

**MINUTES** of a Regular Meeting of the Village Board of Trustees held Tuesday evening, July 19, 2011 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

**PRESENT** Mayor R. Church.; Trustees W. Allison; W. Davidson; R. Stewart; B. Winslow; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; CEO B. Lyon; Fire Chief R. Simpson

**ABSENT:** Trustees C. Christensen; M. Christensen; Police Chief Hulse; Parks Director D. Doyle;

News Media present: Amanda Folts, Finger Lakes Times; Peg Thompson, Dundee Observer: 6:31pm  
Gwen Chamberlain, Chronicle Express arrive

**PUBLIC:**

Mayor Church called the Village Board meeting to order at 6:00 PM.

Mayor Church called for a moment of silence for the victims and family members from the fatal accidents this past week.

**CALL FOR EXECUTIVE SESSION:** No Executive Session meeting at tonight's Board meeting

**MINUTES:**

MOTION by Trustee Allison, seconded by Trustee Winslow to approve the Village Board Minutes from June 21, 2011 and Special Village Board Minutes on June 29, 2011

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

Carried

**GUESTS, PUBLIC REQUEST & COMMENTS:**

None

**OLD ITEMS**

Atty. Brockman explained he is working on the Basin Street Parking lot. He has a survey from Rick Wilson that he is reviewing.

**MAYOR:**

MOTION by Trustee Winslow, seconded by Trustee Stewart to approve Mayor Church signs the agreement with the NY State Department of Transportation for storing of (2) Fire Trucks during the Liberty Street project. Authorizing Mayor Church or Atty. Brockman to make changes to the agreement which is requested by the DOT.

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

Carried

MOTION by Trustee Winslow, seconded by Trustee Allison to approve Mayor Church signs the easement with NYSE&G for the installation of facilities on the Village's property along Keuka Lake outlet.

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

Carried

**ATTORNEY:**

Atty. Brockman explained we needed to reschedule the Public Hearing Amending the Vehicle and Traffic Chapter to August Village Board meeting. We had additional changes to be made to it.

MOTION by Trustee Allison, seconded by Trustee Winslow to approve Resolution No 57-2011 set a Public Hearing (August 16, 2011 at 6:00pm) to Amend the Vehicle and Traffic Chapter Code for the Village respect to Parking Regulations.

**WHEREAS**, the Village Department of Public Works recommended amendment to the Vehicle and Traffic Chapter of the Village Code to create a loading/unloading zone on Main Street, the elimination of parking spaces on Seneca Street, short term parking on Jacob Street and the relocation of handicapped parking from Main street to Water Street; and

**WHEREAS**, modifications to the previously circulated local law were required; and

**WHEREAS**, a modified Local Law with respect thereto has been prepared and circulated to the Board of Trustees; and

**WHEREAS**, SEQRA issues have previously been dealt with

Now Therefore, be it Resolved

1. A public hearing with respect to this matter shall be held on August 16, 2011 at 6:00 p.m. in the Village Offices and that due notice thereof be made by the Village Attorney.

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

Carried

#### **COMMUNITY REVITALIZATION:**

MOTION by Trustee Allison, seconded by Trustee Winslow to approve Ray Hamilton's application for a grant/loan in the amount of \$13,000.00 (which \$6,500 would be grant and \$6,500 is the loan).

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

Carried

#### **MUNICIPAL:**

MOTION by Trustee Allison, seconded by Trustee Davidson to hire Elliott Engineering Solutions to provide the Village with a Stray Voltage Survey for the year 2011 at a cost not to exceed \$4,700.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to approve the IEEP Commercial Energy Program for Soldiers & Sailors Memorial Hospital, which will free up enough of our hydro power to supply approximately thirty-five homes in the village for one year.

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

Carried

Trustee Allison explained Hospital used this with their renovation and lighting this helped to alleviate with cost on the electric. Was evaluated by Honeywell; it will help out on the purchase power. Trustee

Stewart mentioned the Penn Yan Library when they renovated they used IEEP and it help with their heating bill.

MOTION by Trustee Allison, seconded by Trustee Davidson to award the contract to Elliott Engineering Solutions for the engineering to slip line the sanitary sewer line on lower Keuka Street. For his proposed fee of \$3,000.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to award the sludge hauling contract to Casella Waste Management for the remainder of fiscal year 2011-2012 at a cost of \$.037 per gallon of liquid sludge.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize the attendance of up to eighteen (18) Village employees and representatives at the FLWWC Summer Meeting/BBQ/Vendor Exhibit being held August 11<sup>th</sup> at Fireman’s Field.

\$30.00 /pp per member and \$35.00 for non-member.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Davidson to approve Utility Payment Agreements in the amount of \$5,073.17.

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

Carried

**FINANCE & ADMINISTRATION:**

MOTION by Trustee Stewart, seconded by Trustee Winslow to approve Resolution No. 56-2011 Budget Amendment for 2011-2012.

**Increase**

A-4320-00	Federal Aid-COPS Grant	25,947.64
A-3021-4-531	Police Grant	25,947.64
A-5182-1-100	Street Lighting - Electric	25,000

**Decrease**

A-5110-1-100	Street Maintenance-Personal Services	25,000
--------------	--------------------------------------	--------

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

Carried

MOTION by Trustee Stewart, seconded by Trustee Winslow to approve Resolution No 58-2011 Budget Transfers for 2010-2011 Fiscal Year.

**INCREASE:**

<b>Account Id</b>	<b>Description</b>		<u>Fund Totals</u>
		(951.3	
<b>1-A-2801-01</b>	<b>Personnel Services, Other Funds</b>	4)	
<b>1-A -0000-0-000</b>	<b>GENERAL FUND</b>		
1-A -5110-0-000	STREET MAINTENANCE		
		1,422.2	
1-A -5182-4-400	Street Lighting-Street Lighting	0	
		<u>471</u>	
			<b>47</b>
			<b>General 1</b>
			<b>Electric -</b>
			<b>Sewer -</b>
			<b>Water -</b>
			<u>47</u>

**DECREASE:**

			-
			<u>1</u>
<b>Account Id</b>	<b>Description</b>		
<b>1-A -0000-0-000</b>	<b>GENERAL FUND</b>		
1-A -5110-0-000	STREET MAINTENANCE		
		470.8	
1-A -5110-1-100	Street Maintenance-Personal Services	6	
		<u>471</u>	
			<b>47</b>
			<b>General 1</b>
			<b>Electric -</b>
			<b>Sewer -</b>
			<b>Water -</b>
			<u>47</u>
			<u>1</u>

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

Carried

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

**WARRANT:**

	<b>Amount:</b>
<b>Paid Before Audit:</b>	
General	99,130.00
Electric	197,200.72
Sewer	28,618.89
Water	26,977.56
Capital Projects	
<b>Total Paid Before Audit</b>	<b>\$ 351,927.17</b>
<b>Current Audit:</b>	
General	\$ 189,796.33
Community Development - CRC	8,308.00
Electric	57,328.65
Sewer	28,757.09
Water	38,122.77
Capital Projects	-
<b>Total Current Audit Items</b>	<b>\$ 322,312.84</b>
<b>TOTAL AUDIT</b>	<b>\$ 674,240.01</b>

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

Carried

**PERSONNEL:**

None

**PUBLIC SAFETY:**

Trustee Allison explained Public Safety meeting was cancelled this month. He mentioned we are continuing working on the parking lot issue.

**POLICE DEPARTMENT:**

None

**FIRE DEPARTMENT:**

Monthly Fire Department report

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for Jun 2011  
run 07-07-2011 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires	1	30	125.0
Business Fires			
Grass/Brush Fires			
Outside Building/Barn Fires			
Car/Vehicle Fires			
Other Fires	1	15	6.0
Wires	2	27	16.7
Other Emergency	2	24	5.6
Automatic Alarm Fires	9	123	28.1
Mutual Aid Scene			
Mutual Aid Standby			
Public Service			
Vehicle Accident			
<b>Total Fire Calls</b>	<b>15</b>	<b>219</b>	<b>181.4</b>
Medical/Rescue Calls			
First Responders			
Assist Ambulance			
Other Medical			
<b>Total Med/Resc Calls</b>	<b>0</b>	<b>0</b>	<b>0.0</b>
<b>Total ALL Calls</b>	<b>15</b>	<b>219</b>	<b>181.4</b>
Other Activities			
Courses	8	8	74.0
Drills	8	66	173.0
Monthly Meetings	3	41	41.0
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup	1	9	40.5
Work Detail	1	6	12.0
Wake/Funeral			
Line Of Duty			
Other	1	7	14.0
<b>Total Other Activities</b>	<b>22</b>	<b>137</b>	<b>354.5</b>
*****	***	*****	*****
<b>Total ALL Activities</b>	<b>37</b>	<b>356</b>	<b>535.9</b>

MOTION by Trustee Allison, seconded by Trustee Winslow to approve William Bacher be elected to membership in Sheldon Hose Company.

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

Carried

MOTION by Trustee Allison, seconded by Winslow to approve Tim Sampson be elected to membership in the Sheldon Hose Company.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to approve the removal of Howard Wakley from the Active Roll.

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

Carried

Mayor Church explained the LOSAP program started back in 1999. It was just recently brought to our attention the Board needs to approve the list of fireman for the LOSAP program before it is sent to the Insurance carrier. No one realized this before. Mayor Church mentioned Trustee Davidson discovered and explained to him this morning regarding the point system we use now, it is not the one in the LOSAP program used by the State. Mayor Church asked this to be tabled and sent to the Public Safety Committee and have them looking into this. Trustee Winslow will review the point system with VFIS. Trustee Allison explained the general people that administer this for the Fire Department are the Chiefs and line Officers and they approve the due credits. The Chiefs spend a lot of time to document the hours. Mayor Church explained it could be possible under the 50 point system the State has there may be some guys that didn't get qualified with the 90 point system. He mentioned our points system could be stricter than the states system. Trustee Allison believed we had a choice that we could set up our own point system. Trustee Winslow explained the point system we have followed in the guidelines of the state and have used the system for the length of time it's been in service.

**CODE ENFORCEMENT:**

None

**PUBLIC WORKS:**

MOTION by Trustee Allison, second by Trustee Winslow to approve the paving contract be awarded to Hanson Aggregates NY, LLC. The paving bids were for:

- E. Elm Street between Benham Street and Hamilton Street, including the Hamilton Street intersection (\$57,673.75);
- E. Elm Street between Hamilton Street and Walnut Street, including the Lawrence Street and Walnut Street intersections (\$60,456.63);
- Hamilton Place (\$27,418.61);
- N. Main Street, including the Grant Avenue intersection (\$44,134.01); and
- E. Main Street, including the Henry Street intersection (\$32,185.09).

The total cost of all of these projects would be \$221,868.09. The Village reserves the right to elect to do only a portion of the paving work described herein.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to approve that the milling contract be awarded to Decca Paving, Inc. The milling bids were for:

- N. Main Street, including the Grant Avenue intersection (\$9,045.70); and
- E. Main Street, including the Henry Street intersection (\$6,154.00).

The total cost of all of these projects would be \$15,199.70. The Village reserves the right to elect to do none, only a portion, or all of the milling work described herein.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize to go out for bids for paving work on Kennedy Avenue.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to approve Rick Wilson be authorized to prepare a topographic and boundary survey of Hamilton Place per his quote of \$1,650.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Winslow to approve the annual contract for software and hardware support with Multiforce Fuel Management Systems be renewed for the period July 1, 2011 through June 30, 2012 at a cost of \$1,150.

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

Carried

Trustee Allison stated the E. Elm Street project is moving forward almost up to the Rail Road tracks. They are on schedule and in good shape. Mayor Church asked Brent Bodine to pass on to the crews what a great job they have done and Don Rapalee and his crew for the sidewalks. They did 18 sidewalks in 9 working days. Brent Bodine will send a thank you letter to David Hartman and his crew for their help.

#### **PARKS & RECREATION:**

Trustee Stewart explained we have been very impressed on how things are going with the Boat Launch parking permits. We have received various comments for the Boat Launch we will be reviewing them in the future. Trustee Stewart stated we are pleased with the numbers at both of the playgrounds. We have the Red Jacket Pavilion rented on the weekends up to Labor Day and a few days during the week.

Atty. Brockman discussed the parcel of land along the North side between Main and Liberty Street (Lake Street). We tried to sell this parcel before and didn't go so well. Atty. Brockman stated there is another piece of land down there the Village owns. We will not be getting rid of anything to do with the outlet trail. Brent Bodine and Dan Doyle are working on determining where we should stop the park. Atty. Brockman questioned if the Village Board would like to declare all this as surplus, if so he will move forward to selling this. Atty. Brockman mentioned to the Board the Village would have income off the sale and it would be placed backed on the tax roll. Trustee Allison would like each Board member to walk down toward this area so they have an idea what we are discussing. Mayor Church asked if everyone could do this before next month's meeting.

#### **PLANNING & DEVELOPMENT:**

None

#### **PLANNING BOARD:**

Atty. Brockman explained he will go over the Overlay Districts and Special Use regulations at the August Village Board meeting. He will be attending the August Planning Board meeting to discuss these changes to the Code. Atty. Brockman also spoke with the Planning Board about two chapters (23 Planning Board

& 162 Site Plan Review) to move these to the Zoning Chapter. Atty. Brockman will be discussing this at August's Planning Board meeting.

**COMMENTS**

Trustee Stewart question where we were at on the Workplace Violence. Clerk/Treasurer S. Wilber stated it is in the hand of the Personnel Committee we have been discussing about setting up training. Mayor Church asked Trustee Winslow if he could discuss this at the Personnel meeting.

**ADJOURNMENT:**

At 6:31 PM MOTION by Trustee Davidson, seconded by Trustee Allison to adjourn the regular meeting

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

Carried

---

Mary Ann Martin, Deputy Clerk

**ANNOUNCEMENTS:**