

**MINUTES** of the *Organizational Meeting* of the Village Board of Trustees held on Tuesday evening, April 6, 2004 in the Maxwell Building.

**PRESENT:** Mayor D. Marchionda; Trustees W. Allison, R. Schwingle, and newly elected Trustees Michael J. Christensen, Nancy S. Taylor and Norman E. Koek; Director of Public Works Balsley; Assistant Director of Public Works Osgood; Street Supt; Jensen (joined the mtg. at 7:25 PM); Police Chief Hill (joined the mtg. at 7:50 PM); CEO Lyon; Village Attorney Edward J. Brockman (joined the mtg. at 8:03 PM); Recreation Director D. Doyle; Justice Danny M. Hibbard; exiting Village Treasurer Rogers;

**ABSENT:** Trustee Smith, Cemetery Supt. Trenchard, and Fire Chief Pallar

News Media present: Gina Muscato, Finger Lakes Times, Connie Murphy, The Chronicle Express, and Peg Thompson, Dundee Observer

Public Attendees: Joe Loe, John Lauchert, and Joe McCoy from Data Ventures, Inc., Scott Conti from Amperion, Village residents Mr. and Mrs. Armstrong, Anne Gunn and Gene Mitchell

Mayor Marchionda called the *Organizational Meeting* to order at 7:03 PM, and led the Pledge Allegiance to the Flag.

Mayor Marchionda administered the *Oath of Office* to Village Justice Danny M. Hibbard, re-elected for another 4-year term, Michael J. Christensen and Norm E. Koek, re-elected Village Trustees and Nancy S. Taylor, newly elected Trustee (all 4-year terms) at the March 16, 2004 General Village Election. The Mayor noted that this event is somewhat a historical event, as this would be the last time the *Oath of Office* will be conducted in the Maxwell Building.

MOTION by Trustee Koek, seconded by Trustee Taylor to set the time of the *regular* meetings of the Village Board of Trustees for the official year 2004-2005 at 7:00 PM on the second and fourth Tuesdays of each month in the Maxwell Building (until the new Village Office at 111 Elm Street is completed).  
Unanimously Carried.

MOTION by Trustee Christensen, seconded by Trustee Allison to set the date and time for the *2005 Organizational Meeting* on Tuesday, April 5, 2005 at 7:00 PM.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Schwingle to designate the Community Bank NA, The National Bank of Geneva and J.P. Morgan Chase as depository banks for the Village funds.  
Unanimously Carried.

MOTION by Trustee Christensen, seconded by Trustee Koek to authorize the Mayor and an alternate (Deputy Mayor) to accompany the Village Treasurer (or the Deputy Treasurer in the absence of the Treasurer) to open the Village's safe deposit box at the Main Street Office of Community Bank, N.A.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Schwingle to designate the *Dundee Observer*, *Finger Lakes Times* and *Chronicle Express* as the official newspapers for the publication of notices relating to local laws and other proceedings and actions of the Board of Trustees required by law to be advertised.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to approve *RESOLUTION NO. 12-2004* ADVANCE APPROVAL OF CLAIMS.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to approve *RESOLUTION NO 13-2004* MILEAGE ALLOWANCE in the amount of 36 ½ cents per mile.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Schwingle to approve the Mayor's re-appointment of Linda K. Banach as Village Clerk and Tax Collector, Marlene A. Exner as Deputy Clerk-Treasurer, Robin R. Morse as Deputy Clerk and Joyce E. Benedict as part-time Deputy Clerk for a 2-year term.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to approve the Mayor's re-appointment of Linda K. Banach as Registrar of Vital Records, Marlene A. Exner as Deputy Registrar, and Robin R. Morse as Sub-registrar for a 2-year term.  
Unanimously Carried.

MOTION by Trustee Schwingle, seconded by Trustee Koek to re-appoint Susan Lane, for a one-year term, as Acting Village Justice to sit in the absence of Justice Hibbard.  
Unanimously Carried.

MOTION by Trustee Christensen, seconded by Trustee Allison to re-appoint Frances Dumas as Village Historian for one year.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to approve the Mayor's re-appointment of Daniel W. Banach as a Commissioner to the Penn Yan Municipal Utilities Board for a 3-year term.  
Unanimously Carried.

MOTION by Trustee Smith, seconded by Trustee Koek to approve the Mayor's appointment of Romulus J. French as Chair, and Edward A. Bolger as Vice Chair to the Penn Yan Municipal Utilities Board for 1 year.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to approve the Mayor's appointment of James E. Castner as Chair, and Richard N. Osgood as Vice Chair to the Penn Yan Planning Board for one year.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Christensen to approve the Mayor's re-appointment of Carol Oswald for a 3-year term as member of the Historic District Preservation Commission.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Schwingle to authorize the Mayor's re-appointment of R. Bruce LeClaire as Chair of the Historic District Preservation Commission for one year.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to approve the Mayor's appointment of Robert Davis as a member to the Zoning Board of Appeals for a 5-year term.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Schwingle to approve the Mayor's 1-year appointment of Steven Owens as Chair to the Penn Yan Zoning Board of Appeals.  
Unanimously Carried.

MOTION by Trustee Christensen, seconded by Trustee Schwingle to approve the Mayor's appointment of William J. Allison as the Village's representative alternate member of the Keuka Lake Watershed Committee and the Keuka Lake Outlet Compact for 1 year.  
Unanimously Carried.

Mayor Marchionda re-appointed Trustee William J. Allison as Deputy Mayor for 1 year.

The Mayor appointed or re-appointed the following Members and Chairs to the Trustees' Standing Committees:

**Finance & Administration**

Gary M. Smith Chair  
William J. Allison  
Nancy S. Taylor

**Parks & Recreation**

Randy L. Schwingle, Chair  
William Allison  
Norman E. Koek

**Public Safety**

Nancy S. Taylor, Chair  
Norman E. Koek  
Michael J. Christensen

**Ad-Hoc Building Committee**

Douglas G. Marchionda, Jr., Chair  
Norman E. Koek  
Randy L. Schwingle  
Michael J. Christensen  
William J. Allison  
Nancy S. Taylor  
Gary M. Smith  
MUB Commissioners

**Personnel**

Norm E. Koek, Chair  
Michael J. Christensen  
Randy L. Schwingle

**Planning & Development**

Michael Christensen, Chair  
Randy L. Schwingle  
Gary M. Smith

**Public Works**

William J. Allison, Chair  
Nancy S. Taylor  
Gary M. Smith

Robert Davis  
Dave Payne  
Ronald Dailey  
DPW Director Edward J. Balsley  
Asst. DPW Dir. Richard N. Osgood  
CEO Bruce Lyon  
Police Chief Hill  
Fire Chief Pallar  
Leland J. Sackett

MOTION by Trustee Christensen, seconded by Trustee Allison to approve the Mayor's re-appointment of Trustee Randy L. Schwingle as Chair, Trustees William J. Allison and Norman E. Koek, residents Dave Payne, Larry Strickland and Ron Dailey as members to the Recreation Committee for one year.  
Unanimously Carried.

MOTION by Trustee Schwingle, seconded by Trustee Koek to approve the Mayor's new appointment of Donald Beach as a member to the Recreation Committee for one year.  
Unanimously Carried.

MOTION by Trustee Schwingle, seconded by Trustee Koek to approve the Mayor's re-appointment of Edward J. Brockman as Village Attorney for 1 year.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to re-appoint Norm E. Koek as the Village's Equal Opportunity Coordinator for one year.  
Unanimously Carried.

MOTION by Trustee Christensen, seconded by Trustee Schwingle to approve the Mayor's appointment of Nancy S. Taylor as the Village's American Disabilities Act Officer for one year.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Schwingle to approve the Mayor's re-appointment of Michael Christensen as the Village's Representative to the Yates County Planning Board.  
Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Christensen to approve the Mayor's re-appointment of Randy L. Schwingle to be the Village Representative to the Yates County Youth Board for one year.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Koek to approve the Mayor's re-appointment of Eleanor H. DeWitt, M.D. as the Village's Health Officer for a 4- year term. Unanimously Carried.

MOTION by Trustee Christensen, seconded by Trustee Koek to approve the Mayor's appointment of Romulus J. French as Chair, and Edward Bolger as Vice Chair to the Labor/Management & Joint Safety Committee for one year. Unanimously Carried.

At 7:20 PM, MOTION by Trustee Allison, seconded by Trustee Koek **to close the *Organizational Meeting* and begin the *Regular Meeting*.** Unanimously Carried.

► Public Hearing for the proposed 2004-2005 Village Budget is scheduled for 8:00 PM this evening.

**MINUTES:**

MOTION by Trustee Koek, seconded by Trustee Allison to approve the minutes of the March 23, 2004 Village Board meeting as submitted. Unanimously Carried.

**GUESTS, PUBLIC REQUESTS & COMMENTS:**

- (1) John Latchaw, owner of Top of the Lake B&B was a "no show".
- (2) Joe McCoy, President and CTO from Data Ventures, Inc. asked the Board for "space" within the Village structure, 24 hours accessible, for their equipment. They will also have to erect an antenna on top of the Fire House, and they would like to set up a meeting with Attorney Brockman as soon as possible to discuss an agreement. The Village Clerk was asked to set up the meeting. Mayor Marchionda pointed out that giving "space" to people other than Village/Municipal employees is new and will have to be carefully explored. The Mayor referred these matters back to the Building Committee.

**MAYOR:**

Mayor Marchionda announced that the next regular Village Board meeting will not be held until the fourth Tuesday in April – the 27<sup>th</sup>, at 7:00 PM in the Maxwell Building.

**CORRESPONDENCE:**

MOTION by Trustee Allison, seconded by Trustee Taylor to approve the Penn Yan Little League's request to hold their parade at 10:00 AM Saturday, May 1<sup>st</sup> beginning from the Village boat launch. Unanimously Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to approve a banner permit for the Class of 1959 to hang on upper Main Street from July 19<sup>th</sup> to the 26<sup>th</sup>. Unanimously Carried.

A letter from Donald H. Cass, Executive Director of the Humane Society of Yates County requested approval to hold a *Pans for Paws* fund drive on May 31, 2004 from 1:00 PM to 4:30PM. They would station responsible adults at the intersections of Main & Elm Streets and Clinton & Main Streets. Due to safety concerns, Mayor Marchionda referred this request to the Public Safety Committee, and to Police Chief Hill for their review.

**AUDIT:**

MOTION by Mayor Marchionda, seconded by Trustee Taylor to pay the current bills as submitted:

Village:	Paid before audit – General Fund	\$ 60.00
	General Fund	32,029.72
	Capital-CHIPS	701.10
	-Village Office	88,472.25
Municipal:	Paid before audit	\$ 42,961.04

Unanimously Carried.

**FINANCE & ADMINISTRATION:**

MOTION by Trustee Allison, seconded by Trustee Christensen to adopt RESOLUTION NO. 15-2004 BUDGET TRANSFERS in the amount of \$35,390. Unanimously Carried.

**PERSONNEL:**

Trustee/Chair Koek reported to the Board that four interviews have been held for the position of Village Treasurer. The Committee hopes to announce the new treasurer very soon.

**PARKS & RECREATION:**

MOTON by Trustee/Chair Schwingle, seconded by Trustee Allison to re-advertise for summer help. Unanimously Carried.

Trustee Koek updated the Board with regard to Bonnie Barkley's requests at the last meeting in reference to the Women's Softball League field at Indian Pines. The Village agreed to help the League maintain the playing field at any reasonable request.

**PLANNING & DEVELOPMENT:**

The last meeting was held Monday, March 22<sup>nd</sup>; the next meeting is scheduled for April 26, 2004 at 7:00 PM in the Village Office. The Committee has not met since the last Village Board meeting - no new report.

**AD HOC BUILDING COMMITTEE:**

The Committee has not met since the last Village Board meeting. However, the Mayor reported that the Village Office/Police Station construction is progressing everyday, and also, that the local artists are continuing their work creating a lightning arrestor for the dome of the new building. The artwork should be submitted by May 1<sup>st</sup>.

**PUBLIC SAFETY:**

New Trustee/Chair Taylor informed the Board that she and the committee would decide on a new meeting date, time and place as soon as possible.

**PUBLIC WORKS:**

Trustee/Chair Allison reported that the next meeting is scheduled for Monday, April 19, 2004 at 1:00 PM in the Village Office.

**Streets:**

Street Superintendent Jensen reported that *spring pick-up* would begin Monday, April 12<sup>th</sup> and also reminded the residents not to put yard debris in the roadway and ditches.

**MUNICIPAL:**

MOTION by Trustee Koek, seconded by Trustee Christensen to permanently appoint Ronald Keech to the position of *Senior Water & Sewer Maintenance Worker* due to passing the Civil Service examination.  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Koek to adopt *Resolution No. 14-2004* designating Director Balsley as the accredited delegate at the MEUA Semi-Annual Meeting held in Liverpool, NY on April 21<sup>st</sup> and 22, 2004.  
Unanimously Carried.

The “tabled” issue from last board meeting whether to purchase a John Deere Gator remains tabled.

MOTION by Trustee Allison, seconded by Trustee Christensen to accept the bid received from Pauwels to purchase the following padmounted distribution transformers:  
1 – 500 KVA 480/277V for \$ 4,854.00  
1 – 500 KVA 120/208V for \$ 4,973.00  
1 – 300 KVA 120/208V for \$ 3,949.00  
1 – 150KVA 120/208V for \$ 3,136.00  
Unanimously Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to accept the only qualified bid from *Updates and Designs* to make the conversion of diagrams and schematics for the Welker Electric substation.  
Unanimously Carried.

**OTHER BUSINESS:**

The Mayor Marchionda received a letter from Dennis K. Murphy requesting not to be re-appointed this year to the Zoning Board of Appeals. The Mayor accepted his resignation with regret, as he has been an excellent member as well as Chair.

The Mayor asked the chairs of the standing committees to meet before the April 27<sup>th</sup> Village Board meeting to set the date, time and place for the committee meetings to be held.

Trustee Allison and Mayor Marchionda first informed the assembly that at the present time, the proposed budget is \$2,081,304, representing a 7.3% increase over the current budget, and a tax levy increase of 5.7%. The increases are due to not only the economy, but also the health insurance rates and retirement contributions. Thirty percent of the parcels in the Village are tax exempt, and that a few of the revenues are down, as well.

At 8:03 PM, Village Attorney Brockman joined the meeting.

At 8:06 PM, MOTION by Trustee Christensen, seconded by Trustee Taylor to open the public hearing for the 2004-2005 proposed Village budget.  
Unanimously Carried.

Mayor Marchionda asked if anyone wished to comment.....

Mrs. Elizabeth Armstrong questioned the \$30,000 budgeted for account A1230. Administrator. She asked who the administrator would be? Mayor Marchionda explained that they have thought about adding an administrator for some time, but have not yet decided to do so. They’ve allocated the \$30,000 just in case.

Gene Mitchell asked why the Village Attorney received a higher raise than the Village Justice. Mayor Marchionda explained that following discussions at the budget workshops, they all agreed that the raises were in order.

The hearing was left open.....

**ATTORNEY:**

Attorney Brockman introduced the proposed Local Law C-2004 concerning abandoned vehicles within Village limits.....

MOTION by Trustee Christensen, seconded by Trustee Koek to advertise for a Public Hearing for Local Law C-2004 to be held at the May 11<sup>th</sup> Village Board meeting at 7:00 PM. Unanimously Carried.

Attorney Brockman informed the Board that the Village needs an accurate and updated map and should be priority status.....

MOTION by Trustee Koek, seconded by Trustee Allison to authorize the Department of Public Works personnel to have a new Village map prepared in three months time, indicating the new annexations and zoning districts. Unanimously Carried.

An easement with The National Bank of Geneva will be forthcoming, as the Village will have to place utility poles on the property in order to service the new Village Office building.....

MOTION by Trustee Christensen, seconded by Trustee Allison to authorize the Mayor to execute the easement when approved by the Department of Public Works and Attorney Brockman. Unanimously Carried.

Mr. McCoy from DVI asked the Mayor for a time frame with regard to meeting in order to discuss the pending agreement between the Village and DVI. Attorney Brockman stated that Thursday April 22<sup>nd</sup> or Friday April 23<sup>rd</sup> would be convenient. The Clerk was asked to set up the meeting.

The Mayor asked if there were any more comments pertaining to the proposed budget.....none

MOTION by Trustee Schwingle, seconded by Trustee Taylor to close the Public Hearing on the proposed 2004-2005 Village Budget. Unanimously Carried.

At 8:30 PM, MOTION by Trustee Allison, seconded by Trustee Schwingle to adjourn the meeting. Unanimously Carried.

\_\_\_\_\_  
Village Clerk