

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, June 19, 2012 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; D. Reeve; R. Stewart; B. Winslow; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Police Chief Hulse; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; CEO B. Lyon; Fire Chief R. Simpson

ABSENT: Parks Director D. Doyle;

News Media present: Gwen Chamberlain, Chronicle Express; Jim Miller, Finger Lakes Times; David Austen, Dundee Observer

PUBLIC: Mark Morris and Vince Scarpechi

Mayor Church called the Village Board meeting to order at 6:05 PM.

Mayor Church asked for a moment of silence for a true leader of our community Mr. Donald Stork who passed away this past weekend.

6:00 PM PUBLIC HEARING - 2012-2013 Water Rent Rates

Mayor Church called the Public Hearing to order at 6:05 PM.

At 6:05PM MOTION by Trustee Allison, seconded by Trustee Winslow to open the Public Hearing.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Mayor Church asked the Village Board and public if anyone had any comment regarding the 2012-2013 Water rent rates. No comment.

At 6:09 PM MOTION by Trustee M. Christensen, seconded by Trustee Reeve to close the Public Hearing.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Allison, seconded by Trustee C. Christensen to authorize Resolution No 29-2012 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 June 19, 2012, 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.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

At 6:06 PM MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to open the Public Hearing for 2012 – 2012 Sewer Rent rates.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Mayor Church asked the Village Board and public if anyone had any comment regarding the 2012-2013 Water rent rates. No comment.

At 6:09PM MOTION by Trustee Winslow, seconded by Trustee Reeve to close the Public Hearing.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee C. Christensen, seconded by Trustee M. Christensen to authorize Resolution No 30-2012 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 June 19, 2012, 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.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Reeve, seconded by Trustee C. Christensen to authorize an Executive Session to discuss a Safety issue, the potential Sale of property and employment record of an employee.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MINUTES:

MOTION by Trustee C. Christensen, seconded by Trustee Allison to approve the Village Board Minutes from MAY 15, 2012 and Special Village Board meeting on May 16, 2012 and Special Village Board meeting on May 31, 2012

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

GUESTS, PUBLIC REQUEST & COMMENTS:

No comments

MAYOR:

Mayor Church explained Jerry Nissen a long time Municipal Board member has resigned. Jerry has been a past Trustee and Mayor and a member of the Municipal Board for years. He will be truly missed.

ATTORNEY:

Atty. Brockman explained briefly it is not required to have a public hearing for water rate changes but it is for sewer rates. It was discussed and decided it would be in the best interested if the Local Law was changed and it would be required for both Water & Sewer rate changes.

MOTION by Trustee Reeve, seconded by Trustee Winslow to authorize Resolution No 32-2012 Proposed Local Law Amending Water Rent rates.

WHEREAS, the Board of Trustees of the Village of Penn Yan deems it appropriate to consider a Local Law to provide for a public hearing prior to changing water rent rates; and

WHEREAS, the Board of Trustees intends to act as lead agency for the purposes of the review of this proposed Local Law under the provisions of SEQRA; and

WHEREAS, it appears that there will be no environmental impact by the adoption of such a local law and such adoption may

accordingly be deemed a "Type II" Action pursuant to SEQRA.

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 no environmental impact will occur by the adoption of this local law, the adoption of such Local Law is a "Type II" Action under SEQRA and therefore no environmental review will be undertaken; and it is further

RESOLVED, that the Village Attorney is directed to draft a proposed Local Law for this proposed amendment of the Village Code.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Reeve, seconded by Trustee M. Christensen to authorize Resolution No 33-2012 Proposed Local Law Amending Sewer Rent rates.

WHEREAS, the Board of Trustees of the Village of Penn Yan deems it appropriate to consider a Local Law to provide for a public hearing prior to changing sewer rent rates; and

WHEREAS, the Board of Trustees intends to act as lead agency for the purposes of the review of this proposed Local Law under the provisions of SEQRA; and

WHEREAS, it appears that there will be no environmental impact by the adoption of such a local law and such adoption may accordingly be deemed a "Type II" Action pursuant to SEQRA.

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 no environmental impact will occur by the adoption of this local law, the adoption of such Local Law is a "Type II" Action under SEQRA and therefore no environmental review will be undertaken; and it is further

RESOLVED, that the Village Attorney is directed to draft a proposed Local Law for this proposed amendment of the Village Code.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to authorize Resolution No 34-2012 Modification of Family and Medical Leave Policy for Approval of Request for Leave.

WHEREAS, the Village of Penn Yan has previously adopted a Family and Medical Leave Policy, which included a provision that the granting of such a leave required approval of the Village Personnel Committee; and

WHEREAS, it has been recommended that, for purposes of speedier action on any request for family or medical leave, that the Village Clerk/Treasurer be vested with the authority to grant such leave, with any appeal from such decision being made, first to the Personnel Committee and then to the Board of Trustees.

NOW THEREFORE BE IT RESOLVED, that effective July 1, 2012 any request for a family or medical leave shall be made by the employee to the Village Clerk/Treasurer, who shall determine eligibility for such leave. Any appeal from such decision by the employee shall be made within ten (10) days of notification from the Village Clerk as to the decision, which appeal shall be in writing to the Village Personnel Committee. That appeal shall be heard by the Personnel Committee within ten (10) days of the filing thereof, upon three (3) days' notice to the employee. An appeal from the decision of the Personnel Committee may be made in writing to the Board of Trustees within then (10) days of notification to the employee from the Personnel Committee, which appeal shall be held by the Board of Trustees within ten (10) days of the filing of the appeal, upon three (3) days' notice to the employee.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to authorize Resolution No 35-2012 Health care Coverage Opt-Out for Medicare Eligible Members of the Board of Trustees.

WHEREAS, the Village of Penn Yan offers health care coverage plans to employees and Public Officers of the Village; and

WHEREAS, the Village provides for opt-out for union and non-union employees; and

WHEREAS, it appears appropriate to adopt a policy of opt-out for Medicare eligible members of the Board of Trustees.

NOW THEREFORE, BE IT RESOLVED, that Medicare eligible members of the Board of Trustees may opt-out of participation in the Village health care program for at least one (1) year, upon execution of a written statement with respect thereto and the filing of same with the Village Clerk/Treasurer. Any such member of the Board of Trustees shall receive the annual sum of \$2,400.00, payable quarterly, in equal amounts, in March, June, September and December on a prorated basis, if applicable. The Trustee may return to the Village health care plan in accordance with the rules thereof.

This policy shall become effective July 1, 2012.

DISCUSSION: Trustee Stewart question who is eligible for Medicare. Mayor explained anybody 65 or older is eligible. Atty. Brockman as a reminder if this is not in the employee manual will need to add it.

ADOPTED Ayes 6 Church, Allison, C. Christensen, M. Christensen, Stewart and Winslow
Nays 0 Recuse Reeve Absent

COMMUNITY REVITALIZATION:

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize a grant/loan application for Joan Hansen-Eldred of the Nest Egg; total of \$17,767.58, which \$8,883.79 is the grant and \$8,883.79 would be a loan; pending approval from the Historic Preservation Commission and ZBA for signage.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Winslow by Trustee to authorize the attendance of Director Bodine at the MEUA Central Regional Meeting June 27th in Groton, NY at a cost of \$50.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize going out for bids for breaker maintenance work at Ryder substation.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize the attendance of Tina Galliher at the NYRWA Water Fluoridation training on July 11th in Lockport, NY at no cost.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Allison, seconded by Trustee C. Christensen to authorize going out for bids for cured in-place pipe for the sanitary sewer on Chapel Street (between Keuka Street and Liberty Street).

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize proceeding with the rebuilding of raw water pump #3 at the Water Treatment Plant by Estabrook Corporation, per their quote of \$7,796.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Allison, seconded by Trustee C. Christensen to approve Utility Payment Agreements in the amount of \$10,618.29

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

FINANCE & ADMINISTRATION:

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

AUDIT:

		Amount:
Paid Before Audit:		
General		317,894.94
Electric		13,674.28
Sewer		4,012.96
Water		12,069.35
Capital Projects		
Total Paid Before Audit		\$ 347,651.53
Current Audit:		
General	\$	153,463.64
Community Development - CRC		-
Electric		61,640.39
Sewer		27,076.57
Water		25,989.16
Capital Projects		-
Total Current Audit Items		\$ 268,169.76
TOTAL AUDIT		\$ 615,821.29

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
 Nays 0 Abstain 0 Absent

MOTION by Trustee C. Christensen, seconded by Trustee Winslow to authorize Bond Resolution No. 31-2012 regarding three items.

1. \$513,347 Fire Truck Purchase for PPU of 5 years
2. \$145,000 Vacuum Truck Purchase for PPU of 5 years
3. \$375,000 Road Reconstruction for a PPU of 5 years
 PPU – (Period of Probable Usefulness)

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PENN YAN, YATES COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE UNDERTAKING OF VARIOUS OBJECTS OR PURPOSES; STATING THE MAXIMUM ESTIMATED COST THEREOF; APPROPRIATING AMOUNTS THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$1,033,347 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATIONS

WHEREAS, the Board of Trustees of the Village of Penn Yan (the "Village") proposes to authorize the issuance of \$1,033,347 in serial bonds of the Village to finance various public objects and purposes, as described herein; and

WHEREAS, each of such public improvements and purposes constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Board of Trustees under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board of Trustees of the Village now wishes to appropriate funds for each of such objects or purposes and to authorize the issuance of the Village's serial bonds or bond anticipation notes to finance said appropriations.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF PENN YAN, YATES COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Village is hereby authorized to undertake the acquisition of one (1) firefighting truck and to issue up to \$513,347 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost thereof. It is hereby determined that the maximum estimated cost of the aforementioned

specific object or purpose is \$513,347, said amount is hereby appropriated therefore, and the plan for the financing thereof shall consist of the issuance of \$513,347 in serial bonds of the Village authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds, and the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions a.27 and 89 of Section 11.00 of the Law.

SECTION 2. The Village is hereby authorized to undertake the acquisition of one (1) vacuum truck and to issue up to \$145,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Law to finance the estimated cost thereof. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$145,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of the \$145,000 in serial bonds of the Village authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds, and the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions a.28 and 89 of Section 11.00 of the Law.

SECTION 3. The Village is hereby authorized to undertake the reconstruction and resurfacing of various roads throughout the Village, including the construction or reconstruction sidewalks, curbs, gutters, stormwater collection facilities and other drainage improvements, landscaping, grading, and other related and incidental expenses and to issue up to \$375,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Law to finance the estimated cost thereof. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$375,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of the \$375,000 in serial bonds of the Village authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds, and the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is five (5) years, pursuant to subdivisions a.20(c) and 89 of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Sections 1 through 3 of this resolution.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00(d)(9) of the Law.

SECTION 6. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village (the "Village Treasurer"). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board of Trustees, then the power of the Board of Trustees to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 9. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board of Trustees.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 13. This resolution shall take effect immediately and the Village Clerk is hereby authorized and directed to publish the foregoing resolution in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Village (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

DISCUSSION: Mayor Church explained Chief Simpson has been investigating ways to advertise the fire truck which will be up for sale shortly after the new truck has been delivered. Chief Simpson discussed this company has a trade manual which is distributed nation wide. Doesn't cost a thing to go with them no contract to sign. At this time we do not have a local company interested in it. Rick explained we give them an amount we are asking to sell the truck and they add 10% on top of that. No guarantee minimum if a lower bid came in – they contact us first. After a discussion it was decided to have this discussed more at the next Public Safety meeting.

PERSONNEL:

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to accept the resignation of Officer Denosky, Jr. effective immediately (June 8th)

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to hire Wayne Marsh and Brandon Dehond as part time officers effective June 25, 2012 at \$16.00/hr.

DISCUSSION: Trustee Winslow mentioned the Village sponsored them for the Law Enforcement Academy. They will be starting their field period.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

PUBLIC SAFETY:

Trustee M. Christensen explained the Public Safety monthly meeting time changed from 3:30 PM to 3:00 PM.

POLICE DEPARTMENT:

No update

FIRE DEPARTMENT:

Monthly Fire Department report

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for May 2012
 run 06-10-2012 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires	1	28	28.5
Business Fires	1	37	37.6
Grass/Brush Fires			
Outside Building/Barn Fires	1	34	26.1
Car/Vehicle Fires	1	20	9.0
Other Fires	1	28	16.3
Wires	3	36	8.4
Other Emergency	5	122	41.0
Automatic Alarm Fires	11	135	19.4
Mutual Aid Scene	5	102	129.7
Mutual Aid Standby	2	37	13.6
Public Service			
Vehicle Accident	1	14	9.6
Total Fire Calls	32	593	339.2
Medical/Rescue Calls			
First Responders			
Assist Ambulance	5	75	59.2
Other Medical			
Total Med/Resc Calls	5	75	59.2
Total ALL Calls	37	668	398.4
Other Activities			
Courses	3	3	8.0
Drills	5	37	176.0
Monthly Meetings	8	95	101.8
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup	1	7	10.5
Work Detail	5	24	49.5
Wake/Funeral			
Line Of Duty			
Other	1	8	12.0
Total Other Activities	23	174	357.8
*****	***	****	*****
Total ALL Activities	60	842	756.2

Year to Date Fire Department

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for 2012 YTD
run 06-10-2012 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires	3	105	197.4
Business Fires	1	37	37.6
Grass/Brush Fires	1	20	22.0
Outside Building/Barn Fires	1	34	26.1
Car/Vehicle Fires	2	46	23.3
Other Fires	4	74	33.0
Wires	14	238	153.0
Other Emergency	25	485	213.5
Automatic Alarm Fires	49	703	308.2
Mutual Aid Scene	12	291	232.7
Mutual Aid Standby	3	56	26.6
Public Service	1	19	1.9
Vehicle Accident	5	100	60.3
Total Fire Calls	121	2208	1335.6
Medical/Rescue Calls			
First Responders			
Assist Ambulance	11	156	79.3
Other Medical	1	19	1.9
Total Med/Resc Calls	12	175	81.2
Total ALL Calls	133	2383	1416.8
Other Activities			
Courses	8	8	152.0
Drills	33	368	922.0
Monthly Meetings	60	655	633.8
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup	2	17	60.5
Work Detail	53	299	775.3
Wake/Funeral			
Line Of Duty			
Other	2	60	168.0
Total Other Activities	158	1407	2711.6
*****	***	*****	*****
Total ALL Activities	291	3790	4128.4

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize the following be elected to membership in the following companies.

- John Hanson – Hydrant Hose Company
- Jason Cranmer – Sheldon Hose Company
- Jason farmer – Ellsworth Hose Company
- Roger Kennerson – Ellsworth Hose Company

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Trustee M. Christensen discussed two staff members from the ARC came to the last Public Safety meeting and discussed the need for an emergency egress for the second floor of the Lown’s Building. They are looking at the inflatable slide/shoot which is very similar as you see on air planes. They need to have two parking spaces labeled as no parking in the back of the building. Trustee M. Christensen asked if the Board had any problems with this system. The Village Board did not have a problem with this. Atty. Brockman will discuss this more with Bill Jensen and start the paper work.

CODE ENFORCEMENT:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to approve grass and rubbish be removed at the actual cost plus 10% for 112-114 Benham Street and applied to taxes next year if no action taken by owner.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Winslow to authorized the Lease Agreement for the Cemetery House be renewed for 2012-2013 with the monthly rental fee remaining at \$575.00

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION Trustee Allison, seconded by Trustee Winslow to authorize a survey to be done on the Basin Street parking lot at an estimated cost of \$800 - \$1,000.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Atty. Brockman reviewed the SEQR for the Grant Application for the Village of Penn Yan’s Tree Planting Project in full with the Village Board. Board approved the Mayor to sign the SEQR.

MOTION by Trustee Allison, seconded by Trustee C. Christensen to authorize Resolution No 36-2012 NYS Department of Environmental Conservation Urban and Community Forestry Grant Program.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Trustee Allison explained the DOT has discussed if the Village will mill out bad spots on the road from Elm St up to the North Ave. (Ambulance Corp.) that weren’t improved last year. The DOT is willing to pave the mill spots – DOT will not be paving the complete Road.

MOTION by Trustee Reeve, seconded by Trustee Winslow to authorize Brent Bodine to move forward with the milling on Main Street up to the Ambulance Corp. and with the DOT for paving those areas.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Trustee Allison discussed the Red Jacket project – it looks might be \$12,00 short to finish the paving project – he wonder if we cannot locate enough money could it be taken out of reserve funds. Would like to finish up the paving on the parking lots.

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize money be taken out of the reserved funds if not enough to complete the paving at Red Jacket.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Mayor Church mentioned the view is gorgeous to the lake since the old bath house has been taken down. It is very impressive how the crews (DPW – Electric – Sewer - Water) have done so much in two weeks. Mayor stated the contractor for the bathroom will be starting next week.

PARKS & RECREATION:

Trustee Stewart discussed the Playground will be starting up July 9 and Red Jacket and Indian Pines will be meeting together at Indian Pines while the renovation project is going on. He explained we had a meeting today with Chris Vaughn from Keuka Arts festival, Mayor, Dan Doyle, Brent Bodine, Bill Jensen and Bruce Lyon and discussed problems which arose and how to correct this for next year. Trustee Stewart mentioned the Boat lunch opened last week

PLANNING & DEVELOPMENT:

Trustee Reeve discussed the possibility of One-Way Traffic Pattern for Water and Wagner Street. He explained one way from Liberty toward Main on Water Street and one way from the point towards Liberty on Wagner Street. Trustee Allison suggested having Planning & Development send letters out to merchants and invite public to a meeting to discuss this issue. After a discussion it was decided to look into this more before a decision is made. Trustee Reeve will go back to the Planning Board to look in to a public meeting.

PLANNING BOARD:

COMMENTS

Mayor Church explained Brent and himself have attended meetings for the Waterfront. At this time the County has asked if the Village would pay for a survey for the infrastructure over at the waterfront area this would cost around \$2,300. County would take on the second survey. This is one of the first things that need to get done before anything can be done. Trustee M. Christensen questioned if we have heard back from IDA from your letter yet and who will pay for the survey tax payers or rate payers. It was decided to hold off on this right now.

EXECUTIVE SESSION:

At 7:29 PM **MOTION** by Trustee M. Christensen, seconded by Trustee Allison to authorizes to move into Executive Session and the Board invited Brent Bodine to attend.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

MOTION by Trustee Reeve, seconded by Trustee Stewart to authorize to pay for a survey for the sewer infrastructure at Lake Street.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

At 8:50 PM Brent Bodine was excused from Executive Session.

ADJOURNMENT OF EXECUTIVE SESSION:

At 8:52 PM MOTION by Trustee M. Christensen, seconded by Trustee Allison to leave Executive Session and return to regular Village Meeting.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

ADJOURNMENT:

At 8:52PM MOTION by Trustee M. Christensen, seconded by Trustee Allison to adjourn the regular meeting.

ADOPTED Ayes 7 Church, Allison, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: