:** Ray Spencer, Mark Morris, Carlie Charsen, George Thompson, Collen Riviello, Bill Hall (Colleen and Bill are from the Village of Dresden); (Keuka College students are) Nahalla West, Amanda Ackley, Ariel Swann, Nicole Hohm, Courtney Lane and Investigator W. Marsh

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

Mayor MacKerchar welcomed a group of students from the Social Work Department from Keuka College to the meeting tonight. They are here to observe

**6:00PM PUBLIC HEARING** – Amending the Code by Consolidating the Planning Board, Site Plan and Zoning Chapters.

Local Law A 2018

**MOTION** by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 32 - 2018 Adoption of Proposed Local Law Amending the code of the Village of Penn Yan By Combining the “Planning Board”, “Site Plan” and “Zoning” Chapters.

**WHEREAS**, a draft of the proposed Local Law was previously distributed to the Board of Trustees of the Village of Penn Yan; and

**WHEREAS**, a public hearing has been held before the Board of Trustees of the Village of Penn Yan regarding the proposed Local Law.

**NOW THEREFORE BE IT RESOLVED, THAT**

1. The Board of Trustees of the Village of Penn Yan adopts the proposed Local Law.
2. The Village Clerk, through the Village Attorney, is directed to file such Local Law with the Secretary of State of the State of New York and provide for the requisite publication and posting of the Notice of Adoption of such Local Law together with such other acts that are customarily associated with the adoption and implementation of a Local Law.

<b>ADOPTED</b> Ayes 4	MacKerchar, Benedict, Condella, Stewart
Nays 0	Abstain 0 Absent Allison, McLoud, Reeve

**CALL FOR EXECUTIVE SESSION:**

**MOTION** by Trustee Benedict, seconded by Trustee Stewart to authorize to have an Executive Session for legal counsel.

<b>ADOPTED</b> Ayes 4	MacKerchar, Benedict, Condella, Stewart
Nays 0	Abstain 0 Absent Allison, McLoud, Reeve

**MINUTES:**

**MOTION** by Trustee Stewart, seconded by Trustee Condella to approve the Village Board Minutes from February 20, 2018.

<b>ADOPTED</b> Ayes 4	MacKerchar, Benedict, Condella, Stewart
Nays 0	Abstain 0 Absent Allison, McLoud, Reeve

**GUESTS, PUBLIC REQUEST & COMMENTS:**

Ben Comstock and Jim Coriale explained they have purchased the YCRR food truck and are trying to get this up and running. Looking to bring different and unique cuisine items to the area. They are working with the American Legion to use that as their base for their kitchen. They would like to open in April or early May. Parks & Rec. and Public Safety committee have reviewed their request. Ben has approval letters to park their trailer at Knapp and Schlappi and Dale Lane's at the top of Clinton Street. Ben stated they are interested in Indian Pines and Red Jacket Park if possible. Trustee Condella mentioned last year we had the Shaved Ice vendor at Red Jacket Park. Clerk reminded the Board the Shaved Ice people have not contacted her yet to sell. Ben mentioned they are searching for other locations. Ben mentioned would not be there at the same time the Shaved Ice people would be. Mayor explained we need to look at parking spaces at the Parks. Trustee Condella asked if they could return next month. Mayor explained we have a few more questions regarding Zoning at the Clinton Street stop. Ben stated yes and feels should have more information by then (paper work from Department of Health and the Ok from American Legion).

**MOTION** by Trustee Benedict, seconded Trustee Condella to authorize the Penn Yan Area Council of Churches to hold the Easter Sunrise Service on Sunday, April 1 at 7:00am at Indian Pines

**ADOPTED** Ayes 4 MacKerchar, Benedict, Condella, Stewart  
Nays 0 Abstain 0 Absent Allison, McLoud, Reeve

At 6:10PM Trustee McLoud arrived for Board meeting.

**MOTION** by Trustee Stewart, seconded by Trustee Benedict to authorize the Annual Yates Hunger Walk on Sunday May 6, 2018 starting at 1:00pm. Start and finish at Parking lot on Elm Street by the Wagner.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee McLoud, seconded by Trustee Condella to authorize the Annual Yates County Chamber of Commerce 22nd Cruisin' Night & Block Party for Friday June 15, 2018. Asking to close Main Street starting at 3:30PM – 9:30PM from Chapel to Lake Street will leave the intersections at Main and Elm Street's and Main and Water/Seneca Streets open for traffic as in the past and no parade will take place.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Condella, seconded by Trustee Benedict to authorize the ARC of Yates to waive the pavilion rental fee for the use of the Lake Street pavilion for June 15, 2018 in conjunction with Cruisin Night. This is the first year for this event.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** Trustee McLoud, seconded by Trustee Condella to authorize the Penn Yan Area Volunteer ambulance to host the 2<sup>nd</sup> Annual Memorial 5k race on Saturday May 19, 2018. Will start at the Ambulance Corps up North Ave. down Flat Street to Shaw Road and back to finish at the ambulance.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** Trustee Condella, Trustee Stewart to authorize the Annual Penn Yan Youth Baseball and Softball Parade on Saturday, April 28, 2018. Will start at Boat Launch at 10:00AM proceed on Keuka Street to Elm Street up to the Sports Complex

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

Mayor MacKerchar explained we received a letter from Clinton Crest Manor asking the Village to consider installing sidewalks near their facility on Clinton Street. Mayor has asked this to be forwarded to the Public Works Committee to review.

**MAYOR:**

Mayor reminded the Board members of the Oliver House tour on Thursday March 22, 2018 at 2:00 PM. Will meet at the Underwood Museum.

Mayor reminded the Board of the Organizational Meeting that is set for Monday April 2, 2018 at 5:00PM.

Mayor mentioned he received a letter from the NYS Parks, Recreation and Historic Preservation concerning transfer of property at Birkett Mills. This was done to clear up some property lines and questionable boundary lines. Mayor has contacted them and will be meeting with them to talk about questions and concerns. We are moving forward on this.

**MOTION** by Trustee McLoud, seconded by Condella to accept the retirement letter from Village Attorney Edward Brockman. Attorney Brockman will resign from his current position effective March 30, 2018 for the purpose of leaving the NYS Retirement system, and with the understanding that he will be re-appointed at the April 2, 2018 Organizational meeting.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**ATTORNEY:**

**MOTION** by Trustee Benedict, seconded by Trustee Stewart to authorize Resolution No 21– 2018 Proposed Easements along the Westerly Side of Sheppard Street for Municipal Water Infrastructure.

**WHEREAS**, the Village of Penn Yan requires easements for municipal water infrastructure along the westerly side of Sheppard Street; and

**WHEREAS**, the Board of Trustees of the Village of Penn Yan intends to act as “Lead Agency” for this action for SEQRA purposes.

**Now Therefore, Be It Resolved That:**

1. The Board of Trustees is designated as the “Lead Agency” for the SEQRA review of this action, declares this to be an “Unlisted Action” and therefore a Short Environmental Assessment Form (SEAF) will be prepared.

2. The Board of Trustees approves the acquisition of the easements along the westerly side of Sheppard Street for municipal water infrastructure and the Mayor is authorized and directed to execute the necessary documents to effectuate the easement agreements upon approval thereof as to form and content by the Village Department of Public Works Director and the Village Attorney.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

Atty. Brockman reviewed in full the SEAF - Permanent Utilities Easement Acquisition for 132 - 136 Sheppard Street

**MOTION** by Trustee McLoud, seconded by Trustee Condella to approve and adopt the SEAF Permanent Utilities Easement Acquisition for 132, 134 & 136 Sheppard Street.

Discussion Trustee Benedict questioned the address on the SEAF. Do we have to do a separate SEAF for 132 Sheppard or should we change the number on the SEAF. It was decided to change the number on the SEAF to 132, 134 & 136 Sheppard Street.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee Stewart to authorize Resolution No 22 -2018 Approval of Amendment To the Agreement Between the Village of Penn Yan and the Village of Dresden by Which the Village of Penn Yan Provides Potable Water to the Village of Dresden Municipal Water System.

**WHEREAS**, the Village of Penn Yan (Penn Yan) previously entered into an agreement with the Village of Dresden (Dresden) to provide potable water to Dresden’s municipal water system, which agreement had an addendum in 2002/2004 and was amended in 2007; and

**WHEREAS**, said Agreements provided that Dresden was permitted to distribute potable water to limited areas outside the Village of Dresden; and

**WHEREAS**, the territory to which Dresden is permitted to distribute potable water has not previously been definitively described; and

**WHEREAS**, a proposed amendment agreement has been negotiated and submitted by Dresden to Penn Yan with respect thereto for the purposes of correcting that lack of a definitive description, copies of which have been distributed to the Board of Trustees; and

**WHEREAS**, Dresden has addressed any SEQR issues related hereto.

**Now Therefore, Be It Resolved That:**

1. Based upon the Village of Dresden having addressed any environmental issues, no further environmental review is necessary.

2. The entering into an Amendment to the 1995 Intermunicipal Agreement with Dresden is

consented to subject to the approval of the final draft thereof as to form and content by the Mayor, the Clerk/Treasurer, the DPW Director, the MUB Chair and the Village Attorney.

3. Accordingly, the Village Mayor is authorized and directed to execute such Amendment Agreement upon the approvals required by paragraph "2" hereof.

4. A certified copy of the Resolution and the executed Amendment Agreement be filed with the Village Clerk of the Village of Dresden.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee McLoud, seconded by Trustee Stewart to authorize Resolution No 23-2018 Acquisition of Waterfront Pathway Access Easement From the Penn Yan McDonald's Restaurant

**WHEREAS**, the Village of Penn Yan (the Village), as part of its recreational infrastructure, is developing a Waterfront Pathway along the southerly bank of the Keuka Lake Outlet for public use; and

**WHEREAS**, the Village is acquiring various easements to provide access points to the Waterfront Pathway; and

**WHEREAS**, the Penn Yan McDonald's Restaurant has indicated a willingness to grant an easement to the Village from Lake Street to the rear of the McDonald's property to contribute to such public access to the Waterfront Pathway; and

**WHEREAS**, DPW Director Bodine has indicated that such an easement would be beneficial for public access to the Waterfront Pathway; and

**WHEREAS**, a format for such easement agreement has been distributed to the Board of Trustees; and

**WHEREAS**, the Board of Trustees intends to address SEQRA issues related to such action.

**Now Therefore, be it Resolved That,**

1. The Board of Trustees designates itself as "Lead Agency" for SEQRA purposes, declares this to be an "Unlisted" action and therefore a Short Environmental Assessment Form (SEAF) has been prepared and reviewed.
2. The acceptance of an easement across the McDonald's Restaurant property, with out any compensation being paid by the Village, to facilitate public access to the Waterfront Pathway is approved.
3. The Mayor is authorized and directed to execute such documents as are required to accept and effectuate that easement, subject to the approval of such documents as to form and content by the Mayor, the DPW Director and the Village Attorney.
4. The Village Clerk/Treasurer is authorized to expend such funds as are required for the recording and/or filing of the easement documents with the Yates County Clerk

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

Atty. Brockman reviewed in full the SEAF- Acquisition of easement from McDonald's Restaurant 235 Lake Street.

**MOTION** by Trustee McLoud, seconded by Trustee Carolyn to approve and adopt the SEAF for McDonald's Restaurant 235 Lake Street.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 31-2018 Acquiring Easement for Utility Infrastructure on Monell Street.

**WHEREAS**, it has been determined by the Village Director of Public Works that an easement is necessary for public utility infrastructure along the southeasterly side of Monell Street in the Village; and

**WHEREAS**, entry onto private property is required for installation and maintenance of the public utility infrastructure; and

**WHEREAS**, such entry necessitates an easement agreement with the property owners; and

**WHEREAS**, a copy of that proposed easement agreement has been distributed to the Board of Trustees; and

**WHEREAS**, the Board of Trustees of the Village of Penn Yan intends to address SEQRA issues related to the easement acquisition.

**Now Therefore, Be It Resolved That**

1. The Board of Trustees designates itself as lead agency for SEQRA purposes, declares this to be an “unlisted action” and therefore a Short Environmental Assessment Form (SEAF) will be prepared and reviewed.

2. The acquisition of such easement is approved and the Mayor is authorized and directed to execute the necessary documents to effectuate the easement agreement, subject to the approval of the final draft thereof as to form and content by the DPW Director and the Village Attorney.

3. The Village Clerk/Treasurer is authorized to expend such funds as are necessary for the recording of such easement and any supporting document(s) with the Yates County Clerk.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

Atty. Brockman reviewed in full the SEAF – Acquisition of public utility easement 111 Monell Street.

**MOTION** by Trustee McLoud, seconded by Trustee Stewart to approve and adopt the SEAF Acquisition of public utility easement 111 Monell Street.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 34-2018 Acquisition of Public Utility Infrastructure Easement and Waterfront Pathway Easement From Keuka Outlet Development (KOD)

**WHEREAS**, the Village of Penn Yan (The Village) will be supplying public utility services to The Keuka Outlet Development (KOD) site and requires easements for the infrastructure providing those public utility services; and

**WHEREAS**, the Village, as part of its recreational infrastructure, is developing a Waterfront Pathway along the southerly bank of the Keuka Lake Outlet for public use, including across their KOD property which will be installed and constructed by KOD and then turned over to the Village for maintenance, repair and supervision; and

**WHEREAS**, the KOD has indicated a willingness to grant easements to the Village for those purposes; and

**WHEREAS**, DPW Director Bodine has indicated that such easements would be essential for Village purposes; and

**WHEREAS**, formats for such easement agreements have been distributed to the Board of Trustees; and

**WHEREAS**, the Board of Trustees intends to address SEQRA issues related to such action.

**Now Therefore, be it Resolved That,**

1. The Board of Trustees designates itself as “Lead Agency” for SEQRA purposes, declares this to be an “Unlisted” action and therefore a Short Environmental Assessment Form (SEAF) has been prepared and reviewed.
2. The acceptance of such easements across the KOD property, without any compensation being paid by the Village, with respect to public utility infrastructure and the Waterfront Pathway are approved.
3. The Mayor is authorized and directed to execute such documents as are required to accept and effectuate those easements, subject to the approval of the final draft of such documents as to form and content by the Mayor, the DPW Director and the Village Attorney.

4. The Village Clerk/Treasurer is authorized to expend such funds as are required for the recording and/or filing of the easement documents with the Yates County Clerk

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

Atty. Brockman reviewed in full the SEAF – Permanent Utility Easement Acquisition Charles Herrmann Way

**MOTION** by Trustee McLoud, seconded by Trustee Condella to approve and adopt SEAF Permanent Utility Easement Acquisition Charles Herrmann Way

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**COMMUNITY REVITALIZATION:**

Mayor MacKerchar explained Sampson Theater -PYTCO had applied for a grant/loan a while ago through the CRC. PYTCO paid their portion of \$15,000 in full. They have decided not to go along with their Contractor. We will need to refund their money back to them. If they are interested in another grant/loan they will need to reapply.

**MOTION** by Trustee McLoud, seconded by Trustee Condella to rescind the Sampson Theater-PYTCO, which was a loan/grant of \$30,000.00; 50% (\$15,000) was a grant and 50% (\$15,000) was pre-paid on October 2, 2017 by PYTCO.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MUNICIPAL:**

**MOTION** by Trustee Benedict, seconded by Trustee Stewart to authorize one additional employee (for a total of 6) to attend the Finger Lakes Water Works Spring Meeting on April 5, 2018 at the Elks Lodge in Watkins Glen at a cost of \$23.00.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee McLoud, seconded by Trustee Condella to authorize the Mayor to sign letters to our Senator and Assemblyman regarding S3292/A3907 to create the Safe Water Infrastructure Action Program known as SWAP.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee McLoud, seconded by Trustee Stewart to authorize the Resolution No 33-2018 to appoint Brent Bodine as delegate from the Village of Penn Yan for the MEUA Semi-Annual Meeting in Syracuse, April 11-12, 2018.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Mayor MacKerchar	X		
Trustee Allison			X
Trustee Benedict	X		
Trustee Condella	X		
Trustee McLoud	X		
Trustee Reeve			X
Trustee Stewart	X		

**CARRIED**

**MOTION** by Trustee Benedict, seconded by Trustee McLoud to authorize issuing Notice of Awards as follows for the 2018-2018 fiscal year.

- Chemical:
 

Slack Sodium	\$1.087/gallon	
Chemical hypochlorite	\$9.65/gallon (627#	
Co Liquid	Drum)	\$0.772/lb.
Phosphate		
Sodium Fluoride		
- Hauling of Liquid Sludge:
 

GottaDo	Cents per gallon of	0.061
Contracting	sludge Type of	Diesel
Fuel		2/27/18
Date of weekly avg used		

for bid

- Vehicle Servicing to Trombleys  
 Lube, Oil and Filter; Multi-Point Inspection  
 Up to 6 qt Standard (Synthetic blend) \$19.00; Up to 6 qt Full Synthetic \$29.00  
 Extra qts: Blended = \$2.50/qt; Full Synthetic = \$3.50/qt

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee Condella to grant forgiveness of Invoice #18-00307 in the amount of \$250.16. Call out not requested by customer.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Condella, seconded by Trustee McLoud to approve Utility Payment Agreements in the amount of \$7,586.84

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**FINANCE & ADMINISTRATION:**

**MOTION:** by Trustee Benedict, seconded by Trustee Stewart to pay current Village and Municipal bills as submitted.

**AUDIT:**

		<b>Amount:</b>
<b>Paid Before Audit:</b>		
General		28,599.21
Electric		404,819.74
Sewer		8,766.42
Water		7,256.08
Capital Projects		
<b>Total Paid Before Audit</b>		<b>\$ 449,441.45</b>
<b>Current Audit:</b>		
General	\$	50,161.47
Community Development - CRC		-
Electric		48,513.95
Sewer		44,341.72
Water		19,748.32
Capital Projects		800.00
<b>Total Current Audit Items</b>		<b>\$ 163,565.46</b>
<b>TOTAL AUDIT</b>		<b>\$ 613,006.91</b>

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 24-2018 Budget Transfers 2017-2018 Fiscal Year for \$1,000. (increase Justice part time budget due to increase Acting Justice hours for coverage)

<b><u>TO:</u></b>			<b>Fund</b>
<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Totals</b>
A -1110-1-120	Village Justice-Part-Time	1,000	
		1,000	
		<b>General</b>	<b>1,000</b>
		<b>Electric</b>	<b>-</b>

			<b>Sewer</b>	-
			<b>Water</b>	-
			-	<u>1,000</u>
<b>FROM:</b>				
<b>Account Id</b>	<b>Description</b>		<b>Date</b>	
A -1110-4-450	Village Justice-Computer Service	<u>1,000</u>		
		<u>1,000</u>		
			<b>General</b>	<b>1,000</b>
			<b>Electric</b>	-
			<b>Sewer</b>	-
			<b>Water</b>	-
				<u>1,000</u>

To increase Justice part time budget due to an approved pay increase for Acting Justice Grace. Offset is a reduction to computer service as we no longer have to pay an annual software maintenance fee for software that was purchased by the NYS Court system and is made available free.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 25-2018 for \$1,820.00. (Treasurer Computer service new cash drawer from Edmunds and Police Computer software maintenance).

				<b>Fund</b>
<b>TO:</b>			<b>Date</b>	<b>Totals</b>
<b>Account Id</b>	<b>Description</b>			
A -1325-4-450	Treasurer-Computer Services	1,120		
A -3120-4-450	Police-Computer Services	<u>700</u>		
		<u>1,820</u>		
			<b>General</b>	<b>1,820</b>
			<b>Electric</b>	-
			<b>Sewer</b>	-
			<b>Water</b>	-
			-	<u>1,820</u>
<b>FROM:</b>				
<b>Account Id</b>	<b>Description</b>		<b>Date</b>	
A -1325-4-470	Treasurer-Audit Fees	<u>1,820</u>		
		<u>1,820</u>		
			<b>General</b>	<b>1,820</b>
			<b>Electric</b>	-
			<b>Sewer</b>	-
			<b>Water</b>	-
				<u>1,820</u>

Budget transfer to Treasurer computer services (new cash drawer needed from Edmunds) and Police computer services (software maintenance) to cover unexpected and higher than expected costs, with reduction to audit fees that will come in under budget.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 26-2018 for \$5,000.00. (cover insurance deductible on a claim which was settled)

To	A -3120-4-430	Police - Insurance	5,000
----	---------------	--------------------	-------



From            A511    Insurance Reserve    5,000

Budget amendment to cover the insurance deductible on claim #21300406 from 2012 which was settled in favor of Edward Declercg.

**ADOPTED** Ayes 5    MacKerchar, Benedict, Condella, McLoud, Stewart  
                              Nays    0    Abstain 0    Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 27-2018 for \$1,650.00. (increase contractual services cover cost of assistance provided by Glenn Miller with air packs grant application for fire equipment budget)

<b>TO:</b>			<b>Fund</b>
<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Totals</b>
A -3410-4-410	Fire-Contractual Services	<u>1,650</u>	
		<u>1,650</u>	
		<b>General</b>	<b>1,650</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
		-	<u>1,650</u>

<b>FROM:</b>			
<b>Account Id</b>	<b>Description</b>	<b>Date</b>	
A -3410-4-530	Fire-Fire Equipment	<u>1,650</u>	
		<u>1,650</u>	
		<b>General</b>	<b>1,650</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
			<u>1,650</u>

To increase the contractual services budget to cover the cost of assistance provided by Glen Miller with the air packs grant application, with corresponding reduction to the fire equipment budget.

**ADOPTED** Ayes 5    MacKerchar, Benedict, Condella, McLoud, Stewart  
                              Nays    0    Abstain 0    Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 28-2018 for \$12,000.00. (Streets Maintenance to accommodate cost for Basin Street dumpster, overrun in vehicle and equipment repairs and replenishment of salt pile).

<b>TO:</b>			<b>Fund</b>
<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Totals</b>
A -5110-4-410	Street Maintenance-Contractual Services	5,000	
A -5110-4-413	Street Maintenance-Vehicle & Equipment Repairs	1,000	
A -5110-4-520	Street Maintenance-Salt & Sand	<u>6,000</u>	
		<u>12,000</u>	
		<b>General</b>	<b>12,000</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
		-	<u>12,000</u>

  

<b>FROM:</b>			
<b>Account Id</b>	<b>Description</b>	<b>Date</b>	

A -5110-2-200	Street Maintenance-Equipment	6,000		
A -5110-2-230	Street Maintenance-Crack Filling/Chip Sealing	5,000		
A -5110-4-540	Street Maintenance-Signs & Posts	<u>1,000</u>		
		<u>12,000</u>		
			<b>General</b>	<b>12,000</b>
			<b>Electric</b>	-
			<b>Sewer</b>	-
			<b>Water</b>	-
				<u>12,000</u>

Budget transfer within Streets Maintenance to accommodate cost for Basin St. dumpster, overrun in vehicle and equipment repairs, and replenishment of salt pile.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 29-2018 for \$24,000. (Wastewater Treatment Plant cost center to accommodate higher than expected costs for flocculant (alum)).

<b>TO:</b>				<b>Fund</b>
<b>Account Id</b>	<b>Description</b>		<b>Date</b>	<b>Totals</b>
ES-8130-4-520	Sewage Treatment-Flocculant (Alum)	<u>24,000</u>		
		<u>24,000</u>		
			<b>General</b>	-
			<b>Electric</b>	-
			<b>Sewer</b>	<b>24,000</b>
			<b>Water</b>	-
				<u>24,000</u>
<b>FROM:</b>				
<b>Account Id</b>	<b>Description</b>		<b>Date</b>	
ES-8130-4-430	Sewage Treatment-Insurance	1,660		
ES-8130-4-470	Sewage Treatment-Audit Fees	340		
ES-8130-4-505	Sewage Treatment-Process Machinery	15,000		
ES-8130-4-530	Sewage Treatment-Other Chemicals	<u>7,000</u>		
		<u>24,000</u>		
			<b>General</b>	-
			<b>Electric</b>	-
			<b>Sewer</b>	<b>24,000</b>
			<b>Water</b>	-
				<u>24,000</u>

Budget transfers within the Wastewater Treatment Plant cost center to accommodate higher than expected costs for flocculant (alum).

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 30-2018 \$24,500.00. (increase revenue for Sewer fund higher than expected surcharges for Kan-Pak and expenses for sludge hauling and landfill fees).

Increase Revenue  
 Budget

ES-2122-01	Surcharges	24,500
Increase Expense Budget		
ES-8130-4-414	Sewage Treatment-Sludge Landfill Fees	19,500
ES-8130-4-440	Sewage Treatment-Lab Services	<u>5,000</u>
		24,500

Budget amendment to increase revenue for the Sewer fund (higher than expected surcharges for Kan-Pak) and expenses for sludge hauling and landfill fees.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

Trustee Benedict Thanked Gary Meeks and Holly Pealer for their hard work on getting the budget together,

**MOTION** by Trustee Condella, seconded by Trustee McLoud to set a Budget Workshop for Wednesday March 28<sup>th</sup> at 5:15PM and set a Public Hearing for Monday April 2 at 5:15PM for the tentative General Fund Budget. Will review the Tentative General Fund Budget.

Mayor thanked everyone who worked on the budget did a great job. Gray also wanted to thank all Department Heads for their hard work.

**PERSONNEL:**

**MOTION** by Trustee Stewart, seconded by Trustee McLoud to hire Ms. Terry TenEyck as a full time Police Officer, effective April 9, 2018  
Step 1, \$24.23 per hour.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Stewart, seconded by Trustee Condella to move forward with recruitment for the DPW Street Dept., MEO (L) position. This position is Non-Competitive, Group 4 Step Start \$20.40 per hour. Anticipate filling this position by May 7, 2018.

Discussion: Brent Bodine mentioned after reviewing the schedule time line to recruit for the DPW position and interviews won't be filling this until June.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Stewart, seconded by Trustee Benedict to authorize Mayor to sign the Memorandum of Agreement between the CSEA and the Village of Penn Yan re: Article XIII Hours of work and associated duties, (Street Dept. 4 10 hour days) Article XXVII Miscellaneous (eliminate the performance evaluation system), Appendix A, (Utilities Service Worker Group V to Group VI, WWTP Mechanic Group III to Group IV)

Discussion: Mayor thanked the contract committee for their hard work on this.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee Stewart, seconded by Trustee McLoud to hire Eric Spencer as an Electric Grounds Person effective 4/9/2018, Group 3 Step Start \$19.44 per hour. This is a provisional appointment.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**PUBLIC SAFETY:**

**POLICE DEPARTMENT:**

Monthly activity report for February

**MOTION** by Trustee Benedict, seconded by Trustee Condella to authorize School Resources Officer (SRO) Jeff Stewart to attend safety training in Buffalo, NY on March 20, 2018. Speakers include a parent and teacher from the Sandy Hook incident. No cost.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

Chief Dunham mentioned he gave the Board members a copy of the yearly report and any questions let him know. Mayor thanked Chief Dunham it was an excellent report he did. Chief Dunham mentioned Terry is the second female to the Department.

**FIRE DEPARTMENT:**

Chief's Report for February

**MOTION** by Trustee Benedict, seconded by Trustee McLoud to declare the following items surplus

1. 43 Lengths of 2 1/2" and 3" hose  
10 lengths of 5" hose
2. Electric baseboard heater
3. 36 SCBA 2.2 carbon air bottles
4. 2-55 gallon barrels
5. SCBA Scott carrying case
6. 2-Scott SCBA pack skeletons
7. 12 portable lights
8. 13 PVC tubes for SCBA bottles
9. Hose washer
10. 5 large plastic storage bins
11. 3 large bags of outdated bunker pants and coats

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**CODE ENFORCEMENT:**

**MOTION** by Trustee Benedict, seconded by Trustee McLoud to authorize Bruce Lyon CEO to attend four (4) Annual meetings for 2018 with the NY State Building Officials Conferences. No cost for conferences only approval for mileage

- April 13<sup>th</sup> in Victor, NY
- June 1<sup>st</sup> in Slingerlands, NY
- September 21<sup>st</sup> in Canandaigua, NY
- December 7<sup>th</sup> in Kingston, NY

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**PUBLIC WORKS:**

**MOTION** by Trustee McLoud, seconded by Trustee Stewart to declare old PW8 truck as surplus and authorize selling it at fair market value.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**MOTION** by Trustee McLoud, seconded by Trustee Condella to authorize issuing Notice of Awards as follows for the 2018-2019 fiscal year:

- Cemetery Foundation to DC Masonry at \$.45/sq.in.
- Hauling of Materials:

<b>Long</b>		<u>Standard</u>	
<b>Milk</b>	0-25 Miles	<u>Gabion</u>	
<b>Haulers</b>		\$3.75	\$4.50
	26-35 Miles	\$4.85	\$5.50
	36-45 Miles	\$5.85	\$6.50
	46-50 Miles	\$6.85	\$7.50
	51+ Miles	\$7.85	\$8.50

- **Hot Mix Bituminous:**

<b>Hanson</b>		Bid date 2/12/2018	Price per
	Type 7 Top	ton	
		\$58.90	
	Type 7F Top	\$60.50	
	Type 6F Top	\$59.20	
	Type 3 Binder	\$52.40	
	Fine Binder	\$54.40	
	Type 2 Base	\$43.70	

- **Ready Mix Concrete**

<b>Hanson</b>		<u>Price per Cubic</u>
<b>Aggregates</b>	3500 lb. mix	<u>Yard</u>
		\$122.00
	3500 w/fiber	\$132.00
	4000 lb. mix	\$125.00
	4000 w/fiber	\$135.00
	4000 DCI	\$137.00
	flowable fill	\$93.00

- **Snow and Ice Removal** to AJ Mowing at \$75.00/hour with \$70.00 minimum call out per location

- **Hauling of Household Debris** to Cardinal Disposal at \$50.00 hauling fee + \$.15/pound

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
 Nays 0 Abstain 0 Absent Allison, Reeve

Trustee McLoud reminded the Spring Cleanup will run from April 2 – April 25<sup>th</sup>.

Trustee McLoud mentioned the Village and Town of Milo Cleanup recycle date is set for Saturday May 5, 2018. Trustee Benedict questioned about the advertisement for the clean-up – recycle. Village Clerk stated will place in the Chronicle Express - Lake to Lake Bulletin. We have placed notices on front counter and will hope to be able to use the Fire Department outside sign. Trustee Benedict Thanked the Crews for taking care of the storm debris.

**PARKS & RECREATION:**

Trustee Condella mentioned had a meeting on March 9 with the group from Cornell on the Design Connect Program. Dan Doyle did a great job setting this Community meeting up he put a lot of time and effort in this. We had a hand full of people attend unfortunate a bad turnout.. Wish we had more. Brent Bodine understands we should have their final project ready for submission to the Village Board on May 15. Brent stated we should invite the Planning Board and have a joint meeting. He stated we have other items which need to be addressed and adopted at our September Village Board meeting.

**PLANNING & DEVELOPMENT:**

Trustee Stewart we are still working on ways to streamline their proposals. We have looked at four different towns and compared them.

**PLANNING BOARD:**

**COMMENTS**

**EXECUTIVE SESSION:**

At 7:20 PM, **MOTION** by Trustee McLoud, seconded by Trustee Condella to enter into Executive Session. Mayor asked the following to attend Executive Session DPW Director Bodine

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

At 8:25 PM Mayor excused Atty. Brockman from the Executive Session

**ADJOURNMENT OF EXECUTIVE SESSION:**

At 8:51 PM, **MOTION** by Trustee Benedict, seconded by Trustee Condella to leave Executive Session and return to regular Village Meeting.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

**ADJOURNMENT:**

At 8:52 PM, **MOTION** by Trustee McLoud, seconded by Trustee Stewart to adjourn the regular Village Board meeting.

**ADOPTED** Ayes 5 MacKerchar, Benedict, Condella, McLoud, Stewart  
Nays 0 Abstain 0 Absent Allison, Reeve

---

Mary Ann Martin, Deputy Clerk

**ANNOUNCEMENTS:**