

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, July 11, 2006 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, New York.

PRESENT: Deputy Mayor W. Allison; Trustees M. Christensen, N. Koek, N. Taylor, and R. Hoban; Village Treasurer Socola; Village Attorney Brockman; Police Chief S. Hill; Director of Public Works E. Balsley; Street Supt. R. Jensen, CEO B. Lyon and Fire Chief J. Housel

ABSENT: Mayor D. Marchionda, Jr., Trustee R. Dailey, Recreation Director D. Doyle and Cemetery Superintendent L. Axtell

Public Attendees: Mr. & Mrs. Michael Linehan and Mrs. E. Armstrong

News Media present: Gina Muscato, Finger Lakes Times, Gwen Chamberlain, Dundee Observer and Loujane Johns, Chronicle Express

Deputy Mayor Allison called the meeting to order at 7:04PM and led the Pledge Allegiance to the Flag.

EXECUTIVE SESSION:

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

MINUTES:

MOTION by Trustee Taylor, seconded by Trustee Koek to approve the minutes of the June 13, 2006 regular Village Board meeting. (Note: Trustee Hoban disagreed with part of the minutes, but no corrections were made.)

Record of vote:	Deputy Mayor Allison	aye	
	Trustee Christensen	aye	
	Trustee Koek	aye	
	Trustee Taylor	aye	
	Trustee Hoban	nay	Carried.

GUESTS, PUBLIC REQUESTS & COMMENTS:

Due to the numerous complaints this year about the tree limbs, shrubs, lawn debris still being put out to the curb after May 31st and not being picked up by the Street Department, the issue has now been referred to the Public Works Committee. The Street Department picks up the spring debris every year during April and May, the same as in past years. They went around the Village at least 9 times during those two months. It will have to be decided whether to extend the pick-up period, or to stay with the original two months. However, due to the present situation.....

MOTION by Trustee Christensen, seconded by Trustee Koek directed the Street Dept. to go around the Village *one more time* to pick-up the *existing* piles of debris. A day or two will be scheduled, and that will be the last time until the fall pick-up. Carried.

A request was received from the *Big Brothers Big Sisters of Greater Rochester* to use the Village Hall, Room 202, on Thursday, July 27th from 12:45 to 1:30 PM and again at 5:45 to 6:30 PM to hold informational sessions for parents. The Match Coordinator, Gail Colaneri, is a Bluff Point resident.....

MOTION by Trustee Koek, seconded by Trustee Christensen to approve of the above↑mentioned request, with the Police Department unlocking the front doors before 5:45 PM, and relocking them after 6:30 PM. Carried.

Michael Linehan, President of the Yates County Chamber of Commerce, was present to apologize for any misunderstanding regarding the letter written "to the editor" relative to *Cruisin' Night* held on Friday, June 16th. Mr. Linehan wrote the letter to explain the circumstances of why the Fire Police were not able to work the event, and how the organizers tried to adjust to that void. The Chamber received quite a lot of abuse and criticism during, and after, the event. The volunteers were not professionally trained and did the best they could. At least a couple Trustees and the Fire Department took offense to his letter. Mr. Linehan emphasized he meant no disrespect and was only explaining the circumstances, not criticizing the Village, Fire Department or the Fire Police. This matter was referred to the Public Safety Committee for further consideration.

CORRESPONDENCE:

MOTION by Trustee Koek, seconded by Trustee Christensen to approve the request from the PY Central School District for a permit to erect a banner, entitled *PYA CAPITAL PROJECT VOTE AUGUST 15 NOON TO 9:00 PYA GYMNASIUM*, on Main Street from August 7th to August 21st. Carried.

Deputy Mayor Allison read a letter from William Crain who recommended that the Village Court be moved to the Town of Milo Court on evenings it's not in use. Then the old police station and the Maxwell building could be sold to reduce costs of Village government.

MOTION by Trustee Koek, seconded by Trustee Hoban to approve the YC Chamber of Commerce's request to hold the annual sidewalk sale on Saturday, July 29th with the north block of Main Street closed from 7:30 AM to 4:00 PM. Chief Hill requested that both the north and south blocks be closed at 7:30 AM, as the south block was going to be closed at 11:00 AM anyway. It would be much easier to not allow parking in the first place rather than trying to remove any cars parked at 11:00 AM. Carried.

ATTORNEY:

Attorney Brockman, CEO Lyon and Bob Champlin, owner of Lloyd's Limited, worked together establishing an acceptable plan in order to hold the *Blues Festival* safely and within code regulations.....

MOTION by Trustee Christensen, seconded by Trustee Hoban to direct the Village Clerk to sign the "Permit for Dispensing Alcohol Beverages upon Public Property in the Village of Penn Yan" upon the Village's receipt of the alcohol permit issued by the New York State ABC for the *Blues Festival* event. Carried.

MOTION by Trustee Christensen, seconded by Trustee Hoban to authorize the Village Clerk to sign RESOLUTION NO. 29-2006 for the proposed amended Local Law C of 2006 entitled *Keuka Lake Docking & Mooring Law*. A public hearing has been scheduled for August 8, 2006 at 7:00 PM, and the proposed amended law will be referred to the Yates County Planning Board. Carried.

MOTION by Trustee Koek, seconded by Trustee Hoban to authorize the Mayor (or Deputy Mayor) to sign the license agreement between Knapp & Schlappi and the Village of Penn Yan for an easement regarding the property known as the Firemen's Field. Carried.

At the June 13th VBM, Attorney Brockman suggested that the Board consider establishing the practice of requesting abstracts from the property owners when an easement is necessary. Mayor Marchionda referred the matter to the Public Works Committee for their review. However, the Public Works Committee did not meet June 19th, but will discuss it at their next meeting on Monday, July 17th.

◇ Trustee Hoban asked Attorney Brockman what the Board should do regarding the most recent letter Mr. Hawley wrote "to the editor" threatening the Board (again). Attorney Brockman replied "nothing", as he does not believe Mr. Hawley has any legal basis.

◇ At this time, Trustee Christensen handed a copy of the letter (mentioned above) to the Police Chief requesting him to investigate possible aggravated harassment charges.

AUDIT:

MOTION by Deputy Mayor Allison, seconded by Trustee Christensen to pay the current Village and Municipal bills, as submitted:

Village:	Paid before audit – General Fund	44,252.51	
	General Fund	<u>212,004.06</u>	
	Total Village audit:	256,256.57	
Municipal:	Paid before audit – Electric	138,847.95	
	Electric Fund	37,513.19	
	Water Fund	40,551.50	
	Sewer Fund	37,486.86	
	Capital Electric	4,645.59	
	Capital Water	432.00	
	Capital Sewer	<u>1,274.74</u>	
	Total Municipal audit:	260,751.83	Carried.

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

Last meeting was today, Tuesday, July 11, 2006 at 2:30 PM in the Village Hall, 111 Elm Street, 2nd fl.

MOTION by Trustee Taylor, seconded by Trustee Koek to adopt RESOLUTION NO. 26-2006 Year-end Budget Transfers. Carried.

MOTION by Trustee Koek, seconded by Trustee Hoban to adopt RESOLUTION NO. 27-2006 Application for corrections on Jens R. Christensen's 2004 tax bill. The assessment was incorrect, and his Veterans exemption was omitted. The Village owes him a refund of \$346.87. Carried.

MOTION by Trustee Koek, seconded by Trustee Christensen to adopt RESOLUTION NO. 28-2006 Application for corrections on Jens R. Christensen's 2005 tax bill. The assessment was incorrect, and his Veterans exemption as omitted. The Village owes him a refund of \$365.11. Carried.

MOTION by Trustee Hoban, seconded by Trustee Koek to authorize transferring \$20,000 to the Insurance Reserve Fund from unappropriated funds. Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to transfer the revenue of \$19,000 received from the sale of Lot 9 in the Industrial Park to the building reserve fund. Carried.

MOTION by Trustee Christensen, seconded by Trustee Koek to transfer \$152,560.32 to the Employee Benefit Liability Reserve fund from the unappropriated fund balance. Carried.

MOTION by Trustee Koek, seconded by Trustee Christensen to authorize the Village Treasurer Socola to sign an agreement with Davis-Ulmer Sprinkler Company to quarterly inspect the Village Hall's system. The annual cost would be \$1,040.00, paying \$260.00 each quarter. Carried.

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

The last meeting was held yesterday, Monday, July 10th at 4:00 PM in the Village Hall, Room 210

MOTION by Trustee Christensen, seconded by Trustee Hoban to accept the resignation from Mariann Griffin, Account Clerk-Typist, who worked in the Police Department office, effective July 14, 2006. Mariann has accepted a position in the Yates County District Attorney's office. Police Chief Hill stated that she has done an excellent job and she will be (very) missed! Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to provisionally appoint Kristy Pedder as a full-time Account Clerk-Typist (at \$14.82hr per CSEA Contract) to fill Mariann's position in the Police Department office. She must pass the Civil Service exam to maintain the position. Carried.

MOTION by Trustee Christensen, seconded by Trustee Hoban to accept Margaret Rumsey's retirement letter, effective July 13, 2006. She worked in the Code Enforcement Office, and she, also has done an excellent job, and will be greatly missed. Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to accept Linda Banach's retirement letter, effective August 7, 2006. (Clerk's note: Since I'm the one writing these minutes, I wish to thank everyone I've worked with, and to say that I shall miss you. However, it's time for me to call it quits. I'll miss this nice new building, too.) Carried.

MOTION by Trustee Christensen, seconded by Trustee Hoban to accept the *written* resignation letter received from part-time CEO Hofschneider, effective June 30, 2006. Carried.

Due to New York State Retirement requirements.....

MOTION by Trustee Christensen, seconded by Trustee Taylor to accept part-time Police Officer, Dan Irwin's resignation effective July 9, 2006. Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to re-hire part-time Police Officer, Dan Irwin, effective July 13, 2006. Carried.

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

The next meeting is scheduled for Thursday, July 13th at 4:00PM in the Village Hall, 2nd fl.

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

Megan Morehouse and Evan Miles as lifeguards at \$8.39hr.

Jenna Dunkelberger and Ryan Barkley as playground leaders at \$6.75hr. Carried.

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

The last meeting was held Monday, June 26th at 7:00 PM in the Village Hall

Chair Hoban briefly reported on future projects the committee plans to consider.

AD HOC BUILDING COMMITTEE: D. Marchionda, Chair

MOTION by Trustee Christensen, seconded by Trustee Koek to submit RFP's for an architect to replace Kohlstaedt & Fredrickson to design the revised Firehouse renovations. K & F has not dealt with and/or completed certain issues within the Village Hall. Phone calls go unreturned. The renovations must get started. Carried.

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

Police Department:

MOTION by Trustee Taylor, seconded by Trustee Koek to approve placing a handicap parking space in front of the Town of Milo building at 137 Main Street. Street Superintendent Jensen and Police Chief Hill will decide the best area for the handicap space. Carried.

Fire Department:

MOTION by Trustee Hoban, seconded by Trustee Koek to support restoring full funding for the Assistance to Firefighters Grant program by signing a petition and sending it to U.S. Senator Charles E. Schumer. Carried.

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

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

Streets:

MOTION by Trustee Christensen, seconded by Trustee Hoban to advertise for bids to pave future street projects. Carried.

MUNICIPAL:

The last meeting was Thursday, July 6, 2006 at 2:00 PM at 111 Elm St, Room 210

△ The Municipal Utilities Board requested Attorney Brockman to join them when they meet with the Town of Jerusalem officials to discuss the water and sewer contracted services.

MOTION by Trustee Christensen, seconded by Trustee Koek to approve *Payment No 3*, in the amount of \$980.00 that releases the 5% retainer fee, to Schuler-Haas Electric Corp. for the Cherry Street Pump Station Upgrade project. Carried.

MOTION by Trustee Christensen, seconded by Trustee Koek to approve the Municipal's purchase of a new submersible pump for the Water Treatment Plant from Elygt at a cost of \$4,879.30. Carried.

◇ At this time, Trustee Koek extended a sincere thank you to all those who sent their get well wishes, in one form or another, to him during his 6 or 7 months of illness. He truly appreciated it.

ADJOURNMENT INTO EXECUTIVE SESSION:

At 8:50 PM, MOTION by Trustee Christensen, seconded by Trustee Koek to adjourn into Executive Session regarding a personnel matter. Carried.

(the Village Clerk was excused)

ADJOURNMENT OF EXECUTIVE SESSION:

At 9:58 PM, MOTION by Trustee Christensen, seconded by Trustee Taylor to adjourn the executive session and return to the regular Village Board meeting. Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to hire a temporary part-time certified Code Enforcement Officer to cover while Bruce Lyon is on vacation. Carried.

ADJOURNMENT:

At 10:00 PM, Trustee Koek, seconded by Trustee Hoban to adjourn the regular meeting. Carried.

Linda K. Banach, Village Clerk
(My last Village Board Meeting)

ANNOUNCEMENTS:

► The next *Regular* Village Board Meeting is scheduled for Tuesday, August 8th at 7:00 PM.