

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, July 21, 2009 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Deputy Mayor W. Allison; Trustees R. Church; M. D’Abbracci; B. Hoban ; R. Stewart; N. Taylor; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Director of Public Works E. Balsley; Police Chief M. Hulse; Fire Chief R. Retorick; Municipal Chairman R. French

ABSENT : Mayor D. Marchionda Jr.; CEO B. Lyon; Working Supervisor D. Rapalee; Parks Director D. Doyle; Assistant Director of Public Works R. Osgood; Cemetery Superintendent L. Axtell;

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

PUBLIC:

Frances Dumas, Ann Perry, Ruth Davis, Chris Williams

Deputy Mayor Allison called the meeting to order at 6:00 PM.

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Hoban, seconded by Trustee Stewart to have an Executive Session regarding a legal matter with the lawsuit between the Village and the Town of Jerusalem.

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

Carried

MOTION by Trustee Stewart, seconded by Trustee Hoban to have an Executive Session to discuss CSEA negotiations.

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

Carried

MOTION by Deputy Mayor Allison, seconded by Trustee Church to have an Executive Session to discuss the work history of an employee.

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

Carried

MOTION by Trustee Taylor, seconded by Trustee Hoban to go into Executive Session immediately following any comments from public guests.

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

Carried

GUESTS, PUBLIC REQUEST & COMMENTS:

Chris Williams recently has moved to the Village. He stopped in the office earlier asking for a copy of the Comprehensive Plan for the Village. Clerk/Treasurer S. Wilber is in the process of ordering more copies and he will receive one once they are delivered. Mr. Williams questioned the Waterfront Development project that he saw the poster boards in the lobby of the Village hall. Deputy Mayor Allison explained that this project is being run by the County. We have seen what other Communities have done with similar

situations, we are very excited about what can actual happen down in that area. Trustee Hoban mentioned it’s been about 3 years old and waiting for the County to get full title of the property.

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve the Chamber of Commerce holds the annual Sidewalk Sale on Saturday July 25, 2009 from 7:30am – 2:00pm.

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

ADJOURNMENT:

At 6:20 PM, MOTION by Trustee Taylor, seconded by Trustee Hoban to move into Executive Session.

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

At 6:40pm Atty. Brockman left the meeting for the remainder of the night.

ADJOURNMENT OF EXECUTIVE SESSION:

At 6:45 PM MOTION by Trustee D’Abbracci, seconded by Trustee Church to leave Executive Session and return to the regular Village Meeting.

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

Deputy Mayor Allison set up an ADHOC Committee for disciplinary action. He appointed Rich Stewart, Bob Church, himself and a representative from the Municipal Utilities Board to the Committee.

MOTION by Trustee Hoban, seconded by Trustee Stewart to call an Emergency Village meeting for Thursday July 22, 2009 at 2:00pm.

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

MINUTES:

MOTION by Trustee Stewart, seconded by Trustee D’Abbracci to approve the Village Board Minutes from June 16, 2009 and the Special Village Board Meeting from June 26, 2009.

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

Deputy Mayor Allison read the correspondence from the Tobacco Action Coalition of the Finger Lakes. They are asking for the Boards commitment to not accept cash contributions, in-kind donations from any tobacco company or tobacco group.

MOTION by Trustee D’Abbracci, seconded by Trustee Stewart to authorize Deputy Mayor signs the Tobacco Action Coalition of the Finger Lakes.

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

Carried

Trustee D’Abbracci stated he is still in contact with the Boat Museum committee and hopes to have more answers in a week or so. The committee has some issues to address.

Deputy Mayor stated the Board received documentation from Dave Labbadia owner of the 5th wheel camper that he stated was damaged by a Village tree and he presented at last month’s Village Board Meeting. He is asking for the deductible to be paid by the Village. The advice from our Attorney is this is an act of god and he does not recommend the Village pay the bill.

MOTION by Trustee Stewart, seconded by Trustee Taylor to pay the \$1,000 deductible to Mr. Labbadia.

Deputy Mayor Allison called a roll call vote:

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

Failed

Discussion: Clerk/Treasurer S. Wilber will send a letter to Mr. Labbadia explaining the decision of the board.

MAYOR:

ATTORNEY:

MOTION by Trustee D’Abbracci, seconded by Trustee Church to approve Resolution No 29-2009 Regarding SEQRA Matters and Setting a Public Hearing Pertaining to Proposed Amendment to the Preservation of Historic Areas Chapter of the Code.

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

Carried

WHEREAS, the Board of Trustees of the Village of Penn Yan deems it appropriate to consider adoption of a local law amending the “Preservation of Historic Areas” Chapter of the Code to reduce the board size from seven (7) to five (5) members, delete the classification requirements for members, amend residency requirements, establish paint color guidelines and funding approval requirements for Historic Preservation Board actions; and

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

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

WHEREAS, a draft local law has been prepared and circulated to the Village Board;

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 environmental review of this action; and be it further

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

RESOLVED, that a public hearing on said proposed Local Law D of 2009 is hereby scheduled for August 18, 2009 at 6:00 p.m. and that legal notice thereof be made.

MOTION by Trustee Church, seconded by Trustee D’Abbracci to hold a Public Hearing at 6:00pm on August 18, 2009 for Proposed Amendment to the Preservation of Historic Areas Chapter of the Code.

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

MOTION by Trustee Church, seconded by Trustee D’Abbracci to approve Resolution No 30-2009 Regarding SEQRA Matter and Setting a Public Hearing Pertaining to Proposed Amendment of the Water Chapter of the Village Code.

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

WHEREAS, a draft local law has been **WHEREAS**, the Board of Trustees of the Village of Penn Yan deems it appropriate to consider adoption of a local law amending the “Water” chapter of the Code to provide regulations for installation and repair of water meters; and

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

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

prepared and circulated to the Village Board;

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 environmental review of this action; and be it further

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

RESOLVED, that a public hearing on said proposed Local Law E of 2009 is hereby scheduled for August 18, 2009 at 6:05 p.m. and that legal notice thereof be made.

Motion by Trustee Church, seconded by Trustee Taylor to hold a Public Hearing at 6:05pm on August 18, 2009 for Proposed Amendment of the Water Chapter of the Village Code.

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

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	\$	110.00
General Fund		96,229.36
Capital Fund		00.00
TOTAL VILLAGE AUDIT:	\$	<u>96,339.36</u>

MUNICIPAL:

Paid before Audit	\$	138,584.24
Capital Paid before Audit		00.00
Electric Fund		27,728.46
Water Fund		46,913.93
Sewer Fund		49,098.11
Capital Projects		00.00
TOTAL MUB AUDIT:	\$	<u>262,324.74</u>

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

Carried

FINANCE & ADMINISTRATION:

MOTION by Trustee Church seconded by Trustee D'Abbracci to approve Resolution No 28-2009 Budget Amendment for the 2009-2010 Budget.

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

Carried

Decrease

Total	0.00
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<u>Increase</u>	A3501.0	CHIPS revenue	30,225.45
	A5110.21	CHIPS expenditures	30,225.45

Total	<u>60,450.90</u>
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July 21, 2009

MOTION by Trustee Church, seconded Trustee Taylor to make Chief Mark Hulse’s salary \$62,500.00 retro effective as of July 1, 2009.

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

Carried

Discussion: Deputy Mayor Allison explained this is less than what the previous Chief made. Chief Hulse appointment is provisional until he takes and passes the civil service test. After the Chief passes the test we will bring him up to what the previously Chief was making – which is the State’s recommendation.

Motion by Trustee Church, seconded Trustee D’Abbracci to retract previous Motion from May 28th Village Board meeting. to accept the recommendation from Mark Cordiero of the New York Municipal Power Agency (NYMPA) and the NYMPA Board and purchase ten (10) Transmission Congestion Credits; 25% of the total fee for the credits (\$123,919.20) would be paid up front and the other 75% would be paid in October.
The amount (123,919.20) was previously figured on 12 – should be figured at 10 (103,266.00).

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

Carried

MOTION by Trustee Church, seconded by Trustee D’Abbracci to accept the recommendation from Mark Cordiero of the New York Municipal Power Agency (NYMPA) and the NYMPA Board and purchase ten (10) Transmission Congestion Credits; 25% of the total fee for the credits (\$103,266.00) would be paid up front and the other 75% would be paid in October.

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

Carried

MOTION by Trustee Church, seconded by Trustee Taylor to approve the capital firehouse project fund to pay back the general fund in the amount of \$75,000.00

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

Carried

MOTION by Trustee Church, seconded by Trustee Taylor to approve Clerk/Treasurer S. Wilber attends the NYCOM Fall Training Conference in Albany, NY from September 21-24, 2009. Cost of Conference is \$240.00. Hotel is \$295 per night (3) nights totaling \$885.00 plus reimbursement of mileage. Total cost would not exceed \$1,500.

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

Carried

Discussion: Deputy Mayor Allison did mention that this is in the budget. Trustee Church explained that this is expensive but well worth it.

PERSONNEL:

MOTION by Trustee Stewart, seconded by Trustee Church to approve Resolution No 27-2009 Summer Employee Pay Schedule

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

Carried

Discussion: Trustee Stewart stated only difference between this year’s and last year’s is the minimum wage has gone up.

Years of Service	Title	Rate 7/11/2009
5	Cemetery Laborer	7.45
4	Cemetery Laborer	7.40
3	Cemetery Laborer	7.35
2	Cemetery Laborer	7.30
1	Cemetery Laborer	7.25
5	Park Laborer	7.65
4	Park Laborer	7.55
3	Park Laborer	7.45
2	Park Laborer	7.35
1	Park Laborer	7.25
5	DPW Laborer	7.65
4	DPW Laborer	7.55
3	DPW Laborer	7.45
2	DPW Laborer	7.35
1	DPW Laborer	7.25
5	Playground	7.45
4	Playground	7.40
3	Playground	7.35
2	Playground	7.30
1	Playground	7.25
	Head Lifeguard	9.40
9	Lifeguard	8.80
8	Lifeguard	8.80
7	Lifeguard	8.80
6	Lifeguard	8.80
5	Lifeguard	8.75
4	Lifeguard	8.75
3	Lifeguard	8.75
2	Lifeguard	8.55
1	Lifeguard	8.27

MOTION by Trustee Stewart, seconded by Trustee Taylor to hire Brent Bodine contingent permanent position as Assistant Director of Public Works, annual salary \$65,500 effective August 28, 2009.

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

Discussion: Deputy Mayor Allison stated we have a local guy that has extensive expertise in electrical. He will be a beneficial addition to the Village work force.

MOTION by Trustee Stewart, seconded by Trustee Hoban to accept the proposed Employee Handbook changes.

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

Carried

Discussion: Trustee Stewart explained the committee has been working on the Handbook for a long time. The Committee has more changes to do but wanted to get the changes they have made official.

Trustee Stewart explained that at last month’s Village meeting the Board approved that the Part Time employees could purchase Health Insurance through the Village. He had been reminded afterwards that it needed to be a Resolution.

MOTION by Trustee Stewart, seconded by Trustee Hoban to approve Resolution No 32-2009 the Part Time Village Employees Joining the Village of Penn Yan Group Health Care.

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

Carried

Discussion: Trustees Stewart and Church reminded everyone that this includes the fireman. Trustee Stewart explained that this change will also be reflected in the handbook.

WHEREAS, the Village of Penn Yan maintains a group health insurance program in which its full time employees are allowed to participate pursuant to various terms and conditions; and

WHEREAS, previously part time employees of the Village did not participate in said group health insurance programs; and

WHEREAS, there has been a request by a part time employee of the Village to participate in the group health insurance program at no cost to the Village;

NOW THEREFORE BE IT RESOLVED,

1. That part time employees of the Village of Penn Yan may henceforth participate in the Village Group Health Care Plan provided that such employee pays all of the premiums incurred with respect to providing medical insurance coverage for such part time employee and/ or his family and that the Village of Penn Yan incur no expense incident to providing medical insurance coverage to any such part time employee or his or her family member(s).
- 2 That premium payment rules and regulations, as set by the Village Clerk will apply.
- 3 That the Village Clerk is hereby authorized and directed to add this policy to the Employee Handbook of the Village of Penn Yan and to notify current part time employees of this policy.

Trustee Stewart mentioned that the performance evaluation forms should be completed and ready for the Boards approval at the August Board meeting.

PARKS & RECREATION:

Trustee D’Abbracci stated the Parks are open and running smoothly. The parks have had their first state inspection at both summer camps along with the lifeguards. All passed. Trustee D’Abbracci explained that the Camps attendance is down this year but the daily attendance is up from last year. We had more kids registered last year but less attended on a daily basis.

PLANNING BOARD:

No report

PLANNING & DEVELOPMENT:

Trustee Hoban attended a meeting at Esperanza Restaurant, they discussed a Wildlife Center. They are looking at places in the Finger Lakes. One place is near the State Park. He mentioned that a meeting is set for Planning & Development on Monday July 27 at 4:00pm. We will be discussing grants.

PUBLIC SAFETY:

MOTION by Trustee Taylor, seconded by Trustee Church to authorize the Deputy Mayor to sign the application for a grant up to \$30,000 for the Village Court system.

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

Carried

Trustee Taylor mentioned that the board needs to be thinking about what we are going to do about Village Court. She stated that the grant money can be used no matter where the court is located but will not be available forever.

POLICE DEPARTMENT:

MOTION by Trustee Taylor, seconded by Trustee D’Abbracci to declare a Beretta 9M surplus and use it as a trade-in.

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

Carried

MOTION by Trustee Taylor, seconded by Trustee Church to approve Jamie Mace (Maciejewski) to attend a one day seminar in Batavia on July 23, 2009 regarding License plate reading. No cost

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

Carried

Police Chief Hulse stated the Police Department had received and handed out 2/3 of the new portable radios. All are working well.

Police Chief Hulse explained that he has 71 Bicycles in storage at the Cemetery – running out of room. 80% could be sold they are in pretty good shape – small things wrong with them(flat tires etc). 20% more for scrap. Deputy Mayor Allison suggested seeing what former Police Chief Steve Hill had done in the past. We could declare the bicycles as surplus. Had a few awhile ago as surplus and we contacted Rev. Tharp. S. Wilber will review the procedure on what we did in the past and inform Chief Hulse.

MOTION by Trustee D’Abbracci, seconded by Trustee Church to declare the bicycles as surplus and possibly sell or action them off.

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

Carried

Trustee Taylor mentioned that the Board has a copy of the report from DCJS. This is the survey that Chief Mitchell had requested a few months ago. There are some recommendations that were made. Trustee Taylor asked the Board to please review this and it will be discussed at a Public Safety meeting.

Trustee Taylor has heard very positive comments on the new Chief of Police.

FIRE DEPARTMENT:

Chief Retorick had a summary of 118 calls for the Department, this included fires and other emergencies for the year. Deputy Mayor Allison commended Chief Retorick and the Department for their time and dedication they have put in. They all have done a great job.

Trustee Taylor mentioned the Fire Department attended Parades in Hammondsport on July 4th and Geneva on July 11th.

Hammondsport – 27 members participated. Awards received – A three-way tie for Best Appearing, Longest Distanced Traveled and Most Men in Line.

Geneva – 21 members participated. 2nd in Best Appearing and Furthest Distance Traveled. Great job to all.

CODE ENFORCEMENT:

No report

PUBLIC WORKS:

Deputy Mayor Allison mentioned the Street Department is working on sidewalk replacements. He apologized for some of the conditions of the Streets. They have been busy. The electric crew has been working on the Municipal Parking Lot behind Lown’s. They have moved the lights to the outside of the parking lot, will be working on the drainage issue behind the building along with removing the island.

STREETS:

No report

CEMETERY:

No report

BUILDINGS:

No report

MUNICIPAL:

MOTION by Deputy Mayor Allison, seconded by Trustee Church to approve the proposal from VSG Enviromation, which could add approximately \$6,000 to the cost of the PLC project at the Water Treatment Plant.

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

Carried

MOTION by Deputy Mayor Allison, seconded by Trustee D’Abbracci to approve VSG Enviromation an extension of the contract for the PLC project. The projected completion date is now the end of October.

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

Carried

MOTION by Deputy Mayor Allison, seconded by Trustee Church to accept Director Balsley’s letter of resignation. His retirement will be effective September 28, 2009.

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

Carried

MOTION by Deputy Mayor Allison, seconded by Trustee Taylor to accept the revised proposal from TRC in the amount of \$28,000 for design work on two metering structures.

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

Carried

MOTION by Deputy Mayor Allison, to approve the attendance of up to twelve (12) employees to attend the FLWWC Summer Meeting being held on Thursday, August 13th at the Penn Yan Fireman’s Field. Cost of \$30 per person.

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

Carried

MOTION by Deputy Mayor Allison, seconded by Trustee Church to approve the attendance of up to four (4) employees at the MEUA Annual meeting being held September 15th-18th in Corning, NY. \$100.00 per person, accommodations to be decided at a later time.

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

Carried

MOTION by Deputy Mayor Allison, seconded by Trustee Church to approve Resolution No 31-2009 to appoint Ed Balsley as the Village delegate at the MEUA Annual Meeting September 15th – 18th in Corning.

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

Carried

At a regular meeting of the Village Board of the city/Town/Village of Penn Yan, New York, held on July 21, 2009, the following resolution was adopted.

Moved by Trustee W. Allison, seconded by Trustee B. Church .

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 September 15, 16, 17, and 18, 2009 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 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: 6 Negative: Absent 1

I certify that this resolution was adopted by the Village Board of the

City/Town/Village of Penn Yan, New York on the 21st day of July , 2009

MOTION by Deputy Mayor Allison, seconded by Trustee D’abbracci to approve the Payment Agreements for June in the amount of \$7,240.26.

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

Carried

MOTION by Deputy Mayor, seconded by Trustee Church to approve the Payment Agreements for July in the amount of \$8,389.77

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

Carried

COMMENTS

Deputy Mayor Allison asked the Board to review the paper work they have received regarding the piece of Village owned property that a resident is interested in purchasing. Will discuss at next month’s meeting.

ADJOURNMENT:

At 7:40 PM, MOTION by Trustee Hoban , seconded by Trustee Taylor to move in to Executive Session.

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

Carried

ADJOURNMENT OF EXECUTIVE SESSION:

At 9:00 PM, MOTION by Trustee Church, seconded by Trustee Taylor to leave Executive Session and return to the regular Village Meeting.

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

Carried

ADJOURNMENT:

At 9:01 PM MOTION by Trustee Church , seconded by Trustee D’Abbracci to adjourn the regular meeting

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: