

**MINUTES** of a Regular Meeting of the Village Board of Trustees held Tuesday evening, April, 16 2013 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

**PRESENT** Mayor R. Church; Trustees W. Allison; C. Christensen; M. Christensen; D. Reeve; R. Stewart; B. Winslow; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Assistant Director of Public Works B. Jensen; Police Chief Hulse; CEO B. Lyon; Fire Chief R. Simpson; Municipal Board Chairman R. French, Municipal members D. Payne, B LeClaire; Chief J. Housel; Chief M. Clancy; Brian Winslow

**ABSENT:** Director of Public Works B. Bodine

News Media present: Gwen Chamberlain, Chronicle Express; Jim Miller, Finger Lakes Times; David Specksgoor, Dundee Observer

**PUBLIC:** David McCalister, Marty Tones, Sue Laursen, Mariah Kaufman, Waneta Nielsen, Chris & Cindy Vaughn, Steve Sneckenburg, Mark Morris, Brian & Karen Zerges, Roger Hayes

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

**PUBLIC HEARING** - Penn Yan Village Budget for 2013-2014

Mayor Church called the Public Hearing to order at 6:00 PM.

At 6:00PM **MOTION** by Trustee C. Christensen, seconded by Trustee Winslow to open the Public Hearing.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**Discussion:** Mayor Church explained there are two small changes to the budget. One under cemetery part time will add \$5,460.00 and add \$4,112.00 to Revenue for AIM per capita increase. Mayor Church did state we had a 3.84% total tax increase and 3.91% total spending increase this year.

Mayor Church asked if anyone from the public had any comments regarding the budget.

Brian Zerges from 20/20 Vision group asked the Board to have planning become a priority in the Village not think of this as an expense but an investment. 20/20 is entering into phase II - the 20/20 vision realizes the Village is under constraints, they are looking for another \$10,000. They have already raised \$35,000 in grants and private funds. Would like the Village to help contribute if possible. Mr. Zerges stated at the end the Village will have complete documents – maps, ideas, directions and a vision where and what the citizens want for the community. Trustee M. Christensen asked if the County had been approached to help support this. Brian mentioned they have come to meetings but have not received any interest from the County. Mayor Church explained we support this – we hope to find ways to get our comprehensive plan up to date. It would be a 2% increase for tax payers just for our comprehensive plan and can't do it; we need to find other ways to fund it.

At 6:09PM **MOTION** by Trustee C. Christensen, seconded by Trustee M. Christensen to close the Public Hearing.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Mayor Church, seconded by Trustee C. Christensen to add \$5,460 to Cemetery part time account and \$4,112.00 to AIM account to the Villages budget.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**PUBLIC HEARING** - Vehicle and Traffic Chapter

At 6: 10 PM **MOTION** by Trustee C. Christensen, seconded by Trustee M. Christensen to open the Public Hearing.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

Discussion: Trustee M. Christensen questioned if the Local Law could be changed tonight, could we delete the portion regarding the East Main and Lake Street traffic light. Atty. Brockman explained could not delete it tonight we would need a new Public Hearing if you are making any changes. He explained you can adopt this Local Law and amended it later if need to. Some residents feel it should be changed back to a blinking light and others are in favor of a 4 way stop. Trustee Winslow explained the light is set to rotate at 26 seconds, which is not that long. Trustee M. Christensen explained we did speak with the DOT with regards to changing it the same as the middle school light – or having it change to blinking as Liberty and

Chapel Streets is at night – DOT told us we are unable to do either of these. This can still be discussed and changed later on by amending the Local Law. After a lengthy discussion the Public Hearing was closed.

At 6:26 PM **MOTION** by Trustee Winslow, seconded by Trustee M. Christensen to close the Public Hearing.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee Reeve, seconded by Trustee Winslow to authorize Resolution No 29-2013 Adoption of Local Law Amending the Vehicles and Traffic chapter Code of the Village of Penn Yan by respect to Traffic Signals.

**WHEREAS**, the Board of Trustees previously dealt with 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 April 16, 2013; 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.

Mayor Church called for a roll call vote:

Trustee Stewart	Aye	Mayor Church	Aye	Trustee Reeve	Aye
Trustee Winslow	Aye	Trustee C. Christensen	Nay		
Trustee Allison	Aye	Trustee M. Christensen	Nay		

**ADOPTED**

**PUBLIC HEARING** - Annexation of Territories into the Village two parcels Sherman Street and 1984 Outlet Road.

At 6:29 PM **MOTION** by Trustee Allison, seconded by Trustee Winslow to open the Public Hearing.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

Atty. Brockman explained one property is general residential and the other is a single family residential. He also stated this has been sent to the County Planning Board and after they approve it – we should be able to adopt it next month.

At 6:30 PM **MOTION** by Trustee Allison, seconded by Trustee c. Christensen to close the Public Hearing.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**CALL FOR EXECUTIVE SESSION:**

**MOTION** by Trustee M. Christensen, seconded by Trustee Winslow to authorize to have an Executive Session regarding legal counsel and negotiations.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MINUTES:**

**MOTION** by Trustee C. Christensen, seconded by Trustee Allison to approve the Village Board Minutes from the Village Board meeting on March 19, 2013, Budget Workshops March 25, 2013, April 3, 2013 and the Organizational meeting on April 1, 2013.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**GUESTS, PUBLIC REQUEST & COMMENTS:**

Chris Vaughn came to thank everyone for their help and support for the Arts Festival; we are going on our 6<sup>th</sup> year. Over time we have had help from the DPW, Parks and Rec, Municipal Electric and Code Enforcement along with the Chief of Police and his staff; they all have been wonderful and great to work with. Helped us with anything from cones, vest, trash cans – picnic tables and site preparation. This year’s event is on June 8<sup>th</sup> & 9<sup>th</sup>. Looking at having vendors set up from boat launch all along the outlet trail to Main Street Bridge. We hope to have 8,000-10,000 people show this year. We are able to utilize parking at the old McCready’s parking lot and Napa has volunteered their lot on Lake Street. Chris explained the small section on the Outlet Trail on Lake Street before the Main Street Bridge was cleaned up and the following business volunteered their time to clean this up. Mike Morehouse, Tim Hansen, Dan Hamm and Dan Landis, they did a great job. Mayor was not aware of this and he appreciates all their time they put into cleaning up that area.

**MOTION** by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize the Annual Little League parade on Saturday, May 4<sup>th</sup> at 9:30AM. Starting at Boat Launch up Elm Street to Little League fields.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee M. Christensen for the 2<sup>nd</sup> Annual St. Michael School 5K Turkey Trot to be held on November 28, 2013 (Thanksgiving morning). This year asking to have Keuka Street closed from the school up to Court Street.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MAYOR:**

**MOTION** by Trustee C. Christensen, seconded by Trustee Allison to authorize Gary Meeks, Clerk/Treasurer to attend a NYCOM meeting on Friday, April 19, 2013 in Rochester. Cost of \$95.00 for members and will be reimbursement for mileage.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee Winslow to set a Public Hearing for April 30, 2013 at 5:00PM for the adoption of the Village and Municipal budget.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**ATTORNEY:**

**COMMUNITY REVITALIZATION:**

**MOTION** by Trustee M. Christensen, seconded by Trustee Winslow to amend \$500.00 from Rose & Barry Lampson’s application for 106 Lake Street. Will refund \$250.00 to the Lampson and \$250.00 to the grant account.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Mayor Church, seconded by Trustee Allison to authorize Ray Spencer’s application for 132 Water Street in the amount of \$30,000. 50% grant \$15,000 and 50% loan \$15,000.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Mayor Church, seconded by Trustee M. Christensen to authorize Brian Zerges application for 141-142 Lake Street in the amount of \$27,074.00. 50% for grant \$13,537.00 and 50% for loan \$13,537.00. This will be paid at time of closing.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MUNICIPAL:**

**MOTION** by Trustee Allison, seconded by Trustee Winslow to reject all bids received for the vacuum truck.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOITON** by Trustee Allison, seconded by Trustee Stewart to go out for rebids for vacuum truck.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee Allison, seconded by Trustee Winslow to accept the Town of Milo’s proposed water and sewer district extension, bordered on the west by Old Bath Road and on the north by Airport Drive to accept the Town of Milo’s proposed water and sewer district extensions to Milo Water District No. 1 and Milo Sewer District No. 1-2.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee Allison, seconded by Trustee Winslow to authorize to renew the Elliott Engineering Solutions contract with no changes, effective June 1, 2013 through May 31, 2014.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee Allison, seconded by Trustee Winslow to approve Utility Payment Agreements in the amount of \$12,167.74.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee Allison, seconded by Trustee M. Christensen to authorize the bid for the chemical contract for 2013-2014 to Slack Chemical, Inc. per their bid.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee Allison, seconded by Trustee Winslow and to reject the alum bid provided by Slack Chemical, Inc. since the product bid did not concur with the specifications.

Sodium Hypochlorite \$1.179/gallon drums and bulk  
Liquid Phosphate \$10.26/gallon  
Sodium Fluoride \$.0794/pound

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**FINANCE & ADMINISTRATION:**

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

**WARRANT:**

		<b>Amount:</b>
<b>Paid Before Audit:</b>		
General		29,217.90
Electric		316,630.62
Sewer		9,442.29
Water		9,801.79
Capital Projects		
<b>Total Paid Before Audit</b>		<b>\$ 365,092.60</b>
<b>Current Audit:</b>		
General	\$	78,253.65
Community Development - CRC		33,500.00
Electric		53,075.59
Sewer		63,950.29
Water		49,537.62
Capital Projects		-
<b>Total Current Audit Items</b>		<b>\$ 278,317.15</b>
<b>TOTAL AUDIT</b>		<b>\$ 643,409.75</b>

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize the Re-levy of Water (\$2,223.37) & Sewer (\$2,321.22) rents to be forwarded to the County by April 30, 2013 for placement on Village taxes.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize the Re-levy of lawn mowing services in the amount of \$885.00 to be forwarded to the County by April 30, 2013 for placement on Village taxes.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee Allison to authorize Resolution No 17A-2013 Budget Amendment for 2012-2013 budget.

**Increase**

Budget	3-A-9901-9-900	Interfund Transfers	238,330.00
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**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee Allison to authorize Resolution No 18A-2013 Budget Amendment for 2012-2013 budget.

**TO:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
<b>3-A -0000-0-000</b>	<b>GENERAL FUND</b>		
3-A-9901-9-900	Interfund Transfers	<u>58,125</u>	
		<u>58,125</u>	
		<b>General</b>	<b>58,125</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
		-	<u><u>58,125</u></u>

**FROM:**

3-A -9785-0-000	DEBT SERVICE LEASE PAYMENTS	
3-A -9785-6-600	Fire Truck Lease Principal	50,000
3-A -9785-7-700	Fire Truck Lease Interest	<u>8,125</u>
		<u><u>58,125</u></u>

<b>General</b>	<b>58,125</b>
<b>Electric</b>	-
<b>Sewer</b>	-
<b>Water</b>	-
	<u><b>58,125</b></u>

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize Resolution No 30-2013 Budget Transfers for 2012-2013 budget.

**TO:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
3-A -5110-4-400	Street Maintenance-Engineering	590	
3-A -5110-4-412	Street Maintenance-Gas/Diesel/Oil/Lube	2,500	
3-A -5110-4-413	Street Maintenance-Vehicle & Equipment Repairs	4,500	
3-A -5110-4-415	Street Maintenance-Landscaping/Tree Removal	250	
		<u>7,840</u>	
			<b>General 7,840</b>
			<b>Electric -</b>
			<b>Sewer -</b>
			<b>Water -</b>
			<u><b>7,840</b></u>

**FROM:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
3-A -5110-1-120	Street Maintenance-Part Time	250	
3-A -5110-2-250	Street Maintenance-Cold Patch	590	
3-A -5110-4-500	Street Maintenance-Supplies & Materials	2,500	
3-A -5110-4-520	Street Maintenance-Salt & Sand	4,500	
		<u>7,840</u>	
			<b>General 7,840</b>
			<b>Electric -</b>
			<b>Sewer -</b>
			<b>Water -</b>
			<u><b>7,840</b></u>

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee Winslow to authorize Resolution No 31-2013 Budget Transfers for 2012-2013 budget.

**TO:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
3-A -1621-4-412	Buildings & Grounds-Gas	2,500	
3-A -1622-4-410	Firehouse-Contractual Services	1,125	
		<u>3,625</u>	
			<b>General 3,625</b>
			<b>Electric -</b>
			<b>Sewer -</b>
			<b>Water -</b>
			<u><b>3,625</b></u>

**FROM:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
3-A -1620-4-500	Village Facilities-Supplies & Materials		2,500
3-A -1622-4-500	Firehouse-Supplies & Materials	1,125	
		<u>3,625</u>	
			<b>General 3,625</b>
			<b>Electric -</b>
			<b>Sewer -</b>
			<b>Water -</b>
			<u><b>3,625</b></u>

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize Resolution No 32-2013 Budget Transfers for 2012-2013 budget.

To spend from Fire Equipment Reserve for purchase of tires 17,101.40

**Increase**

Budget 3-A-3410-4-411 Fire Vehicle Repairs 17,101.40

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee Winslow to authorize Resolution No 33-2013 Budget Transfers for 2012-2013 budget.

**TO:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
3-A -8810-2-200	Cemetery-Equipment	2,000	
3-A -8810-4-500	Cemetery-Supplies & Materials	1,500	
		<u>3,500</u>	
		<b>General</b>	<b>3,500</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
		-	<u>3,500</u>

**FROM:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	
3-A -8810-1-100	Cemetery-Personal Services	3,500	
		<u>3,500</u>	
		<b>General</b>	<b>3,500</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
			<u>3,500</u>

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee C. Christensen, seconded by Trustee Stewart to authorize Resolution No 34-2013 Budget Transfers for 2012-2013 budget.

**TO:**

<b>Account Id</b>	<b>Description</b>	<b>Date</b>	<b>Fund Totals</b>
3-A -3120-2-200	Police-Equipment	3,500	
3-A -3120-4-410	Police-Contractual Services	600	
3-A -3120-4-411	Police-Vehicle Repairs	2,000	
3-A -3120-4-412	Police-Gas & Oil	2,800	
3-A -3120-4-413	Police-Uniform Maintenance		
3-A -3120-4-420	Police-Phone/Internet/Utilities	250	
3-A -3120-4-430	Police-Insurance	2,000	
		<u>11,150</u>	
		<b>General</b>	<b>11,150</b>
		<b>Electric</b>	-
		<b>Sewer</b>	-
		<b>Water</b>	-
			<u>11,150</u>

**FROM:**

Account Id	Description	Date		
3-A -3120-1-120	Police-Part Time	<u>11,150</u>		
		<u>11,150</u>		
			<b>General</b>	<b>11,150</b>
			<b>Electric</b>	-
			<b>Sewer</b>	-
			<b>Water</b>	-
				<u><b>11,150</b></u>

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**PERSONNEL:**

**MOTION** by Trustee M. Christensen, seconded by Trustee Winslow to approve Anthony Hill to complete a 160 hour field period with the Penn Yan Police Department starting in May. He is a Penn Yan native and a junior at Keuka College and he works part time at Yates County Jail. Mr. Hill will not be receiving pay for this.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**MOTION** by Trustee Winslow, seconded by Trustee M. Christensen to approve the yearly review of the Employee Handbook.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**PUBLIC SAFETY:**

**POLICE DEPARTMENT:**

**MOTION** by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Officer Dawes and Chief Hulse to attend the annual Empire State Law Enforcement Traffic Safety Conference in Rochester. The Conference is two days (April 18<sup>th</sup> & 19<sup>th</sup>) but they will only attend one day on April 18<sup>th</sup>. Will use the Chief's car for transportation. No cost associated with the training.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

Trustee M. Christensen stated the new Police Interceptor Utility vehicle has arrived. Within the week will have equipment and graphics placed on the vehicle.

**MOTION** by Trustee Winslow, seconded by Trustee M. Christensen to declared the 2008 Dodge Durango surplus and be sold on e-bay. The effective date will be after the completion of equipment and graphics on the new vehicle.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
 Nays 0 Abstain 0 Absent

**FIRE DEPARTMENT:**

Trustee M. Christensen and Village Board would to thank Chief Rick Simpson for these past (8) eight years of service. He has done an excellent job. They would like to welcome Chief Jeff Housel to the position. Mayor Church explained these guys give a lot of time to this position – deal with problems, paper work – be sure people are getting trained and keeping up on it.

**MOTION** by Trustee M. Christensen, seconded by Trustee C. Christensen to approve the new slate of Officers of the Penn Yan Fire Department voted on at the Fire Department April, 2013 meeting. Fire Chief's for 2013-2015 (2 year term)

- Chief Jeff Housel
- First Assistant Chief Mike Clancy
- Second Assistant Chief Bill LaRock
- Third Assistant Chief Vacant

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent

**MOTION** by Trustee M. Christensen, seconded by Trustee Stewart to authorize Resolution No. 28-2013 Permitting of Alcoholic Beverages at Fireman’s Field.

DISCUSSION: Atty. Brockman mentioned it is important who is distributing the alcohol they still have to comply with the ABC Board regulations. If selling it need license and only distribute to people who are of legal age. Trustee M. Christensen mentioned currently at Red Jacket & Indian Pines they get a permit from the Village Clerk office. Atty. Brockman suggested we look into a Use Agreement for events. Mayor Church asked this to be reviewed at the Public Safety and Parks meeting.

**WHEREAS**, the Village of Penn Yan owns premises known as Firemen’s Field which premises are classified as a “park” pursuant to §132-1 of the Village Code; and

**WHEREAS**, permitting of alcoholic beverages at Firemen’s Field requires adoption of a resolution by the Board of Trustees of the Village of Penn Yan; and

**WHEREAS**, a list of events at the Firemen’s Field at which alcoholic beverages may be offered has been received by the Board of Trustees.

**NOW THEREFORE BE IT RESOLVED, THAT**

1. The Board of Trustees permits the use of alcoholic beverages at the events listed on “Schedule A” which is attached hereto and made a part hereof.
2. This permitting of alcoholic beverages does not avoid the necessity of the obtaining of a license or permit from the State of New York with respect to use or distribution of alcoholic beverages as may otherwise be required by the laws, rules or regulations of the State of New York.
3. This permitting of alcohol is subject to all laws, rules and regulations of the State of New York applicable to the use, distribution and/or sale of alcoholic beverages.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

Monthly Fire Department report

Year to Date Fire Department

Trustee M. Christensen stated it nice to see the third generation of MacKerchar in the Fire Department.

**MOTION** by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Matthew MacKerchar be elected to Sheldon Hose Company effective April 2, 2013.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**MOTION** by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Toni Barnett be elected to Hunter Hook and Ladder Company effective April 2, 2013.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**CODE ENFORCEMENT:**

Bruce Lyon explained he had received notification The Tavern is looking into outside seating for six tables and chairs. Steve Sneckenburg is aware he needs five feet free of any obstacles from the Street to tables/chairs. Bruce Lyon will work with Atty. Brockman on this. Atty. will work on paper work for next month.

**MOTION** by Mayor Church and seconded by Trustee M. Christensen to approve outdoor seating at the Tavern subject in meeting all codes and Atty. guidelines and authorize the Clerk or Mayor to execute any documents that are needed for this.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**PUBLIC WORKS:**

**MOTION** by Trustee Allison, seconded by Trustee Winslow to authorize the Public Works bids for materials and material hauling for fiscal year 2013-2014.

**Bid Award Recommendations – Fiscal Year 2013-2014**

**Gas and Diesel**

**Bidder: Hometown Energy** **Signed Non-Collusive? Yes**

<u>Item</u>	<u>Price Per Gallon</u>
Unleaded Gasoline (89 Octane) (delivered to 396 Elm Street)	\$3.259/gallon
Diesel Fuel (on road) (delivered to 396 Elm Street)	\$3.395/gallon
Diesel (on road) (at service station pump)	Cannot Provide
*Will provide 1,000 gallon tank @ 396 Elm Street at no cost to Village	
Able to meet the 4-hour emergency Delivery Requirement?	Yes
24/7 service for on road diesel fuel at the pump provided?	Yes

**Ready-Mix Concrete**

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

<u>Transit Mix Concrete</u>	<u>Price Per Cubic Yard</u>
3,500 lb. mix	\$104.50
3,500 lb. mix with fiber	\$112.50
4,000 lb. mix	\$107.50
4,000 lb. mix with fiber	\$115.50
4,000 lb. mix with DCI	\$116.50
Flowable Fill	\$81.50

**Hot Mix Bituminous**

**Bidder: The Dolomite Group** **Signed Non-Collusive? Yes**

<u>Item</u>	<u>Price Per Ton</u>
Type 7 Top	\$65.00
Type 7F Top	\$65.00
Type 6F Top	\$61.50
Type 3 Binder	\$55.00
Fine Binder	\$57.00
Type 2 Base	\$52.00

(The base terminal price as of February 1, 2013 was \$559 per English ton)

**Hauling of Materials**

	<b>Bidder: Marchionda Excavating</b> <b>Signed Non-Collusive? Yes</b>	
	<u>Standard Materials</u> <u>Price Per Ton Delivered</u>	<u>Gabion</u> <u>Price Per Ton Delivered</u>
0 – 25 Miles	\$4.25	\$5.50
26 – 35 Miles	\$5.25	\$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

**Hauling of Liquid Sludge:**

**Bidder: Casella Waste Services** **Signed Non-Collusive? Yes**

The bid is a flat rate of \$349 per haul (\$0.043625/gallon)

**Cemetery Foundation Work**

**Bidder: DC Masonry**

**Signed Non-Collusive? Yes**

For all new foundations, it will be \$0.39 a square inch of surface area.  
For all replacement foundations it will be \$0.39 a square inch of surface area to place the concrete.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

Trustee Allison mentioned the yearly spring cleanup has started it is running from April 8 – May 8, wanted to reminded resident this is for winter debris not removal of trees in the back yards.

**PARKS & RECREATION:**

Trustee Stewart explained we have 10 rentals already for Red Jacket Pavilion and have started charging the boat trailer fees at the boat launch. Tobacco signs arrived late this afternoon. Trustee Stewart stated the committee will be starting to review and updating the parks code.

**PLANNING & DEVELOPMENT:**

No update

**PLANNING BOARD:**

No update

**COMMENTS**

Mayor Church wanted to thank everyone for their hard work on the budget this year.

**EXECUTIVE SESSION:**

At 7:05PM **MOTION** by Trustee M. Christensen, seconded by Trustee C. Christensen to adjourn and to move into Executive Session.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**ADJOURNMENT OF EXECUTIVE SESSION:**

At 7:59PM **MOTION** by Trustee M. Christensen, seconded by Trustee Allison to leave Executive Session and return to regular Village Meeting.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

**ADJOURNMENT:**

At 7:59 PM **MOTION** by Trustee M. Christensen, seconded by Trustee Allison to adjourn the regular meeting.

**ADOPTED** Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow  
Nays 0 Abstain 0 Absent

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Mary Ann Martin, Deputy Clerk

**ANNOUNCEMENTS:**