

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, April 19, 2011 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT: Mayor R. Church; C. Christensen; M. Christensen; W. Davidson; R. Stewart; B. Winslow; Trustee W. Allison; Attorney Ed Brockman; Assistant Director of Public Works B. Jensen; Police Chief Hulse; Municipal Board members; R. French; B. LeClaire, Fire Chief R. Simpson, Assistant Fire Chief Retorick, and Assistant Fire Chief M. Clancy

ABSENT: CEO B. Lyon; Clerk/Treasurer S. Wilber; Deputy Clerk M.A. Martin; Director of Public Works B. Bodine; Parks Director D. Doyle

News Media present: Gwen Chamberlain, Chronicle Express; Amanda Folts, Finger Lakes Times

PUBLIC: Robert Schwarting and Mark Morris

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

CALL FOR EXECUTIVE SESSION:

MOTION: by Mayor B. Church, seconded by Trustee Allison to have an Executive Session to discuss legal issue and grievances.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MINUTES:

MOTION: by Trustee C. Christensen, seconded by Trustee Davidson to approve the Village Board Minutes from March 15, 2011, Budget Workshop Minutes from March 24, 2011 and Organizational meeting minutes from April 4, 2011.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

GUESTS, PUBLIC REQUEST & COMMENTS:

None

OLD ITEMS

Boat Launch signs and collection box for parking.

MAYOR:

MOTION: by Trustee M. Christensen, seconded by Trustee C. Christensen to approve Operation Graduation event planned for June 24, 2011, students to be transported from Penn Yan Academy to Camp Cory. Event is schedule to start at Penn Yan Academy at approximately 8:45pm on June 24, 2011, and run until 6:00am on June 25, 2011. Also to approve use of the Village insurance policy for the transportation of the graduates by the Penn Yan School District buses for the above dates.

Discussion – Mayor Church will double check the insurance to make sure it would be covered and if not it would be brought back to the next meeting. Trustee Winslow, commented that it seemed unusual that the school would be asking us to provide insurance on vehicles. Trustee Allison mentioned that he does not believe that is the school district but the Operation Graduation. Mayor Church added that the way it was explained to him is that it’s really not a school project is a parent project and the school has agreed to let them use the school buses. Apparently a few years ago we paid for the buses and we can’t continue to due that so the school agreed to let them use the buses as long as we can do it under our insurance. Trustee M. Christensen mentioned that once the students have graduated they’re no longer students of Penn Yan Academy and they no longer fall under the school’s insurance policy. Trustee Winslow had a concern, can you actually apply Village insurance on a school bus. Mayor wants to reflect that motion is pending him checking with insurance company and making sure that there’s no problem in doing this.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Winslow to approve Penn Yan Baseball annual parade to be held on Saturday, May 14th, scheduled time at 10:00 am Parade Route would be starting from Boat Launch, left on Keuka Street, left on Elm Street and proceeding to the Little League Fields with opening ceremony to follow at approximately 11:00 am.

Discussion – Trustee M. Christensen asked Chief Hulse if everything was okay with the parade route and Chief Hulse said yes. Trustee Stewart mentioned that another parade (Civil War Parade) has been approved for the same day at the same time but he has contacted them and they’re willing to change the time to start at noon. Parade will start by Court House.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

ATTORNEY:

Attorney Brockman mentioned that he has been working on the following Resolution to adopt the amendment to the Waterfront Development Conservation District for a few months and that he made some change in respect to requirements for the easements for a walking path and needed to go back to the County Planning Board and they approved it.

MOTION: by Trustee Davidson, seconded by Trustee C. Christensen to approve Resolution No. 32-2011, adoption of Local Law Amending the (WDC) Waterfront Development and Conservation District of the Code of the Village of Penn Yan.

WHEREAS, the Board of Trustees previously dealt with SEQRA issues related to this proposed Local Law, by declaring itself Lead Agency and designating the Local Law as a Type 1 action; and

WHEREAS, a Local Law was prepared, a public hearing duly held thereon and modifications made to said local law;

WHEREAS, a subsequent public hearing was held before the Board of Trustees on said modified proposed Local Law on March 15, 2011; and

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

WHEREAS, the matter was previously referred to the Yates County Planning Board and was subsequently approved thereby.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan adopts proposed Local Law H of the years 2011.
2. The draft FEAF and draft Negative Declaration herein are adopted as the final FEAF and final Negative Declaration and the Negative Declaration be posted upon the Village website.
3. 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	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

Trustee Allison asked when the public auction for the vacant lot on Lake Street was scheduled for? Atty. Brockman the Board will be Friday, May 6th, would speak more about this at the Executive Session.

COMMUNITY REVITALIZATION:

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve an application for the Masonic Temple (Milo Lodge # 108) for a Business Façade Improvement Program grant/loan in the amount of \$ 40,000.00, 50% grant & 50% loan with the stipulation that the Masonic Temple (Milo Lodge) resubmits new quotes from contractors for proposed work.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MUNICIPAL:

Reminder- Public Hearing for May 17th at 6:00pm for the water and sewer rates.

Discussion – Atty. Brockman wanted to know if he would be doing the public notices on this since he usually does them. It was suggested that if any questions to check with Clerk/Treasurer Wilber.

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve Resolution No. 35-2011 be adopted authorizing the Director of Public Works, Brent Bodine, to execute the HC 140s Utility Work Agreement with the New York State Department of Transportation regarding the State’s construction project of SR 14A (the Liberty Street bridge replacement project).

Discussion - Atty. Brockman mentioned that he has been in contact with Brent Bodine in regards to this resolution and the next two resolutions and have no problem with the first two resolutions as long as the DPW is okay with the plans that the state submitted and the engineer requirements. Assistant Director of Public Works, B. Jensen stated everything is in order.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

Trustee Allison mentioned that the Water/Sewer re-levied 2010 tax roll report was done.

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve Resolution No. 36-2011 be adopted to grant the State of New York the authority to perform the relocation and adjustment of Municipal utilities and maintain adjusted utilities via the State-led Contract for the construction project of SR 14A (the Liberty Street bridge replacement project).

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of SR 14A over Keuka Lake Outlet in the, Village of Penn Yan located in Yates county, PIN 6001.22 and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the relocation and adjustments to water mains and appurtenances, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

NOW, THEREFORE,

BE IT RESOLVED: That the Village of Penn Yan approves of the relocation of and adjustment to their water mains and appurtenances and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Penn Yan will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED that Director of Public Works, Brent Bodine, has the authority to sign, with the concurrence of the Village Board, any and all documentation that may become necessary as a result of this project as it relates to any of the utilities owned by the Village of Penn Yan, and

BE IT FURTHER RESOLVED: That the clerk of the Village of Penn Yan is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Discussion - Atty. Brockman wanted to apply the same comments as the last resolution, as long as DPW is okay with the plans that the state submitted and the engineer requirements and Assistant Director of Public Works, B. Jensen reaffirmed that everything is in order.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Winslow to approve Resolution No. 37-2011, detour of the reconstruction of Liberty Street Bridge replacement.

WHEREAS, the New York State Department of Transportation proposes to reconstruct the State Route 14A (Liberty Street) over Keuka Lake Outlet Bridge, Capital Project Identification Number 6001.22.

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads and streets as detours during the period of construction:

Northbound SR 14A: Lake St between Liberty and Main, Main St between Lake and Wagener, Wagener St between Main and Liberty.

Southbound SR 14A Trucks: North Ave between Liberty and Main, Main St between North and Lake, Lake St between Main and Liberty.

Southbound SR 14A Non-trucks: Elm St between Liberty and Main, Main St between Elm and Lake, Lake St between Main and Liberty.

WHEREAS, the New York State Department of Transportation will provide traffic control devices and make improvements to the above mentioned roads and streets to make them adequate to handle additional detour traffic.

WHEREAS, the New York State Department of Transportation and the Village of Penn Yan will conduct a visual inspection of the detour route prior to the detour being implemented and again after the detour is abolished.

WHEREAS, the New York State Department of Transportation will coordinate efforts to restore the detour route to preconstruction conditions if there are resulting damages to the detour route as mutually agreed upon.

NOW THEREFORE BE IT RESOLVED: that the Board of the Village of Penn Yan does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and

streets as detours during the period of construction.

BE IT FURTHER RESOLVED: that the Village of Penn Yan will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control.

BE IT FURTHER RESOLVED: that the Village of Penn Yan will own and maintain the permanent improvements made to the detour routes on the above mentioned roads and streets.

BE IT FURTHER RESOLVED: that the clerk of this Board is hereby directed to transmit five (5) certified copies of this resolution to the State Department of Transportation.

Discussion – Attorney Brockman mentioned that this motion is what he suggested some time ago that before this is approved that the Village has an agreement with the state, that the state will remedy any damage caused to the streets because of detour. Several of the streets that are being used have been rehabbed in the last few years. Atty. Brockman asked for someone in DPW to check on this. Assistant Director of Public Works will make sure that Brent Bodine is aware of this. Trustee Allison withdrew the Motion. This will table to next month.

Motion not carried.

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the purchase of a 500 KVA three phase padmount transformer from Wesco Distribution, Inc. per their bid price of \$11,684.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve Sunrise Insulation be hired to provide all labor and materials to insulate the exterior of the control room at the Welker substation per their bid price of \$8,959.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Winslow to approve the attendance of up to three (3) employees at the NYMPA 14th Annual Meeting being held May 19th in East Syracuse, NY at a cost of \$50 per person.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Absent	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve Resolution No. 38-2011, to have Brent Bodine as the Village delegate at the NYMPA 14th Annual Meeting.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve going out for bids for planned paving work at the Water Treatment Plant.

Discussion – Trustee Davidson just wanted to make sure that the paving was from the gate to the water.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve that an engineering contract be executed with Elliott Engineering Solutions for a cost not to exceed \$324,000. This contract would be executed to fulfill the requirements of the application for \$4 million of interest-free financing the Village is eligible for under the Clean Water State Revolving Fund, funding which will be used for Wastewater Treatment Plant modifications.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the purchase of two Bobcats to replace the Bobcat currently being used by the water/sewer crew, and the Bobcat being used at the Wastewater Treatment Plant. This is a planned purchase and the cost to the Village will be \$2,000.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the purchase of Liquid Aluminum Sulfate (Alum) for the Wastewater Treatment Plant from Holland Company, Inc. during fiscal year 2011-2012 per their bid price of \$.805/gallon.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

Trustee Allison wanted to inform the Board that the bids for Sodium Hypochlorite, Liquid Phosphate and Sodium Fluoride to be used by the Water Treatment Plant during fiscal year 2011-2012 were received, but were rejected.

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the rebidding of chemicals to be used by the Water Treatment Plant during fiscal year 2011-2012.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the renewal, without any changes, of the General Engineering Contract with Elliott Engineering Solutions for fiscal year 2011-2012.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve two (2) Public Hearings to be scheduled if enough information is available to submit an application to apply for CDBG (Community Development Block Grant) funds for water and sewer projects that would serve low- and moderate-income households in the village. One public hearing to be scheduled on May 17th at 6:10pm and the other on May 18th at 6:00pm contingent that all information is received before the public hearing.

Discussion – Mayor Church mentioned what this is; we have to get so many income surveys in. We would move forward and schedule two public hearings, which are required. B. Jensen mentioned that he has spoken with Shawna Bonshak and see if she can pull the data from the 2010 census that she has possession of and if she gets enough information then we may not need to do the surveys. Rom French asked if the surveys that were done had a shelf life and have expired, are we expired? B. Jensen mentioned that they had a two-year window and the first set was done over two-years ago and the second set was available is still current. Mayor Church mentioned that if it can be pulled from the census then we do not have to go door to door.

Trustee Allison wanted to amend the motion to show the (2) public hearings scheduled as follows: first public hearing scheduled on May 17th, at 6:10pm and the second public hearing is scheduled for May 18th, at 6:00pm.

Atty. Brockman mentioned that there’s a format to prepare a notice for the public hearings and need to be in ten days before the actual public hearing.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the attendance of one (1) employee at the NYWEA Anaerobic Digestion Workshop being held May 3rd in Amherst, NY at a cost of \$65.

Discussion – Trustee Allison mentioned that Bengt Sward would be attending this.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye

Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the Director of Public Works, Brent Bodine, to write a letter to Jeff Bray of 3 Widow Hill Road stating that the Municipal Utilities Board has agreed to revise the costs associated with extending both the water and sewer mains up Widow Hill Road to reflect the removal of the engineering fees listed in the original estimate provided to Mr. Bray on April 8th and that the revised cost to extend the water and sewer mains up Widow Hill Road is \$23,259.10. The letter should also state that this offer is contingent on Mr. Bray’s successful application to annex all of his property into the village of Penn Yan.

Discussion – Atty. Brockman mentioned that he wanted to make sure that the last sentence of the motion be followed and that the letter is clear because you can’t do this unless there’s an annexation and I would be happy to review before it goes out. Trustee Allison mentioned that it was stated at the meeting that Atty. Brockman would have the letter to review and approve and the owner knows what was talked about. Also wants to applaud the Utility Board for thinking outside the box on trying to expand the Village.

Mayor Church	Aye	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the proceeding of the through-cut at the railroad crossing on East Elm Street cost of \$11,000.00 so that the water (and possibly sewer) line beneath can be replaced.

Discussion – Mayor Church asked, what does possibly mean, we’re not doing both? Trustee Allison mentioned that they would dig if they haven’t done so already to look down and check to make sure first. Other than this is, is quite a cost savings for the total project cost.

Mayor Church	Aye	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

MOTION: by Trustee Allison, seconded by Trustee Winslow to declare the large television in the MUB meeting room as “surplus” and authorize advertising it for sale.

Mayor Church	Aye	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve Utility Payment Agreements in the amount of \$9,647.64

Mayor Church	Aye	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

PUBLIC SAFETY:

Trustee M. Christensen wanted to inform the Board that the day and time of the monthly meeting has changed and will be on the Monday a week before the Village Board Meeting at 3:30pm.

MOTION: by Trustee M. Christensen, seconded by Trustee C. Christensen to approve the purchase of a new investigator car, Ford Fusion about \$22,000.00, to declare old car as surplus and be selling it on E-bay, money for the new car is in the budget.

Discussion – Mentioned that Investigator’s car is nine years old and over 80,000 miles and has the possibility of doing something similar as what DPW does with their vehicles. Would like to do the same with the Chief’s car eventually. Atty. Brockman mentioned that there have been studies done throughout the United States in early trading, and it’s been established that trading vehicles earlier is more financial advantageous.

Mayor Church	Aye	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

MOTION: by Trustee M. Christensen, seconded by Trustee C. Christensen to approve Chief Hulse and Officer Dawes to attend the Empire Law Enforcement Traffic Safety Conference in Syracuse on April 26-27, 2011. Cost associated with training would be hotel accommodations \$105.32 per night, but this can be billed back to the Selective Enforcement grant. The Chief’s car would be used for transportation.

Mayor Church	Aye	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

MOTION: by Trustee M. Christensen, seconded by Trustee C. Christensen to approve the first payment due in May in the amount of \$750.00 for the rural contract to each of the following Fire Department companies; Ellsworth Hose Co., Hunter Hook & Ladder Co., Sheldon Hose Co., & Hydrant Hose Co.

Discussion – Mayor Church want to clarify that this was not the first payment but the last. Fire Chief Simpson mentioned that it’s the second and last payment of the fiscal year. Trustee Stewart wanted to know if this is a second payment is there two payments a year. Mayor Church mentioned that they received \$1250.00 each a year, the first payment of \$500.00 and the last payment of \$ 750.00.

Mayor Church	Aye	Trustee Davidson	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee C. Christensen	Aye	Trustee Winslow	Aye	
Trustee M. Christensen	Aye			Carried

MOTION: by Trustee M. Christensen, seconded by Trustee C. Christensen to approve the Harrisburg Fire Expo on May 20-22, 2011 for 15 members, total cost for rooms for three nights \$1903.00; total cost for meals per diem for four days \$2677.50; total cost for Expo tickets for three days \$315.00; and total cost for parking and tip fees \$204.50 for a grand total of \$5,100.00.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

FINANCE & ADMINISTRATION:

The monthly meeting time has changed to now be the Tuesday prior to the Village Board Meeting at 9AM.

MOTION: by Trustee C. Christensen, seconded by Trustee Winslow to approve Resolution No. 34-2011 Budget Transfers.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

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

AUDIT:

Audit:

Paid Before Audit:		Amount
General	\$	30,389.09
Electric		303,121.58
Sewer		9,114.02
Water		7,485.32
Capital Projects		0000.00
Total Paid Before Audit	\$	350,110.01

Current Audit:		
General	\$	44,635.81
Community Development – CRC		0
Electric		16,687.68
Sewer		31,287.35
Water		35,871.45
Capital Projects		2,783.73
Total Current Audit items	\$	<u>131,266.02</u>
Total Audit	\$	481,376.03

Discussion – Trustee Stewart wanted to say thanks for separating the audit breaking it down making it easier to understand.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

PERSONNEL:

Trustee Winslow asked Trustee M. Christensen if he had anything for the Board since he was not at the meeting. Trustee M. Christensen commented about previous part timer that has worked for the village and they proposed to hire him to do an internship on the infra structure for the storm water system and who meets the requirements for the internship.

MOTION: by Trustee M. Christensen, seconded by Trustee Davidson to hire a part timer, Kyle Barkley, at a rate of \$7.55 per hour; currently in his junior year in Clarkson University for an engineering degree; would be doing an internship with us to help with the infra structure concerning the storm water.

(Correction on name received on an email from Dan Doyle, Ryan Barkley)

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

Mayor Church mentioned that there’s another student that he taught at the High school a few years ago and is now at Keuka College and needs to do a field period. The student wants to get into some type of government field and he’s going to be doing an unpaid internship with Mayor Church this summer. Mayor Church would be giving him some projects and the student would be attending meetings with him, would be providing him with about 120 hours. The student’s name is Ron Burg.

POLICE DEPARTMENT:

Update - Taser training will be held at the PYPD on April 27-28. Originally was set for March but was cancelled at the last minute due to conflicts.

FIRE DEPARTMENT:

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’s April meeting. Fire Chief’s for the 2011-2013 (two-year term)

Chief	Rick Simpson
1 st Asst. Chief	Jeff Housel
2 nd Asst. Chief	Mike Clancy
3 rd Asst. Chief	Rick Retorick

Discussion – Mayor Church wanted to thank Chief Retorick for the last 8-years of service, I know it’s been done before but I would like to applaud you for spending that amount of time, I have worked with you the last two years and appreciate everything you’ve done and as you know this community is very lucky to have what we have there and good luck to Rick Retorick and to the new Chiefs.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

Trustee M. Christensen wanted to comment that since the last meeting in March, Chief Retorick in his division as Chief was awarded the Fireman of the year award on behalf of the entire Fire Department for the efforts that took place back in November of last year at the house on the corner Lake and Ogden Street, where seven individuals were trapped on the roof, he and the entire Fire Department save those individuals from injury or worst, it was a team effort. One of the first times in the history of that award that it was granted to any Fire Department for their efforts. Mayor Church wanted to add that there was also a gentleman from Lavonia, who was a volunteer fireman, that was driving by that also helped. R. Retorick added that there was another person from our airport that helped as well. Mayor added that the Chief Retorick went out of the way to personally invite the gentleman from Lavonia to the Christmas Party and also drove to Penn Yan Airport to thank that gentleman on behalf of the village.

Trustee Stewart would like a list of the different parades with their dates, times and their routes and if something could be placed in the newspaper with that information. Chief Simpson mentioned that he would provide that information on the next meeting.

Mayor Church mentioned he would like Atty. Brockman to start the process with doing a up to date rural contract and Atty Brockman and him would be working on that. One thing that he learned that he never knew, that the rural contract has to be approved by our the Fire Department, have to sit down with the chiefs and decide if they’re going to do this and the amount of money that they’re allowed under state guidelines. We would like to begin the process, meet with them and eventually get the money to them

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires			
Business Fires			
Grass/Brush Fires	1	25	2.1
Outside Building/Barn Fires			
Car/Vehicle Fires	1	8	1.3
Other Fires	1	20	2.0
Wires	2	27	14.3
Other Emergency	4	56	52.6
Automatic Alarm Fires	5	74	14.1
Mutual Aid Scene			
Mutual Aid Standby			
Public Service	1	12	11.4
Vehicle Accident	1	30	28.0
Total Fire Calls	16	252	125.8
Medical/Rescue Calls			
First Responders			
Assist Ambulance			
Other Medical			
Total Med/Resc Calls	0	0	0.0
Total ALL Calls	16	252	125.8
Other Activities			
Courses			
Drills	8	87	173.0
Monthly Meetings	8	83	85.0
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup			
Work Detail	1	1	2.0
Wake/Funeral			
Line Of Duty			
Other			
Total Other Activities	17	171	260.0
*****	***	*****	*****
Total ALL Activities	33	423	385.8

CODE ENFORCEMENT:

Nothing

PUBLIC WORKS:

MOTION: by Trustee Allison, seconded by Trustee Stewart to request Village Attorney to prepare a local law to amend the vehicles and traffic chapter for the following:

CODE ENFORCEMENT

None

PUBLIC WORKS

MOTION: by Trustee Allison, seconded by Trustee Stewart to request Village Attorney to prepare a local law to amend the vehicles and traffic chapter for the following

Establish a loading zone on Main Street beginning 32’ feet South from south curb line of E. Elm Street, and ending 72’ feet south of said curb line. Designated usage will be from 8:00 am to 11:30 am and 1:00 pm to 5:00 pm; 15-minute parking will be in effect at all other times; and

Eliminate existing parking spaces on the north side of Seneca Street from the curb line on Main Street east 164’ feet to Basin Street intersection; and

Establish 15-minute parking on the south side of Jacob Street (four parking spaces with signs mounted on north side to the Town of Milo building) from east curb line of Main Street 52’ feet ending 132’ feet to the east of Main Street; and

Relocate the handicap parking space in front of 5 Main Street to Water Street adjacent to the north side of 1 East Main Street 47’ feet west of the west curb line of East Main Street ending 68’ feet west of the curb line.

Discussion – Assistant Director of Public Works, B. Jensen mentioned that also a public hearing would need to be scheduled for May 17th in regards to this. Atty. Brockman explained that the Local Law has to be in place first before a public hearing can be scheduled so it would not be scheduled until June. Trustee M. Christensen wanted to know about the detour. Trustee Allison stated that would need to see what happens and that the Vehicle & Traffic Chapter would need to be changed when they do the detour. Atty. Brockman mentioned there is some other stuff that is been in the works for quite a while, Jacob Street being one of them. B. Jensen also mentioned that just as a landmark, the loading zone is just to the south of the fire hydrant in front of Cams and Milly’s Pantry. Just trying to minimize the volume of traffic on that end of the street from all the vendors having to double-park for delivery. Trustee Allison stated that these changes have been taken to the business community and that we should have people here at the public hearing specially for Seneca Street where we’re looking to take those parking spaces off but as a reminder, they did get a lot of parking spaces on the bridge when that was redone. Yes, they’re going to loose four spaces but there are the ones at the bridge, and it’s a traffic safety, it’s awful narrow there. Trustee Stewart commented that there’s a vendor on Seneca Street that would be happy with these changes. B. Jensen mentioned that he has spoken with most of the vendors and many agree with all the congestion there but three of the Restaurants do think that it would be taken away from their customer’s parking.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee C. Christensen to purchase a new Kubota tractor mower cost of \$8,661.00 (after trade-in of present tractor mower).

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

(Motion rescinded in Executive Session; see adjournment of Executive Session for new motion)

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve the purchase of a trailer to haul the tractor mower cost of \$1,725.00.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

(Motion rescinded in Executive Session)

MOTION: by Trustee Allison, seconded by Trustee Davison to go out for bid and hire a contractor to provide the installation of new or the replacement of existing headstone foundations at the Lakeview Cemetery.

Discussion – Trustee M. Christensen asked if this is something that has been done right along? Trustee Allison mentioned that usually the headstone manufacture has done it or whoever puts the headstone there. This is going to be more conformed and we know that the work is being done properly, also not costing the village anymore because the payee of the headstone pays the actual cost.

Atty. Brockman wanted to go back to the motion for the purchase of the Kubota Tractor mower and wanted to know if there’s a specific reason why it has to be a Kubota Tractor mower and if the acquisition guidelines were followed so that there is no problem down the road. B. Jensen mentioned that since they currently have a Kubota for the trade it’s easier and they did multiple bids but just from Kubota vendors not from different vendors. Atty. Brockman mentioned that then part of the motion should state that you want to stick with Kubota because they’re the only ones that would take the trade or give you the best trade value on existing Kubota. Does this need to be done tonight? B. Jensen commented since mowing season starts in about 2-3 weeks he wanted to get things rolling but if you think we should do something different then we would want your advice. Atty. Brockman said that he would like to talk about this in Executive Session.

Trustee Winslow commented that there has not yet had a vote on the hiring of a contractor for the Lakeview Cemetery replacing of headstone.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve Public Works bids for materials and material hauling awarded to Hanson Aggregates, Ira Wyman Fuels, and Marchionda Trucking for fiscal year 2011-2012.

Ready-mix concrete: Hanson Aggregates

<u>Transit Mix Concrete</u>	<u>Price Per Cubic Yard</u>
3,500 lb. mix	\$97.50
3,500 lb. mix with fiber	\$105.50
4,000 lb. mix	\$100.50
4,000 lb. mix with fiber	\$108.50
4,000 lb. mix with DCI	109.50 (one gallon per cubic yard)
Flowable Fill	\$74.50 (50-150 psi)

Gasoline and Diesel: Ira Wyman Fuels

<u>Item</u>	<u>Price Per Gallon</u>
Unleaded Gasoline (89 Octane) (at service station pump)	\$3.269/gallon
Diesel Fuel (on road)	\$3.459/gallon
Diesel Fuel (off road at pump)	\$3.459/gallon

Hot Mix Bituminous: Hanson Aggregates

<u>Item</u>	<u>Price Per Ton</u>
Type 7 Top	\$58.75
Type 7F Top	\$59.75
Type 6F Top	\$55.50
Type 3 Binder	\$51.00
Fine Binder	\$53.00
Type 2 Base	\$47.00

Hauling of Materials: Marchionda Trucking

	<u>Standard Materials</u> <u>Price Per Ton Delivered</u>	<u>Gabion</u> <u>Price Per Ton Delivered</u>
0 – 25 Miles	\$4.25	\$4.95
26 – 35 Miles	\$5.25	\$6.00
36 – 45 Miles	\$6.75	\$7.75
46 – 50 Miles	\$7.25	\$8.35
50 Miles and Over	\$3.20 per one-way mile	\$3.30 per one-way mile

Mayor Church

Aye

Trustee Davidson

Aye

Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to declare the current Caterpillar wheel loader as “surplus” and take it to the Teitsworth Auction in May.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee Davidson to approve Don Rapalee to attend annual 2011 highway school in Ithaca on June 6-8, 2011, cost of \$90.00 plus mileage.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

PARKS & RECREATION:

Trustee Stewart mentioned Dan Doyle could not be here tonight, he’s out of state and he really wanted to discuss all sorts things of the project and gave us the packet and will be here next month to talk about this but because there’s a lot of rumors about the cost he thought that it would be a good idea to get the information out there early since he wanted to get started with this around Memorial Day.

MOTION: by Trustee Stewart, seconded by Trustee Davidson to approve the price of the daily boat trailer-parking permit for Non-Penn Yan Residents and Non-Village Taxpayers to be \$ 5.00/day, or \$ 30.00 for an annual pass.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

FYI - Trustee Stewart wanted to comment that the daily permits would be available on May 2nd and the annual permits would be able to be purchased at the Clerk’s office, also wanted to inform the Board of The change in the monthly meeting for Parks and Recreation, it should now be the second Monday of the month, at 4:30 in the Executive Conference Room.

PLANNING & DEVELOPMENT:

Trustee Davidson mentioned the Planning & Development Board discussed about creating a Snow Plowing/Road maintenance fund for the Village. Trustee Davidson asked Atty. Brockman to look into the possibility in creating one. Also discussed should Maiden Lane be closed off from Main Street or leave it

open and the consensus of the Committee was to leave it open. Also added that Director of Public Works, Brent Bodine talked about what to do to repair the sidewalks on Maiden Lane. Trustee Davidson talked about Village Waste Removal; has had several people approach him with the request with in any given week the Village has about four different days when garbage trucks are running throughout the Village picking up garbage. Can we possibly look into maybe restricting it so that they all come on one day a week or another option would be to have a contract with one company or leave as is, how we should proceed on this? Trustee Davidson commented the streets are not design for the weigh loads.

Mayor Church commented that if anyone has anything they want to add to this to get back with Trustee Davidson.

PLANNING BOARD:

Nothing

COMMENTS

None

ADJOURNMENT:

At 7:10 PM, MOTION by Trustee Winslow, seconded by Trustee Davidson to move into Executive Session.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:43PM, MOTION: by Trustee C. Christensen, seconded by Trustee M. Christensen to leave Executive Session and return to regular Village Meeting.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

During the Executive Session a couple of motions were rescinded.

MOTION: by Trustee Allison, seconded by Trustee C. Christensen to rescind motion to purchase the Kubota Tractor mower at cost of \$8,661.00 (after trade in).

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

MOTION: by Trustee Allison, seconded by Trustee C. Christensen to rescind motion to purchase trailer to haul tractor mower at cost of \$1,725.00.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

New MOTION: by Trustee Allison, seconded by Trustee C. Christensen to go out to bid for a Kubota Tractor mower; specifying a Kubota due to parts, materials and attachments already owned.

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

ADJOURNMENT:

At 7:45PM, MOTION: by Trustee C. Christensen, seconded by Trustee M. Christensen to adjourn the regular meeting

Mayor Church	Aye	Trustee Davidson	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee C. Christensen	Aye	Trustee Winslow	Aye
Trustee M. Christensen	Aye		

Carried

ANNOUNCEMENTS:

None

Margarita Morehouse, Clerk