

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, April 15, 2008 at 7:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor D. Marchionda Jr.: Trustees W. Allison; R. Church; N. Taylor; M. D’Abbracci; B. Hoban; R. Stewart Attorney Ed Brockman; Clerk/Treasurer S. Wilber; CEO B. Lyon; Director of Public Works E. Balsley; Police Chief Mitchell; Street Superintendent R. Jensen; Parks Director D. Doyle, Assistant Dir. D. Osgood.

ABSENT: Cemetery Superintendent L. Axtell; Fire Chief B. Winslow;

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

PUBLIC: Larry & Marion Strickland, Ms. Armstrong, Barb Stewart, Nancy Nielsen, Cindy Kamholtz, Mrs. Cahill, Ruth & Bob Davis, Ann & Phil Perry, Wendy Warren

Mayor Marchionda called the Organization Meeting to order at 6:35 PM.

AT 6:50 PM MOTION by Trustee Hoban, seconded by Trustee D’Abbracci to adjourn the Organizational Meeting.

Public Hearing: for the 2008-2009 Budget – Opened at 6:50 PM.

Trustee Church talked about the 2008-2009 budget. Over the last three weeks have reviewed and cut the budget as best as we could. Need to realize that some cost are out of our control – examples of gas/fuel, different supplies for all Departments. – Compensation rates etc. Will have a 2-½ % increase

<u>2007 – 2008</u>	<u>2008-2009</u>	<u>Difference</u>
\$3534.785	3,609.801	up 75,016 2 ½%

Last year used \$52,000 in surplus/reserved – will use the same for this year - \$52,000

New tax rate:	Benton 13.869748	a 2.36% increase
	Jerusalem 18.818418	
	Milo 13.869547	

Mayor Marchionda asked if there were any comments from the public with regards to the Village Budget.

Mr. Perry questioned about lifeguards- explained cannot swim without them.

Discussion: Trustee Church questioned about the amounts on Churchville Fire Equipment. Shawna will look into this tomorrow and get back to Trustee Church.

MOTION by Trustee Church, seconded by Trustee Stewart to approve Resolution No 20-2008 the 2008-2009 budget.

WHEREAS, the Board of Trustees of the Village of Penn Yan has met at the time and place specified in the Notice of Public Hearing (Tuesday April 15, 2008 in the Village Hall at 6:45PM) for the preliminary Budget and heard all persons desiring to be heard thereon: now,

THEREFORE, BE IT RESOLVED, that the preliminary Budget as amended and revised and as hereinafter set forth is hereby adopted and that several amounts stated in the column titled "Adopted" in Schedule A-1 is hereby appropriated for the objects and purposes specified and the salaries and wages stated in Schedule A-3 of such budget shall be and are hereby fixed at the amounts shown therein effective June 1, 2008.

I, Shawna Wilber, Clerk/Treasurer of the Village of Penn Yan, certify that this is a true copy of the budget of the Village of Penn Yan for the fiscal year of June 1, 2008 to May 31, 2009 as it was adopted by the Village Board of Trustees on April 15, 2008.

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

MOTION by Trustee Church, seconded by Trustee Hoban to approve the 2008-2009 Water budget.

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

Discussion: Trustee Stewart questioned the process. Clerk/Treasurer S. Wilber explained the process. Municipal Board has a committee that reviews the proprieties/projects along looking at a 5-year plan for the future projects. Finance committee and Municipal Board review it line by line. After in agreement back to Municipal Board for their approval then to the Village Board. Trustee Hoban spoke up stating he feels very comfortable with all the budgets.

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve the 2008-2009 Sewer budget.

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

MOTION by Trustee Church, seconded by Trustee Hoban to approve the 2008-2009 Electric budget.

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

Discussion; Trustee Allison mentioned the electric has not been raised for 10 years. Before electric rates get raised need to get State approval first.

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve a Public Hearing for May 20th at 6:45pm for increase water rates.

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

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve a Public Hearing for May 20th at 6:50 PM for increase sewer rates.

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

MOTION by Trustee Church, seconded by Trustee D’Abbracci to Adjourn the Public Hearing at 8:00pm and proceed with the Regular Village Board Meeting.

CALL FOR EXECUTIVE SESSION: MOTION by Trustee Stewart, seconded by Trustee Taylor to have an Executive Session after the Village Board Meeting to discuss the non-union Salaries.

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

MINUTES:

MOTION by Trustee Stewart, seconded by Trustee Hoban to approve the Village Board Minutes from March 18th, 2008.

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

Discussion by Trustee Stewart to have changed in the minutes to read Rich Stewart and Barb Stewart instead of - Rich Stewart and wife.

GUESTS, PUBLIC REQUEST & COMMENTS:

Ann Perry and Ruth Davis were inquiring about updates for the signage issue and truck traffic on Clinton St. Mayor Marchionda read the letter he received from the Dept. of Transportation explaining the installation of the signs.

Street Super. R, Jensen does have around 30 white and black signs. Needs to get approval from State before they can go up.

The State will install the back and yellow warning signs. Randy is unable to post them.

Ann Perry & Ruth Davis will write letters to Senator Winner and Assemblyman Bacalles in- regards to their concerns over the truck traffic and signs on Clinton Street. Mayor mentioned they could have a copy of the letter from the Department of Transportation. Clerk will forward them a copy.

Wendy Warren talked about the HUBBA Community Help Day set for May 16th. Understands not able to close the parking lot completely. Wendy spoke with Police Chief and it was discussed about putting up barricades to help stop traffic from coming in that morning. Would let traffic out but not in. Wendy has already talked with stores owners about the clean up day, they are all in favor of it. Wendy had nothing but good comments from them. Wendy understands if a delivery truck or a pick up for Pinckney’s or another stores - comes will let them pass. Just looking to make sure the kids are safe during the clean up time.

R. Jensen mentioned that if all goes well could possibly stripe the parking lot that day. Chief Mitchell mentioned that HUBBA committee might be able to do a flyer ahead of time for the cars that are parked there over night to inform them of the date & time of the event.

MOTION by Trustee Hoban, second by Trustee Allison to approve the HUBBA Community Help Day for May 16th, 2008 from 9:00am – 1:00pm. This year will clean up the Knapp Hotel parking lot.

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

MOTION by Trustee Hoban, seconded by Trustee Allison to approve the Annual Penn Yan Little League parade on May 3rd starting at 10:00am. The route will start from the PY Boat launch up Keuka Street and left on Elm Street to the Ball fields.

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

MOTION by Trustee Hoban, seconded by Trustee D’Abbracci to approve the Annual Memorial Day parade for May 26th. Will begin at corner of Lake St. & East Main, go down Main Street and proceed towards the Court House lawn.

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

Mayor Marchionda and the Board discussed the placing of two new newsstands in the Village. It was decided that by the Mayor and the Board to allow Finger Lakes Times to place one news stand on the corner on Main and Elm Street. They denied the placement of the newsstand at Red Jacket Park.

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

OLD ITEMS

Attorney Brockman stated he has forwarded some information on to the Planning Board on the Wood burning stove issue. He will meet with Larry Strickland, Bruce Lyon within the next few weeks to discuss this.

Attorney Brockman will have more information on the Signage issue at the May’s meeting.

MAYOR:

Mayor Marchionda has received an invitation to attend the Finger Lakes Housing Summit on May 16th, 2008 at the Ramada Inn. He is unable to attend and asked if any Board member would like to go. Rich Stewart would be glad to go in his place. Mr. Philip Managano from Washington D.C. will be a speaker. He is the Executive Director US Interagency Council on Homelessness.

MOTION by Trustee Allison, seconded by Trustee Hoban to approve the attendance of Trustee Stewart to attend the Finger Lakes Housing Summit on May 16th, 2008 at the Ramada Inn in Geneva.

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

Carried

MOTION by Trustee Allison, seconded by Church to approve the Mayor to sign the Indemnification Agreement between the Village and The Yates County Highway Dept.

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

Carried

MOTION by Trustee Church, seconded by Trustee Taylor to approve Resolution NO 18-2008 for the Penn Yan Fire Department participates in the Yates County Fire Mutual Aid Plan.

Resolution by the Municipality or Fire District body having jurisdiction over the Fire Company or Fire Department

MR (S) _____ offered the following resolution and moved its adoption

RESOLVED that this board encourage the participating by the

_____ in the YATES COUNTY
(name of Fire Company or Department)

FIRE MUTUAL AID PLAN as now is force and as amended from time to time and certifies to the YATES COUNTY BOARD OF LEGISLATORS through its COUNTY FIRE COORDINATOR that no restriction exists against “outside services” by such FIRE COMPANY (FIRE DEPARTMENT) within the meaning of SECTION 209 OF THE GENERAL MUNICIAPL LAW which would affect the power of such Fire Company (Fire Department) to participate in such plan.

AND BE IT FURTHER RESLOVED that a copy of this resolution be filed with THE COUNTY FIRE COORDINATOR.

MR (S) _____ seconded this resolution

VOTED: in favor _____ opposed _____ abstained _____

(Date)

(Officer)

NOTE: VILLAGES: resolution to be adopted by the Board of Fire Commissioners; if any; if not; by the VILLAGE BOARD

FIRE DISTRICTS: resolution to be adopted by the Board of Fire Commissioners

Towns: resolution to be adopted by the Town Board when fire department has their outside VILLAGES and FIRE DISTRICTS or are headquarters located in fire protection or fire alarm districts.

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

Carried

MOTION by Trustee Hoban, seconded by Trustee D’Abbracci to approve to pay Stuart Brown Associates to prepare the application for a 2008 Small Cities grant. The cost is \$6,000 due within 30 days from April 21, 2008.

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

Carried

Discussion: Trustee Church questioned why pay the \$6,000 if we don’t qualify for the grant. S. Wilber explained, if approved this will have us go to a more specialized grant, based on the needs of the target areas. (Keuka, Sheppard, Seneca and Brown Street).

ATTORNEY:

Atty. Brockman asked Trustee D’Abbracci if any new news on the feline issue. Still looking into other avenues/solutions to help resolve this issue.

Attorney Brockman talked about the Odd Fellows Building. Stated the individual has defaulted on the 1st mortgage held by the IDA, of which the IDA repossessed the building. IDA is requesting that the Village surrender the 2nd mortgage held by the Village of Penn Yan and the local development corporation. This would avoid foreclosure expense and release the lien on the property. Atty. Brockman recommends that the Board approve this.

MOTION: by Trustee Hoban, seconded by Trustee D’Abbracci to approve the Mayor to sign the Abandonment of the mortgage lien.

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

Carried

Atty. Brockman talked about a software contract that he reviewed for the PY Police Department – he found everything is in order. Chief Mitchell stated that this is just an upgrade for the computer software that we already have. Chief Mitchell explained that County is already using the newer version. Trustee Taylor would like the Public Safety Committee review it.

MOTION: by Trustee Church, seconded by Trustee D’Abbracci to pay current Village and Municipal bills as submitted.

AUDIT:

VILLAGE:

	Paid before Audit - General Fund	\$	00.00
	General Fund		49,322.88
	Capital Fund		14,941.25
	TOTAL VILLAGE AUDIT:	\$	64,264.13
MUNICIPAL:			
	Paid before Audit	\$	312,875.84
	Capital Paid before Audit		00.00
	Electric Fund		4,616.12
	Sewer Fund		17,209.68
	Water Fund		44,058.28
	Capital Projects		00.00
	TOTAL MUB AUDIT:	\$	378,759.92

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

Carried

FINANCE & ADMINISTRATION:

MOTION by Trustee Church, seconded by Trustee Hoban to approve and hire Bollam, Sheedy and Torani & CO. LLP as our auditors for fiscal year 2007-2008.

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

Carried

Discussion: S. Wilber explained that this Company is very familiar with all phases of Municipal Accounting. Very good company.

PERSONNEL:

MOTION by Trustee Stewart, seconded by Trustee Hoban to approve the Part time Police Officer pay for any individuals to be \$16.00 per hour, for individuals with 20 or more years experience the rate per hour to be \$18.00 per hour.

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

MOTION by Trustee Stewart, seconded by Trustee Hoban to approve to create the position of meter reader.

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

MOTION by Trustee Stewart, seconded by Trustee Hoban to approve the test for the meter reader.

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

Discussion: Trustee Stewart mentioned at this time we do not have a meter reader position opening. Just looking ahead for the future.

MOTION by Trustee Stewart, seconded by Trustee Taylor to approve to hire Kirk Crandall as a Village Police Office effective May 5th, 2008 with a 1-year probation . Will start at Step 8 \$49,271.00

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

PARKS & RECREATION:

MOTION by Trustee D’Abbracci, seconded by Trustee Taylor to approve Operation Graduation for June 27th & 28th, 2008. The function will begin right after graduation and continuing throughout the night till Saturday morning.

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

Dan Doyle talked about the Geese problem. He is starting to walk the parks looking for the nest. Have not found any yet. Will not destroy them – The Dept. of Health gave Dan information on how to help control the Geese. Stated some Geese can live for 20 years. Also has heard that some places have decoys to help keep the Geese away. He would like to get a better look on the banks in the outlet area. – need a smaller boat.

Dan Doyle stated that Dale Lane would like to redo/renovate the concession stand at the Little League Park and maybe rename it REMAX. B. Lyon will look into the size of the sign.

Atty. Brockman mentioned about having it leased for a few years. Ed would like to meet with Dan, Bruce Lyon, and Mike D’Abbracci to discuss more about this issue before anything is decided.

PLANNING BOARD:

MOTION by Trustee Hoban, seconded by Trustee Allison to approve up to 4 members for the Planning and 4 members from Zoning Boards to attend the Genesee Regional Planning Council’s Spring 2008 Workshop. At a cost of \$40.00 each.

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

Carried

MOTION by Trustee Hoban, seconded by Trustee Church to amend the 4 members to 5 members can go.

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

Carried

Trustee Hoban asked if any word about the grant for the parks. Have heard nothing yet.

Trustee Church spoke briefly about the shared service with the County. He has a meeting tomorrow night at 5:00pm with the County and would like to get feed back from the other Board members. If anyone would like to go with him, please do. He would like feed back before tomorrow night.

PLANNING & DEVELOPMENT:

No Report

PUBLIC SAFETY:

MOTION by Trustee Taylor, seconded by Trustee Allison to approve to buy 15 new guns and declare 12 guns as surplus or be traded in towards the new ones.

Discussion; Trustee Church question Chief Mitchell about why selling only 12 and wanting 15 new ones? Chief Mitchell explained they have 12 now, and 2 part time people - are using there own gun or from another source. The other one is for an open position that they have.

Trustee Church questioned about the holsters – using old or getting new ones.

Chief Mitchell stated Village PD has 12 guns right now they are at least 15 years old. Would be purchasing new holsters along with the guns.

MOTION by Trustee Taylor ,seconded by Trustee Allison to amend the first motion and to get at least 2 quotes for the purchase of buying 15 guns with the holsters.

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

Carried

MOTION by Trustee Taylor, seconded by Trustee Allison to go with quotes for Smith & Weston guns and holsters.

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

Carried

Chief Mitchell will have this information by the next meeting in May.

POLICE DEPARTMENT:

MOTION by Trustee Taylor, seconded by Trustee D’Abbracci to approve Sgt. Hulse and Officer Mace to attend a three-hour class on May 21st in Rochester with the Department Of Criminal Justice Service. No fee required.

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

Carried

MOTION by Trustee Taylor, seconded by Trustee Allison to approve Sgt. Donovan to attend the NYS Office of Fire Prevention and control course from May19th – 21st. Course is paid by Yates County.

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

Carried

MOTION by Trustee Taylor, seconded by Trustee D’abbracci to approve the License Plate Reader for the Police car, no cost to the Village.

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

Carried

Discussion: Chief Mitchell mentioned that the Police Officers would be trained on this.

FIRE DEPARTMENT:

No Report

CODE ENFORCEMENT:

No Report

PUBLIC WORKS:

No Report

STREETS:

MOTION by Trustee Allison, seconded by Trustee Taylor to approve Randy Jensen attends the 2008 Highway School in Ithaca on June 2-4th, 2008. At a cost of \$90.00 for early registration.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Hoban to approve the notice for the sealed bids for purchase of materials – ready mix concrete, flow able fill, hot mix Bituminous, hauling of materials and high test-regular grade and un-leaded gasoline along with diesel and kerosene.

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

Carried

CEMETERY:

No Report

BUILDINGS:

MOTION by Trustee Taylor, seconded by Trustee Allison to reject all bids for the firehouse addition.

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

Carried

Discussion: Trustee Hoban mentioned a meeting is set up for Thursday April 24th at 9:30 am with the Architect, Dick O., W. Allison, & himself.

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Hoban to approve to hire Bollam, Sheedy and Torani that papers be filed with the Public Service Commission, at a cost not to exceed \$25,000, to begin the process of enacting an electric rate increase.

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

Carried

MOTION by Trustee Allison, seconded by Trustee Church to approve the Resolution No 19-2008 to appoint Dir. Ed Balsley as the Village’s delegate at the MEUA-Semi-Annual Meeting April 16th & 17th in East Syracuse.

WHEREAS, the Penn Yan Municipal Board Utilities Bd. 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 Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 16 and April 17, 2008, to be held at the Embassy Suites Hotel, 6646 Old Collamer Rd., East Syracuse, New York, 13057 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 THEREFOR BE IT RESOLVED, that Edward Balsley 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 15th day of April , 2008

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

Carried

MOTION by Trustee Allison, seconded by Trustee Church to approve the new policy regarding shared electric meters is adopted.

A shared meter condition is a situation in which a utility meter is providing service not only to a tenant’s apartment but service to areas outside that dwelling as well. Service to outside areas includes service to equipment, such as an air conditioner or water heating equipment, operated for the benefit of common areas of buildings or other apartments.

Upon a customer’s verbal or written complaint that a shared meter is recorded usage outside the customer’s dwelling, the building owner shall be notified in writing of the complaint and that the Penn Yan Municipal Utilities Board (PYMUB) is required by law to conduct an investigation. The PYMUB shall also notify the building owner if at any time a meter is shut off in a multiple dwelling (such as in the event of non-payment). Information is provided and verified by, the utility if an outside dwelling or common area was affected.

Once the determination is made that a shared meter condition exists, the building owner shall be notified in writing that he/she has thirty (30) days to correct **all** shared meter conditions or the account for such shared meters will be placed in the building owner’s name. Minimal usage agreement will no longer be an option.

If contacted by the building owner within the 30-day period, the PYMUB will perform a follow up investigation to verify that **all** shared meter conditions have been corrected. The results of this investigation will determine the status of the account

If, for any reason, the PYMUB is notified that corrected shared meter conditions have been altered, and if the PYMUB is required to conduct subsequent investigations, the building owner shall be charged a fee (an hourly rate).

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

Carried

MOTION by Trustee Allison, Trustee Hoban to approve the quote from Finger Lakes Roofing for \$6, 375.00 for the installation of a polyaluminum chlorite containment structure at the Water Treatment Plant.

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

MOTION by Trustee Allison, seconded by Trustee Taylor to approve up to two people to attend the NYMPA General Membership Meeting being held on April 25th in East Syracuse.

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

MOTION by Trustee Allison, seconded by Trustee Church to approve the Payment Agreements in the amount of \$8,420.92

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

MOTION by Trustee Allison, seconded by Trustee Taylor to approve up to three people at the NYMPA 11th Annual Meeting being held May 15th in East Syracuse at cost of \$45.00 per person. (Ed Balsley, Rom French and Dan Banach).

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

COMMENTS:

MOTION by Trustee Hoban, seconded by Trustee Stewart to approve the sewer use permit from CASP, LL.

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

R. Jensen spoke about spring clean up. Going good. Wanted to remind resident not to put the brush in Streets.

R. Jensen mentioned that the road is bad from the four Corners to Clinton. We might be able to repave from the four corners to Clinton Street – with ¾ to an inch. This is a temporary hold for the road. Dick, Ed and Randy will take a look at it and get a figure.

ADJOURNMENT INTO EXECUTIVE SESSION:

At 9:55 PM, MOTION by Trustee Allison, seconded by Trustee Taylor or adjourn into Executive Session regarding non-union salaries.

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

ADJOURNMENT OUT OF EXECUTIVE SESSION:

At 10:45PM, MOTION by Trustee Taylor, seconded by Taylor D’Abbracci to leave the Executive Session and return to the regular Village Board Meeting.

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

Carried

MOTION by Trustee Church, seconded by Trustee D’Abbracci to pay the remainder of the stipend to Gene Mitchell thru 5/31/2008.

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

Carried

ADJOURNMENT:

At 10:55 PM, Trustee Taylor, seconded by Trustee D’Abbracci to adjourn the regular meeting.

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

Carried

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS:

Next Village Board meeting is Tuesday May 20th at 7:00 pm.