

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, August 9, 2005 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, New York.

PRESENT: Mayor D. Marchionda, Jr.; Trustees N. Taylor, W. Allison, N. Koek, G. Smith, and M. Christensen; Director of Public Works E. Balsley; Assistant Director of Public Works R. Osgood; Street Superintendent R. Jensen, and Police Chief S. Hill

ABSENT: Village Treasurer M. Socola, Village Attorney E. Brockman, Recreation Director D. Doyle, CEO B. Lyon, Cemetery Superintendent L. Axtell and Fire Chief J. House

Public Attendees: John Symonds, Justice of Milo Town Court, Elizabeth Armstrong and Anne Gunn

News Media present: Gwen Chamberlain, Dundee Observer

Mayor Marchionda called the meeting to order at 7:06PM and led the Pledge Allegiance to the Flag.

MINUTES:

MOTION by Trustee Allison, seconded by Trustee Koek to approve the minutes of the July 12, 2005 regular Village Board meeting, as submitted..... Carried.

GUESTS, PUBLIC REQUESTS & COMMENTS: None

MAYOR:

MOTION by Trustee Koek, seconded by Trustee Allison to adopt RESOLUTION NO. 17-2005 Supporting the Yates County Empire Zone application. Carried.

CORRESPONDENCE:

MOTION by Trustee Christensen, seconded by Trustee Taylor to approve the permit to erect a banner across Main Street from September 19th to September 26th entitled "*COMMUNITY UNITY DAY SEPT 25*". Carried.

MOTION by Trustee Allison, seconded by Trustee Koek to approve the Penn Yan Manor Nursing Home's request to hold their annual *Pencil Day* on Friday, September 9th from 9:00 AM to 3:00 PM. Carried.

The letter from the Yates County Chamber of Commerce and the Retail Council meeting minutes were distributed to the Trustees for their review.

Another letter has been received from Robert Hawley, again threatening the Board with possible removal from office, this time due his (mis)understanding of the "*Curb-cut*" project on NYS Route 14A in front of St. Michael's Church. Everyone has a copy for their perusal.

MOTION by Trustee Koek, seconded by Trustee Allison to approve the PY Academy Homecoming parade on Saturday, September 24th beginning at approximately 12:30 PM. The Police and Street Departments have been notified. Carried.

The Mayor read a letter from the National Multiple Sclerosis Society informing the Board that on Sunday, August 21st the *2005 Borg Imaging Finger Lakes MS Bike Tour* will be bicycling through the Village sometime between 9:30 AM and 11:30 AM. They are requesting police support at Main and Elm Streets, and Elm Street and 14A. Police Chief Hill will contact Ms. Hartmann to discuss this further.

AUDIT:

MOTION by Trustee Smith, seconded by Trustee Allison to pay the current bills, as submitted:

Village:	Paid before audit – General Fund	5,925.11
	General Fund	29,896.82
	Local Development Corp.	12.55
	Capital Fund	3,250.00
Municipal:	Paid before audit – Electric	173,905.34
	Electric Fund	5,454.85
	Water Fund	19,147.87
	Sewer Fund	10,955.01
	Capital Electric	430.55
	Capital Water	102.00
	Capital Sewer	6,291.97

Carried.

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

Last meeting was held Wednesday, August 3rd at 4:00 PM in the Village Hall, 111 Elm Street, 2nd fl.

MOTION by Trustee Smith, seconded by Trustee Koek to approve Village Treasurer Socola and Village Attorney Brockman to attend the *2005 NYCOM Fall Training School* in Lake Placid, NY from September 19th to 23, 2005 at a registration cost of \$200 each, plus accommodations. Carried.

PERSONNEL: N. Koek, Chair, M. Christensen & R. Schwingle

Trustee Koek informed the Board that the *tentative* contract between the CSEA and the Village is still in the hands of the representatives and the Finance Committee.

MOTION by Trustee Koek, seconded by Trustee Christensen to post internally, per Article IV, Section 4.1 of the CSEA Contract, the job vacancy for the position of *Wastewater Treatment Plant Mechanic*. Carried.

MOTION by Trustee Koek, seconded by Trustee Taylor to hire Michael L. Rago, currently part-time, to full-time Police Officer at the START salary. An effective date will be decided at a later time. Carried.

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

The meeting scheduled for Tuesday, August 16th has been changed to August 23rd at 5:00 PM in the Village Hall, 2nd floor
As requested at the July 12th meeting, Chief Hill has prepared a draft of rules & regulations for snowmobile use on the Outlet Trail. The material was distributed to the Board members to be discussed at the next Parks & Rec. meeting.

