

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, May 15, 2018 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor MacKerchar; Trustees C. Benedict; D. Condella; T. Hoban; K. McLoud; R. Spencer R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Deputy Clerk/Treasurer H. Easling; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; Police Investigator W. Marsh; CEO B. Lyon

ABSENT: Chief Dunham; Fire Chief B. LaRock

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC: Planning Board: Cliff Orr, Chairman, Stan Olevnik, Jean D’Abbracci, Lynn Duryea, Mike Willis, Fran Dumas, Carlie Chilson, Cornell Students – Lela Robinson, Nathan Martin, Kelly Farrell, Oliva Chaudhury

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

6:00PM PUBLIC HEARING – Override Tax Cap 2018-2019

At 6:00PM **MOTION** by Trustee McLoud, seconded by Trustee Condella open the Public Hearing.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

Mayor asked if anyone had any comments or concerns – no comments. Will leave the hearing open for a while.

Mayor MacKerchar explained we have had several Cornell students working through Design Connect for the Parks & Recreation Master Plan the last few months. They have done a great job and have updated the Master Plan from 2010.

At 6:03PM **MOTION** by Chairman C. Orr to open the Special Planning Board meeting with the Village Board to hear and discuss the Design Connect presentation for the Master Plan.

ADOPTED Ayes 3 Planning Board: Cliff Orr, Chairman, Stan Olevnik, Jean D’Abbracci

At 6:05 PM Trustee Benedict arrived

Cornell student Ms. Robinson explained they visited the Penn Yan area did research on the Village, the Keuka Outlet and Village Parks. Found the Outlet is very important to the area, looked at water quality. We reviewed what has been accomplished from the 20/20 Plan and looked for some improvements. Looking what can be done to keep people here or return after high school and college. Ms. Robinson mentioned they invited several Penn Yan High School students to Cornell also had a couple of community discussions in the Village to get their input and suggestions for the area. We prioritized a list for small-medium and large projects. 1. Small projects include Elm Street complex used by tourist, village members, cross country team. Could have more and better signage on the Outlet Trail more historical signs. Bikes racks and hitching post on the trail and more seating at the boat launch. 2. Medium projects – Lake Street Playground – equipment needs updating – very dated, parking lot at Elm Street lack of parking needs to be paved and relined for parking spaces. Beach erosion at Red Jacket and ADA (American with Disability Act) to make more acceptable to everyone. Tennis Courts improvements at boat launch, would like it to be redone. 2. Large projects- these deal with activities. More bike and pedestrian walk ways to get to the Parks and around the downtown. This has been discussed in the 20/20 vision. Will have challenges around the waterfront with walking trails with private property. Other difficulties are the bridges that go across the Outlet to the Parks and Boat Launch. Need to be high enough for boats to pass underneath. While this is down the line looking at a marsh walk way - it’s very expensive. Could incorporate a small bridge by the sports complex and the bridge that would connect the outlet. Have the Community Center connected by pedestrian walking trails and bike trails for off road connection. Trails by Jacobs Creek. We have found a lot of work has already been done in Penn Yan the 20/20 vision plan and Comprehensive Plan. Our goal is to provide you with something you can work with and not sit on a shelf. When moving forward get community involved – fund raisers – clean-up days for the Parks. The Cornell team thanked the Village Board and everyone for having them here to help out and it was a great learning experience for them.

Atty. Brockman will write up a short procedure memo for the Planning Board and suggest how to proceed. This will be a supplement to the Compressive Plan to deal with Parks & Recreation. Planning Board will have a Public Hearing for this within 90 days. After a Public Hearing by the Planning Board they will report back to the Village Board with any recommendations that need to be expanded on. The Village Board will make a final decision, have a SEQRA process, Village Board will have a Public Hearing and finally act on it.

At 6:33 PM **MOTION** by Jean D’Abbracci, seconded by Stan Olevnik to close the Special Planning Board meeting.

Mayor MacKerchar excused the Planning Board at 6:34 PM.

At 6:35PM **MOTION** by Trustee McLoud, seconded by Trustee Stewart to close the Public Hearing - Override Tax Cap 2018-2019

ADOPTED Ayes 6 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 47 - 2018 Adoption of a Local Law Authorizing the Repeal of “Tax Cap Override Law of the fiscal years 2018-2019

WHEREAS, a proposed Local Law has been drafted and circulated to the Board of Trustees with respect to this matter; and

WHEREAS, the Board of Trustees intends to act as “Lead Agency” with respect to SEQRA issues related to this action; and

WHEREAS, a public hearing was held before the Board of Trustees of the Village of Penn Yan on said proposed local law on May 15, 2018.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees designates itself as “Lead Agency” for SEQRA issues related hereto, determines that there will be no environmental impacts resulting therefrom, therefore declares this to be a “Type II” action and accordingly no environmental review will be undertaken.
2. The Board of Trustees of the Village of Penn Yan adopts the proposed Local Law.
3. The Deputy Clerk is directed, through the Village’s legal counsel, 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 a Local Law, including the entry thereof in the minutes of the Village Board Meeting.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Atty. Brockman explained we have Part I of the FEAF for the 2018 Parks & Recreation Master Plan. The Final SEQR review will be completed in conjunction with the Village Board adopting the final draft of the Parks & Recreation Master Plan. Tonight will approve the content of Part 1 and later Part 2 & 3 will be completed.

Atty. Brockman reviewed Part 1 of the Adoption of the Village of Penn Yan 2018 Parks & Recreation Master Plan.

MOTION by Mayor, seconded by Trustee Condella to approve the content of PART 1 the FEAF - Adoption of the Village of Penn Yan 2018 Parks & Recreation Master Plan.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

CALL FOR EXECUTIVE SESSION:

MOTION by Mayor MacKerchar, seconded by Trustee Condella to authorize to have an Executive Session for legal counsel and employment record of an employee.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MINUTES:

MOTION by Trustee Benedict, seconded by Trustee McLoud to approve the Village Board Minutes from April 17, 2018.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 51- 2018 Referral of Proposed Comprehensive Parks and Playgrounds Plan to Village Planning Board.

WHEREAS, the Board of Trustees previously entered into an agreement with Cornell University for development of a “Comprehensive Parks and Playground Plan” (CPPP) through Cornell’s “Design Connection Program” and

WHEREAS, such CPPP has been presented to the Board of Trustees; and

WHEREAS, the Board of Trustees intends to have the proposed CPPP reviewed by the Village Planning Board; and

WHEREAS, the Board of Trustees intends to address SEQRA issues with respect hereto.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan hereby establishes itself as “Lead Agency” for SEQRA purposes, determines the adoption thereof to be a “Type I” action and therefore a Full Environmental Assessment Form (FEAF) will be prepared and reviewed.
2. The proposed CPPP is referred to the Village Planning Board for its review and any recommendations for modification.
3. The Village Planning Board is requested to hold a public hearing upon the proposed CPPP as part of its review thereof.
4. It is further requested that such review and recommendation be completed within ninety (90) days of this referral and that a written report of that review and any recommendations be made to the Village Clerk.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to approve the Living Well to hold a fundraiser at Red Jacket Park Saturday September 22, 2018 10:00AM – 4:00PM and to waive the rental fee for use of Red Jacket Park pavilion.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize the Penn Yan Little League to hold a Fireworks display at the Little League field on Friday June 15, 2018 at 9:00PM – 10:00PM. Pending completed paper work and approval by the Code Office and approve the permit fee to be waived.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Discussion: Mayor asked to be sure the Police Chief and Fire Chief is informed of the event.

MAYOR:

Mayor explained this is the third round to apply for the DRI (Downtown Revitalization Initiative) for the \$10 million. Steve Griffin has offered again to help submit our paperwork. We have various projects we could use this money towards and if we are awarded the funding a group comes in and looks at different projects and they make a final decision of what we need to do with the money. They do the planning and everything. Geneva and Watkins Glen have already received money from the DRI.

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize Resolution No 52-2018 Authorizing the Submission of an application to the Empire State Development Corporation for the “Downtown Revitalization Initiative” for the Village of Penn Yan and approve the Mayor to sign the appropriate paper work to file for the Downtown Revitalization initiative application.

WHEREAS, the Empire State Development Corporation has issued a “Request for Proposals” for the “Downtown Revitalization Initiative” a program designed to encourage economic development and neighborhood growth by providing \$10 million to one community in each region for transformative housing, economic development, transportation and community projects that will attract and retain residents, visitors and businesses; and

WHEREAS, the Village of Penn Yan, through a partnership with the Finger Lakes Economic Development Center, has identified more than \$80 million in potential private development opportunities

through public outreach and its draft comprehensive planning procedures as well as that of the community lead Vision 2020 plan, that need local and state financial resources to help push them forward.

NOW, THEREFORE, BE IT RESOLVED, by the Village of Penn Yan Board of Trustees:

1. The Board of Trustees designates itself as “Lead Agency” for SEQRA purposes, it is hereby determined that there will be no adverse environmental impact as a result of this action, the action is thereby declared to be “Type II” and accordingly no environmental review will be undertaken.
2. The Village Mayor is hereby authorized and directed to execute and file an application to the Empire State Development Corporation for the “Downtown Revitalization Initiative” to support the ongoing redevelopment of the Village of Penn Yan.
3. Any acts previously taken by the Mayor with respect hereto are hereby ratified and affirmed.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

Mayor mentioned Brent and himself had a meeting with 20/20 Vision, Chamber of Commerce, Keuka Housing Counsel and Yates County Planner and in the past met with Town of Milo, Jerusalem and other County Representatives regarding various projects example Marsh walk. In 2008 we had a Waterfront Revitalization program summary done need to look at this and clarify the summary. The LWRP (Local Waterfront Revitalization Plan) allows us to get on a list for other funding. The cost for the Design Connect project was mileage only; it could have cost us \$40,000. At the meeting the other stake holders agreed to assist us with the application and give us a lot of opportunity for funding.

MOTION by Trustee Spencer, seconded by Trustee McLoud to authorize us to participate in the application process for the LWRP.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

Discussion: Trustee Spencer asked what is the scope of the project. Heard it could be to dredge the channel. Trustee Stewart questioned where does the money come from. Brent Bodine explained it could be for the channel plus other projects. County has money and it’s a grant we are applying for. If we are awarded the grant it is 75-25 and we could apply to Yates County Tourism for our share.

ATTORNEY:

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize Resolution No 46- 2018 Acquiring Easement for Utility Infrastructure on Tractor Supply Company Site on State Route 14A

WHEREAS, it has been determined by the Village Director of Public Works that an easement is necessary for installation of public utility infrastructure on the premises which is to be the site of the Tractor Supply Company (TSC) facility on Route 14A; and

WHEREAS, a copy of the proposed easement agreement has been distributed to the Board of Trustees; and

WHEREAS, the Board of Trustees of the Village of Penn Yan intends to address SEQRA issues related to the easement acquisition.

Now Therefore, Be It Resolved That

1. The Board of Trustees designates itself as “Lead Agency” for SEQRA purposes for this action, declares this to be an “unlisted action” and therefore a Short Environmental Assessment Form (SEAF) will be prepared and reviewed.
2. The acquisition of such easement is approved and the Mayor is authorized and directed to execute the necessary documents to effectuate the easement agreement, subject to the approval of the final drafts thereof as to form and content by the DPW Director and the Village Attorney.
3. The Village Clerk/Treasurer is authorized to expend such funds as are necessary for the recording of such easement agreement and any supporting document(s) with the Yates County Clerk.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Mayor MacKerchar, seconded by Trustee Condella to approve and adopt the SEAF Tractor Supply Utility Infrastructure Easement and direct Mayor to execute.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

COMMUNITY REVITALIZATION:

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize the Façade Improvement application from Sampson Theater-PYTCO, for a loan/grant of \$30,000.00; 50% (\$15,000) to be a grant and 50% (\$15,000) to be a loan, which will be paid off at time of closing, and choosing Rochester Colonial as contractor.

Discussion: Fran Dumas reminded the Board it's only the outside doors and the structure is on the Historical National Structure list so any changes have to be appropriate. She asked has anyone at the State level SHPO reviewed this and Okayed the doors. Trustee Benedict mentioned the plans have been presented to our CRC Committee. Mayor asked Fran what is your recommendation as the Village Historian. She wants to be sure SHPO is aware and approved the structure of the outside doors. Mayor asked the Motion be modified to have the subject approved by SHPO. Mayor feels they should have already had a dialog with someone at state level, but will make sure. Atty. Brockman suggested tabling this motion for now and checking to be sure SHPO is aware and is in agreement.

MOTION by Trustee Spencer, seconded by Trustee Condella to table the Motion to authorize the Façade Improvement application from Sampson Theater-PYTCO, for a loan/grant of \$30,000.00 until we hear and have paper work from SHPO that shows they have approved the structures of the doors.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to approve Trustee Condella, and Yates County Chamber of Commerce, President & CEO Jessica Bacher be placed on the CRC Committee.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MUNICIPAL:

MOTION Trustee McLoud, seconded by Trustee Condella to authorize the Resolution No 56-2018 to authorize Brent Bodine as an accredited delegate of the Village of Penn Yan at the New York Municipal Power Agency (NYMPA) 21st Annual Meeting on May 30, 2018 in East Syracuse.

At a regular meeting of the Village Board of the City/Tow/Village of Penn Yan, New York, held on May 15, 2018, the following resolution was adopted:

Moved by _____, seconded by _____

WHEREAS, the _____ of the City/Town/Village of Penn Yan, New York, is a municipal member of the New York Municipal Power Agency, and

WHEREAS, in accordance with the bylaws of New York Municipal Power Agency, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Brent Bodine be and is hereby designated as the accredited delegate of the City/Town/Village of Penn Yan, New York.

Mayor asked for a roll call vote

Mayor MacKerchar	Aye	Trustee Hoban	Aye	Trustee Stewart	Aye
Trustee Benedict	Aye	Trustee McLoud	Aye		
Trustee Condella	Aye	Trustee Spencer	Aye		ADOPTED

MOTION by Trustee McLoud, seconded by Trustee Spencer to declare old Truck 5 as surplus and sell at fair market value.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize sending a letter of intent to Bobcat of Finger Lakes in Fairport, NY to purchase two S650 T4 Bobcat Skid-Steer Loaders for a total of \$11,458.54 in the 2018-2019 fiscal year.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Stewart to authorize issuing a Notice of Award to Bell Mechanical Contractors Inc. for sanitary sewer replacement on Sheppard St. and Johnson Ave. for the amount of \$62,780.00.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize issuing a Notice of Award to Bell Mechanical Contractor Inc. for the CDBG project for water system improvements on Sheppard St., Johnson Ave. and Myrtle Ave. in the amount of \$497,275.00.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize Yvonne Tucker to take the Water Treatment Plant Operator Type IIA Certification course offered October 1 – October 12, 2018 in Tonawanda, NY at a cost of \$875 plus expenses.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize Clifton Chase to take the Basic Laboratory Procedures training at Morrisville College on July 9-13th at a cost of \$575 and Basic Operations of Wastewater Treatment Plants training at Morrisville College on July 23-August 3 at a cost of \$975.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Spencer to allow Naturcycle to purchase compost from the Wastewater Treatment Plant at a cost of \$4.00/cubic yard.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Condella to approve the submission of a grant application for I&I repairs (for projects totaling up to \$1,095,689.00) in the Consolidated Funding Application system. This is based upon the EPG I&I Corrective Action Report and is a non-binding application.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Spencer to approve Utility Payment Agreements in the amount of \$ 8,620.19

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

ADMINISTRATION:

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

AUDIT:

		Amount:
Paid Before Audit:		
General		31,472.46
Electric		270,196.60
Sewer		8,495.41
Water		6,611.35
Capital Projects		
Total Paid Before Audit		\$ 316,775.82
Current Audit:		
General	\$	42,672.71
Community Development - CRC		-
Electric		298,733.15
Sewer		32,066.07
Water		22,537.97
Capital Projects		1,200.00
Total Current Audit Items		\$ 397,209.90
TOTAL AUDIT		\$ 713,985.72

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Condella, McLoud, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize the Sheppard Street, Johnson and Myrtle Ave. Water Main replacement- CDBG project #895PW158-16 Warrant for \$4,208.07.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize the annual payment to the Yates County Historical for \$3,500 for June 1, 2018.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize the annual payment to the Penn Yan Library for \$1,000 for June 1, 2018

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize payment to VFIS for annual LOSAP premium in the amount of \$112,336.05 and to Glatfelter Insurance Group in the amount of \$3,163.95 payments to be made on June 1, 2018.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 48 -2018 Make Determinations Required by Section 1402 (3) (d) of the Real Property Tax Law.

WHEREAS, the Village of Penn Yan has by Local Law No. 8 of 1989, adopted pursuant to Section 1402 (3) (a) of the Real Property Tax Law, ceased to be an assessing unit, and

WHEREAS, the Village tax levy must henceforth be allocated among the portions of the Village located in the Towns of Milo, Benton and Jerusalem, pursuant to the provisions of Section 1402 (3) (d) of the Real Property Law, and

WHEREAS, this Board has secured from the New York State Board of Equalization and Assessment (the "SBEA") a certificate stating the latest state equalization rates established by the SBEA for each Town in which the Village of Penn Yan is partially situated as follows:

TOWN	FINAL RATE
Benton	99.00
Jerusalem	90.00
Milo	97.00

and

WHEREAS, this Board is to determine what proportion of the 2018-2019 taxes to be levied in the Village shall be levied upon each part of a town included in the Village by dividing the full valuation of taxable property, in the appropriate part of each town, by the total in the Village.

NOW, THEREFORE, BE IT RESOLVED that this Board, pursuant to Section 1402(3)(d) of the Real Property Tax Law, hereby makes the following determinations:

1. Based upon the assessment roll provided by the several towns, the assessed valuation of taxable real property located in each portion of the Village is as follows

Benton	\$ 19,545,943
Jerusalem	4,849,961
Milo	<u>171,617,504</u>
	\$ 196,013.408

2. Dividing the above assessed valuations by the aforementioned equalization rates, the full valuation of taxable real property located in each portion of the Village is as follows:

Benton	\$ 19,743,377
Jerusalem	5,388,846
Milo	176,925,262

for a total Village full valuation of \$ 202,057,484

3. The proportion of the 2018-2019 tax to be levied upon each portion of the Village (expressed to the nearest exact ten thousandth as required by Section 1402 (3) (d), obtained by dividing the town full valuation totals by the Village full valuation total, is as follows:

Benton	.097712
Jerusalem	.026670
Milo	.875618

And be it further

RESOLVED that the 2018-2019 Village tax levy shall be levied upon each part of each town included in the Village in the following proportions:

Benton	9.771 %
Jerusalem	2.667 %
Milo	<u>87.562 %</u>
	100.00 %

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 49 – 2018 2018-2019 Tax Levy

WHEREAS, THE Village Board of Trustees has adopted a budget for the fiscal year 2018-2019 pursuant to Section 5-508 of the Village Law.

NOW, THEREFORE BE IT RESOLVED, that the following tax levy be adopted levying the total taxes and other charges extended and levied against each parcel of real property shown on the roll prepared by several town assessors for the fiscal year 2018-2019:

General Fund Tax Levy	\$ 2,988,443.99
TOTAL TAXES FOR 2018-2019 BUDGET	2,988,443.99
Delinquent Water Rents & Charges	2,157.88
Delinquent Sewer Rents & Charges	2,031.81
Mowing Charges	308.72
Snow Removal Charges	00.00
TOTAL TAX LEVY	\$ 2,992,942.40

and be it further

RESOLVED, that there be levied and assessed against taxable real property located in each part of a town included in the Village of Penn Yan, pursuant to Section 1402(3)(d) of the Real Property Tax Law and the determinations made by this Board, in accordance with said law, in its Resolution No.48 - 2018, the

following sums for the operation of Village government for the fiscal year beginning, June 1, 2018, at the following rates per thousand dollars of assessed valuation:

Town	% Tax Levy	Tax Levy	Assessed Valuation	Tax Rate per 1000
Benton	9.7712	292,005.86	19,545,943	14.939464
Jerusalem	2.6670	79,701.40	4,849,961	16.433411
Milo	<u>87.5618</u>	<u>2,616,736.73</u>	<u>171,617,504</u>	15.247495
	100.0000	2,988,443.99	196,013,408	

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize Resolution No 50 -2018 Tax Warrant

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$2,992,942.40 for the following purposes:

Town of:	Benton	Jerusalem	Milo	Total
2018-19 Tax Levy	292,005.86	79,701.40	2,616,736.73	\$2,988,443.99
Re-levied Water Rents	00.00	-	2,157.88	2,157.88
Re-levied Sewer Rents	00.00	-	2,031.81	2,031.81
Mowing Charges	-	-	308.72	308.72
Snow Removal Charges			00.00	00.00
	\$292,005.86	\$79,701.40	\$2,621,235.14	\$2,992,942.40

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charges between the first day of June and the first day of July, 2018, both inclusive; and thereafter to collect with such sums as have not theretofore been collected, and additional interest charge of five per centum for the first month or fraction thereof, at the annual rate as set by the State Tax Commissioner, which has been divided by twelve and rounded to the nearest hundredth of a percent.

YOU ARE FUTHER COMMANDED to return the tax roll and warrant to your office on or before the thirty-first of October 2018, and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid, what each parcel of real property is assessed for and showing as to each parcel the amount of tax unpaid. Transmittal of delinquent village taxes shall be, with resolution, made to the County Treasurer by November 12, 2018.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 53-2018 Budget Transfers of \$4,100 for 2017-2018 Fiscal Year (Street Maintenance to cover over runs in contractual services)

TO:		Date	Fund Totals
Account Id	Description		
A -5110-4-410	Street Maintenance-Contractual Services	2,500	
A -5110-4-412	Street Maintenance-Gas/Diesel/Oil/Lube	1,500	
A -5110-4-480	Street Maintenance-Prof Fees/Publication	<u>100</u>	
		<u>4,100</u>	
		General	4,100
		Electric	-
		Sewer	-
		Water	-
		-	<u>4,100</u>
FROM:		Date	
Account Id	Description		
A -5110-2-200	Street Maintenance-Equipment	600	

A -5110-2-260	Street Maintenance-Storm Sewer Maint.	400	
A -5110-2-270	Street Maintenance-Curbing & Fabric	400	
A -5110-4-400	Street Maintenance-Engineering		
A -5110-4-410	Street Maintenance-Contractual Services		
A -5110-4-412	Street Maintenance-Gas/Diesel/Oil/Lube		
A -5110-4-413	Street Maintenance-Vehicle & Equipment Repairs		
A -5110-4-415	Street Maintenance-Landscaping/Tree Removal		
A -5110-4-420	Street Maintenance-Phone/Internet/Utilities		
A -5110-4-480	Street Maintenance-Prof Fees/Publication		
A -5110-4-490	Street Maintenance-Sidewalk Program		
A -5110-4-500	Street Maintenance-Supplies & Materials	1,600	
A -5110-4-520	Street Maintenance-Salt & Sand	500	
A -5110-4-540	Street Maintenance-Signs & Posts	<u>600</u>	
		<u>4,100</u>	
			General 4,100
			Electric -
			Sewer -
			Water -
			<u>4,100</u>

Budget transfer within Streets Maintenance to cover over runs in contractual services, fuel account, and professional/travel.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 54-2018 Budget Transfers of \$30,000 for 2017-2018 Fiscal Year.
 (Electric fund to replenish the employee welfare expense account)

TO:			Fund
Account Id	Description	Date	Totals
E -0785-1-100	Employee Welfare Expense	<u>30,000</u>	
		<u>30,000</u>	
			General -
			Electric 30,000
			Sewer -
			Water -
			<u>30,000</u>
FROM:			
Account Id	Description	Date	
E -0742-1-130	Repairs-Dist Substation	<u>30,000</u>	
		<u>30,000</u>	
			General -
			Electric 30,000

Sewer	-
Water	-
	-
	30,000

Budget transfer within the Electric fund to replenish the employee welfare expense account with funds from the substation repair account, which is expected to underrun the budget.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 55-2018 Budget Transfers of \$825 for 2017-2018 Fiscal Year.
 (Sanitary Sewer cost center to accommodate unbudgeted engineering expense)

TO:			Fund
Account Id	Description	Date	Totals
ES-8120-4-400	Sanitary Sewer-Engineering	<u>825</u>	
		<u>825</u>	
		General	-
		Electric	-
		Sewer	825
		Water	-
		-	825

FROM:			
Account Id	Description	Date	
ES-8120-4-413	Sanitary Sewer-I&I Correction	<u>825</u>	
		<u>825</u>	
		General	-
		Electric	-
		Sewer	825
		Water	-
			825

Budget transfer within Sanitary Sewer cost center to accommodate unbudgeted engineering expense associated with railroad permitting for sewer line on Sheppard St.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize to hire the following re-hires and new hires for Park Maintenance and Lifeguard.

<u>Re-hire Lifeguard \$11.50 hr.</u>	<u>New Hires Park Maint. \$10.40 hr.</u>
Scott Fingar	Scott Fingar start date 5/16/18
	Brandan McNeill retro start date 5/11/18
	Michael Marsh start date 5/16/18
	Alex Gurba start date 5/16/18
	Matthew Ryder retro start date 5/11/18

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to approve Resolution No 57-2018 for June 1, 2018-May 31, 2019 Non-Union salary schedule.

Increase	Annual	Bi- Weekly	Hourly
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MAYOR	MackKerchar		4835	185.96
TRUSTEES			3986	153.32
COMMISSIONERS			2568	98.79
MUB CHAIR	French		2909	111.89
HEALTH OFFICER	Dewitt		3000	115.38
HISTORIAN	Dumas		1200	46.15
ACTING JUSTICE	Grace		6000	230.77
VILLAGE JUSTICE	Conlon	2.50%	21716	835.23
ATTORNEY	Brockman	2.50%	32586	1253.31
DEPUTY CLERK	Morse	2.50%	44418	22.78
DEPUTY CLERK	Martin	2.50%	44007	21.16
DEPUTY CLERK/TREASURER	Easling	2.50%	51636	24.83
CLERK/TREASURER	Meeks	2.50%	72089	34.66
DIRECTOR OF PUBLIC WORKS	Bodine	2.50%	79206	38.08
ASSISANT DIRECTOR OF PUBLIC WORKS	Jensen	2.50%	60805	29.23
CODE ENFORCEMENT OFFICER	Lyon	2.50%	49636	23.86
CONFIDENTIAL ASSISTANT TO THE CHIEF	Pedder	2.50%	41191	19.80
RECREATION & FACILITIES DIRECTOR	Doyle	2.50%	52592	25.28
COURT CLERK	Griffin	2.50%		15.48
COURT CLERK	Swarthout	2.50%		11.75
SECRETARY P/H/Z	Duryea	2.50%		18.29
CHIEF OF POLICE	Dunham	2.00%	77935	37.47
PART TIME OFFICERS 20+ YEARS OF SERVICE				20.00
PART TIME OFFICERS < 20 YEARS OF SERVICE				18.00

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McCloud to approve Resolution No 58-2018 for June 1, 2018-May 31, 2019 Seasonal Employee pay schedule.

Title	Hourly Rate Range	
	Minimum	Maximum
Cemetery Laborer	\$10.40	\$11.00
Street Dept. Laborer	\$10.40	\$11.75
Park Maintenance	\$10.40	\$10.40
Recreation Supervisor	\$10.40	\$11.00
Recreation Assistant	\$10.40	\$10.40
Lifeguard	\$10.40	\$11.50

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Spencer to approve Resolution No 59-2018 for the Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Spencer to approve Resolution No 60-2018 for the Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Hoban to approve the Mayor to sign the Non-Union Terms & Conditions of Employment Agreements.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart

Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to create a second WWTP Chief Operator position.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to appoint Yvonne Tucker as WWTP Chief Operator. It will be a Provisional appointment, retroactive to April 10, 2018. There will be no change in rate.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to accept Christina Galliher’s retirement, after 21 years of service. Last day of actual work is May 13th. Retirement date will be July 27, 2018

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

PUBLIC SAFETY:

MOTION by Trustee Condella, seconded by Trustee Spencer to authorize Chief Dunham to send officers to emergency vehicle operations course training (EVO) in June 2018. The training will be held at the Seneca Army Depot and is free of charge.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

POLICE DEPARTMENT:

FIRE DEPARTMENT:

Monthly Fire Department report

Trustee Condella mentioned all went well with the Block Fire Drill on May 3rd for the Fire Drill 6:30PM.

CODE ENFORCEMENT:

PUBLIC WORKS:

MOTION by Trustee McLoud, seconded by Trustee Condella to issue a Notice of Award to On the Level Remodeling for repair work on the porch at the Oliver House for the amount of \$12,950.00.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

PLANNING & DEVELOPMENT:

MOTION by Trustee Stewart, seconded by Trustee McLoud to appoint Andrew Baus effective May 16, 2018 to the Historic Preservation Committee as the alternate for a 1 year term.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Trustee Stewart stated they have two Alternate position openings for the Planning Board and ZBA. So if anyone knows of someone let him know.

COMMENTS

At 7:15PM Grace Knapton arrived and 7:20PM John Christensen arrived

Mayor asked if there were any comments from the Public.

John Christensen asked the Board to reconsider the approval for the Façade Improvement application from Sampson Theater-PYTCO. If the Board tables this matter – all material for this request has to be regathered and re-dated. The application is exactly as it was before. Our architect Richard Osgood has worked closely with SHPO and Rochester Colonial and the doors are both Historical and up to modern code that is required for modern code safety and security. Mayor explained our Village Historian asked has the architect worked with SHPO. John Christensen stated yes Richard has worked with every aspect dealing with the original fabric of the Sampson Theater and worked closely with SHPO on this because of our Historical building. Atty. Brockman asked if Richard has any documentation that the proposed plans comply with SHPO. John mentioned the same documentation that was with the initial documentation that was approved last time. Mayor stated the question was since the building is on the Historical registry is SHPO aware of what is going on. John stated yes Richard has worked closely with SHPO. Atty. Brockman the only question is – is there any documentation with the CRC that SHPO was approved. John cannot answer that question right now. After a lengthy discussion it was decide to approve subject to the documentation from SHPO approving the doors.

MOTION by Trustee Benedict, seconded by Trustee McLoud to un- table the original Motion to authorize the Façade Improvement application from Sampson Theater-PYTCO, for a loan/grant of \$30,000.00.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Spencer, seconded by Trustee Benedict to readdress and approve the Façade Improvement application from Sampson Theater-PYTCO, for a loan/grant of \$30,000.00 subject to the documentation to be submitted that SHPO approved the proposed plans for the entrance door systems.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Brent Bodine mentioned he recently heard we received a portion of the money we requested from the Tourism funds for the restoration at Red Jacket Park. We asked for \$30,000 and received \$18,000.

EXECUTIVE SESSION:

Mayor asked DPW Director Brent Bodine to attend the Executive Session Meeting

At 7:40 PM, **MOTION** by Trustee Benedict, seconded by Trustee Condella to enter into Executive Session.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

ADJOURNMENT OF EXECUTIVE SESSION:

At 9:14 PM, **MOTION** by Trustee Benedict, seconded by Trustee Condella to leave Executive Session and return to regular Village Meeting.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

ADJOURNMENT:

At 9:15 PM, **MOTION** by Trustee McLoud, seconded by Trustee Spencer to adjourn the regular Village Board meeting.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: