

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, August 8, 2006 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, New York.

PRESENT: Mayor D. Marchionda, Jr.; Trustees W. Allison; M. Christensen; N.Taylor; R.Hoban; R.Dailey; Village Treasurer Socola; Village Attorney Brockman; Director of Public Works E. Balsley; Street Supt. R. Jensen, CEO B. Lyon , Assistant DPW R. Osgood.

ABSENT: Trustee Norman Koek; Recreation Director D. Doyle, Cemetery Superintendent L. Axtell, Police Chief S. Hill, Fire Chief J. Housel

Public Attendees: Grace Knapton, Gary Pinneo, Rom French, Patricia Christensen, Stacy Casterline, Robert Warden

News Media present: Gina Muscato, Finger Lakes Times and Loujane Johns, Chronicle Express

Mayor Marchionda called the meeting to order at 7:03PM and led the Pledge Allegiance to the Flag.

Mayor Marchionda requested a moment of silence in remembrance of Herbert Fitch, past Village Mayor and Edward Bolger longtime member of the Municipal Utilities Board, as they both had past away recently.

PUBLIC HEARING:

At 7:06 P.M. MOTION by Trustee Allison , seconded by Trustee Christensen to open the public hearing, as advertised, proposed Local Law C – Keuka Lake Uniform Docking & Mooring Regulations. Carried.

Mayor Marchionda asked for any comments.....no one spoke....left public hearing open.

EXECUTIVE SESSION:

MOTION by Trustee Christensen, seconded by Trustee Taylor to hold an *executive session* regarding a personnel matter. Carried.

MOTION by Trustee Allison, seconded by Trustee Dailey to close the Public Hearing. Carried.

At 7:07 Adjourned to Executive Session regarding a Personnel matter.

At 7:10 resumed meeting.

MINUTES:

MOTION by Trustee Allison, seconded by Trustee Taylor to approve the minutes of the July 11, 2006 regular Village Board meeting, with the following correction.....The Municipal Utilities Board requested Attorney Brockman to join them when they meet *to discuss* the Town of Jerusalem Sewer Agreement

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

MAYOR:

MOTION by Trustee Christensen, seconded by Trustee Allison to appoint Mark Socola Tax Collector, effective August 8,2006. (Trustee Hoban is concerned that Mr. Socola lives out of Yates County, the Mayor tells Trustee Hoban that Mr. Socola’s residency requirement had been waived.) Carried.

MOTION by Trustee Allison seconded by Trustee Christensen to appoint Mark Socola FOIL Officer, effective August 8, 2006. Carried.

MOTION by Trustee Allison seconded by Trustee Taylor to appoint Mark Socola Clerk-Treasurer, effective August 8, 2006. Carried.

MOTION by Trustee Dailey seconded by Trustee Taylor to appoint Stacy Casterline, Deputy Clerk, effective August 14, 2006 Starting Annual salary \$29,000.00 Carried.

MOTION by Trustee Allison seconded by Trustee Taylor to appoint Mark Socola Deputy Registrar, effective August 8, 2006. Carried.

MOTION by Trustee Allison seconded by Trustee Dailey to appoint Stacy Casterline Sub Registrar, effective August 14, 2006. Carried.

MOTION by Trustee Taylor seconded by Trustee Allison to accept the Resignation letter of Trustee Norm Koek effective September 1, 2006. Carried.

MOTION by Trustee Allison seconded by Trustee Christensen to appoint Dave Payne Commissioner to the Municipal Utilities Board to fill the vacancy of Edward Bolger. Carried.

Mayor Marchionda addressed Trustee Hoban regarding telephone conversations between them pertaining to “concerns” Trustee Hoban had with the Village Hall. Mayor Marchionda asked several times for Trustee Hoban to say what his concerns are. Trustee Hoban did not have his information with him. As there isn’t a Building Committee meeting scheduled, The Mayor requested that Trustee Hoban come prepared to discuss his concerns at the next regular Board meeting September 12, 2006. The Mayor asked Rom French, Assistant Director of Public Works Osgood, & Code Enforcement Officer Lyon to attend that meeting.

GUESTS, PUBLIC REQUESTS & COMMENTS:

Gary Pinneo & Grace Knapton representing the Sampson Theater Renovating Committee, request permission to hold a two day festival “ Trolleytown Days” Saturday September 15, 2007 and Sunday September 16, 2007. The festival will be non-alcoholic. Request to have East Elm Street from the four corners to the Sampson Theater closed off to traffic. Per Trustee Taylor, the event will have full cooperation from the Public Safety Committee. Mr. Pinneo said the Committee would be back in three months with an update. Mayor Marchionda suggested that since the event would involve many Village Committees, that the Village have one Representative attend their meetings. Trustee Dailey volunteered to be the Village Representative.

CORRESPONDENCE:

MOTION by Trustee Christensen seconded by Trustee Dailey for Yates ARC to hang a banner, entitled “Duck Classic Sept. 10” on Main Street from August 28th to September 11, 2006. Carried.

MOTION by Trustee Allison seconded by Trustee Christensen for Penn Yan Manor Nursing Home to hold their annual Pencil Day on Friday, September 8th from 9:00 AM to 3:00 PM Carried

Request from MUB & Village Office to Sell “Buck-A-Bone to Benefit Yates County Humane Society Discussion..... Attorney Brockman concerned that it would open the door, it would be hard to turn anybody else down.

MOTION by Trustee Christensen seconded by Trustee Allison. Carried.

ATTORNEY:

SEQR Review for Keuka Lake Uniform Docking & Mooring Regulations. Attorney Brockman suggested to put back on the calendar for September 12, 2006 regular meeting, since the Trustees have not had a chance to look it over. At the next meeting they will be able to discuss any problems with the information as it pertains to the Village of Penn Yan.

CSEA correspondence regarding the existing contract, certain issues to be modified or added to the contract. Referred to Personnel Committee for review at the August 14, 2006 meeting. Attorney Brockman will attend.

Call for Executive Session:

Motion by Trustee Taylor seconded by Trustee Christensen to hold an Executive Session on legal matters at the end of the meeting. .

AUDIT:

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

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| Village: | Paid before audit – General Fund | 9,433.07 | |
| | General Fund | <u>44,260.07</u> | |
| | Total Village audit: | 53,693.14 | |
| Municipal: | Paid before audit – Electric | 143,924.98 | |
| | Electric Fund | 21,789.48 | |
| | Water Fund | 33,171.31 | |
| | Sewer Fund | 28,351.47 | |
| | Capital Electric | 1,182.29 | |
| | Capital Water | 0.00 | |
| | Capital Sewer | <u>2,110.56</u> | |
| | Total Municipal audit: | 230,530.09 | Carried. |

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

The last meeting was this afternoon, Tuesday August 8th at 2:30 in the Village Hall

MOTION by Trustee Allison seconded by Trustee Taylor to adopt RESOLUTION NO. 30-2006 for corrections on Jens R. Christensen’s 2006 Tax bill. The property was erroneously over assessed, the Village owes him a refund of \$144.83
Carried.

Treasurer Socola Code Book & Zoning Maps are close to being in CD format. Should have Auditors report by next Board Meeting.

Mayor Marchionda FOIL requests via E-Mail we need to make sure we have the proper process in place to receive and respond.

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

The last meeting was held yesterday, Monday, July 24th at 4:00 PM in the Village Hall, Room 210

MOTION by Trustee Christensen seconded by Trustee Taylor to adopt RESOLUTION NO. 31-2006 Non-Union Salary Schedule. Retroactive to June 1, 2006
Carried.

MOTION by Trustee Christensen seconded by Trustee Taylor to ratify contract between Village of Penn Yan and the PBA covering the period of June 1, 2006 –May 31, 2010
Carried.

MOTION by Trustee Christensen seconded by Trustee Taylor to appoint Jeanne Hansen as Part time Deputy Clerk at \$13.00 per hr.
Carried.

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

No meeting scheduled

State Environmental Protection Fund 30,000.00 matching grant , the Village would have to come up with 15,000.00.

This years playground program has been successful approximately 80 participate. 175 for swimming lessons. There have been various activities. The program will end next Friday. The beaches *may* stay open on weekends until Labor Day.

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

The meeting scheduled Monday July 24 at 7:00 PM in the Village Hall was canceled; next meeting 8/28/06

NO Report

AD HOC BUILDING COMMITTEE: D. Marchionda, Chair

No Report

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

The last meeting was held today, Tuesday, August 8, 2006 at Noon Wagner Restaurant, 124 East Elm St.

Police Department:

Start process to replace Chief Hill, as he will be retiring in September.

Fire Department:

No Report

Code Enforcement

MOTION Local Law NYS Uniform Fire Prevention & Building Code
Amend MOTION Refer to Attorney Brockman

| | | |
|-----------------|---------------------|---------|
| Record of Vote: | Mayor Marchionda | abstain |
| | Trustee Allison | aye |
| | Trustee Christensen | aye |
| | Trustee Taylor | aye |
| | Trustee Dailey | aye |
| | Trustee Hoban | aye |

Carried

MOTION by Trustee Taylor seconded by Trustee Christensen for Code Enforcement Officer Bruce Lyon to attend the ICC Annual Conference Walt Disney World Florida

Sept. 16- Sept. 22

Carried

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

The next meeting will be held Monday, August 21 at 1:00 PM in the Village Hall, 2nd fl.

MOTION by Trustee Allison seconded by Trustee Taylor when the Village needs to obtain an easement from property owners for various utility and street maintenance purposes, to obtain an abstract for each parcel of land in question. The average cost for each abstract would be \$100-\$125, not to exceed \$200, to be obtained by the Village Attorney.

Carried.

Streets:

Finger Lakes Railroad will be working on the Elm St. crossing Monday August 14th Street Superintendent Jensen will notify the Media and the Radio Stations.

Red/Green Maple Trees & Blue Spruce Trees are available. Contact the Village office. The DPW will deliver the trees, but the homeowner is responsible for planting, inside the sidewalk.

Slurry Seal has been completed. Slurry seal is much less expensive than blacktop, and could last up to twelve years on the side streets.

MUNICIPAL:

The last meeting was Thursday August 3rd at 2:00 PM at 111 Elm St, Room 210

Waive the sewer fee of \$458.04 for the NYS DOT but not to forgive or reduce their latest water bill for \$1057.61

Correction..... Waive the sewer fee of \$458.04 but not to forgive their latest water bill for \$599.57.

MOTION by Trustee Allison seconded by Trustee Hoban (with correction) Carried.

MOTION by Trustee Allison seconded by Trustee Hoban to authorize the purchase of the SolarBee mixer for the Benton tank at a cost of \$31,600. Carried

MOTION by Trustee Allison seconded by Trustee Hoban to authorize payment of Payment Application No. 7 Finger Lakes Piping, Inc. in the amount of \$2110.56 Carried

MOTION by Trustee Allison to authorize purchase of a New Holland tractor-mower from Empire tractor for \$17,154.00

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|-----------------------|---------------------|-----|---------|
| After discussion..... | Trustee Allison | aye | |
| | Trustee Taylor | aye | |
| | Trustee Christensen | aye | |
| | Trustee Dailey | aye | |
| | Trustee Hoban | nay | Carried |

MOTION by Trustee Allison seconded by Trustee Hoban to authorize the purchase of eight 15KVA, eight 25KVA, and six 50KVA transformers from Cooper Power Systems for a total of \$20,794.00 Carried

MOTION by Trustee Allison seconded by Trustee Hoban to authorize to move forward with preparing specifications for a new flusher/vacuum truck and to go out for bids. Carried

MOTION by Trustee Allison seconded by Trustee Hoban to authorize to purchase five flow meters for \$13,575.00 and the accompanying software package for \$3,576.00 for a total cost of \$17,151.00. The MOTION will be upheld contingent upon receipt of a sole-source letter from the supplier. Carried.

MOTION by Trustee Allison seconded by Trustee Hoban to authorize the attendance of up to two Municipal Board members at the MEUA Annual conference Sept. 12 – 16 in Alexandria Bay NY at a cost of \$714.00 per person.

Discussion.....amend the MOTION to authorize Director Balsley and 1 Municipal Board member. Carried.

MOTION by Trustee Allison seconded by Trustee Hoban RESOLUTION NO. 32-2006 to designate Edward Balsley as the accredited delegate of the Village of Penn Yan at the MEUA Annual Conference. Carried.

MOTION by Trustee Allison seconded by Trustee Christensen to declare the 2002 X485 John Deere mower surplus, and advertise for bids after new mower arrives. Carried.

MOTION by Trustee Allison seconded by Trustee Taylor to send letter to Supervisor Town of Jerusalem request parcel annexation of the Cemetery. Referred to Attorney Brockman. Carried.

ADJOURNMENT INTO EXECUTIVE SESSION:

At 8:40 PM , MOTION by Trustee Allison seconded by Trustee Christensen to adjourn into Executive Session regarding legal matters. Carried.

(the Deputy Clerk was excused)

ADJOURNMENT OF EXECUTIVE SESSION:

At 9:15 PM, MOTION by Trustee Allison, seconded by Trustee Taylor to adjourn the executive session and return to the regular Village Board meeting. Carried.

ADJOURNMENT:

At 9:17 PM, Trustee Allison, seconded by Trustee Hoban to adjourn the regular meeting. Carried.

Robin R. Morse, Deputy Clerk

ANNOUNCEMENTS:

► The next *Regular* Village Board Meeting is scheduled for Tuesday, Sept. 12th at 7:00 PM.