

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, May 21, 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 F. Ellis, Municipal Board Chairman R. French, Commissioner D. Banach

ABSENT:

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC: Steven Ameigh, Robert McCann, Madison Everetts, Bill Wigsten, Carlie Chilsen

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize to have an Executive Session for a matter regarding employment issue of an employee.

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

MINUTES:

MOTION by Trustee McLoud, seconded by Trustee Condella to approve the Village Board Minutes from April 16, 2019.

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

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize the American Legion requesting to hold the Memorial Day parade for Monday May 27, 2019. Starting at East Main Street to Court Street. Parade begins at 10:00 AM.

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

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize American Legion Post 355 having a Centennial Celebration on Saturday, September 14, 2019. Requesting to hold parade starting 6:00 PM begin at Court Street – to South Ave. Will be having a BBQ, music and fireworks for the event.

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

MOTION by Trustee Spencer, seconded by Trustee Hoban to authorize the Keuka Arts Festival to have three separate tent locations for Alcohol vendors located at the specific sites they had indicated on the map that was provided.

Discussion: Atty. Brockman feels we need more detail of the map and need to change the language in the alcohol agreement. Bruce Lyon, CEO questioned the three locations what is behind each of the tents. After he reviewed the map he realized they either have water or a stone/land bank behind each of the tents. The enclosure does need to be around 5’ bigger. Will notify the Arts Festival people of the changes. Trustee Hoban wanted to Thank the Arts Festival Committee for their patience over this issue they have worked very hard on this for us.

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

MAYOR:

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize the Mayor signs the Memorandum of Understanding between Yates County Legislature and Village of Penn Yan for lifeguard funding for 2019 in the amount of \$10,260.00.

Discussion: Mayor mentioned the Village's expenses exceed the amount by 7-8 thousand of the \$10,260 the County has awarded us. We need to have a discussion with the county to establish a better funding.

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

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize the Mayor signs the yearly Agreement between the Village and the Consultant Elliott Engineering Solutions for June, 2019 – May 31, 2020.

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

ATTORNEY:

Local Law E 2019 establishing a six (6) month moratorium on the construction of and/or submission and processing of applications for senior citizen housing facilities within the Village of Penn Yan.

Atty. Brockman explained the recent decision on the proposed housing project on South Ave. for Senior Citizens. We need to examine the Senior Citizen housing provision of the Village code. The Planning Board and Planning & Development recommend the Board adopt a 6 month moratorium on Senior Citizen Housing Development in the Village to review the housing issues and determine if there is or is not a necessity for amendments.

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize Resolution No 45-2019 Consideration of Senior Citizen Housing Moratorium For the Purpose of Possibly Amending Applicable Village Land Use Regulations and set a Public Hearing for June 18, 2019 at 6:00PM.

WHEREAS, a decision of the Supreme Court of the State of New York determined that, since senior citizen housing was a permitted use in the Single-Family Residential (R-1) District of the Village of Penn Yan, that such housing could be created in virtually any format that is proposed by a developer; and

WHEREAS, the subject Court decision, although concerning a proposed project in the R-1 District, appears to be applicable to senior citizen housing uses in the other use districts in which senior citizen housing is a permitted use; and

WHEREAS, the Board of Trustees has determined to examine into whether amendment of the provisions of the "Zoning" Chapter of the Village Code relating to senior citizen housing uses would be appropriate as a result of that Court decision; and

WHEREAS, a moratorium on senior citizen housing uses may be appropriate pending any decision by the Board of Trustees with respect to amending the "Zoning" Chapter concerning senior citizen housing uses; and

WHEREAS, the Village's Planning and Development Committee, as well as the Village Planning Board, have recommended a Moratorium for the purpose of considering modifications to the senior citizen housing use provisions of the "Zoning" Chapter; and

WHEREAS, a proposed Local Law establishing a moratorium for six (6) months on senior citizen housing uses in the Village of Penn Yan has been circulated to the Board of Trustees; and

WHEREAS, pursuant to 6NYCRR617.5(36) the adoption of a moratorium on land development or construction is a Type II action, therefore no SEQRA review is required.

NOW THEREFORE BE IT RESOLVED, THAT

1. This matter is referred to the Yates County Planning Board for its review pursuant to GML Section 239-m.
2. A public hearing with respect to the possible adoption of a moratorium on senior citizen housing development in the Village of Penn Yan for a period of six (6) months is hereby scheduled for June 18, 2019 at 6:00 p.m. at the Village Hall, 111 Elm Street, Penn Yan, NY 14527 and that due notice thereof be made by legal counsel.
3. The Village Planning and Development Committee and Village Planning Board are requested to immediately undertake a review of the senior citizen housing use provisions of the Village Code and the Village Comprehensive Plan to make a report on recommendations to the Board of Trustees as to whether amendment(s) are necessary under the circumstances and, if so, what amendment(s) would be appropriate. Considering that the proposed moratorium is for a period of six (6) months and that any amendment to the "Zoning" Chapter of the Village Code would necessitate approximately ninety (90) days, the report to the Board of Trustees from the Village Planning and Development Committee and the Village Planning Board

should be submitted to the Village Clerk by August 30, 2019.

4. The Board of Trustees hereby indicates its intent to make a determination as to whether to make amendment(s) to the “Zoning” Chapter with respect to senior citizen housing uses, and adopt any such amendment(s), by the termination date of a moratorium which may be adopted.

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

COMMUNITY REVITALIZATION:

None

MUNICIPAL:

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize Charlie Bush, Mike Mullins, Eric Spencer and Rob Ayers to attend MEUA Meter School 101 training on June 17 and 18, 2019 in Fairport at a cost of \$25 per person

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

MOTION by Trustee McLoud, seconded by Trustee Stewart to authorize the Resolution No 46-2019 to authorize Brent Bodine as an accredited delegate of the Village of Penn Yan at the New York Municipal Power Agency (NYMPA) 22nd Annual meeting on May 22nd in Syracuse, NY (Roll Call Vote)

Mayor MacKerchar	Aye	Trustee Condella	Aye
Trustee Benedict	Aye	Trustee Hoban	Aye
Trustee McLoud	Aye	Trustee Spencer	Aye
Trustee Stewart	Aye		

ADOPTED

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize Change Order #4 to City Hill Construction for the North Main St. sewer project in the amount of (\$13,202.50) for a revised contract amount of \$185,746.67

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 Change Order #2 for Bell Construction for the sanitary sewer replacement on Sheppard St and Johnson Ave in the amount of (\$136.25)

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

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize Resolution No 47-2019 Accepting Dedication from Dan Morse aka “Spruce Acres” of Easements for Water, Electric and Sewer Infrastructure and Access Easements As Well As Dedication of the Water, Electric and Sewer Infrastructure. Spruce Acres located on North Ave.

Discussion: Brent asked to have the Resolution be revised – there is no electric to be dedicated. Atty. Brockman asked this be revised.

MOTION by Trustee Spencer, seconded by Trustee Benedict to authorize Resolution No 47-2019 Accepting Dedication from Dan Morse aka “Spruce Acres” of Easements for Water and Sewer Infrastructure and Access Easements As Well As Dedication of the Water and Sewer Infrastructure. Spruce Acres located on North Ave.

WHEREAS, “Spruce Acres” is a development of single family one-story manufactured homes, the dwelling units primarily owned by the occupant(s) who rent lots from the owner of “Spruce Acres”, which development is located on the northerly side of North Avenue in the Village of Penn Yan; and

WHEREAS, “Spruce Acres” is serviced by Village Municipal water and sewer utilities; and

WHEREAS, Dan Morse, the owner of “Spruce Acres” has made a formal request for dedication of utility infrastructure to the village, as well as an offer of easements associated with that utility infrastructure; and

WHEREAS, the dedication will accept ownership of the infrastructure itemized on “Schedule A” attached hereto and made a part hereof by reference; and

WHEREAS, a “Certificate of Approval of Completed Works” has been provided to the Village Director of Public Works; and

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

NOW THEREFORE BE IT RESOLVED, THAT

1. The Offer of Dedication herein shall be set forth in full in the minutes of this meeting of the Board of Trustees.
2. The Board of Trustees designates itself as “Lead Agency” for the SEQRA purposes of this action, finds that the acceptance of Dedication of existing utility infrastructure and related access easements for the maintain of such utility infrastructure will not have any significant adverse impact on the environment based upon the criteria contained in Section 617.7(c) of the SEQRA regulations , those criteria having been reviewed by the members of the Board of Trustees, nor is this Action designated as a Type I, the Board of Trustees finds that this is a “Type II” action and accordingly an environmental review will not be undertaken.
3. The Board of Trustees of the Village of Penn Yan accepts the dedication of the water and sewer utility infrastructure itemized on “Schedule A” hereof, as well as the associated access easements for maintenance thereof, subject to the approval of the Dedication and Easement documents as to form and content by the Director of Public Works, Village Attorney and the Village Mayor.
4. That the Mayor and Village Clerk/Treasurer are authorized and directed to perform such acts and expend such funds as are reasonably necessary to effectuate the dedication.

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

MOTION by Trustee McLoud, seconded by Trustee Spencer to declare 1 Ingersoll Rand Plate Compactor (Model #BXR-300, Serial #HA0001) and 40 fire hydrants as surplus and sell at fair market value or scrap

Discussed: Trustee Stewart asked if one Fire Hydrant could be donated to the History Center, Board agreed.

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

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize one additional employee (for a total of 8) to attend the Finger Lakes Water Works 2019 Spring Workshop on June 6, 2019 at King’s Catering in Canandaigua at a cost of \$25.00

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

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize Bill Wigsten and Tyler Ayers to attend Basic Electricity training on July 17, 2019 at the American Legion Post #256 in Canandaigua at a cost of \$20 each

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

MOTION by Trustee McLoud, seconded by Trustee Benedict to declare 3 computers, 4 monitors, 1 printer and 1 dishwasher from the Wastewater Treatment Plant as surplus and dispose of properly

- a. Computers:
 - i. AMD Ahlon II #2JA21 068 REVE
 - ii. Dell DCCY #JMQDRG-1
 - iii. Dell DCYM #93FHYB1
- b. Monitors:
 - i. LG W19345-BN #908BUXYG75154
 - ii. SYS SYS-152L-C-JT #S228503679
 - iii. Dell DC4FPTI #CN-0Y4299-71618-54M-ABTN
 - iv. Dell 1503FP #MX032DVX47605HBAD00
- c. Printer:
 - i. HP Office Jet Pro 6830 #TH5BB830FX
- d. Dishwasher:
 - i. Labconco L5544003 #830301258 (Municipal Sticker #00052)

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

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize issuing Notices of Award to Griffith Energy for the purchase of unleaded and diesel fuel and to Casella Waste Management for hauling of biosolids for the fiscal year of 2019-2020 as per the submitted bids

Hauling of Biosolids	Casella Waste Management	20 yard container	\$275.00
		Liner (if necessary)	\$33.00
		Tipping Fees	direct billed
		30 yard container	\$275.00
		Liner (if necessary)	\$33.00
		Tipping Fees	direct billed
		Unleaded	April 1 - April 7, 2019
Gas and Diesel	Griffith Energy	10,000 gallons	\$2.112 NYH + .25
		Diesel	April 1 - April 7, 2019
		12,000 gallons	\$2.179 NYH + .20

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

MOTION by Trustee McLoud, seconded by Trustee Spencer to approve Utility Payment Agreements in the amount of \$9,659.64

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

Brent Bodine would like the Village Board’s approval to move forward and apply to be on the NYMPA Board (New York Municipal Power Association Board). He has already received approval from the Municipal Board. Mayor feels it’s a good idea. Brent has served 7 years on the MEUA executive Board, this is his last year for that Board.

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	27,576.37
Electric	259,047.86
Sewer	8,925.13
Water	7,926.83
Capital Projects	
	Total Paid Before Audit \$ 303,476.19
Current Audit:	
General	\$ 70,953.37
Community Development - CRC	-
Electric	42,441.68
Sewer	68,523.27
Water	25,836.60
Capital Projects	20,633.06
Trust & Agency	9,091.81
	Total Current Audit Items \$ 237,479.79
TOTAL AUDIT	\$ 540,955.98

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 Sheppard Street, Johnson and Myrtle Ave. Water Main replacement-CDBG project #895PW158-16 Warrant for \$45,252.38.

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

Nays 0 Abstain 0 Absent

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize Resolution No 42-2019 Make Determinations Required by Section 1402 (3) (d) of the real property Tax Law.

WHEREAS, the Village of Penn Yan has by Local Law No. 8 of 1989, adopted pursuant to Section 1402 (3) (a) of the Real Property Tax Law, ceased to be an assessing unit, and

WHEREAS, the Village tax levy must henceforth be allocated among the portions of the Village located in the Towns of Milo, Benton and Jerusalem, pursuant to the provisions of Section 1402 (3) (d) of the Real Property Law, and

WHEREAS, this Board has secured from the New York State Board of Equalization and Assessment (the "SBEA") a certificate stating the latest state equalization rates established by the SBEA for each Town in which the Village of Penn Yan is partially situated as follows:

TOWN	FINAL RATE
Benton	94.00
Jerusalem	100.00
Milo	90.00

and

WHEREAS, this Board is to determine what proportion of the 2019-2020 taxes to be levied in the Village shall be levied upon each part of a town included in the Village by dividing the full valuation of taxable property, in the appropriate part of each town, by the total in the Village.

NOW, THEREFORE, BE IT RESOLVED that this Board, pursuant to Section 1402(3)(d) of the Real Property Tax Law, hereby makes the following determinations:

1. Based upon the assessment roll provided by the several towns, the assessed valuation of taxable real property located in each portion of the Village is as follows

Benton	\$ 19,718,633
Jerusalem	6,157,798
Milo	<u>171,737,501</u>
	\$ 197,613,932

2. Dividing the above assessed valuations by the aforementioned equalization rates, the full valuation of taxable real property located in each portion of the Village is as follows:

Benton	\$ 20,977,269
Jerusalem	6,157,798
Milo	190,819,446

for a total Village full valuation of \$ 217,954,513

3. The proportion of the 2019-2020 tax to be levied upon each portion of the Village (expressed to the nearest exact ten thousandth as required by Section 1402 (3) (d), obtained by dividing the town full valuation totals by the Village full valuation total, is as follows:

Benton	.096246
Jerusalem	.028253
Milo	.875501

And be it further

RESOLVED that the 2019-2020 Village tax levy shall be levied upon each part of each town included in the Village in the following proportions:

Benton	9.625 %
Jerusalem	2.825 %
Milo	<u>87.550 %</u>
	100.00 %

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

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 43-2019 Tax Warrant

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$3,168,246.53 for the following purposes:

<i>Town of:</i>	<i>Benton</i>	<i>Jerusalem</i>	<i>Milo</i>	<i>Total</i>
2019-20 Tax Levy	304,579.03	89,408.04	2,770,598.86	\$3,164,585.93
Re-levied Water Rents	39.21	-	1,691.05	1,730.26
Re-levied Sewer Rents	25.19	-	1,630.15	1,655.34
Mowing Charges	-	-	275.00	275.00
Snow Removal Charges			00.00	00.00
	\$304,643.43	\$89,408.04	\$2,774,195.06	\$3,168,246.53

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charges between the first day of June and the first day of July, 2019, both inclusive; and thereafter to collect with such sums as have not theretofore been collected, and additional interest charge of five per centum for the first month or fraction thereof, at the annual rate as set by the State Tax Commissioner, which has been divided by twelve and rounded to the nearest hundredth of a percent.

YOU ARE FUTHER COMMANDED to return the tax roll and warrant to your office on or before the thirty-first of October 2019, and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid, what each parcel of real property is assessed for and showing as to each parcel the amount of tax unpaid. Transmittal of delinquent village taxes shall be, with resolution, made to the County Treasurer by November 12, 2019.

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

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize Resolution No 44-2019 2019-2020 Tax Levy

WHEREAS, THE Village Board of Trustees has adopted a budget for the fiscal year 2019-2020 pursuant to Section 5-508 of the Village Law.

NOW, THEREFORE BE IT RESOLVED, that the following tax levy be adopted levying the total taxes and other charges extended and levied against each parcel of real property shown on the roll prepared by several town assessors for the fiscal year 2019-2020:

General Fund Tax Levy	\$ 3,164,585.93
TOTAL TAXES FOR 2019-2020 BUDGET	3,164,585.93
Delinquent Water Rents & Charges	1,730.26
Delinquent Sewer Rents & Charges	1,655.34
Mowing Charges	275.00
Snow Removal Charges	00.00
TOTAL TAX LEVY	\$ 3,168,246.53

and be it further

RESOLVED, that there be levied and assessed against taxable real property located in each part of a town included in the Village of Penn Yan, pursuant to Section 1402(3)(d) of the Real Property Tax Law and the determinations made by this Board, in accordance with said law, in its Resolution No.42 - 2019, the following sums for the operation of Village government for the fiscal year beginning, June 1, 2019, at the following rates per thousand dollars of assessed valuation:

<u>Town</u>	<u>% Tax Levy</u>	<u>Tax Levy</u>	<u>Assessed Valuation</u>	<u>Tax Rate per 1000</u>
Benton	9.6246	304,579.03	19,718,633	15.446255
Jerusalem	2.8253	89,408.04	6,157,798	14.519480
Milo	87.5501	2,770,598.86	171,737,501	16.132755
	100.0000	3,164,585.93	197,613,932	

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

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize the annual payment to the Yates County Historical Society in the amount of \$3,500 for June 3, 2019.

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

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize the annual payment to the Penn Yan Library in the amount of \$1,000 for June 3, 2019.

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

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize payments to VFIS for the annual LOSAP premium in the amount of \$132,000, and to Glatfelter Insurance Group for volunteer firefighter life insurance in the amount of \$3,943.26. Payments are to be made on June 3, 2019.

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

MOTION by Trustee Benedict, seconded by Trustee Spencer to approve the bond resolution authorizing the acquisition of one fire-fighting vehicle with an maximum estimated cost of \$721,561 and authorizing the issuance of up to \$360,951 in serial bonds of the Village to finance the purchase. (Roll Call Vote)

Mayor MacKerchar Aye Trustee Condella Aye
Trustee Benedict Aye Trustee Hoban Aye
Trustee McLoud Aye Trustee Spencer Aye
Trustee Stewart Aye

ADOPTED

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 48 - 2019, Seasonal Employee Pay Schedule

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

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize Resolution No 49 - 2019, Non-Union Salary Schedule

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

MOTION by Trustee Benedict, seconded by Trustee McLoud to appoint David Cohick, Chief Water Treatment Plant Operator, effective May 22, 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

MOTION by Trustee Benedict, seconded by Trustee Condella to appoint Yvonne Tucker, Chief Wastewater Treatment Plant Operator, effective May 22, 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

MOTION by Trustee Benedict, seconded by Trustee Condella to hire Kevin Mattison as an MEO(L) Group 4 – START, 20.91 hr. Start date Tuesday, May 28, 2019.

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

MOTION by Trustee Benedict, seconded by Trustee McLoud to accept John Tusch letter of retirement. Last day of work was May 1, 2019, but actual retirement date is June 15, 2019.

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

MOTION by Trustee Benedict, seconded by Trustee Spencer to approve seasonal rehires

<u>Recreation Supervisor</u>	<u>Rate</u>	<u>Start</u>
Christine Peck-Ross	11.50 hr.	5/22/19
<u>Recreation Assistants</u>	11.10 hr.	5/22/19
O'Brien Dailey	Craig Gerhardt	
Sue Willson	Allison Winslow	
<u>Laborer</u>		
Michael (Riley) Marsh	11.10 hr.	5/13/19

<u>Lifeguards</u>	12.50 hr.6/15/19		
Connor Fingar	Hannah Keech	Ethan Bower	Michael (Riley)
Marsh			
Brady Logan	Chelsea Manahan	Desmond Battin	

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

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize the Mayor to sign the Non-Union Terms & Condition of Employment Agreements.

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

MOTION by Trustee Benedict, seconded by Trustee Condella to authorize the MOA between the CSEA and the Village of Penn Yan Article X: Overtime, Holiday Pay, Call Out Time and rest period.

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

MOTION by Trustee Benedict, seconded by Trustee Spencer to authorize to insert in the Employee Handbook, under “Travel Authority and Reimbursable Expenses” insert... When using a credit card for purchase, the cardholder must request and keep itemized receipts for all transactions and submit itemized receipts with the reimbursement request. Under no circumstances will the Village reimburse for alcohol purchase.

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

MOTION by Trustee Benedict, seconded by Trustee Condella to accept Mike Mullins request to step down from his probationary position as Sr. Lineworker back to his permanent position of Lineworker, effective May 22, 2019 Group 8-Step 13 \$28.69/hr.

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

MOTION by Trustee Benedict, seconded by Trustee McLoud to begin to recruit for the Electric Department, Sr. Lineworker, Apprentice Lineworker and Electric Groundsperson positions

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

POLICE DEPARTMENT:

Monthly activity report for April

MOTION by Trustee Condella, seconded by Trustee Spencer to declare lap top computer 01487 surplus and dispose of properly as it is no longer functioning

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

MOTION by Trustee Condella, seconded by Trustee McLoud to request to send two Officers to Crime Scene Photography in Hopewell June 17 – 21st. Officers TBD – cost \$100.00/pp.

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

Chief Dunham mentioned the Police Department had two 5th grade classes visit on May 7th and had three more classes on May 21st. This includes all three schools (PY Elementary, St. Mike’s and Emmanuel Baptist). Kids and the Officers had a good time.

FIRE DEPARTMENT:

Chief’s Report for April

FYI – Updated requests use for 2019 Fireman’s Field

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize Preston Goodell to be elected to the PY Fire Dept. in the Hook and Ladder Company effective 5/17/2019.

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

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize the Mayor signs the Yates County Fire Mutual Aid Plan

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

Trustee Condella mentioned the 1st quarter of the LOSAP audit has been completed.

CODE ENFORCEMENT:

Monthly activity report for April

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize Bruce Lyon to attend the annual delegate meeting on Friday June 7th in Buffalo, NY. No cost only mileage.

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

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 plus10% will be placed on the property owner’s Village taxes the following year 2020 if they are not paid after invoice is sent out.

- | | | |
|---------------------|--------------------|-------------------|
| 198 Chestnut Street | 102 Benham Street | 103 Benham Street |
| 114 Benham Street | 301 Elm Street | 312 Elm Street |
| 320 East Elm Street | 173 Main Street | 5 Commercial Ave. |
| 128 Lincoln Ave. | 128 Garfield Ave. | 137 Walnut Street |
| 12 Collins Ave. | 417 North Ave. | 1Basin Street |
| 138 Linden Street | 535 Liberty Street | 308 Court Street |
| 106 Stark Ave. | 109 Stark Ave. | 127 Garfield Ave. |
| 206 Lake Street | 220 Lake Street | |

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

Bruce discussed the three problem properties in the Village. He has a current address for the property owner on Garfield, and will be sending out letters. The Atty. and Bruce are working on Liberty and Stark Ave properties.

PUBLIC WORKS:

MOTION by Trustee McLoud, seconded by Trustee Spencer to waive the fee of \$125.00 for the pavilion at Indian Pines for the Penn Yan United Methodist Church on Sunday, August 11, 2019.

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

MOTION by Trustee McLoud, seconded by Trustee Benedict to declare the 2000 International Sander as surplus and sell at fair market value.

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

PLANNING BOARD:

MOTION by Trustee Stewart, seconded by Trustee Spencer to authorize retroactively five people to attend the Spring 2019 Regional Local Government Workshop on May 17, 2019 at Burgundy Basin Inn in Pittsford, NY. Total cost of \$375.00.

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

COMMENTS

Mayor mentioned that the Village has a new Website that is up and running. Great job to all involved and hard work to get the new Website completed including Mary Ann, Kevin and Holly.

EXECUTIVE SESSION:

At 6:46 PM, **MOTION** by Trustee McLoud, seconded by Trustee Condella to enter into Executive Session.

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

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:29 PM, **MOTION** by Trustee Benedict, seconded by Trustee McLoud 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 7:30PM, **MOTION** by Trustee Benedict, seconded by Trustee Spencer 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: