

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, April 15, 2014 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

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

ABSENT:

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

PUBLIC:

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

6:00PM PUBLIC HEARING - Amending Cemetery Chapter

Atty. Brockman explained they are unable to have the Public Hearing for the Cemetery Chapter tonight - Atty. Brockman has been informed there are a few more changes to the code that he needs to make.

MOTION by Trustee Church, seconded by Trustee Reeve to authorize a Public Hearing for Tuesday May, 20 at 6:00PM for the Cemetery Chapter Code.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent

6:05PM PUBLIC HEARING - Tentative Budget

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

At 6:05 MOTION by Trustee Church, seconded by Trustee Christensen to open the Public Hearing

Mayor MacKerchar asked if anyone had any comments regarding the Tentative Budget. Trustee Church asked for a few changes to be made. He mentioned people did a tremendous job working on the budget. Trustee Church stated the Village Budget if approved the tax levy increase will be slightly over 1% and MUB, Water and Sewer rate will go down slightly per home owner. Trustee Church stated the CHIPS money came in higher and would recommend increasing account A3501 by \$67.00, total would be \$98,134.00 to the CHIPS account. Trustee Church recommended either add to CHIPS account or have a separate account of \$10,653 for winter recovering act or fixing pot holes which will increase the revenue by \$10,720.00.

At 6:12PM **MOTION** by Trustee Church, seconded by Trustee Christensen to close the Public Hearing.

MOTION by Trustee Church, seconded by Trustee Allison to add these two (2) items to the budget.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent

Clerk/Treasurer Meeks explained the tax levy increase will now be \$28,319, which is a 1.03% increase for the overall tax levy for town of Benton, Jerusalem and Milo. Benton & Jerusalem rates go down around 1.25% and Milo goes up .76%. Trustee Church stated it's about a \$1.00 a month increase, for a property assessed at \$100,000.

MOTION by Trustee Church, seconded by Trustee Christensen to approve the tentative Budgets for Village, Municipal, Electric Water and Sewer.

Discussion: Trustee Stewart questioned how did the water budget go down, when salaries go up and expenses go up. Clerk/Treasurer Meeks explained one thing that drives water budget down and sewer budget up. We have a water and sewer crew that split their time between water and sewer departments. Last year it was budgeted at, 80% was allocated to water and 20% to sewer. Our demostarted performance the last couple of years showed 70% water and 30% sewer. This budget reflects this.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Stewart to authorize a Special Village Board meeting to adopt the Village's Budget on Monday April 28, 2014 at 5:30 PM

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

CALL FOR EXECUTIVE SESSION:

No need for an Executive Session tonight.

MINUTES:

MOTION by Trustee Christensen, seconded by Trustee Benedict to approve the Village Board Minutes from March 18, 2014 and Special Board meeting (Budget Workshop) March 24, 2014 and Organization meeting April 7, 2014.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee Church, seconded by Trustee Christensen to authorize the 7th Annual Keuka Arts Festival at the Boat Launch and along the Outlet Trail on Saturday June 14th and Sunday June 15th.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Benedict for the Annual Little League Parade to be held Saturday April 26th starting at 9:30AM from the Boat Launch, North on Keuka Street, West on Elm Street, West on Elm Street to the Little League Fields.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Christensen for the Annual CROP Walk on Sunday May 4, 2014 at 1:00 PM and Summer Sizzle walk on Tuesday July 22, 2014 at 6:00PM. Both walks will use the same walking route.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Trustee Stewart explained he heard Stephanie Bates from Pro Action discussing the poverty level in Yates County. Pro Action is having a Poverty Simulation Session for people to attend and participate in a three hour session. You experience a month of responsibilities in that time period which include grocery store, bank, Utilities Company, mortgage/rent collecting and others. Trustee Stewart mentioned we pay for people to go to workshops and this is free and in our community. Trustee Stewart is planning on attending and hopes other Trustees or employees would attend to help understand there situations. The program is set up for May 21 from 8:30am – Noon. Trustee Stewart will get more information regarding sign up times.

MAYOR:

Mayor MacKerchar mentioned his first week was been enjoyable and it is great to get reconnected with people.

ATTORNEY:

MOTION by Trustee Allison, seconded by Trustee Church to authorize Resolution No. 27- 2014 Transfer of Abandoned Undeveloped Dedicated Street Beds.

WHEREAS, the Board of Trustees previously duly discontinued and abandoned the undeveloped, never opened and never use dedicated street know as Watkins Street by Resolution 27-2011; and

WHEREAS, it has been requested that the bed of such abandoned street running north from Lincoln Ave. to the Village line be deeded by quit claim to the respective contiguous property owners as evidenced by the copy of the survey attached hereto and made a part hereof; and

WHEREAS, a proposed quit claim deed has been prepared and has been presented to the Board of Trustees; and

WHEREAS, the Board of Trustee intends to act as lead agency with respect to the SEQRA aspect of such action and it appearing that such transfer will have no negative effect on the environment, this may be deemed a “Type II” action.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan hereby establishes itself as “Lead Agency” for this action, determines that no negative environmental impacts will result, designates Action as “Type II” pursuant to 6NYCRR§617 and accordingly no environmental review will be undertaken.

2. The Mayor is authorized and directed to execute the quit claim deed transferring any interest of the Village of Penn Yan in and to the property formerly known as Watkins Street from Lincoln Ave. Northerly to the Village line, together with any other documents necessary to effectuate said transfer and deliver same to the transferees. There shall be no consideration received by the Village for such transfer since the unique status of the property as an abandoned street results in such property being valueless on the open real estate market.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

COMMUNITY REVITALIZATION:

MOTION by Trustee Church, seconded by Trustee Allison to authorize Resolution No. 29-2014 Transfer of Funds to Business Façade Improvement Program.

WHEREAS, the Village of Penn Yan conducts an ongoing Business Façade Improvement Program through a loan/grant process, which is administered by the Community Revitalization Committee (CRC); and

WHEREAS, continuation of said program will require infusion of additional funds; and

WHEREAS, funds are available from the Housing Rehabilitation accounts, which funds have not been able to be effectively utilized in the past for the intended purposes.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan hereby establishes itself as “Lead Agency” for SEQRA purposes of this action, finds that this action will result in no negative environmental impacts, determines that the action will therefore be a “Type II” and accordingly no environmental review will be undertaken.
2. The entire balance in account CD-200-0000 Rehab Loan Checking consisting of approximately \$851.57 be transferred to account CD-200-0092 Façade Loan Checking.
3. The entire balance in account CD-200-1000, Rehab Savings Money Market Account, consisting of approximately \$86,440.48, be transferred to account CD-200-1092, Facade Saving Money Market Account.
4. The Village Treasurer makes such transfers as expeditiously as is possible in the normal course of business.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Benedict to approve both applications from Chris, Donald & Jeffrey Wright for properties at 13 Main Street and 17 Main Street.

13 Main Street *totaling an amount of \$24,303.51* (50%-\$12,151.75 would be grant, and 50% - \$12,151.76 would be a loan) for the lowest estimate submitted.

17 Main Street *totaling amount of \$22,294.10* (50% - \$11,147.05 would be a grant, and 50% \$11,147.05 would be a loan).

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MUNICIPAL:

FYI - Municipal Board approved the municipal budgets for fiscal year 2014-2015 as presented.

MOTION by Trustee Allison, seconded by Trustee Church to adopt Resolution No. 28 -2 014 naming the Director of Public Works as the Village’s delegate for MEUA and NYMPA meetings going forward.

WHEREAS, the Village of Penn Yan is a member in the New York Municipal Power Authority (NYMPA) to which the Village is to appoint a delegate for representation of the Village therein; and

WHEREAS, the Village of Penn Yan is also a member of the Municipal Electric Utility Association of New York State (MEUA) to which the Village is to appoint a delegate for representation of the Village therein; and

WHEREAS, the utility functions of the Village are overseen by the Municipal Utilities Board of the Village (MUB).

NOW THEREFORE BE IT RESOLVED, THAT

1. The individual occupying the position of Director of Public Works of the Village of Penn Yan, which position is presently held by Bent Bodine, is to be the delegate to the NYMPA and to the MEUA, including the authority to vote on any matters upon which either organization requests same. This designation of Director of the DPW shall be permanent and perpetual.

2. In the event that an occasion arises in which the Director of Public Works cannot act as a delegate for any reason, the MUB Chairperson is hereby authorized and directed to appoint an alternate delegate for such occasion or occasions that the Director of Public Works cannot act. Such appointment shall be made by the MUB Chairperson and reduced to writing with a copy of such writing submitted to the organization for which the appointment is made and such writing shall further specify either the extent of time for which the appointment is effective and/or the specific subject matter to which the appointment is applicable.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Benedict to authorize the tree trimming bid be awarded to Birchcrest Tree and Landscape, Inc., per their bid of \$81,020.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Church to authorize sewer bill forgiveness in the amount of \$70.20 for 1 Commercial Avenue.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Christensen to authorize the attendance of two (2) electric crew employees attend the Workshop for Arboriculture and Power – Working Around Wires on Wednesday, April 23 in Canandaigua, NY at a cost of \$20.00 per person.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison seconded by Trustee Benedict to accept the Payment Agreements in the amount of \$18,817.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Trustee Allison mentioned work is progressing at the (WWTP) Waste Water Treatment Plant.

FINANCE & ADMINISTRATION:

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

AUDIT:

		Amount:
Paid Before Audit:		
General		28,968.64
Electric		425,014.21
Sewer		8,760.25
Water		9,152.29
Capital Projects		
Total Paid Before Audit		\$ 471,895.39
Current Audit:		
General	\$	41,955.50
Community Development - CRC		-
Electric		31,058.56
Sewer		112,535.34
Water		32,530.62
Capital Projects		14,188.96
Total Current Audit Items		\$ 232,268.98
TOTAL AUDIT		\$ 704,164.37

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Christensen to authorize amended Resolution No 19-2014 Procurement Policy.

WHEREAS, General Municipal law (GML) §104-b requires every municipality to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML §103 or any other law; and

WHEREAS the Board of Trustees of the Village of Penn Yan has reviewed the within proposed procurement policy; and

NOW THEREFORE BE IT RESOLVED:

1. The Board of Trustees of the Village of Penn Yan does hereby adopt the following procurement policies and procedures.
2. This resolution is effective immediately.”

Procurement Policy

Purpose

Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner as to assure the prudent and economical use of public moneys in the best interest of the taxpayers; to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and to guard against favoritism, improvidence, extravagance, fraud, and corruption. To further these objectives, the governing board is adopting an internal policy and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, section 103 or of any other general, special, or local law.

Procedures for Determining Whether Procurements are Subject to Bidding

The procedures for determining whether a procurement of goods or services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

- A. Procedure:
 1. Purchase Contract above \$20,000*. Purchase Contract – procurement of commodities (e.g. equipment, materials, supplies) Minor service aspect; significant purchase aspect.
 2. Contract for public work above \$35,000*. Public Works Contract – contracts from services labor or construction. Minor purchase aspect; significant service aspect.

If it is difficult to determine which bid limit applies, refer to the municipal official (Clerk-Treasurer)
 (*reasonably anticipated aggregate amount of similar goods in a fiscal year)

- B. Documentation: written quotations or proposals.

Please Note: All competitive bids require a public notice in all official newspapers and a Non-Collusive Bidding Certificate – See Bid Procedures List

Statutory Exceptions from Policy and Procedures

Except for procurements made pursuant to General Municipal Law, § 103(3) (through county contracts) or § 104 (through State contracts), State Finance Law, § 162, Correction Law, § 184 and 186 (from “preferred sources,” including articles manufactured in correctional institutions), or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of either written requests for proposals, written quotations, verbal quotations or any other method of procurement that furthers the purposes of the General Municipal Law, section 104-b.

- A. Emergencies – unanticipated and threaten the health, safety, or welfare of the Village of Penn Yan’s property or residents. (still work to obtain the lowest cost available)

- B. Professional Services – service that requires special skill and expertise
- C. **State, County and Other public sector Contracts (such as National Joint Power Alliance - NJPA)**
- D. Surplus and secondhand materials and equipment from other governments
- E. Leases and Licenses/Concessions
- F. Sole Source – good or service is in the public interest and available from only one possible source for which there is no equivalent; demonstrate the unique benefits arising from the particular good or service as compared to different good or service, that no other provides substantially similar benefits and that the cost is reasonable.
- G. Installment Purchase Contracts

Methods of Completion for Non-Bid Procurement

The methods of procurement to be used are as follows:

- A. County Contracts
- B. Emergencies
- C. Professional Service
- D. Insurance
- E. Secondhand equipment from other governments
- F. **Other public sector contracts (such as National Joint Power Alliance - NJPA)**

Adequate Documentation

Documentation of actions taken in connection with each such method of procurement is required as follows:

- A. \$1,000 to \$5,000: two verbal quotes
- B. \$5,001 to \$20,000 (\$35,000 Public Work Contracts): three written quotes

Awards to Other than the Lowest Responsible Dollar Offered

Whenever any contract is awarded to other than the lowest responsible dollar offered, the reasons that such an award furthers the purpose of General Municipal Law, section 104-b, as set forth herein above, shall be documented as follows:

- A. There must be documentation and justification of the reason why the purchase is in the best interest of the Village of Penn Yan.

Items Excepted From This Policy and Procedures by the Board

The board sets forth the following circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the Village of Penn Yan.

- A. Emergencies
- B. Small procurement under \$1,000
- C. Local Contractor Preferential Treatment - Goods and Services not subject to bidding requirements or Goods and Services less than \$20,000 and Public Works Contract less than \$35,000, preferential treatment may be given to local contractors within the best interest of the municipality
- D. The Village of Penn Yan encourages businesses owned or managed by women or minorities to provide proposals and/or quotations.
- E. In the event the purchaser has made a good faith effort to obtain the required number of proposals or quotations and is unable to meet the requirement, the purchaser shall document the attempt(s)

Input from Officers

Comments concerning the policies and procedures shall be solicited from officers of the Village of Penn Yan therein involved in the procurement process prior to the enactment of policies and procedures, and will be solicited from time to time hereafter.

Annual Review

The Village Board shall annually review these policies and procedures. The mayor shall be responsible for conducting and annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy. Recommend to include in the Organizational Meeting on the first Monday in April of each year.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of General Municipal Law § 104-b shall not be grounds to void action taken or give rise to a cause of action against the municipality any officer or employee thereof.

Individual(s) Responsible for Purchasing

Gary Meeks, Clerk-Treasurer
Mark Hulse, Police Chief
Brent Bodine, Director of Public Works
William Jensen, Assistant Director of Public Works
Don Rapalee, Working Supervisor of Streets Department
Jef Bodine, Electric Line Crew Chief
Ron Keech, Water/Sewer Maintenance Supervisor
Tina Galliher, Water Treatment Plant Chief Operator
Ben Sward, Wastewater Treatment Plant Chief Operator
Dan Doyle, Recreation & Facility Director
Bill Knauss, Building Maintenance Mechanic
Bruce Lyon, Code Enforcement Officer
Lynn Axtell, Building Maintenance Mechanic
Tami Marchionda, Senior Account Clerk Typist

The individuals listed above are authorized to submit purchase order requests for goods and/or services. Those same individuals, or their designee, are also responsible for the acceptance or refusal of said goods and/or services.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Christensen to authorize the Re-levy of Water (\$1,766.31) & Sewer (\$1,177.01) rents to be forwarded to the County by April 30, 2014 for placement on Village taxes.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Christensen to authorize Resolution No 22-2014 Budget Transfer for 2013-2014 Fiscal Year

TO:			Fund
A -3120-1-120	Police-Part Time	15,000	
A -3120-2-200	Police-Equipment	410	
A -3120-4-420	Police-Phone/Internet/Utilities	400	
A -3120-4-430	Police-Insurance	500	
A -3120-4-500	Police-Supplies & Materials	500	
		<u>16,810</u>	
			General 16,810
			Electric -
			Sewer -
			Water -
			<u>- 16,810</u>

FROM:			Date
Account Id	Description		
A -3120-1-100	Police-Personal Services	15,000	
A -3120-4-412	Police-Gas & Oil	1,810	
		<u>16,810</u>	
			General 16,810
			Electric -
			Sewer -
			Water -
			<u>- 16,810</u>

Budget transfers within police cost center to accommodate higher part time payroll expense and lower personal services expense. Also, budget transfers to accounts with small over runs, offset by lower expected costs for gas and oil.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Christensen to authorize Resolution No 23-2014 Budget Transfer for 2013-2014 Fiscal Year

TO:			Fund
Account Id	Description	Date	Totals
A -3410-4-410	Fire-Contractual Services	93.82	
A -3410-4-450	Fire-Computer Services	51.52	
A -3410-4-520	Fire-Bunker Gear/Bags/Gloves	1,206.18	
A -3410-4-530	Fire-Fire Equipment	789.64	
		<u>2,141.16</u>	
			General 2,141.16
			Electric -
			Sewer -
			Water -
			<u>- 2,141.16</u>

FROM:			Date
Account Id	Description		
A -3410-4-430	Fire-Insurance	841.16	
A -3410-4-480	Fire-Hose Testing	1,300.00	
		<u>2,141.16</u>	
			General 2,141.16
			Electric -
			Sewer -
			Water -
			<u>- 2,141.16</u>

No further charges are anticipated for insurance or hose testing expense, so these available balances are being transferred to other accounts which are estimated to be over the original budgeted amounts.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Christensen to authorize Resolution No 24-2014 Budget Transfer for 2013-2014 Fiscal Year

TO:

Account Id	Description	Date	Fund Totals
A -5110-2-260	Street Maintenance-Storm Sewer Maint.	8,500	
A -5110-2-270	Street Maintenance-Curbing & Fabric	1,500	
A -5110-4-413	Street Maintenance-Vehicle & Equipment Repairs	750	
A -5110-4-420	Street Maintenance-Phone/Internet/Utilities	1,200	
		<u>11,950</u>	
			General 11,950
			Electric -
			Sewer -
			Water -
			<u>- 11,950</u>

FROM:

Account Id	Description	Date	Fund Totals
A -5110-2-220	Street Maintenance-Stone & Gravel	10,000	
A -5110-4-540	Street Maintenance-Signs & Posts	1,950	
		<u>11,950</u>	
			General 11,950
			Electric -
			Sewer -
			Water -
			<u>- 11,950</u>

Budget transfers within the Streets accounts to accommodate estimated expenses for work on Henry Street and to address higher than anticipated costs in equipment repairs and phones.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Benedict to authorize Resolution No 25-2014 Budget Transfer for 2013-2014 Fiscal Year

TO:

Account Id	Description	Date	Fund Totals
A -1110-1-120	Village Justice-Part-Time	3,500	
		<u>3,500</u>	
			General 3,500
			Electric -
			Sewer -
			Water -
			<u>- 3,500</u>

FROM:

Account Id	Description	Date	Fund Totals
A -1110-4-401	Village Justice-Village Justice Grant	3,500	
		<u>3,500</u>	
			General 3,500
			Electric -
			Sewer -
			Water -
			<u>- 3,500</u>

Budget transfer to accommodate higher than expected part-time expense. Part time labor is over budget due to time spent working on digitizing records as part of justice grant.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Church, seconded by Trustee Benedict to authorize Resolution No 26-2014 Budget Transfer for 2013-2014 Fiscal Year

TO:			Fund
Account Id	Description	Date	Totals
A -1010-1-100	Board of Trustees-Personal Services	810	
A -1010-4-500	Board of Trustees-Supplies and Materials	15	
A -1210-1-100	Mayor-Personal Services	1,000	
A -1325-4-410	Treasurer-Contractual Services	250	
A -1450-4-410	Elections-Contractual Services	855	
A -3620-4-410	Safety Inspections-Contractual Services	660	
A -3620-4-450	Safety Inspections-Computer Services	112	
A -3620-4-480	Safety Inspections-Supplies and Materials	28	
A -7140-4-412	Parks & Recreation-Field Trips	2,638	
A -8010-4-410	Zoning-Contractual Services	203	
A -8015-1-100	Historic Preservation-Personal Services	625	
A -8015-4-410	Historic Preservation-Contractual Services	6	
A -8020-1-100	Planning-Personal Services	700	
A -8810-4-415	Cemetery-Landscaping/Tree Removal	50	
A -8810-4-420	Cemetery-Phone/Internet/Utilities	190	
A -9050-8-800	Employee Benefits-Unemployment Insurance	662	
A -9089-8-800	Employee Benefits-FLEX/MRA	1,901	
		<u>10,705</u>	
			General 10,705
			Electric -
			Sewer -
			Water -
			<u>10,705</u>
 FROM:			
Account Id	Description	Date	
A -1610-4-410	General Admin-Contractual Services	8,000	
A -1610-4-500	General Admin-Supplies & Materials	2,705	
		<u>10,705</u>	
			General 10,705
			Electric -
			Sewer -
			Water -
			<u>10,705</u>

Budget transfer to address accounts that are already over budget or expected to be over budget by the end of the fiscal year. Funds are being transferred from the general administration account which is estimated to have a surplus.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

PERSONNEL:

MOTION by Trustee Benedict, seconded by Trustee Reeve to authorize Resolution No 31- 2014 Seasonal Employee Pay Schedule

Establish hourly pay rates/ranges for seasonal part-time employees as follows:

Title	Hourly Rate Range	
	Minimum	Maximum
Cemetery Laborer	\$8.00	\$8.75
Street Dept. Laborer	\$11.50	\$11.50
Park Maintenance	\$8.00	\$8.75
Water/Sewer Crew Laborer	\$8.50	\$8.50
Electric Intern	\$10.00	\$10.00
Recreation Assistant	\$10.00	\$10.00
Playground Leader	\$8.00	\$10.00
Lifeguard	\$9.00	\$9.00

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart

Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Reeve to approve to discontinue offering the Excellus BCBS MID Healthcare plan to non-union, appointed, and elected personnel, retroactive January 1, 2013.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

PUBLIC SAFETY:

POLICE DEPARTMENT:

MOTION by Trustee Christensen, seconded by Trustee Church to authorize Sponsorship for Katie Zembrowski for phase II of the Southern Tier Law Enforcement Academy. Ms. Zembrowski will sign a contract detailing the rate of pay, job description, and requirements that have to be met. The phase II sponsorship will be 4-5 weeks. Following completion of Phase II, Ms. Zembrowski will complete a Field Training Period with the Penn Yan Police Department of 160 hours.

Discussion: Trustee Reeve mentioned would like to review agreement at the Special Village Board meeting on April 28th. Atty. Brockman will contact Chief Hulse for a copy of the agreement.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Trustee Christensen mentioned Officer Brandon DeHond received the Officer of the Year award at the annual Dinner on April 5th at the Penn Yan American Legion.

FIRE DEPARTMENT:

Monthly Fire Department report

Year to Date Fire Department report

MOTION by Trustee Christensen, seconded by Trustee Stewart to approve the new slate of Officers of the Penn Yan Fire Department voted on at the Fire Department April 3, 2014 meeting. Fire Chief's for 2014

Fire Chief Jeff Housel
First Assistant Chief Vacant
Second Assistant Chief Bill LaRock
Third Assistant Chief Vacant

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Christensen, seconded by Trustee Allison to authorize Rich Yahn and Karen Fitzpatrick be removed from the active roll effective April 1, 2014.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Christensen, seconded by Trustee Church to authorize Eric Farmer be reinstated to membership in the Ellsworth Hose Co. effective April 15, 2014.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Christensen, seconded by Trustee Stewart to approve the Waiver Length of Service Award Program (LOSAP) Benefits.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

CODE ENFORCEMENT:

Bruce Lyon Code Enforcer explained he has discussed with the Developer of the new Hampton Inn the Agreement for Code Compliance Services with the TYLin firm out of Pittsford, NY. Bruce is aware TYLin has worked on bigger project as Hotels and they make sure the developer is in line with NYS Building Codes. TYLin understands what needs to be done and the code regulations. Rates are transferred over to the Developer. Atty. Brockman asked Bruce to have agreement for the Special Village Board meeting on April 28th – Atty. asked if agreement could be e-mailed directly to him.

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Reeve to declare the PW #2 dump body as surplus and sell it through the Tietsworth auction.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Reeve to declare a McCullough portable generator as surplus and sell it through the Tietsworth auction.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Reeve to approve the attendance of two employees at the Sanico Seminar on April 17th in Owego, NY at no cost to the Village.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Trustee Allison mentioned the DPW has started working on the new Mace Street- the road is all dug out. He thanked the crew and other township that were helping out.

PARKS & RECREATION:

No update

PLANNING & DEVELOPMENT:

MOTION by Trustee Reeve, seconded by Trustee Benedict to authorize Resolution No. 30-2014 Contract Execution for ESD Regional Council Award- Incentive Proposal Project #Y896/CFA#29470.

WHEREAS, the Village of Penn Yan has applied to the Empire State Development for a grant to update its Comprehensive Master Plan and Design and Construction Standards and,

WHEREAS, the Empire State Development has received and accepted such application and recently provided the Village of Penn Yan an incentive proposal for an amount not to exceed \$40,000 for financial assistance towards project #Y896/CFA#29470.

NOW THEREFORE BE IT:

RESOLVED, that Brent C. Bodine, as Director of Public Works for the Village of Penn Yan, is hereby authorized and directed to execute said incentive proposal for funds from the Empire Development in accordance with the requirements of said proposal dated March 13th 2014.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

PLANNING BOARD:

MOTION by Trustee Reeve, seconded by Trustee Allison to authorize Mayor MacKerchar signs the Proposal for Service with Labella for a fee of \$1,750.00 to complete a 2014 Transportation Alternatives Program application.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

COMMENTS

ADJOURNMENT:

At 6:40 PM, **MOTION** by Trustee Allison, seconded by Trustee Church to adjourn the regular Village Board meeting.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS:

