

Regular Village Board meeting minutes July 16, 2019

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, July 16, 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; Deputy Dir. Of Public Works T. Schwartz; Police Chief T. Dunham; CEO B. Lyon; Fire Chief F. Ellis; Municipal Commissioner D. Banach

ABSENT:

None

PUBLIC: Bill Wigsten, Mike Clancy arrived at 6:06 PM, Mark Morris arrived at 6:45 PM.

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize to have a Closed Session for legal counsel and Mayor invited Brent Bodine, Director of Public Works to attend.

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

MINUTES:

MOTION by Trustee Benedict, seconded by Trustee McLoud to approve the Village Board Minutes from June 18, 2019 and Special Village Board meeting June 21, 2019.

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

GUESTS, PUBLIC REQUEST & COMMENTS:

Bill Wigsten mentioned there is an information meeting with a Blue Cross/Blue Shield representative to discuss lower premium and higher deductible Health Care Plans for CSEA and other Village co-workers on Thursday July 18, 2019. Meeting is at 1 Keuka Business Park Suite #206 at 4:45PM. Bill stated all are welcome to come and listen to see what it's about.

COMMUNITY REVITALIZATION:

Mayor stated we have one application in and still waiting on some clarification on their paper work.

MOTION by Trustee Condella, seconded by Trustee Spencer to acknowledge receipt of 30-day advance notice of alteration of liquor license for Johnson Costello Post 355 (American Legion).

Discussion: Atty. explained the 30- day advance notice is for Municipalities they are allowed to object to changes and or granting the liquor license within 30-Days. If no objections

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

6:05 PM PUBLIC HEARING – Adoption of Proposed Local Law to Establish a “Stop” Intersection of Central Ave at Seneca Street.

At 6:05PM **MOTION** by Trustee McLoud, seconded by Trustee Hoban to open the Public Hearing.

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

Mayor asked if there were any concerns or questions regarding the Local Law. No comments.

At 6: 06 PM **MOTION** by Trustee McLoud, seconded by Trustee Condella to close the Public Hearing

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

Regular Village Board meeting minutes July 16, 2019

MOTION by Trustee Spencer, seconded by Trustee Benedict to authorize Resolution No 54-2019 Adoption of Proposed Local Law to establish a “Stop” Intersection of Central Avenue at Seneca Street.

WHEREAS, a draft of the proposed Local Law was previously distributed to the Board of Trustees of the Village of Penn Yan; and

WHEREAS, a public hearing has been held before the Board of Trustees of the Village of Penn Yan regarding the proposed Local Law.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan adopts the proposed Local Law.
2. The Village Clerk, through the Village Attorney, is directed to file such Local Law with the Secretary of State of the State of New York and provide for the requisite publication and posting of the Notice of Adoption of such Local Law together with such other acts that are customarily associated with the adoption and implementation of a Local Law.

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

At 6:07 PM **MOTION** by Trustee Benedict, seconded by Trustee Condella to enter into a Closed Session for legal counsel. Mayor has invited Brent Bodine, Director of Public Works to attend.

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

At 6:22 PM **MOTION** by Trustee McLoud, seconded by Trustee Benedict to leave the closed Session and return to the Regular Village Board meeting.

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

MAYOR:

Mayor stated he hopes to hear from the state regarding what has been approved for the DRI projects by July 26th.

ATTORNEY:

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 55 -2019 Regarding Consideration of Proposed Local Law Pertaining To Amendment of the “Amendment” Article of the Zoning Chapter of the Code of the Village of Penn Yan. Set a Public Hearing for August 20, 2019 at 6:05 PM.

WHEREAS, it has been recommended to the Board of Trustees that the “Amendment” Article of Zoning Chapter Code of the Village of Penn Yan be amended; and

WHEREAS, the Board of Trustees of the Village of Penn Yan intends to act as “Lead Agency” for the purpose of any review of this action under the provisions of SEQRA; and

WHEREAS, a draft Local Law has been prepared and circulated to the Board of Trustees.

Now Therefore, Be It Resolved That:

1. The Board of Trustees of the Village of Penn Yan hereby establishes itself as Lead Agency pursuant to 6NYCRR § 617 for the purposes of any environmental review of this action; and
2. The Board of Trustees of the Village of Penn Yan determines that there will be no detrimental environmental impact as a result hereof, this is therefore this is classified as a Type II” action and accordingly no environmental review will be undertaken; and
3. That a public hearing on the proposed Local Law is hereby scheduled for August 20, 2019 at 6:05 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 McLoud, seconded by Trustee Spencer to authorize Resolution No 57-2019 (A)

Regular Village Board meeting minutes July 16, 2019

Proposed Amendment of the Sewer Chapter of the Village of Penn Yan To Allow the Village to Provide Municipal Wastewater Sewer Service to the Yates County Fairgrounds.

WHEREAS, the Village of Penn Yan (Village), as part of its municipal utility services, operates a wastewater sewer system; and

WHEREAS, the Board of Trustees previously adopted provisions of the Sewer Chapter of the Village Code which prohibits the providing of wastewater sewer service to customers outside the geographic limits of the Village of Penn Yan, except to a duly established municipal sewer district; and

WHEREAS, it has become necessary for the Village Electric Department to provide additional electric circuits out of its Ryder Substation to redistribute the existing loads being served and more capacity to the Horizon Business Park; and

WHEREAS, the most economical route to install such electric service would be across the Fairground's property owned by the Yates County Agricultural Society on Old Route 14A which is located outside the Village limits and not part of a municipal sewer district; and

WHEREAS, to provide such electric service by any other route would be circuitous and as a result more expensive than the Yates County Fairgrounds route; and

WHEREAS, in order to install the electric service to Horizon Business Park across the Yates County Fairgrounds property, it will be necessary to acquire a permanent easement for such purpose from the Yates County Agricultural Society, the owner of the Fairgrounds; and

WHEREAS, the Yates County Agricultural Society will grant such an easement only if the Village agrees to provide municipal sewer service to the Yates County Fairgrounds; and

WHEREAS, the Board of Trustees wishes to avoid the greater expense of providing electric service to Horizon Business Park by the more circuitous route; and

WHEREAS, providing municipal wastewater sewer service to the Yates County Fairgrounds would be on the basis of a paying "outside Village" customer.

WHEREAS, a Local Law amending the "Sewer" Chapter will be required'; and

WHEREAS, the Board of Trustees intends to address any SEQR issues related to this action.

NOW, THEREFORE BE IT, RESOLVED THAT:

1. 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
2. The Board of Trustees of the Village of Penn Yan determines that this is an "unlisted" action under SEQRA and therefore an SEAF will be completed; and
3. The Village Attorney has drafted a proposed Local Law for the purpose of pursuing an appropriate amendment to the Village Code related to this matter, which Local Law has been distributed to the Board of Trustees.

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

Atty. Brockman reviewed in full the SEAF (Short Environmental Assessment Form) – Amendment of Sewer Chapter to provide sewer service to the Yates County Fairgrounds in full.

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize Resolution No 58-2019 (B) Setting a Public Hearing and Adopting an SEAF with Respect to the Proposed Local Law Amending the Sewer Chapter of the Code of the Village of Penn Yan. With Respect to Allowing Wastewater Sewer Service to the Yates County Fairgrounds. Set a Public Hearing for August 20, 2019 at 6:10 PM.

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, completed and reviewed.

Now Therefore, be it

Regular Village Board meeting minutes July 16, 2019

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 August 20, 2019 at 6:10 PM 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 Benedict, seconded by Trustee Spencer to authorize Resolution No 59-2019 Consent to Provide Wastewater Sewer Service to Milo Sewer District No. 3

WHEREAS, the Village of Penn Yan (Village) and the Town of Milo (Milo) entered into an intermunicipal agreement (IMA) on or about February 13, 2002 entitled “Sewage Disposal Agreement Between Penn Yan and Milo”, whereby the Village agreed, upon specific terms and conditions contained in said IMA, to accept and process wastewater from Milo Sewer Districts 1 and 2; and

WHEREAS, said IMA was amended in 2015 with certain terms and conditions, including an expansion of Milo’s sewer districts; and

WHEREAS, Milo has duly created Sewer District No. 3 encompassing three specific areas of Milo and now requests that the Village accept and process wastewater from that District; and

WHEREAS, the Village DPW Director has indicated that the Village Wastewater Treatment facilities can adequately accept and process the estimated quantity of affluent which will be generated from Milo Sewer District No. 3, as computed in the official “Map, Plan and Report”, produced by Milo’s engineering firm pursuant to Town Law Article 12-A; and

WHEREAS, a further amendment to the IMA with Milo will be required for the purpose of agreeing to accept the affluent generated by Milo Sewer District No. 3.

NOW, THEREFORE BE IT, RESOLVED THAT:

1. The Board of Trustees designates itself as “Lead Agency” with respect to the SEQRA aspects of such action, determines that such action will have no detrimental environmental impacts, therefore declares this to be a “Type II” action and accordingly no environmental review will be undertaken.

2. The Board of Trustees consents to the Village entering into an agreement to further amend the IMA with the Town of Milo dated February 13, 2002, for the purpose of accepting affluent from Milo Sewer District No. 3 into the Village wastewater sewage system for processing at the Village Wastewater Treatment facility.

3. The Mayor is authorized and directed to execute such agreement to amend the “Sewage Disposal Agreement Between Penn Yan and Milo” for such purpose, conditioned upon the approval thereof as to form and content by the Mayor, the Village DPW Director, the Village Clerk/Treasurer and the Village Attorney.

4. That a certified copy hereof be provided to the Town Clerk of the Town of Milo.

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 60-2019 (A) SEQR Issues Related To Authorizing Acceptance of Title to Premises Known as 25 Champlin Avenue in the Village of Penn Yan

WHEREAS, the premises known a 25 Champlin Avenue in the Village of Penn Yan consists of a Village lot whereon is situate a wood frame residential structure which was substantially damaged in the flood of 2014, has not been repaired and is presently unoccupiable due to such damage; and

WHEREAS, the premises has been abandoned by the owner and has been foreclosed by Wells Fargo Home Mortgage (Wells Fargo) which presently holds title to the property; and

WHEREAS, in lieu of Wells Fargo demolishing or restoring the property Wells Fargo has offered to transfer title of the property to the Village and to provide the Village with the sum of \$35,000.00 as a seller’s concession to cover any anticipated demolition and/or other costs related to ownership of the property; and

WHEREAS, ownership of said property would then vest in the Village of Penn Yan with no restrictions upon disposition or use of the property; and

WHEREAS, the Board of Trustees intends to address SEQR issues related to this action.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees designates itself as “Lead Agency” with respect to the SEQR issues related to this matter.
2. The Board of Trustees determines that this is an “unlisted” action and therefore a Short Environmental Assessment Form (SEAF) shall be prepared, reviewed and completed with respect hereto.

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

Atty. Brockman reviewed in full the SEAF (Short Environmental Assessment Form) - Proposed acceptance of title to 25 Champlin Avenue.

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize Resolution No 61-2019 (B) Adoption of SEAF and Authorization For Accepting Title To Premises Known as 25 Champlin Avenue in the Village of Penn Yan

WHEREAS, a Short Environmental Assessment Form (SEAF) has been reviewed and completed by the Board of Trustees with respect to his action; and

WHEREAS, discussion by the Board of Trustees has ensued with respect to accepting title and ownership of the premises known as 25 Champlin Avenue in the Village of Penn Yan; and

WHEREAS, 25 Champlin Avenue, is a village lot whereon is situate a wood frame dwelling which suffered considerable damage in the flood of 2014.

NOW THEREFORE BE IT RESOLVED, THAT

1. The SEAF is adopted and a Negative Declaration is issued with respect to his action.
2. The Mayor is authorized to accept delivery of a deed transferring title of the premises known as 25 Chaplin Avenue from Wells Fargo Home Mortgage conditioned upon the following:
 - a. The payment by Wells Fargo Home Mortgage to the Village of Penn Yan of the sum of \$35,000.00 as a non-conditional seller’s concession;
 - b. The approval of the Village Attorney as to title issues and the transfer documents as to form and content.
 - c. The Village Clerk Treasurer;
 - d. Final inspection by the Village Code Enforcement Officer as to any issues related to the structure on the premises;
 - e. Final approval of the Village Mayor.
3. The Village Clerk/Treasurer is authorized to accept the \$35,000.00 payment from Wells Fargo Home Mortgage as an unconditional seller’s concession subject to the conditions herein and to expend such funds as are necessary for the recording of the Deed and filing of ancillary documents.

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

Atty. Brockman stated the Planning & Development Committee adopted a Motion to recommend the content for the Zoning Chapter with respect to the Senior Citizen Housing. Atty. explained he will need to have a Local Law drafted to change this.

MOTION by Trustee Stewart, seconded by Trustee Condella to proceed with the preparation towards adopting the Local Law which will embody the proposed Amendment to Zoning Chapter with regards to the Citizen Senior Housing as Planning & Development has recommended.

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

MUNICIPAL:

Regular Village Board meeting minutes July 16, 2019

MOTION by Trustee McCloud, seconded by Trustee Spencer to amend the Milo IMA (Inter Municipal Agreement) to include Milo Sewer District 3 to the satisfactory of the Mayor, Atty. Brockman, Director of Public Work and Clerk/Treasurer.

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 approve Utility Payment Agreements in the amount of \$6857.89

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 amend Resolution No 50-2019 from June's Village Board meeting to update the Resolution title to read as follow. Determination For SEQRA Purposes of Action "Type" With Respect to Sanitary Sewer Rehabilitation with in the Village.

WHEREAS, the Village of Penn Yan operates a wastewater (sanitary) sewer system including a wastewater treatment plant (WWTP); and

WHEREAS, certain rehabilitation to sewer lines and installation of a disinfection system at the WWTP are going to be undertaken by the Village, including the obtaining of financing for the projects; and

WHEREAS, the Board of Trustees intends to address SEQRA issues related to the projects; and

WHEREAS, 6NYCRR Part 617.5 provides that the following are "Type II" actions:

- 617.5 (c) (1) "maintenance or repair involving no substantial changes in an existing structure or facility;"
- 617.5(c) (2) "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site..."
- 617.5(c) (5) "street openings and right-of-way openings for the purpose of repair or maintenance of existing utilities".
- 617.5(c)(21) "conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budget processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action"; and

WHEREAS, the Board of Trustees intends to act as "Lead Agency" for the purpose of the SEQRA determination related hereto; and

WHEREAS, the Village of Penn Yan is submitting a Consolidated Funding Application (CFA). This funding request would be used to make repairs to sewer lines and manholes in order to reduce inflow and infiltration (I&I) in the sanitary sewer system.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees designates itself as "Lead Agency" for the purpose of the SEQRA determinations related hereto.
2. The Board of Trustees finds that the rehabilitation of wastewater (sanitary) sewers and the installation of a disinfection system at the WWTP fall within the actions set forth in NYCRR Part 617.5 (c), (1), (2), (5) and (21), accordingly are determined to be "Type II" and therefore no environmental review of those activities is necessary.
3. The Board of Trustees hereby does approve and endorse this CFA and directs the Mayor of the Village of Penn Yan to execute any and all documents as are necessary to complete the application.

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 Resolution No 56 - 2019 Determination For SEQRA Purposes of Action "Type " With Respect to Installation of and Grant Application for Disinfection Mechanism at the Village Wastewater Treatment Plant (WWTP)

WHEREAS, the Village of Penn Yan operates a wastewater (sanitary) sewer system including a wastewater treatment plant (WWTP); and

WHEREAS, the Village of Penn Yan is planning to upgrade the WWTP; and

WHEREAS, the upgrades will improve the operation of the WWTP and comply with the New York State Department of Environmental Conservation (NYSDEC) new SPDES requirement, NYSDEC Consent Order and other Agency requirements; and

WHEREAS, the Board of Trustees intends to address State Environmental Quality Review Act (SEQRA) issues related to the projects; and

WHEREAS, 6NYCRR Part 617.5 provides that the following are “Type II” actions:

- 617.5 (c) (1) “maintenance or repair involving no substantial changes in an existing structure or facility;”
- 617.5(c) (2) “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...”
- 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”; and

WHEREAS, the Board of Trustees intends to act as “Lead Agency” for the purpose of the SEQRA determination related hereto; and

WHEREAS, the Village of Penn Yan is submitting a grant application which, if awarded, will be used for effluent disinfection at the WWTP as required by the NYS DEC Consent Order.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Penn Yan

1. Designates itself as “Lead Agency” for the purpose of the SEQRA determinations related hereto.
2. Determines that this is a Type II Action as defined in the SEQRA, Section 617.5(c) (2) and (9), and no further action is required.
3. Authorizes and directs the Mayor of the Village of Penn Yan to execute any grant agreement and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the obligations of the Village of Penn Yan required by any award received from this application.

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

FINANCE & ADMINISTRATION:

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

AUDIT:

	Amount:
Paid Before Audit:	
General	80,761.34
Electric	200,770.52
Sewer	6,831.01
Water	7,103.42
Capital Projects	
Total Paid Before Audit	\$ 295,466.29
Current Audit:	
General	\$ 161,578.12
Community Development - CRC	30,000.00
Electric	19,388.34
Sewer	51,263.43
Water	12,973.24
Capital Projects	-
Total Current Audit Items	\$ 275,203.13
TOTAL AUDIT	\$ 570,669.42

Regular Village Board meeting minutes July 16, 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 Sheppard Street, Johnson and Myrtle Ave. Water Main replacement-CDBG project #895PW158-16 Warrant for \$ 23,992.60.

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 declare the Pitney Bowes DI-380 folder/inserter as surplus and to dispose of equipment upon installation of new equipment which is currently scheduled for July 19th.

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 accept James Mullins resignation as Part time Police Officer and Part time SRO, effective June 26, 2019. Jim started working for the Village in 1989.

Discussion: Chief Dunham and the Village Board would like to thank Jim for his years' of service.

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 remove Mark Hulse from the part time roster, Mark is working full time and does not have time to commit to working at the PD.

Discussion: Chief Dunham and Village Board would like to thank Mark for his years' service.

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 hire Wesley Hines as a part time Police Officer, effective July 17, 2019, at a rate of 18.00 per hour. Wesley is a certified Police Officer and is currently working part time in Cohocton.

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 appoint Thomas Schwartz to one year probationary position as Deputy Director of Public Works, effective July 3, 2019 no change in salary.

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 accept Dan Scutt's resignation from his HEO position. Effective 7/10/2019. We wish him well in his retirement and thank him for his fifteen years of service.

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 accept Michael Mullins resignation from his position as Electric Line Worker, effective July 22, 2019. We wish him well in his future endeavors and thank him for his fourteen year of service.

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 retroactively hire the following Lifeguards at a rate of 12.50 per hour Amelia Conlon, Matthew Moniot, Reilly Cohick, Avery Castner, William Rogers, Jarred Calice effective June 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 transfer Tyler Ayers from his position as WWTP Maint. Worker to a probationary position as an Electric Grounds person, effective July 17, 2019. Group 3 – Step Start 20.43 per hour. No change in rate. Probation to end 4/7/2020, 1 year from original hire date with in the Village.

ADOPTED Ayes 7 MacKerchar, Benedict, Condella, Hoban, McLoud, Spencer, Stewart

Regular Village Board meeting minutes July 16, 2019

Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded by Trustee Condella to hire Rainer Hamm as a WWTP Maint. Worker on a provisional basis, Group 3, Step Start at 20.43 per hour, effective August 5, 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 create a part time Sr. Lineworker position and begin recruitment.

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

PUBLIC SAFETY:

POLICE DEPARTMENT:

Monthly activity report for June

FIRE DEPARTMENT:

Chief's Report for June

MOTION by Trustee Condella, seconded by Trustee Benedict to remove the following from the active roll Bob Church and Wayne Marsh effective 7/12/2019.

Discussion: Mayor thanked them both for their many years of dedicated service to the Fire Department.

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

CODE ENFORCEMENT:

Monthly activity report for June

MOTION by Trustee Condella, seconded by Trustee McLoud to hire someone 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 2020 if they are not paid after invoice is sent out.

29 Champlin Ave. 200 South Ave.

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 Atty. Brockman draft up a letter to the Court asking for a decision on the Vivier matter.

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

MOTION by Trustee Condella, seconded by Trustee Benedict to waive rental fee for Red Jacket for Friday July 19, 2019 10:00AM – 1:30PM. Yates County Code Officers meeting

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 Condella to declare the Wacker Mini Roller and trailer as surplus and sell at fair market value

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

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize Atty. Brockman draft a Local Law for "No parking between Signs" on the East side of Keuka Street from 309 – 315.

Regular Village Board meeting minutes July 16, 2019

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

MOTION by Trustee McLoud, seconded by Trustee Stewart to authorize Atty. Brockman draft a Local Law for a one way Street/alley off of Elm Street to the alley way (next to Dahlia's).

Discussion: Brent stated we have approval form Microtel to place two signs on their property for One Way signs. Atty. asked to have the Board think of a name for the alley way.

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

MOTION by Trustee McLoud, seconded by Trustee Stewart to authorize Brent Bodine to execute the grant agreement and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the obligations of the Village of Penn Yan required by the Preserve NY Grant which was awarded to update the Bero Architecture facility assessment report for the Oliver House.

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

PLANNING & DEVELOPMENT:

Trustee Stewart mentioned they have created a sub- committee to look at regulating food trucks in Parks and in the downtown area.

PLANNING BOARD:

COMMENTS

Trustee McLoud mentioned we have the Village Code/e-Code on the Web site now. He would like to thank Gary- Holly- Margarita and Mary Ann for their help

Mayor explained Dan Doyle and himself went to training last week on HAB monitoring thru the Finger Lakes Associations, Seneca Lake Pure Water Association, and KLA. The kick off was tonight. Mark was able to attend. Mark stated they will begin monitoring on Keuka Lake Aug. 4, 2019. He is more than happy to help whenever he can with this.

At 7:10PM **MOTION** by Trustee Spencer, seconded by Trustee Benedict 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: