

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, September 15, 2020 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527 (Streamed via Zoom)

PRESENT Mayor MacKerchar; Trustees C. Benedict; D. Condella; T. Hoban; K. McLoud; R. Spencer R. Stewart; Attorney Ed Brockman; Clerk/Treasurer G. Meeks; Deputy Clerk/Treasurer H. Easling; Director of Public Works T. Schwartz; CEO B. Lyon and J. Kincaid

ABSENT: Deputy Dir. Of Public Works TBD; Police Chief T. Dunham; Fire Chief F. Ellis

News Media present:

PUBLIC: Carlie Chilson

At 6:00 PM, Mayor MacKerchar called the Village Board meeting to order.

CALL FOR EXECUTIVE SESSION:

Mayor – First off do we have a need for Executive Session

Trustee Benedict- We do have the need for an Executive Session to discuss the work history of an Employee

Mayor – Do I have a second

Trustee Condella – Second

Trustee Spencer- Second

Mayor – Mrs. Benedict second I think Dan got in there first. Any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|--------|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Absent | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |
| Carried | | | | | |

Village Clerk /Atty. Brockman – Rich he’s muted

Mayor – I saw your lips move it’s a yes

MINUTES:

Mayor – Next, we have the minutes of our last Village Board meeting on August 18 and the Special Board meeting of September 7, oh 4th excuse me.

Trustee Spencer – I’ll make a Motion these be approved.

Mayor – Motion

Trustee Spencer- I’ll make a Motion for those minutes be approved.

Mayor – Do we have a second.

Trustee Hoban – I’ll second

Mayor – Mr. Spencer, seconded Dr. Hoban any discussion error corrections

Trustee Benedict – Mary Ann did you find notice two things needed to be corrected in the first line of the September 4 minutes.

Village Clerk – Robin pointed out something- what was it.

Trustee Benedict – The time of the meeting and the name of DPW Director.

Village Clerk – Yes

Trustee Benedict – Okay

Mayor – Alright thank you for the corrections any other discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|--------|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Absent | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |
| Carried | | | | | |

Mayor – Any Public request and or comments this evening. If not I’ll move along for reminder that you have 2 hours and 52 minutes to vote, the Village Elections are today from noon to nine. Hope you all had a chance to get out there. Organizational meeting- Once the elections are finalized, we can now have our Organizational meeting have that Monday September 21 at 3:00 PM and we will Zoom that one. As far as reopening you have done a great job. Mary Ann Thank you for dealing with all the extras making sure people log in. Everyone else in the office are doing a great job on it. If things stay the same, I think we can consider going to in person meeting for our October Board meeting if nothing changes. More to follow on that, tentatively we will strive for a safe social distancing and follow the guidelines. I think we will be able to have our in-person meeting. Great job down at the – kind of an impromptu to down at Indian Pines Park today. There were some dead Ash trees down there. The Electric crew, Streets crew, Parks took four of them down and disposed of them. They did a great job that was sort of seamless to take those trees down. They did all work together looks great. Next on the agenda we have the Village Attorney Mr. Brockman sir.

Atty. Brockman – Thank you sir and good evening, everyone. Very simply this time a Resolution requesting that I draft a local law to amend the Vehicle & Traffic Chapter to have a no parking area for about one car lengthy form the crosswalk in front of the Milo town Hall, southerly to the next parking area and the Resolution also contains items with regards to SEQRA and we would also a Public Hearing and will do that at the next meeting.

Trustee McLoud – I’ll make that Motion Ed

Atty. – Actually we won’t do the Public Hearing at the next meeting.

Trustee Spencer – Second

Atty.- Thank you

Mayor - Thank you Mr. Brockman. Motion Mr. McLoud, seconded Mr. Spencer any discussion

Trustee Stewart - Why is there a need for no parking spot there

Mayor - Public Safety by law were not suppose to have a parking space that’s right on top of a crosswalk like it is. There have been several near misses there.

Atty. - when a pedestrian walks out in the crosswalk in front of the Milo town hall area. There not visible for traffic coming from South heading northerly and also the pedestrians if it’s a larger vehicle has to peek around the vehicle before stepping out to make sure there is no traffic coming, so that. It’s not been a good situation for quite awhile.

Trustee Stewart - Thank you

Atty. - Sure

Mayor- Thank you any other discussion

Tom- I’m sorry Mayor - with that Mayor we’ll go down and with seal it and get rid of this parking lines. So people will now it’s no parking and actually probably paint as- you know the strips- no parking in it.

Atty. - it will be the November meeting before the Local Law is adopted so.

Tom - Ok

Atty. - remove the markings - but there nothing to prevent people parking there.

Tom - Ok

Atty. - but it might discourage them, if there is no parking markings so go right ahead and do that Tom.

Mayor - any other discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried

Mayor - Thank you, yes Mr. Brockman

Atty. - yes that’s it until later

Mayor - well Thank you

Atty. - Thank you

Mayor - CRC nothing new to report Municipal Mr. McLoud

Trustee McLoud - yes I’d like to request a Motion to declare the inventory items below surplus and dispose or scrap as appropriate.

| # of Surplus Units | Item Description | Store # | Unit Cost | Total Inventory Value | Reason for Surplus |
|--------------------|---------------------------|---------|-----------|-----------------------|--|
| 22 | Guy Attachments | 750 | \$3.59 | \$78.96 | Obsolete, cannot use with new pole hardware |
| 42 | Wireholders (House Knobs) | 15900 | \$3.27 | \$137.13 | Obsolete, porcelain cannot use |
| 23 | Clamp, Hot Line Small | 26801 | \$8.32 | \$191.44 | Obsolete, Used, and Corroding unsafe for use |
| 20 | Clamp, DE 2/0 – 336.4 | 28300 | \$9.14 | \$182.80 | Obsolete, Used, and Corroding unsafe for use |
| | | | Total | \$590.33 | |

Trustee Benedict - I’ll second it

Mayor - Motion Mr. McLoud, second Mrs. Benedict any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried

Trustee McLoud -I’d like to request a Motion to declare one cembre crimperB54N crimping tool and one Husqvarna Chainsaw T54XP Serial #19977510790 as surplus and dispose of appropriately.

Trustee Condella - second

Mayor - Motion Mr. McLoud, second Mr. Condella any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried

Trustee Mr. McLoud - I’d like to request a Motion to award Koppers Utility and Industrial Products the Wood Utility Pole bid for 8 40’ southern yellow pine pole at \$337.70 each and 18 45’ southern yellow pine poles at \$397.60 each for a total of \$9,858.40.

Trustee Condella - second

Mayor - Motion Mr. McLoud, second Mr. Condella any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried

Trustee Mr. McLoud - I’d like to request a Motion to approve Utility Agreement in the amounts of \$3,700.64.

Trustee Hoban - I’ll second it

Mayor - Motion Mr. McLoud, second Dr. Hoban any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
|-------------|-----|---------------|-----|--------------|-----|

Mr. McCloud Yes Mr. Stewart Yes Dr. Hoban Yes
Carried

Trustee McCloud - that's all I have

Mayor - Thank you very much Kevin, administration Mrs. Benedict.

Trustee Benedict - I'd like to make a Motion to approve the warrant.

Amount:

Paid Before Audit:

| | |
|--------------------------------|----------------------|
| General | 23,021.96 |
| Electric | 231,618.04 |
| Sewer | 6,788.68 |
| Water | 7,119.63 |
| Capital Projects | |
| Total Paid Before Audit | \$ 268,548.31 |

Current Audit:

| | |
|----------------------------------|----------------------|
| General | \$ 89,085.43 |
| Community Development - CRC | - |
| Electric | 153,555.50 |
| Sewer | 47,468.29 |
| Water | 301,023.61 |
| Capital Projects | - |
| Total Current Audit Items | \$ 591,132.83 |
| TOTAL AUDIT | \$ 859,681.14 |

Trustee Stewart - I'll second it

Mayor - Motion Mrs. Benedict, second Mr. Stewart any discussion

Roll Call

Mr. Spencer Yes Mrs. Benedict Yes Mr. Condella Yes
Mr. McCloud Yes Mr. Stewart Yes Dr. Hoban Yes
Carried

Trustee Benedict - I'd like to make a Motion to hire Daryl Harris as a Seasonal Laborer retroactively effective 9/8/2020 at \$11.80 per hour.

Trustee Mr. McCloud & Spencer - second

Mayor - Motion Mrs. Benedict, seconded Mr. McCloud any discussion

Roll Call

Mr. Spencer Yes Mrs. Benedict Yes Mr. Condella Yes
Mr. McCloud Yes Mr. Stewart Yes Dr. Hoban Yes
Carried

Trustee Benedict - that's it for right now

Mayor - Thank you very much Carolyn. Public Safety Mr. Condella we are all Indians and no Chiefs tonight.

Trustee Condella - yes have Police Department tonight will go over it looks like they had 655 calls for the month move right down to the Fire Department. We don't have any Chiefs with us right/

Mayor - that's correct

Trustee Condella - ok - So I'd like to make a Motion to declare the following equipment as surplus and sell at fair market value.

- 39 Scott air packs
- 87 Scott air bottles
- 1 Scott Rit pack
- 2 4500 air bottles

Trustee Benedict - second

Mayor - Motion Mr. Condella, second Mrs. Benedict any discussion

Roll Call

Mr. Spencer Yes Mrs. Benedict Yes Mr. Condella Yes
Mr. McCloud Yes Mr. Stewart Yes Dr. Hoban Yes
Carried

Trustee Condella- I'd like to make a Motion to authorize the new slate of Officers of the Penn Yan Fire Department voted on at the Fire Department September 3rd, 2020 meeting. Fire Chief's for 2020-2021.

New elected Officers for 2019-2020

- Chief Frank Ellis
- 1st Assistant - Mike Pedersen
- 2nd Assistant – Derek Christensen
- 3rd Assistant – Rick Simpson, Jr.

- Captains
- Paul Debrine
 - Robert Galusha

- Lieutenants
- Adam Benedict
 - Cody Burnett
 - Ryan Jensen

- Board of Directors
- President – Rick Simpson, Sr.
 - Vice President – Mike Carmel
 - Treasurer – Steve Morse
 - Secretary – Norm Koek

Trustee McLoud- second

Mayor - Motion Mr. Condella, second Mr. McLoud any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried

Trustee Condella - Not we have another Motion Jeff Housel is asking with the FFA Alumni Association to hold a chicken BBQ on Saturday October 31 at the fireman’s Field. This event will be a drive through. No table or chairs will be set up and strickley carry out. This is added CDC guidelines with be followed and in the future needed with the group request to use the fireman’s field they will fill out all safety Plans for the Village.

Atty. - who is doing the Safety Plan for this one.

Mayor - it says is needed

Trustee Benedict- FFA

Atty. - is the Fire department doing it or the FFA

Trustee Condella - Jeff will be doing with the FFA Alumni Association.

Atty.- is that the what you sent the form over Frank Ellis that we talked about this morning or is that a different deal.

Gary - that is a different deal - that was so they could do the Department meetings.

Atty. - Oh oh ok alright

Mayor - drive through there have been drive through there I mean.

Trustee Condella - they did a drive through raffle a while ago. They have had other and it went well

Mayor - food distribution the rabies. I think as long as it’s a drive through. I don’t see any problem with that. Does anybody else.

Atty. - I still think they need the safety plan submitted.

Trustee Condella - right’

Atty. - So they can can firm it will be done that way over in Naples. I saw once time when they said drive through and turned out it the drive through walk up and all kinds of different things.

Trustee Condella - no they will fill out the Safety plan and will follow all the guidelines.

Atty. - good Thank you

Trustee Benedict - I think the FFA typically does a chicken BBQ at homecoming so it’s an annual fund raisers event for them. So, absence any homecoming activities this year they still want to raise their funds to fund their scholarships.

Atty. - good glad they’re doing that

Mayor - was that a Motion

Trustee Condella- that was a Motion

Trustee Benedict - I’ll second it

Mayor - Motion Mr. Condella, second Mrs. Benedict any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried

Trustee Condella - alright down to Code Enforcement we have another Motion to authorize Hamm’s to mow Village resident’s lawns, if they have not been mowed within the appropriate time limit. The cost of mowing plus 10% will be placed on the Village taxes the following year 2021 if they are not paid after invoice is sent out. Looks like 7 lawns

Trustee Stewart- second

Trustee Hoban - second

Mayor - Motion Mr. Condella, second Mr. Spencer any discussion

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried

Mayor - we do have Jamie and Bruce both on here tonight. Thanks guys. Jamie things are going well.

Jamie- yes things are pretty well

Mayor - very good Thank you’

Trustee Condella - and That is it.

Mayor - Thanks Dan

Trustee Condella - yup not a problem

Mayor - Public Works Mr. McLoud

Trustee McLoud - mentioned the Fall clean- up for brush and leaves for the Village – Brush pick up (**one pass only**) week of October 26 – October 30. Leaves will be picked up starting November 2 and stated November 21 will be the last day to take anything up to the Composting site at (WWTP) Waste Water Treatment Plant.

Trustee McLoud - that’s all I have for now

Mayor- Thanks I did get an e-mail from Mark Illig the chair of the Keuka Lake Outlet compact and he compliantmented Tom Schwartz and the gang for overseeing and coordinating the Bridge repair or the Dam repairs that were just done. So wanted to pass that on to everybody. Good job Tom.

Mayor - Thanks, Kevin Planning & Development Mr. Stewart.

Trustee Stewart - yes, we met yesterday and we had the privilege two different groups or two different people from two different group to come and talk with us. One was Carlie Chilson who spoke about the options of Zoning any marijuana sales in the Village and I today received a report from the County and I will be invited to a Zoom meeting about more discussion about their process.

Mayor- Ok

Trustee Stewart - the second I don't remember the ladies name but she's an artist. Talking about murals on downtown are and our downtown art sub committee will be meeting on September 29 at 11:00 am to go over our concerns and to begin our process of creating a list of requirements and concerns. So that commutation starting is looking and I'm excited that were moving along with that.

Mayor - Thank you yes Ray's got some great information so far. And I'll contact Rick Hauser about Perry art work as well.

Trustee Spencer - Thank you

Trustee Stewart - yup and unless someone else to talk about from that report meeting, I'm done.

Mayor - if we pretty much set on the vacancy.

Trustee Spencer - for the record the lady that Paulina Reid.

Mayor- Yup Paulina Garcia Reid- yes Thank you. We still I still haven't heard from anybody that is interested in an appointment to the ZBA. So, if anyone has any ideas or think of anybody that would be interested give a call and have them give me an e-mail.

Atty. - Lynn Duryea has that that public information article in the paper. I think it has been in once or twice.

Mayor- yes it has been in. I have had some response but have not heard from anybody that is interested in the ZBA.

Atty. - Ok it will be in once more next week. I believe. Hopefully you'll get some interest.

Mayor- Ok very good

Atty. There is always subscription

Mayor - yes - I'd done that before Ok - are there any other public request or comments or other items that we need to discuss.

Trustee Benedict- I do have a question

Mayor - Carlie

Carlie Chilson - yes so, the women's Auxiliary was asking if the Village is going to be having a Trick or Treating this year. I now Cuomo announced today he's not cancelling it.

Mayor - Well we have not made that decision yet and I did not hear the Governor's announcement today so I don't know what that entails. Of course, he's putting it on each individual municipality

Atty. - in order to allow it to go forward, but at the same time avoid any kind of liability. It always possible to not approve it but not cancel it also. Let the Public do what they may.

Mayor - Well that's perhaps what we will do if there is some action either pro or con will. I suggest we do that at next month's meeting prior to the event.

Carlie- that's the way be worded it as well as and did not cancel it. He wasn't going to cancel. I think that's wise. I do have one more question. So, the Community Revitalization grants are they coming through or are they being held back.

Mayor - which are you referring to

Carlie- the 10 million dollars.

Mayor - Oh yes, their projects are ongoing yes.

Carlie-so the monies are coming through for them.

Mayor - I believe any expense have been submitted for reimbursement and some have been made.

Carlie- Ok good- very good. I know there are some grants that are on hold. Leslie Church was talking about the grant for up at the airport further sewer on hold. So, I didn't know if he was holding back any of ours.

Mayor - I don't believe we have encounter any withholding on that.

Carlie - Ok Thank you

Mayor - Well any other comments if not I'll entertain a motion to adjourn and go in Executive Session.

Trustee Benedict - I'll make that Motion

Trustee McLoud- second

Mayor- Gary, Tom, Mr. Brockman to join. Motion Mrs. Benedict, second Mr. McLoud

Roll Call

| | | | | | |
|-------------|-----|---------------|-----|--------------|-----|
| Mr. Spencer | Yes | Mrs. Benedict | Yes | Mr. Condella | Yes |
| Mr. McLoud | Yes | Mr. Stewart | Yes | Dr. Hoban | Yes |

Carried