

will be agreed upon by the members of the Compact but will be let in the name of the agent. No contracts shall be let until the provisions regarding approval of expenditures have been complied with.

why not in the name of the compact

16. To the extent that any of the provisions hereof are at variance with the provisions of the above mentioned agreement between the six towns and two villages herein and the State of New York, the terms of the agreement with the State shall govern and the remaining provisions hereof which are not inconsistent with said agreement shall continue in full force and effect. A true copy of the said agreement with the State of New York is marked "Schedule A" annexed hereto and made a part hereof.

IN WITNESS WHEREOF the parties hereto have executed this agreement the day and year first above written, pursuant to Resolutions of the respective Town and Village Boards in accordance with General Municipal Law Section 119(O).

TOWN OF BARRINGTON

VILLAGE OF PENN YAN

By _____

By _____

Supervisor

Mayor

VILLAGE OF HAMMONDSPORT

TOWN OF PULTNEY

By _____

By _____

Mayor

Supervisor

TOWN OF JERUSALEM

TOWN OF URBANA

By _____

By _____

Supervisor

Supervisor

TOWN OF MILO

TOWN OF WAYNE

By _____

By _____

Supervisor

Supervisor

Village of Penn Yan, Inc



on Lake Keuka

P. O. Box 426

Phone 315 536-3015

PENN YAN, NEW YORK 14527

COPY

4 August 1989

To: Keuka Lake Channel Perimeter Committee
Anne Parker - Congressman Amo Houghton
Dan Farand - State Senator J. R. Kuhl
Walt Scott - Keuka Lake Association
John Andrews - Keuka Lake Association

cc: NYS DEC

Subject: Minutes of 21 June 1989 meeting in Penn Yan and update of Gate Project

The meeting was called to order by Mayor Hull at 7:30 p.m. who in turn asked Supervisor Weber to bring the group up to date on the project as follows:

- Senator Kuhl's \$67,000.00 "member item" in the 1989/90 State Budget to pay for the originally estimated non-Federal share of the Gate Project; total cost estimated to be \$267,000.00 a few years ago.
- NYS DEC's request to have a Compact in hand by 1 October 1989. This compact must be agreed to by all six towns and two villages of the Keuka Lake Channel Perimeter Committee. The DEC draft Compact has been distributed to all members for the 21 June meeting and represents an agreement as to how to spend money and in what percentages should the project proceed. It is not a contract binding the municipalities to spend money on the project should the \$67,000.00 be insufficient to meet the non-Federal portion of the project cost.

- This draft compact may need modification and an addendum to these minutes describes some of the changes requested by the Committee at the 21 June meeting. These requested changes are being sent to Allan Buddle, DEC, Elmira, for transmission to DEC, Albany.

- Mayor Hull's question as to compensation to the Village of Penn Yan for property and easements has been answered by DEC: There is to be no compensation. In a conversation with the Mayor, he indicated to me that Penn Yan might well be able to trade the value of the property for its percentage of additional costs downward from 17% (see enclosed sheet on 1957 percentages).

Action Plan

1. Questions on wording of Compact sent to DEC for comment - Weber.
2. Up-to-date plans, specs and estimates of project - Buddle, DEC.
3. Meeting called to consider revised Compact, costs and time table. Weber to call meeting during month of September, if not sooner.

W. Weber
Acting Secretary



Draft Compact (Agreement) on Keuka Lake Outlet Gate Project - Questions Raised at Meeting of 21 June 1989 - Questions/Comments

1. The percentages for each municipality ;
 - a. Flood Control Project local costs in excess of \$67,000.00 only, or
 - b. Above plus maintenance, or
 - c. All future operation costs plus a and b above?
2. The Keuka Lake Perimeter Committee Municipalities are considering obtaining enabling legislation to form a Protection/Preservation District for Keuka Lake. If such a district were formed, could the Compact be terminated and Outlet Gate functions be assumed by district with different percentages?
3. There is the question of the Compact versus the Bonding of contractor(s). Insurance question for all Towns/Villages in Compact.
4. Page 4 of Compact, Item #5: We feel quorum should be reduced from 8 to, say, 6.
5. Page 3, paragraph 4: Compact would provide a manager to oversee daily operations. We do not think annual changes would be beneficial.
6. Page 7, paragraph 13: Towns/Villages should designate employees rather than Compact. The local municipalities do not wish to give up this power. In fact, the Compact could designate an employee after that employee's municipality has first made a designation to the Compact.
7. Not contained in the draft agreement is the question of the original contract with the Village of Penn Yan, as manager of the existing gates. Would the new Compact (and possibly its successor, the Protection District) permit the existing Perimeter Committee/Contract to lapse, etc.

Submitted by: W. Weber
Acting Secretary

W. Weber
4 Aug '89