

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, July 15, 2014 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor L. MacKerchar; Trustees W. Allison; C. Christensen; B. Church; D. Reeve; R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; Police Chief M. Hulse; CEO B. Lyon; Fire Chief J. Housel; Municipal Chairman R. French; Municipal Board member B. LeClaire

ABSENT: At 6:15 PM Trustee Benedict arrived

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC: None

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Christensen, seconded by Trustee Reeve to authorize to have an Executive Session for employee history with legal counsel.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MINUTES:

MOTION by Trustee Church, seconded by Trustee Christensen to approve the Village Board Minutes from June 17, 2014 and Special Board meeting on June 12, 2014

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

GUESTS, PUBLIC REQUEST & COMMENTS:

No comments

MAYOR:

Mayor MacKerchar explained he is setting up a “Gamewell Horn Committee” to discuss the Fire Department horn situation. This will consists of Trustees Christensen, Allison and Stewart, Dave Payne for MUB and Brent Bodine and from the Fire Department Chiefs Jeff Housel, Mike Clancy, Bill LaRock and Frank Ellis and Marty MacKerchar. The exact time and date will be determined. Trustee Christensen will be Chairperson.

Mayor MacKerchar stated other than the FEMA declaration he has no other news. We are looking into some assistance to prepare the paper work and a meeting will be schedule.

ATTORNEY:

Atty. Brockman explained he had contacted Young Explosives regarding the changes to the insurance to include the Village, Fire Department and all four Fire Departments and amend the contract for a hold harmless. Atty. Brockman is in agreement with the changes.

MOTION by Trustee Allison, seconded by Trustee Church to authorize and direct Mayor MacKerchar to execute the Provider Agreement with the Red Cross.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Reeve, Seconded by Trustee Christensen to authorize Resolution No 57-2014 Approval of Incentive Proposal from Empire State Development.

WHEREAS, the Village of Penn Yan intends to complete a review and modification of its Comprehensive Plan through a strategic planning project; and

WHEREAS, the New York State Urban Development Corporation d/b/a Empire State Development (“ESD”) has extended an offer of a grant in the amount of \$40,000.00 over a two (2) year period for use in the funding of the strategic planning project.

Now Therefore, Be It Resolved That:

1. The Board of Trustees is designated as the “Lead Agency” for the SEQRA review of this action, determines that, although the actual implementation and adoption of the Comprehensive Plan through the Strategic Planning Project will be a “Type I” action, the approval and execution of the Incentive Agreement with ESD will not result in any adverse environmental impacts, therefore this is classified as a “Type II” action and accordingly no environmental review will be undertaken.

2. The ESD Incentive Proposal for grant funding in the amount of \$40,000.00 is approved and DPW Director Brent Bodine is authorized and directed to execute

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent Benedict

COMMUNITY REVITALIZATION:

None

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Church to authorize the attendance of up to four (4) employees at OSHA 1910.269 training on July 22nd in Fairport, NY at no cost to the Village.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Allison, seconded by Trustee Christensen to approve Utility Payment Agreements in the amount of \$20,828.70

Discussion: Bruce Lyon questioned how much of those payments are water/sewer bills. Mayor explained payment agreements are for all utility bills. Trustee Allison feels most are from the high electric bills from the winter. Mayor it’s been past practice to have the agreements.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent Benedict

FINANCE & ADMINISTRATION:

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

AUDIT:

	Amount:
Paid Before Audit:	
General	31,226.50
Electric	160,174.29
Sewer	8,749.06
Water	9,130.75
Capital Projects	
Total Paid Before Audit	\$ 209,280.60
Current Audit:	
General	\$ 300,082.81
Community Development - CRC	-
Electric	28,698.96
Sewer	816,484.05
Water	37,000.34
Capital Projects	9,150.20
Total Current Audit Items	\$ 1,191,416.36
TOTAL AUDIT	\$ 1,400,696.96

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent Benedict

PERSONNEL:

MOTION by Trustee Christensen, seconded by Trustee Reeve to approve the proposed revisions to the Family Medical Leave Act Policy.

Discussion: Trustee Stewart asked is this from the State or internal. Trustees Christensen, Reeve from the committee and we looked at what was best for our employees.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Christensen, seconded by Trustee Reeve to approve the creation of a Water/Sewer Maintenance Worker position.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Christensen, seconded by Trustee Reeve to approve /granting the Director of Public Works the authority to determine and order which test would be more beneficial, Meter Reader Technician or Utilities Service worker.

Discussion: Brent Bodine mentioned this will be a Civil Service test and its offer at the same time and only every other year on the odd year. There is not a listing right now. Looking ahead for possibility of a retirement.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Christensen, seconded by Trustee Reeve to temporarily appoint as Part Time Water Treatment Plant Operator Douglas Marchionda Je. Effective May 23, 2014 – December 21, 2014.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Christensen, seconded by Trustee Church to temporarily appoint as a Part Time Water Treatment Plant Operator Jeff Breuer effective May 23, 2014 – December 21, 2014.

Discussion: Trustee Stewart questioned why we need them. Trustee Reeve explained they both are licensed operators that will be helping out to cover weekends. Brent explained at present we have a shortage of license operators. Two of the current operators have done very well but not able to work alone yet. They need to work one year before they can work independently.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Christensen, seconded by Trustee Reeve to hire Robert Ayers as a Water/Sewer Maintenance Worker Group 5 starting at \$19.94 per hour. Start date to be determined.

Discussion: Trustee Stewart questioned if we just created the position how are we able to offer the job right now. Brent explained we have posted in-house and followed all the rules. Mayor MacKerchar mentioned we advertise and Trustee Church explained it was discussed at last month’s meeting we were going to create a new position.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

MOTION by Trustee Christensen, seconded by Trustee Reeve to hire Timothy Marcellus DPW HEO Group 5 starting at \$19.94 per hour. Start date to be determined.

ADOPTED Ayes 6 MacKerchar, Allison, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent Benedict

At 6:15 PM Trustee Benedict arrived to the Board meeting.

PUBLIC SAFETY:

POLICE DEPARTMENT:

No update

FIRE DEPARTMENT:

Monthly Fire Department report

Year to Date Fire Department report

Trustee Christensen Table the Motion to authorize to purchase I am Responding Software will have more discussions on this.

CODE ENFORCEMENT:

MOTION by Trustee Allison, seconded by Trustee Christensen to authorize Bruce Lyon Code Enforcement to hire someone to mow Village resident’s lawns, if they have not been mowed within the appropriate time limit. The cost of mowing plus 10% will be placed on the Village taxes the following year.

- | | |
|---------------------|-----------------|
| 330 East Elm Street | 106 Stark Ave. |
| 332 East Elm Street | 124 Elm Street |
| 154 Cornwell Street | 171 Main Street |
| 114 Benham Street | 210 Lake Street |
| 150 Water Street | |

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

PUBLIC WORKS:

Trustee Allison mentioned the DPW crew has been down a couple of men due to medical, vacations and a transfer. Almost up to a full crew. The crew is all done picking up debris throughout the Village. Hope to have the paving done next week on Mace Street. Brent Bodine had update on Willow Road. The Rail Road hazardous crossing has been approved by the Rail Road. The design is 85% complete and design of the road base is 95% complete. Tentatively starting the sidewalk improvement program end of July first of August and after that is complete will work on Henry and Hutton Streets.

PARKS & RECREATION:

Trustee Stewart mentioned the committee is working on the Parks code almost ready to send to Atty. Brockman.

PLANNING & DEVELOPMENT:

PLANNING BOARD:

MOTION by Trustee Reeve, seconded by Trustee Church to authorize Resolution No 56-2014 Hiring Steinmetz Planning Group to update the Comprehensive Master Plan for the Village.

WHEREAS, the Comprehensive Master Plan for the Village of Penn Yan has not been updated since January of 2000 and,

WHEREAS, the Penn Yan Planning Board has requested, received and evaluated multiple proposals to update said Comprehensive Master Plan and,

WHEREAS, the Penn Yan Planning Board has recommended hiring the Steinmetz Planning Group to update the Comprehensive Master Plan for the Village of Penn Yan.

NOW THEREFORE BE IT:

RESOLVED, that Leigh MacKerchar, the Mayor of the Village of Penn Yan, is hereby authorized and directed to accept and sign Steinmetz’s proposal dated June 9th 2014.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
 Nays 0 Abstain 0 Absent 0

COMMENTS

EXECUTIVE SESSION:

At 6:33 PM, **MOTION** by Trustee Christensen, seconded by Trustee Church to enter into Executive Session and the Board asked Chief Hulse and Director of Public Works Brent Bodine to attend.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Christensen, seconded by Trustee Church to terminate Karen Fox, Senior Typist, effective July 1, 2014.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee Church to not accept the resignation of Karen Fox, Senior Typist, and instead to request that restitution in the amount of \$30.00 be made to the Village of Penn Yan in lieu of prosecution.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:08 PM, **MOTION** by Trustee Church, seconded by Trustee Christensen to leave Executive Session and return to regular Village Meeting.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

ADJOURNMENT:

At 7:10 PM, **MOTION** by Trustee Allison, seconded by Trustee Reeve to adjourn the regular Village Board meeting.

ADOPTED Ayes 7 MacKerchar, Allison, Benedict, Christensen, Church, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: