

**MINUTES** of a Regular Meeting of the Village Board of Trustees held Tuesday evening, March 18, 2014 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

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

**ABSENT:** Trustee B. Winslow

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

**PUBLIC:** Mark Morris

At 6:05 PM, Mayor Church called the Village Board meeting to order.

**6:00 PM PUBLIC HEARING** – Amending the Banner Chapter

Mayor Church called the Public Hearing to order at 6:05 PM.

At 6:05 PM **MOTION** by Trustee Allison, seconded by Trustee Christensen to open the Public Hearing.

**ADOPTED** Ayes 6 Church, Allison, Benedict, Christensen, Reeve, Stewart  
Nays 0 Abstain Absent Winslow

Mayor Church asked if anyone had any comments regarding the banner Chapter.

At 6: 07 PM **MOTION** by Trustee Reeve, seconded by Trustee Allison to close the Public Hearing.

**ADOPTED** Ayes 6 Church, Allison, Benedict, Christensen, Reeve, Stewart  
Nays 0 Abstain Absent Winslow

**MOTION** by Trustee Christensen, seconded by Trustee Benedict to authorize Resolution No 17-2014 Adoption of Local Law Amending the Banners Chapter of the Code of the Village of Penn Yan

**WHEREAS**, the Board of Trustees previously dealt with the SEQRA issues related to this proposed Local Law, by declaring itself Lead Agency, designating the Local Law as a “Type II” action and therefore no environmental review will be undertaken: and

**WHEREAS**, a public hearing was held before the Board of Trustees on said proposed Local Law on March 18, 2014; and

**WHEREAS**, the Board of Trustees previously received a copy of the proposed Local Law in excess of ten (10) days prior to the consideration hereof.

**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 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 the Local Law, including the entry thereof in the minutes of the Meeting of the Board of Trustees.

**ADOPTED** Ayes 6 Church, Allison, Benedict, Christensen, Reeve, Stewart  
Nays 0 Abstain Absent Winslow

**CALL FOR EXECUTIVE SESSION:**

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

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

**MINUTES:**

**MOTION** by Trustee Christensen, seconded by Trustee Reeve to approve the Village Board Minutes from February 18, 2014 and Special Village Board meeting on February 26, 2014.

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

**GUESTS, PUBLIC REQUEST & COMMENTS:**

**MOTION** by Trustee Reeve, seconded by Trustee Christensen to authorize First Presbyterian Church to hold the annual Easter Sunrise Service on April 20, 2014 at 7:00AM at Indian Pines Park.

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

**MAYOR:**

Mayor appoints Jean D’Abbracci to the Village Planning Board to the alternate position for a 1yr. term effective immediately.

Mayor Church reminded everyone the Organization meeting is set for April 7<sup>th</sup>, 2014 at 5:00PM.

Mayor mentioned the Board has received the tentative budget. A Budget Workshop is set for Monday March 24<sup>th</sup> at 5:00PM. The Budget is under 1.5%. Milo is slightly over 1% and a reduction for Benton and Jerusalem. Part of the increase is health care costs and retirement is up. We asked the Department Heads to decrease their budget by 3%, which most did. Mayor state had a reduction in audit fees due to a new contract, reduction in telephone services and reduction using the fuel system with the Police fuel. Mayor explained the former DPW Director Dick Osgood while he was here discussed the need for a new Street Sweeper in the coming years. The former Clerk/Treasurer S. Wilber and Mayor started putting extra money away in the budget for this reasons. The cost for a new sweeper is \$189,500 – we now have the money for it and can pay cash and no need for a Bond. Mayor stated hope to have the budget set on Monday March 24, 2014 and hold a Public Hearing on April 15<sup>th</sup> at 6:05PM. Trustee Reeve reviewed the budget and commended everyone for their efforts.

**ATTORNEY:**

**MOTION** by Trustee Reeve, seconded by Trustee Christensen to authorize Resolution No 9 - 2014 Amendment of Intermunicipal Agreements with the County of Yates Regarding Occupancy Tax Revenue and Anticipated PILOT Agreements.

**WHEREAS**, the Village of Penn Yan previously entered into Intermunicipal Agreements with the County of Yates, each dated December 17, 2013 regarding Occupancy Tax Revenue and Anticipated PILOT Agreements; and

**WHEREAS**, the Village and the County desire to amend said agreements in order to clarify the purposes to which the Village may apply payments from the County to the Village pursuant to said agreements; and

**WHEREAS**, copies of the Amendment Agreements with respect thereto have been provided to the Board of Trustees; and

**WHEREAS**, the Board of Trustees intends to act as lead agency with respect to the SEQRA aspects of such action and it appearing that there will be no negative environmental impacts as a result of such agreements.

**NOW THEREFORE BE IT RESOLVED, THAT**

1. The Board of Trustees of the Village of Penn Yan designates itself as “Lead Agency” for SEQRA purposes, determines that this action will have no negative environmental impacts, therefore declaring this to be a “Type II” action and accordingly no environmental review will be undertaken.
2. The Board of Trustees approves the two (2) amendment agreements and authorizes and directs the Mayor to execute same on behalf of the Village of Penn Yan.

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

**MOTION** by Trustee Christensen, seconded by Trustee Carolyn to authorize “Home Rule Request” for legislation legalizing, validate, ratify and confirm the Penn Yan fire department length of service award program in both the New York State Assembly and New York State Senate, as well as authorizing and directing the Mayor to execute said requests on behalf of the Village and that the Village Clerk/Treasurer enter the same.

Discussion: Atty. Brockman explained we have requested the Legislation to adopt this, to ratify and affirm the LOSAP program for the Village. Asking the State to adopt the local Home Rule request. Mayor Church explained Senator O’Mara Office changed some wording (we have the funds to cover the program) and with this wording change we need to vote and again and resubmit the forms. Mayor Church mentioned the latest comptroller report reported an audit with another place regarding LOSAP; they were having the wrong point system as we did and the controller recommended doing as we did.

Mayor Church called for a roll call vote

Trustee Reeve	Aye	Trustee Benedict	Aye	Trustee Christensen	Aye
Mayor Church	Aye	Trustee Allison	Abstain	Trustee Stewart	Aye
Trustee Winslow	Absent				

Carried

**MOTION** by Trustee Allison, seconded by Trustee Benedict to authorize Resolution No 14-2014 Regarding SEQRA Issues and Consideration of Proposed Local Law Pertaining to Amendment of the Cemetery Chapter of the code of the Village of Penn Yan. Set a Public Hearing for April 15, 2014 at 6:00 PM.

**WHEREAS**, it has been recommended by the Village Department of Public Works Director, that the Cemetery Chapter of the Code of the Village of Penn Yan be amended with respect to cemeteries controlled by the Village of Penn Yan; and

**WHEREAS**, the Board of Trustees of the Village of Penn Yan intends to act as lead agency for the purposes of the review of this action under the provisions of SEQRA; and

**WHEREAS**, the adoption of such regulations may be deemed a “Type II” Action pursuant to SEQRA; and

**WHEREAS**, a draft Local Law has been prepared and circulated to the Board of Trustees.

**Now Therefore, be it Resolved that:**

1. 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
2. The Board of Trustees of the Village of Penn Yan determines that no environmental impact will result from the proposed adoption of amended cemetery regulations, that accordingly the action is designated as “Type II” under SEQRA; and therefore no environmental review will be undertaken; and be it further
3. That a public hearing on the proposed Local Law is hereby scheduled for April 15, 2014 at 6:00 p.m. at the Village Hall and that notice thereof be made by legal counsel.

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

**MOTION** by Trustee Reeve, seconded by Trustee Allison to authorize Resolution No 15-2014 Authorizing Appointment of Acting Code Enforcement Officer.

**WHEREAS**, the Village has created and maintains the position of Code Enforcement Officer (CEO) pursuant to Article II of Chapter 19 of the Village Code; and

**WHEREAS**, §19-2 of said Article and Chapter provides that the Mayor, upon the consent of the Board of Trustees, may designate a person to act on behalf of the CEO in case of the inability of the appointed CEO to so act; and

**WHEREAS**, CEO, Bruce Lyon, is establishing a business in the Village of Penn Yan which will require approvals under the State Fire Prevention and Building Code and it would be inappropriate and a conflict of interest for CEO Lyon to act in this instance; and

**WHEREAS**, Reggie O’Hearn, a New York State Certified Code Enforcement Officer has agreed to be Acting Code Enforcement Officer for this purpose.

**NOW THEREFORE BE IT RESOLVED, THAT**

The Board of Trustees of the Village of Penn Yan consents to the Mayor appointing Reggie O’Hearn as Acting Code Enforcement Officer for the Village with respect to issues related to Bruce Lyon’s business venture in the Village of Penn Yan and that Mr. O’Hearn be compensated at the rate of \$25.00/per hour for such services, together with applicable mileage, as well as being provided with necessary insurance coverage related to his activities as Acting Code Enforcement Officer.

Discussion: Mayor Church explained Bruce Lyon, CEO is opening his own business in the Village and it’s a conflict of interest for him. Mr. O’Hearn will receive payment and be under our insurance policy during this time when working as Code Enforcer for Bruce.

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

Atty. Brockman, Brent, and Bill J are looking into getting a title for the railroad trestle over the outlet and behind Chris Iversen apartments. Looking to improve the trestle for pedestrian use for the future.

**MOTION** by Trustee Reeve, seconded by Trustee Benedict to authorize up to \$1,000 for Keuka Abstract to prepare the abstract for the trestle behind Chris Iversen apartments on Water Street.

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

**COMMUNITY REVITALIZATION:**

**MOTION** by Mayor Church, seconded by Trustee Allison to approve the application for Ron Spoor (133 E. Elm Street) in the amount of \$22,879.39, for a facade improvement of replacing siding, front awning, doors and windows and building a new deck.

Discussion: Mayor explained the amount was higher and we asked them to get a couple local bids – they came in lower and we are using local a business for the project.

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

**MUNICIPAL:**

**MOTION** by Trustee Allison, seconded by Trustee Reeve approve Resolution No 16-2014 and appoint Director Bodine as the Village’s delegate at the MEUA Semi Annual Meeting being held April 16<sup>th</sup> and 17<sup>th</sup> in East Syracuse, NY.

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

**MOTION** by Trustee Allison, seconded by Trustee Christensen to award the chemical bid for Sodium Hypochlorite, Liquid Phosphate and Sodium Fluoride to Slack Chemical Co., Inc. per their bid as follows:

<b>Bidder: Slack Chemical Co., Inc. Bid</b>	<b>Signed Non-Collusive? Yes</b>
Sodium Hypochlorite	\$1.179/gallon in drums \$1.179/gallon in bulk
Liquid Phosphate	\$10.26/gallon
Sodium Fluoride	\$0.794/lb.
Liquid Aluminum Sulfate	No Bid

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

**MOTION** by Trustee Allison, seconded by Trustee Christensen to award the chemical bid for Liquid Alum Sulfate to Holland Co., Inc. per their bid as follows:

<b>Bidder: Holland Co., Inc.</b>	<b>Bid</b>	<b>Signed Non-Collusive? Yes</b>
Sodium Hypochlorite	No Bid	
Liquid Phosphate	No Bid	
Sodium Fluoride	No Bid	
Liquid Aluminum Sulfate	\$0.80/gallon	

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

**MOTION** by Trustee Allison, seconded by Trustee Benedict to authorize the attendance of up to ten (10) employees at the FLWOC Operator’s Day being held May 14<sup>th</sup> in Rochester, NY at a cost of \$30 per person.

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

**MOTION** by Trustee Allison, seconded Trustee Christensen to award the hauling of liquid sludge bid to Casella per their bid as follows:

<b>Bidder: Casella</b>	<b>Signed Non-Collusive? Yes</b>
Flat rate per haul based on an 8,500-gallon load	\$384.90
Centers per gallon of sludge	No Bid
Type of fuel to be used	Diesel
Date of weekly average used for bid	February 10, 2014

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

**MOTION** by Trustee Allison, seconded by Trustee Reeve to declare Car #1 (2011 Ford Escape) as surplus and sell on e-bay for at least \$16,500.

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

**MOTION** by Trustee Allison, seconded by Trustee Christensen to approve Utility Payment Agreements in the amount of \$14,250.69.

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

Discussion: Mark Morris mentioned the County had a special meeting, which SLAP 5 (is a County organization) attended the meeting. They are trying to improve the water quality into Seneca Lake in the watershed. They reported what was coming out of the different outlets and Keuka’s outlet was one of the cleaner one. Mayor mentioned they tested every system that emptied into the Lake – we have the highest grade – they tested in the beginning – half way through and end of Lake. The Village and Wastewater Plant received very high grades. Mark Morris stated the Penn Yan doing a good job.

**FINANCE & ADMINISTRATION:**

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

**AUDIT:**

	<b>Amount:</b>
<b>Paid Before Audit:</b>	
General	78,936.18
Electric	701,200.56
Sewer	23,911.28
Water	25,669.23
Capital Projects	50.50
<b>Total Paid Before Audit</b>	<b>\$ 829,767.75</b>
<b>Current Audit:</b>	
General	\$ 75,363.18
Community Development - CRC	-
Electric	69,548.64
Sewer	34,762.93
Water	17,273.80
Capital Projects	-
<b>Total Current Audit Items</b>	<b>\$ 196,948.55</b>
<b>TOTAL AUDIT</b>	<b>\$ 1,026,716.30</b>

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

**MOTION** by Trustee Christensen, seconded by Trustee Allison to authorize the Mayor to sign the updated agreement with SaxBST covering audit services for May 2014 – May 2017.

Discussion: Mayor explained – this is a reduction in the fee and it’s the same company just merged with another.

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

**MOTION** by Trustee Christensen, seconded by Trustee Allison to authorize Resolution No 10-2014 Budget Transfers for 2013-2014 Fiscal year.

<b>TQ:</b>			<b>Fund</b>
<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Totals</b>
A -1940-2-200	Purchase of Land/Right of Way	13,650	
		<u>13,650</u>	
		<b>General</b>	<b>13,650</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
		-	<u><b>13,650</b></u>

**FROM:**

A -1990-4-400	CONTINGENCY	<u>13,650</u>		
		<u>13,650</u>		
			<b>General</b>	<b>13,650</b>
			<b>Electric</b>	-
			<b>Sewer</b>	-
			<b>Water</b>	-
				<u><u>13,650</u></u>

To transfer funds from contingency account for unbudgeted land purchase (parcel to allow eventual development of Willow Road).

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

**MOTION** by Trustee Christensen, seconded by Trustee Benedict to authorize Resolution No 11-2014 Budget Transfers for 2013-2014 Fiscal year.

**TO:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
A -5110-2-200	Street Maintenance-Equipment	5,500	
H -5110-2-220	Stone & Gravel - Capital	2,500	
H -5110-2-230	Storm Sewer - Capital	3,500	
H -5110-2-270	Curbing & Fabric - Capital	<u>45,000</u>	
		<u>56,500</u>	
			<b>General</b>
			<b>Electric</b>
			<b>Sewer</b>
			<b>Water</b>
			<u><u>56,500</u></u>

**FROM:**

A -5110-2-210	Street Maintenance-Asphalt Concrete	10,000	
A -5110-2-220	Street Maintenance-Stone & Gravel	3,500	
A -5110-2-230	Street Maintenance-Crack Filling/Chip Sealing	3,500	
A -5110-4-520	Street Maintenance-Salt & Sand	2,000	
H -5110-2-210	Asphalt Concrete - Capital	<u>37,500</u>	
		<u>56,500</u>	
			<b>General</b>
			<b>Electric</b>
			<b>Sewer</b>
			<b>Water</b>
			<u><u>56,500</u></u>

Budget transfers to accommodate: 1) unplanned purchase of new hydraulic breaker attachment for bobcat skidsteers and 2) agreed to changes in this year's paving plan.

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

**MOTION** by Trustee Christensen, seconded by Trustee Stewart to authorize Resolution No 12-2014 Budget Transfers for 2013-2014 Fiscal year.

**TO:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
EW-8340-4-417	Transmission & Distr-Maint on Vehicles	100	
EW-8340-4-480	Transmission & Distr-Prof Fees/Publicat	100	
EW-8340-4-520	Transmission & Distr-Meters	<u>1,300</u>	
		<u>1,500</u>	
			<b>General</b>
			<b>Electric</b>
			<b>Sewer</b>
			<b>Water</b>
			<u><u>1,500</u></u>

**FROM:**

EW-8340-4-418	Transmission & Distr-Maint on Buildings	500	
EW-8340-4-500	Transmission & Distr-Supplies & Material	<u>1,000</u>	
		<u>1,500</u>	

General	-
Electric	-
Sewer	-
Water	<u>1,500</u>
	<u>1,500</u>

Budget transfers within cost center to fix accounts with small cost over runs and to accommodate unbudgeted expense for meters.

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

**MOTION** by Trustee Christensen, seconded by Trustee Allison to authorize Resolution No 13-2014 Budget Transfers for 2013-2014 Fiscal year.

**TO:**

Account Id	Description	Date	Fund Totals
ES-8130-4-414	Sewage Treatment-Sludge Landfill Fees	<u>10,000</u>	
		<u>10,000</u>	
		General	-
		Electric	-
		Sewer	10,000
		Water	-
		-	<u>10,000</u>

**FROM:**

Account Id	Description	Date	Fund Totals
ES-8130-4-505	Sewage Treatment-Process Machinery	<u>10,000</u>	
		<u>10,000</u>	
		General	-
		Electric	-
		Sewer	10,000
		Water	-
			<u>10,000</u>

Transfer to accommodate higher than anticipated sludge hauling and landfill fees with reduction being made to process machinery expense (defer purchase of new pump).

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

**PERSONNEL:**

**MOTION** by Trustee Benedict, seconded by Trustee Christensen to authorize the attendance for (3) people (Dan Doyle, Tina Galliher and Robin Morse) at the Health Works Occupational Health Program DOT Reasonable Suspicion Drug and Alcohol Education Training for Supervisors being held on March 25<sup>th</sup> in Farmington, NY at a cost of \$55 per person. Total \$165.00

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

**PUBLIC SAFETY:**

**POLICE DEPARTMENT:**

**MOTION** by Trustee Christensen, seconded by Trustee Benedict to authorize Officer Dawes and Chief Hulse to attend the Empire State Law Enforcement Traffic Safety Conference in Albany on April 8-9, 2014 and Hotel stay for two night stay. No cost for the conference.

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

**MOTION** by Trustee Christensen, seconded by Trustee Allison to authorize Sgt. Stewart attends the Aerosol Subject Restraint Instructor Course in Rochester on May 15-16, 2014

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

**FIRE DEPARTMENT:**

Monthly Fire Department report

Year to Date Fire Department report

**MOTION** by Trustee Christensen, seconded by Trustee Reeve to authorize Charles Morse be elected to membership in the Ellsworth Hose Co. effective March 4, 2014.

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

**MOTION** by Trustee Christensen, seconded by Trustee Allison to authorize Matt Wormuth, Steven Schmidl and John Woods be removed from the active roll effective March 4, 2014.

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

**MOTION** by Trustee Christensen, seconded by Trustee Reeve to approve the Penn Yan Fire Department – Garverick Plan for the LOSAP Point System from January 1, 2013 – December 31, 2013. Our insurance agent will submit the report.

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

**CODE ENFORCEMENT:**

**PUBLIC WORKS:**

**MOTION** by Trustee Allison, seconded by Trustee Reeve to declare PW #9 (2010 Ford F250 pickup truck) as surplus and sell at fair market value (estimated to be \$26,200).

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

**Bid Results – Village Materials and Services for the 2014-2015 Fiscal Year**

**Gas and Diesel**

**MOTION** by Trustee Allison, seconded by Trustee Reeve to award the 2014-2015 gas and diesel contract to Hometowne Energy Co., Inc. per their bid, as follows:

**Bidder: Hometowne Energy Co., Inc.** Signed Non-Collusive? Yes

<u>Item</u>	<u>Price Per Gallon</u>	
Unleaded Gasoline (89 Octane) (delivered to 396 Elm Street)	\$3.1465	
Diesel Fuel (on road) (delivered to 396 Elm Street)	\$3.3676	
Diesel (on road) (at service station pump)	Cannot Provide	
Able to meet the 4-hour emergency delivery requirement?		Yes
24/7 service for on road diesel fuel at the pump provided?		No

Bidder used the NY Harbor pricing as of February 13, 2014:  
Gas \$2.7665/gallon + \$0.38/gallon = \$3.1465/gallon  
Diesel \$3.0176/gallon + \$0.35/gallon = \$3.3676/gallon

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

**Ready Mix Concrete**

**MOTION** by Trustee Allison, seconded by Trustee Reeve to award the 2014-2015 ready-mix concrete contract to Hanson Aggregates NY, LLC per their bid, as follows:

**Bidder: Hanson Aggregates NY LLC** Signed Non-Collusive? Yes

Transit Mix Concrete                      Price Per Cubic Yard

3,500 lb. mix	\$106.50
3,500 lb. mix with fiber	\$114.50
4,000 lb. mix	\$109.50
4,000 lb. mix with fiber	\$117.50
4,000 lb. mix with DCI	\$119.50
Flowable Fill	\$ 83.50

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

***Hot Mix Bituminous***

**MOTION** by Trustee Allison, seconded by Trustee Reeve to award the 2014-2015 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 7 Top	\$66.00
Type 7F Top	\$66.00
Type 6F Top	\$62.50
Type 3 Binder	\$56.00
Fine Binder	\$58.00
Type 2 Base	\$53.00

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

***Hauling of Materials***

**MOTION** by Trustee Allison, seconded by Trustee Reeve to award the 2014-2015 hauling of materials contract to Marchionda Excavating, Inc. per their bid, as follows:

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

	<u>Standard Materials</u> <u>Price Per Ton Delivered</u>	<u>Gabion</u> <u>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 6    Church, Allison, C. Benedict, C. Christensen, Reeve, Stewart  
               Nays 0                      Abstain 0                      Absent Winslow

***Cemetery Foundation Work***

**MOTION** by Trustee Allison, seconded by Trustee Reeve to award the 2014-2015 cemetery foundation work contract to DC Masonry per their bid, as follows:

**Bidder: DC Masonry**                      **Bid**                      **Signed Non-Collusive? Yes**

For new foundations	\$0.41 per square inch of surface area
For replacement foundations	\$0.41 per square inch of surface area

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

Discussion: Mark Morris mentioned last month the Village Board discussed the invasive species entering the lake by boats at the Boat Launch. Mark has spoken with Bill Laffin and KOLA. Bill is the President and is willing to come and speak with a Committee if he needs to. Trustee Stewart has also contacted the Finger Lakes Institute, but has not heard back from them. Rich mentioned he has Bill’s contact information already.

**PARKS & RECREATION:**

Trustee Stewart mentioned April 1<sup>st</sup> is the first day to sign up to rent the Red Jacket Pavilion and we will start ticketing trailers.

**PLANNING & DEVELOPMENT:**

Trustee Reeve explaining making progress on grant projects, comprehensive plan and update on structural design standards. We are asking other folks who have had experience with grant application to consider our project list. Looking forward to future grants with help from the community. Brent, Bill J. and Trustee Reeve reapply this year for TEP (Transportation Enhancements Program) which was used for bridges on the outlet trail last year. Trustee Reeve encourages people to visit Facebook for the Outlet trail – membership is affordable. Trustee Reeve mentioned Steve Knapp is trying to find a way to preserve the cupola that was on the old winery on Lake Street. They are looking for a safe place to store it for future use. Looking at to either to rebuild or restore it and place in one of the Parks or on the Outlet Trail. The cupola needs to be removed before construction starts on the new hotel.

**PLANNING BOARD:**

**COMMENTS**

**EXECUTIVE SESSION:**

At 6:40 PM, **MOTION** by Trustee Allison, seconded by Trustee Reeve to enter into Executive Session.

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

**ADJOURNMENT OF EXECUTIVE SESSION:**

At 6:51 PM, **MOTION** by Trustee Reeve, seconded by Trustee Allison to leave Executive Session and return to regular Village Meeting.

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

**ADJOURNMENT:**

At 6:52 PM, **MOTION** by Trustee Reeve, seconded by Trustee Allison to adjourn the regular Village Board meeting.

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

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Mary Ann Martin, Deputy Clerk

**ANNOUNCEMENTS:**