

MINUTES of a Special Meeting of the Village Board of Trustees held Wednesday, September 7, 2016 at 10:00AM Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT: Mayor L MacKerchar; Trustees W. Allison; C. Benedict; D. Condella; K. McLoud; D. Reeve; R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Deputy Clerk/Treasurer H. Pealer; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen

ABSENT: Police Chief M. Hulse; CEO B. Lyon; Fire Chief M. Clancy

News Media present: None

PUBLIC: Dave Garvey, Brett Davidson with Channel 10

Mayor MacKerchar called the Special Village Board meeting to order at 10:00 AM

Mayor MacKerchar reminded the Village Board of the 911 motorcycle ride this Sunday on September 11. It's been 15 years and this is a 100 mile ride with part of it around Keuka Lake. Will have a short ½ hr. ceremony at the Fire House at approximately 2:00pm -2:30pm. Trustee Allison stated we do this ride every year so people won't forget what happened. Hope everyone can attend.

MOTION by Trustee Allison, seconded by Trustee Benedict to authorize the appointment of Lee Sackett to the Municipal Board to fill the vacancy of Bruce LeClaire who passed away a few weeks ago.

ADOPTED Ayes 7: MacKerchar, Allison, Benedict, Condella, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Allison, seconded by Trustee McLoud to authorize Resolution No 90-2016 Agreement with Finger Lakes Railroad for Installation of Underground Infrastructure.

WHEREAS, the Village of Penn Yan is installing underground infrastructure improvements on Seneca Street which includes below the Finger Lakes Railroad tracks which cross Seneca Street; and

WHEREAS, a proposed agreement has been submitted to the Village Department of Public Works by Finger Lakes Railroad, the execution of which is required prior to the installation of the infrastructure under the railroad tracks.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board of Trustees authorizes and directs the Mayor to execute the agreement on behalf of the Village of Penn Yan upon the approval of the content of such agreement by the DPW Director and the Village Attorney.
2. The Board of Trustees of the Village of Penn Yan determines this to be a Type II action and accordingly no environmental review will be undertaken, it being found and determined that no detrimental environmental effects will result from the action.

Discussion: Atty. Brockman asked is this replacing the existing infrastructure on Seneca Street. Brent replied yes. Atty. mentioned this Resolution included the Mayor signing the agreement.

ADOPTED Ayes 7: MacKerchar, Allison, Benedict, Condella, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Mayor asked if there were any other public comments or questions. No response.

Mayor MacKerchar stated we do have a need for Executive Session for actions of a Public Officer of the Village.

EXECUTIVE SESSION:

At 10:06AM **MOTION** by Trustee Benedict, seconded by Trustee Condella to enter Executive session to discuss the actions of a Public Officer of the Village

ADOPTED Ayes 7: MacKerchar, Allison, Benedict, Condella, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

ADJOURNMENT OF EXECUTIVE SESSION:

At 10:46AM **MOTION** by Trustee Benedict, seconded by Trustee Reeve to leave Executive Session and return to Special Village Meeting.

ADOPTED Ayes 7: MacKerchar, Allison, Benedict, Condella, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Upon termination of the executive session the Board reconvened in public.

Based upon information available the Board took no action, nor were there any motions made on the subject.

Mayor MacKerchar, explained that there had been a complaint about Cliff Orr, Chairperson of the Village Planning Board, investing in the new hotel. The Planning Board received the site plan and the conditional approval of that site plan being in 2013 and the final approval being in February 2015. Mr. Orr invested after that date.

The Mayor stated that there will be a review of the Ethics Code and review of same by volunteer members of Village Boards to assure all members have an understanding of the Ethics Code.

ADJOURNMENT:

At 10:52 AM, **MOTION** by Trustee Allison, seconded by Trustee Benedict to adjourn the Special Village Board meeting

ADOPTED Ayes 7: MacKerchar, Allison, Benedict, Condella, McLoud, Reeve, Stewart
Nays 0 Abstain 0 Absent 0

Mary Ann Martin, Village Clerk