

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, June 17, 2008 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT: Mayor D. Marchionda Jr.; Trustees W. Allison; R. Church; N. Taylor; B Hoban; R. Stewart Attorney Ed Brockman; CEO B. Lyon; Police Chief Mitchell; Street Superintendent R. Jensen; Assistant Director of Public Works R. Osgood; Cemetery Superintendent L. Axtell

ABSENT: Trustees M. D'Abbracci; Director of Public Works E. Balsley, Parks Director D. Doyle; Fire Chief B. Winslow;

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

PUBLIC: Joyce Manley

Mayor Marchionda called the meeting to order at 6:00 PM.

At 6:04PM MOTION by Trustee Hoban, seconded by Trustee Taylor to adjourn the regular Village Board meeting and enter into Executive Session.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent	
Trustee Taylor	Aye	Trustee Hoban	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee Church	Aye			Carried

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:09 PM MOTION by Trustee Church, seconded by Trustee Allison to leave Executive Session and return to the regular Village Board Meeting.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent	
Trustee Taylor	Aye	Trustee Hoban	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee Church	Aye			Carried

Mayor Marchionda called the meeting to order at 7:20 PM.

MOTION by Trustee Allison, seconded by Trustee Stewart to approve the minutes of May 20th with the following correction they should have read six (6) 50KVA pole-types not five (5) transformers with Envirotemp at the same total cost of \$8,898.00

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent	
Trustee Taylor	Aye	Trustee Hoban	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee Church	Aye			Carried

MINUTES:

MOTION by Trustee Church, seconded by Trustee Taylor to approve the Organizational Meeting minutes of April 15th, and two Public Hearings for April 16th & 17th, 2008

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent	
Trustee Taylor	Aye	Trustee Hoban	Aye	
Trustee Allison	Aye	Trustee Stewart	Aye	
Trustee Church	Aye			Carried

GUESTS, PUBLIC REQUEST & COMMENTS:

Joyce Manley spoke about the bank erosion problem at her residence on East Elm Street. The bank drops down to the Outlet Trail. She and Dick Osgood have been discussing the problem. Joyce would like something done in the near future – understands things take time and money but she is losing more and more of her lawn. Dick Osgood stated we have an easement already signed with the Manley's to cross over the land for placement of a drainage pipe. We have the proposal already drawn up.

Dick Osgood showed Trustee Church the problem, he also explained that he would like to have 5 - 6 drop down structures down the embankment to help slow the flow of water. No funds in current budget. Did

try to get monies from Senator Winner but struck out. Trustee Allison also tried with the Soil and Water Dept. and came up with nothing. Trustee Allison mentioned this is a major problem that needs to be taken care of. Both Trustee Allison & Dick Osgood feel we could get a lot of the work done with in house staff, but will need outside help with some items.

Mayor Marchionda questioned the time frame to give Mrs. Manley for a start date; Dick Osgood responded it could be late August or September.

OLD ITEMS

Atty. Brockman is in the process of writing a Local Law for the outdoor wood burning stoves and will present a final draft to the Planning Board next month and then to the Village Board for their approval.

Atty. Brockman is still in the process of working on the Special Use Designation for Signage, he noted it is a very lengthy process.

Atty. Brockman will get information together for the notice for bids for the Sale of the Basin Street building within the next month and have something at the July meeting.

MAYOR:

MOTION by Trustee Allison, seconded by Trustee Church to approve the Mayor to sign the rental agreement for the 23 acres of land located north of Himrod Road with Joseph Patchett.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

On May 20th Trustee Taylor tabled the Motion for Yates County Board of Election requesting parking on Court Street during Election.

Motion by Trustee Taylor, seconded by Trustee Stewart to remove the previously tabled Motion.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Discussion: Trustee Taylor stated that after the Election Board looked more into the parking issue, they figured it would only be 5 more spaces. Voters would have to walk further to the entrance and it was not worth it so the request was revoked.

Mayor & Trustee Church discussed the Shared Services.

Mayor Marchionda was disappointed with the lack of village resident attendance at the Shared Service meetings that were open to the Public on June 10th. He noted that the major concern that he has is that there are only a few counties in the State that do not share sales tax with their Villages.

Trustee Church said there will be another meeting of the committee this Monday June 23rd and he wanted input from other Board members on how to proceed with the issues reported.

Clerk/Treasurer S. Wilber mentioned that we are researching how the surrounding Counties share their sales tax. She also mentioned that the power point presentation from the Shared Service meeting on June 10th is on the Village Web site under the police section.

Trustee Church said a lot of the cases in Village Court relate to probation and welfare, which is generated by the County. Village Court does not take up a lot of space and the County already has the security in place.

Atty. Brockman mentioned that Village Court only has one way in and out, no backdoor and has had problems in the past that could have been hazardous for the people in court.

Trustee Church explained if we don't move to the County Building, we would need to address what are we going to do with Village Court, move to the Village Hall or put money in to the existing location?

Mayor Marchionda and Trustee Church both mentioned that they are very pleased with the police force and would prefer the services continue to be within the Village

Mayor Marchionda mentioned that the Office received a letter today for a request for blocking off a Village Street for a private block party this weekend. It was relayed to them that this was short notice and many

things had to be taken in to consideration – police- barricades -fire Dept. etc. This would not be something we would want to get involved with.

ATTORNEY:

Atty. Brockman informed the Board that he and Trustee D’Abbracci have come up with a few solutions for the feline issues. Either way will be costly.

1. Hire a trapper that will trap and transport the animals to Lollypop farm.
2. Adopt a local law – requiring cats be licensed
3. Trap, neuter & release program.

Discussion: What if we trap a wrong feline - a house pet - how do they retrieve the cat (s)? None of them are easy solutions. Mayor asked to get cost for a trapper and transport to Lollypop farms.

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve Lloyd’s Limited permit to dispense Alcoholic Beverages at the July 26th Blue’s Fest.

Mayor Marchionda	Aye	Trustee D’Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Atty. Brockman suggested to the Board not to make a Motion to approve the agreement with ReMax regarding a new roof on the Elm Street Sports Complex that was approved last month.

Atty. Brockman did suggest that the Board make a Motion to waive any permit fee that would be required under the code for construction of the roof at the Elm Street Complex.

MOTION by Trustee Hoban, seconded by Trustee Church to approve to waive any permit fee for the construction of the concession stand roof.

Mayor Marchionda	Aye	Trustee D’Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Bruce Lyon spoken about the two Barges on private property by Sarrasin’s Restaurant. They were for winter storage only and to be removed by April 1st. Mr. Lyon sent a letter to Mr. Pfuntner mentioning if the barges were kept longer than April 1st, 2008 a Site Plan application needed to be applied for. Mr. Pfuntner stated after they were inspected and licenses were regained he would work with Hammondspport for docking. Arrangements could take over a year. Bruce explained the barges now violate village the docking and mooring law.

Mayor Marchionda recommended sending Mr. Pfuntner a 10-day notice of violation and then he can follow up with an appearance ticket, which could result in a fine until they are moved.

Atty. Brockman asked the Board which way the one-way Street was going on Kimball Ave.?

Trustee Stewart questioned if both sides of Kimball Ave are going to be one-way? The Board discussed that it’s the Kimball Ave. next to the car wash and it will be one-way going out to Sunset Ave. No truck traffic will be allowed on this road.

MOTION by Trustee Hoban, seconded by Trustee Church to approve Resolution 35-2008 Regarding SEQR and Preparation of Local Law Designating Kimball Ave as a One Way Street.

WHEREAS, the Board of Trustees of the Village of Penn Yan deems it appropriate to consider making Kimball Ave. in the Village of Penn Yan a one-way street pursuant to Article 190 of the Code of the Village of Penn Yan; and

WHEREAS, the Board of Trustees of the Village of Penn Yan intends to act as lead agency for the purposes of the review of the local law with respect thereto, under the provisions of SEQR; and

WHEREAS, the adoption of such a local law would be deemed an “Unlisted” Action pursuant to SEQR.

Now Therefore, be it

RESOLVED, that the Board of Trustees of the Village of Penn Yan hereby establishes itself as Lead Agency pursuant to 6NYCRR § 617 for the purposes of the environmental review of this action; and be it further

RESOLVED, that the Board of Trustees of the Village of Penn Yan determines that the proposed action is an “Unlisted” action under SEQR and that therefore a Short Environmental Assessment Form (SEAF) will be appropriate; and be it further.

RESOLVED, that the Village Attorney is directed to prepare a proposed local law with respect hereto.

Mayor Marchionda	Aye	Trustee D’Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Discussion: Atty. Brockman questioned if the Board wanted to rename Kimball Ave. to make it less confusing? The Board will change name by Resolution at July Board meeting. Plaza Drive was mentioned.

Atty. Brockman mentioned the Life Science Laboratories letter included in the packet is for informational purpose only – this is the company that does testing on our clean water. They are having problems with their finances and we received notice that any monies due are to be turned over to their bank. Atty. Brockman will continue to investigate.

Atty. Brockman mentioned that there has been a request to have the Sampson Theater building be a part of the Historical district. He would like the consent of the Board on whether to pursue this or not. It’s presently owned by a non-profit organization.

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

AUDIT: 5/30/2008

VILLAGE:

Paid before Audit - General Fund	\$	00.00
General Fund		29,230.24
Capital Fund		00.00
TOTAL VILLAGE AUDIT:	\$	29,230.24

MUNICIPAL:

Paid before Audit	\$	00.00
Capital Paid before Audit		00.00
Electric Fund		229,398.43
Water Fund		21,775.66
Sewer Fund		19,695.11
Capital Projects		00.00

TOTAL MUB AUDIT:	\$	270,869.20
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Mayor Marchionda	Aye	Trustee D’Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

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

AUDIT: 6/18/2008

VILLAGE:

Paid before Audit - General Fund	\$	00.00
General Fund		101,166.32
Capital Fund		00.00
TOTAL VILLAGE AUDIT:	\$	<u>101,166.32</u>

MUNICIPAL:

Paid before Audit	\$	00.00
Capital Paid before Audit		00.00
Electric Fund		8,614.62
Water Fund		13,738.13
Sewer Fund		10,421.63
Capital Projects		00.00
TOTAL MUB AUDIT:	\$	<u>32,774.38</u>

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
			Carried

FINANCE & ADMINISTRATION:

Motion by Trustee Church, seconded by Trustee Taylor to approve Resolution NO 29-2008 Budget Transfers for 2007-2008 Budget Year.

A1010.48	Board of Trustees - Prof fees/Publicitn/Local Laws	1,280.66
A1010.5	- Supplies & Materials	360.90
A1110.15	Village Justice - Village Justice	565.45
A1110.17	- Court Clerks	1,188.19
A1110.413	- Court Reporting	844.68
A1110.42	- Phone/Internet/Utilities	1,003.27
A1110.51	- Computer Supplies	552.95
A1325.48	Finance - Prof fees/Publications	49.19
A1325.5	- Supplies & Materials	1,962.32
A1325.51	- Computer Supplies	12.19
A1450.1	Elections - Personal Services	40.00
A1450.41	- Contractual Services	51.60
A1450.5	- Supplies & Materials	468.70
A1620.5	Village Buildings - Supplies & Materials	5,729.66
A3120.11	Police - Overtime	13,207.19
A3120.12	- Part Time	7,356.00
A3120.19	- PD Vacation Buyout	563.60
A3120.20	- Equipment	458.31
A3120.411	- Vehicle Repairs	681.41
A3120.412	- Gas & Oil	6,843.85
A3120.413	- Uniform Maintenance	230.65
A3120.414	- Equipment Repairs	11.99
A3120.42	- Phone/Internet/Utilities	687.32
A3120.501	- Equipment Step Grant	1,995.00
A3120.51	- Computer Supplies	187.81
A3120.52	- Weapons	5,886.20
A3120.54	- Vehicle Supplies	2,970.30
A3410.410	Fire Dept. - Equipment	969.00
A3410.411	- Vehicle Repairs	2,747.59
A3410.412	- Gas & Oil	493.05
A3410.42	- Phone/Internet/Utilities	5,669.08
A3410.52	- Bunk Gear/Bags/Gloves	221.56

A3620.46	Code	- Conf/Training/Mileage	500.00
A5010.1	Street Admin	- Personal Services	2,253.74
A5110.11	Street Maint.	- Overtime	1,144.46
A5110.18		- Paid Holiday DBL	700.40
A5110.23		- Moto Pave & Sealing	2,145.56
A5110.25		- Stockit	1,495.40
A5110.4		- RR Grade Crossing	950.00
A5110.411		- Vehicle Repairs	1,019.48
A5110.412		- Gas/Diesel/Oil/Lube	10,861.10
A5110.414		- Tires & Tubes	23.46
A5110.415		- Landscaping/Tree Removal	331.80
A5110.416		- Safety Equipment	264.75
A5110.42		- Phone/Internet/Utilities	155.65
A5110.43		- Insurance	344.82
A5110.49		- Sidewalk Program	4,363.89
A5110.5		- Supplies & Materials	3,160.67
A5110.53		- Tools	290.93
A7140.41	Parks & Rec	- Contractual Services	391.43
A7140.53		- Playground Supplies	527.87
A7140.54		- Picnic Tables	827.29
A7140.56		- Park Grant	2,577.26
A8020.1	Planning	- Personal Services	1,152.88
A8020.5		- Supplies & Materials	8.28
A8810.18	Cemetery	- Paid Holiday Dbl	118.16
A8810.41		- Contractual Services	1,136.16
A8810.412		- Gas & Oil	203.02
A8810.415		- Landscape/Tree Rem	120.00
A9050.8	Unemployment Insurance		702.54
A9089.81	Village Flex/Benefits MRA		2,871.60
A9710.61	Serial Bonds Int Fire Truck		1,037.84
			<hr/>
Total			<u>106,970.11</u>

FROM:

A1010.1	Board of Trustees	- Personal Services	500.58
A1010.41		- Contractual Services	893.86
A1010.46		- Travel/Conferences	247.12
A1110.16	Village Justice	- Acting Village Justice	115.50
A1110.41		- Contractual Services	450.00
A1110.411		- Interpreter Services	610.18
A1110.45		- Computer Services	312.50
A1110.47		- Audit Fees	450.00
A1110.48		- Prof fees/Publctns/Books	668.31
A1110.5		- Supplies & Materials	460.06
A1325.45	Finance	- Computer Services	2,023.70
A1990.4	Contingency		5,752.94
A1620.41	Village Buildings	- Contractual Services	5,729.66
A3120.1	Police	- Personal Services	43,951.23
A3410.4	Fire Dept.	- Contractual Services	3,500.00
A3410.415		- Health Services	1,600.28
A3410.47		- Audit Fees	5,000.00
A3620.41	Code	- Contractual Services	500.00
A5010.19	Street Admin	- Holiday/Vacation/Sick Personal	1,375.12
A5010.41		- Contractual Services	500.00
A5110.1	Street Maint.	- Personal Services	8,908.34
A5110.16		- Summer Employees	353.60
A5110.22		- Stone & Gravel	3,092.38
A5110.26		- Storm Sewers/Pipes/Bans	2,248.67
A5110.27		- Frames & Grates	2,115.30
A5110.41		- Contractual Services	2,657.08
A5110.413		- Equipment Repairs	1,226.73
A5110.417		- Drug Testing	264.00

A5110.418		- Trash Removal	554.94
A5110.46		- Conf/Travel/Mileage	297.35
A5110.48		- Prof fees/Publctns/Books	280.09
A5110.52		- Salt & Sand	2,103.92
A5110.54		- Signs & Posts	126.48
A7140.18	Parks & Rec	- Park Attendants	1,643.20
A7140.413		- Playground Eq Repairs	1,928.31
A7140.55		- Docks	752.34
A8020.49	Planning	- Engineering Fees	1,161.16
A8810.1	Cemetary	- Personal Services	118.16
A8810.411		- Vehicle Repairs	858.72
A8810.5		- Supplies & Materials	600.46
A9710.61	Serial Bonds Prin Fire Truck		1,037.84
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Total			<u>106,970.11</u>

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
Carried			

MOTION by Trustee Church, seconded by Trustee Stewart to approve Resolution NO 30-2008 Budget Amendment for 2008-2009 Sewer Budget.

Decrease	ES1994.4	Depreciation	40,000.00
	ES8120.5	Sanitary Sewer - Supplies & Materials	17,000.00
	ES9901.9	Transfer to General	8,000.00
			<hr/>
Total			<u>65,000.00</u>

Increase	ES2120	Sewer Rents - Public	100.00
	ES2122	Other Sewer Charges	20,000.00
	ES2128	Sewer Late Fees	600.00
	ES2374	Sewer Charges - Other Governments	25,000.00
	ES2665	Sale of Equipment	10,000.00
			<hr/>
Total			<u>55,700.00</u>

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
Carried			

MOTION by Trustee Church, seconded by Trustee Allison to approve Resolution NO 32-2008 Budget transfers-Electric for 2007-2008 Budget year.

Budget Transfers - Electric

May 31, 2008

Budget transfers - Electric 5/31/08

TO: E741.22	\$1,220.00
E741.42	\$6,850.00
E741.43	\$2,050.00
E741.5	\$1,510.00
E741.6	\$1,550.00

E742.13	\$10,660.00
E742.51	\$3,375.00
E742.71	\$4,490.00
E742.9	\$300.00
E752.1	\$2,970.00
E752.2	\$6,510.00
E753	\$570.00
E761.23	\$1,900.00
E787	\$4,640.00
E802	\$450.00
	<u>\$49,045.00</u>

FROM: E736	\$3,200.00
E741.1	\$7,000.00
E741.44	\$600.00
E742.41	\$2,500.00
E742.6	\$1,000.00
E742.81	\$2,950.00
E742.83	\$12,750.00
E761.22	\$10,120.00
E742.84	\$525.00
E781.1	\$1,400.00
E781.3	\$4,000.00
E783.1	\$1,000.00
E781.5	\$2,000.00
	<u>\$49,045.00</u>

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
			Carried

MOTION by Trustee Church, seconded by Trustee to approve Resolution NO 33-2008 Budget transfers- Water for 2007-2008 Budget year.

Budget Transfers - Water

May 31, 2008

Budget transfers - Water 5/31/08

TO: EW8310.5	\$3,900.00	EW8340.15	\$830.00
EW8320.112	\$1,000.00	EW8340.17	\$1,500.00
EW8320.14	\$260.00	EW8340.18	\$390.00
EW8320.15	\$280.00	EW8340.411	\$635.00
EW8320.415	\$400.00	Ew8340.415	\$390.00
EW8320.417	\$11.00	EW8340.416	\$340.00
EW8320.418	\$7,700.00	EW8340.417	\$1,300.00
EW8320.42	\$8,350.00	Ew8340.42	\$330.00
EW8320.52	\$1,270.00	EW8340.46	\$350.00
EW8320.58	\$180.00	EW8340.5	\$2,330.00
	<u>\$23,351.00</u>		<u>\$8,395.00</u>
FROM: EW8310.45	\$3,900.00	EW8340.14	\$8,000.00
EW8320.1	\$15,000.00	EW8340.16	\$395.00
EW8320.111	\$200.00		
EW8320.414	\$2,000.00		
EW8320.44	\$2,251.00		
	<u>\$23,351.00</u>		<u>\$8,395.00</u>

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Taylor to approve Resolution NO 34-2008 budget transfers-Sewer for 2007-2008 Budget year.

Budget Transfers - Sewer

May 31, 2008

Budget transfers Sewer 5/31/08

TO: ES8110.1	\$18,600.00	ES8120.14	\$750.00	ES8130.19	\$2,900.00
ES8110.14	\$850.00	ES8120.16	\$1,150.00	ES8130.41	\$500.00
ES8110.15	\$300.00	ES8120.17	\$2,500.00	ES8130.418	\$12,300.00
ES8110.41	\$200.00	ES8120.18	\$400.00	ES8130.42	\$5,800.00
ES8110.5	\$5,000.00	ES8120.411	\$500.00	ES8130.44	\$1,200.00
		ES8120.412	\$1,350.00	ES8130.51	\$1,100.00
		ES8120.55	<u>\$3,200.00</u>	ES8130.52	<u>\$1,600.00</u>
	<u>\$24,950.00</u>		<u>\$9,850.00</u>		<u>\$25,400.00</u>
 FROM: ES8110.11	\$1,300.00	ES8120.11	\$400.00	ES8130.5	\$15,400.00
ES8110.12	\$1,000.00	ES8120.13	\$2,500.00	ES8130.41	\$4,000.00
ES8110.15	\$8,000.00	ES8120.41	\$950.00	ES8130.412	\$1,000.00
ES8110.45	\$8,950.00	ES8120.5	\$6,000.00	ES8130.1	\$2,000.00
ES8110.46	\$1,200.00			ES8130.11	\$3,000.00
ES8110.48	\$1,500.00				
ES8110.51	<u>\$3,000.00</u>				
	<u>\$24,950.00</u>		<u>\$9,850.00</u>		<u>\$25,400.00</u>

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

PERSONNEL:

MOTION by Trustee Stewart, seconded by Trustee Hoban to approve Resolution NO 37-2008 the non-union salaries along with paying them retroactive.

TITLE	NAME	Total Hrs.	2008-2009	
			Hourly Rate	Annual Salary
Mayor	Marchionda, Jr.			4,635
Village Clerk/				
Treasurer	Wilber (MUB pays 65%)	2080	25.96	54,000
Village Attorney	Brockman (MUB pays 50%)			27,318
Board of Trustees				
Allison, Church, D'Abbracci			EACH	
Hoban, Stewart, Taylor	(6 @ \$3,600)		3,708	22,248
Municipal Utilities Board				
Chair	French			2,652
			EACH	

Deputy Clerk	Morse MUB pays 1/3)	1950	18.39	35,852
Deputy Clerk	Martin	1950	15.84	30,891
Village Justice	Hibbard			18,540
Acting Justice	Symonds			3,000
Court Clerk	Nichols		11.93	
Part-time Secretary - Planning, Historic & Zoning	Duryea (Emp. 10/18/06)	1040	14.42	14,997
Director of Public Works	Balsley (MUB pays 90%)	2080	33.68	70,062
Asst. Dir. Of Public Works	Osgood (MUB pays 65%)	2080	27.60	57,416
Street Super.	Jensen	2080	26.15	54,396
Code Enforcement	Lyons	2080	18.91	39,334
Recreation Dir.	Doyle	2080	17.56	36,528
Cemetery Super.	Axtell	2080	16.84	35,028
Confidential Asst. to the Chief	Pedder	2080	15.81	32,886
Health Officer	DeWitt			3,000
Historian	Dumas			1,200

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Trustee Stewart stated we had over 80 applicants apply for the meter reader position. The committee plans to interview 8-9 applicants with in the next couple of weeks and hopes to have a replacement in place by the end of June, first part of July.

PARKS & RECREATION:

Trustee Church mentioned the Arts Festival was a success would need to address parking next year. The vendors had a lot of nice items for sale, and local food vendors were also there. No problems were reported.

Trustee Church stated all summer permits have been submitted and upon a successful inspection with the Dept. of Health the parks would be open this weekend. Lifeguards will be on duty this weekend from 10:00am – 8:00pm. Next week from 3pm – 8pm and after school is out will be 10:00 am – 8:00 pm.

Trustee Church discussed a grant for the parks that Dan Doyle will be writing the application, which is due on June 30th.

Discussion: Trustee Hoban questioned if this is the same grant that we have already submitted. Dan Doyle mentioned these are two different grants. After a discussion on the grants it was decided one is for the revitalization of the beach for Red Jacket and one for the Outlet Trail Project.

MOTION by Trustee Church, seconded by Trustee Allison to approve Resolution NO 36-2008 Environmental Protection Fund Parks Grant.

WHEREAS, the Village of Penn Yan is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located on the Outlet Trail at the Elm St. Sports Complex and the Boat Launch, two sites located within the territorial jurisdiction of this Village Board of Trustees;

NOW THEREFORE BE IT RESOLVED, by this august body that the Board of Trustees of the Village of Penn Yan, hereby does approve and endorse the application for a grant under the Environmental Protection Fund for a park improvement project known as "Red Jacket Park Revitalization Project" and located in this Village, and that Recreation Director Daniel Doyle is authorized and directed to execute such documents, as are necessary, to implement such application and receipt and expenditure of the funds there from; and it is further

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of the Village of Penn Yan designates itself lead agency for SEQR purposes and that this action is determined to be an Unlisted Action for SEQR Purposes.

RESOLVED, that said property shall be forever maintained by the Village as a municipal park in the community consistent with the rule promulgated by OPRHP.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
			Carried

Atty. Brockman went over step by step the Short Environmental Assessment Form (SEAF) for Red Jacket Park.

MOTION by Trustee Hoban, seconded by Trustee Allison to adopted the (SEAF) for Red Jacket Park.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
			Carried

PLANNING BOARD:

Atty. Brockman will review the Planning Board's request for a requirement of posting bond for the site plan approval process as a protective manner.

PLANNING & DEVELOPMENT:

Trustee Hoban stated the \$300,000 grant for the Outlet Trail Project was not approved. Trustee Hoban would like to reapply, unsure why we were turned down or what we can do to improve it to be approved.

MOTION by Trustee Hoban, seconded by Trustee Allison to have the Mayor sign the reapplication for grant funds.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
			Carried

PUBLIC SAFETY:

Trustee Taylor mentioned the Public Safety would meet when needed throughout the summer.

Trustee Taylor mentioned the Public Safety Committee would still meet with the PBA throughout the summer.

MOTION by Trustee Taylor, seconded by Trustee Stewart to request from the Yates County Personnel Office a current list of candidates for the Investigator position. Trustee Taylor would like a roll call vote.

Stewart	Aye	Hoban	Aye	
Taylor	Aye	D'Abbracci	Absent	
Allison	Aye			
Church	Aye			Carried

POLICE DEPARTMENT:

MOTION by Trustee Taylor, seconded by Trustee Allison to approve Sgt. Dunham to attend a course on Photography in Corning on July 14th – 18th. No cost.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Taylor, seconded by Trustee Church to approve Sgt. Donovan to attend a Seminar on "Handling & Processing of Juveniles" in Corning on Sept. 10th. No cost

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Discussion: Trustee Taylor mentioned that the 2004 police car has been sold. Trustee Allison also mentioned that Justin Hamm graduated 5th out of 25 recruits from Basic Police School.

Chief Mitchell mentioned that the new guns should arrive in the next few weeks.

FIRE DEPARTMENT:

MOTION by Trustee Taylor, seconded by Trustee Church to approve Michael DeBrine be elected as a member of the Sheldon Hose Co.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Taylor, seconded by Trustee Allison to approve the removal of Dan Irwin from Active to Inactive status at the Fire Dept.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

CODE ENFORCEMENT:

Bruce Lyon spoke about property foreclosures and the maintenance requirements once abandoned. Will advertise for mowing lawns for unoccupied properties. Clerk/Treasurer S. Wilber stated the office has received numerous complaints about the overgrown lawns. Randy Jensen will see if he can have his summer help mow and we place a fee on the tax bill.

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Hoban to approve the replacement of the DPW (Randy Jensen’s) pick up truck with state bid.

Mayor Marchionda	Aye	Trustee D’Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Discussion: Trustee Allison mentioned it could take about 18 weeks to get a new truck

STREETS:

Trustee Allison spoke about the concern of rising fuel prices and our employees need to think smart about driving and conserving gas.

Randy Jensen mentioned the wall on Basin Street is ½ done and his crew will be starting the sidewalk program very soon. We also have about 2 or 3 trees left from that program for residents who are interested.

CEMETERY:

MOTION by Trustee Allison, seconded by Trustee Church to approve Resolution NO 31-2008, Sale of Interment Sites at Lakeview Cemetery.

WHEREAS, the Village of Penn Yan owns and operates Lakeview Cemetery; and

WHEREAS, the cemetery grounds are generally divided into lots and burial Sites; and

WHEREAS, in Purchase 5, Lot 73 there are Burial Sites designated 3 through 8 and there is ground available to be designated as Burial Sites 1 and 2, but has not previously been designated as such; and

WHEREAS, a family member of the individual interred in Burial Site 3 of Lot 73 of Purchase 5 has requested to purchase and utilize the ground which is adjacent to such burial site 3; and

WHEREAS, there is no record in the archives of the cemetery indicating any interment or burial in the ground adjacent to such Burial Site 3, which could be designated as Burial Sites 1 and 2 of Lot 73 in Purchase 5, nor is there any record of ownership of such ground by anyone for burial or interment sites.

NOW THEREFORE BE IT RESOLVED, THAT

1. The ground adjacent to Burial Site 3 in Lot 73 of Purchase 5, which could be Burial Sites 1 and 2 in Lot 73 of Purchase 5 are hereby designated as Burial Sites 1 and 2 of Lot 73 in Purchase 5, to be set out on the maps and records of the Lakeview Cemetery as such and are to be of the dimensions as other such burial sites in that lot.
2. Such Burial Sites 1 and 2 of Lot 73 in Purchase 5 shall be offered for sale at a price commensurate for burial sites now being sold in the cemetery and pursuant to the requisite procedure for sale of burial sites.
3. A certified copy of this resolution shall be filed with the Lakeview Cemetery records.

Mayor Marchionda	Aye	Trustee D’Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		

Carried

Discussion: Atty. Brockman mentioned that this ground has not been designated for burial. The Cemetery Superintendent was approached by a family and asked if they could purchase this certain lot –they have a family member already buried next to this lot.

Atty. Brockman and Lynn Axtell have discussed the possibility of looking at a new program for record keeping for the Cemetery. Clerk/Treasurer S. Wilber mentioned that our IT person was looking into new software options.

MUNICIPAL

MOTION by Trustee Allison, seconded by Trustee Hoban to approve the following additional invoices from Lu Engineers for work done in May at a total of \$4,636.50 for payment:

Invoice #26351 for the monthly general engineering fee	\$1,300.00
Invoice #26352 for the design of the mechanical bar screen	\$1,435.50
Invoice # 26354 for WWTP Consent Order work	\$ 550.00
Invoice #26355 for a second quote for the WTP PLC	\$ 220.00
Invoice #26356 for WTP improvements and upgrades	\$1,131.00

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
			Carried

ADJOURNMENT:

MOTION at 9:23 PM, Trustee Allison, seconded by Trustee Taylor to adjourn the regular Village Board meeting.

Mayor Marchionda	Aye	Trustee D'Abbracci	Absent
Trustee Taylor	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye		
			Carried

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: