

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, May 9, 2006 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, New York.

PRESENT: Mayor D. Marchionda, Jr.; Trustees N. Taylor, M. Christensen, N. Koek, W. Allison, R. Dailey and R. Hoban; MUB Commissioner D. Banach; Village Treasurer Socola; Village Attorney Brockman; Police Chief S. Hill; Recreation Director Doyle; Director of Public Works E. Balsley; and Assistant Director of Public Works R. Osgood

ABSENT: Street Superintendent R. Jensen, Cemetery Superintendent L. Axtell, CEO B. Lyon and Fire Chief J. Housel

Public Attendees: Bob Clark, Bob Champlin, Dave Simmons, Mrs. E. Armstrong and D. Davidson

News Media present: Peg Thompson, Dundee Observer

Mayor Marchionda called the meeting to order at **7:35PM** (following the 6:30 PM Special Meeting/Executive Session) and led the Pledge Allegiance to the Flag.

PUBLIC HEARINGS:

At 7:36 PM, MOTION by Trustee Allison, seconded by Trustee Dailey to open the first of two public hearings as advertised – a proposed resolution to increase the *inside Village* water service charges by \$2.00, also the usage rate for less than 5,000 gallons increased by 21 cents to \$3.20, and the usage rate for more than 5,000 gallons increased 21cents to \$4.43.

At 7:37 PM, MOTION by Trustee Christensen, seconded by Trustee Koek to open the second public hearing for a proposed resolution to increase the *outside Village* water service charges by \$1.00, also the usage rate for less than 5,000 gallons increased by 21 cents to \$4.68, and the usage rate for more than 5,000 gallons increased by 21 cents to \$6.54.....

Mayor asked for any comments.....

Mr. Davidson stated that he doesn't believe that there should be a "service charge" and to bill just on usage. Treasurer Socola explained the purpose of the service charge and why it is necessary.

Trustee Hoban expressed his opinion of the unfairness to the lesser users who pay the same service charge as the larger users.

At this time, Treasurer Socola gave a presentation concerning the proposed Municipal water, sewer and electric budget for June 1, 2006 to May 31, 2007.

EXECUTIVE SESSION:

MOTION by Trustee Christensen, seconded by Trustee Koek to hold an *executive session* at the end of the regular meeting regarding a personnel matter. Carried.

MINUTES:

MOTION by Trustee Taylor, seconded by Trustee Allison to approve the minutes of the April 11, 2006 regular Village Board meeting, the April 18th and April 26th special Village Board meetings, as submitted. Carried.

PUBLIC HEARINGS:

The Mayor asked if there were any more comments pertaining to the two public hearings.....no one spoke

At 8:10 PM, MOTION by Trustee Koek, seconded by Trustee Taylor to close the 1st public hearing concerning increasing the *inside Village* water service charge and rates. Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to close the 2nd public hearing concerning increasing the *outside Village* water service charge and rates. Carried.

GUESTS, PUBLIC REQUESTS & COMMENTS:

(Guest) Bob Champlin, proprietor of Lloyds' Limited, A Pub, 3 Main Street requested approval to hold another "Blues Festival" on Saturday, July 29th. However, this year, he would like to use orange construction fencing instead of the rope/banners to control the crowd. Trustee Christensen would like to see a sketch and written plans before he agrees. Mr. Champlin was asked to have this documentation available before June 1st and to notify Trustee Taylor so she can set up a Public Safety Committee meeting as soon as possible.....

MOTION by Trustee Allison, seconded by Trustee Koek to approve Mr. Champlin holding the "Blues Festival" with the stipulation that he presents the requested information to the Public Safety Committee by June 1st. Carried.

(Request) Dick Smith, member of the United Way, requested to use Room 202 on Tuesday, May 16th and Wednesday, May 17th from 7:00 M to 9:00 PM, in order to review potential recipients. Police Chief Hill informed the Board that he is a part of these interviews and would be responsible for unlocking and locking the front doors.....

MOTION by Trustee Allison, seconded by Trustee Koek to approve the above ↑ request. Carried.

CORRESPONDENCE:

A letter was received from Y.C. Legislature Chairman, Robert Multer, informing the Board that the County is considering constructing a parking lot on their property at 414 Liberty Street. Yates County has completed a short EAF and has designated itself as Lead Agency.

If the Village has no objections, the County will proceed. Mayor Marchionda will reply that the Village concurs.

MOTION by Trustee Taylor, seconded by Trustee Koek to approve the Penn Yan Area Council of Churches' request to hold their annual CROP WALK on Sunday, May 21st beginning at 1:00 PM. The Police Department will be notified of their route. Carried.

MOTION by Trustee Taylor, seconded by Trustee Christensen to approve the Penn Yan Fire Department's request to hold the annual *Firefighters Parade* on Saturday, July 22nd beginning at 7:00 PM. Parade Chair Don Rapalee will contact Chief Hill to inform him of the route. Carried.

MOTION by Trustee Allison, seconded by Trustee Taylor to approve the Manor Crest Foundation's request for a permit to hang a banner on Main Street from June 12th to June 26th. Carried.

MAYOR:

Mayor Marchionda announced the Penn Yan Fire Department's 2006-2007 roster: Steve Morse, Chairman; Don Rapalee, recording secretary; Fire Chief Jeff Housel, 1st Asst. Chief Brian Winslow, 2nd Asst. Chief Rick Retorick and 3rd Asst. Chief Rick Simpson.....

MOTION by Trustee Christensen, seconded by Trustee Koek to approve of the above ↑ Fire Board. Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to hold a public hearing for the proposed local law entitled "*Keuka Lake Uniform Docking & Mooring Law*" as requested by the Town of Urbana, the Lead Agency. The public hearing will be held on Tuesday, June 13th at 7:00 PM. The Village Attorney is directed to proceed with the local law process and send the material to the Yates County Planning Board for their review. Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to refer the proposed signage code revisions to the Planning Board for them to complete Part I of the SEQR. After the EAF is returned to the Village Board, Attorney Brockman will proceed with the local law process. Carried.

ATTORNEY:

MOTION by Trustee Allison, seconded by Trustee Taylor to adopt RESOLUTION No. 21-2006 to increase the *inside Village* water service charges and rates, effective June 1, 2006, as presented at tonight's public hearing.

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|-----------------|---------------------|-----|
| Record of vote: | Trustee Christensen | aye |
| | Trustee Taylor | aye |
| | Trustee Allison | aye |
| | Trustee Koek | aye |
| | Trustee Dailey | aye |
| | Trustee Hoban | nay |

Motion Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to adopt RESOLUTION No. 22-2006 to increase the *outside Village* water service charges and rates, effective June 1, 2006, as presented at tonight's public hearing.

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|-----------------|---------------------|-----|
| Record of vote: | Trustee Christensen | aye |
| | Trustee Taylor | aye |
| | Trustee Allison | aye |
| | Trustee Koek | aye |
| | Trustee Dailey | aye |
| | Trustee Hoban | nay |

Motion Carried

MOTION by Trustee Christensen, seconded by Trustee Taylor to adopt RESOLUTION No. 20-2006 Authorizing the conveyance of title to certain real property known as the "*Owl's Nest's Nest*" (at 106-112 Seneca Street). Carried.

In reference to the letter received from Officer Rago and Sergeant Hulse concerning the lack of "10-ton limit" signage at the entrance to the Village from Route 54 northbound, DPW Director Balsley and/or Police Chief Hill will canvas the existing signs and their placements.

Attorney Brockman suggested that the Board consider establishing the practice of requesting abstracts from the property owners when the Village when an easement is necessary. The Mayor referred the matter to the Public Works Committee for their review.

AUDIT:

MOTION by Trustee Koek, seconded by Trustee Taylor to pay the current Village bills, as submitted:

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|----------|----------------------------------|-----------------|----------|
| Village: | Paid before audit – General Fund | 37,097.33 | |
| | General Fund | 30,304.37 | |
| | Capital | <u>1,355.00</u> | |
| | Total Village audit: | 68,756.70 | Carried. |

MOTION by Trustee Koek, seconded by Trustee Allison to pay the current Municipal bills, as submitted:

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|------------|------------------------------|-----------------|----------|
| Municipal: | Paid before audit – Electric | 225,630.26 | |
| | Paid before audit – Water | 594.45 | |
| | Electric Fund | 16,263.10 | |
| | Water Fund | 16,429.01 | |
| | Sewer Fund | 13,293.72 | |
| | Paid before audit – Capital | 557.15 | |
| | Capital Electric | 183,507.23 | |
| | Capital Water | 94,376.81 | |
| | Capital Sewer | <u>6,722.79</u> | |
| | Total Municipal audit: | 557,374.52 | Carried. |

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

Last meeting was today, Tuesday, May 9, 2006 at 2:30 PM in the Village Hall, 111 Elm Street, 2nd fl.

MOTION by Trustee Koek, seconded by Trustee Taylor to adopt RESOLUTION No. 17-2006 Make Determinations required by Section 1402 (3) of the Real Property Tax Law. Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to adopt RESOLUTION No. 18-2006 Tax Levy. Carried.

MOTION by Trustee Koek, seconded by Trustee Taylor to adopt RESOLUTION No. 19-2006 Tax Warrant. Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to approve the purchase of a new copier on State bid. Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to adopt the Municipal’s water, sewer and electric budget for the 2006-2007 fiscal year, as recommended by the Municipal Utilities Board. Carried.

MOTION by Trustee Koek, seconded by Trustee Allison to approve signing a one-year *Water Treatment Service Contract* with Water Wise, Inc. at an annual charge of \$1,020.00. Carried.

Village Treasurer Socola informed the Board that Rick Wilson, who is updating the Village’s zoning map, will have a draft prepared by next week for the Board’s review.

Village Treasurer Socola and Police Chief Hill asked for the Board’s opinion as to whether or not to continue researching the reinstatement of parking meters in the Village. The decision was to pursue the matter at least a little further.

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

The last meeting was held yesterday, Monday, May 8th at 4:00 PM in the Village Hall, Room 210

MOTION by Trustee Christensen, seconded by Trustee Taylor to hire or re-hire the following part-time summer employees:

1. Andrew Jensen, Parks (mow parks only) at \$6.75hr.
2. Derek Stork, Parks at \$6.75hr.
3. Derek Christensen, DPW laborer at \$7.00hr.
4. Jonathan Folts, DPW laborer at \$6.75hr.
5. Playground leaders: Grace Volt, Christine Peck and Erin Ames at \$6.75hr.
6. Lifeguards (3% increase): Stephanie Smolos and Carlee Buck, Head Lifeguards at \$9.03hr.
Alison Mitchell, Kerry Hallings, Brian Creary, Heather Brown, Kyle Knapton, Amanda James, Cara Lucas, Patrick Donovan at \$8.39hr.
Dan McGuffie and Mike Manley at \$8.17hr. Carried.

MOTION by Trustee Christensen, seconded by Allison to increase the hourly rates for Brian Hall to \$7.00hr, Ryan Cook and Mark Griffin to \$6.90hr. who were re-hired at the April 11th Village Board meeting at \$6.75hr. Carried.

PARKS & RECREATION: R. Dailey, Chair, W. Allison & N. Koek

The last meeting was held on Monday, April 17th at 11:00AM in the Wagner Inn, East Elm Street

The request from the local chapter of the American Red Cross for the Village to fund the Summer Water Safety program in the amount of \$500.00 was.....

MOTION by Trustee Dailey, seconded by Trustee Koek to approve the above ↑ mentioned request. Carried.

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

The next meeting is scheduled for Monday, May 22nd at 7:00 PM in the Village Hall

No report

AD HOC BUILDING COMMITTEE: D. Marchionda, Chair

No report

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

The last meeting was Tuesday, April 11th at noon in the Wagner Inn, East Elm St. (the meetings will be held as necessary and the day and time may be changed in the near future)

Police Department:

Police Chief Hill informed the Board that, at the next meeting, he would report on his findings concerning the NRP and NIMS.

MOTION by Trustee Taylor, seconded by Trustee Christensen to approve Police Officer Jeff Stewart attending the “Basic Law Enforcement Bicycle Patrol Course” from June 12th to June 16, 2006 at the Finger Lakes Community College Campus. The fee is \$150.00. Carried.

Fire Department:

MOTION by Trustee Taylor, seconded by Trustee Koek to un-table the motion made at the 4/11 VBm, and to approve the membership of Joe Trautman, Sr. into the Hunter, Hook & Ladder Company of the Penn Yan Fire Department. Carried.

Code Enforcement:

No report

PUBLIC WORKS: W. Allison, Chair; N. Koek & R. Hoban

The next meeting is scheduled for Monday, April 17th at 1:00 PM in the Village Hall, 2nd fl.

Streets:

MOTION by Trustee Allison, seconded by Koek to accept the following bids for the 2006-2007 fiscal year:

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|-------------------------------|-------------------------------------|
| Ready-mix concrete and | |
| Flowable fill | Hanson Aggregates New York, Inc. |
| Gasoline, fuel oil & kerosene | Stewart P. Wilson, Inc. (Lakes Gas) |
| Hot mix bituminous | Hanson Aggregates, Inc. |
| Hauling of materials | Long Milk Haulers, Inc. |

Carried.

(At 10:00 PM, due to illness, the Village Clerk left the meeting)

Buildings:

The request from Idelle Dillon, Executive Director at the Oliver House, for funds to repair/update was passed onto the Village Treasurer to work with Mrs. Dillon.

MUNICIPAL:

The last meeting was Thursday, May 4, 2006 at 2:00 PM at 111 Elm St, Room 210

MOTION by Trustee Allison, seconded by Trustee Koek to approve *Payment Application No. 1* to Western New York Contractors, Inc. in the amount of \$90,345.29 for the Main Street Water Main Improvement Project. Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to authorize up-to-two (2) employees to attend the NYMPA 9th Annual Meeting on Wednesday, May 17th in Liverpool, NY. Carried.

MOTION by Trustee Allison, seconded by Trustee Dailey to authorize up-to-three (3) employees to attend the FLWWC Spring Workshop on Thursday, June 1st at the Montour Falls Fire Department. Carried.

MOTION by Trustee Allison, seconded by Trustee Koek to approve Assistant Director of Public Works Osgood attending a continuing educational seminar in order to maintain his engineer's license on Wednesday, May 24th in Syracuse, NY without using a "benefit" day. Carried.

ADJOURNMENT INTO EXECUTIVE SESSION:

At 10:15 PM, MOTION by Trustee Allison, seconded by Trustee Koek to adjourn into Executive Session regarding a personnel matter. Carried.

(10-minute break)

ADJOURNMENT OF EXECUTIVE SESSION:

At 10:50 PM, MOTION by Trustee Christensen, seconded by Trustee Taylor to adjourn the executive session and return to the regular Village Board meeting. Carried.

MOTION by Trustee Koek, seconded by Trustee Taylor to hold a *Special* Village Board meeting on Tuesday, May 30th at 6:00 PM for the year-end fiscal audit. Carried.

MOTION by Trustee Allison, seconded by Trustee Koek to authorize Recreation Director Doyle to seek a grant for funds to use on the outlet trail, with Asst. DPW Director Osgood's and Village Treasurer Socola's final approval. Carried.

ADJOURNMENT:

At 10:55 PM, Trustee Allison, seconded by Trustee Koek to adjourn the regular meeting. Carried.

Linda K. Banach, Village Clerk

ANNOUNCEMENTS:

- ▶ A *Special* Village Board Meeting is scheduled for Tuesday, May 30, 2006 at 6:00 PM in Room 202.
- ▶ The next *Regular* Village Board Meeting is scheduled for Tuesday June 13th.