

MINUTES of the Penn Yan Municipal Board Meeting held January 14, 2010 in the Second Floor (corner) Meeting Room of the Village Hall, 111 Elm Street, Penn Yan.

ATTENDEES: Chairman Rom French, Commissioners Bruce LeClaire, Dan Banach, Jerry Nissen and David Payne, Village Trustee Willie Allison, Village Clerk/Treasurer Shawna Wilber, Director of Public Works Dick Osgood and Assistant Director of Public Works Brent Bodine

ALSO ATTENDING: Dick LaRock, WTP Chief Operator, Bob Elliott, Elliott Engineering Solutions, Ken Forenz, Water Operator, Town of Pulteney and Paul Enos, Water Operator, Town of Jerusalem

Chairman French called the meeting to order at 9:00 am.

MOTION by Commissioner LeClaire, seconded by Commissioner Nissen to approve the minutes of the Municipal Board meeting held December 10, 2009. Carried.

Bob Elliott and Ken Forenz led a discussion about the recent notification sent to all Pulteney Water District customers about elevated levels of trihalomethanes (THMs) detected in recent Pulteney drinking water samples. Mr. Forenz attended today's meeting to hear about improvements being made at the water treatment plant. Mr. Elliott explained that we recently changed our corrosion control chemicals. The new chemicals allow less chlorine to be used at the plant, which results in better chlorine residual numbers and less chlorine means lower levels of THMs. The plant will ultimately switch to chlorine dioxide disinfection. Mr. Elliott stated that he hopes to switch to the chlorine dioxide program by May when the lake water begins to warm up. Mr. Elliott will be discussing the chlorine dioxide program with Hyland Hartsough of the NYS Department of Health this afternoon. Mr. Elliott assured Mr. Enos and Mr. Forenz that work will continue at the water plant to improve water treatment processes so that we deliver the most compliant water we can to all of our wholesale water customers.

Mr. LaRock, provided the Board with an overview of what's happening at the plant. The final walk-through for the PLC project is taking place today. He stated that the installation went smoother than he anticipated. This new PLC will allow the WTP staff to trend and track plant operations in a way that was not possible before. Another improvement at the plant is the upgrade to the grinder pumps that send sewage from the water plant to the wastewater treatment plant. The upgrade has resulted in six million gallons less waste pumped to the WWTP in 2009. The Board commended the work being done by Mr. LaRock and the entire water plant staff.

(Dick LaRock left the meeting.)

The Board members thanked Clerk/Treasurer Shawna Wilber for purchasing the furniture for the upstairs, corner meeting room. The furniture was purchased locally from Long's Cards and Books.

MOTION by Commissioner Payne, seconded by Commissioner Nissen to recommend to the Village Board that the Municipal bills for the month be paid as follows:

Paid Before Audit:	\$177,898.86	
Capital Paid Before Audit:	\$0	
Electric:	\$ 23,835.90	
Water:	\$ 113,079.80	
Sewer:	\$ 31,814.61	
Capital Projects:	\$0	
Total Municipal Audit	\$346,629.17	Carried.

Clerk/Treasurer Wilber told the Board that arguments will be heard in Yates County Court at 10:00 am this morning regarding the lawsuit between the Village and the Town of Jerusalem. Clerk/Treasurer Wilber, Village Trustee Hoban and Commissioner Banach will be attending the hearing.

Director Osgood mentioned there could be two potential WWTP budget problems because (1) sludge hauling costs have increased and the total spent for this will most likely be ten to twenty thousand dollars more than the budgeted amount (\$29,000) and (2) alum costs have increased and the cost could be around \$7,500 over the amount originally budgeted for alum. These are estimates only and we will continue to monitor the costs for these budget items.

Clerk/Treasurer Wilber reviewed the proposal she received from Edmunds & Associates for new accounting software. This new software would be a fully integrated system that would increase the efficiency of the accounting office and would also provide more reporting options. Other municipalities currently using this new software have been contacted and they are very happy with it. There are no software support fees for one year after software installation. Support includes end user documentation upgrades, user group memberships, software product upgrades and enhancements and all state or federally mandated accounting changes. Training is included as well. The goal is to have the new software installed in stages and completely up and running for June 1<sup>st</sup>, the start of the next fiscal year.

MOTION by Commissioner Nissen, seconded by Commissioner Banach to recommend to the Village Board that the new accounting software be purchased from Edmunds & Associates for \$118,662. Carried.

(Commissioner Banach and Clerk/Treasurer Wilber left the meeting to attend the lawsuit hearing at the Yates County Courthouse.)

A meeting was held January 7<sup>th</sup> to discuss a five-year plan for WWTP improvements. The Board agreed that a similar five-year plan also be discussed for the water plant, water/sewer projects and electric projects.

Meetings to discuss EDUs were held December 29<sup>th</sup> and January 13<sup>th</sup>. Once the information recently received from Jim Mueller and Bob Elliott is reviewed, the next meeting will be scheduled.

The date for the Brown Street pre-construction meeting will soon be determined. Mr. Elliott presented a letter of recommendation to award the Brown Street water line contract to Genesee Construction Services, Inc. for \$269,900.

MOTION by Commissioner LeClaire, seconded by Commissioner Payne to accept Bob Elliott's recommendation and award the contract for the Brown Street Water Main Improvement Project to Genesee Construction Services, Inc. at a cost of \$269,900. Carried.

The water/sewer crew is taking care of some mechanical valve leaks on E. Elm Street. The new water line will then be re-pressurized and re-tested. Plans for Phase II of the E. Elm Street water line construction will need to be reviewed and approved by the Department of Health.

Assistant Director Bodine mentioned that the first three new circuits installed at the Welker substation should be ready for commissioning in about a month. Assistant Director Bodine is preparing an RFP for transformer and breaker maintenance at Welker. Separate bids will be requested so we can pick and choose which services we wish to obtain.

There is no update at this time regarding the Village's Electric Heat Code.

Six AEDs (Automatic External Defibrillators) were ordered last week and should deliver in about seven to ten days. The electric crew will be the first to be trained on using the AEDs.

Assistant Director Bodine reported that the cost for the new, electric hybrid bucket truck will be about \$5,000 more than the amount already approved by the Municipal and Village Boards. This is due to the fact that, while the cost of some of the truck's features have decreased, stricter emissions standards and a necessary increase in the transmission gear ratio will result in increased costs. So, now, the final cost of the truck will be \$119,929.80. The amount already approved by the Boards was \$114,787.80

MOTION by Commissioner Payne, seconded by Commissioner LeClaire to recommend to the Village Board that a new, hybrid bucket truck be purchased from the electric fund for a total cost of \$119,929.80. Carried.

The letter from the New York Power Authority (NYPA) regarding firm hydro energy for the month of January stated that there will be no reduction in firm hydro energy sales to NYPA's hydropower customers for the period of January 1<sup>st</sup> through 31<sup>st</sup>.

Assistant Bodine reviewed a letter from NYPA regarding hydropower allocation withdrawals. Through a NYPA economic development program, hydropower allocations can be withdrawn from some member systems when additional hydropower is requested to accommodate large electric use industrial customers in other communities. If a large industrial customer were to locate to Penn Yan, we could be eligible to receive additional hydropower. But, for now, Penn Yan will be losing some of its hydropower allocation. Can we do anything about this or not? Assistant Director Bodine will investigate this.

Electric Crew Supervisor. Jef Bodine, has stated in the past that, when it comes time to hire someone for the electric crew in anticipation of Don King's retirement, he would prefer to hire a groundsman rather than an apprentice. An apprentice is a 'tested' Civil Service position. A lot of money is spent up front to train an apprentice and, only after that money is spent, do we find out if that person can actually do the job. A groundsperson is not a 'tested' Civil Service position and would work with the electric crew for a while, be evaluated and then – if he or she can perform the functions of the position – that person is then sent for training. Hiring someone is not urgent right now, but if there is money in next year's budget, perhaps we should look into starting the hiring process.

The Village will soon be applying for grant money under the Small Cities program. This grant money would be used to make infrastructure improvements on Keuka, Sheppard and Seneca Streets. We need to have the residents on those streets complete a Household Characteristics Survey, which includes their household income, in order to get past the first round of the grant process. A letter and the survey will be mailed to those residents who did not complete the survey when asked previously. Director Osgood will coordinate the mailing of the surveys with Barbara Johnston of Stuart Brown Associates.

The Board reviewed information about a water service leak at 150 Stark Avenue on November 7, 2009. The resident, Glenna Allen, is seeking relief for a portion of the bill (\$2,336.00) from Stokoe and Long Construction to fix the leak which was the result of a curb stop that was not functioning properly. In the past, the Board did not offer relief for such bills. But, in this particular situation, our water/sewer crew could not get to Stark Avenue to address the problem for a few days and this resulted in additional costs for the homeowner. Director Osgood will investigate the situation and report back to the Board.

(Village Trustee Bob Hoban joined the meeting and Commissioner Banach and Clerk/Treasurer Wilber rejoined the meeting after attending the lawsuit hearing at the Yates County Courthouse.) Commissioner Banach reported that the Village won the lawsuit on every count except for the percentage Jerusalem will pay in interest penalties for being behind in paying what it owes the Village. The summary judgment means that, even if the Town of Jerusalem decides to appeal the judge's decision, they will still have to pay what they owe us.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to authorize the attendance of up to nine (9) employees at the FLWWC Annual Business Meeting being held February 4<sup>th</sup> in Geneva at a cost of \$21.00 per person. Carried.

MOTION by Commissioner Banach, seconded by Commissioner LeClaire to authorize the payment of dues for seven (7) employees for 2010 at a cost of \$15.00 per person. Carried.

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to authorize the attendance of up to five (5) employees at the MEUA Engineering Workshop being held February 3<sup>rd</sup> and 4<sup>th</sup> in East Syracuse at a cost of \$75.00 per person. Carried.

MOTION by Commissioner Nissen, seconded by Commissioner Payne to authorize the attendance of electric crew member Mike Mullins at the 4<sup>th</sup> Year Lineworker Apprentice Program being held throughout 2010 in Fairport, NY. The cost for this training is \$3,450 total. Carried.

The Board reviewed a letter from Don Jensen about the hazards of placing transformers too close to buildings. Mr. Jensen's contention is that the transformer located behind his building at 130 Main Street was installed too close to the building, even though the placement is in accordance with all current building codes. Dick Osgood was asked to contact Attorney Brockman and have him draft a letter stating the Village's position on this matter.

Director Osgood informed the Board that there have recently been two more water main breaks – one on Liberty Street and one on E. Elm Street. He also mentioned that we need to prepare a water line replacement program for our mains located under state highways.

Director Osgood asked the Board if they wished to go to more of a 'committee' structure and have just one Commissioner provide a committee report to the rest of the Municipal Board as a way of moving the MUB meetings along more quickly. The Board agreed that this may result in another layer of bureaucracy that is unnecessary; for now, this change will not be instituted.

Mr. Elliott reported that CASP was billed \$5,000 in surcharges in December. The CASP surcharges and septage hauler fees are put into the WWTP fund as 'income'. Mr. Elliott also reported that plans for proposed water main improvements on Keuka Street will be sent to the NYS Department of Health for its review and approval. An annual inspection of the sewer plant was conducted on December 15<sup>th</sup> and we are awaiting the inspection report from the NYS Department of Environmental Conservation (DEC).

Village Trustee Allison mentioned that the Gamewell fire notification system was discussed during yesterday's Public Works Committee meeting and will also be discussed during next week's Public Safety Committee meeting. Regular checks of the system should be done so problems can be detected before an emergency situation arises. Streets Supervisor Don Rapalee has volunteered to do weekly checks of the system by testing alarms throughout the village.

MOTION by Commissioner LeClaire, seconded by Commissioner Nissen to approve payment agreements in the amount of \$5,112.05. Carried.

Commissioners Banach and Payne plan to attend the Village Board meeting on January 19<sup>th</sup>.

MOTION by Commissioner Banach, seconded by Commissioner LeClaire to adjourn into Executive Session at 11:46 am to discuss contractual matters. Carried.

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn out of Executive Session at 12:15 pm and return to the regular meeting. Carried.

A letter will be prepared by Secretary Fox and sent to the Town of Jerusalem requesting that the Municipal Board be placed on the agenda for the January 20<sup>th</sup> meeting to discuss what has transpired since Sewer District #1 was established and our understanding of the contract with Jerusalem for that district. Village Trustee Allison was asked to contact the other Village Board members to let them know about this letter being written and secure their approval of this action.

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn the meeting at 12:45 pm.

**The next Municipal Board Meeting will be held Thursday, February 11<sup>th</sup> at 9:00 am in the corner meeting room on the second floor of the Village Office building.**

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Karen M. Fox, Secretary