

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, March, 19 2019 at 6:00 PM, Village Hall, 111 Elm Street, Room 202, Penn Yan, NY 14527

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 B. Bodine; Police Chief T. Dunham; CEO B. Lyon; Fire Chief B. LaRock

ABSENT:

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC: Kevin Mattison, Bill Wigsten

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

CALL FOR EXECUTIVE SESSION:

No Executive Session tonight

MINUTES:

MOTION by Trustee McLoud, seconded by Trustee Hoban to approve the Village Board Minutes from February 19, 2019.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent

GUESTS, PUBLIC REQUEST & COMMENTS:

Bill Wigsten had concerns regarding the Village’s Local Law for dog defecating on lawns. He is asking the Board to review this Law and is asking to possibly having a warning then fine for the abusers. He just spent 15-20 minutes cleaning up someone else dog mess on his lawn. In this day and age people have videos and camera on the phone. Bill feels the Board should readdress this issue and specifically write the law to make it a requirement in the Village limits to clean up after your dog or will be punished by a small fine. Can’t we take a picture and have the owners accountable. Chief Dunham explained we have looked at this matter and we already have something in place. Chief Dunham stated if you have a picture showing the dog and person walking the animal stop to the Police Department and we will look in to it and if needed will give a ticket. Trustee Benedict stated she was under the impression that we had enforceability to that section of the code. Trustee Condella spoke with another resident tonight on the same subject of people not picking up after their dogs. Chief Dunham feels yes it is enforceable with the evidence.

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize the Annual Penn Yan Youth Baseball and Softball Parade on Saturday, April 27, 2019. Will start at Boat Launch at 10:00AM proceed on Keuka Street to Elm Street up to the Sports Complex

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize the Farmers Market to sell local produce. They will be using the East side of Main Street between Jacob and Elm Street from the middle of May to the middle of October, 2019 between 6:00am – 1:00pm. (asking to use the south side of Jacob Street where it adjoins Main Street briefly while loading or unloading, may need to use this section during peak season for any overflow and will keep traffic lane open.)

Discussion: Chief Dunham stated they need to be sure they don’t block the bank and use the south side of Jacobs Street. Trustee McLoud thought it was already discussed for them to use Maiden Lane. Trustee Condella thought they were getting permission to use the parking lot behind the bank. The biggest concern is to get it off of Main Street for the store owners. They feel they are losing business. Trustee Condella will speak with the Farmer Market Manger and or President. It was decided to allow them on Main Street for another year unless they are willing to move to the parking lot off of Maiden Lane.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize the Annual Yates County Chamber of Commerce 23rd Cruisin’ Night & Block Party for Friday June 14, 2019. Asking to close Main Street starting at 2:00PM – 9:30PM from Chapel to Lake Street will leave the intersections at Main and Elm Street’s and Main and Water/Seneca Streets open for traffic as in the past. NEW this year asking to

have Lake Street blocked off from Ogden to East Main, vehicles will be parked diagonally on both sides of Lake Street as well as Maiden Lane (host vendors) to Firehouse Lane. No parade will take place.

Discussion: Brent has concern if blocking off Lake Street from East Main to Ogden, his concern is Lake Street is narrower and feels we should restrict the use to one side of the Street to allow the cars to park diagonally. Chief Dunham feels the North side would be the best also stated last year we had great weather so we did have more cars. Trustee Condella will speak to the Chamber regarding the use of one side of the Street and be sure there is clearance for emergency vehicles.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize ARC of Yates to use the Lake Street Park on June 14, 2019 (expand Cruisin Night) and waive the fee for the pavilion. The electric fee will not be waived.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MAYOR:

MOTION by Trustee Benedict, seconded by Trustee Hoban to authorize Resolution No 24-2019 as it pertains to the CDBG grant for Parker’s Grill.

WHEREAS, the New York State Office of Community Renewal (Hereinafter “OCR”) is reviewing an application for Community Development Block Grant (hereinafter “CDBG”) funding to support the Parker’s Grill project located at 11 Main Street in the Village of Penn Yan, and

WHEREAS, OCR is requesting that communities sponsoring a CDBG application make a statement relative to the project as it pertains to the State Environmental Quality Review Act (hereinafter “SEQRA”), and

WHEREAS, 6 CRR-NY 617.5 (c)(18) classifies Type II Actions under SEQRA as “reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceed any of the thresholds in section 617.4 of this Part.”, and

WHEREAS, The Parker’s Grill project does not exceed any of the thresholds in section 617.4,

NOW, THEREFORE, BE IT

RESOLVED, The Village of Penn Yan recognizes the Parker’s Grill project is considered a TYPE II Action in accordance with the State Environmental Quality Review Act, and

BE IT FURTHER

RESOLVED, The Village of Penn Yan does not anticipate further environmental review to be required under SEQRA,

Discussion: Mayor explained this Resolution goes along with a previous approved application for a CDBG funding by Parker’s Grill. They had already required the building and can’t use funds after you have expended them with the CDBG grant.

ADOPTED Ayes 6 MacKerchar, Benedict, Condella, Hoban, McLoud, Stewart
Nays 0 Abstain Spencer Absent 0

Mayor MacKerchar explained Chris Iversen is asking Doug Paddock at the County and the Mayor for a letter of support for his condominium project at the Penn Yan Marine site for the moorings to be sent to the Department of State and other agencies to help get this approved. This step is required before you can build and sell a condominium you have to have an offering in plan to show prospective buyers the purchase cost. Asking to have a letter written to the Department of State or the AG’s Office requesting to do what they can to approve these condominiums.

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Mayor MacKerchar write a letter of support for the condominiums for Chris Iversen at the moorings on Keuka project.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Mayor reminded everyone of the Organizational meeting on Monday April 1, 2019 at 5:00PM.

ATTORNEY:

Atty. Brockman reviewed Part 1 and 2 of the SEAF (Short Environmental Assessment form) – Dig Safely NY Amendment of “Streets and Sidewalks”

MOTION by Trustee McLoud, seconded by Trustee Stewart to authorize Resolution No 23-2019 Set a Public Hearing and Adopting an SEAF with Respect to the Proposed Local Law Amending the Streets and Sidewalks Chapter of the Code of the Village of Penn Yan With Respect to New “Dig Safely New York” Requirements. Public Hearing for April 16, 2019 at 6:10PM

WHEREAS, the Board of Trustees previously designated itself as “Lead Agency” for the purposes of the review of this action under the provisions of SEQRA and determined this to be an “Unlisted Action” and

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

WHEREAS, a Short Environmental Assessment Form (SEAF) has been prepared and reviewed.

Now Therefore, be it

RESOLVED, that the SEAF with respect hereto is adopted and a Negative Declaration is issued; and be it further

RESOLVED, that a public hearing on the proposed Local Law is hereby scheduled for April 16, 2019 at 6:10 p.m. at the Village Hall and that notice thereof be made by legal counsel.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Spencer, seconded by Trustee McLoud to authorize Resolution No 19-2019 Local Law to Establish Signage at the Intersection of the Village Streets of Davis Street and Keuka Street and set a Public Hearing for April 16, 2019 at 6:00 PM.

WHEREAS, the Village Director of Public Works has recommended the adoption of a Local Law formalizing the placement of stop signs at the intersection of Davis Street and Water Street at Keuka Street.

WHEREAS, a Local Law for that purpose has been prepared and circulated to the Board of Trustees; and

WHEREAS, it appears that there will be no environmental impacts resulting from such action.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board of Trustees declares itself “Lead Agency” for SEQRA purposes relating hereto. It is determined that no environmental impacts will result from this action and accordingly this is declared to be a Type II action. Therefore no environmental review will be undertaken.
2. A public hearing on the proposed Local Law is hereby scheduled for April 16, 2019 at 6:00 p.m. in the Village Hall and that due notice thereof be made by the Village Attorney.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Spencer, seconded by Trustee McLoud to authorize Resolution No 18-2019 Local Law Prohibiting Discharge of Water from Buildings onto Village Sidewalk, Parking Lot and Street Surfaces and setting a Public Hearing for April 16, 2019 at 6:05 PM.

WHEREAS, the discharge of water runoff from buildings onto Village sidewalk, parking lot and street surfaces has created hazardous conditions for pedestrians in the Village; and

WHEREAS, based upon a recommendation of DPW Director Bodine, it appears appropriate to amend the “Streets and Sidewalks” Chapter of the Code to prohibit such discharges of water onto Village sidewalks and streets surfaces; and

WHEREAS, the Board of Trustees to act as “Lead Agency” for SEQRA purposes relating hereto; and

WHEREAS, a proposed Local Law has been circulated to the Board of Trustees.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board of Trustees of the Village of Penn Yan designates itself as Lead Agency, determines that this is an “Unlisted” action under SEQRA and therefore an SEAF will be completed; and

2. A public hearing on the proposed Local Law is hereby scheduled for April 16, 2019 at 6:05 p.m. in the Village Hall and that due notice thereof be made by the Village Attorney.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize Resolution No 21-2019 Accepting Dedication from Keuka Gardens LLC of Easements for Electric, Sewer and Access as well as Dedication of Water, Electric and Sewer Infrastructure

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Atty. Brockman explained he met with Bruce Lyon, CEO today to discuss the following Village properties. House on Stark Ave. both owners are deceased and had never had an estate proceedings to transfer the property. There are several children of the deceased party. We might have to proceed thru Surrogate Court to have the Village appointed as administrator of the deceased in order to do something with that property. Meantime we are trying to locate some of the family members. The property on Garfield Ave. was destroyed by fire. They have been cleaning it up a little at a time but this has been going on for a long time. Bruce is having problems locating the owner. It was decided to serve them with a violation notice to clean the site up. Atty. will review the violation for 311 Liberty Street before Bruce serves that. Atty. mentioned they also discussed the Air B&B issues. Atty. will draft something up to help control that kind of activity in the Village. Atty. explained the house on Seneca Street which is in very poor condition for various reasons. He will contact the appropriate individual(s) to proceed with that issue. Atty. stated there is a property on Main Street that did some exterior improvement on the outside of the building and did not go through the Historic Pres. Commission first. Atty. will be attending that meeting to further discuss this. Mayor mentioned some of these issues will probably impact our budget.

Atty. briefly discussed the Article 78 that was filed against the Village with respect to the townhouse project being built across the road from Red Jacket. We had a Court hearing today at 1:00PM. The Court will issue a written decision later, could be up to 60 days before we hear anything. Mayor Thanked the ZBA, Code and Board for the help with this matter.

COMMUNITY REVITALIZATION:

Mayor briefly reviewed the final list that will be forwarded to the State for the DRI project.

MUNICIPAL:

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize issuing a Notice of Award to Sloth Electric for the installation of the accent lighting on the Main Street Bridge for the lump sum amount of \$18,265.00 to be reimbursed through the IEEP.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize accommodations at Embassy Suites by Hilton in Syracuse, NY for Charlie Bush, Mike Mullins and Eric Spencer for the MEUA Engineering Workshop; to stay one night (March 26th) at a cost of \$129 per night per room (3 rooms total) plus expenses.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize Resolution No 20-2019 to appoint Brent Bodine as an accredited delegate of the Village of Penn Yan at the Municipal Electric Utilities Association (MEUA) 2019 MEUA Semi-Annual meeting on April 24th - 25th in Syracuse, NY

At a regular meeting of the Village Board of the city/Town/Village of Penn Yan, New York, held on March 19, 2019, the following resolution was adopted:

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

WHEREAS, the Semi-Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on April 24 and April 25, 2019 to be held at the Embassy Suites by Hilton Destiny, USA, 311 Hiawatha Blvd W., Syracuse, NY 13204 and,

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

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

	AYE	NAY	ABSENT	
Mayor MacKerchar	X			
Trustee Benedict	X			
Trustee Condella	X			
Trustee Hoban	X			
Trustee Spencer	X			
Trustee Stewart	X			ADOPTED

MOTION by Trustee McCloud, seconded by Trustee Spencer to grant sewer forgiveness in the amount of \$65.43 for 1 Orchard Lane

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McCloud, seconded by Trustee Condella to reduce the number of EDUs at 100 Main Street from 6 units to 5 units

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McCloud, seconded by Trustee Spencer to authorize one additional employee (for a total of 7) to attend the Finger Lakes Water Works Spring Meeting on April 4, 2019 at Club 86 in Geneva at a cost of \$25.00 per person

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McCloud, seconded by Trustee Condella to authorize Bill Wigsten to attend Water Storage Tank Design and Operation training on April 11, 2019 in Syracuse; no cost for training; reimburse for expenses of lunch and mileage (if no Village vehicle available).

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McCloud, seconded by Trustee Benedict to authorize issuing Notice of Awards as follows:

- Vegetation Control:

Hamm's	2019	2019	2020
Landscaping	Spring	Fall	Spring
Total Base Bid:	\$3790	\$3790	\$3790
- Hauling of Liquid Sludge:

Gotta Do	Cents per gallon of sludge	\$.065
Contracting	Type of fuel	Diesel
	Date of weekly average used for bid	3/1/2019
- Electric Poleline Hardware:
 - Irby
- Vehicle Servicing:

Trombley	Car 1	\$29.00 full synthetic multi-point inspection
	Car 2, 3 & 4	
	PW 1, 6, 9, 12 & 13	\$22.00 Lube, Oil and filter multi-point inspection
	TR2, 7, 10 & 12	
	PW 11 & TR 3	\$29.00 if gas motor \$49 if diesel motor
- Chemical – Water Treatment Plant:

Slack Chemical Co	Sodium hypochlorite	\$1.283/gallon
	Liquid Phosphate	\$10.25/gallon (Carus 8600 627# Drum)
	Sodium Flouride	\$0.887/lb

- Chemical – Wastewater Treatment Plant - Blend:

Surpass Chemical	BLEND	\$.325/wet lb
	Delivery Charge for BLEND (250-300 gallon totes; minimum 4 tote order)	\$ 120.00/tote/delivery
	Delivery Charge for BLEND (5000 gallons)	\$ 1,150.00/delivery
- Chemical – Wastewater Treatment Plant – PAC:

Holland Company	PAC	\$0.17/wet lb
	Delivery Charge for PAC (5000 gallons)	included in product price
- Tree Trimming

Birchcrest	\$116,881.00
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ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McCloud, seconded by Trustee Spencer, to approve Utility Payment Agreements in the amount of \$7,099.78

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

FINANCE & ADMINISTRATION:

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

AUDIT:

	Amount:
Paid Before Audit:	
General	24,884.42
Electric	344,759.64
Sewer	5,831.43
Water	6,650.99
Capital Projects	
Total Paid Before Audit	\$ 382,126.48
Current Audit:	
General	\$ 64,710.40
Community Development - CRC	-
Electric	34,523.68
Sewer	42,451.12
Water	23,689.18
Capital Projects	-
Total Current Audit Items	\$ 165,374.38
TOTAL AUDIT	\$ 547,500.86

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize Sheppard Street, Johnson and Myrtle Ave. Water Main replacement-CDBG project #895PW158-16 Warrant for \$39,865.84.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McCloud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella Authorizing Clerk-Treasurer Meeks and DPW Director Bodine to enter into a three year agreement with Empire Access Corp. to provide phone and internet services to all Village locations.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

Gary Meeks, Clerk/Treasurer mentioned the Tentative General Fund 2019-20 Budget the tax level is 5.62% increase above last year; it's over the 2% tax cap. He asked for a Budget Workshop to be set for Thursday March 21, 2019 at 1:00 PM. Board will be available.

MOTION by Trustee Benedict, seconded by Trustee McLoud to set a Public Hearing for the 2019-2010 General Fund budget April 1, 2019 at 5:15 PM.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize to hire Cody Staples as a MEO (L) Group 4 – start 20.91 hr. Probation period 1 year. Anticipated start date April 8, 2019

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize to hire Tyler Ayers as a WWTP (Waste Water Treatment Plant) Maintenance Worker Group 3 – start 19.93 hr. on a provisional basis. Anticipated start date April 8, 2019

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize to hire Thomas Schwartz as Deputy Director of Public Works, provisional appointment. Annual salary 65,000.00, anticipated start date April 29, 2019

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize probationary appointment to Charles Bush, Line Crew Chief, and effective March 20, 2019. There will be a 12 week probationary period. No change in hourly rate.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize probationary appointment to Michael Mullins, Senior Lineworker, effective March 20, 2019. There will be a 12 week probationary period. No change in hourly rate.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize probationary appointment to Eric Spencer, Apprentice Lineworker, and effective March 20, 2019. There will be a 12 week probationary period. No change in hourly rate.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize to hire Rainer Hamm, seasonal laborer for the Street Dept. to report to Supervisor Erik Decker. 11.10 hr. start date April 1, 2019. Primary job duties will be working the Village Compost site. This is conditional pending approval from Yates County Personnel.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize to hire the following seasonal laborers

New Employees

George Burnett, Jr. Laborer 11.10 hr. Start April 15

Daniel Lazzaro Laborer 11.10 hr. Start April 15 (pending conditional Yates County Personnel approval)

Lifeguard 12.50 hr. Start June 29 (pending certifications are up to date)

Returning Employees

Tom Dublin Part time laborer 20 hours/week 11.50 hr. Start April 15

Returning Seasonal Laborers

Matt Ryder 11.10 hr. Start April 15
Ricky Simpson 11.10 hr. Start April 15
Harry Baker 11.10 hr. Start April 15
Daryl Harris 11.10 hr. Start April 15

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize to reimburse Officer Kenneth Eldridge \$2,200.00 for Police Academy tuition costs.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

POLICE DEPARTMENT:

Monthly activity report for February

MOTION by Trustee Condella, seconded by Trustee Spencer to authorize to send Wayne Marsh to the NYS Intelligence Summit Saratoga Springs March 20th -22nd. Training and lodging is free. Mileage only

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize to send Terry TenEyck and Kenneth Eldridge to the Empire State Law Enforcement Traffic Safety training April 3rd and 4th in Saratoga Springs. The training is free and lodging is \$468.00; \$400.00 of which will be reimbursed by a grant. Total cost to Village is \$68.00.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

FIRE DEPARTMENT:

Chief's Report for February

Chief LaRock thanked the Village Board. This is the last month of his 16th year on the Fire Board.

Updated requests use for 2019 Fireman's Field

MOTION by Trustee Condella, seconded by Trustee Benedict to authorize Nicholas King be elected to the Hunter, Hook, and Ladder Company effective March 5, 2019.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Condella, seconded by Trustee Spencer to authorize Brandon Grace be elected to the Sheldon Hose Company effective March 5, 2019.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize Kyle Wilmott be removed from the Ellsworth Hose Company effective February 26, 2019.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
Nays 0 Abstain 0 Absent 0

CODE ENFORCEMENT:

Monthly activity report for February

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize Bruce Lyon and Margarita Morehouse to attend a seminar on Wednesday May 22, 2019 in Syracuse for Managing Emotions under Pressure –How to stay calm and productive in any situation. Cost \$149.00 pp (Total \$298.00 plus mileage).

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

PUBLIC WORKS:

MOTION by Trustee McLoud, seconded by Trustee Stewart to authorize Resolution No 22-2019 Grant Application to the NYS Council of Arts (NYSCA) and the Preservation League of NYS for the Oliver House to apply for the Preserve New York Grant which has a \$10,000 maximum award with a 20% match requirement for an updated facilities assessment for the Oliver House

WHEREAS, the Village of Penn Yan is responsible for the care and upkeep of the Oliver House Museum, and

WHEREAS, the last facilities assessment report for this building is more than 10 years old; and

WHEREAS, this grant program supports the generation of Building Condition Reports (BCR) for historical buildings;

NOW THEREFORE BE IT RESOLVED,

1. That Board of Trustees designates itself as “Lead Agency” for the purpose of the SEQRA determinations related hereto.
2. That Board of Trustees of the Village of Penn Yan hereby determines that this proposed application is determined to be a “Type II” action pursuant to NYCRR617.5(c) (24) and therefore no environmental review of those activities is necessary.
3. That the Mayor of the Village of Penn Yan is authorized to take all actions reasonable and necessary to file the Negative Declaration and discharge to Village of Penn Yan’s responsibility as “Lead Agency” for this action.
4. That the Mayor of the Village of Penn Yan is authorized to execute a Grant Application with the NYS Council of Arts (NYSCA) and the Preservation League of NYS plus any and all other documents and instruments necessary to submit this application on or before March 25, 2019.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize Change Order No. 1 to Elliott Engineering Services for the Keuka Lake Walking Trail Bank Stabilization project (FEMA ID: PA-02-NY-4180-PW-00584) in the amount of \$6,330.00 for a new total contract price of \$19,890.00

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize issuing a Notice of Award to All Around Excavating for the Keuka Lake Walking Trail Bank Stabilization project for the amount of \$312,642.00

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize issuing Notice of Awards as follows:

- Cemetery Foundation to DC Masonry at \$.48/sq.in.
- Hauling of Materials:

Long Milk Haulers	<u>Standard</u>	<u>Gabion</u>
0-25 Miles	\$3.75	\$4.50
26-35 Miles	\$4.85	\$5.50
36-45 Miles	\$5.85	\$6.50
46-50 Miles	\$6.85	\$7.50
51+ Miles	\$7.85	\$8.50

- **Hot Mix Bituminous:**
- | Seneca Stone | Bid date 2/27/2018 | Price per ton |
|---------------------|--------------------|---------------|
| Type 7 Top | \$60.00 | |
| Type 7F Top | \$62.00 | |
| Type 6F Top | \$60.00 | |

Type 3 Binder	\$53.00
Fine Binder	\$53.00
Type 2 Base	\$52.00

- **Ready Mix Concrete**

Hanson

Aggregates

Price per Cubic Yard

3500 lb. mix	\$127.00
3500 w/fiber	\$139.00
4000 lb. mix	\$130.00
4000 w/fiber	\$142.00
4000 DCI	\$144.00
flowable fill	\$98.00

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize issuing Notice of Awards as follows:

- Snow and Ice removal:

Connect-A-Service	Labor rate	\$55.00 per hour
	Minimum Call out per location	N/A

- Mowing and Yard Cleanup:

Connect-A-Service	Labor rate	\$67.50 per hour
	Minimum Call out per location	N/A

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

Trustee McLoud reminded everyone the Spring Clean-up will begin on April 1 and run through April 26, 2019.

Trustee McLoud mentioned this year’s clean-up day in conjunction with Milo will be Saturday May 4th from 8:00am – 2:00pm.

PLANNING & DEVELOPMENT:

Trustee Stewart mentioned the last meeting the Committee discussed the Historic, Zoning and Planning Boards. The Atty. already addressed tonight the others items the Committee were wondering about.

COMMENTS

EXECUTIVE SESSION:

No Executive Session tonight

ADJOURNMENT:

At 7:13 PM, **MOTION** by Trustee Benedict, seconded by Trustee Condella to adjourn the regular Village Board meeting.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart
 Nays 0 Abstain 0 Absent 0

Mary Ann Martin, Deputy Clerk

ANNOUNCEMENTS: