

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, August 20, 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 Director of Public Works T. Schwartz; Police Chief T. Dunham; CEO B. Lyon; Fire Chief F. Ellis; Municipal Board Chairman R. French arrived at 6:20PM.

ABSENT:

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC: Atty. Alan Knauf; Atty. John Tantillo; Carlie Chilson; Mike & Patty Christensen; Carol Genecco; Angelo & Sal Licciardello

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

MINUTES:

MOTION by Trustee McLoud, seconded by Trustee Condella to approve the Village Board Minutes from July 16, 2019 and Special Village Board meeting July 19, 2019 and July 29, 2019.

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

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize the 8th Annual Turkey Trot for November 28th, 2019 registration at 7:00AM race to begin at 8:30AM. Course route same as past years. Asking for Police coverage for intersections.

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

MOTION by Trustee McLoud, seconded by Trustee Spencer Annual Homecoming parade for Saturday September 28, 2019 at 11:00 AM. Asking for a Police escort. Same route as last year – Academy to Keuka Street to Chapel to Liberty up to the tennis courts.

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 Yates County Chamber of commerce-Retail Council to host “The Community Table” Farm to Street dinner on Main Street Bridge on Saturday, September 21, 2019 with a rain location at Red Jacket pavilion. From 6:00PM – 9:00PM. Bridge to close at 4:00PM.

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

MAYOR:

Mayor MacKerchar mentioned we did get the DRI announcement waiting to hear the projects assignments by the State Agency they will get in touch with us shortly.

6:05 PM PUBLIC HEARING – Amendment to the Zoning Chapter

At 6:05 **MOTION** by Trustee Benedict, seconded by Trustee Spencer to open the public Hearing to Amend the Zoning Chapter.

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

Mayor asked if there were any comments or concerns for the Zoning Chapter changes.

Carlie Chilson questioned about the modification. Atty. Brockman explained most were antiquated and we are deleting the provisions that are no longer appropriate and replacing with the appropriate language in the Village Code.

At 6:06PM **MOTION** by Trustee McLoud, Seconded by Trustee Hoban to close the Public Hearing.

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

MOTION by Trustee Stewart, seconded Trustee McLoud to authorize Resolution No 68-2019 Adoption of Proposed Local Law To Modify the Amendment Article of the Zoning Chapter of the Code of the Village of Penn Yan

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; and

WHEREAS, SEQR issues were previously addressed; and

WHEREAS, a GML Section 239-m referral to the County Planning Board is not necessary since this Local Law modifies administrative procedures.

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

Atty. Brockman asked Bruce Lyon on the 30-Day notice for liquor license for 128 South Ave. are they able to have this. Bruce explained this is a single family home. To have a liquor license it has to be a business or a commercial business. Bed and Breakfasts are not considered a business. Bruce stated when they were building a garage they never mentioned about a liquor license. Bruce explained they can give wine away in a glass or a bottle to customers and he understands a liquor license requires a Certificate of Occupancy (COO) and we do not have a COO for single family homes other than when they are new builds. Bruce stated you cannot build a B&B you have to build a single family home and then convert it to a B&B according to NYS code and must occupancy and have it as their residence for it to be a B&B. Mayor feels we need to investigate this more send letter to homeowners for more information.

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize Bruce Lyon, CEO to send a letter to the owners (128 South Ave) regarding their intent of a liquor license. (no action taken on this Motion)

Trustee Spencer the point of the 30-Day notice is it to give the Village the opportunity to comment to the liquor authority, if we don't feel it's appropriate. Atty. Brockman if the license is granted the enforcement issue is after the fact and if we notify the property owners and the liquor authority perhaps something will happen to resolve the issue. Mayor feels we need to contact the owners of their intent – is it a glass of wine at night or a bar. Trustee Benedict reminded the board this is a timely issue. We received this on July 31st and the 30th is next week.

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize a letter be sent to the property owners and to the liquor authority.

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

6:10 PM PUBLIC HEARING – Amend Sewer Chapter

At 6:10PM **MOTION** by Trustee Spencer, seconded by Trustee Benedict to open the Public Hearing regarding amending the Sewer Chapter.

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

Mayor asked if anyone had any comments or concerns. Mike Christensen asked to clarify the purpose of the Law is to provide sewer /septic outside of the Village limits. Mayor yes – we need an electric easement across the fairgrounds and the fairgrounds is a water customer of the Village and they are requesting sewer. The Fairgrounds is not an electric customer and won't be. Mike is a former Board member and remembers the Board initiating a law/policy that we would no longer provide our service outside the Village limits. Mike realizes the importance of the sewer system for the Fairgrounds. Mayor explained we have two

agreements with the Fair Board, exclusive for the fair, not anything else. Atty. explained this can be discontinued if the Fairground is sold or no longer in session. Mike afraid it would come back and haunt us. Atty. stated the agreement is between the Village and Agricultural Society. Mayor mentioned this goes along with an additional agreement that goes with the easement for electric service to Horizon Park. We need to get another circuit up there as soon as we can and the best way is to go across the Fairgrounds and to get this done the Fairgrounds would like sewer. Mike understands the need. .

At 6:20 PM **MOTION** by Trustee McLoud, seconded by Trustee Hoban to close the Public Hearing

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 69-2019 Adoption of Proposed Law to Amend the Sewer Chapter of the Code of the Village of Penn Yan.

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

- 2. 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

6:15 PM PUBLIC HEARING - Amend Zoning Senior Citizen Housing

At 6:21 PM **MOTION** by Trustee Spencer, seconded by Trustee McLoud to open the Public Hearing for amending the Zoning Chapter for Senior Citizen Housing.

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

Discussion: Atty. Brockman explained the Village Planning Board has reviewed and approved this. Atty. Tantillo is an Atty. for the Keuka Shores and feels we have singled out this project. They have 8 units for South Ave. and feels it should not be passed. The Village should encourage Senior Citizen Housing. He is asking if the Board does approve this they should amend the law to include an exception for pending applications.

At 6:24PM **MOTION** by Trustee McLoud, seconded by Trustee Condella to close the Public Hearing on amending the Zoning Chapter for Senior Citizen Housing

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

6:20 PM PUBLIC HEARING – Application for exception to Senior Citizen Housing Moratorium

At 6:24 PM **MOTION** by Trustee Spencer, seconded by Trustee Benedict to open the Public Hearing Application for exception to Senior Citizen Housing Moratorium

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

Discussion: Atty. Knauf is an Atty. for Keuka Shores feels they have been singled out. We have gone to court and Judge Cook ruled the Senior Citizen has always been allowed in the residential district and not restricted to single family or duplex. The Village Board passed the moratorium and it has affected our project. We don't feel this falls under the special facts. We submit this project under protest. On August 22, 2018 the Village decided to deny the Zoning Compliance for the project. We feel there is no Adverse Impact – this 8 Unit Housing is only going to be for Senior Citizen Housing. Yates County Planning Board approved the project. It's a substantial economic harm here. Clients went to finance the project (74 unit and the 8 units were included). The bank required they raise the interest to ½% because part of the project has been jeopardized by the moratorium. His clients could pay \$480,000 extra in the life of the loan. They need another \$120,000 for cash equity this is a real impact for them. We submitted in good faith and before the moratorium was in place. Atty. Knauf explained 4 scenario's for the property on South

Ave. and the only one that fits for the clients is townhomes. Atty. feels this is a great project and we request you grant the economic hardship. Carlie Chilson had some concerns she feels yes we need more Senior Citizen Housing indefinitely in our Community but would like to see a stipulation for it to stay as Senior Citizen Housing. Atty. Knauf was in agreement and will have restriction on the property that it will stay as Senior Housing they are happy to do that and the Village would be able to inspect compliance..

At 6:34PM **MOTION** by Trustee Spencer, seconded by Trustee Benedict to close the Public Hearing Application for exception to Senior Citizen Housing Moratorium

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee Benedict, seconded by Trustee McLoud to authorize to have a Closed Session for legal counsel.

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

ATTORNEY:

FYI – The Planning Board recommends repeal of Senior Citizen Housing moratorium.

MOTION by Trustee Spencer, seconded by Trustee Hoban to have a Special Board meeting on Tuesday, September 3, 2019 at 9:00AM.

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 72-2019 Proposed Local Law to Repeal the Senior Citizen Housing Moratorium and set a Public Hearing for Tuesday September 3, 2019 at 9:00 AM

WHEREAS, the Village previously adopted a six (6) month moratorium on senior citizen housing uses in the Village as a result of a Supreme Court decision which essentially vitiated existing regulations of senior citizen housing in the Village, the moratorium being for the purpose of amending existing Village regulations pertaining to senior citizen housing; and

WHEREAS, several boards and committees in the Village government have been focusing their attention on creating proposed amendments to the Zoning Chapter of the Village Code, as pertains to senior citizen housing; and

WHEREAS, this proposed action has previously been referred to the Yates County Planning Board pursuant to General Municipal Law Section 239-m; and

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

NOW THEREFORE BE IT RESOLVED, THAT

3. A public hearing with respect to the proposed adoption of a Local Law to repeal the Local Law which established a six (6) month moratorium on senior citizen housing development in the Village of Penn Yan for a period of six (6) months is hereby scheduled for September 3, 2019 at 9:00 AM at the Village Hall, 111 Elm Street, Penn Yan, NY 14527 and that due 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 67-2019 Ratification of Public Street and set a Public Hearing for September 17, 2019 at 6:00PM.

WHEREAS, an issue has arisen as to the status of an alley to the south off Elm Street between Liberty Street and Main Street as a Village street; and

WHEREAS, a Certificate by DPW Director Brent Bodine having been received; and

WHEREAS, DPW Director Bodine, having affirmed that said alley has been maintained by the Village

and used by the public continuously for over ten (10) years as public street; and

WHEREAS, Village Law §6-626. “Streets by prescription.” provides that lands within a Village used by the public as a street for ten (10) years or more continuously, shall be a street with the same force and effect as if it has been duly laid out and recorded as such; and

WHEREAS, it is necessary to establish traffic control and signage for said Village Street; and

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

WHEREAS, certain signage not requiring a Local Law is also appropriate with respect to said Village street; and

WHEREAS, the Board of Trustees intend to address SEQRA issues with respect hereto.

NOW THEREFORE BE IT RESOLVED, THAT

1. The Board of Trustees of the Village of Penn Yan hereby establishes itself as “Lead Agency” for this action, determines that no negative environmental impacts will result, designates the Action as “Type II” pursuant to 6NYCRR§617 and accordingly no environmental review will be undertaken.
2. It is hereby found and determined that, based upon the Certificate made by DPW Director Bodine the subject alley has been used continuously by the public as a street and that the Village has exercised control over it as a street.
3. Accordingly, it is hereby ratified and confirmed that said alley is a public street, from Elm Street to the rear of the building now known as 118 Elm Street.
4. A public hearing on the proposed Local Law is hereby scheduled for September 17, 2019 at 6:00 p.m. in the Village Offices and that due notice thereof be made by the Village Attorney with respect to the proposed Local Law to amend the Village Code by providing for one way traffic.
5. That all steps necessary be taken to assure that included in the Village inventory of streets, the official map of Village streets and any other requisite action with respect thereto be had.
6. That the requisite signage for said street with respect to the name thereof and one- way traffic is authorized and directed hereby upon the formal creation of said street and adoption of the aforementioned alley.
7. Said street shall henceforth be known as and named Jolley Lane.

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 71-2019 Approval of Easements For Electric Service From Old Route 14 A To Horizon Business Park and Sewer Service To the Fairgrounds contingent upon review of SEQR.

WHEREAS, based upon Resolutions No. 57 and No. 58 of 2019 adopted by the Board of Trustees, the Board has undertaken to adopt an amendment to the Sewer Chapter for the purpose of permitting Village wastewater sewer service outside the Village, other than to a municipal wastewater sewer district, under circumstances where providing such wastewater sewer service will benefit the Village, financially or otherwise; and

WHEREAS, the amendment to the Sewer Chapter has been adopted; and

WHEREAS, the owner of the “Fairgrounds” property on Old Route 14A to wit: The Yates County Agricultural Society (Society) has agreed to provide the Village with permanent and perpetual easement for transmission of electric service across its property from Old Route 14A to Horizon Business Park (HBP) in return for the Village providing municipal wastewater sewer service to the fairgrounds, the Society paying any and all expenses related to connection to the wastewater sewer system and as an “outside the Village” paying sewer customer; and

WHEREAS, the providing of such an easement to the Village will benefit the Village financially and otherwise; and

WHEREAS, an additional easement is necessary from Gordon Randall Properties LLC in the Horizon Business Park to complete the electric transmission into the Horizon Business Park; and

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

Now Therefore, be it Resolved

- 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. Conditioned upon review and adoption of an SEAF related to such easements, the Board of Trustees approves the execution of the agreements between the Village and the Society with respect to the easements and sewer service and the easement agreement with Gordon Randall Properties, LLC the acceptance of said easements being further conditioned upon the approval thereof by Village legal counsel, the Village DPW Director and the Village Mayor as to form and content.
- 3. The Mayor is authorized and directed to execute such document as are required for the acceptance and recording if such easements.
- 4. The Village Treasurer is authorized to expend such funds as are necessary to effectuate the recording of such easements with the Yates County Clerk.
- 5. Conditioned upon the receipt and recording of the easement from the Society, the DPW is authorized, based upon the benefits received by the Village from the granting of the subject easement from the Society, to proceed with a wastewater sewer connection from the Fairgrounds to the Village wastewater sewer system.

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) for Acquisition of easement for electric from Old route 14A west to Horizon Business Park.

MOTION By Trustee Spencer, seconded by Trustee McLoud to approve the SEAF and issue a negative declaration and authorize the Mayor to execute it.

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

COMMUNITY REVITALIZATION:

None

MUNICIPAL:

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize the Resolution No 70 - 2019 to authorize Brent Bodine as an accredited delegate of the Village of Penn Yan at the Municipal Electric Utilities Association (MEUA) 2019 MEUA Annual Conference on September 10th – 13th at the Woodcliff in Fairport, NY.

At a regular meeting of the Village Board of the city/Town/Village of Penn Yan, New York, held on August 20, 2019, the following resolution was adopted:

Motion by _____, seconded by _____.

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 Annual Meeting of the Municipal Electric Utilities Association of New York State has been called on September 10th – September 13th, 2019 to be held at the Woodcliff Hotel & Spa, 199 Woodcliff Dr. Fairport, NY 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.

ROLL CALL VOTE

	Aye	Nay	Absent
Mayor MacKerchar	X		
Trustee Benedict	X		
Trustee Condella	X		
Trustee Hoban	X		
Trustee McLoud	X		
Trustee Spencer	X		
Trustee Stewart	X		

Approved

MOTION by Trustee McLoud, seconded by Trustee Condella to authorize Brent Bodine to execute the smart water heater Host Site Agreement on behalf of the Village of Penn Yan.

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 accept and adopt the Village of Penn Yan Cross Connection Control Device Policy

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 declare the extra conveyer from the WWTP compost operation, purchased from Emerald in 2014, as surplus and to 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 Spencer to approve Utility Payment Agreements in the amount of \$6256.13

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 McLoud to pay current Village and Municipal bills as submitted.

AUDIT:

		Amount:
Paid Before Audit:		
General		32,416.73
Electric		203,463.98
Sewer		1,104,897.00
Water		10,070.96
Capital Projects		
Total Paid Before Audit		\$ 257,000.64
Current Audit:		
General	\$	174,589.42
Community Development - CRC		-
Electric		45,516.69
Sewer		86,360.89
Water		45,257.22
Capital Projects		-
Total Current Audit Items		\$ 351,724.22
TOTAL AUDIT		\$ 608,724.86

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 65 -2019 Budget Transfers for \$16,120 (processing of open purchase orders in the final close of the financial system for fiscal year 2018-2019)

TO:			Fund
Account Id	Description	Date	Totals
A -7140-4-410	Parks & Recreation-Contractual Services	6,000	
A -8810-2-200	Cemetery-Equipment	116	
E -0785-2-200	Misc General Expense	5,162	
H -5110-4-410	Contractual Services - Capital	4,842	
		16,120	
			General 6,116
			Electric 5,162
			Sewer -
			Water -
			Capital 4,842
			- 16,120
 FROM:			
Account Id	Description	Date	
A -8810-1-120	Cemetery-Part Time	116	
A -9060-8-800	Employee Benefits-Health Insurance	6,000	
E -0741-4-420	Operation-Overhead Dist	5,162	
H -5110-2-220	Stone & Gravel - Capital	4,842	
		16,120	
			General 6,116
			Electric 5,162
			Sewer -
			Water -
			Capital 4,842
			 16,120

Budget transfers necessary to allow for proper processing of open purchase orders in the final close of the financial system for fiscal year 2018-19.

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 Resolution No 66-2019 Budget Transfers for \$1,160 (Police Dept. cost center increase uniform allowance with reductions being made to computer services and supplies and materials for fiscal year 2019-2020).

TO:			Date	Fund Totals
Account Id	Description			
A -3120-4-530	Police-Uniforms	1,160		
		<u>1,160</u>		
			General	1,160
			Electric	-
			Sewer	-
			Water	-
			-	<u>1,160</u>
FROM:			Date	
Account Id	Description			
A -3120-4-450	Police-Computer Services	870		
A -3120-4-500	Police-Supplies & Materials	290		
		<u>1,160</u>		
			General	1,160
			Electric	-
			Sewer	-
			Water	-
				<u>1,160</u>

Budget transfer within the Police Dept. cost center to increase funding for uniform allowance per the collective bargaining agreement, with corresponding spending reductions being made to computer services and supplies and materials.

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 the Clerk-Treasurer to work with fiscal agent Municipal Solutions and bond attorney Harris Beach to arrange for a bond resolution and eventual BAN sale in the amount of \$700,000 to fund electric system upgrades.

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 approve the policy statement pertaining to the intermittent Parental leave under the family Medical Leave Act. A memo will be distributed to all personnel.

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 hire George Burnett as a Motor Equipment Operator (Light)MEO(L) Group 4 Step START \$21.43 per hour, starting Wednesday, August 21, 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 Dave Cohick a permanent appointment as WTP Chief Operator, effective August 22, 2019. No change in 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 Yvonne Tucker the permanent appointment as WWTP Chief Operator effective August 22, 2019. No change in 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 retroactively hire Matthew Hooey as a Laborer at a rate of \$11.10 per hour. Start date 8/14/2019

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

Nays 0 Abstain 0 Absent 0

MOTION by Trustee Benedict, seconded Condella to hire retroactively Brian Hollister as a Laborer at a rate of \$11.10 per hour. Start date 8/14/2019

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 hire Riley Brittingham as a Laborer at a rate of \$11.10 per hour. Starting after he has completed a WC physical, still to be scheduled.

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 hire Frank Ryan as a part time School Resource Officer at the rate of \$20.00 per hour, effective 8/28/2019.

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

PUBLIC SAFETY:

POLICE DEPARTMENT:

Monthly activity report for July

MOTION by Trustee Condella, seconded by Trustee McLoud to authorize Brad Cole and Wayne Marsh attend basic supervisors school October 21 – November 8, 2019 at Canandaigua FLLEA cost TBD

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 declare a Nikon Coolpix L30 point and shoot camera as surplus and dispose of properly.

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

FIRE DEPARTMENT:

Chief’s Report for July

Updated listing for Firemen’s Field

MOTION by Trustee Condella, seconded by Trustee Benedict to declare the following surplus and sell or dispose of properly.

- Recorder – NEOVO H-19D monitor SPECO Technologies – Model # D4RS500
- Laptop Top Lenovo- AMD A8
- (2) Michelin tires XZY Size 425/65 R22 1/2

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

CODE ENFORCEMENT:

Monthly activity report for July

MOTION by Trustee Condella, seconded by Trustee Spencer to hire Connect a Service 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.

308 Court Street 114 Benham Street 130 Cornwell Street
304 Liberty Street 209 Elm Street

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

PUBLIC WORKS:

Trustee Condella questioned about Keuka Outlet Bank stabilization project at Cherry Street (last of the FEMA projects). Deputy Director of Public Works T. Schwartz the bank is stabilized should be done at end of the week. We do need to place trees or vegetation on the bank it's an open area and a big drop off.

PLANNING & DEVELOPMENT:

Trustee Stewart mentioned the Committee has (2) Sub Committees. Reviewing short term rentals and downtown art and food trucks.

COMMENTS

CLOSED SESSION:

At 7:16 PM, **MOTION** by Trustee Benedict, seconded by Trustee Condella to enter into Closed Session for legal counsel. Mayor asked Atty. Brockman and G. Meeks to attend.

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

ADJOURNMENT OF CLOSED SESSION:

At 7:33 PM, **MOTION** by Trustee Spencer, seconded by Trustee Condella to leave Closed 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 7:34 PM, **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: