

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

PRESENT Mayor R. Church.; Trustees W. Allison; C. Christensen; 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

ABSENT:

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC:

Mayor Church called the Village Board meeting to order at 6:00 PM.

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to have an Executive Session to discuss the sale of property and potential of an agreement and evaluation of an employee.

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

MINUTES:

MOTION by Trustee Allison, seconded by Trustee Winslow to approve the Village Board Minutes from June 19, 2012 and Special Village Board meeting on June 11, 2012

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

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee Allison, seconded by Trustee C. Christensen to authorize the Annual Sidewalk Sale for Saturday July 28th from 7:30 AM – 2:00 PM.

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

Trustee M. Christensen discussed an upcoming celebration which Birkett Mills will celebrate their 25th anniversary of the world record for the Largest Buckwheat pancake. They would like the event to be held on Friday August 31st at the corner of Main, Seneca and Water Streets. Birkett Mills will provide live entertainment for the night. Birkett Mill is asking to have Main Street bridge closed at 2:00PM and rest of Main Street at 5:00PM. Will reopen Main Street at Midnight and bridge at 2:00AM.

MOTION by Trustee M. Christensen, seconded by Trustee Reeve to authorize Birkett Mills to hold a 25th Anniversary celebration on August 31, 2012 on Main Street. Main Street from Elm Street intersection down to Seneca and Water Streets along with the Main Street Bridge will be closed for the event.

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

MAYOR:

Mayor Church stated last month Jerry Nissen resigned from his position as a Municipal commissioner.

Mayor Church appointed Leigh MacKerchar as Jerry Nissen’s replacement as a Municipal Board Commissioner for his remaining term which is up in 2014.

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

ATTORNEY:

No update

COMMUNITY REVITALIZATION:

Mayor Church stated no new applications this month. Radio Shack has completed their upgrades the store front looks very nice and the sign is great.

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize Resolution No 38-2012 Director Bodine to serve as the Village’s delegate during MEUA Annual Conference August 28th – 31st in Corning, NY.

RESOLUTION NO 38 - 2013
DELEGATE RESOLUTION
(from your system)

At a regular meeting of the Village Board of the City/Town/Village of Penn Yan, New York, held on July 17, 2012, the following resolution was adopted:

Moved by William Allison, seconded by Bob Winslow

WHEREAS, the Village Board of the City/Town/Village of Penn Yan, New York, is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Annual Conference of the Municipal Electric Utilities Association of New York State has been called on August 28, 29, 30 and 31, 2012, to be held at the Radisson Hotel, Corning, New York, and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting,

NOW THEREFORE BE IT RESOLVED, that Brent Bodine be and is hereby designated as the accredited delegate of the City/Town/Village of Penn Yan, New York.

On roll call: Affirmative: 7 Negative: _____

I certify that this resolution was adopted by the Village Board of the City/Town/Village of Penn Yan, New York on the 17th day of July, 2012.

Robert J. Church
Signature

Mayor				
Title		AYE	NAY	ABSENT
	Mayor Church	✓		
	Trustee Allison	✓		
	Trustee C. Christensen	✓		
	Trustee M. Christensen	✓		
	Trustee Reeve	✓		
	Trustee Stewart	✓		
	Trustee Winslow	✓		

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

MOTION by Trustee Allison, seconded by Trustee C. Christensen to authorize Director Bodine to run for the MEUA Executive Board.

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

MOTION by Trustee Allison, seconded by Trustee Winslow to hire RAM Consulting to engineer the replacement of the existing recloser (B5-64) at Ryder substation with a vacuum breaker.

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

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize going out for bids to replace the water mains on Keuka and Water Streets.

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

MOTION by Trustee Allison, seconded by Trustee Winslow to approve Utility Payment Agreements in the amount of \$11,954.35

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

FINANCE & ADMINISTRATION:

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

WARRANT:

		Amount:
Paid Before Audit:		
General		26,505.63
Electric		181,628.07
Sewer		8,393.21
Water		8,893.97
Capital Projects		
Total Paid Before Audit		\$ 225,420.88
Current Audit:		
General	\$	162,823.02
Community Development - CRC		38,554.76
Electric		36,336.24
Sewer		72,384.96
Water		52,591.87
Capital Projects		-
Total Current Audit Items		\$ 362,690.85
TOTAL AUDIT	\$	<u>588,111.73</u>

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

Clerk/Treasurer S. Wilber explained she received notice from the County -Real Property Tax Department explaining the original village tax bill for Mr. & Mrs. Havens did not have the Veteran Exemption on it. S. Wilber explained Mr. & Mrs. Havens did provide the necessary information on time and it should have been posted on the 2012 taxes. Real Property & Assessor will adjust the taxes for Mr. & Mrs. Havens. It was an error on their part.

MOTION by Trustee C. Christensen, seconded by Trustee Winslow to authorize Resolution No 39-2012 the 2012 tax bill adjustment for George & Bertha Havens for the property at 501 Clinton Street.

WHEREAS, the Real Property Tax Director has transmitted a written report of an investigation and recommendation with regard to parcel application(s) for correction of errors on the tax roll, pursuant to the Real Property Tax Law §554, for the years hereinafter set forth, and

WHEREAS, said parcel was incorrectly assessed and/or taxed for reasons set forth in the application(s) for correction requested from the Director of Real Property Tax Services attached hereto, and

WHEREAS, the Board of Trustees of the Village of Penn Yan examined the application for the parcels listed hereinafter, and therefore be it

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Penn Yan approve the following application(s) for corrected Village Tax Roll for 2012 as approved by the Director of Real Property:

<u>Name/Address</u>	<u>Parcel No.</u>	<u>Original Assessment</u>	<u>Original Taxable Value</u>	<u>Corrected Taxable Value</u>	<u>Original Bill</u>	<u>Corrected Bill</u>	<u>Adjustment</u>
George & Bertha Havens	50.46-1-1	\$ 88,100.00	\$ 88,100.00	\$ 74,885.00	\$ 1,322.38	\$ 1,124.03	\$ 198.35

BE IT FURTHER RESOLVED, that the Clerk/Treasurer, as the Tax Collector is hereby authorized to make the tax roll corrections, mail a notice of approval and corrected tax bill to the applicant(s). An applicant who filed the application with the county director within the period without interest charges will have eight days from the date of notice of approval to make payment without interest or penalty.

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

PERSONNEL:

MOTION by Trustee Winslow, seconded by Trustee Reeve to create a Recreation Assistant Position.

DISCUSSION: Trustee Stewart stated this was not brought up at the Parks & Rec. meeting last week and this is the first I have heard of it. Trustee Stewart and M. Christensen felt this should have gone through the Parks Committee first. Brent Bodine explained with the reorganization of the duties for the Parks Director, Dan is unable to be at the Parks as much as he used to be to oversee all lifeguards and playground activities. This person will be helping out with daily scheduling or rescheduling with Life guards and any other questions and helps with other duties that are needed.

Mayor called for a roll call vote:

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

MOTION by Trustee Winslow, seconded by Trustee Reeve to promote Jennifer Hollenbeck to Recreation Assistant \$10.00/per hour retro effective June 25, 2012

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

PUBLIC SAFETY:

Trustee M. Christensen explained we have been given information that an organization would like to hold a Triathlon for August 18, 2013 here in Penn Yan. It is still in the Committees hand at this time. We are looking for more specific information which we would like to discuss. Like all events it puts a strain on all of our staff. Mayor asked would you like to wait on doing the motion. Trustee M. Christensen stated no just need to define the route for running and more clarification on the event.

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize to hold the Peasantman – Triathlon on August 18, 2013, pending the final approval from the Public Safety Committee.

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

POLICE DEPARTMENT:

MOTION by Trustee M. Christensen, seconded by Trustee C. Christensen to authorize up to three officers to attend a class for DEA Bath Salts & Synthetic Marijuana Awareness Training on August 1, 2012 in Elmira, NY. No cost

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

FIRE DEPARTMENT:

Monthly Fire Department report

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for Jun 2012
run 07-09-2012 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires			
Business Fires			
Grass/Brush Fires	1	14	8.4
Outside Building/Barn Fires			
Car/Vehicle Fires			
Other Fires	2	30	9.4
Wires	1	12	7.2
Other Emergency	8	127	52.4
Automatic Alarm Fires	8	101	14.4
Mutual Aid Scene			
Mutual Aid Standby			
Public Service			
Vehicle Accident			
Total Fire Calls	20	284	91.8
Medical/Rescue Calls			
First Responders			
Assist Ambulance	2	32	8.0
Other Medical			
Total Med/Resc Calls	2	32	8.0
Total ALL Calls	22	316	99.8
Other Activities			
Courses	3	3	60.0
Drills	8	55	155.5
Monthly Meetings	7	69	74.5
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup	2	31	102.5
Work Detail	2	12	39.5
Wake/Funeral			
Line Of Duty			
Other	1	5	25.0
Total Other Activities	23	175	457.0
*****	***	****	*****
Total ALL Activities	45	491	556.8

Year to Date Fire Department

Penn Yan Volunteer Fire Department REPORT TO THE CHIEF for 2012 YTD
run 07-09-2012 Pg 1

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires	3	105	197.4
Business Fires	1	37	37.6
Grass/Brush Fires	2	34	30.4
Outside Building/Barn Fires	1	34	26.1
Car/Vehicle Fires	2	46	23.3
Other Fires	7	130	55.8
Wires	15	250	160.2
Other Emergency	31	591	247.5
Automatic Alarm Fires	52	744	318.4
Mutual Aid Scene	12	291	232.7
Mutual Aid Standby	3	56	26.6
Public Service	1	19	1.9
Vehicle Accident	5	100	60.3
Total Fire Calls	135	2437	1418.2
Medical/Rescue Calls			
First Responders			
Assist Ambulance	12	172	83.0
Other Medical	1	19	1.9
Total Med/Resc Calls	13	191	84.9
Total ALL Calls	148	2628	1503.1
Other Activities			
Courses	11	11	212.0
Drills	42	431	1074.0
Monthly Meetings	67	730	723.8
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup	4	68	203.0
Work Detail	54	310	813.8
Wake/Funeral			
Line Of Duty			
Other	5	112	367.0
Total Other Activities	183	1662	3393.6
*****	***	****	*****
Total ALL Activities	331	4290	4896.7

MOTION by Trustee C. Christensen, seconded by Trustee Allison to authorize Mark Bianche be elected to membership in Sheldon Hose Company

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

Mayor Church asked Chief Simpson if we tell FIRETEC the suggested amount to sell the truck for – they will place their 10% commission fee on top of that and if we don’t get what we are asking there is no obligation to sell, unless we change our minds on the selling price correct. Chief Simpson stated correct, he explained if a neighboring company is interested in purchasing it and as long as they did not see the advertisement from FIRETEC they can purchase it from us. The advertisement will mention not available until mid-September

MOTION by Trustee C. Christensen, seconded by Trustee Allison to authorize to advertise with FIRETEC to sell our fire truck with the stipulation that it’s not available till mid-September or after new truck arrives.

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

CODE ENFORCEMENT:

MOTION by Trustee C. Christensen, seconded by Trustee Reeve to authorize Bruce Lyon Code Enforcement to hire someone to mow 3 East Court Street and apply the cost of mowing plus 10% to be placed on the Village taxes the following year.

DISCUSSION: Clerk/Treasurer S. Wilber questioned how will we followed up posting the mowing fee to the taxes bills. Concerned if property is sold who is responsible. After a discussion the Clerk/Treasurer will look into this more.

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

PUBLIC WORKS:

Trustee Allison review the complete SEQR for Install/Replace Way Finding Signs with the Village Board.

MOTION by Trustee Allison, seconded by Trustee Reeve to authorize Resolution No 37-2012 for Way Finding Signs along Route 14A & Route 54A.

WHEREAS, the Village of Penn Yan currently has some way finding signs along SR14A that are in need of replacement and

WHEREAS, the Village of Penn Yan requires additional way finding signage along SR14A and SR54A and

WHEREAS, the Village of Penn Yan has submitted a non-utility work permit to the NYS Department of Transportation for this work

NOW THEREFORE BE IT:

RESOLVED, that the Board of Trustees of the Village of Penn Yan designates itself lead agency for SEQRA purposes and determined that this action as an “Unlisted Action” for SEQRA purposes

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

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize Assistant Director of Public Works Bill Jensen to attend the Surveying Methods for Local Highway Department on October 31 in Waterloo, NY at a cost of \$40.00.

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

MOTION by Trustee Allison, seconded by Trustee Winslow to authorize to go out for bids to hire a contractor to procure and plant one hundred trees provided for through the 2009-2010 Urban Forestry Grant contract # T304579.

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

Trustee Allison stated the Red Jacket project is looking great. The DPW, Electric and Water/Sewer crews have done a terrific job. Encourage the Board and others to stop over and take a look.

PARKS & RECREATION:

Trustee Stewart mentioned he stopped over today to Red Jacket, he agrees everything is looking good. The handicap ramp is done and Birkett Mills donated all the material and lights for the Pavilion. The parking lot is paved and is bigger. All looks good.

PLANNING & DEVELOPMENT:

Trustee Reeve briefly discussed he has information regarding curb side trash collecting and recycling – he is reviewing this.

PLANNING BOARD:

Trustee Reeve mentioned a Public Hearing is set for Monday August 6 at 7:00PM to discuss the one-way traffic on Water and Wagener Street.

COMMENTS

Brent Bodine mentioned he received a call from the Penn Yan School regarding the Elementary playground equipment. The school system has replaced this equipment with new equipment and asked if the Village would like the equipment. No cost for the Village and Brent has placed it in storage at this time. Brent stated they received the OK from DOT regarding paving part of Main Street – due to tuck traffic during Liberty Street bridge project. We will start milling on Monday and paving will begin next Thurs.

Mayor Church mentioned the grant which we applied for infrastructure for the Waterfront which was turned down last year - was resubmitted yesterday.

EXECUTIVE SESSION:

At 6:59 PM MOTION by Trustee M. Christensen seconded by Trustee Allison to move into Executive Session and asked Brent Bodine Director of Public Works to attend.

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

ADJOURNMENT OF EXECUTIVE SESSION:

At 8:22 PM MOTION by Trustee Winslow, seconded by Trustee Allison to leave Executive Session and return to regular Village Meeting.

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

MOTION by Trustee M. Christensen, seconded by Trustee Reeve to approve the permit for dispensing alcoholic beverage upon Public Property in the Village of Penn Yan outdoor service for both Lloyd's Limited and Keuka Restaurant on August 31, 2012 from 6:00pm- 11:00pm.

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

ADJOURNMENT:

At 8:37 PM MOTION by Trustee M. Christensen, seconded by Trustee Reeve to approve to adjourn the regular meeting.

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

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: