

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, January 19, 2010 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

PRESENT Mayor D. Marchionda Jr.; Trustees W. Allison; M. Christensen; R. Church; B. Hoban ; R. Stewart; N. Taylor; Attorney Ed Brockman; Clerk/Treasurer S. Wilber; Director of Public Works D. Osgood; Assistant Director of Public Works B. Bodine; Police Chief Hulse; CEO B. Lyon; Municipal Chairman R. French; Municipal Commissioner D. Banach

ABSENT: Parks Director D. Doyle; Fire Chief R. Retorick

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

PUBLIC:

Ann Perry, Ken Kamholtz, Penny Hamilton, Kate Ring, Wayne Davidson, Jeff Morehouse

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

EXECUTIVE SESSION – No one called for an Executive Session.

MINUTES:

MOTION by Trustee Allison, seconded by Trustee Church to approve the Village Board Minutes from December 15, 2009.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

GUESTS, PUBLIC REQUEST & COMMENTS:

Ken Kamholtz mentioned he is going to Albany on January 26 & 27,2010 to address congress regarding Workplace Violence. Ken offered if the Board had questions or concerns regarding the Workplace Violence that he is willing to help find out the answers. Ken had lobbied a bill to the Governor’s office but it was vetoed. Ken mentioned he is trying to get it amended and have it go through the labor law. He is available for consulting if we need him.

Mayor Marchionda mentioned we received two letters asking permission to launch their boats from the Penn Yan Boat Launch for Bass Tournaments. One from the Rochester Bassmaster Tournament on Sunday August 8th, 2010 from first light and weigh-in will be at 3:00pm. The second from Schuylkill County,PA. for Sunday October 17, 2010 from 6:00am – 2:00pm. They have approximately 12 boats. Mayor Marchionda stated at this time there is no fee to launch a boat and no need for a permit. Trustee Stewart mentioned over the past few months it was discussed to look into charging a fee for boat trailer parking for non village residents and stickers for village residents. He is wondering where we stand with this? Atty. Brockman stated he had been working with former Trustee D’Abbracci and Parks & Rec. Dan Doyle on a permit system and how to enforce it. Dan has been looking into a machine for this use. Atty. Brockman states this would require local law. He will speak with Dan Doyle and review this.

Old Items

Atty. Brockman mentioned the property at Howard Street has been assessed and wondering if the Board wanted to declare it surplus. Mayor Marchionda explained the interested party has backed off on the property because the assessment is so high.

Trustee Stewart stated the Personnel Committee has started to work on the Workplace Violence Prevention Training again. Chief Hulse has a few ideas and might have a local person that is willing to help with this

but they are not available until next month. Chief Hulse has given the person the information to review and they will let him know if they are able to help. Atty. Brockman asked that he would like to meet with the Personnel Committee, Chief Hulse and this person to be sure they know what is entailed for training.

Atty. Brockman has written a letter to the DDSO informing them the Village's position regarding the property at 2448 Rte 364. He explained the two options available to them. 1. They go to the town and seek a water District for that area. 2. Go to the town and see if other nearby residents would be interested in being annexed into the Village. At this time Atty. Brockman has not heard back from them - it's been almost three weeks.

MOTION by Trustee Church, seconded Trustee Christensen to approve amended Resolution No. 41-2009 - Amended Modification of Retirement Policy for Accumulated Sick Leave Days.

WHEREAS, the Village of Penn Yan presently has a Retirement Conversion Policy for Accumulated Sick Leave Days: and

WHEREAS, there has been a proposal to modify said policy.

NOW THEREFORE BE IT RESOLVED, that the following shall constitute the Retirement Conversion Policy for Accumulated Sick Leave Days of the Village of Penn Yan:

Upon retirement, any unused sick leave days of an employee will be converted to a "fund". The value of this fund will be determined by multiplying the number of unused sick leave days times the employee's regular daily base wage in effect on the retiring employee's last day worked. This "fund" will be used, to the extent of the dollar value of the "fund", to purchase health insurance for the retiring employee, spouse and dependents, if so designated, under the Village's health insurance policy during the period of the employee's retirement.

In the alternative, upon retirement, the employee may opt to receive a lump sum cash payment equal to one-half the value of the "fund" in excess of the value of 140 accumulated sick leave days. To qualify for this alternative the employee must make the request in writing. The employee may request this alternative at any time after retirement, as long as a balance exists in the retired employee's "fund".

In the event of the death of an employee prior to or after retirement from the Village of Penn Yan, or prior to retirement, and only in the case of an employee, upon the date of death prior to retirement who has reached the minimum New York State Retirement age or 20 years of service with the Village of Penn Yan, a designated beneficiary and /or dependent children of such deceased Village employee may utilize this policy for either a single or family policy of insurance. In the alternative, the designated beneficiary, as defined on payroll records, is entitled to the lump sum payment as prescribed above.

Each payment of premiums by the Village for medical insurance coverage on behalf of the retired employee shall be deducted from the retired employee's "fund" on a dollar for dollar basis. Upon depletion of the retired employee's "fund" the Village shall have no further obligation for payment of medical insurance on behalf of the retired employee pursuant to this policy.

This policy shall have been effective as of January 1, 2009.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Trustee Stewart explained that he spoke with Ben Sward; President of the CSEA and that Ben and Renee Chichester, Labor Relations Specialist for CSEA, both approved the language change for the MOA – regarding the Water Treatment Plant employees. Trustee Stewart had not received a signed copy yet, he will contact Ben Sward regarding this and will review this for next month's meeting.

MAYOR:

Mayor Marchionda asked that the following people be placed on an AD HOC Committee to start the PBA negotiations: Trustee Taylor, Trustee Allison, Trustee Church and Trustee Christensen.

Mayor Marchionda explained that he would like the AD HOC Building Committee disbanded as of tonight. This was used for the Village and Firehouse projects. Since everything is completed there is no need for this AD HOC committee. Mayor Marchionda explained this does not need any action by the board.

Mayor Marchionda questioned whether we are in a position tonight to declare the Maxwell Building surplus since we are nearing the completion of the renovations for the Court. Atty. Brockman suggested waiting until next month to be sure the Court has completely moved out. Shawna Wilber spoke with Justice Hibbard regarding the move. Justice Hibbard would like to move all unnecessary work to the Village Hall by February 1st and the first Court date will be February 8th.

MOTION by Trustee Allison, seconded by Trustee Taylor to authorize the Mayor to sign the Agreement between the Village of Penn Yan and Joseph Patchett for the 1-year land lease located north of Himrod Road in the Town of Milo, approximately 38.26 acres with a rent charge of \$600.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Hoban to declare a Special Meeting and Public Hearing for Tuesday, January 26, 2010 at 4:00pm regarding FLEDC (Finger Lakes Economic Development) to apply for a CDBG grant of \$250,000 for Data Listing Services, LLC (call center) at 240 North Avenue.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Discussion: Trustee Church asked if Steve Griffin will be present – Shawna replied yes he will.

MOTION by Trustee Church, seconded by Trustee Christensen to declare a Special Meeting and Public Hearing for Tuesday, January 26, 2010 at 4:05pm regarding Small Cities Grant Program through the State Office of Community Renewal.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Discussion: This is the first of two Public meetings that will be needed for the grant for Village water, sewer and other infrastructure regarding Keuka, Seneca and Sheppard Streets.

ATTORNEY:

MOTION by Trustee Church, seconded by Trustee Allison to approve Resolution No. 2- 2010 Regarding the Scheduling of a Public Hearing for the Repeal of the “Financial Management and Investment Policy” Chapter of the Village Code.

WHEREAS, The Board of Trustees of the Village of Penn Yan previously determined this proposed local law to be a Type II Action pursuant to SEQRA regulations.

WHEREAS, the proposed Local Law has been drafted and submitted to the Board of Trustees; and

Now Therefore, be it

RESOLVED, that a public hearing on proposed Local Law A of 2010 is hereby scheduled for February 16, 2010 at 6:00 p.m. in the Village Offices and that due notice thereof be made.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Atty. Brockman read the new insert for the employee handbook regarding Leave without Pay Other Than Family Leave or Medical Leave.

The Village of Penn Yan does not grant “leave without pay” to any employee, except as provided by law for family or medical leaves of absence. Any prior policy regarding “leave without pay” terminated as of January 19, 2010.

MOTION by Trustee Hoban, seconded by Trustee Christensen to approve and insert the new language /paragraph for the employee handbook regarding the policy on Leave Without Pay.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

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

AUDIT:

VILLAGE:			
	Paid before Audit - General Fund	\$	5,408.73
	Capital Paid before Audit		00.00
	General Fund		61,980.20
	Capital Fund		00.00
	TOTAL VILLAGE AUDIT:	\$	<u>67,388.93</u>
MUNICIPAL:			
	Paid before Audit	\$	177,898.86
	Capital Paid before Audit		00.00
	Electric Fund		23,835.90
	Water Fund		113,079.80
	Sewer Fund		31,814.61
	Capital Projects		00.00
	TOTAL MUB AUDIT:	\$	<u>346,629.17</u>

Discussion: Trustee Hoban questioned how do we do our paper trail of the management letter? He questioned this because of the latest article in the paper regarding the Penn Yan School Audit. Mayor Marchionda explained we have our special meeting with the independent auditors, this is our paper trail. At that time the Auditors explain/suggest any items that need improvement or changes to be done to the system. It is up to the Board to make these changes or not. Trustee Church mentioned we had only two issues. 1) All Board members were not reviewing the audit. 2) Review of the journal entry book – this has already been discussed in the Finance meeting. Trustee Church stated if the Auditors tell us something is wrong – we correct it. I know that Shawna is consistently in touch with the Auditors asking them questions and getting advice. Trustee Church explained the amount Paid before Audit was payment to Mr. Jensen for the accepted bid for the renovation downstairs for the Court. Trustee Stewart questioned the paid before audit, stating that last month we only approved the bid amount nothing was discussed about the payment agreements. We did not see a copy of the contract, the bid was an oral presentation. Trustee Stewart explained that if I knew that at the time I would have been okay to pay it ahead of time. Trustee Church apologized and explained in the contract it stated Mr. Jensen would get paid in three (3) stages and this is the first payment. I along with Shawna did agree and we felt obligated and in fairness to him to pay the first payment. Mr. Jensen is downstairs doing the work and almost done. Shawna explained we signed the contract - if we did not pay him this would be a breach of contract. Trustee questioned the amount because it was different than what was approved at the meeting last month. S. Wilber explained there was a change order – we eliminated the accordion participation. S. Wilber explained we are under the \$20,000. Trustee Stewart questioned if the Village has a credit card policy in place; he recently saw the article in the paper regarding the school audit. Mayor Marchionda and Trustee Church explained that we have independent auditors reviewing our books and he should not compare us to the school system. Mayor Marchionda and Trustee Church again reinforced that the auditors have cleared us from any wrongdoing. Trustee Church and S. Wilber Clerk/Treasurer explained that we have one credit card and it’s located in the office. We use it only when necessary. Trustee Stewart stated he is not questioning why we use it just does not want the Village to have the same problems the School is facing. Trustee Church has no problem to adopt a credit card policy at the next finance meeting.

Mayor called for a roll call vote

Trustee Stewart	Nay	Trustee Church	Aye
Trustee Taylor	Aye	Trustee Christensen	Aye
Trustee Allison	Aye	Trustee Hoban	Aye
Mayor Marchionda	Aye		

Carried

FINANCE & ADMINISTRATION:

MOTION by Trustee Church, seconded by Trustee Allison to approve Resolution No. 1 - 2010 Authorizing the Issuance of notes of the Village of Penn Yan in an amount not to exceed \$60,000 in anticipation of the receipt of sewer rents and charges for the fiscal year June 1, 2009 to May 31, 2010.

BE IT RESOLVED, by the Board of Trustees (the "Board") of the Village of Penn Yan, Yates County, New York (the "Village") AS FOLLOWS:

Section 1. In anticipation of the collection or receipt of revenues in the form of sewer rents and charges to be collected in and for the fiscal year ending on May 31, 2010, and pursuant to the Local Finance Law of the State of New York (the "Law"), the Village is hereby authorized to issue and sell one or more revenue anticipation notes in an aggregate principal amount not to exceed \$60,000 (the "Notes"). The date of maturity of the Notes shall not be later than one year from the date of issuance, and in the case of renewal notes, beyond the expiration of the fiscal year ending May 31, 2011.

Section 2. Subject to the provisions of this resolution and the Law, pursuant to the provisions of Sections 30.00 and 56.00 of the Law, the powers and duties of the Board to issue and to sell the Notes, including any renewals thereof, and the authorization of the terms, form and content thereof, are hereby delegated to the Treasurer of the Village as the chief fiscal officer of the Village (the "Treasurer"). The Treasurer is authorized and directed to execute and deliver the Notes to the purchaser thereof and the Clerk of the Village is authorized and directed to attest the Notes.

Section 3. The full faith and credit of the Village are and shall be pledged to the punctual payment of principal of and interest on any revenue anticipation notes hereby authorized.

Section 4. The Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Notes as excludable from gross income from federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the Notes, if applicable, as qualified tax-exempt obligations in accordance with Section 265(b) (3) (B) (I) of the Code.

Section 5. This resolution shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting:

Roll call vote by Mayor Marchionda

Trustee Hoban	Aye
Trustee Christensen	Aye
Trustee Church	Aye
Mayor Marchionda	Aye
Trustee Allison	Aye
Trustee Taylor	Aye
Trustee Stewart	Aye

Carried

MOTION by Trustee Church, seconded by Trustee Allison to approve Resolution No. 3 – 2010 Funding Transfers for 2009-2010

Transfer \$26,735.68 from the Employee Benefit Liability Reserve Fund to the general fund for Police Retirement Funding.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Christensen to approve Resolution No. 4-2010 Budget Transfers for 2009-2010

TO:

A1110.114	Village Justice	Court Security	3,000.00
A1110.41	Village Justice	Contractual Services	70.00
A1325.47	Finance	Audit Fees	510.00
A3120.115	Police	Employee Benefit Liab Res	26,735.68
A3120.41	Police	Contractual Services	140.00
A3410.50	Fire Dept	Supplies & Materials	158.00
A5110.2	Street Maint.	Equipment	2,675.00
A5110.415	Street Maint.	Landscaping/Tree Removal	195.00
A5110.416	Street Maint.	Safety Equipment	1,653.00
A7140.18	Parks & Rec	Park Attendants	500.00
A7140.54	Parks & Rec	Picnic Tables	500.00
A8015.41	Historic	Contractual Services	3.85
A8810.415	Cemetery	Landscape/Tree Rem	2,500.00
A9901.9	Interfund Transfers	Interfund Transfers	109,063.02
			<hr/>
	Total	Total	<u>147,703.55</u>

FROM:

A1110.45	Village Justice	Computer Services	70.00
A1325.51	Finance	Computer Supplies	510.00
A3120.114	Police	Court Security	3,000.00
A3120.45	Police	Computer Services	140.00
A3410.58	Fire Dept.	Truck Supplies	158.00
A5110.16	Street Maint.	Summer Employees	891.00
A5110.27	Street Maint.	Frames & Grates	892.00
A5110.414	Street Maint.	Tires & Tubes	892.00
A5110.42	Street Maint.	Phone/Internet/Utilities	1,848.00
A7140.5	Parks & Rec	Supplies & Materials	1,000.00
A8015.10	Historic	Personal Services	3.85
A8810.2	Cemetery	Equipment	2,500.00
A882	Reserve	Reserve for Repairs	92,638.70
A909	Fund Balance	Unappropriated Fund Balance	35,120.00
A9710.75	Bonds Int New Firehouse	Bonds Int New Firehouse	8,040.00
			<hr/>
			<u>147,703.55</u>

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Bob Church explained that the Finance Committee has been discussing software options over the past year. Our current software is over 15 years old and would cost more to upgrade than purchasing a completely new system from another vendor. Shawna Wilber, along with the other girls in the office have been involved in the process and reviewing alternative options. She handed out a cost analysis spreadsheet and a copy of the proposal from Edmunds & Associates. Shawna has done research with NYCOM and other Municipalities regarding software companies. This was all generated because our current software for utility billing only has become unsupported and requires an upgrade of \$147,447. We had a couple different software companies come to the office for demos, the staff has been involved in all the demos and the selection process. The staff involved was in agreement and satisfied with Edmunds & Associates as the best choice. They have been in business for 32 years and deal only with municipal software. Included

on the spreadsheet is the total cost of the software package in the amount of \$88,662 which shows the breakdown of the prorated share to the General, Electric, Water and Sewer Funds. She also included the annual maintenance fees associated with the new software that is comparable to what is currently being paid for software support, there would be no increase in the annual cost to maintain this, the annual cost for maintenance with Edmunds & Associates is \$22,135. This package includes more software product creating a completely integrated system. S. Wilber explained there is enough money in the current fiscal year budget for payment. According to their contract they are requesting payment as follow 50% - for installation, 40% - 30 days after installation and 10% at completion. Rom French added that the Municipal Board has discussed this in detail and is very much in favor of this purchase. He clarified that the payment would come out of both the Village and Municipal budget. S. Wilber explained Edmunds & Associates will not charge a maintenance fee for the first year it is included in the purchase price. Trustee Church questioned why the spreadsheet shows the Village portion of the purchase price to be \$19,083, and the proposed transfer is \$25,000. Shawna explained that during the installation process we will undergo additional expense accruing – travel and hotel etc. Trustee Church said his two biggest concerns is that enough research was done and that the rest of the staff took part in the process. Shawna explained she feels very comfortable with this company and all of the front office staff have been included in the process. Trustee Stewart asked when would this be up and running? Shawna explained that it will be installed in phases but looking at June 1st, 2010. Brent Bodine questioned if we will have a leader person to contact and Shawna replied yes.

MOTION by Trustee Church, seconded by Trustee Christensen to approve the purchase of new Municipal software from Edmunds & Associates for the Penn Yan Village office. At a cost of not to exceed \$88,662.00, with three (3) installment payments of 50% for installation, 40% - 30 days after installation and 10% at completion.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Church, seconded by Trustee Christensen to approve resolution No 5-2010 Budget Transfers for 2009-2010.

TO:

A1325.2	Finance	Equipment	25,000.00
			<hr/>
	Total	Total	<u>25,000.00</u>

FROM:

A9060.8	Health Insurance	Health Insurance	25,000.00
			<hr/>
			<u>25,000.00</u>

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

PERSONNEL:

Trustee Stewart stated they have come to an agreement with the Union & Non Union benefits. Trustee Stewart is in hopes that within the next 2-3 months the committee will have the Employee Handbook completed. After completion, we will be giving a copy of the handbook to all employees. Starting April 1, there are new regulations regarding retirement benefits which pertain to 3 or 4 employees. Negotiations with the CSEA are moving along.

Mayor Marchionda excused Atty. Brockman from the Board meeting at 7:04PM.

PARKS & RECREATION:

Trustee Christensen mentioned that they are having a meeting on February 15th and will start to revise the Master Plan. Trustee Christensen stated we received the contract package for the \$80,000 Park Grant today. This will help with the playground equipment, grills, etc at Indian Pines Park. Wayne Davidson questioned why is the Village the only one paying for the Recreation program? Trustee Church explained the County now pays the Village some money for the program. Trustee Church stated he has gone the last

three years to the County to beg for money. In all fairness to the Village this program is used Countywide not by just Village residents. Last year we received \$20,000 from the County and this year they cut back to \$15,000. Trustee Church will be going back and asking for more money again next year. Mayor Marchionda explained that this was originally in conjunction with the School under a grant. Trustee Taylor stated that the County has commented before that the County is not in the business of Recreation.

PLANNING BOARD:

Trustee Hoban explained they are having monthly meetings. Looking at the Mooring and Docking Laws for the Outlet. They are also concentrating on the Water Street project now.

PLANNING & DEVELOPMENT:

PUBLIC SAFETY:

Trustee Taylor stated the Committee met today and discussed issues with the Gamewall System. We listened to the concerns from both the Fire Department and the Village, Mike Clancy spoke on behalf of the Fire Department and Brent Bodine for the Village. There are a lot of unanswered questions at this time. They will be meeting again next month in hopes to have more answers and will inform the board at that time. Trustee Taylor talked about the firehouse floor – it is in bad shape. We have discussed this in the past. Chief Clancy is concerned about safety. Trustee Taylor spoke with Dick Osgood and he will take another look at it and get quotes for the repair work to put in to next year’s budget. Mayor Marchionda asked if there is a temporary fix in the meantime. Dick discussed a few ways to fix it: 1) A premade mixture put down in sections to hold in place & pour concrete around it. 2) Cut the bad portion out and rebuild it to reinforce the concrete. The second method is more time consuming but less costly. We could do the work in-house but it would take longer. Need to look at a time period for the work to be done. Trucks will have to be outside during the work. Dick will look into this.

POLICE DEPARTMENT:

MOTION by Trustee Taylor, seconded by Trustee Christensen to approve Patrick McKnight as a Part time Police Officer Recruit to attend the Finger Lakes Law Enforcement Academy at Minimum Wage (\$7.25 hour). Effective Jan. 11, 2010. McKnight will pay the cost of the tuition for the Academy.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Taylor, seconded by Trustee Allison to hire Officer Patrick Ellison as a Full-Time Officer , conditional of successful completion of the required tests of Civil Service, medical, physical psychological, etc. Starting pay \$20.28 per hour.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Taylor, seconded by Trustee Stewart to approve a one day Active School Shooter Training for Sgt. Dunham, Officers Dawes and Hamm on February 19, 2010 at the cost of \$10.00 each in Canandaigua, NY.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Taylor, seconded by Trustee Christensen to approve Sgt. Stewart attend the required three (3) week Supervisor School February 1st – 19th, 2010 at the Steuben Co. Public Safety building in Bath, NY. No cost. Training is required within the 1st year of promotion. One extension has already been granted by the State.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Discussion: Trustee Church asked if he would be taken out of the rotation for these three weeks. Chief Hulse stated yes and his shifts are covered.

MOTION by Trustee Taylor, seconded by Trustee Allison to approve Sgt. Dunham to teach the Annual Taser Training for Penn Yan Police Department at the Village Hall on January 21, 2010.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Chief Hulse explained the current camera coverage and the cost of the cameras necessary for Village Court. We will be placing a camera on the outside of the front corner of the Village Office Building. Other cameras will be placed inside the building; a few on the first floor and a couple in the basement. These will help to watch the flow of traffic on the two floors. Cameras are not allowed in the Court room itself. We are also looking at a 4 camera “quad” unit that will feed up to four cameras back to a monitor in the courtroom. Without the monitors in the Court Room the Court Security would not see what is going on when the public is entering the building. This will also enhance the daily surveillance of the building. Looking at having only one officer on duty instead of two for Court nights. Trustee Stewart asked if grant money will be used. S. Wilber explained yes, grant money and Village Owned Building.

MOTION by Trustee Taylor, seconded by Trustee Allison to approve the Covert Security quote for additional security cameras for the Village Hall with the Village Court move. Total cost of the Court cameras is \$10,790.00.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Chief Hulse explained he received a resignation letter today from Part-Time Police Officer Charles Denosky, Jr. effective January 17, 2010. Chief Hulse mentioned he has received the Livescan finger printing machine. We are waiting to be hooked up to the system before we can start using it. The state is behind. Dan Banach questioned if the finger printing would be open to the public? Chief Hulse explained no it's not, it is for criminal purposes only. He believes there will be a gentleman in town monthly working with other Agencies and Companies at the Best Western to accommodate any other finger printing needs, but he is not sure when this will start.

FIRE DEPARTMENT:

Monthly Fire Department report

Description	Number	Firefighters	Manhours
Fire Alarms			
House Fires			
Business Fires			
Grass/Brush Fires			
Outside Building/Barn Fires	1	21	53.9
Car/Vehicle Fires			
Other Fires	2	23	8.7
Wires	2	24	14.3
Other Emergency	4	57	24.4
Automatic Alarm Fires	7	98	17.9
Mutual Aid Scene	3	72	63.5
Mutual Aid Standby	1	9	48.5
Public Service			
Vehicle Accident			
Total Fire Calls	20	304	231.2
Medical/Rescue Calls			
First Responders			
Assist Ambulance			
Other Medical			
Total Med/Resc Calls	0	0	0.0
Total ALL Calls	20	304	231.2
Other Activities			
Courses	1	1	24.0
Drills	7	49	107.0
Monthly Meetings	5	61	33.0
Committee Meetings			
Fire Prevention			
Fund Raising			
Parades/Cleanup			
Work Detail	1	1	1.0
Wake/Funeral			
Line Of Duty			
Other			
Total Other Activities	14	112	165.0
*****	***	*****	*****
Total ALL Activities	34	416	396.2

MOTION by Trustee Taylor, seconded by Trustee Church to approve Dan Irwin as a new member of the Sheldon Hose Company.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Taylor, seconded by Trustee Church to approve Derek Filipiak as a new member of the Sheldon Hose Company.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

CODE ENFORCEMENT:

MOTION by Trustee Taylor, seconded by Trustee Allison to approve Bruce Lyon, CEO attend a four (4) day Finger Lakes Building Officials Association Annual Educational Conference on March 15th – 18th, 2010 in Rochester, NY. Conference cost is \$390.00, plus mileage.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

PUBLIC WORKS:

MOTION by Trustee Allison, seconded by Trustee Hoban to advertise for the 2010 Sidewalk Improvement Program. Resident's cost is \$4.25 per square foot. Applications are due at the Village Office by March 31, 2010.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Hoban to designate Elgin as the sole-source provider that can be used to refurbish the current street sweeper and authorize our area Elgin dealer (Joe Johnson Equipment) to rebuild the sweeper at a cost of \$28,179.34.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Hoban to enact legislation to establish a tree ordinance.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Discussion: Trustee Allison explained that we have taken out around 70 trees over the past few year and we would like to replace some. We need to consider power lines and the area between the sidewalk and Street. Dick Osgood is looking at other areas to see what they have and are doing regarding the tree ordinance. He will keep the Board informed.

MOTION by Trustee Allison, seconded by Trustee Church to approve Don Rapalee become a member of the New York State Association of Town Superintendents of Highways, Inc.; dues for 2010 are \$150.00.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Hoban to declare the current DPW Caterpillar payloader as surplus equipment and proceed with requesting bids for a new payloader.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Church to declare Car 1, the 2002 Ford Taurus Wagon as surplus and sell on EBAY.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

STREETS:

CEMETERY:

BUILDINGS:

MUNICIPAL:

MOTION by Trustee Allison, seconded by Trustee Church to award the contract for the Brown Street Water Main Improvement Project to Genesee Construction Services, Inc. at a cost of \$269,900.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Taylor to approve a new hybrid bucket truck to be purchased from the electric fund for a total cost of \$119,929.80. This will be on State bid and it is for the cab and chassis only.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Church to authorize the attendance of up to nine (9) employees attend the FLWWC Annual Business Meeting being held February 4th in Geneva at a cost of \$21.00 per person.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded Trustee Taylor to authorize the attendance of up to five (5) employees at the MEUA Engineering Workshop being held February 3rd and 4th in East Syracuse at a cost of \$75.00 per person.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Stewart to authorize the attendance of electric crew member Mike Mullins at the 4th Year Lineworker Apprentice Program being held throughout 2010 in Fairport, NY. Not to exceed a \$1,000 per week.

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Discussion: MEUA Apprentice Program will be April, 27, 28, 29 and 30th. At a cost not to exceed \$1,000 per week. The correct cost will be presented at the Village Board meeting on Feb. 16th, 2010.

MOTION by Trustee Allison, seconded by Trustee Christensen to approve the Payment Agreements in the amount of \$5,112.05

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

MOTION by Trustee Allison, seconded by Trustee Christensen to approve Resolution No. 6-2010 the Budget Amendments for the 2009-2010 Fiscal year.

<u>Increase</u>	A5110.2	Street Maint.	Equipment	28,179.34
				<hr/>
		Total	Total	<u>28,179.34</u>
 <u>Increase</u>	 A882	 Reserve	 Reserve for Repairs	 28,179.34
				<hr/>
				<u>28,179.34</u>

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

COMMENTS:

Trustee Allison explained the Salt Storage Barn is doing well and the DPW crew has not had a lot of overtime this year.

Mayor Marchionda discussed the ongoing issue with the Town of Jerusalem; we were informed last Thursday that Jerusalem lost the appeal again, regarding the billing. The significant change was an amendment to the interest rate. Rom French, Municipal Board Chairman has not received a written copy from the Judge yet. As of today Jerusalem still owes \$152,692.55. Rom French asked to be placed on their agenda but was declined because they had a full agenda this month. Rom would like an open meeting that would include complete boards from the PY Village Board, Municipal Board and the Town of Jerusalem. Mayor Marchionda explained he never refused to speak with the Town of Jerusalem- this goes back to 2007. He had asked them when you bring your bill current we would be glad to sit down and discuss this. They stopped paying and we have gone to Court twice.

Trustee Allison discussed the Small Cities Grant that will include Sheppard, Seneca and Keuka Streets. He noted that the lack of participation from homeowners on the income survey that was mailed to homes on those individual streets is what will prevent the Village from receiving grant monies. We cannot stress enough that we need them to participate to receive grant money to help to fund these projects. We finally did receive grant money for the Brown Street Project so it can help. Trustee Allison stated the E. Elm Street project is going great, they are ready to bore under the railroad tracks and then continue on. The crews have been able to work on this project due to the weather conditions and with our guys doing the work it has saved us money, more than a third of project costs of \$225,000. Dick Osgood explained we have tested the water pipes on E. Elm and they have passed. Dick also explained the recent letters that were mailed out to residents regarding the failed water test. He explained that when our crew takes samples we get multiple samples, one to send to the lab and one that we keep. We tested our in-house samples with no negative results, the samples that we sent to the lab failed. Per orders from New York State Department of Health, we took a 2nd sample once the sample from the lab failed and sent this sample to a different lab and this time we both the lab sample and our sample passed. We are sure that the lab samples from the first testing were contaminated somehow and we have since changed the lab to which we

submit our samples. We were required to send out letters to residents explaining the situation and Dick assured everyone the water is safe to drink.

Bruce Lyon STRESSED to Village residents to shovel their sidewalks this winter. We have quite a few motorized wheel chairs throughout the Village and they need to be sure the sidewalks are clear for travel.

ADJOURNMENT:

At 8:27 PM MOTION by Trustee Church, seconded by Trustee Allison to adjourn the regular meeting

Mayor Marchionda	Aye	Trustee Hoban	Aye
Trustee Allison	Aye	Trustee Stewart	Aye
Trustee Christensen	Aye	Trustee Taylor	Aye
Trustee Church	Aye		

Carried

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: