

**MINUTES** of a Regular Meeting of the Village Board of Trustees held Tuesday evening, December 15, 2009 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

**PRESENT** Mayor D. Marchionda Jr.; Trustees W. Allison; R. Church; B. Hoban ; R. Stewart; N. Taylor; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Director of Public Works D. Osgood; Police Chief Hulse; Parks Director D. Doyle; Assistant Director of Public Works B. Bodine; CEO B. Lyon; Municipal Board Chairman R. French; Municipal Board member D. Banach

**ABSENT:** Trustees; M. D’Abbracci, Fire Chief R. Retorick; Working Supervisor D. Rapalee; Cemetery Superintendent L. Axtell;

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

**PUBLIC:**

Ann Perry

Mayor Marchionda called the meeting to order at 6:08 PM.

MAYOR Marchionda read the resignation letter from Trustee D’Abbracci. The Mayor thanked Trustee D’Abbracci for his time he devoted to the Village. He was an asset in everything he did.

MOTION by Trustee Stewart, seconded by Trustee Taylor to accept Trustee D’Abbracci resignation effective December 3, 2009.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Church	Aye	Trustee Taylor	Aye
Trustee D’Abbracci	Absent		

Carried

Mayor Marchionda explained after researching he decided to appoint Michael Christensen to fill the vacancy on the Board. He will bring a lot of experience to the Village Board. Mike will fulfill the remaining term till March 2010. Mayor explained that Mike has the opportunity to run in the upcoming open election if he chooses to. At this time Mike Christensen was sworn in as a Village Trustee. Trustee Christensen Thanked the Mayor and the Board. He stated he has enjoyed working for the Village and staff in the past and will do his best.

**CALL FOR EXECUTIVE SESSION:** MOTION by Trustee Stewart, seconded by Trustee Hoban to have an Executive Session to discuss CSEA negotiations and non-union benefits.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Will enter into Executive Session after the regular Village Board meeting.

**MINUTES:**

MOTION by Trustee Church, seconded by Trustee Taylor to approve the Village Board Minutes from November17, 2009 and the Special Village Board Meeting from November 4, 2009.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Abstain	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

**GUESTS, PUBLIC REQUEST & COMMENTS:**

None

**Old Items**

Mayor Marchionda asked the Board if they were interested in discussing the property on Howard Street this month. They would like to wait. Atty. Brockman explained we have already gotten an assessment done on this property.

Atty. Brockman has received information from Stork Insurance Company regarding the Workplace Violence Prevention Training. He asked the Board to review the handout they received. Atty. Brockman asked that the Personnel Committee review it along with Chief Hulse. Trustee Hoban questioned if there was any savings if we blended the two programs together. Atty. Brockman stated that the two different sources are not at the same level. Trustee Church asked that Chief Hulse speak with Stacy from Stork’s regarding the plan. Trustee Stewart mentioned that this started in the Personnel Committee and he will follow up on it quickly. Trustee Stewart and Chief Hulse will report back to the Board and Atty. Brockman.

Mayor Marchionda and Atty. Brockman explained briefly the situation regarding the DDSO property on 364 and their concerns for annex for Trustee Christensen. Atty. Brockman received a call from the (DDSO) Development Disabled Services Office regarding a group home on Route 364 they own. The State has mandated that any group home that is able to get municipal water must do so. They have recently had a tragedy at one of the homes that did not have enough water to fight a fire and lives were lost. Atty. Brockman stated they have two ways of doing so – Annexation or a Water District. Annexation would be ok if the property was next to the Village Borderline – but it’s not. The Village cannot jump across state lands, meaning a State Highway. The Village runs up 364 a bit then down County House Road. State home is on 364 – North side, they can’t jump over state land. Maybe going to the township and look into getting a new water/sewer district. Atty. Brockman will work a bit more on this before a decision is made.

**MAYOR:**

Mayor Marchionda expressed his gratitude to Larry & Sharon Larsen for donating this year’s Holiday tree that is outside the Village Hall. We have been fortunate that we have generous residents that are willing to donate trees. Would also like to thank JJ Covell and his employees for cutting, transporting and setting the tree. Thanks to Bill Knauss in our Building and Maintenance Dept. and the Electric Crew with their part in hanging and lighting of the tree. Shawna Wilber mentioned we have placed a signed with the donor’s name in front of the tree.

**ATTORNEY:**

Atty. Brockman asked the Board to review Resolution No. 41-2009 Amended Modification of Retirement Policy for Accumulated Sick Leave Days. He asked if they wanted to vote on this tonight if they felt comfortable with it. Trustee Christensen would like to vote on this next month. He would like to take time to review the changes. The rest of the Board was alright with that.

Motion by Trustee Stewart, seconded by Trustee Church to approve Resolution No. 50-2009 Proposed Repeal of Chapter 11 of the Code of the Village of Penn Yan.

**WHEREAS** , the Board of Trustees of the Village of Penn Yan deems it appropriate to consider adoption of a local laws repealing Chapter 11 of the Village Code, entitled “Financial Management and Investment Policy” and

**WHEREAS** , the Board of Trustees intends to act as lead agency for the purposes of the review of this proposed local law under the provisions of SEQRA; and

**WHEREAS** , it appears that there will be no environmental impact by the adoption of such a local law and therefore such adoption may be deemed a Type II Action pursuant to SEQRA; and

**Now Therefore, be it**

**RESOLVED** , that the Board of Trustees of the Village of Penn Yan here by establishes itself as Lead Agency pursuant to 6NYCRR 617 for the purpose of the environmental review of this action; and be it further

**RESOLVED** , that the Board of Trustees of the village of Penn Yan determines that the adoption of such a local law is a type II Action under SEQRA and therefore no environmental review is necessary; and be it further

**RESOLVED** , That the Village Attorney is directed to draft a local law for the purposed repeal of Chapter11 and Finance Committee is requested to formulate an up to date investment policy;

Date of Adoption: December 15, 2009

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Trustee Church would like to make a small change to the Resolution No. 51 -2009. He would like to add a line in after commencing January 1, 2010 and thereafter, **exempting those current Trustee serving** newly elected etc. The Board and Atty. Brockman were in agreement of this addition.

MOTION by Trustee Church, seconded by Trustee Allison to approve Resolution No. 51-2009 Amendment of Policy regarding Payment of Medical Insurance Premiums for Elected Officers of the Village of Penn Yan.

WHEREAS, the Village of Penn Yan presently has a policy for payment of Medical Insurance Premiums for elected Officers of the Village of Penn Yan, including family members; and

WHEREAS, the rising cost of medical insurance premiums is severely impacting the financial well being of the Village of Penn Yan.

NOW THEREFORE BE IT RESOLVED, that commencing January 1, 2010, and thereafter, exempting those current Trustees serving , newly elected officers of the Village of Penn Yan shall be entitled to payment by the Village of the premium for a single policy of medical insurance. The Village will not pay the premium for any family members. Such elected officers may acquire a two-person or family policy from the Village by payment of the premium differential for such a policy.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

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

**AUDIT:**

VILLAGE:

Paid before Audit - General Fund	\$	151,137.54
Capital Paid before Audit		00.00
General Fund		62,686.23
Capital Fund		916.83
TOTAL VILLAGE AUDIT:	\$	<u>214,740.60</u>

MUNICIPAL:

Paid before Audit	\$	0.00
Capital Paid before Audit		00.00
Electric Fund		52,000.65
Water Fund		55,684.67
Sewer Fund		63,820.31
Capital Projects		00.00

TOTAL MUB AUDIT:	\$	<u>171,505.63</u>
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Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Discussion: S. Wilber in reviewing the Audit did notice a mistake regarding the first figures of \$151,137.54 should have been listed under Municipal. Trustee Church corrected the figures in the Audit.

**MOTION:** by Trustee Church, seconded by Trustee Hoban to pay the corrected current Village and Municipal bills as submitted.

VILLAGE:

Paid before Audit - General Fund	\$	00.00
Capital Paid before Audit		00.00
General Fund		62,686.23
Capital Fund		916.83
TOTAL VILLAGE AUDIT:	\$	<u>63,603.06</u>

MUNICIPAL:

Paid before Audit	\$	151,137.54
Capital Paid before Audit		00.00
Electric Fund		52,000.65
Water Fund		55,684.67
Sewer Fund		63,820.31
Capital Projects		00.00
TOTAL MUB AUDIT:	\$	<u>322,643.17</u>

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

**FINANCE & ADMINISTRATION:**

MOTION by Trustee Church, seconded by Trustee Allison to approve Resolution 47- 2009 Funding Transfers For the 2009-2010 Fiscal Year.

Transfer budget allocated reserves from the General Fund to the Reserve Fund in the amount of \$60,000. \$30,000 for Fire Equipment Reserve and \$30,000 for DPW Equipment Reserve

Transfer \$57,000 from the New Village Office Building Reserve Fund to the capital projects fund for Firehouse Project.

Transfer \$35,120 from Unreserved, Unappropriated Fund Balance to the Capital Fund for the Firehouse Project.

Transfer \$8,040 from the General Fund to the Capital Fund for the Firehouse Project.

Transfer \$8,903.02 from the New Village Office Building Reserve Fund to the Capital Fund for the Parking Lot Project.

Close the New Village Office Building Reserve.

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Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Christensen to approve Resolution 46-2009 Amended Bond Resolution dated 3/11/2003 authorizing the Construction 12-15-09 of a New Village Hall and Police Station and Renovation of Existing Fire Station and Police Station

RESOLUTION AMENDING BOND RESOLUTION DATED MARCH 11, 2003 RELATING TO THE AUTHORIZATION OF THE ISSUANCE OF SERIAL BONDS AND BOND ANTICIPATION NOTES IN ANTICIPATION THEREOF THE BOARD OF TRUSTEES OF THE VILLAGE OF PENN YAN, YATES COUNTY, NEW YORK (THE 'VILLAGE'), AUTHORIZING THE CONSTRUCTION OF A NEW VALLAGE HALL AND POLICE STATION AND RENOVATION OF THE EXISTING FIRE STATION AND POLICE STATION

WHEREAS, the Board of Trustees of the Village of Penn Yan, County of Yates, New York (the "Village") previously adopted a Bond Resolution dated March 11, 2003 (the "Original Bond Resolution") authorizing the issuance of serial bonds and bond anticipation notes of the Village in the principal amount of \$3,600,000 for the purpose of financing the cost of undertaking (i) the construction of a new Village Hall and Police Station at 111 Elm Street in the Village, including the acquisition of the land and existing building situated thereon at such location, the demolition of such existing building, the construction of site work improvements and other incidental improvements, the acquisition and installation of original furnishings, equipment, machinery and apparatus, and the demolition of the existing Village Hall building located at 3 Maiden Lane and the enlargement at such site of the Maiden Lane municipal parking lot, (ii) the renovation and expansion of the existing Fire Station at 123 Elm Street and the construction of an addition thereto to include a new roof, a new elevator, office space and other incidental improvements, and (iii) the renovation of the existing Police Station building located at 1 Basin Street for the use as a Village Court facility (the "Project"); and

WHEREAS, the Village now wishes to amend the Original Bond Resolution in order to increase the aggregate maximum estimated cost of the Project from \$3,600,000 to \$3,750,000 and to modify the plan of finance for the Project accordingly; and

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF PENN YAN, YATES COUNTY, NEW YORK, HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), TO AMEND THE ORIGINAL BOND RESOLUTION, AS FOLLOWS:

1. "Section 2 of the Original Bond Resolution is hereby amended to read as follows:

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$3,750,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of serial bonds of the village authorized to be issued pursuant to this resolution, or bond anticipation notes issues in anticipation of such bonds, in the principal amount of \$3,600,000, the expenditure of \$80,000 in grant moneys received by the Village from New York State for such purpose and the expenditure of up to \$70,000 in current funds of the Village available for such purpose.

2. Except as specifically amended herein, all the terms and provisions of the Original Bond Resolution shall remain in full force and effect.
3. The resolution shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting, which resulted as follows:

Mayor asked for a roll call vote

Trustee Stewart	Aye
Trustee Taylor	Aye
Trustee Allison	Aye
Mayor Marchionda	Aye
Trustee Church	Aye
Trustee Christensen	Aye
Trustee Hoban	Aye

Carried

MOTION by Trustee Church, seconded by Trustee Christensen to pursue any necessary bid process for the work to complete the Municipal Parking Lot located at 111 Elm Street and move forward with the parking lot project.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye

Trustee Christensen Aye  
Trustee Church Aye

Trustee Taylor Aye

Carried

MOTION to approve Resolution No. 48-09 Budget Transfers for the 2009-10 Budget Year

**TO:**

A1110.51	Code	Computer Supplies	150.00
A1325.47	Finance	Audit Fees	1,450.00
A1325.48	Finance	Prof fees/publications	26.00
A3410.417	Fire Dept	Building Repairs	5,500.00
A3410.50	Fire Dept.	Supplies & Material	6,350.00
A3410.52	Fire Dept.	Bunk Gear/Bags/gloves	4,000.00
A5110.413	DPW	Equipment Repairs	910.00
A8810.20	Cemetery	Equipment	1,558.00
		Total	19,944.00

**FROM:**

A1110.50	Code	Supplies & Materials	150.00
A1325.44	Finance	Copier Services	42.00
A1325.46	Finance	Conference/Travel	1,434.00
A3410.411	Fire Dept.	Vehicle Repairs	3,350.00
A3410.42	Fire Dept.	Phone/Internet/Utilities	4,000.00
A3410.415	Fire Dept.	Health Services	1,500.00
A3410.53	Fire Dept.	Radios/pagers	2,000.00
A3410.55	Fire Dept.	Helmets/Coats/Vests	4,000.00
A3410.57	Fire Dept.	Tools	1,000.00
A5110.54	DPW	Signs & Posts	910.00
A8810.411	Cemetery	Vehicle Repairs	58.00
A8810.415	Cemetery	Landscape/Tree Removal	1,500.00
		Total	19,944.00

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Mayor Marchionda Aye  
Trustee Allison Aye  
Trustee Christensen Aye  
Trustee Church Aye

Trustee Hoban Aye  
Trustee Stewart Aye  
Trustee Taylor Aye

Carried

**PERSONNEL:**

MOTION by Trustee Stewart, seconded by Trustee Church to create a Part time Police Officer position with Civil Service, expires July 31, 2011.

Mayor Marchionda Aye  
Trustee Allison Aye  
Trustee Christensen Aye  
Trustee Church Aye

Trustee Hoban Aye  
Trustee Stewart Aye  
Trustee Taylor Aye

Carried

Discussion: Trustee Stewart explained there will be two (2) part time officers for 40 hours a week.

MOTION by Trustee Stewart, seconded by Trustee Allison to approve the signing of the CSEA (MOA) Memorandum of Agreement regarding change in hours and workdays at the Water Department.

Discussion: Trustee Christensen questioned are we under negotiations with the CSEA now?? Trustee Allison explained the Water Treatment Plant is the only ones on 10 hour days. They have been doing this for the past year. Trustee Christensen states it has the Water Department on the agreement. Trustee Stewart explained the Board; employees of the Water Treatment Plant and the CSEA are all in agreement with the hours. This is just the agreement that needs to be signed. Mayor Marchionda explained that we need to get this changed to say Water Treatment Plant. Trustee Church questioned does this save on over time. Dick Osgood explained yes it does. Trustee Stewart will have the agreement corrected before it approved by the Board.

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

Park Director Dan Doyle explained this summer he had a surprise inspection of the Outlet Trail from the NYS Parks Grant Office. We did get written up on somethings and since then most of those have been taken care of. Dan recently had a meeting in Trumansburg; he discussed the items with the inspector and found out most of them were a miscommunication on her part. Dan explained that he just completed the CPR and First Aide training. Once he has taught a class with the instructor/supervisor he will be a certified instructor. Dan stated that all CPR training will be done in-house, each employee will be trained on site and this will save the Village a lot of money. Lastly the AED (Auto Defibrillator Devise) Grant, this week we received notification that we got this grant, in the process of reviewing it. We are unsure if we will purchase from this one Company or through the local America Red Cross. Trustee Stewart questioned why not buy the lowest price one. Dan explained that the equipment from Red Cross would be the same as local companies (Ambulance Corp., Sheriff Dept.) It does make sense that some community members are already trained on this one type. Also we are buying locally. Dan has to look into the yearly maintenance; also Red Cross knows where to send the machine to if needed fixing. We still are looking at all options.

Trustee Hoban asked if any news about the outstanding grant. No news on the \$300,000. Dan explained the grant people are looking for proof that the Village owns Indian Pines and the Outlet Trail. Dan feels this information should be on file already with them, but will try to locate the paper work. One of grants is for the playground equipment at Indian Pines, another one for Boat Launch playground and Little League Park.

#### **PLANNING BOARD:**

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

Trustee Hoban we are very active- trying to have two meetings a month. Looking at the zoning for Keuka Lake Outlet project. Looking from Liberty Street south on the Outlet. Bruce Lyon explained they are looking at the zoning to meet more to the master plan.

#### **PUBLIC SAFETY:**

Trustee Stewart question about the Administrative study they received awhile ago. Trustee Taylor asked the Board to review it – get back to her with any questions, opinions, she would call a meeting- have not heard from anyone regarding this. Trustee Taylor stated she met with the PBA today. They are concerned about being down three officers. Trustee Church disagrees and feels they have only two openings. Trustee Taylor stated they are working on evaluation forms for the Police Department and are anxious to work on negotiations the first of the year.

#### **POLICE DEPARTMENT:**

None

**FIRE DEPARTMENT:**

November's monthly report

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for Nov 2009  
run 12-02-2009 Pg 1

Description	Number	Firefighters	Manhours
<b>Fire Alarms</b>			
House Fires			
Business Fires			
Grass/Brush Fires			
Outside Building/Barn Fires			
Car/Vehicle Fires	1	12	4.8
Other Fires			
Wires	1	8	8.7
Other Emergency	4	41	12.9
Automatic Alarm Fires	2	27	3.1
Mutual Aid Scene	2	41	36.1
Mutual Aid Standby	2	17	33.6
Public Service			
Vehicle Accident	1	17	7.4
<b>Total Fire Calls</b>	<b>13</b>	<b>163</b>	<b>106.6</b>
<b>Medical/Rescue Calls</b>			
First Responders			
Assist Ambulance	1	12	1.8
Other Medical			
<b>Total Med/Resc Calls</b>	<b>1</b>	<b>12</b>	<b>1.8</b>
<b>Total ALL Calls</b>	<b>14</b>	<b>175</b>	<b>108.4</b>
<b>Other Activities</b>			
Courses	11	11	188.0
Drills	5	63	318.0
Monthly Meetings	8	89	94.5
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup			
Work Detail	3	36	138.5
Wake/Funeral			
Line Of Duty			
Other	1	13	104.0
<b>Total Other Activities</b>	<b>28</b>	<b>212</b>	<b>843.0</b>
*****	***	****	*****
<b>Total ALL Activities</b>	<b>42</b>	<b>387</b>	<b>951.4</b>

**CODE ENFORCEMENT:**

None

**PUBLIC WORKS:**

MOTION by Trustee Allison, seconded by Trustee Taylor to approve Resolution No. 45-2009 Brown Street Water Improvements. CDBG-R Project # 895PW-R4-08.

**WHEREAS**, the Village Board of the Village of Penn Yan plans to complete improvements to the Brown Street water lines,

**WHEREAS**, the Village has obtained grant funding from the Office of Community Renewal under the Community Development Block Grant Program,

**WHEREAS**, the Office of Community Renewal requires the Village to designate a "Labor Compliance Officer" who will be responsible for reviewing and certifying the contractor's compliance with labor standards and prevailing wage rates; therefore be it

**RESOLVED**, that Richard Osgood, Director of Public Works, and Brent Bodine, Assistant Director of the Village of Penn Yan be authorized to act as the Village's Labor Compliance Officers.

I, Shawna C. Wilber, Clerk/Treasurer of the Village of Penn Yan, do hereby certify that the aforementioned resolution was adopted by the Village Board of the Village of Penn Yan on December 15, 2009, by the following vote:

Mayor asked for a roll call vote

Trustee Stewart	Aye
Trustee Taylor	Aye
Trustee Allison	Aye
Mayor Marchionda	Aye

Trustee Church                   Aye  
Trustee Christensen           Aye  
Trustee Hoban                   Aye

Carried

MOTION by Trustee Allison, seconded by Trustee Stewart to approve Resolution No. 49-2009 Correcting and Update Local Highway Listing for the DOT.

**BE IT HEREBY RESOLVED** by the Village of Penn Yan for the purpose of correcting and updating the Local Highway Listing provided to the Village of Penn Yan each year by the New York State Department of Transportation for verification of the Local Highway Inventory, we make the following corrections/changes:

**ADDITIONS:** The following additions are to add NEW roads that are not currently included on the Inventory listing from NYSDOT:

Davis Street from Keuka Street to the End of Street for a total length of 0.04 Mile  
Howard Street from Florence Street to the End of Street for a total length of 0.09 Mile  
Elmwood Avenue from Sherman Street to the End of Street for a total length of 0.36 Mile

**Total Mileage Added: 0.49 Mile**

**DELETIONS:** The following deletions are because the particular road is no longer maintained by the Village of Penn Yan and will therefore no longer be responsible for it:

Sunset Drive from Park to Limits for a total length of 0.13 Mile  
Watkins Street from Keuka Street to End for a total length of 0.08 Mile

**Total Mileage Deleted: 0.21 Mile**

**CORRECTIONS: (No Mileage Change)**

**Correct Termini of Cherry Street from Franklin Street to the Outlet Bridge with a reduction of 0.07 Mile which is actually a part of Garfield Street which is also being corrected for termini only from Franklin Street to the Outlet Bridge for an increase of 0.07 Mile.**

**Existing LHI Centerline Miles Total: 21.12 Miles corrected to 21.40 Miles**

**Existing LHI Lane Miles Total: 42.24 Miles corrected to 42.80 Miles**

**NOW, THEREFORE, VILLAGE OF PENN YAN BOARD MEMBERS HEREBY RESOLVE AS FOLLOWS:**

The following vote was taken and recorded in the public or open session of said meeting as to the changes/corrections to the Local Highway Inventory listing:

<b>Doug Marchionda, Mayor</b>	<b>VOTING: <u>  Aye  </u></b>
<b>Robert J. Church, Trustee</b>	<b>VOTING: <u>  Aye  </u></b>
<b>Michael Christensen, Trustee</b>	<b>VOTING: <u>  Aye  </u></b>
<b>Robert B. Hoban, Trustee</b>	<b>VOTING: <u>  Aye  </u></b>
<b>Richard Stewart, Trustee</b>	<b>VOTING: <u>  Aye  </u></b>
<b>Nancy S. Taylor, Trustee</b>	<b>VOTING: <u>  Aye  </u></b>
<b>William J. Allison, Trustee</b>	<b>VOTING: <u>  Aye  </u></b>

**MOTION:**       X             **(Approved)**                                                **(Denied)**

Carried

Dick Osgood explained that the Board needs to review the Procurement Policy yearly – has not been done since 1993. This needs to be update with the statement the Village shall encourage business owned or managed by women or minorities to provide proposals or quotations. Dick sent copy to Charlie Philion for the changes have not heard back from him. S. Wilber explained we will get this on the yearly April meeting for review.

Dick Osgood reminded everyone the bid opening is Wednesday afternoon at 2:00pm for Brown Street.

**STREETS:**

Trustee Allison explained the DPW crews are still out picking up leaves and starting to plow and salt the Streets.

**CEMETERY:**

None

**BUILDINGS:**

Dick Osgood explained he received three bids for the renovation regarding the relocation of Village Court. He explained that his quote was lower that what has come in. Trustee Church asked if Dick has spoken with Judge Hibbard about this - Dick has not yet but will. Dick will see if Judge Hibbard has enough grant money to cover the expense. Dick explained he did get three quotes. They had one contractor back out – contacted another one getting his quote and then another one backed out. Still have only two bids, then Dick Osgood called another contractor. I do have three bids now. The lowest was \$20,426.17; this is \$426.17 over the procurement policy. Dick recommends to the Board to accept this bid. The other bids were \$21,855.00 and \$24,860.00. According to the Procurement Policy we are only over \$426.17 and the policy was written in 1993. Dick mentioned this needs to get reviewed yearly. Have this rewritten and go forward with the bid. Mayor Marchionda feels we need to move forward – we are only over \$426.17 not a lot of money. Dick explained this amount does not include any cameras and nothing mentioned about a jury box. Has two partitions (North to South and East to West) separating the Judge from the Youthful offender room, new judge bench, ropes for separation. Will have some soundproofing for the Attorney’s rooms.

MOTION by Trustee Church, seconded by Trustee Christensen to accept the lowest bid of \$20,426.17 from Bernie Jensen.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

**MUNICIPAL:**

Amending a motion from a past Village Board meeting from May 20, 2008. That motion read MOTION by Trustee D’Abbracci, seconded by Trustee Allison to approve to begin charging customers for materials used to establish or upgrade electrical service. Date to be determined.

MOTION by Trustee Allison, second by Trustee Church to amend the previous motion to approve to begin charging customers for materials used to establish or upgrade electrical service effective June 1, 2008.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Church to approve an International chassis be purchased for \$114,787.80; this chassis will be used for the hybrid bucket truck to be purchased under the State Bid process.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye

Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Discussion: Trustee Church asked how we are paying for this. Brent Bodine explained the electric fund and that a grant is paying the difference between the cost of the hybrid truck and the standard truck. NY Power Authority which is where the grant is coming from (\$60,000) is also offering 0% financing for three years. Trustee Church question Rom French this was discussed at Municipal meeting – Rom correct. Dan Banach this is 12 years old and needs to be replaced. Rom, Dan, Brent and Dick feel this is a very good deal could not pass this up. Brent explained we needed to get our name on the list. We are one out of six in the State that have received this. S. Wilber asked that the following be included in the Motion to be purchase under the State Bid process.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Church to approve the Payment Agreements in the amount of \$3,381.81

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Dick Osgood explained the DEC came late for our review at the Waste Water Treatment Plant today. For the most part they were very pleased with the progress at the Plant.

**COMMENTS:**

Mayor Marchionda announced he will not seek another term as Mayor. He has served the Village for 18 years and feels that’s long enough. It has been a joyful experience. Trustee Hoban mentioned he will run for another term for the Board. Trustee Church announced he will run for Mayor.

**ADJOURNMENT:**

At 8:12 PM, MOTION by Trustee Stewart, seconded by Trustee Church to move into Executive Session. Trustee Stewart asked that Rom French and Dan Banach join them in Executive Session.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

**ADJOURNMENT OF EXECUTIVE SESSION:**

At 9:35PM, MOTION by Trustee Taylor, seconded by Trustee Allison to leave Executive Session and return to regular Village Meeting.

MOTION by Trustee Hoban, seconded by Trustee Allison to appoint Mike Christensen as the Village Representative of the Yates County Youth Board.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

**ADJOURNMENT:**

At 9:37 PM MOTION by Trustee Taylor, seconded by Trustee Church o adjourn the regular meeting

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Mary Ann Martin, Deputy Clerk

**ANNOUNCEMENTS:**