

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, May 8, 2007 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, New York.

PRESENT: Mayor D. Marchionda, Jr.; Trustees R. Church; N. Taylor; M. Christensen; Village Attorney Brockman; CEO B. Lyon; Director of Public Works E. Balsley; Clerk/Treasurer S. Brennan; Assistant Director of Public Works Osgood; Police Chief G. Mitchell

ABSENT: Cemetery Superintendent L. Axtell; Trustees W. Allison; R. Dailey; Parks Director D. Doyle; Street Superintendent R. Jensen; Fire Chief Winslow

News Media present: Peg Thompson; Dundee Observer, Gwen Chamberlain; Chronicle Express

Public: Ms. Armstrong, Rom French, Dave Payne, and a few others unknown

Mayor Marchionda called the meeting to order at 7:05PM.

MINUTES:

MOTION by Trustee Christensen, seconded by Trustee Taylor to approve the Village Board Minutes from April 10th, 2007.

Carried

MOTION by Trustee Christensen, seconded by Trustee Taylor to approve the April 30, 2007 Special Meeting Minutes.

Carried.

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Christensen, seconded by Trustee Church to have an Executive Session after the Village Board Meeting to discuss a personnel issue.

Carried.

GUESTS, PUBLIC REQUESTS & COMMENTS:

Mike Linehan from Finger Lakes Chamber of Commerce spoke about the parade route for Cruisn' Night, the cleanup and planting of new flowers in the mini-park, and the legality of local businesses purchasing and displaying flower pots on village sidewalks. Discussion...MOTION by Trustee Christensen, seconded by Trustee Hoban for Crusin' Night to be held Friday June 15, 2007.

Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to waive Red Jacket Fee for Child & Family Resources, Inc.

Carried

MAYOR:

Mayor Marchionda read the National Police Week Proclamation...The Mayor declared the week of May15, 2007 National Police Week.

ATTORNEY:

MOTION by Trustee Christensen, seconded by Trustee Taylor to approve Resolution #18-2007- Street & Sidewalk chapter of the code.

Carried.

MOTION by Trustee Church, seconded by Trustee Hoban to approve Resolution # 19-2007- Banner Chapter of the code.

Carried.

Sewer discharges- Attorney Ed Brockman approved Public Works Director Balsley's letter to CASP

Light Pole damage at the Boat Launch- Attorney Brockman will write a letter in response to the letter received from Nicholas, Perot, Smith, Bernhardt & Zosh Attorneys At Law.

MOTION by Trustee Christensen, seconded by Trustee Church to send Attorney Brockman to the NYCOM Conference 6/10/07-6/13/07 at a cost of \$605.00.

Carried.

AUDIT:

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

Village:	Paid before audit – General Fund	\$ 7,950.00
	General Fund	<u>\$ 37,241.53</u>
	Total Village audit:	\$ 45,191.53

Municipal:	Paid before audit	\$240,792.29
	Electric Fund	\$ 13,559.30
	Water Fund	\$ 11,829.68

Sewer Fund	\$ 145,996.01
Capital Electric	\$ 320.19
Capital Water	\$ 0.00
Capital Sewer	\$ 0.00
Total Municipal audit:	\$412,497.47

Carried.

FINANCE & ADMINISTRATION: B. Church, Chair; W. Allison & N. Taylor

The last meeting was this afternoon, Tuesday May 8, 2007 at 9:00am in the Village Hall

MOTION by Trustee Church, seconded by Trustee Christensen to approve the year end fiscal warrant.

Carried.

MOTION by Trustee Church, seconded by Trustee Christensen to approve Resolution:

14-2007- Electronically submitted bids

15-2007- 2007-2008 Tax Levy

16-2007- Tax Warrant

17-2007- Real Property Tax Law

Carried.

PERSONNEL: M. Christensen, Chair, N. Taylor & R. Hoban

The last meeting was held Tuesday May 8, 2007 at 4:00 PM in the Village Hall, Room 210

MOTION by Trustee Christensen, seconded by Trustee Church to re-hire part-time summer cemetery laborers Adrian Pinckney and Harry Baker at a rate of \$7.15 per hour.

Carried.

MOTION by Trustee Christensen, seconded by Trustee Hoban to re-hire Ryan Cook as summer help at a rate of \$7.30 per hour.

Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to allow Clerk/Treasurer Brennan to re-hire summer help as per schedule as previously approved.

Carried.

PARKS & RECREATION: R. Dailey Chair; W. Allison; B. Church

The last meeting was held February 12th, 2007 at 7:00 PM.

- No Report

PLANNING & DEVELOPMENT: R. Hoban, Chair, M. Christensen & R. Dailey

The last meeting was held April 23, 2007 at 5:00PM in the Village Hall.

- MOTION by Trustee Hoban, seconded by Mayor Marchionda to approve the zoning designation for the Zoning Board.

Carried.

AD HOC BUILDING COMMITTEE: D. Marchionda, Chair

No Report

PUBLIC SAFETY: N. Taylor, Chair, M. Christensen & R. Dailey

The last meeting was held, May 8, 2007 at 12:00 PM at the Wagner.

Police Department:

Fire Department:

MOTION by Trustee Taylor, seconded by Trustee Church to accept the overhead door bid from Martin's Door Service at a price of \$11,622.

Carried.

Code Enforcement

MOTION by Trustee Taylor, seconded by Trustee Christensen to allow CEO Lyon to attend the 2007 Final Action Hearings in Rochester, NY May 21-26, 2007 at a cost of mileage and parking fees

Carried.

PUBLIC WORKS: W. Allison, Chair; B. Church & R. Hoban

Streets:

Street Superintendent Jensen reported Spring Cleanup runs through May 31, 2007. Just brush will be picked up and nothing larger than 3" in diameter will be picked up.

MOTION by Trustee Church, seconded by Trustee Christensen to advertise sealed bids for :

Ready Mix Concrete/ Flowable Fill

High Test Gasoline

Special Unleaded Gasoline

Regular Grade Gasoline

Diesel Fuel & Kerosene

Hot Mix Bituminous

Hauling of Materials

Carried.

MOTION by Trustee Church, seconded by Trustee Christensen to allow Street Superintendent Jensen to attend the annual school at Ithaca College June 4-6 at a cost of \$85.00

Carried.

MOTION by Trustee Church, seconded by Trustee Hoban to accept Milton Cat as low bidder for the Caterpillar 930Gat a cost of \$108,968.00.

Carried.

CEMETERY:

MOTION by Trustee Taylor, seconded by Trustee Church to send Cemetery Superintendent Axtell to training July 11, 2007 in Canandaigua. There is no cost for this training.

Carried.

MUNICIPAL:

- MOTION by Trustee Church, seconded by Trustee Christensen that the revised water and sewer fund budgets and the original electric fund budget be approved.

Trustee Hoban Abstained

- MOTION by Trustee Church, seconded by Trustee Christensen that the engineering specifications for the new Water Treatment Plant PLC be prepared.

Carried

- MOTION by Trustee Church, seconded by Trustee Taylor that -- due to an emergency situation regarding the current computer at the Water Treatment Plant -- Steam Plant Systems be considered a sole-source and that the new PLC be purchased from this company, which has a decade of experience with the operations of the plant.

Carried.

- MOTION by Trustee Church, seconded by Trustee Christensen that the amendment to the Penn Yan/Dresden Intermunicipal Agreement regarding water be approved as written by Attorney Brockman.

Trustee Christensen- Aye

Trustee Taylor- Aye

Trustee Church- Aye

Trustee Hoban- Nay

Carried.

- MOTION by Trustee Church, seconded by Trustee Hoban that Lu Engineers be authorized to begin the design work and provide cost estimates for the Brown Street water line project with design and survey costs not to exceed \$20,000.

Carried.

- MOTION by Trustee Church, seconded by Trustee Christensen to authorize Director Balsley and Clerk/Treasurer Brennan to meet with Bill Freitag of Bollam, Sheedy, Toran & Co., LLP to look at NYPA rates and electric fund cash flow and develop recommendations regarding future rate structures.

Carried.

- MOTION by Trustee Church, seconded by Trustee Taylor that Barry Disbrow be approved to attend a Water Operator Certification Course June 4 – 15 in Tonawanda, NY at a total cost of \$1,690.

Carried.

- MOTION by Trustee Church, seconded by Trustee Christensen to authorize the attendance of up to three (3) people to attend the NYMPA 10th Annual Meeting May 23rd in Liverpool, NY.

Carried.

- MOTION by Trustee Church, seconded by Trustee Christensen that Director Balsley submits the application form to NYMPA to be considered for the Board of Directors himself.

Carried.

- MOTION by Trustee Church, seconded by Trustee Taylor to approve payment agreements in the amount of \$7,123.24.

Carried.

The next Municipal Utilities Board Meeting will be held Thursday June 7, 2007 at 2:00 PM in the Executive Session Room in the Village Office Building.

ADJOURNMENT INTO EXECUTIVE SESSION:

At 8:53 PM, MOTION by Trustee Christensen seconded by Trustee Church to adjourn into Executive Session regarding a personnel matter.

Carried.

(The Deputy Clerk was excused)

ADJOURNMENT OF EXECUTIVE SESSION:

At 10:10PM, MOTION by Trustee Taylor, seconded by Trustee Church to leave Executive Session and return to the regular Village Board Meeting.

Carried.

MOTION by Trustee Christensen, seconded by Trustee Nancy that Village employees are no longer allowed to share/borrow sick/vacation time.

Carried.

ADJOURNMENT:

At 10:15 PM, Trustee Church, seconded by Trustee Taylor to adjourn the regular meeting.

Carried.

Stacy L. Casterline, Deputy Clerk

ANNOUNCEMENTS:

▶ The next *Regular* Village Board Meeting is scheduled for Tuesday June 12, 2007 at 7:00 PM.