

MINUTES of the Penn Yan Municipal Board Meeting held May 13, 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, Bruce LeClaire, Jerry Nissen and David Payne, Director of Public Works Dick Osgood and Assistant Director of Public Works Brent Bodine

ALSO ATTENDING: WTP Chief Operator Dick LaRock, Trustee Wayne Davidson, Village Engineer Bob Elliott and Carrie Wheeler, Town of Jerusalem

ABSENT: Trustee Willie Allison and Clerk-Treasurer Shawna Wilber

Chairman French called the meeting to order at 8:30 am.

MOTION by Commissioner Payne, seconded by Commissioner LeClaire to approve the minutes of the Municipal Board meeting held April 15, 2010. Carried.

WTP Chief Operator Dick LaRock was present to provide the Board with an update on projects at the water plant. The finished water pump keeps shutting off. This problem is being investigated. This pump isn't hard-wired to the PLC and the computer thinks it's running even when it isn't. Fortunately, this does not adversely affect other operations at the plant. The problem could be with one of the VFDs (Variable Frequency Drives). J&K electric has been called to come and fix the problem. Chief Operator LaRock is waiting to receive two more quotes for roof repairs at the plant; one quote has already been received from Cady Roofing. Village Engineer Bob Elliott will contact VSG Enviromation to once again request a user's manual for the newly-installed PLC and also the documentation needed to close out the project. Yesterday, Mr. Elliott, several Village representatives and our wholesale water customers met with Department of Health representatives to discuss disinfection byproducts. Mr. Elliott provided the Health Department with an overview of what the Village is doing to minimize its disinfection byproducts and our plans to clean the Benton Hill reservoir.

A proposal from Natgun Concrete Tank Services for a hydro-dynamic mixing system was presented to the Board. (The Solarbee mixing system currently installed at the Benton Hill reservoir is currently not working and we don't have a maintenance contract). The Natgun proposal includes the labor, equipment and materials required to clean the tank's interior and install a hydro-dynamic mixing system. The cost for those services is \$110,000. This work would include the installation of a new inlet pipe, a new outlet pipe and three, six-inch air diffusers. This should result in a complete mixing of the water in the tank while it's being filled. Money was set aside in the 2009-2010 fiscal year budget to clean the Benton tank. Additional money could be set aside from the 2010-2011 fiscal year to cover this new mixing system. The Board agreed that it would make sense to clean the tank, then have a thorough inspection conducted and then install the mixing system. Once the inspection is done, the proposed mixing system could be tweaked, if need be. We could also decide whether or not to have the Solarbee repaired and continue to use it for continual mixing, as the new mixing system would only mix the water when it enters the tank. In addition to the \$110,000 for the new mixing system, approximately \$40,000 would most likely be needed to cover contingency and legal fees, bonds, administration and engineering costs. This figure does not include the repair or re-installation of the Solarbee or any additional aeration equipment for the tank. There are several different options with regard to a mixing system for the Benton tank. Director Osgood was asked to investigate these options further and present a proposal during the June MUB meeting. He will also discuss this project with Clerk-Treasurer Wilber.

(Chief Operator LaRock left the meeting at 9:42 am.)

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:	\$ 15,573.86	
Capital Paid Before Audit:	\$ 0	
Electric:	\$ 25,828.00	
Water:	\$ 32,573.33	
Sewer:	\$ 37,223.32	
Capital Projects:	\$ 0	
Total Municipal Audit	\$111,198.51	Carried.

The installation of the new water line on Brown Street is nearly complete. The project has been extended and the new line will end near the Dunkin' Donuts on Lake Street. The new water main has also been installed to just north of Delano Place so that it will be ready to be connected to the new water line on the Liberty Street bridge when that bridge is replaced. Once the line is in place, it will be pressure tested and chlorinated and the project should be substantially completed by Memorial Day.

Phase I of the E. Elm Street water line project has been completed. The proposed Phase II (water line replacement from Benham Street to Hamilton Street) will actually take place after work on the proposed Phase III (water line replacement from Hamilton Street to the five points intersection, including direct bore work under the railroad tracks on E. Elm Street and Seneca Street). After Labor Day of this year, E. Elm Street – from Main Street to the Townsend Wood Funeral Home – will be reconstructed.

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

Director Osgood mentioned that six candidates were interviewed for the position of Electric Groundsperson. While all were very impressive, one in particular – Kyle Harris – stood out because of his experience. Director Osgood asked that the Board recommend to the Personnel Committee that Mr. Harris be hired for the position.

MOTION by Commissioner Nissen, seconded by Commissioner LeClaire to recommend to the Personnel Committee that Kyle Harris be appointed to the position of Electric Groundsperson at a rate of \$17.14/hour, pending his securement of a Commercial Driver's License in June. Carried.

Assistant Director Bodine reported that both applications submitted to the New York Power Authority (NYPA) requesting additional hydropower under their Economic Development Program, have been denied. It was believed that the opening of the new call center (Data Listing Services) provided an opportunity for Penn Yan to apply for an increase in hydropower allocation. But the application was denied because Date Listing Services is already open for business. The ARC application was denied because the ARC is just relocating some of its employees, not creating any new jobs.

The Board reviewed a proposal from RAM Consulting for engineering services at the Welker that are not covered by the current engineering contract. This work will make it possible to upload files to substation relays.

MOTION by Commissioner Banach, seconded by Commissioner LeClaire to accept RAM Consulting's proposal to provide engineering services outside the scope of the current Welker Substation service contract; this work is to be done at a cost not to exceed \$1,250. Carried.

Earlier this year, there was a problem with the transformer at Silgan Plastics and the transformer lost fifty-one gallons of oil and began to overheat. (The oil went into the pit below the transformer, not onto the ground.) Assistant Director Bodine suggested to Silgan's Maintenance Supervisor, Eric Imhoff, to shut the transformer down. Representatives from O'Connell Electric were brought in to service the transformer. A bill for their services in the amount of \$10,601 was sent to the Village. The ultimate payment of this invoice and the potential transfer of ownership of the transformer will need to be discussed at length.

The Board reviewed a letter from Pat Moravec of Barney Moravec, Inc. They recently borrowed our hydrant meter and received a bill for \$232.67 -- \$122 for the meter fee and \$110.67 for water consumption. In her letter, Ms. Moravec stated that she was unaware that there would be a charge for the meter and asked if the meter fee could be waived. It was agreed that we do not always mention the fee when someone borrows the hydrant meter. In the future, if a customer calls in and asks about using such the meter, they should be informed about the fee. Also, a tag should be put on the meter stating that there is a charge for its use. In this particular case, the Board agreed to waive the meter charge.

MOTION by Commissioner Banach, seconded by Commissioner Payne to forgive the hydrant meter charge of \$122.00 for Barney Moravec, Inc. and to charge only for the water consumption (\$110.67). Carried.

Director Osgood spoke with Benton Supervisor Bob Clark regarding the Village's desire to establish a new water sampling port near our water main in Benton rather than taking samples at the Essenhaus. Perhaps samples could be taken at the Eastview Veterinary Clinic. Mr. Elliott will check into the water usage at Eastview vs. the Essenhaus to see if this would make sense and if this would provide us with better sampling results.

MOTION by Commissioner LeClaire, seconded by Commissioner Nissen to authorize the attendance of up to seven (7) employees at the FLWWC Spring Workshop being held June 3rd in Newark, NY at a cost of \$20.00 per person.

Carried.

Director Osgood mentioned that several representatives of Jerusalem, Dresden and Milo recently took a tour of the wastewater treatment plant and that others would also like to take such a tour. Several of the Municipal Board members would also be interested and most likely the newly-elected Village Trustees. Secretary Fox will coordinate this with WWTP Chief Operator Ben Sward.

Mr. Elliott suggested purchasing a double disc sludge pump for the wastewater treatment plant. Such a pump would make it possible to send sludge to the drying beds without any interruption of the rest of the treatment process. This pump is a precursor to a composting program as well as the installation of a belt press. In the meantime, it could be used to pump waste in a way that would require less hands-on operations. We would need to go out for bids and have the bid awarded before the end of May to use the money left over in the 2009-2010 WWTP budget. Mr. Elliott will forward bid information to Secretary Fox to place in the Chronicle-Express.

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to authorize Elliott Engineering Solutions to advertise for bids for a double disc sludge pump for the wastewater treatment plant. Carried.

During the last MUB meeting, Director Osgood was asked to call The Yates County Personnel Office to find out if any local Conflict Management programs are available for Village employees. Per Wendy Gibson (Yates Personnel), a Workplace Violence program is offered by Sandy King, a retired state trooper. In addition, the County's Social Services Department offers a Conflict Management course, but this is specific to conflicts within families and wouldn't be appropriate training for Village employees.

Director Osgood presented the Board with a cost summary when the Village's DPW crew addressed an I&I situation on Benham Street. The cost for labor, materials and equipment came to \$13,995.54. The roof drains on the building at 137 Benham Street were connected to the sanitary sewer. The water needed to be diverted somewhere without creating problems for the property owner or surrounding homeowners. The most logical thing to do at that particular location was extend the storm sewer on Benham Street to provide the property owner a place to discharge water from his roof drains. It is the responsibility of the property owner to now disconnect the roof drains from the sanitary sewer and divert the water to the newly-extended storm sewer. Storm sewer upgrades are paid for by the Village, but

when such work is done specifically to address I&I – a Municipal issue – should there be a contribution made by the Municipal to the Village? Should the Municipal pay one hundred percent of the cost to address I&I issues? Fifty percent of the cost? A policy needs to be developed to address this. Storm sewers throughout the Village will need to be upgraded as we remove illegal connections from the sanitary sewer and divert that water into the storm water system. There are a number of options for the sharing of these costs. Director Osgood was asked to bring a proposal to the next MUB meeting.

MOTION by Commissioner Banach, seconded by Commissioner Payne to authorize the attendance of up to six (6) employees at the NYRWA training session on Marcellus Natural Gas Drilling and Source Water Protection being held June 22nd in Painted Post, NY at no cost. Carried.

Secretary Fox distributed the first draft of a proposed Municipal Tree Ordinance for the Village of Penn Yan for their review. Director Osgood and Secretary Fox have been working on this for several weeks. This will be discussed during the next MUB meeting.

Mr. Elliott said the Request for Proposals for the direct bore work at the E. Elm Street and Seneca Street railroad crossings is nearly ready to go out for bid.

Chairman French and Commissioner Banach are planning to attend the Village Board meeting on May 18th.

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to accept the payment agreements in the amount of \$9,290.62. Carried.

Carrie Wheeler from the Town of Jerusalem will soon have some possible dates for a joint meeting between the Village and the Town.

MOTION by Commissioner LeClaire, seconded by Commissioner Payne to adjourn into Executive Session at 11:20 am to discuss personnel issues. Carried.

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn out of Executive Session at 11:35 am and return to the regular meeting. Carried.

The Board reviewed a draft of a letter from Trustee Willie Allison to Town of Jerusalem Supervisor Daryl Jones. The Board members felt the letter could be shortened and some of the language changed. Secretary Fox has been working with Trustee Allison on the letter and will inform him of the Municipal Board's suggestions.

It was agreed that discussions about EDUs (Equivalent Dwelling Units) needs to continue so that changes in the billing structure can go into effect for fiscal year 2011-2012. To have everything in place so the changes can be instituted June 1, 2011, the EDU discussions need to be finalized by the end of August, 2010.

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn the meeting at 11:38 am.

Carried

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

Karen M. Fox, Secretary