

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, May 18, 2010 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor R. Church.; Trustees W. Allison; C. Christensen; M. Christensen; W. Davidson; R. Stewart; B. Winslow; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Director of Public Works D. Osgood; Assistant Director of Public Works B. Bodine; Police Chief Hulse; Parks Director D. Doyle; Fire Chief R. Retorick; CEO B. Lyon

ABSENT:

News Media present: Gwen Chamberlain, Chronicle Express; Amanda Folts, Finger Lakes Times; Peg Thompson, Dundee Observer

PUBLIC: Carol Anderson, Bob Hoban

PUBLIC HEARING – Water Rate Increase \$.60 per 1,000 gallons

Mayor Church called the Public Hearing to order at 5:50 PM.

Mayor Church asked if there were any comments from the public:

Carol Anderson came to the Board meeting to express her concerns over the increase and be a representative for the older population of the Village. She told the board she is opposed to the increase. Carol, along with other retired residents, cannot afford more increases, our pensions are not going up. Once you raise the rates they won't go back down. We live on fixed incomes and our income is not going up which makes it very hard for us to pay our bills. Carol explained she has been a Village resident for 12-13 years and her first Municipal bill were around \$25 -\$30 a month but now they are well over \$100.

S. Wilber Clerk/Treasurer explained some of reasons for the \$90,000 overall increase in the water budget: one high usage water customer discovered a large leak and another high consumption account made changes to their processes which significantly decreased their water consumption which in conjunction with other contributing factors amounted to a difference of 10 million gallons less water used for budgeting purposes; an increase of the NYS Retirement Contribution in the amount of \$19,200; and a decrease in the amount of interest income by \$28,000. These changes are beyond our control. We reduced the Pumping and Purification or Water Treatment Plant portion by \$20,000. There is an increase of approximately \$16,000 to the Transmission and Distribution section which is partly due to a difference in budgeting procedures that in the past budgeted the wages of the Water/Sewer Crew equally to the Water and Sewer Budgets however, when the crews work we charge the account that they actually work on. With this being said I reviewed the historical data to budget more according to what actually happens. We all know we have more water breaks than sewer breaks and the crew works on water mains more than the sewers. Rom French added that the Municipal Board has tried to keep water and sewer rates as low as possible. If one were to look at their bill, water rates have been less then the sewer rates and although we have tried to keep it down the cost of chemicals and other rising costs, we had to raise the rate. Bob Hoban expressed his concerns and encouraged the Board not to pass the rate increase. He mentioned that there is a lot of money sitting out there that people are not paying their share of. Bob discussed the EDU philosophy and feels the Board should hold off on the vote and look into the EDU and come back to a meeting in a month or two to vote. Trustee Davidson questioned why we have not reduced or eliminated the meter charge and charge based on the water usage. If we used 1,000 gallons of water a month that would pay about 1/5 of someone that uses 5,000. He said he understands that there are cash flow issues, etc. and he plans to help work on this.

S. Wilber Clerk/Treasurer explained, the Village has been looking in to alternatives to our existing rate schedule. An EDU system or Equivalent Dwelling Unit System which would likely change the service charge and be structured so that the larger users are paying for their consumption and multi-family homes would be charged according to the number of units. This also involves places like the School and restaurants. Rom French stated that the Municipal will be diligent to get this process on track and hopes to be done in the next few months. Mayor Church and Trustee Allison agreed that there should be a fair way to bill our single paying customers.

Mayor Church asked if there were any other comments from the public regarding the public hearing:

No comments

MOTION by Trustee Allison, seconded by Trustee M. Christensen to close the Public Hearing at 6:18 PM.

MOTION by Trustee Allison, seconded by Trustee Davidson to approve Resolution No. 25-2010 Increase in Water Rent Rates.

WHEREAS, the Municipal Utility Board of the Village of Penn Yan has recommended to the Board of Trustees of the Village of Penn Yan that the water rates for water customers of the Village of Penn Yan be

increased; and

WHEREAS, a public hearing was held on May 18, 2010, before the Board of Trustees of the Village of Penn Yan, due notice thereof having been given by posting and publication.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees designates itself as “lead agency” for SEQRA purposes and determines this action to be “Type II” as the action will have no detrimental effect on the environment. Therefore, no environmental assessment will be undertaken.
2. Pursuant to the provisions of §198-16.1 of the Water Rents Chapter of the Code of the Village of Penn Yan the rates charged to water customers of the Village of Penn Yan shall be amended in accordance with the schedule of rates attached hereto.

Date of Adoption: May 18, 2010

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 HEARING – Sewer Rate Increase \$.07 per 1,000 gallons.

Mayor Church called the Public Hearing to order at 6:18 PM

Mayor Church asked if there were any comments from the public:

Bob Hoban stated the sewer budget has gone up 4% each year. The Court said we (Village of Penn Yan) won and they (Jerusalem) had to pay. We have had two meetings with Jerusalem and they were going to pay the Village. Is the Village going after that money? Rom French explained the \$.07 increase is in necessary to meet budget needs. The Municipal Board is looking at all areas to consider decreases in spending. The Village Board and Municipal Board will be meeting with Jerusalem again. We have been trying to set a date but for one reason or another we have not come up with one. Carol Anderson asked why can't the Village shut them off, if I didn't pay you would shut me off. Mayor Church explained the Village is unable to do so because of Health Department issues. There is a difference of interpretation of the contract between the Village of Penn Yan and the Town of Jerusalem. They stopped paying and we took them to court and won.

Mayor Church asked if there were any other comments from the public regarding the public hearing:

MOTION by Trustee Stewart, seconded by Trustee C. Christensen to close the Public Hearing at 6: 26 PM.

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 M. Christensen to approve Resolution No. 26-2010 Increase in Sewer Rent Rates.

WHEREAS, the Municipal Utility Board of the Village of Penn Yan has recommended to the Board of Trustees of the Village of Penn Yan that the sewer rates for sewer customers of the Village of Penn Yan be increased; and

WHEREAS, a public hearing was held on May 18, 2010, before the Board of Trustees of the Village of Penn Yan, due notice thereof having been given by posting and publication.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees designates itself as “lead agency” for SEQRA purposes and determines this action to be “Type II” as the action will have no detrimental effect on the environment. Therefore, no environmental assessment will be undertaken.
2. Pursuant to the provisions of §154-2 of the Sewer Rents Chapter of the Code of the Village of Penn Yan the rates charged to sewer customers of the Village of Penn Yan shall be amended in accordance with the schedule of rates attached hereto.

Date of Adoption: May 18, 2010

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 HEARING – Amendment to the Parks Comprehensive Plan

Mayor Church called the Public Hearing to order at 6:26 PM.

Mayor Church asked if there were any comments from the public: No comments.

MOTION by Trustee Davidson, seconded by Trustee C. Christensen to close the Public Hearing at 6:27 PM.

Mayor Church stated no action by the board is necessary and asked that the Parks Comprehensive plan be submitted to the Yates County Planning Board.

CALL FOR EXECUTIVE SESSION:

At 6:28 PM MOTION by Trustee Stewart, seconded by Trustee Allison to move into Executive Session to discuss the promotion of an employee.

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

Carried

AT 6:39PM MOTION by Trustee Allison, seconded by Trustee Davidson to leave Executive Session and return to the 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

GUESTS COMMENTS:

No report

MINUTES:

MOTION by Trustee Allison, seconded by Trustee Winslow to approve the Village Board Minutes from April 20, 2010 and the Revised Minutes of the Organization Meeting on April 5, 2010.

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:

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to approve the American Legion Post 355 holds the 7th District Convention Parade on Saturday, June 12, 2010 at 2:00 PM. The Parade route runs from the corner of Main and Court Streets up East Main Street to the American Legion.

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 explained that he received a letter that approximately 10 students and 1 adult from Canandaigua Academy are asking the Village Board's approval to cleaning up Sucker Brook from Court St. to Elm Street. This is the final project for the International Bachelorette Ecosystems and Societies

Class. Dick Osgood explained that these kids are only interested in picking up garbage and other litter. They will not be disturbing the environmental life. Dick stated they will bag it and we will pick it up for them. Brent Bodine suggested they use a different color bag to distinguish their garbage from Village Resident's and to place the bags in one or two spots. The group plans to contact each Village Resident along the Sucker Brook area regarding the details of the cleanup effort. The Mayor and Board would like to thank these students for taking time to help our Village. Trustee Stewart questioned any issues with the DEC and wet land. Dick explained where the kids will be working from Court Street up to Elm Street is not part of the DEC wet land. Based on Attorney advisement, Mayor Church explained that the only involvement the Village will have with this project will be to pick up the bags of debris once they have finished.

MAYOR:

Mayor Church discussed the need to set up a new Committee of Village Government, the Community Revitalization Committee (CRC). The CRC will review and manage the community grant monies for the Business Façade and Housing Rehabilitation Programs and make recommendations to the Village Board on awarding grants. Trustee Allison asked if we will dissolve the LDC or change the name, Atty. Brockman responded, the LDC will remain in place in case we would need to use it in the future.

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to approve Resolution No. 30-2010 Creation of Community Revitalization Committee (CRC). Appointing Bob Church as Chair, Willie Allison, Mike Linehan and Steve Griffin and a Village Board member as Committee members.

WHEREAS, the Village of Penn Yan previously received monies in the form of grants from the Department of Housing and Urban Development of the Federal Government for the funding of the "Business Façade Program" and the "Housing Rehab Program"; and

WHEREAS, there continues to be monies maintained in Village of Penn Yan accounts for the funding of said programs, to wit: the approximate amount of \$139,000.00 in the "Business Façade Program" account and the approximate amount of \$86,000.00 in the "Housing Rehab Program"; and

WHEREAS, the "Business Façade Program" and the "Housing Rehab Program" have previously been administered by the Penn Yan Local Development Corporation; and

WHEREAS, it appears to be more efficient and appropriate for said programs to be operated by the Board of Trustees of the Village of Penn Yan through a standing committee to be established for that purpose, as well as to formulate and recommend policies and procedures to the Board of Trustees for the administration of said program, to review applications for loans and/or grants from those programs and to recommend approval or denial of program applications to the Board of Trustees; and

WHEREAS, it appears that there will be no negative impacts to the environment from this action by the Board of Trustees.

NOW THEREFORE, BE IT RESOLVED THAT:

1. For SEQRA purposes the Board of Trustees of the Village of Penn Yan is designated as "Lead Agency" and this action is declared to be a Type II action and therefore no environmental review is necessitated.
2. There is hereby established in the government of the Village of Penn Yan, a standing Committee entitled the "Community Revitalization Committee", (CRC) which committee shall consist of five (5) members, such membership being as follows:
 - A. The Mayor of the Village of Penn Yan ; who shall act as chairperson of the Committee;
 - B. The Deputy Mayor of the Village of Penn Yan;
 - C. The Executive Director of the Yates County Chamber of Commerce
 - D. The Chief Executive Officer of the Finger Lakes Economic Development Center;
 - E. A Trustee of the Village of Penn Yan named and designated by the Board of Trustees of the Village of Penn Yan.
3. The Community Revitalization Committee shall have the following responsibilities:
 - A. To formulate and adopt policies, standards and procedures for the processing and review of applications for grants and/or loans from the "Business Façade Program" funds and the "Housing Rehab Program" funds.
 - B. To formulate and adopt forms to be used in the "Business Façade Program" and the "Housing Rehab Program".
 - C. To schedule and conduct timely hearings with respect to complete applications received for such grants and/or loans.
 - D. To make recommendations to the Board of Trustees as to whether

applications for grants and/or loans from the “Business Façade Program” fund and/or the “Housing Rehab Program” fund should be awarded, denied or awarded in part and denied in part.

- E. To take such other action as is proper and appropriate in the administration of the “Business Façade Program” and the “Housing Rehab Program”.
4. The Clerk/Treasurer of the Village of Penn Yan shall maintain the financial records of the “Business Façade Program” and the “Housing Rehab Program” and shall further provide such administrative support to the CRC as is necessary.
 5. The following shall apply to all grants and/or loans from the “Business Façade Program” and the “Housing Rehab Program”:
- A. Recommendations to the Board of Trustees from the CRC shall be in a written format providing all pertinent information regarding the applicant, the subject property, the proposed improvements, the proposed contractor, the proposed costs and any other appropriate data.
 - B. No grant or loan shall be funded without the formal approval of the Board of Trustees of the Village of Penn Yan.
 - C. No grant to any applicant shall exceed in amount, the amount of the accompanying loan.
 - D. No grant or loan shall be funded until a promissory note and mortgage has been properly executed for the loan.
 - E. All loans shall be personally guaranteed by the principal or principals of the entity receiving such loan.
 - F. “Business Façade Program” grants and loans shall not require a pledge of increased employment as a condition of the award thereof.
 - G. “Business Façade Program” grants and/or loans shall be awarded only for improvements which will be visible from streets, navigable waterways, pedestrian corridors and residential areas.
 - H. Grants and/or loans from the “Business Façade Program” and the “Housing Rehab Program” are limited to properties within the geographic limits of the Village of Penn Yan.
 - I. “Business Façade Program” grants and/or loans may be awarded to any otherwise qualifying business entity within the geographic limits of the Village of Penn Yan, which is in compliance with applicable zoning regulations, as determined by the Board of Trustees.
 - J. No grant or loan funds shall be distributed until approval is made by the CRC of the person(s) or entities performing the work being funded through such grant and/or loan.
 - K. The applicants, property owners, their agents, employees and contractors shall comply with all applicable federal, state and local laws, regulations and rules applicable to the grant, loan and/or improvement work being funded.
 - L. Funds awarded for grants and/or loans shall be distributed in accordance with standard business practices in order to assure that the improvements being funded are satisfactorily completed.
 - M. The grant and/or loan may only be made to the owner of the property upon which the improvements are to be made.
 - N. In situations in which it is warranted, appropriate loan guarantees may be required of the recipient of a loan from either Program

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 appoint Wayne Davidson as a Member of the CRC effective immediately.

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:

Atty. Brockman mentioned that he and Dan Doyle are continuing to work on the Boat Launch parking issue.

Atty. Brockman mentioned that Officer Steve Hill has constructed a survey/questionnaire for the Workplace Violence Prevention Plan which has been handed out to each Village Employee and the Fire Department.

Atty. Brockman explained that he received the Indemnification Agreement from the Yates County Highway Department; this is a two year agreement. Mayor Church asked if the Village had requested one to be signed by the County and we have not. We have asked in the past and they did not want to sign one. Mayor Church would like one typed up for the County to present to the appropriate County person and will get signatures.

MOTION by Trustee Davidson, second by Trustee C. Christensen to approve Resolution No. 18-2010 Sale of the former Maxwell Building, 127 Main Street.

WHEREAS, the Village of Penn Yan owns premises at 127 Main Street in the Village of Penn Yan which was formerly the Penn Yan Village Court- Maxwell Building; and

WHEREAS, said premises has been vacant for several years and no future use by the Village is foreseen for such premises; and

WHEREAS, it would be beneficial to the Village government to sell said premises to gain revenue from such sale and have the property placed on the tax roles; and

WHEREAS, upon due consideration it appears that there would be no negative environmental results of the sale of such property.

NOW THEREFORE BE IT RESOLVED

1. The real property owned by the Village of Penn Yan which was formerly the Maxwell Building- Penn Yan Village Court 127 Main Street in the Village of Penn Yan is declared to be surplus property and may be sold at fair market value determined by appraisal of such property, either by listing with a licensed real estate broker or by bid process.
2. This action is declared a Type II action for SEQRA purposes and therefore no environmental review will be undertaken.

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

Carried

COMMUNITY REVITALIZATION:

Mayor Church explained the new CRC Committee will review applications for grants/loans for the facade and housing rehabilitation improvement programs. There is currently about \$139,000 for the facade and \$86,000 for housing. Trustee Allison explained the Committee has reviewed some applications and he encourages people to apply, anyone can contact the Code Office to get forms and/or information for the application process.

MOTION by Trustee Allison, seconded by Trustee to approve the Façade Improvement Application for Roto Salt. The loan/grant in the amount of \$25,000 is contingent upon receipt of a Personal Guarantee.

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 approval the Façade Improvement Application for Dahlia’s Curios. The loan/grant in the amount of \$9,000 is contingent upon receipt of a Personal Guarantee and Certificate of Appropriateness from the Historic Commission.

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:

MOTION by Trustee Allison, seconded by Trustee Davidson to accept RAM Consulting’s Proposal to provide engineering services outside the scope of the current Welker Substation Service Contract; this work is to be done at a cost not to exceed \$1,250.

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 to authorize the attendance of up to seven (7) employees at the FLWWC Spring Workshop being held June 3rd in Newark, NY at a cost of \$20.00 per person.

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 authorize Elliott Engineering Solutions to advertise for bids for a double disc sludge pump for the wastewater treatment plant.

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 authorize the attendance of up to six (6) employees at the NYRWA training session on Marcellus Natural Gas Drilling and Source Water Protection being held June 22nd in Painted Post, NY at no 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 Davidson to approve the Payment Agreements in the amount of \$9,290.62

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

Carried

Dick Osgood spoke about our current Influent & Infiltration problem and the need to alleviate the problem using the DPW and tax payers’ money. The problems are with drains and storm sewers. Dick gave an example of a root drain which was hooked into the sanitary sewer that got backed up and was discharging by going over land and flowing into the Street surface. The Village Crew had to extend the existing storm sewer to intercept the water. This problem of storm water infiltrating our sanitary sewer system instead of our storm sewer system is throughout the Village and we need a policy to handle these issues. Trustee Davidson asked if the I & I problem includes sump pumps and Dick responded yes. Keuka Water Shed is backing a law that will go to the Legislator to make it so sump pump inspection will be mandatory upon transfer of property. Dick has already spoken with the Public Works Committee about this. Dick explained we currently inspect them when we change a water meter, which we do each meter every 10 years. So once in ten years each meter will be inspected whether the property is sold or not.

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

AUDIT:

VILLAGE:

Paid before Audit - General Fund	\$	-
Capital Paid before Audit		-
General Fund		85,161.10
Capital Fund		20,410.60
TOTAL VILLAGE AUDIT:	\$	<u>105,571.70</u>

MUNICIPAL:

Paid before Audit	\$	15,573.86
Capital Paid before Audit		-
Electric Fund		25,828.00
Water Fund		32,573.33
Sewer Fund		37,223.32
Capital Projects		-
TOTAL MUB AUDIT:	\$	<u>111,198.51</u>

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:

MOTION by Trustee Winslow, seconded by Trustee Allison to approve Resolution No 27-2010 Real Property Tax Law for 2010-2011.

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	100.00
Jerusalem	96.00
Milo	100.00

and

WHEREAS, this Board is to determine what proportion of the 2010-2011 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	\$	17,441,674
Jerusalem		4,526,031
Milo		<u>152,516,303</u>
	\$	174,484,008

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	\$	17,441,674
Jerusalem		4,714,616
Milo		152,516,303

for a total Village full valuation of \$ 174,672,593

3. The proportion of the 2010-2011 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	.099850
Jerusalem	.026990
Milo	.873160

And be it further

RESOLVED that the 2010-2011 Village tax levy shall be levied upon each part of each town included in the Village in the following proportions:

Benton	9.985 %
Jerusalem	2.699 %
Milo	<u>87.316 %</u>
	100.000 %

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 Winslow, seconded by Trustee C. Christensen to approve Resolution No 28-2010 Tax Levy for 2010-2011.

WHEREAS, THE Village Board of Trustees has adopted a budget for the fiscal year 2010-2011 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 2010-2011:

General Fund Tax Levy	\$ 2,524,835.00
TOTAL TAXES FOR 2010-2011 BUDGET	2,524,835.00
Delinquent Water Rents & Charges	2,727.10
Delinquent Sewer Rents & Charges	3,342.79
Delinquent Public Works Charges	-0-
TOTAL TAX LEVY	\$ 2,530,904.89

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. 28-2010, the following sums for the operation of Village government for the fiscal year beginning, June 1, 2010, at the following rates per thousand dollars of assessed valuation:

<u>Town</u>	<u>% Tax Levy</u>	<u>Tax Levy</u>	<u>Assessed Valuation</u>	<u>Tax Rate per 1000</u>
Benton	9.985	252,104.77	17,441,674	14.454161
Jerusalem	2.699	68,145.30	4,526,031	15.056304
Milo	<u>87.315</u>	<u>2,204,584.93</u>	<u>152,516,303</u>	14.454749
	100.000	2,524,835.00	174,484,008	

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 Winslow, seconded by Trustee Allison to approve Resolution No. 29-2010 Tax Warrant for the Village to collect \$2,530,904.89, which includes \$6,069.89 of re-levied delinquent water and sewer charges for 2009-2010.

To: Shawna Wilber, Village Clerk/Treasurer, Receiver of Taxes and Assessments:

YOU ARE HEREBY COMMANDED to receive and collect from the several persons names in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$2,530,907.89 for the following purposes:

Town of:	Benton	Jerusalem	Milo
2010-11 Tax Levy	\$ 252,104.77	\$ 68,145.30	\$ 2,204,584.93
Re-levied Water Rents & Charges	-	-	2,727.10
Re-levied Sewer Rents & Charges	-	-	3,342.79
Re-levied Public Works Charges	-	-	-
	<u>\$ 252,104.77</u>	<u>\$ 68,145.30</u>	<u>\$ 2,210,654.82</u>

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, 2010, 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 second day of November 2010, 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 16, 2010.

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 Winslow, seconded by Trustee C. Christensen to pay \$3,500 for the annual payment to the Yates County Historical Society on June 1, 2010.

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 Winslow, seconded by Trustee Allison to pay \$1,000 for the annual payment to the Penn Yan Public Library on June 1, 2010.

Discussion: Rich Stewart stated he abstained because he is on the Library Board.

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

Carried

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to pay \$10,625 for the quarterly payment to Penn Yan Fire Department on June 1, 2010.

Discussion: Trustee Davidson stated that the Committee is in the process of coming up with a recommendation for procedures for the Fire Department and he feels the Board should wait until the recommendations are approved by the Board. Trustee M. Christensen understands his concern, but the reality is they still need to do business, at our regular Public Safety Committee meeting the Fire Dept presented their plans for each of the upcoming travel events and without any commitment that this is how they will do business in the future it was discussed that in the interim we would need to do business similar to the past, except records will be submitted to the Clerk/Treasurer, due to the timing of these events there is not much other choice.

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

Carried

Discussion: Trustee Stewart questioned the legality of the Board Members who are also Fire Department Members voting on this issue. Trustee M. Christensen is an honorary inactive member; Mayor Church, Trustees Allison and Winslow are active members. Atty. Brockman stated that if Mike Christensen is a member of the Fire Department, according to the law if a majority of Board Members are members of the Fire Department then they may vote. Mayor Church stated he understands the concerns, but we passed a budget with these funds and we are in the process of looking in to how these monies will be used. Clerk-Treasurer Wilber said that the question on the table is not regarding the payment, but whether Board Members that are Firemen have to abstain from voting or not. Stewart added that the Fire Department Constitution By-laws state that members are defined as active members and in his opinion the \$10,625 payment, benefits all members of the Fire Department and therefore active members of the Fire Dept. should not be able to vote on this payment. Winslow asked the Attorney whether the State Law refers to the situation of Mike Christensen being a member of the Fire Department but not active, Atty. Brockman responded that the State Law talks of members of the Fire Dept. it does not refer to active or inactive, and if Mike is a member of the Fire Dept. then he would be included. It was restated that if Mike is considered a Fireman then the number of Board Members whom are also members of the Fire Dept would be four. Mayor Church reiterated the law referring to Firemen and a quorum. Mike Christensen asked Fire Chief, Retorick, if any of the money in question is used for the benefit of inactive Firemen and he responded, an honorary Fireman is offered benefits of the Firehouse and various functions. Trustee Stewart asked about the status of a Fireman, Fire Chief Rick Simpson responded that the honorary members are still invited to various events, even if they move away, but if a member quits they are no longer considered a member. Someone asked if a roll call vote is necessary and Bart Winslow responded, that the vote was taken, the time to ask the question of who is eligible to vote or not eligible to vote is during the discussion on the motion, until the Attorney advises us that it was an improper vote, the vote stands.

MOTION by Trustee Winslow, seconded by Trustee Davidson to transfer \$65,000 from General Fund to the Village Owned Building Reserve Fund for the proceeds of the sale of the Maxwell building.

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 Winslow, seconded by Trustee Stewart to approve the amended Resolution No 8-2010 Procurement Policy.

WHEREAS, General Municipal law (GML) §104-b requires every municipality to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML §103 or any other law; and

WHEREAS, the Board of Trustees of the Village of Penn Yan has reviewed the within proposed procurement policy; and

WHEREAS, it appears that there will be no environmental impacts as a result of the adoption hereof;

NOW THEREFORE, BE IT

RESOLVED, that the Board of Trustees of the Village of Penn Yan designates itself as “lead agency” for SEQRA purposes and declares the adoption hereof to be a Type II action and therefore no SEQRA review is required and does hereby adopt the following procurement policies and procedures as of the date of the adoption hereof:

PROCUREMENT POLICY OF THE VILLAGE OF PENN YAN

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law § 103. Every Village officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity in the Office of the Director of Public Works, Police Chief, Fire Chief or Justice.

All purchase contracts (goods and equipment) which will exceed \$10,000 in the fiscal year or public works contracts (service, labor and construction) over \$35,000 shall be formally bid pursuant to General Municipal Law § 103. In determining the necessity for bidding, the total amount to be spent in a fiscal year for an item or commodity must be considered. Competitive bidding is required when it is known or can be reasonably anticipated that the aggregate amount to be spent on purchases of an item will exceed the bid limits over the course of a fiscal year.

Many times contracts involve both goods and services and it is difficult to determine which bid limit to apply. Each contract must be reviewed on a case by case basis and the municipal official (Clerk-Treasurer)

must make a determination as to what type of contract is involved. Generally the rule is that if the contract involves substantial services or specialized skills, it will be considered a public works contract. If service or labor is only a minimal or incidental part of the contract, it is considered a purchase contract.

Advertising is mandatory for contracts that must be competitively bid. They must be published in the official newspaper and need only contain information as to the time and place for the public opening and reading of bids. It also should include language to allow the Village the right to refuse any and all bids. It may also include the amount and kind of equipment sought the place and time of when and where the plans of specifications may be obtained. The Village shall encourage businesses owned or managed by women or minorities to provide bids. Five days (including weekend and holidays) must elapse between the date of the advertisement and the date of the bid opening.

All estimated purchases contracts of:

(1) Less than \$1,000 shall be left to the discretion of the purchaser.

(2) Greater than or equal to \$1,000 but less than \$5,000 shall require a verbal request for the goods and verbal quotes from at least two vendors.

(3) Greater than or equal to \$5,000 but less than \$10,000 shall require a verbal request for a proposal or verbal quotes from at least three vendors.

All estimated public works contracts of:

(1) Greater than \$10,000 but less than \$20,000 shall require a verbal request for a proposal and written quotes from at least two contractors.

(2) Greater than or equal to \$20,000 but less than \$35,000 shall require a written RFP or written proposals from at least three contractors.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom quotes have been requested and shall attach thereto copies of all written quotes and make appropriate notations of all oral quotes.

The Village shall encourage businesses owned or managed by women or minorities to provide proposals or quotations.

All information gathered in complying with the procedures of this policy shall be preserved and filed with the Office of the Director of Public Works, Police Chief, Fire Chief or Justice.

The lowest responsible proposal, quote or bid shall be awarded the purchase or public works contract, unless the purchaser prepares a written justification providing reasons why it is in the best interest of the village and its taxpayers to make an award to other than the lowest bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Except when directed by the Village Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (1) Emergencies
- (2) Second hand goods or surplus items from other governments
- (3) Purchases through the Office of General Services (OGS)
- (4) Purchases under County contract
- (5) Preferred Sources (agencies for the blind, severely disabled, contact OGS)
- (6) Goods made in correctional facilities
- (7) Professional services.
- (8) Sole Source situations

The unintentional failure to fully comply with the provisions of General Municipal Law Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Village of Penn Yan or any officer or employee thereof.

This policy shall be reviewed annually by the Village Board at its organizational meeting or as soon thereafter as is reasonably practicable. The Village Board may make necessary changes at any time to reflect any changes to General Municipal Law § 103.

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

MOTION by Trustee Stewart, seconded by Trustee Winslow to permanently appoint Mark Hulse as Police Chief, effective March 6, 2010 at a salary of \$63,960.00 .

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

Carl Schwartz, Jr. will be removed from the Historic District Commission because he did not sign the Village Oath Book within the allotted timeframe.

Discussion; Trustee Stewart stated he knows that Atty. Carl Schwartz, Jr. is interested in staying on the Commission and he will contact Carl to see if he is interested on staying on the Historic Board. If so he will need to be approved at June's Village Board meeting and sign the Oath Book.

Dick Osgood inquired about the hiring of the Electric Grounds person. After a brief discussion, it was decided to wait to be sure the candidate passes his CDL test.

PUBLIC SAFETY:

Trustee M. Christensen discussed that the Committee's review of the Fire Department funds is in progress and they are working on a solution. He mentioned that Trustees Davidson and Stewart recently met with the Fire Chiefs regarding the background of the funds and Trustee C. Christensen has reviewed the expenditures. The Committee met May 13th to discuss the findings and learned of the Village audit. According to Trustee Christensen, the audit of the Fire Department occurred based on an incident involving a criminal investigation involving Mr. Dailey. Trustee M. Christensen speculates that the Audit was not available to the Village because it was part of that criminal investigation. After reading it, it will be a helpful tool for the Committee to develop a process of accountability of the Fire Dept. funds for the Village Board and ultimately, the Taxpayers. The Committee agreed that there is no fault here with the Fire Dept. if there is any fault it is with the Village Board as far as not acting on developing a policy for the expenditures, but there is no need to finger point. The intention now, is that we know what and how the money is spent, the expenditures be itemized based on the budgeted line items and have more accountability to the Clerk/Treasurer. Trustee M. Christensen asked Trustees Davidson and Stewart to meet again with the Chiefs before the next Public Safety meeting to have a list of what line items of the budget that the money is spent and at the same time Trustee C. Christensen and M. Christensen will meet with Shawna to discuss what processes should be in place. The Committee is not prepared to make any formal report or recommendations until these steps are done. Trustee Stewart asked how we can find out about the Audit being held back, and Shawna explained the Village never received a copy of the Audit until a copy was recently requested. She could not find it in any records of the Village, so she contacted the auditors and they gave it to her. When she contacted the Auditors there was a different person than the original auditor she dealt with. Trustee Stewart asked when she received it, and Shawna responded about a month ago. Trustee Stewart asked if there was an exit interview with the Auditors, and Shawna responded there was a meeting, but we did not receive a copy of the report from them at that time. Atty. Brockman stated the audit was done at the request of the State Police, who would not proceed with an investigation unless an audit was done. When the audit was complete it was turned over to the State Police, as a result, the audit was not available and therefore not released during the pending criminal investigation. The criminal proceedings went on for about 6 months and by then people moved on to other matters and must not have addressed the issue again.

Trustee M. Christensen discussed the Yates County Genealogical & Historical Society Civil War Encampment request. The Oliver House and the Caroline Underwood Museum are looking to hold a Civil War Encampment on July 10th at the grounds and parking lot. They are asking permission to fire black powder guns, without real ammunition and to have small campfires to demonstrate how meals were prepared during those times. Chief Hulse and Bruce Lyon will discuss these issues with John Potter, from the Oliver House, and report back to the Board.

Brent Bodine explained Ralph DeBolt has been to the Village twice to review the Fire Gamewell System, he has collected all the field data that he needs, based on this study he will determine how reliable the system is. Trustee M. Christensen explained some background regarding the gamewell system. When an emergency box lever is pulled, the alarm activates the horn at the fire house and sends a signal to the 911 Center to indicate which location was pulled. The system is not working properly right now. The dispatcher is not receiving the location of the alarm, so the first firefighter to respond to the Firehouse has to check the manual information at the firehouse and contact dispatch to let them know the location. Trustee M. Christensen is asking that a letter be sent from the Mayor to the 911 Center requesting the County pay the \$1,000 to fix the equipment. The equipment is what tells dispatch where the emergency is

located at. Trustee Allison recommended the Mayor send a letter to 911 to repair the system. Mayor Church requested Brent, Chief Retorick and Shawna draft up a letter for him.

POLICE DEPARTMENT:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to approve Investigator Donovan attends NYS Police Sex Offense Seminar at NYS Police Academy in Albany, NY on May 24-28th. No cost for Seminar. Village is responsible for lodging, meals and 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

MOTION by Trustee M. Christensen, seconded by Trustee Allison to approve Chief Hulse and Officer Dawes attend the Bureau of Justice Assistance Rural Training and Technical Assistance Conference held in Glendale, AZ on June 15 & 16th. Training is a requirement of the Federal Recovery Grant that the Police Department was awarded in 2009. Cost is associated with the grant funding.

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

Carried

The Livescan fingerprint machine is now online and working. Chief Hulse reported that the Dept has done a number of fingerprint submissions from the machine and the majority of officers have been trained. Chief Hulse is concerned with the parking issue on Powell Lane; people are parking along the road which makes it difficult for delivery trucks to fit. Chief Hulse did speak with Steve Trombley regarding his concern with the box lacrosse patrons who are parking on the side of the road. He also contacted the new owner of one of the other buildings in the complex, but at this time they will not allow anyone to park in front of their building. The parking problem is mostly at night for box lacrosse, Chief Hulse will look into this further but does not expect an ongoing problem.

FIRE DEPARTMENT:

Monthly Fire Department report:

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires	5	119	456.4
Business Fires			
Grass/Brush Fires	1	6	1.5
Outside Building/Barn Fires			
Car/Vehicle Fires	2	42	10.8
Other Fires			
Wires			
Other Emergency	4	60	18.5
Automatic Alarm Fires	3	40	3.4
Mutual Aid Scene	2	30	33.9
Mutual Aid Standby			
Public Service			
Vehicle Accident			
<hr/> Total Fire Calls	<hr/> 17	<hr/> 297	<hr/> 524.5
Medical/Rescue Calls			
First Responders			
Assist Ambulance			
Other Medical			
<hr/> Total Med/Resc Calls	<hr/> 0	<hr/> 0	<hr/> 0.0
<hr/> Total ALL Calls	<hr/> 17	<hr/> 297	<hr/> 524.5
Other Activities			
Courses	11	11	64.0
Drills	7	45	103.0
Monthly Meetings	9	115	96.5
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup			
Work Detail			
Wake/Funeral			
Line Of Duty			
Other			
<hr/> Total Other Activities	<hr/> 27	<hr/> 171	<hr/> 263.5
*****	***	*****	*****
<hr/> Total ALL Activities	<hr/> 44	<hr/> 468	<hr/> 788.0

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen for 13 PY Fire Department members attending the Harrisburg Fire Expo in Harrisburg PA on May 20–22nd. Estimate cost \$8,175.00.

Discussion: Trustee Davidson referred to NYS Village law section 5-5247, pertaining to expenses and NYS General Municipal Law 77-7B, pertaining to expenses for conferences, and he recommends waiting until Atty. Brockman can review these laws and make sure the Village is in compliance, the laws discuss what the taxpayers are supposed to pay for and what the Village Board has to approve of travel for Village Officers and Village Employees, it also refers to the Volunteer Chiefs and the Volunteer Assist Chiefs, whom are also considered employees, but it does not talk about anyone else. Attorney Brockman asked for the law references and Davidson recited the law numbers. Clerk/Treasurer Wilber and Trustee M. Christensen noted that the event is in 2 days. Trustee Davidson gave a copy of the laws to the Attorney. Trustee Stewart questioned how many firemen are planning to go to Harrisburg, the response was 13. He questioned the need for 28 rooms. The Fire Chief's confirmed that there are 3 nights of stay, the Firemen will be doubling up in each room and some are not attending each night. The 28 rooms are based on a per night basis not on the number of actual rooms. Trustee Stewart asked if there will be an empty hotel room and Chief Simpson responded no. Trustee Stewart questioned \$850 for dinner for 13 people, Trustee M. Christensen added that the budget sheet put together by the Chief was done quickly this week. Stewart stated this over \$65 per dinner. Chief Retorick said he has a breakdown of under \$210 per person per day, which does include mileage and use of personal vehicles. Trustee Allison added that the Committee is looking in to the process that can be established in the future for this but since this is in 2 days he proposes that we move on and continue to let the Fire Department do their great service to our Community. Atty. Brockman reviewed the law and reported that it discussed Public Officers and Employees attending conferences and schools and how the expenses can be allocated, it also allows prepayment for such and how to deal with excess funds to be refunded back to the Municipality. Trustee Davidson clarified his question is who is considered an employee; it specifically refers to the Chief and Assistant Chief. Trustee M. Christensen said that we do not need to recreate the wheel, many Municipalities send Firemen to these events, the accountability of the funds has been lack but going forward at least in the interim while we are reviewing this matter, they have submitted their estimates and will keep receipts. Trustee Stewart asked whether the Fire Department has a credit card, Chief Retorick explained that the credit card the Fire Dept. has is a Fire Dept credit card, not a Village credit card. Clerk/Treasurer Wilber explained the Fire Department pays for their own credit card, the Village does not, and it is paid for out of various accounts of the Fire Dept. Mayor Church recommended to move into Closed Session to confer with counsel.

At 8:10 PM MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to move into Closed Session regarding the Fire 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

At 8:23 PM MOTION by Trustee Allison, seconded by Trustee Winslow to leave Closed Session and return to the 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

Mayor Church explained that there is currently a motion on the table, it was made and seconded. He asked for all in favor. See motion repeated below.

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen 13 PY Fire Department members attending the Harrisburg Fire Expo in Harrisburg Pa. on May 20–22nd. Estimate cost \$8,175.00.

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 for 14 PY Fire Department members attend the NY State Association of Fire Chief's Conference in Verona, NY, June 9–12th. Estimated cost \$9,700.00

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

Carried

CODE ENFORCEMENT:

Bruce Lyon explained he received two applications, requesting above ground fuel tanks to be placed at their property. The requests are for one at Roto Salt (diesel) and another at Village Barns (gasoline), Bruce declined them due to the Village Code which states they need Village Board approval to place tanks above ground. Mayor Church asked Bruce's opinion regarding the matter. Bruce prefers above ground tanks, as they are safer and easier to monitor spills and/or leakage.

MOTION by Trustee M. Christensen, seconded by Trustee Winslow to approve Roto Salt's request for installation of an above ground diesel fuel tank on there property and also the Village DPW crew to place a 500 gallon gasoline storage tank at the Village Barns.

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 WORKS:

MOTION by Trustee Allison, seconded by Trustee Winslow to approve (4) employees to attend the Hazard Mitigation Planning workshop being held Wednesday, June 2nd, at the Yates County Auditorium at no 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

Dick Osgood explained a small change to the Local Law for Vehicles & Traffic is necessary for the parking lot behind the Village Office; he will be getting the information to the Board for them to review and then amend. Brent will send a copy to Atty. Brockman with the changes for his review. The code specifies parking spaces reserved for NYSEG, Hendersen's Drugs and one for the Village which needs to be changed to accommodate the new parking lot plan. Trustee Allison mentioned that he spoke with the Supervisor of the Town of Milo to move forward with the process for the road by the Sewer Treatment

Plant to PY Himrod Road. Trustee Allison would like permission to continue discussions with the Town of Milo to move forward with the road. Mayor Church and the rest of the Board were in agreement to do so.

PARKS & RECREATION:

Dan Doyle explained June 26th is the date for the new construction for the Playground at Indian Pines Park. He will do a press release and is looking for Volunteers to help put it together. Dan mentioned the weekend of June 12th is a busy one for the Parks; Keuka Lake Arts Festival at the Boat Launch, Summer Jam at Indian Pines Park, and the YCRR Run on the 13th, which starts at Indian Pines and the. Dick Osgood received the award notice regarding the grant for \$300,000 for Red Jacket Park and the Outlet Trail. The grant does have a portion for Village matching funds, we originally intended to ask the County and Townships for help with the funding since people from the Village and surrounding townships use the Park. The matching funds may be in labor not just cash. The grant money will go towards rebuilding and moving the bathrooms and fixing the waterfront slope at Red Jacket Park. We should be receiving a contract but it is not binding until we sign it.

PLANNING & DEVELOPMENT:

Trustee Davidson explained the Committee is going over the procedure on how we track grants throughout the Village Committees. The Committee is also discussing forming a Business Advisor Committee, which will develop a list of projects that will enhance the business district and help attract new business to the area.

PLANNING BOARD:

Trustee Davidson stated the Planning Board approved the revision for the Park and Recreation Master Plan. He also mentioned the final plan for the Birkett Mills property at 121 Water Street was approved. The Committee tabled the final plans for the Call Center parking lot. The committee should approve the revision of the plans at next month's meeting.

MOTION by Trustee Davidson, seconded by Trustee M. Christensen to appoint Stanley Olevnik to the Planning Board effective immediately for a 5-year term.

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

Carried

James Caster (Alternate) will be removed from the Planning Board, he did not sign Oath Book within the allotted time to do so.

MOTION by Trustee Davidson, seconded by M. Christensen, to appoint Cynthia Wallace as an Alternate to the Planning Board, effective immediately for a 1-year term.

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 Davidson explained Larry Strickland will be the new Vice Chair for the Planning Board.

COMMENTS:

None

ADJOURNMENT:

At 8:42 PM, MOTION by Trustee Stewart, seconded by Trustee M. Christensen to move into Executive Session to discuss 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

ADJOURNMENT OF EXECUTIVE SESSION:

At 9:15 PM, MOTION by Trustee M. Christensen, seconded by Trustee Davidson 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

ADJOURNMENT:

At 9:15 PM MOTION by Trustee Allison, 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

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: