

**MINUTES** of a Regular Meeting of the Village Board of Trustees held Tuesday evening, October 10, 2006 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, New York.

**PRESENT:** Mayor D. Marchionda, Jr.; Trustees W. Allison; R. Church; N. Taylor; R. Hoban; Village Attorney Brockman; CEO B. Lyon; Assistant DPW R. Osgood; Police Chief G. Mitchell; Director of Public Works E. Balsley; Trustee M. Christensen; Trustee R. Dailey.

**ABSENT:** Cemetery Superintendent L. Axtell; Street Superintendent R. Jensen; Fire Chief J. Housel.

News Media present: Gina Muscato, Finger Lakes Times, Loujane Johns, Chronicle Express, and Gwen Chamberlain, Dundee Observer

Mayor Marchionda called the meeting to order at 7:00PM and led the Pledge Allegiance to the Flag.

**EXECUTIVE SESSION:**

MOTION by Trustee Christensen, seconded by Trustee Allison to hold an *executive session* at the end of the regular Village Board Meeting regarding a personnel matter.

Carried.

**MINUTES:**

MOTION by Trustee Hoban to amend the minutes to include the conversation between him and Mayor Marchionda describing the Village Building concerns, seconded by Trustee Allison.

|                 |                     |     |
|-----------------|---------------------|-----|
| Record of Vote: | Trustee Christensen | Nay |
|                 | Trustee Taylor      | Nay |
|                 | Trustee Allison     | Aye |
|                 | Trustee Church      | Aye |
|                 | Trustee Dailey      | Aye |
|                 | Trustee Hoban       | Aye |

MOTION by Trustee Hoban, seconded by Trustee Dailey to approve the September 12, 2006 amended minutes.

|                 |                     |     |
|-----------------|---------------------|-----|
| Record of Vote: | Trustee Christensen | Nay |
|                 | Trustee Taylor      | Nay |
|                 | Trustee Allison     | Aye |
|                 | Trustee Church      | Aye |
|                 | Trustee Dailey      | Aye |
|                 | Trustee Hoban       | Aye |

MOTION by Trustee Allison, seconded by Trustee Church to approve the September 6, 2006 Special Board Meeting minutes, as submitted.

Carried.

MOTION by Trustee Allison, seconded by Trustee Church to approve the September 21, 2006 Special Board Meeting minutes as submitted.

Carried.

**GUESTS, PUBLIC REQUESTS & COMMENTS:**

Cherri Hibbard brought in water samples from her mother's home (Doris Moniott) on Monell Street. The water samples were obviously discolored and contained sediment. Cherri asked what the village could do to improve the water. Assist. Director of Public Works R. Osgood explained that temporarily, filters could be placed on the individual water surfaces. These filters would reduce the discoloration and sediment in the water supply. R. Osgood also explained that while this was a temporary fix, the filters were easily installed and could be changed by the homeowners if necessary. Public Works Chair W. Allison called for a special meeting to be held Friday, October 13 at 8:00 AM with E. Balsley, R. Osgood, and several department heads of Public Works to discuss the water issue and implement immediate change.

**CORRESPONDENCE:**

MOTION by Trustee Christensen, seconded by Trustee Dailey to grant Susan Grattan at PY Academy to erect a banner entitled "Celebrate Academic Week" November 13-November 17, 2006, across Main Street.

Carried.

MOTION by Trustee Christensen, seconded by Trustee Church to approve St. Paul's Evangelical Lutheran Church to hold their annual Turkey Walk, Sunday November 12, 2006 at 1:30 PM.

Carried.

MOTION by Trustee Christensen, seconded by Trustee Taylor to approve the Yates County Republican Party to display a sign at 20 Maiden Lane on November 7, 2006.

Carried.

**MAYOR:**

Reminded the residents of Penn Yan that official Trick or Treating times will be 6:00 PM – 8:00 PM, October 31, 2006.

MOTION by Trustee Hoban, seconded by Trustee Allison to approve Resolution #38-2006.

Carried.

**ATTORNEY:**

The Resolution for Keuka Lake Uniform Docking and Mooring Regulations (Town of Urbana) has been put on hold until the November 14, 2006 Village Board Meeting.

MOTION by Trustee Hoban, seconded by Trustee Dailey to approve double burial of Ms. Newkirk-Tyler in Lakeview Cemetery.

Motion Defeated.

MOTION by Trustee Christensen, seconded by Trustee Church to approve Roberts settlement.

Carried.

**AUDIT:**

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

|          |                                  |                     |
|----------|----------------------------------|---------------------|
| Village: | Paid before audit – General Fund | \$100,272.53        |
|          | General Fund                     | <u>\$ 49,686.51</u> |
|          | Total Village audit:             | <b>\$149,959.04</b> |

|            |                              |                     |
|------------|------------------------------|---------------------|
| Municipal: | Paid before audit – Electric | \$191,680.43        |
|            | Paid before audit – Water    | \$ 375.00           |
|            | Paid before audit - Sewer    | \$ 1,539.15         |
|            | Electric Fund                | \$ 22,852.91        |
|            | Water Fund                   | \$ 41,122.18        |
|            | Sewer Fund                   | \$ 32,132.98        |
|            | Capital Electric             | \$ 23,547.58        |
|            | Capital Water                | \$ 0.00             |
|            | Capital Sewer                | <u>\$ 231.40</u>    |
|            | Total Municipal audit:       | <b>\$313,481.63</b> |

Carried.

**FINANCE & ADMINISTRATION:** B. Church, Chair; W. Allison & N. Taylor

The last meeting was this afternoon, Tuesday October 10<sup>th</sup>, 2006 at 2:30 in the Village Hall

Trustee Church stated that the independent audit has been completed and copies are available to the public.

MOTION by Trustee Church, seconded by Trustee Taylor to approve the transfer from the employee benefit reserve of \$28,9801.40 (Chief Hill).

Carried.

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

The last meeting was held Monday, September 25, 2006 at 4:00 PM in the Village Hall, Room 210

MOTION by Trustee Christensen, seconded by Trustee Hoban to approve the hiring of Linda Merritt at a rate of \$13.50 per hour, effective September 25, 2006.

Carried.

MOTION by Trustee Christensen, seconded by Trustee Church to approve the hiring of Tammy Hullings for Court Attendant at a rate of \$8.50 per hour effective September 25, 2006.

Carried.

**PARKS & RECREATION:** R. Dailey Chair, W. Allison

The last meeting was held September 12, 2006 at 4:00 PM.

No Report.

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

The meeting scheduled at 7:00 PM in the Village Hall was canceled; next meeting 10/23/06.

Meeting cancelled; No quorum.

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

No Report

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

The last meeting was held, Thursday, September 7, 2006 at Noon Wagner Restaurant, 124 East Elm St. Meeting for 10/10/2006 was cancelled.

**Police Department:**

Police Chief G. Mitchell reminded the residents of Penn Yan that there is no parking on all streets from 2:00 AM until 6:00 AM effective until April 2007.

MOTION by Trustee Allison, seconded by Trustee Church to rehire Thomas Dunham as a lateral transfer from the Elmira Police Department effective November 1<sup>st</sup>, 2006.

Carried.

**Fire Department:**

MOTION by Trustee Taylor, seconded by Trustee Dailey to add James Hayes to membership in the Ellsworth Hose Company of the Penn Yan Fire Department.

Carried.

**Code Enforcement**

No Report

**PUBLIC WORKS:** W. Allison, Chair; B. Church & R. Hoban  
Special Meeting called Thursday, October 19, 2006 at 10:00 AM

Streets:  
No Report

**MUNICIPAL:**

The last meeting was held Thursday October 5, 2006 at 2:00 PM in the Village Hall, Room 210

MOTION by Trustee Allison seconded by Trustee Church to complete the specifications for a new flusher and go out for bids.

Carried.

MOTION by Trustee Allison, seconded by Trustee Church to authorize Director Balsley to contact Penn Yan School District regarding the IEEP initiative.

Carried.

MOTION by Trustee Allison, seconded by Trustee Dailey to sell the old WWTP tractor-mower to Mr. Harold Pielow who submitted a bid of \$4,751.

Carried.

MOTION by Trustee Allison, seconded by Trustee Hoban to waive Susan Doty's sewer bill of \$63.15.

Motion Defeated.

MOTION by Trustee Allison, seconded by Trustee Hoban that the proposal from RAM Consulting for engineering services be accepted in the amount of \$20,500.

Carried.

MOTION by Trustee Allison, seconded by Trustee Christensen to approve Resolution 37-2006.

Carried.

MOTION by Trustee Allison, seconded by Trustee Church to approve Ed Balsley and Mr. Banach to attend the NYMPA Semi-Annual Meeting on November 1<sup>st</sup> in Liverpool, NY.

Carried.

MOTION by Trustee Allison, seconded by Trustee Taylor to authorize the attendance of up to eight people at the FLWWC Fall Meeting October 12<sup>th</sup>, 2006 at the Crooked Pines Golf Club in Macedon, NY at a cost of \$43. per person.

Carried.

MOTION by Trustee Allison, seconded by Trustee Hoban to approve payment agreements in the amount of \$5,095.21.

Carried.

**ADJOURNMENT INTO EXECUTIVE SESSION:**

At 8:53 PM, MOTION by Trustee Allison seconded by Trustee Dailey to adjourn into Executive Session regarding a personnel matter.

Carried.

(The Deputy Clerk was excused)

**ADJOURNMENT OF EXECUTIVE SESSION:**

At 9:45 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 9:43 PM, Trustee Allison, seconded by Trustee Hoban to adjourn the regular meeting.

Carried.

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Stacy L. Casterline, Deputy Clerk

**ANNOUNCEMENTS:**

► The next *Regular* Village Board Meeting is scheduled for Tuesday, Nov. 14<sup>th</sup> at 7:00 PM.