PLANNING & DEVELOPMENT: M. Christensen, Chair, R. Schwingle, G. Smith

The last meeting was Monday, July 25th at 7:00 PM in the Village Hall, 2nd floor
Trustee Christensen reported that the committee is discussing what needs to be done to update/correct and/or enforce the temporary signage laws in the Village Code Book.

► As requested at the July 12th Village Board meeting, the Planning Board has prepared Part I of the full EAF for rezoning 6.877 acres on the west side of Route 14A south. A *workshop* will be set-up with Attorney Brockman and the Trustees to review the form.

AD HOC BUILDING COMMITTEE: D. Marchionda, Jr., Chair

The last meeting was held Wednesday, August 3rd at 6:00 PM in the Village Hall, 2nd floor
The topic of conservation at this meeting was whether to maintain or eliminate Village Court. The Town Courts would have to take over the workload. Another meeting will be scheduled soon.

Mayor Marchionda informed the Board that Peg Thompson spent approximately 3 hours this morning weeding the mini-park. She did a wonderful job – it looks beautiful. Thank you, Peg!

PUBLIC SAFETY: N. Taylor, Chair, M. Christensen & N. Koek

Trustee Taylor informed the Board that she received a letter from the offices of Assemblyman Bacalles and Senator Winners expressing their appreciation for the Village assisting in such a well-done project. This is in reference to the “curb-cut” project completed in front of Saint Michael’s Church on Liberty Street that was shared between the NYS DOT, Saint Michael’s Church and the Village of Penn Yan.

Fire Department:

MOTION by Trustee Koek, seconded by Trustee Allison to approve the membership of Jerry Hamm into the Ellsworth Hose Company within the Penn Yan Fire Department. Carried.

PUBLIC WORKS: W. Allison, Chair; G. Smith & N. Taylor

The last meeting was held on Monday, July 18th at 1:00 PM in the Village Hall, 2nd floor

Streets:

As advertised, sealed bids were received and opened yesterday, August 8th, to sell the 1997 leaf machine and the 2003 Ford pick-up truck.....

MOTION by Trustee Allison, seconded by Trustee Taylor to accept the bid of \$8,300 from FitzPatrick Lawn Care for the leaf machine. Carried.

MOTION by Trustee Allison, seconded by Trustee Koek to accept the bid of \$24,000 from Joe Bruno for the truck. Carried.

MOTION by Trustee Allison, seconded by Trustee Smith to authorize ordering a new leaf machine, as previously discussed. Carried.

Buildings:

The Village’s rental house at 361 Elm Street is now vacant. Before renting it again, general maintenance and several repairs have to be completed.

MUNICIPAL: The last meeting was Thursday, August 4th at 2:00 PM at 111 Elm St, 2nd fl.

The recommendation for the Village to amend Chapter 48 “Banners” in the Village Code book was tabled.

MOTION by Trustee Allison, seconded by Trustee Taylor to accept the proposal from Lu Engineers to conduct the *Stray Voltage Survey* using GPS equipment and to create an expandable database for the sum of \$18,430. Carried.

MOTION by Trustee Allison, seconded by Trustee Taylor to amend the water rate to twenty-five cents per 55 gallons for the *water salesman* at the Water Treatment Plant. Carried.

MOTION by Trustee Allison, seconded by Trustee Koek approving up-to-3 employees to attend the MEUA 75th Annual Conference in Lake Placid, NY from September 13th to the 16th. Registration fee is \$100.00 each, plus a 3-night hotel package of \$647 per member. Carried.

MOTION by Trustee Allison, seconded by Trustee Koek to adopt RESOLUTION NO. 18-2005 designating Director of Public Works Balsley as the *accredited delegate* for the before mentioned MEUA Conference. Carried.

The issue of negotiating against the NYS Attorney General’s Office for them to recover \$2.5 million reimbursement for the cost of closing the Yates County Torrey Landfill in 1984 was tabled to the September 13th meeting. The Penn Yan Municipal has been identified as a *potentially responsible party (PRP)*. A meeting has been scheduled in Dresden, NY on September 7th to expedite the process of forming the PRP Group for better negotiation leverage. Attorney Brockman, DPW Balsley and Public Works Chair Allison will attend the meeting.

ADJOURNMENT:

At 8:40 PM, MOTION by Trustee Koek, seconded by Trustee Christensen to adjourn the regular meeting. Carried.

► The next regular Village Board Meeting is scheduled for Tuesday, September 13th.

