

MINUTES of the Penn Yan Municipal Board Meeting held January 13, 2011 in the MUB Meeting Room of the Village Hall, 111 Elm Street, Penn Yan.

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

ALSO ATTENDING: Village Trustee Wayne Davidson, Keuka Park Water/Sewer Clerk Carrie Wheeler, Village Engineer Bob Elliott, WWP Chief Operator Ben Sward and Recreation Director Dan Doyle

ABSENT: Commissioner Bruce LeClaire

Chairman French called the meeting to order at 8:33 am.

MOTION by Commissioner Banach, seconded by Commissioner Payne to approve the minutes of the Municipal Board meeting held December 16, 2010. Motion Carried.

Recreation Director Dan Doyle was present to provide information regarding the DEC Urban Forestry Grant application, which he is currently completing. The Village will apply for a grant to receive \$25,000 which would be used to plant trees and perform tree maintenance. This would be a matching grant, with the IEEP (Independent Energy Efficiency Program) providing our \$12,500 portion of the match. Fred Cowett, with Cornell University's Horticulture Department, will assist the Village with developing a five year plan for the planting, maintenance and removal of trees. Mr. Cowett will also help us determine the first one hundred planting areas to address two primary goals: (1) planting trees along the gateways into the village and (2) planting young trees to offset the number of older trees currently in the village. Recreation Director Doyle asked for a letter of support from the Municipal Board to include with the grant application.

MOTION by Commissioner Payne, seconded by Commissioner Nissen to apply for the DEC Urban Forestry Grant and to authorize Chairman French to sign a letter of support on behalf of the Municipal Board. Motion Carried.

MOTION by Commissioner Nissen, seconded by Commissioner Banach to hold an Executive Session after the meeting to discuss personnel issues.

WWTP Chief Operator Ben Sward apprised the Board of activities at the wastewater treatment plant. Mr. Sward reported that he and his staff cannot keep up with sludge disposal and have had to hire tankers to haul liquid sludge from the plant to Canandaigua. This emphasizes the need to move forward with purchasing and installing a belt filter press and establishing a composting program. Earlier this week, Mr. Sward and Deputy Assistant Director of Public Works Bill Jensen visited the Arcade, NY wastewater treatment plant, which has a belt filter press and a composting facility.

(Mr. Sward left the meeting at 8:56 am.)

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

Paid before audit	\$248,948.05	
Capital paid before audit	\$ 0	
Electric Fund	\$ 7,360.13	
Water Fund	\$ 28,882.64	
Sewer Fund	\$ 91,424.94	
Total Municipal Audit	\$376,615.76	Motion Carried.

Clerk-Treasurer Wilber reported that she has a draft copy of the 2010 financial statements. There are a few errors, so she will wait until they are corrected before distributing copies. The sewer fund had a net gain of \$174,515 while the electric fund had a net gain of \$28,527. The water fund had a net loss of \$122,336. Part of the reason could be the current differentiation in the rates for usage 'up to 5,000 gallons' vs. usage 'over 5,000 gallons'. It may make sense to eliminate this differentiation and establish a different rate structure to lessen the negative impact on the water fund. The meter replacement program was discussed. Currently, water meters are being replaced every ten years. But, perhaps that time frame should be extended, since the useful life of a water meter can be quite longer than ten years. The meters would need to be tested to determine whether or not they should be replaced. Assistant Director Bodine was asked to research what equipment is available to perform such testing.

The Village has been deemed eligible to receive \$4 million in CWSRF interest-free financing from the New York State Environmental Facilities Corporation's Clean Water State Revolving Fund (CWSRF). Two payment options have been outlined. The first option is to pay the loan off in 20 years, with Penn Yan's share of the payment being \$118,120/year. The second option is to pay the loan off in 30 years, with Penn Yan's share of the payment being \$78,747/year. The Towns of Jerusalem and Milo would also be repaying the funds. It was agreed that the 20-year repayment option was preferred.

MOTION by Commissioner Payne, seconded by Commissioner Banach to proceed with the process to apply for \$4 million in interest-free financing from the New York State Environmental Facilities Corporation's Clean Water State Revolving Fund (CWSRF) and to choose the 20-year repayment option. Motion Carried.

Deputy Assistant Director Jensen provided an update on the E. Elm Street water line project. The water/sewer crew has completed installing the new water line from the five points intersection to an area between Lawrence Street and Hamilton Street as part of Phase III of the E. Elm Street water line project. Work is progressing as weather permits. Deputy Assistant Director Jensen will contact the Finger Lakes Railroad to determine a schedule for the through cut to be done.

Assistant Director Bodine reported that a pre-construction meeting has been tentatively scheduled for January 25th to discuss the filter painting project at the water plant, which will begin on January 31st. Water plant personnel did a trial run by taking one filter offline and operating the plant with two filters. The trial was successful, but a problem was identified. The finished water pumps cycled excessively. It was discovered that the settings on the PLC need to be changed so the computer knows how many filters are in operation. A representative from VSG Enviromation will be coming to the plant to tune the control loop for the finished water pumps when the plant is operating with just two filters and add a control graph for the operators to select two or three filter operation.

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

The new hybrid bucket truck is expected to be delivered tomorrow. Electric crew chief Jef Bodine has asked Assistant Director Bodine if he could take the new truck to Bath the next time the crew attends their safety training session to show it to the other attendees.

MOTION by Commissioner Banach, seconded by Commissioner Payne to authorize Electric Crew Chief Jef Bodine to take the new hybrid bucket truck to Bath for the next Training and Safety Session. Motion Carried.

The MEUA Engineering Workshop is being held February 9th and 10th in East Syracuse at a cost of \$75 per person.

MOTION by Commissioner Nissen, seconded by Commissioner Payne to authorize the attendance of up to five (5) employees at the MEUA Engineering Workshop being held February 9th and 10th in East Syracuse at a cost of \$75 per person. Motion Carried.

Deputy Assistant Director Jensen reported that a sensor that monitors the engine temperature in the generator at the firehouse is not working properly. The Village has a service contract with Milton-CAT and one of their representatives came to Penn Yan and provided an estimate for \$1,400 to repair the sensor. Assistant Director Bodine and Deputy Assistant Director Jensen will review the estimate, investigate other options, and decide what the next step will be.

The rate of interest we pay on our customer's deposits is updated January 1st of each year. A letter from the Public Service Commission states: "A review of the prevailing market conditions indicates that the current customer deposit rate should be decreased for both investor-owned utilities and municipal-owned utilities". Effective January 1, 2011, the customer deposit rate paid by municipally-owned utilities is 0.75%. Our former rate was 1.60%.

The Board has discussed the possibility of installing a new water line on Main Street from Elm Street to Court Street and also on Court Street from Main Street to Liberty Street. The Village is currently pursuing a matching grant for the engineering work. To proceed with the application process, The Village will need to execute an agreement with Elliott Engineering Solutions to perform the work and prepare a Resolution stating that we are committed to executing this agreement if we receive the grant.

MOTION by Commissioner Nissen, seconded by Commissioner Payne to recommend to the Village Board that we (1) proceed with the application process to secure a grant for the engineering of a new water line on Main Street (from Elm Street to Court Street) and on Court Street (from Main Street to Liberty Street), (2) execute an agreement with Elliott Engineering Services to perform this engineering work and (3) prepare a Village Board Resolution stating that we are committed to executing said agreement, contingent upon receipt of the grant.

Motion Carried.

Director Osgood presented a policy he was asked to draft regarding No Relief of Sewer Bills Resulting from Large Water Leaks. The Board asked that the policy be compared to what is in the Village Code to check for consistency and that it be forwarded to Attorney Ed Brockman for his review. Assistant Director Bodine will work with Attorney Brockman on this policy and refine it.

The FLWWC Annual Business Meeting is being held February 3rd at Club 86 in Geneva at a cost of \$22 per person. Dues are due for Chad Covell, Tina Galliher and Mike Naylor at a cost of \$15 per person.

MOTION by Commissioner Nissen, seconded by Commissioner Payne to authorize the attendance of up to five (5) employees at the FLWWC Annual Business Meeting being held February 3rd in Geneva at a cost of \$22 per person and pay dues (covering three years) for three (3) employees at a cost of \$15 each. Motion Carried.

The Board reviewed a letter from Gene Mitchell regarding one of his tenants, Thomas Lindsay, formerly of 138A Sheppard Street. In his letter, he asked for a copy of the rules that govern overdue accounts and the procedures in place to handle such situations. Mr. Mitchell was unaware that Mr. Lindsay had an outstanding water bill of \$240.68 and wanted to know what policy is in place to protect landlords from being responsible for paying a past due water bill from a prior tenant. It was agreed that Account Clerk Schroeder should write a letter of response, since she is most familiar with past due accounts. The letter will be mailed out under Clerk-Treasurer Wilber's signature.

The new Kubota excavator and the trailer to haul it have been delivered and are in use.

The Village and its wholesale water customers are sending data to Colby Petersen to continue work on the Water Distribution System Mapping project. Deputy Assistant Director Jensen has researched GIS systems which could help with this project and also with the Village's Street Sign Inventory. One GIS vendor has offered to do a demonstration of the unit. Such a unit costs around \$9,000 and could assist with determining road profiles, identifying road bed problems, locating water lines and valves and sewer lines. If we ever decide to purchase such a unit, it would be wise to choose a unit that is compatible with equipment used by Colby Petersen and Village Engineer Bob Elliott.

Wastewater Treatment Plant Operator, Mike Naylor, is interested in attending two training sessions.

MOTION by Commissioner Banach, seconded by Commissioner Payne to authorize the attendance of Mike Naylor at the NYRWA Training Session "Laboratory" being held February 23rd in Painted Post at a cost of \$75.

Motion

Carried.

MOTION by Commissioner Banach, seconded by Commissioner Payne to authorize the attendance of Mike Naylor at the NYRWA Training Session "Security & Emergency Response" being held March 10th in Geneva at a cost of \$30.

Motion Carried.

Deputy Assistant Director Jensen received quotes from businesses in Penn Yan who could perform routine maintenance on Village and Municipal pickup trucks. Trombley's on E. Elm Street had the lowest prices and said they could perform the maintenance in thirty minutes or less. Therefore, for the remainder of the current fiscal year, the crews will be asked to take their pickup trucks to Trombley's for routine maintenance. We will go out for bids for routine maintenance for the next fiscal year. Village employees will need to make an appointment to have such work performed, since Trombley's does not offer drive-in service.

At a previous meeting, Director Osgood was asked to prepare a policy regarding purchasing items from business located within the village whenever possible. He presented a draft to the Board. Assistant Director Bodine was asked to discuss this further with Attorney Ed Brockman.

A meeting of the EDUs Committee will be held on Friday, January 21st at 9:00 am in the MUB meeting room. Since a quorum of the Municipal Board will be present, a Public Notice Ad announcing the special MUB meeting needs to be submitted to the newspaper and a notice placed on the bulletin board downstairs. Secretary Fox will take care of this.

The Board reviewed a list outlining the many Municipal and Village Projects completed between January, 2008 (when the list was last updated) and January, 2001. Director Osgood suggested that survey work completed during that timeframe should also be included.

Greg Disbrow, who owns property near the W. Lake Road reservoir, would like to remove some trees on his property. The Village accesses the reservoir via a roadway in that area. The Board discussed whether or not to grant access to that roadway to Mr. Disbrow. The only other ways for Mr. Disbrow to access the area to be logged is either a steep road off of Route 54A or a roadway across Bernie Wager's property, which Mr. Wager is not really in favor of. Discussions will continue. Perhaps a right-of-way could be established, which would be specifically for the purpose of Mr. Disbrow entering and exiting the area for logging activities.

Ms. Karis Manning of the DEC visited the Wastewater Treatment Plant last week. She would like the Village to establish a sewage sampling plan to determine BOD loading and other factors from various effluent sources. Ms. Manning has a sample plan that she will forward to us to use as a template. WWTP Chief Operator Sward has mentioned that sludge quantities are rising. The WWTP staff is conducting sampling at various locations in the village to determine if the additional loads being received at the plant are all coming from CASP or other sources.

Assistant Director Bodine reported that Badger has discontinued production of the water meters we've been ordering and installing for many years as part of our meter replacement program. The new meter Badger is manufacturing now has a radio attached to it and would be a step toward Automatic Meter Reading. If this is not a feature we want on our water meters, we could order meters through another vendor. Mueller Systems manufactures meters and software that allow for remote water shut offs. Discussion about these options will continue.

Chairman French and Commissioner Banach plan to attend the Village Board meeting on January 18th.

MOTION by Commissioner Nissen, seconded by Commissioner Payne to approve the payment agreements in the amount of \$6,318.95.

Motion Carried.

This is Director Osgood's last Municipal Board meeting before his retirement from the Village. The Board members thanked Director Osgood for his years of service. Director Osgood stated that it was a pleasure working for the Village and that he commends the Municipal and Village Boards for being proactive and for moving the Village forward.

MOTION by Commissioner Banach, seconded by Commissioner Payne to adjourn into Executive Session at 11:17 am to discuss personnel issues. Motion Carried.

MOTION by Commissioner Nissen, seconded by Commissioner Payne to adjourn out of Executive Session at 12:08 pm and return to the regular meeting. Motion Carried.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to adjourn the meeting at 12:10 pm. Motion Carried.

The next Municipal Board Meeting will be held Thursday, February 10, 2011 at 8:30 am in the MUB meeting room on the second floor of the Village Office building.

Karen M. Fox, Secretary