

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, December 18, 2012 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor R. Church; Trustees C. Christensen; M. Christensen; D. Reeve; R. Stewart; B. Winslow; Attorney Ed Brockman; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; Police Chief Hulse; CEO B. Lyon; Fire Chief R. Simpson; Municipal Board Chairman R. French

ABSENT: Trustee W. Allison; Clerk/Treasurer S. Wilber

News Media present: Gwen Chamberlain, Chronicle Express; David Speckgour, Dundee Observer

PUBLIC:

Mayor Church called the Village Board meeting to order at 6:04 PM.

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize to have an Executive Session to discuss an employee history.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

MINUTES:

MOTION by Trustee M. Christensen, seconded by Trustee Winslow to approve the Village Board Minutes from November 20, 2012.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

GUESTS, PUBLIC REQUEST & COMMENTS:

No comments

MAYOR:

No update

ATTORNEY:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Resolution No 60 - 2012 proposed Local Law to establish NYS Tax cap Waiver for 2013-2014 and set a Public Hearing for January 15, 2013 at 6:00 PM.

WHEREAS, New York State has mandated a two (2%) percent tax cap for 2013 for municipal budgets; and

WHEREAS, the Village of Penn Yan does not anticipate exceeding the two percent tax cap; and

WHEREAS, the New York State Tax Cap Law is complex to follow and includes significant penalties if all rules are not followed; and

WHEREAS, a waiver of the tax cap appears appropriate for the Village of Penn Yan under the circumstances; and

WHEREAS, the Board of Trustees intends to act as “Lead Agency” with respect to SEQRA issues related to this action.

NOW THEREFORE, BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan hereby determines that it is in the best interests of the residents and property owners of the Village of Penn Yan to waive the tax cap to ensure that the Village is not in violation of the tax cap law embodied in §3-c of the General Municipal Law.
2. The Board of Trustees designates itself as “Lead Agency: for SEQRA issues related hereto, determines

that there will be no environmental impacts resulting therefrom, therefore declares this to be a “Type II” action and accordingly no environmental review will be undertaken.

3. That a public hearing on proposed Local Law I of 2012 is hereby scheduled for January 15, 2013 at 6:00 PM at the Village Hall and that notice thereof be made by legal counsel.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to authorize Resolution No. 61 – 2012 reviewed of the Village Justice Court.

WHEREAS, the Village of Penn Yan has a Village Justice Court with one (1) Justice; and

WHEREAS, §2019-a of the Uniform Justice Court Act requires that the Board of Trustees annually cause an examination or audit of the records of the Court; and

WHEREAS, Mayor Church and Trustee Christine Christensen completed an examination of Court records on November 19, 2012.

NOW THEREFORE BE IT RESOLVED THAT:

The Board of Trustees approves the Report of Examination of the records for the Penn Yan Village Court dated November 19, 2012 and directs that such report be filed with the New York State Office of Court Administration, the Penn Yan Village Clerk and the Penn Yan Village Court.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Mayor Church signs Resolution No 62-2012, Retaining of Bond Council for Waterfront sewer System Improvements.

WHEREAS, the New York State Environmental Facilities Corporation has determined that the sewer portion of the Waterfront Revitalization Project qualifies for subsidized funding through the Clean Water State Revolving Fund (CWSRF) and,

WHEREAS, the Village of Penn Yan intends to pursue this project and financing related thereto; and

WHEREAS, the Municipal Utilities Board recommends retaining the law firm of Harris Beach as Bond Council in connection with the financing of this project through the New York State Environmental Facilities Corporation.

NOW THEREFORE BE IT:

RESOLVED, the Board of Trustees of the Village of Penn Yan authorizes and directs the law firm of Harris Beach be retained as Bond Council for this project pursuant to the terms and conditions of the proposal received on November 27, 2012 from Harris Beach and further authorizes and directs the Mayor to execute any documents necessitated with respect thereto.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

Atty. Brockman reviewed in full with the Village Board the SEQR for 318 Hamilton Street.

MOTION by Trustee Reeve, seconded by Trustee Winslow to authorize Mayor Church to signs the Water Easement Agreement for 318 Hamilton Street Penn Yan, NY.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee Reeve, seconded by Trustee Winslow to authorize Mayor Church signs the SEQR regarding the Repair/Restore Storm Damaged Headwall at 318 Hamilton Street

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee Reeve, seconded by Trustee Winslow to authorize Resolution No. 63 – 2012 Regarding Easement for Maintaining Drainage Area on Hamilton Street.

WHEREAS, it has been determined by the Village Director of Public Works an easement is necessary for the maintenance and improvement of a drainage area on Hamilton Street in the Village, to the north of North Ave; and

WHEREAS, entry onto private property is required for such maintenance; and

WHEREAS, such entry necessitates an easement agreement with the property owners; and

WHEREAS, the Board of Trustees of the village of Penn Yan intends to address SEQRA issues related to the Hamilton Street drainage area.

Now Therefore, be it

RESOLVED, The Board of Trustees designates itself as lead agency for SEQRA purposes, declares this to be an “unlisted action” and therefore a Short Environmental Assessment form will be prepared.

RESOLVED, that the Mayor is authorized and directed to execute the necessary documents to effectuate the easement agreement.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to authorize Resolution No. 64 – 2012 Order, Resolution & Determination with Respect to 1984 Outlet Road.

WHEREAS, a Petition was received by the Village Clerk on or about October 12, 2012 on behalf of Neil Freeland for annexation to the Village of Penn Yan of the premises located at 1984 Outlet Road, Penn Yan, New York 14527, pursuant to Article 17 of the General Municipal Law of the State of New York; and

WHEREAS, copies of the Petition For Annexation, together with supporting documents have been provided to the individual members of the Board of Trustees; and

WHEREAS, subsequent to receipt of said Petition the Board of Trustees of the Village of Penn Yan duly adopted a resolution scheduling a joint public hearing with the Town Board of the Town of Milo, pursuant to the provisions of Article 17 of the General Municipal Law, the subject premises being situate in said Town of Milo; and

WHEREAS, a public hearing was held jointly between the Board of Trustees of the Village of Penn Yan and the Town Board of the Town of Milo, upon notice having been given as pertains to the Board of Trustees, on December 17, 2012 at 7:00 p.m. at the Milo Town Hall, 137 Main Street, Penn Yan, New York, 14527; and

WHEREAS, discussion has been had by the Board of Trustees regarding the issues of whether the Petition complies with Article 17 of the General Municipal Law and whether it is in the overall public interest to approve the annexation; and

WHEREAS, the Board of Trustees has reviewed and completed a proposed Short Environmental Assessment Form (SEAF) pertaining hereto.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees adopts the SEAF and directs that a Negative Declaration be issued with respect thereto and that said SEAF and Negative Declaration be posted.
2. The Board of Trustees determines that the Petition herein complies with the provisions of Article 17 of the General Municipal Law in that, it describes the territory proposed to be annexed, is signed by the owner of 100% of the assessed valuation of the territory proposed to be annexed, a certified statement by the Assessor for the Town of Milo as to the territory proposed to be annexed is attached to the petition; the petition has been duly served upon the Clerk of the Village of Penn Yan, as well as, upon information and belief, the Clerk of the Town of Milo and the petitioner’s signature thereon has been duly acknowledged.
3. The Board of Trustees determines that it is in the overall public interest to approve the proposed annexation considering:
 - A. The effects on the territory to be annexed.
 The annexation will permit that territory to be served by the Village water, sewer and electric systems. The Village has a policy of not providing water and sewer service to individual properties outside the Village unless part of a water and/or sewer district.
 - B. The effects upon the local government to which the territory is to be annexed.

The annexation of the subject territory will not have any negative effect on the Village. The territory will be used for residential purposes. Any additional municipal services that may be required will not place any undue burden upon the municipal government.

C. The effects upon the remaining territory of the municipality in which the territory proposed to be annexed is presently located.

The territory proposed to be annexed is approximately 0.55 acre. The loss of tax base will be minimal. The location of the territory is not of significance to the Town.

D. The effects upon the school district of the proposed annexation.

The territory proposed to be annexed is in the Penn Yan Central School District. Annexation will not result in any changes that affect the Penn Yan Central School District.

4. The Board of Trustees hereby approves the proposed annexation and directs that certified copies hereof, subsequent to signature hereon by members of the Board of Trustees present at the Meeting at which this "Order, Resolution and Determination" was adopted, be filed with the Town Clerk of the Town of Milo, and that such other actions as are necessary to implement and effectuate such annexation be carried out by the Mayor and the Village Clerk/Treasurer.

5. In the event that there is any existing municipal debt on the part of the Town of Milo applicable to the territory proposed to be annexed, such debt shall be apportioned for such territory and shall be a charge upon and be paid by the Village of Penn Yan pursuant to the provisions of §708 of the General Municipal Law.

6. Rights with respect to real or personal property pertaining to the territory to be annexed shall be disposed of pursuant to §707 of the General Municipal Law.

7. Any real property taxes and other charges against the territory proposed to be annexed shall be disposed of pursuant to §710 of the General Municipal Law.

8. In the event that the Town Board of the Town of Milo determines that it is not in the over-all public interest to approve the proposed annexation, the Clerk shall file a certified copy of the "Order, Resolution and Determination" made by each of the Village of Penn Yan and the Town of Milo with the Yates County Clerk within ten (10) days of the filing of such "Order, Resolution and Determination" with the Clerk of the Village of Penn Yan.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow

Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee C. Christensen, seconded by Trustee Reeve to authorize Resolution No 66 -2012 a Local Law to complete the Annexation of Sherman Street and 1984 Outlet Road to designate a Zoning District

WHEREAS, the Village Clerk received a Petition for annexation of territory known as the west side of Sherman Street and an amended Petition for annexation of territory known as 1984 Outlet Road, separate public hearings having subsequently been held jointly with the Town Board of the Town of Milo; and

WHEREAS, the Board of Trustees of the Village of Penn Yan has adopted "Order, Resolution and Determination No. 52-2012" approving the annexation of the territory known as the west side of Sherman Street, certified copies thereof having been filed with the Village Clerk and the Clerk of the Town of Milo; and

WHEREAS, the Town Board of the Town of Milo adopted a resolution approving such annexation, a copy of which has been filed with the Village Clerk; and

WHEREAS, the Board of Trustees of the Village of Penn Yan has adopted "Order, Resolution and Determination No. 64 - 2012" approving the annexation of the territory known as 1984 Outlet Road, certified copies of which are to be filed with the Village Clerk and the Clerk of the Town of Milo; and

WHEREAS, the Town Board of the Town of Milo adopted a resolution approving such annexation, a copy of which is to be filed with the Village Clerk; and

WHEREAS, the adoption of a Local Law is required to formally annex the aforementioned territories to the Village of Penn Yan; and

WHEREAS, the Board of Trustees will amend the Zoning Chapter of the Code of the Village of Penn Yan to assign zoning district classifications to the properties known as the west side of Sherman Street and 1984 Outlet Road upon their annexation to the Village of Penn Yan; and

WHEREAS, the adoption of the Amendment to the Zoning Chapter may be deemed an Unlisted Action pursuant to SEQR, each premises being less than ten (10) acres in area; and

WHEREAS, the Board of Trustees of the Village of Penn Yan intends to act as lead agency for the purposes of the review of this Zoning Chapter amendment under the provisions of SEQRA.

Now Therefore, be it

RESOLVED, that the Board of Trustees of the Village of Penn Yan hereby establishes itself as Lead Agency pursuant to 6NYCRR § 617 for the purposes of the SEQRA of this action; and be it further

RESOLVED, that the Board of Trustees of the Village of Penn Yan determines that the proposed amendment to the Zoning Chapter is an Unlisted Action under SEQR; and be it further

RESOLVED, That the Village Attorney is requested to prepare Local Law and distribute said proposed law to the Board of Trustees; and it is further

RESOLVED, that an SEAF be prepared with respect to this action; and be it further

RESOLVED, that a public hearing on the Local Law is hereby scheduled for January 15, 2013 at 6:05 PM in the Village Office and that due notice thereof be made.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee M. Christensen, seconded by Trustee Reeve to authorize Resolution No. 65 - 2012 Adoption of Local Law Amending the Vehicles and Traffic Chapter Code of the Village of Penn Yan by with Respect to Handicapped Parking Field 3.

WHEREAS, the Board of Trustees previously dealt with SEQRA issues related to this proposed Local Law, by declaring itself Lead Agency, designating the Local Law as an “Unlisted” action and adopting a Short Environmental Assessment Form; and

WHEREAS, a public hearing was held before the Board of Trustees on said proposed Local Law on November 20, 2012; and

WHEREAS, the Board of Trustees previously received a copy of the proposed Local Law in excess of ten (10) days prior to the consideration hereof.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan adopts proposed Local Law J of the Year 2011 as a Local Law.
2. A Negative Declaration shall be issued and posted upon the Village website.
3. The Village Clerk is directed to file such Local Law with the Secretary of State of the State of New York and provide for the requisite publication and posting of the Notice of Adoption of such Local Law together with such other acts that are customarily associated with the adoption and implementation of the Local Law, including the entry thereof in the minutes of the Meeting of the Board of Trustees.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

At 6:19PM Mayor Church excused Atty. Brockman from the Village Board meeting.

COMMUNITY REVITALIZATION:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to approve the façade improvement application for Rose & Barry Lampson for the Universal Barber Shop for \$34,000. 50% (\$17,000) would be as grant and 50% (\$17,000) would be as a loan which will be paid off at time of closing.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MUNICIPAL:

MOTION by Mayor Church, seconded by Trustee Winslow to authorize to forgive a portion of the water and sewer bill of Brad Smith of 330 Main Street in the amount of \$252.00.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee Winslow to authorize Mayor Church signs along with Rom French’s the cover letter to the Public Service Commissioner to accompany the Electric Rate Study done by Bill Freitag of Bollam, Sheedy, Torani and Company.

DISCUSSION: Brent Bodine explained we just received information in the mail today for this. Would like to place this on hold until next month - wants the Municipal Board to review papers first. Mayor and Trustee Winslow withdrew their initial Motion.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee C. Christensen to authorize going out for bids for one (1) 500 KVA padmount transformer.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee Winslow to authorize the electric crew to attend Lineworker Safety and Training in Bath, NY in 2013 at a cost of \$1,860 per person.

DISCUSSION: Brent Bodine explained yes money is in the budget – they go 1 day a month for 10 months for training.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee Winslow to authorize Adam Folts attends the 2nd Year Lineworker Apprentice Program in Fairport, NY in 2013 at a cost of \$3,450.

DISCUSSION: Brent Bodine explained yes this is in the budget and will be going (4) weeks throughout the year.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee Winslow to authorize to credit the Medical Arts Building \$5,656.32 on fixed usage cost.

DISCUSSION: Brent Bodine explained the size of the water meter change from a 2” to 5/8” – the change was never noted for the billing purpose.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee C. Christensen to authorize to credit \$2,816.24 for water and \$3,030.00 for sewer to St. Mark’s Terrace.

DISCUSSION: Trustee M. Christensen had concerns on how they came up to the discussion to give St. Marks a credit. St. Mark’s feels they should be consider as an institution not as an apartment complex. MUB Board received advice from our Atty. After a lengthy discussion it was decided the Board would like to wait until next month to discuss this when Atty. Brockman is present. Mayor and Trustee M. Christensen asked to see paperwork regarding how the decision was made. Board was in agreement to wait until next month

No vote was taken

MOTION by Mayor and seconded by Trustee C. Christensen to table the previous motion.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee Winslow to authorize the amount of money collected from the Town of Jerusalem and the Town of Milo for the EFC interest-free loan for WWTP improvements be based on \$3.1 million rather than \$4 million.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Mayor Church, seconded by Trustee C. Christensen to approve Utility Payment Agreements in the amount of \$16,944.57.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

FINANCE & ADMINISTRATION:

MOTION: by Trustee C. Christensen, seconded by Trustee Winslow to pay current Village and Municipal bills as submitted.

AUDIT:

		Amount:
Paid Before Audit:		
General		341,017.00
Electric		259,516.30
Sewer		81,622.27
Water		107,642.99
Capital Projects		
Total Paid Before Audit		\$ 789,798.56
Current Audit:		
General	\$	57,821.52
Community Development - CRC		16,917.58
Electric		48,420.85
Sewer		43,447.37
Water		106,229.40
Capital Projects		-
Total Current Audit Items		\$ 272,836.72
TOTAL AUDIT		\$ 1,062,634.28

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
 Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee C. Christensen, seconded by Trustee Winslow to authorize the pre-payment of \$209.99 for a printer at the Waste Water Treatment plant. (75% rebate until Dec. 31, 2012 a savings of \$157.49)

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
 Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee C. Christensen, seconded by Trustee Winslow to authorize the payment of \$81,649.66 to the County for Workers Compensation.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
 Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee C. Christensen, seconded by Trustee Winslow to authorize Resolution No. 67-2012 Budget Transfers for 2012-2013 Fiscal year.

<u>TO:</u>			<u>Fund</u>
Account Id	Description	Date	Totals
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -1110-0-000	VILLAGE JUSTICE		
3-A -1110-4-480	Village Justice-Prof Fees/Publications	7/20/2012	505
3-A -3120-0-000	POLICE		
3-A -3120-4-500	Police-Supplies & Materials	11/30/2012	1,900
3-A -3410-0-000	FIRE		
3-A -3410-4-400	Fire-Grant	10/3/2012	1,000
3-A -3410-4-480	Fire-Hose Testing	10/3/2012	130
3-A -5110-0-000	STREET MAINTENANCE		
3-A -5110-4-413	Street Maintenance-Vehicle & Equipment Repairs	11/19/2012	2,000

3-A -8810-0-000	CEMETERY		
3-A -8810-1-160	Cemetery-Part Time	2,000	11/1/2012
3-E -0000-0-000	ELECTRIC		
3-E -0737-0-000	Repairs-Underground Cables	11,300	11/27/2012
3-E -0741-1-100	Supervision/Engineering	9,300	11/27/2012
3-E -0741-2-200	Distribution-Substation-Labor	10,000	11/27/2012
3-E -0742-1-130	Repairs-Dist Substation	10,000	11/27/2012
3-E -0753-3-300	Repairs-Gamewell Fire Alarm System	5,000	10/25/2012
3-ES-0000-0-000	SEWER		
3-ES-8120-0-000	SANITARY SEWER		
3-ES-8120-4-400	Sanitary Sewer-Engineering	1,000	11/13/2012
3-ES-8120-4-417	Sanitary Sewer-Maintenance on Vehicles	600	11/13/2012
3-ES-8120-4-550	Sanitary Sewer-Waddell Pump	1,000	11/13/2012
3-ES-8130-0-000	SEWAGE TREATMENT		
3-ES-8130-4-417	Sewage Treatment-Maint on Vehicles	1,000	11/7/2012
3-ES-8130-4-500	Sewage Treatment-Supplies & Materials	5,000	11/7/2012
3-EW-0000-0-000	WATER		
3-EW-8320-0-000	PUMPING & PURIFICATION		
3-EW-8320-4-400	Pumping & Purification-Engineering Fees	2,000	11/16/2012
3-EW-8320-4-413	Pumping & Purification-Fees & Permits	<u>150</u>	11/16/2012
		<u>63,885</u>	
			General 7,535
			Electric 45,600
			Sewer 8,600
			Water <u>2,150</u>
			- <u>63,885</u>
FROM:			
Account Id	Description		Date
3-A962	Budgetary Provisions - DPW Equipment Reserve		
3-A511	Reserve Funding - DPW Equipment		
3-A-2665	Sale of Equipment		
3-A -0000-0-000	GENERAL FUND		
3-A -1110-0-000	VILLAGE JUSTICE		
3-A -1110-4-500	Village Justice-Supplies & Materials	505	7/20/2012
3-A -3120-0-000	POLICE		
3-A -3120-4-410	Police-Contractual Services	1,900	11/30/2012
3-A -3410-0-000	FIRE		
3-A -3410-4-410	Fire-Contractual Services	1,130	10/3/2012
3-A -5110-0-000	STREET MAINTENANCE		
3-A -5110-4-500	Street Maintenance-Supplies & Materials	2,000	11/19/2012
3-A -8810-0-000	CEMETERY		
3-A -8810-1-100	Cemetery-Personal Services	2,000	11/1/2012
3-E -0000-0-000	ELECTRIC		
3-E -0741-2-220	Operation-Substation	9,300	11/27/2012

3-E -0742-8-840	Electrical System Testing	20,000	11/27/2012
3-E -0752-1-100	Repairs-St Lighting Equip	5,000	10/25/2012
3-E -0781-4-500	Office Supplies & Expenses	11,300	11/27/2012
3-ES-0000-0-000	SEWER		
3-ES-8120-0-000	SANITARY SEWER		
3-ES-8120-4-413	Sanitary Sewer-I&I Correction	2,600	11/13/2012
3-ES-8130-0-000	SEWAGE TREATMENT		
3-ES-8130-4-410	Sewage Treatment-Contractual Services	6,000	11/7/2012
3-EW-0000-0-000	WATER		
3-EW-8320-0-000	PUMPING & PURIFICATION		
3-EW-8320-4-418	Pumping & Purification-Maint on Plant	<u>2,150</u>	11/16/2012

63,885

General 7,535

Electric 45,600

Sewer 8,600

Water 2,150

63,885

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
 Nays 0 Abstain 0 Absent: Allison

PERSONNEL:

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize to hire Mark Socola for consulting work in the absence of Clerk-Treasurer Wilber at an hourly rate not to exceed \$35.00 an hour.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
 Nays 0 Abstain 0 Absent: Allison

PUBLIC SAFETY:

Trustee M. Christensen wanted to Thank Police Chief Hulse and his staff and the Fire Department Volunteers for the handling of the Nov. 27th incident on Main Street, where a fire occurred and the working relationships with Yates County Sheriff Office. They defused the incident without injuries to the perpetrator, Volunteers or staff. Mayor and Board also applauded all involved.

Trustee M. Christensen stated the Public Works Committee would like the light at East Main and Lake Street stays as is and the majority of Public Safety wants it changed back. Atty. Brockman is looking into do a local law regarding Street lights in the Village. Was decided to wait and see what the report says about lights.

POLICE DEPARTMENT:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize Sgt. Dunham attends Northeast Wisconsin Technical College (NWTC) for Taser Training on Jan. 23, 2012 in Rochester, NY. Cost \$175.00.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
 Nays 0 Abstain 0 Absent: Allison

FIRE DEPARTMENT:

Monthly Fire Department report (unable to place report in minutes – will have them attached separately)

Year to Date Fire Department (unable to place report in minutes – will have them attached separately)

CODE ENFORCEMENT:

No update

PUBLIC WORKS:

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize and establish a painted crosswalk at Trombley’s on East Elm Street.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to authorize Resolution No.68-2012 Authorization for Execution of Telecommunications Contract with Time Warner for Remote Locations.

WHEREAS, the Village of Penn Yan currently utilizes both phone and internet service at all its remote business sites located at 396 Elm St, 426 Court St, 30 Elmwood Avenue and 1515 West Lake Rd.; and

WHEREAS, the Finance Committee has reviewed the cost and quality of that current service to these locations; and

WHEREAS, the Finance Committee recommends changing the provider of that service to these locations to Time Warner Cable

NOW THEREFORE BE IT RESOLVED,

- 1. That the Mayor of the Village is authorized to execute a contract with Time Warner for telecommunications service to these locations and any paperwork associated with the cancellation of any existing telecommunications service to these locations currently provided by Windstream and/or Verizon.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

MOTION by Trustee Winslow, seconded by Trustee C. Christensen to authorize Mayor Church signs the Time Warner Cable contract.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

Brent Bodine explained we received (2) bids for the tree planting project for the Village. At this time they are not ready to accept a bid - both are over the grant amount we were granted. Brent looking into this and will report at next month’s meeting.

Received (2) Tree Planting Bids:
MEH Landscaping (formerly Hamm’s Nursery & Greenhouse) \$39,267.00
Landis Scaping and Design. \$45,741.25

MOTION by Trustee Winslow, seconded by Trustee Reeve to declare the following leaf machine parts (Tarrant Bearings) as surplus.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

PARKS & RECREATION:

No update

PLANNING & DEVELOPMENT:

PLANNING BOARD:

COMMENTS

EXECUTIVE SESSION:

Penn Yan Village Board meeting December 18, 2012

At 7:02 PM **MOTION** by Trustee C. Christensen, seconded by Trustee Winslow to move into Executive Session.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

ADJOURNMENT OF EXECUTIVE SESSION:

At 7: 30PM **MOTION** by Trustee C. Christensen, seconded by Trustee Winslow to leave Executive Session and return to regular Village Board Meeting.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

ADJOURNMENT:

At 7:30 PM **MOTION** by Trustee C. Christensen, seconded by Trustee Winslow adjourn the regular meeting.

ADOPTED Ayes 6 Church, C. Christensen, M. Christensen, Reeve, Stewart and Winslow
Nays 0 Abstain 0 Absent: Allison

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: