

MINUTES of the Penn Yan Municipal Board Meeting held March 11, 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: Jef Bodine, Electric Crew Chief, Village Trustee Bob Hoban, Village Trustee Rich Stewart, Bob Elliott, Elliott Engineering Solutions, Ray Stewart, Town of Jerusalem Deputy Supervisor and Max Parsons, Town of Jerusalem Councilperson

ABSENT: Commissioner Bruce LeClaire

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

MOTION by Commissioner Payne, seconded by Commissioner Banach to approve the minutes of the Municipal Board meeting held February 11, 2010 with one change: The two hydropower plants owned by Seneca Falls Power Corporation were mentioned; these plants are for sale. It was stated in the minutes that, "Those two hydropower plants are shut down". This statement is incorrect -- there are currently two people working full time to operate those plants. Carried.

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

Paid Before Audit:	\$356,473.79	
Capital Paid Before Audit:	\$0	
Electric:	\$ 60,601.25	
Water:	\$ 11,882.56	
Sewer:	\$ 32,803.25	
Capital Projects:	\$ 2,630.00	
Total Municipal Audit	\$464,390.85	Carried.

Electric Crew Chief, Jef Bodine, was present to provide the Board with an update on electric projects. He and his crew are working at the Welker Substation. He and Assistant Director Brent Bodine saw a demonstration of a hybrid bucket truck and they were impressed with its operation. While the model being demonstrated is different from the one we prefer, it provided an opportunity to experience the operation of a hybrid truck's bucket. The Request for Quotes for the hybrid bucket truck are out and the bids are due April 1<sup>st</sup> at noon. Once the truck is ordered, it will take approximately six months for delivery. According to Electric Crew Chief Bodine, the truck runs for five to seven minutes on the battery and then the engine starts. A bucket operator then maneuvers the bucket to the desired height. The truck then shuts off and, if that lineman works in that same position without moving the bucket, the truck won't start for as long as that bucket is still. The problem is, when the truck isn't running the cab becomes hot or cold because the heat or air conditioning is not running. This can be a disadvantage, depending on weather conditions. The question was posed, "What if a lineman is working in the same location for a length of time at night to make a repair . . . do the lights on the truck keep working even while the truck is off?" If so, this could be a major problem. That question was posed to the Altec representative who demonstrated the hybrid vehicle, but he was unable to answer the question. The Board asked Electric Crew Chief Bodine to get the answer to that question and to find out if there are any other possible quirks with the hybrid vehicles.

While Electric Crew Chief Bodine was present, the Board discussed the possibility of hiring an electric groundsperson. This person would be hired and, if deemed a qualified employee after a six-month probationary period, would enter the apprenticeship program, a four-year program. Those first six months on the job working with the crew would help to determine if the person hired can actually do the job. The determination would then be made to spend the money to send this person through the apprenticeship program. **The exam to become an apprentice is only given every two years;** it's being given this October and will not be given again until 2012. Ideally, a groundsperson would be hired next month, his six-month probationary period would be over in October, and he would then take the test. (Groundsperson is not a Civil Service tested position while Apprentice is a tested position.) Don King is planning to retire no later than three years from now. This would mean that the electric crew would have four experienced workers for the next three years, and the groundsperson hired in April would be in his third year of the four-year program when King retires. A year later, the electric crew would have a full complement of four experienced workers. A groundsperson position was included in the tentative 2010-2011 electric budget; apprenticeship training costs were also included. Director Osgood stated that this person should be evaluated on an ongoing basis so that negative behaviors can be identified quickly and positive behaviors can be encouraged. These evaluations could be used by Electric Crew Chief Bodine as a tool to determine whether or not this person is progressing at an acceptable rate. The Personnel Committee and Municipal Board should be kept apprised of this person's progress. It's important that this person not only learn the electric department operations, he must also work well with the other members of the crew. It was agreed that we should proceed with hiring a groundsperson.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to recommend to the Village Board that the procedure begin immediately to hire a groundsperson for the electric crew. Carried.

(Jef Bodine left the meeting at 9:42 am.)

Clerk-Treasurer Wilber distributed the tentative 2010-2011 electric, water and sewer budgets to the Board members. The sewer budget includes a seven-cent increase in rates and the water budget includes a sixty-cent rate increase. She will also prepare a narrative outlining the changes that have been made so the Municipal Board has the explanations. Commissioner Nissen commended Clerk-Treasurer Wilber on the budget process she has developed and remarked that budget preparation went very smoothly this year. The Municipal Board will vote on these budgets during the April 15<sup>th</sup> meeting and the Village Board will vote on the budgets on April 20<sup>th</sup>. A Public Hearing will then be held in May so the new budget is approved and can go into effect June 1<sup>st</sup>.

The discussion about EDUs (Equivalent Dwelling Units) needs to continue. An EDU rate structure was not taken into consideration as part of the 2010-2011 budgets, but such a rate structure could be implemented at any time – it does not need to be implemented at the beginning of a new fiscal year. The new rate structure could be implemented with a Resolution from the Village Board. A Public Hearing would then be held since it involves changing rates. Assistant Director Bodine was asked to schedule a meeting to discuss the EDUs.

With regard to the Brown Street water line, a Notice to Proceed will be issued today to the contractor (Genesee Construction) and work should resume late next week. Materials have been ordered from Karen Hudson and should start arriving next week. Sanitary and storm sewer manhole covers have been ordered. Note: These manhole covers are a needed item for the NYSDOT paving project, not the water line project.

The Board reviewed a letter from Finger Lakes DDSO Regarding its group home located on Route 364. It is not possible to annex that property into the village, so the FLDDSO is going to install its own on-site water tank to enhance the fire suppression system for the home.

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

The Board discussed the conference call held with Scott Goodwin of Seneca Falls Power Corp on March 10<sup>th</sup>. Village engineer Bob Elliott and Director Osgood commented that Mr. Goodwin circumvented some of the questions posed by the Municipal Board members during the teleconference. Some of the issues facing the plants were not readily discussed, so there would be no sure way of knowing what a buyer would be purchasing. Last year, the two plants generated only 9.8 million kilowatts; in previous years, they generated, on average, about 18 to 20 million kilowatts. Director Osgood feels that the Seneca Falls Power Corporation is becoming increasingly frustrated with New York State regulations. From the conversation, it seems there are too many issues facing those plants for us to seriously consider purchasing them. The plants are not profitable and such a purchase would be a risky move for any buyer. The City of Massena is looking into the possibility of purchasing these hydropower plants. Andy McMahon of Massena has contacted Tony Modafferi at the MEUA and Mr. Modafferi is doing research to determine if there would be any benefit to MEUA member systems to own those plants.

The new relays at the Welker Substation will need to be tested and commissioned and we will need to go out for bids for this work.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to approve to advertise for bids to test and commission the new relays being installed at the Welker Substation. Carried.

Commissioner Banach is a member of the MEUA Audit Committee. He would like authorization to attend the next meeting, March 25<sup>th</sup>.

MOTION by Commissioner Payne, seconded by Commissioner Nissen to authorize MUB Commissioner Dan Banach to attend the MEUA Audit Committee meeting being held March 25<sup>th</sup> in Syracuse, NY at no cost to the Village except for mileage. Carried.

The MEUA Semi-Annual Meeting is being held April 28<sup>th</sup> and 29<sup>th</sup> in East Syracuse. So far, three people are interested in attending. They will be staying overnight.

MOTION by Commissioner Banach, seconded by Commissioner Payne to authorize the attendance of up to four (4) employees at the MEUA Semi-Annual Meeting being held April 28<sup>th</sup> and 29<sup>th</sup> in East Syracuse, NY at a cost of \$110/pp, which includes meals. This MOTION would also include an overnight stay at a cost of \$115/pp.

Carried.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to authorize Assistant Director of Public Works Brent Bodine as the Village's delegate at the MEUA Semi-Annual Meeting being held April 28<sup>th</sup> and 29<sup>th</sup> in East Syracuse, NY. Carried.

Thanks to the efforts of North Avenue resident Ann Glazier, we received enough income survey responses from Seneca Street residents to qualify to apply for a Small Cities grant. The money would be used for a new water line on Seneca Street. We need to find additional information to support the application. An engineering report will be prepared by Village engineer Bob Elliott and will include the fact that the current flow through the existing four-inch water line is poor and that fire protection is a major concern. Secretary Fox was asked to prepare a Proclamation for the Mayor to sign and present to Mrs. Glazier during an upcoming Village Board meeting.

As a Village employee, an engineer and also a Penn Yan resident, Director Osgood commended the Municipal Board members for their proactive efforts to improve the infrastructure in the village.

Grade D Training is being offered at SUNY Morrisville March 23<sup>rd</sup> and 24<sup>th</sup>; Senior Water/Sewer Maintenance Worker Ron Keech would like to send Chad Covell and Jeff Hulse to this training.

MOTION by Commissioner Nissen, seconded by Commissioner Banach to authorize the attendance of up to two (2)

employees at Grade D Training March 23<sup>rd</sup> and 24<sup>th</sup> at SUNY Morrisville at a cost of \$250/pp. This MOTION would also include lodging for both employees at a total cost of \$300, plus mileage and meals. Carried.

Clerk-Treasurer Wilber received an e-mail from Keuka Park Water/Sewer Clerk Carrie Wheeler. Ms. Wheeler said that the Town of Jerusalem Board would like to meet with the Municipal and Village Board members to present the Town's recollection of the history of the contractual agreements it has with the Village. They wish to hold this meeting after the Village elections on March 16<sup>th</sup> so that the new Village Board members have a chance to be there.

Chairman French reminded Town of Jerusalem Deputy Supervisor Stewart that the Town of Jerusalem Board members are always invited to take a tour of the Wastewater Treatment Plant and/or the Cherry Street pump station to get a better idea of the operations at those facilities.

Beginning in April, the MUB meetings will begin at 8:30 am rather than at 9:00 am. Secretary Fox will take of the public notification.

Director Osgood contacted Town of Benton Supervisor Bob Clark to discuss establishing a new water sampling port near the Essenhaus. Supervisor Clark will discuss this issue with his water crew and Board members to get their input. Director Osgood proposed that the Village buy the materials and the Town of Benton water crew perform the labor.

During its February meeting, the Board was presented with a list of recommended upgrades that RAM Consulting has proposed for the water treatment plant. Director Osgood and Assistant Director Bodine were asked for recommendations on which of the proposed upgrades should be done immediately and which were not that urgent. Item a (review the condition of all VFDs throughout the facility and develop a replacement plan) is something that should be done. Assistant Director Bodine said it would be a good idea to be proactive and said that he could do this review and develop a replacement plan. It would help if Item c could also be done. (Item c: replace the non-working display, keyboard and mouse currently located in the filter area with a stand-alone computer with an ethernet link connection to the new system). Some of the items on the proposed upgrade list could be done in-house and would not require the assistance of RAM Consulting.

Director Osgood will provide Board members with a copy of the WWTP Roof Report he received from Finger Lakes Roofing. The current roof is the original, which dates back to 1982. The replacement of this roof has been included in the 2010-2011 WWTP budget. There are two different roof systems being proposed – a conventional system and a Polyurea Hybrid roofing system.

Bob Elliott commented that the Penn Yan Wastewater Treatment Plant is maintained better than other plants in the area and he commended the WWTP staff for doing such a good job.

Assistant Director Bodine discussed the Village's Procurement Policy as it relates to the purchase of chemicals for the water plant and the wastewater treatment plant. WTP Chief Operator Dick LaRock and WWTP Chief Operator Ben Sward are pleased with the chemicals and the service they're currently receiving from their chemical vendors. They would rather not go out to bid for chemicals because, historically, they have experienced problems with vendors with regard to the quality of chemicals or service after the sale. According to NYCOM (the New York Conference of Mayors) our current chemical providers do not meet the definition of 'sole source providers' and, therefore, we need to bid chemicals. Chief Operator LaRock and Chief Operator Sward routinely check chemical prices to make sure that the prices being charged by our current providers are competitive. The plant operators feel it's invaluable to have knowledgeable people they trust providing us with chemicals. If we did go out to bid, the specifications would need to be so narrowly defined, it would be difficult to bid. Clerk-Treasurer Wilber will do some research to determine if there are circumstances under which we would not have to go out for bids for chemicals. We need to follow correct procurement procedures and at the same time, satisfy our needs.

To recognize Ann Glazier for her volunteer efforts to secure income surveys from Seneca Street residents, Secretary Fox was asked to prepare a Proclamation for the Mayor to sign and present to Mrs. Glazier during an upcoming Village Board meeting.

The NYWRA Annual Conference is being held May 24<sup>th</sup> to 27<sup>th</sup> in Verona, NY. Mike Naylor is interested in attending.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to authorize the attendance of one (1) employee at the NYRWA 31<sup>st</sup> Annual Technical Conference & Exhibition being held May 24<sup>th</sup> – 27<sup>th</sup> in Verona, NY at a cost of \$325. This MOTION would also include a three-night hotel stay at a cost of \$115/night, two meal tickets for a total of \$70, and mileage. Carried.

The FLWWC Spring Meeting is being held April 1<sup>st</sup> in Watkins Glen.

MOTION by Commissioner Payne, seconded by Commissioner Nissen to authorize the attendance of up to six (6) employees at the FLWWC Spring Meeting being held April 1<sup>st</sup> in Watkins Glen at a cost of \$22/pp. Carried.

The Board reviewed a letter from Rosa Cleary, the owner of the building at the corner of Liberty and Lake Streets once occupied by Pudgie's and then a Chinese restaurant. She is asking for relief with a high electric bill she received for January and February. The building has been unoccupied since the end of December, but the thermostat was set at 62 degrees. The Board members agreed that the bill should not be forgiven or any relief provided.

Director Osgood distributed copies of a draft of a Local Law relating to the preservation of roads. The draft was prepared by the Town of Jerusalem. All of the municipalities in the area have been encouraged to adopt such a law to protect their infrastructure and roadways from possible damage from heavy equipment being used to drill for gas in the Marcellus Shale.

Bob Elliott reported that CASP was billed \$3,646 in surcharges for January. The flows and testing results submitted

by CASP are in accordance with the test results provided by the wastewater treatment plant. To satisfy the requirements of the Consent Order, a quarterly report has been forwarded to the DEC, which includes and outlines of our efforts to address our I&I issues.

Commissioner Banach is planning to attend the Village Board meeting on March 16<sup>th</sup>.

Village Trustee Stewart mentioned that the CSEA union members voted to accept the negotiated pay raise of 3% for two years at a vote of 29 to 2. It is expected that the contract will be ratified during Tuesday's Village Board meeting.

MOTION by Commissioner Payne and Commissioner Banach to approve payment agreements in the amount of \$4,393.59.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to adjourn into Executive Session at 11:28 am to discuss legal issues. Carried.

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn out of Executive Session at 11:56 am and return to the regular meeting. Carried.

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn the meeting at 11:58 am.

**The next Municipal Board Meeting will be held Thursday, April 15<sup>th</sup> at 8:30 am in the corner meeting room on the second floor of the Village Office building.**

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Karen M. Fox, Secretary

This MOTION was made via phone poll after the Municipal Board meeting:

MOTION by Commissioner Banach, seconded by Commissioner Payne to recommend to the Village Board to provisionally promote Ron Keech to the position of Water and Sewer Maintenance Supervisor at a rate of \$23.89/hour (Group 8, Step 13) effective February 15, 2010. Carried.