

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, April 17, 2012 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor R. Church.; Trustees W. Allison; M. Christensen; D. Reeve; R. Stewart; B. Winslow; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Director of Public Works B. Bodine; Assistant Director of Public Works B. Jensen; Police Chief Hulse; Parks Director D. Doyle; CEO B. Lyon; Fire Chief R. Simpson; Municipal Board Chairman Rom French

ABSENT: Trustee C. Christensen;

News Media present: Gwen Chamberlain, Chronicle Express; Rory Sasson Dundee Observer

PUBLIC: Bill Burg, Mark Morris, Alex Kuehne, Brian Winslow, Vince Scarpechi

Mayor Church called the Village Board meeting to order at 6:05 PM.

Mayor Church asked for a moment of silence for Bob Hoban who passed away on April 5th. Bob was a past Village Trustee and Municipal Board member.

PUBLIC HEARING - Tentative Village Budget for fiscal year 2012-2013

Mayor Church called the Public Hearing to order at 6:05 PM.

MOTION by Trustee Reeve, seconded by Trustee M. Christensen to open the Public Hearing at 6:05 PM.

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

Mayor Church asked the public or the Board for any comments on the tentative budget for the fiscal year 2012-2013. Trustee Stewart mentioned the property tax is 1.14% for Benton and Milo and 1.15% for Jerusalem. He asked if \$29 - \$30,000 could be used out of the fund balance to help keep the taxes at 0% this year and next year raise it 3% - stating to the public it is a 3% increase over two years. Mayor Church explained if we took \$29 - \$30,000 out of the fund balance now – next year's budget would start out at a negative \$29 - \$30,000. He also explained the Village has no revenue sharing from the county – very little from the State and no sales tax sharing it would make it tougher next year. Mayor Church was very pleased that the Board was able to cut the budget down to a 2.63% spending and a 1.14% increase in taxes. Mayor stated at the last meeting it was decided to finance for ten Village Streets as opposed to the two Streets. We would be doing two streets with the same budget. Mark Morris commented he applauds the Board – you looked at each Department and you are doing a good job. Mayor reminded everyone the Village has 40% of property which is tax exempt. We have three major County Buildings in the Village which they have cheaper electric rates and we receive no help from them. That leaves 60% of the Village paying the bills.

MOTION by Trustee Winslow, seconded by Trustee Reeve to close the Public Hearing at 6: 25PM.

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

MOTION by Trustee Reeve, seconded by Trustee Winslow to adopt the Village Budget for the fiscal year 2012-2013.

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Winslow, seconded by Trustee Allison to call for an executive session regarding the potential promotion of an employee and a legal issue.

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

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to rescind the previous Motion regarding Non- Union salaries which was made at the Organization meeting on April 2, 2012.

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

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to authorize Resolution No 18-2012 Non-Union Salary Schedule for 2011-2012 and 2012-2013. This resolution supersedes the motion at the

April 2, 2012 Organizational Meeting to approve the Salary Schedule as submitted. A few minor changes were made to the schedule by the Personnel Committee.

VILLAGE OF PENN YAN
NON-UNION SALARY SCHEDULE

Resolution 18-2012

TITLE	NAME	2011-2012		Inc.	2012-2013		
		Hourly Rate	Annual Salary		Hourly Rate	Annual Salary	Inc.
<u>Mayor</u>		4635	-		4635	-	
<u>Village Clerk/ Treasurer</u>	Wilber	30.05	62500	2965	31.25	65000	2500
<u>Village Attorney</u>	Brockman		29416	434		29857	441 (1.5%)
<u>Board of Trustees</u>	Each	3708	22248	-	3708	22248	-
<u>Municipal Utilities Board - Chair</u>	Each		2652	-		2652	-
<u>Commissioners</u>	Each	2318	9270	-	2318	9270	-
<u>Deputy Clerk</u>	Morse	19.81	38615	580	20.10	39195	580
<u>Deputy Clerk hrs.)</u>	Martin	17.65	34418	1645	17.95	37336	2918 (2080
<u>Village Justice</u>	Hibbard	19669	-		19964	298	
<u>Acting Justice</u>	Symonds		3000	-		3000	-
<u>Court Clerk</u>	Hullings Nichols	9.87 12.95	0.30	10.17 0.30		0.30	0.30
<u>Part-time Secretary – Planning, Historic & Zoning</u>	Duryea	15.60		0.30	15.90	0.30	
<u>Director of Public Works</u>	Bodine	34.16	71053	1053	34.46	71677	624
<u>Assistant Dir. of Public Works</u>	Jensen	25.86	53789	789	26.16	54413	624
<u>Code Enforcement</u>	Lyon	20.36	42349	619	20.66	42973	624
<u>Recreation Dir.</u>	Doyle	18.91	39333	581	19.21	39957	624
<u>Cemetery Super.</u>	Axtell	18.14	37731	570	18.44	38355	624
<u>Confidential Asst. to the Chief</u>	Pedder	17.02	35402	513	17.32	36026	624
<u>Part-time Officers</u>	< 20 years of service	16.00			16.00		
	20+ yrs. of service	18.00		-	18.00		-
<u>Health Officer</u>	DeWitt		3000	-		3000	-
<u>Historian</u>	Dumas		1200	-		1200	-

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

MINUTES:

MOTION by Trustee Allison, seconded by Trustee Winslow to approve the Village Board Minutes from March 20, 2012 and Organizational meeting April 2, 2012 and (2) budget Workshop meetings for March 27 and April 2, 2012.

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

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee Allison, seconded by Trustee Stewart to authorize the request for the Saturday morning Farm Market. They will be using the East side of Main Street between Jacob and Elm Streets from the middle of May to the middle of October, 2012 between 6:00AM – 1:00 PM.

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

MOTION by Trustee Reeve, seconded by Trustee Winslow to authorize the 15th Annual Cruisin’ Night & Block party on Main Street from 4:00 PM – 9:30 PM on Friday June 15, 2012 with the contingency of the Liberty Street Bridge being open.

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

Bill Burg discussed the traffic situation during the Liberty Street project. He sees the biggest problem is vehicles blocking the intersection- which we have no control over. He asked could the Board consider leaving the left hand turn on to Wagener Street for a 30 day trial after the Bridge is open. Also to consider no parking on the bridge feels this has not been an inconvenience.

Trustee Winslow is researching the insurance issue to cover the transporting of High School graduates for the Operation Graduation event for the night of graduation. This year the kids are going to Camp Cory and back to the school. He is looking at a non-profit organization to sponsor this. Unsure what they want us to pay for. School states they cannot sponsor the event because the kids have graduated. Dan Doyle explained only insurance that is involved is if something happens to the bus (broken window- seats get torn etc.) He stated the Village has not paid for anything over the years. Trustee Winslow will look into this more and will inform the Board next month.

MAYOR:

MOTION by Trustee Reeve, seconded by Trustee Allison to authorize Rich Pierle as Vice Chairman for the Planning Board for a 1 year term.

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

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize a Special Meeting in conjunction with the Town of Milo for Monday April 30, 2012 at 9:00AM at the Village Hall.

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

ATTORNEY:

Atty. Brockman discussed the Planning Board will be discussing the possibility of a moratorium on Hydrofracking. A number of factors should be taken in consideration not just hydrofracking but gas-electrical and heavy industry. Atty. Brockman reminded the Board the Village has two items already in place. A Resolution prohibits the Waste Water Treatment Plant from accepting any waste product from hydrofracking and the highway protection against heavy truck traffic throughout the Village. Atty. Brockman mentioned water is a major importance may want to ban sale of water. Mayor Church stated all three townships have done a moratorium would that come into the Village. Trustee Reeve explained the Village rules by pass any others unless no Zoning for the Village then the townships zoning would control area. It was discussed to have Trustee Reeve discuss this at the Planning Board.

Atty. Brockman asked the Board to review the Proposed Local Law B of 2012 amending the Wastewater chapter of the code of the Village of Penn Yan.

MOTION by Trustee Stewart, seconded by Trustee Winslow to authorize Resolution 19-2012 Regarding Designation of Lead Agency Status and “Unlisted” Action As well As Scheduling a Public Hearing for Proposed Amendment to the “Keuka Watershed Improvement Cooperative” (KWIC) Uniform Wastewater Enforcement Chapter of the Code of the Village of Penn Yan for Tuesday May 15, 2012 at 6:00PM.

WHEREAS, it has been recommended to the Board of Trustees of the Village of Penn Yan by the KWIC that the Wastewater Management Chapter of the Code of the Village of Penn Yan be amended; and

WHEREAS, a proposed Local Law has been drafted to implement such amendment and such proposed Local Law has been circulated to the members of the Board of Trustees:

NOW THEREFORE BE IT RESOLVED, THAT

- 1. The Board of Trustees of the Village of Penn Yan declares itself lead agency with respect to this action for SEQRA purposes.
- 2. This action is declared to be an “unlisted” action pursuant to SEQRA regulations and accordingly a short Environmental Assessment Form (SEAF) be acted upon with respect to this action at the May meeting of the Board of Trustees.
- 3. A public hearing shall be held with respect to this proposed Local Law on May 15, 2012 at 6:00 p.m.

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

COMMUNITY REVITALIZATION:

MOTION by Mayor Church, seconded by Trustee Reeve to approve the application from Jim Schnitzler of Radio Shack; for a grant/loan in the amount of \$9,554.76, which \$4,777.38 would be grant and \$4,777.38 would be a loan, with a condition; pending the approval is granted from The Zoning Board for the signage.

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

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Winslow to award the bid to Amrex for chemicals for the Water Treatment Plant during fiscal year 2012-2013.

Sodium Hypochlorite	\$1.25/gallon drums and \$1.25/gallon bulk
Liquid Phosphate	\$10.50/gallon
Sodium Fluoride	\$0.95/pound

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

MOTION by Trustee Allison, seconded by Trustee Winslow to award the bid to Holland Company for Liquid Aluminum Sulfate (Alum) for the Wastewater Treatment Plant during fiscal year 2012-2013.

Liquid Aluminum Sulfate	\$0.85/gallon
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ADOPTED Ayes 6 Church; Allison; M. Christensen; Reeve; Stewart; Winslow
Nays 0 Abstain 0 Absent C. Christensen

MOTION by Trustee Allison, seconded by Trustee Winslow to award the bid to Casella Waste Services for the hauling of liquid sludge for the Wastewater Treatment Plant during fiscal year 2012-2013.

Flat rate of \$330.00 per haul (price included fuel surcharge)

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

MOTION by Trustee Allison, seconded by Trustee Winslow to approve Utility Payment Agreements in the amount of \$9,577.81

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

FINANCE & ADMINISTRATION:

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

AUDIT:

	Amount:
Paid Before Audit:	
General	27,069.78
Electric	276,278.37
Sewer	7,788.83
Water	9,868.25
Capital Projects	
Total Paid Before Audit	\$ 321,005.23
Current Audit:	
General	\$ 36,259.74
Community Development - CRC	-
Electric	22,927.83
Sewer	41,237.71
Water	51,130.15
Capital Projects	-
Total Current Audit Items	\$ 151,555.43
TOTAL AUDIT	\$ 472,560.66

ADOPTED Ayes 7 Church; Allison; M. Christensen; Reeve; Stewart; Winslow
Nays 0 Abstain 0 Absent C. Christensen

MOTION by Trustee Stewart, seconded by Trustee Winslow to authorize Resolution No. 17-2012
Procurement Policy

WHEREAS, General Municipal law (GML) §104-b requires every municipality to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML §103 or any other law; and

WHEREAS the Board of Trustees of the Village of Penn Yan has reviewed the within proposed procurement policy; and

NOW THEREFORE BE IT RESOLVED:

1. The Board of Trustees of the Village of Penn Yan does hereby adopt the following procurement policies and procedures.
2. This resolution is effective immediately.”

Procurement Policy

Purpose

Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner as to assure the prudent and economical use of public moneys in the best interest of the taxpayers; to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and to guard against favoritism, improvidence, extravagance, fraud, and corruption. To further these objectives, the governing board is adopting an internal policy and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, section 103 or of any other general, special, or local law.

Procedures for Determining Whether Procurements are Subject to Bidding

The procedures for determining whether a procurement of goods or services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

- A. Procedure:
1. Purchase Contract above \$20,000*. Purchase Contract – procurement of commodities (e.g. equipment, materials, supplies) Minor service aspect; significant purchase aspect.
 2. Contract for public work above \$35,000*. Public Works Contract – contracts from services labor or construction. Minor purchase aspect; significant service aspect.
- If it is difficult to determine which bid limit applies, refer to the municipal official (Clerk-Treasurer) (*reasonably anticipated aggregate amount of similar goods in a fiscal year)

- B. Documentation: written quotations or proposals.

Please Note: All competitive bids require a public notice in all official newspapers and a Non-Collusive Bidding Certificate – See Bid Procedures List

Statutory Exceptions from Policy and Procedures

Except for procurements made pursuant to General Municipal Law, § 103(3) (through county contracts) or § 104 (through State contracts), State Finance Law, § 162, Correction Law, § 184 and 186 (from “preferred sources,” including articles manufactured in correctional institutions), or the items excepted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of either written requests for proposals, written quotations, verbal quotations or any other method of procurement that furthers the purposes of the General Municipal Law, section 104-b.

- A. Emergencies – unanticipated and threaten the health, safety, or welfare of the Village of Penn Yan’s property or residents. (still work to obtain the lowest cost available)
- B. Professional Services – service that requires special skill and expertise
- C. State and County Contracts –
- D. Surplus and secondhand materials and equipment from other governments
- E. Leases and Licenses/Concessions
- F. Sole Source – good or service is in the public interest and available from only one possible source for which there is no equivalent; demonstrate the unique benefits arising from the particular good or service as compared to different good or service, that no other provides substantially similar benefits and that the cost is reasonable.
- G. Installment Purchase Contracts

Methods of Competition for Non-Bid Procurement

The methods of procurement to be used are as follows:

- A. County Contracts
- B. Emergencies
- C. Professional Service
- D. Insurance
- E. Secondhand equipment from other governments

Adequate Documentation

Documentation of actions taken in connection with each such method of procurement is required as follows:

- A. \$1,000 to \$5,000: two verbal quotes
- B. \$5,000 to \$20,000 (\$35,000 Public Work Contracts): three written quotes

Awards to Other than the Lowest Responsible Dollar Offered

Whenever any contract is awarded to other than the lowest responsible dollar offerer, the reasons that such an award furthers the purpose of General Municipal Law, section 104-b, as set forth herein above, shall be documented as follows:

- A. There must be documentation and justification of the reason why the purchase is in the best interest of the Village of Penn Yan.

Items Excepted From This Policy and Procedures by the Board

The board sets forth the following circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the Village of Penn Yan.

- A. Emergencies
- B. Small procurement under \$1,000
- C. Local Contractor Preferential Treatment - Goods and Services not subject to bidding requirements or Goods and Services less than \$20,000 and Public Works Contract less than \$35,000, preferential treatment may be given to local contractors within the best interest of the municipality
- D. The Village of Penn Yan encourages businesses owned or managed by women or minorities to provide proposals and/or quotations.
- E. In the event the purchaser has made a good faith effort to obtain the required number of proposals or quotations and is unable to meet the requirement, the purchaser shall document the attempt(s)

Input from Officers

Comments concerning the policies and procedures shall be solicited from officers of the Village of Penn Yan therein involved in the procurement process prior to the enactment of policies and procedures, and will be solicited from time to time hereafter.

Annual Review

The Village Board shall annually review these policies and procedures. The mayor shall be responsible for conducting and annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy. Recommend to include in the Organizational Meeting on the first Monday in April of each year.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of General Municipal Law § 104-b shall not be grounds to void action taken or give rise to a cause of action against the municipality any officer or employee thereof.

Individual(s) Responsible for Purchasing

Shawna Wilber, Clerk-Treasurer

Mark Hulse, Police Chief

Brent Bodine, Director of Public Works

William Jensen, Assistant Director of Public Works

Don Rapalee, Working Supervisor of Streets Department
Jef Bodine, Electric Line Crew Chief
Ron Keech, Water/Sewer Maintenance Supervisor
Matt Yonts, Water Treatment Plant Chief Operator
Ben Sward, Wastewater Treatment Plant Chief Operator
Dan Doyle, Recreation Director
Bill Knauss, Building Maintenance Mechanic
Bruce Lyon, Code Enforcement Officer
Lynn Axtell, Cemetery Superintendent
Tami Marchionda, Senior Account Clerk Typist

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

PERSONNEL:

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize the hiring of Simon Gaston as a summer intern for the Electric Crew at a rate of \$7.25 per hour.

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to authorize all new and returning seasonal employees are required to complete a Workers Compensation pre-offer employment physical before starting work.

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

MOTION by Trustee Winslow, seconded by Trustee Allison to authorize the permanent appointment of Kristy Pedder to Confidential Asst. to the Chief of Police as she has successfully passed the Civil Service exam.

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to accept the resignation of Tammy Hullings as Part Time Court Clerk.

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

MOTION by Trustee Winslow, seconded by Trustee M. Christensen to authorize the hiring of Marianne Griffin as a Part Time Court Clerk effective April 23, 2012 at a rate of \$9.87 an hour.

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

PUBLIC SAFETY:

POLICE DEPARTMENT:

MOTION by Trustee M. Christensen, seconded by Trustee Allison to accept the resignation of Scott Lambert as Part Time Officer.

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

FIRE DEPARTMENT:

Monthly Fire Department report

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for Mar 2012
run_04-09-2012 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires			
Business Fires			
Grass/Brush Fires			
Outside Building/Barn Fires			
Car/Vehicle Fires			
Other Fires			
Wires			
Other Emergency	4	98	29.9
Automatic Alarm Fires	11	179	28.5
Mutual Aid Scene	1	24	6.0
Mutual Aid Standby			
Public Service			
Vehicle Accident	1	20	14.3
Total Fire Calls	17	321	78.7
Medical/Rescue Calls			
First Responders			
Assist Ambulance	1	15	1.3
Other Medical			
Total Med/Resc Calls	1	15	1.3
Total ALL Calls	18	336	80.0
Other Activities			
Courses			
Drills	9	133	279.5
Monthly Meetings	9	100	93.5
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup			
Work Detail	7	25	53.5
Wake/Funeral			
Line Of Duty			
Other			
Total Other Activities	25	258	426.5
*****	***	*****	*****
Total ALL Activities	43	594	506.5

Year to Date Fire Department

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for 2012 YTD
run_04-09-2012 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires	2	77	168.9
Business Fires			
Grass/Brush Fires			
Outside Building/Barn Fires			
Car/Vehicle Fires	1	26	14.3
Other Fires	2	23	3.3
Wires	9	166	72.1
Other Emergency	15	275	120.5
Automatic Alarm Fires	22	352	80.1
Mutual Aid Scene	5	131	28.6
Mutual Aid Standby	1	19	13.0
Public Service			
Vehicle Accident	4	86	50.7
Total Fire Calls	61	1155	551.5
Medical/Rescue Calls			
First Responders			
Assist Ambulance	3	30	4.7
Other Medical	1	19	1.9
Total Med/Resc Calls	4	49	6.6
Total ALL Calls	65	1204	558.1
Other Activities			
Courses	1	1	24.0
Drills	22	297	651.0
Monthly Meetings	39	450	422.3
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup			
Work Detail	40	235	545.8
Wake/Funeral			
Line Of Duty			
Other	1	52	156.0
Total Other Activities	103	1035	1799.1
*****	***	*****	*****
Total ALL Activities	168	2239	2357.2

MOTION by Trustee M. Christensen, seconded by Trustee Winslow to approve Theodore Bacher be elected to membership in the Hook and Ladder Company effective April 4, 2012

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

Trustee M. Christensen mentioned the Recruitment Day for the Penn Yan Fire Department is set for April 21 (10:00AM – 2:00PM) at the Fire House. A great day to stop in, see the equipment and what the firemen do.

MOTION by Trustee M. Christensen, seconded by Trustee Winslow to Approve the LOSAP List from Jan. 1, 2011/ Dec. 31, 2011.

Mayor Church asked for a roll call vote

Mayor Church	Aye	Trustee Stewart	Nay
Trustee Winslow	Aye	Trustee Allison	Aye
Trustee M. Christensen	Aye	Trustee Reeve	Aye
Trustee C. Christensen		Absent	

ADOPTED Ayes 5 Church; Allison; M. Christensen; Reeve; Winslow
Nays Stewart Abstain 0 Absent C. Christensen

Discussion: Trustee Allison stated he wanted it noted he is in the LOSAP program. Trustee Winslow questioned Trustee Stewart why he voted Nay. Trustee Stewart responded when we authorized the previous list I voted nay –because it was related to the point system which was not the State System but the local system and this falls under the same category. I thought I should be consistent.

Chief Hulse stated he received the information regarding the Penn Yan Little League Parade for Saturday May 5, 2012 at 10:00AM. After a brief discussion – the parade does not last very long and would not interfere with traffic for very long.

MOTION by Trustee M. Christensen, seconded by Trustee Reeve to authorize the Annual Penn Yan Little League Parade be held on Saturday May 5th at 10:00AM.

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

CODE ENFORCEMENT:

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Winslow to request bids for the granite curbing.

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

PARKS & RECREATION:

MOTION by Trustee Stewart, seconded by Trustee M. Christensen to authorize Resolution No 11-2012 Contract Execution for Playground and Outlet Trail Revitalization

WHEREAS, the Village of Penn Yan has applied to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located on the Outlet Trail at the Elm Street Complex and the Boat and,

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has received and accepted such application and recently provided the Village of Penn Yan a contract sum for an amount not to exceed \$30,000 for financial assistance towards project number EPF-540523-F8.

NOW THEREFORE BE IT:

RESOLVED, that Robert J. Church, as Mayor of the Village of Penn Yan, is hereby authorized and directed to execute said contract for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993.

Date of Adoption: April 17, 2012

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

DISCUSSION: Trustee Stewart is unsure where the money will come from to pay for this. Mayor Church explained this Resolution will help us get two playgrounds for a total of \$70,000 and we only have to pay a total of \$12,542.00. Mayor explained we have two options 1. If we have money left over in this year budget would first pay the \$12,542.00, if not enough money. 2. Take it out of the reserve funds.

Dan Doyle explained the Penn Yan Little League asked if they could put signs up regarding no smoking at the ball park or have a designated area. Doyle doesn’t believe that a local law is needed for enforcement, but instead it should be a peer enforced rule. His recommendation is to put up signs to direct smokers to a specific area where they could smoke. After a discussion it was decided that since this will be reviewed by the Parks and Recreation Committee, the village should not regulate smoking in the park at this time but, to have the Little League place their own signs up and they could always announce it at the games where the designated area is located.

PLANNING & DEVELOPMENT:

MOTION by Trustee Reeve, seconded by Trustee Stewart to authorize up to 10 members (Planning Board & Historic Commission and ZBA Committees) to attend the Genesee Regional Planning Council’s Spring Workshop for May 17, 2012.

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

Trustee Reeve mentioned the Committee will be working on updating the design and construction specification for future business.

PLANNING BOARD:

COMMENTS

Chief Hulse mentioned to the Board neither the Village Clerk nor himself have received any information on the Memorial Day Parade.

EXECUTIVE SESSION:

At 7:29 PM **MOTION** by Trustee Allison, seconded by Trustee Winslow to authorized to move into Executive Session, the board asked Director of Public Works Brent Bodine to attend the meeting.

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

ADJOURNMENT OF EXECUTIVE SESSION:

At 8:35PM **MOTION** by Trustee Allison, seconded by Trustee M. Christensen to leave Executive Session and return to regular Village Meeting.

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

MOTION by Trustee Allison, seconded by Trustee M. Christensen to authorize to hire council for (2) new Article 78’s.

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

MOTION by Trustee Allison, seconded by Trustee M. Christensen to reject all bids regarding the Red Jacket Park project.

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

MOTION by Trustee Allison, seconded by Trustee M. Christensen to authorize to separate the building from the rest of the specs.

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

ADJOURNMENT:

At 8:45 PM **MOTION** by Trustee Allison, seconded by Trustee M. Christensen to authorize to adjourn the regular meeting

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

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: