

MINUTES of a Regular Meeting of the Village Board of Trustees held Tuesday evening, September 17, 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; Clerk/Treasurer G. Meeks; Director of Public Works B. Bodine; Police Chief T. Dunham; CEO B. Lyon; Fire Chief F. Ellis; Municipal Commissioner D. Banach

ABSENT: Attorney Ed Brockman; Deputy Clerk/Treasurer H. Easling; Deputy Dir. of Public Works T. Schwartz

News Media present: Gwen Chamberlain, Chronicle Express

PUBLIC: Billy Wigsten, Cindy & Tom Vollmer, Carlie Chilson, Mark Morris arrived at 6:26PM

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

CALL FOR EXECUTIVE SESSION:

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize to have an Executive Session for employment record of an employee.

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

MINUTES:

MOTION by Trustee Spencer, seconded by Trustee McLoud to approve the Village Board Minutes from August 20, 2019 and Special Village Board meeting September 3, 2019.

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

GUESTS, PUBLIC REQUEST & COMMENTS:

MOTION by Trustee McLoud, seconded by Trustee Hoban to authorize Yates County Chamber of Commerce annual Scarecrow contest to be held in October. They will be affixed to lamppost in the downtown area from October 1 to November 5.

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

MOTION by Trustee Stewart, seconded by Trustee Spencer to authorize Magee Volunteer Fire department (Seneca Fall, NY) to sell raffle tickets in the Village of Penn Yan effective September 18, 2019.

Discussion: Mayor explained this is for multiple counties they are asking permission to sell tickets in. Mayor questioned Chief Ellis does not have a problem with this. .

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

MAYOR:

ATTORNEY:

MOTION by Trustee McLoud, seconded by Trustee Condella to reschedule a Public Hearing for October 15, 2019 at 6:00PM, Amending Vehicles & Traffic Chapter – for a One-Way Street off of Elm Street and no Parking Zone on Keuka Street.

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 74-2019 Adoption of Proposed Local Law to Amend the Zoning Chapter of the Village of Penn Yan Related to Senior Citizen Housing.

Discussion: Carlie Chilson asked what changes were made. Mayor explained the Senior Citizen information has been removed from the table of use and referred to the back where it is allowed. They must conform to the type approved structures in the zoning law. The interpretation from the Judge saw we needed to clarify it and this is a simple solution and will not allow Senior Citizen Housing. Carlie’s concern is with the South Ave. project – what will stop anybody to transfer their property to Senior Citizen Housing.

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

COMMUNITY REVITALIZATION:

Proposed project is for replacement of gutters and downspouts; replace siding on front street side and wrap wood trim on two windows; remove existing fascia on road side and parking lot side and replace with new lumber sized to match existing and install aluminum coil stock over fascia; remove loose stucco on road and driveway side of building, replace damaged mesh with new wire mesh, and install textured stucco to match existing; and low-pressure wash building on road and driveway side, and paint road and driveway side with two coats of ultra-spec paint by Benjamin Moore using an approved color scheme.

MOTION by Trustee Spencer, seconded by Trustee Benedict to recommend conditional approval (all required documents be submitted prior to closing) to the Village Board for the Façade project totaling \$26,030.00, from Upstate Builders, for Tom & Cindy Vollmer with NAPA Auto Parts, located at 100 East Main Street, 50% (\$13,015.00) would be a grant, and 50% (\$13,015.00) would be a loan for Five years at 4% interest.

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

MUNICIPAL:

MOTION by Trustee McLoud, seconded by Trustee Benedict to authorize the Mayor to sign the ReLTEK Standard License Agreement for construction of a three phase overhead electric line crossing over the railroad located on Sherman Street in the Village of Penn Yan

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 a Notice of Award to Koppers Utility and Industrial Products for 12 40’ southern yellow pine pole at \$286.00 each and 16 45’ southern yellow pine poles at \$397.60 each for a total of \$9,793.60

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 purchase of a 2020 F450 XLT Supercab 4WD Pickup for \$55,464.99 from Van Bortel Ford in Rochester per Quote #29743 under Onondaga Bid #7974 2020 as a replacement for Truck 3 in the Water/Sewer department

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

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize Yvonne Tucker to attend Train-The-Trainer course on September 24th and 25th in Cheektowaga, NY at a cost of \$50, no hotel or dinner expenses

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 Resolution No 75-2019 Declaring Xylem as Sole Source for Flygt pump Purchases for the Village of Penn Yan Wastewater Treatment Plant

WHEREAS, the Village of Penn Yan owns and operates a municipal wastewater treatment plant; and

WHEREAS, part of the wastewater treatment plant operates from Cherry Street Pump Station where there are submersible Flygt pumps; and

WHEREAS, the spare Flygt pump has failed and needs replacement; and

WHEREAS, based on a letter from Xylem (attached) and research done by the Chief Wastewater Operator, Xylem is the sole authorized supplier of Flygt pumps in upstate New York; and

WHEREAS, due to the configuration of the pump station only another Flygt pump can be placed in the area without further cost and time to reconfigure the pump station for another type of pump.

NOW THEREFORE BE IT RESOLVED, THAT

1. It would be in the best interest of the Village, financially and otherwise, to make Xylem the sole source for Flygt pump needs.
2. The Board of Trustees determines that, based upon the letter from Xylem and the research done by the Chief Operator of the Wastewater Treatment Plant, Xylem is a “sole source” for Flygt pumps in upstate New York for the replacement of these critical assets.

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 Steve Castner, Kurt Gilbert and Rainer Hamm to attend the Southern Tier New York Water Works Operator Conference on Wednesday, September 18, 2019 in Hammondsport at the Fire Department at a cost of \$45 each, total cost of \$135.00.

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 **\$5,794.21**.

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

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		26,168.02
Electric		206,148.91
Sewer		7,686.02
Water		7,715.85
Capital Projects		
	Total Paid Before Audit	\$ 247,718.80
Current Audit:		
General	\$	210,903.63
Community Development - CRC		-
Electric		207,576.51
Sewer		51,129.05
Water		34,476.07
Capital Projects		1,251.00
	Total Current Audit Items	\$ 505,336.26
TOTAL AUDIT		\$ 753,055.06

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 76-2019 for Certain Improvements to portions of the Village’s Municipal Electric Distribution System: Stating the Maximum Estimated Cost Thereof is \$700,000 Appropriating said amount Therefor; and Authorizing the Issuance of up to \$700,000 in Serial Bonds of the Village to Finance a portion of said Appropriation.

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PENN YAN, YATES COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING THE VILLAGE TO UNDERTAKE CERTAIN IMPROVEMENTS TO PORTIONS OF THE VILLAGE’S MUNICIPAL ELECTRIC DISTRIBUTION SYSTEM; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$700,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$700,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE A PORTION OF SAID APPROPRIATION

WHEREAS, the Board of Trustees (the “Board of Trustees”) the Village of Penn Yan, Yates County, New York (the “Village”), is considering undertaking certain improvements to portions of the Village’s municipal electric distribution system, consisting of (i) the acquisition and installation of an express feed to Horizon Business Park, including the construction and installation of new poles, overhead and underground wiring to run a separate power feed to the Horizon Business Park to accommodate expected increases in electricity demand, (ii) rebuilding Circuit No. 5 from the Welker substation including the replacement and installation of three prior reject poles and overhead wiring, and (iii) other appurtenant and incidental improvements, equipment or apparatus necessary or appropriate in connection with the foregoing and other costs and expenses incidental thereto (collectively, the “Project”), all at a total estimated cost not to exceed \$700,000; and

WHEREAS, the Board of Trustees now wishes to appropriate funds for the Project and to authorize the issuance of the Village’s serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Penn Yan, Yates County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Village is hereby authorized to undertake the Project, at a total estimated cost not to exceed \$700,000, consisting of certain improvements to portions of the Village’s municipal electric distribution system, consisting of (i) at Horizon Business Park, the construction and installation of new poles, overhead and underground wiring,

(ii) at Welker substation, the replacement and installation of three prior reject poles and overhead wiring, and (iii) other appurtenant and incidental improvements, equipment or apparatus necessary or appropriate in connection therewith and other costs and expenses incidental thereto, and to issue up to \$700,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance a portion of the estimated cost of said specific object or purpose, or bond anticipation notes in anticipation of the such bonds.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$700,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$700,000 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision 5. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 5. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or

purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board of Trustees, then the power of the Board of Trustees to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

SECTION 11. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the “Village Law”). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 12. In accordance with the Village Law, this resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village’s register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a regular election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 13. The Board of Trustees hereby determines that the Project constitutes a “Type II” action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, “SEQRA”) and that no further action under SEQRA with respect to the Project need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

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		

Adopted

MOTION by Trustee Benedict, seconded by Trustee Condella to approve payment to be made to Churchville Fire Equipment in the amount of \$360,443 upon delivery of the new firetruck to the Penn Yan Fire Department.

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 77-2019 Budget Amendment for 2019-2020 Fiscal Year for \$7,320.00 (increase revenue and expense to reflect grant revenue and expense not budgeted. For Preserve NY grant award which is being used to fund a building assessment for the Oliver House).

Increase Revenue Budget

A-3889-00 State Aid-Other Culture and Recreation 7,320

Increase Expense Budget

A-1623-4-410 Oliver House-Contractual Services 7,320

To increase revenue and expense to reflect grant revenue and expense not budgeted. This is for a Preserve NY grant award which is being used to fund a building assessment for the Oliver House.

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 78-2018 Budget Amendment for 2019-2020 Fiscal Year for \$17,083.00. (increase revenue for Extreme Winter Recovery that approved in the State budget after completion of the Village of Penn Yan budget. Increased revenue amount is being used to offset unbudgeted unemployment costs, and higher than budgeted BAN principal and interest costs, with the balance being put in contingency for future use).

Increase Revenue Budget

A-3501-00 State Aid-Consolidated Highway Aid (CHIPS)

Increase Expense Budgets

A-9050-8-800	Employee Benefits-Unemployment Insurance	
A-9730-6-600	Debt Service-BAN Principal - Streets	3,121
A-9730-7-700	Debt Service-BAN Interest	86
A-1990-4-400	CONTINGENCY	181
		<u>17,083</u>

To increase revenue for Extreme Winter Recovery that was approved in the State budget after completion of the Village of Penn Yan budget. The increased revenue amount is being used to offset unbudgeted unemployment costs, and higher than budgeted BAN principal and interest costs, with the balance being put in contingency for future use.

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 Resolution No 79-2019 Budget Amendment for 2019-2020 Fiscal Year for \$1,500.00. (increase revenue and expense to reflect grant revenue and expense not budgeted. A grant in the amount of \$1,500 was awarded to the Fire Department to purchase equipment. Total cost of equipment purchase is \$3,850.00. Local cost after grant revenue is \$2,350.00).

Increase Revenue Budget

A-3389-00	State Aid-Public Safety	1,500
-----------	-------------------------	-------

Increase Expense Budget

A-3410-4-400	Fire-Grant	1,500
--------------	------------	-------

To increase revenue and expense to reflect grant revenue and expense not budgeted. A grant in the amount of \$1,500 was awarded to the Fire Dept. to purchase equipment. Total cost of the equipment purchase is \$3,850. Local cost after grant revenue is \$2,350.

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 Resolution No 80-2019 Budget Transfer for 2019-2020 Fiscal Year for \$2,350.00. (transfer funds into the fire grant expense account to cover the local cost of equipment to be purchased under a grant agreement. Transfer is being made from the fire insurance account which has excess funds).

TO:	Account Id	Description	Date	Fund Totals
	A -3410-4-400	Fire-Grant	<u>2,350</u>	
			<u>2,350</u>	
			General	2,350
			Electric	-
			Sewer	-
			Water	-
			-	<u><u>2,350</u></u>
FROM:	Account Id	Description	Date	
	A -3410-4-430	Fire-Insurance	<u>2,350</u>	
			<u>2,350</u>	
			General	

	2,350
Electric	-
Sewer	-
Water	-
	2,350
	2,350

To transfer funds into the the fire grant expense account to cover the local cost of equipment to be purchased under a grant agreement. Transfer is being made from the fire insurance account which has excess funds.

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 81-2020 Budget Transfer for 2019-2020 Fiscal Year for \$1,200.00. (transfer cost to fire dept. computer services to cover the purchase of computer equipment which was not budgeted, with a corresponding reduction to the budget for fire equipment).

TO:			Fund
Account Id	Description	Date	Totals
A -3410-4-450	Fire-Computer Services	<u>1,200</u>	
		<u>1,200</u>	
		General	1,200
		Electric	-
		Sewer	-
		Water	-
		-	<u>1,200</u>
FROM:			
Account Id	Description	Date	
A -3410-4-530	Fire-Fire Equipment	<u>1,200</u>	
		<u>1,200</u>	
		General	1,200
		Electric	-
		Sewer	-
		Water	-
			<u>1,200</u>

To transfer cost to fire dept. computer services to cover the purchase of computer equipment which was not budgeted, with a corresponding reduction to the budget for fire equipment.

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 accept Charlie Bush resignation as Linecrew Chief, effective 9/12/2019. We thank him for his seventeen years of service and wish him well in his future endeavors.

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 Tim Marcellus permanent appointment as DPW Street Department Supervisor, effective September 18, 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, second by Trustee Condella to promote Officer Derek Chisom to Sergeant Group II Step 3 \$31.50 per hour, effective October 1, 2019.

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 approve the Agreement between the Village of Penn Yan and the Penn Yan Central School District to establish a partnership for the Part time School Resource Officer.

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 Addendum to the Agreement between the Village of Penn Yan and the Penn Yan Central School District; Full time School Resource Officer

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

PUBLIC SAFETY:

MOTION by Trustee Condella, seconded by Trustee Benedict to authorize reviewing the re-location of the DMV testing from the Penn Yan Ball Park on Elm Street to Court Street next to County Building. The DMV personnel would need to tell us which day of the week for testing, pay for appropriate signage, instruct us the curb length needed and an agreement time line on the length of a time for a trial period and Village Code will be updated after results of review.

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

POLICE DEPARTMENT:

Monthly activity report for August

MOTION by Trustee Condella, seconded by Trustee Hoban Requesting to send Officer Katie Zebrowski and Officer Terry TenEyck to crisis intervention training at the Steuben County Sheriff’s Office from Sept 16th – Oct. 7th. The training is free and we can submit paperwork for possible reimbursement for hourly wage of those attending. Reimbursement is not guaranteed and cannot exceed \$1,500.00.

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

FIRE DEPARTMENT:

Chief’s Report for August

Updated listing for Firemen’s Field

MOTION by Trustee Condella, seconded by Trustee McLoud to remove Brandon Grace for the active roll effective 9/13/2019.

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

Nays 0 Abstain 0 Absent 0

Trustee Hoban commended the Fire Department for the new truck they will be receiving. She suggested to have it out on display for the public to view it, should be proud of this. Chief F. Ellis suggested to do this the night of the Fire Department yearly inspection which is October 9.

CODE ENFORCEMENT:

Monthly activity report for August

MOTION by Trustee Condella, seconded by Trustee Benedict 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.

128 Cornwell Street 114 Benham Street 206 Lake Street’
400 Liberty Street (Bushes) 145 East Elm Street (Bushes)

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

Carlie Chilson has received numerous calls for the Garfield Ave. property asking what is going on and what is being done with it. Bruce explained he is working with the Atty. and the owner. It’s a process takes a while.

At 6:26 PM Mark Morris from Keuka Lake Association arrived. Mark stated they harvested this past Monday and finished up today (Tuesday) for the Starry Stonewort, had 8 loads this year. This is our third year doing the harvesting and each year it’s less. We let it dry and last year the Town of Jerusalem transported it to Hunt’s Farm and was used as composting. The last three years this project has been paid by the DEC. The program for the HABs algae blooms is in our first year and we are ½ way through it. There has been less than ½ dozen found throughout the whole lake. This is less than other lakes. KWIC & KLA and Seneca Lake organization has updated the Water Shed Management plan of the 9 element. Working on this for Keuka Lake. This will take 3-4 years and at that time we can apply for a grant. We are all working together and doing the best we can.

PUBLIC WORKS:

MOTION by Trustee McLoud, seconded by Trustee Spencer to authorize Change Order No 1 from All Around Excavating in the amount of \$37,118.85 for a total contract amount of \$349,760.85 for the Keuka Lake Outlet Walking Trail Bank Stabilization.

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 Change Order No 2 from Elliott engineering Solutions in the amount of 11,499.66 for a total of \$39,829.66 for the Keuka Lake Outlet Walking Trail Bank Stabilization.

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

Trustee McLoud mentioned Fall Cleanup for brush and leaves for the Village – Brush pick up (one pass only) week of October 28 – Nov. 1. Leaves will be picked up starting after November 1.

Trustee Condella asked at the end of work on the Outlet trail there is a small portion were it sinks in on the trail and has mud hole. Unsure what company is responsible to fill it. Deputy Dir. of Public Works will take a look.

PLANNING & DEVELOPMENT:

Trustee Stewart stated their next meeting will be in November – no meeting for October. The sub-committees will still meet.

COMMENTS

EXECUTIVE SESSION:

At 6:38 PM, **MOTION** by Trustee Benedict, seconded by Trustee Hoban to enter into Executive Session, Mayor invited Gary Meeks and Brent Bodine to attend.

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

ADJOURNMENT OF EXECUTIVE SESSION:

At 7:25 PM, **MOTION** by Trustee McLoud, 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 7:26 PM, **MOTION** by Trustee McLoud, seconded by Trustee Hoban 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: