

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, September 15, 2020 at 6:00 PM, streamed using 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:

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize to have an Executive Session to discuss the work history of an employee.

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

MINUTES:

MOTION by Trustee Spencer, seconded by Trustee Hoban to approve the Village Board Minutes from August 18, 2020 and Special Board meeting September 4, 2020.

Discussion: Trustee Benedict sked the Clerk to be sure to correct the time of the meeting and need correct name of the DW Director change Clerk will be sure those are corrected.

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

GUESTS, PUBLIC REQUEST & COMMENTS:

MAYOR:

Mayor reminded the Board the polls are still open for the Village Elections if you have not voted yet.

Mayor mentioned once the Elections are finalized, we can have our Organizational Meeting. Looking to have that for Monday September 21st at 3:00 PM this will be Streamed via Zoom. Mayor stated regarding the reopening you have done a great job. He thank the Village Clerk (Mary Ann) for the extras she has had to do. Making sure visitors filling out the Health Assessment forms and everyone in the office are doing a great job keeping things up. He is in hopes if things stay the same that by the October Village Board meeting, we will be back to the Village Office. Mayor mentioned Indian Pines had four dead ash trees. The Electric, Streets and Parks crew all worked together to get these cut down. Great job.

ATTORNEY:

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize Resolution No 49-2020 Amending the Vehicle and Traffic Chapter of the Village Code to Provide Parking Restrictions on Main Street.

WHEREAS, the Public Safety Committee recommends parking restrictions on Main Street; and

WHEREAS, the Board of Trustees intends to act as “Lead Agency” with respect to SEQRA issues related to this action.

NOW THEREFORE, BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan designates itself as “Lead Agency” for this action, declares it to be an “Unlisted” under SEQRA and accordingly a Short Environmental Assessment Form (SEAF) will be prepared.
2. The Village Attorney is directed to prepare a proposed local law with respect hereto.

Discussion; Trustee Stewart questioned why is there a need for no parking there. Mayor stated by law we are not to have a parking space right on top of a crosswalk. There have been several near misses there. Atty. Brockman explained when a pedestrian walks out on the crosswalk and if a larger vehicle is parked, very hard to peek out to be sure a vehicle is not coming. It's not a been a good situation for quite a while. Safety issue. Trustee Stewart understands the issue. Tom Schwartz mentioned he will have the guys go down and paint over the parking lines and hopes this will deter people from parking there.

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

COMMUNITY REVITALIZATION:

No updates

MUNICIPAL:

MOTION by Trustee McCloud, seconded by Trustee Benedict 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	

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 declare one cembre crimper B54N crimping tool and one Husqvarna Chainsaw T54XP Serial #19977510790 as surplus and dispose of appropriately.

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 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.

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

MOTION by Trustee McCloud, seconded by Trustee Hoban to approve Utility Payment Agreements in the amount of \$3,700.64

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 Stewart to pay current Village and Municipal bills as submitted.

AUDIT:

		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

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 Daryl Harris as a Seasonal Laborer retroactively effective 9/8/2020 at 11.80 per hour.

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

PUBLIC SAFETY:

POLICE DEPARTMENT:

Monthly activity report for November

FIRE DEPARTMENT:

Chief's Report for February

MOTION by Trustee Condella, seconded by Trustee Benedict 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

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 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

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

Trustee Condella discussed the FFA Alumni Association would like to have a Drive Through Chicken Barbeque on Saturday 10/31 at the Firemen’s Field. (No one will be able to leave their vehicle during this event No Tables or chairs will be set up. Strictly Carryout). All CDC Guidelines will be followed. Six Foot Social Distancing and Face Mask will be worn by all personnel cooking and serving during this event. Trustee Benedict mentioned they usually do this at Homecoming it’s an annual fund raiser for them. Atty. Brockman asked if they could please fill out the Safety Plan and have that on file.

MOTION by Trustee Condella, seconded by Trustee Hoban to authorize the FFA (Future Farmers of American) hold a drive through Chicken Barbeque on Saturday October 31, 2020. Asking to have a safety plan in place first.

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 Spencer 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.

103 Benham St.	113 McKinley	200 South Ave.	400 Liberty St.
			Shrubs/bushes trimmed away from sidewalk
205-207 Elm St	215 Elm St	203 Keuka St	

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

PUBLIC WORKS:

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

Trustee McLoud stated November 21 will be the last day to take anything up to the Composting site at (WWTP) Waste Water Treatment Plant.

Mayor mentioned Mark Illig Chair for the Keuka Lake Outlet Compact complimented Tom Schwartz and his team for the dam repairs that were just done.

PLANNING & DEVELOPMENT:

Trustee Stewart mentioned they had two guest at the meeting yesterday. Carlie Chilson spoke about the options for Zoning and marijuana sales in the Village. I was invited to a Zoom meeting for more discussion about there process. Pauline Reed Garcia she is an artist and was present to discuss mural’s in the downtown area. We do have a subcommittee meeting set for Tuesday September 29 at 11:00 AM to go over requirements and concerns.

COMMENTS

Mayor mentioned he has not heard of anyone that might be interested in the ZBA opening. If anyone knows or hears that someone is interested let him know or e-mail him. Atty. mentioned Lynn Duryea ahs placed an added in the paper a couple of time.

Carlie asked if the Village is going to have Trick or Treating this year. She mentioned the Governor today stating he is not cancelling it. Mayor had not seen that yet today we have not made a decision yet. Thinking it will be up to each individual municipalities to make that call. We will discuss this more at next month’s meeting.

Carlie asked if the Community Revitalization grants are coming through. Mayor asked which one are you referring to. Carlie asking about the \$10 million dollars. Mayor believes yes some are coming through and have started to get reimbursed.

EXECUTIVE SESSION:

At 6:28 PM, **MOTION** by Trustee Benedict, seconded by Trustee McLoud to enter into Executive Session. Atty. Brockman, Gary Meeks and Tom Schwartz to attend the Executive Session per Mayor.

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

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:24 PM, **MOTION** by Mayor MacKerchar, seconded by Trustee Benedict to leave Executive Session and return to regular Village Meeting.

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

ADJOURNMENT:

At 7:25 PM, **MOTION** by Trustee Spencer, 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: