

MINUTES of the Penn Yan Municipal Utilities Board Meeting held May 17, 2013 in the MUB Meeting Room of the Village Hall, 111 Elm Street, Penn Yan, NY.

ATTENDEES: Chairman Rom French, Commissioners Dan Banach, David Payne and Leigh Mackerchar, Village Trustee Willie Allison, Clerk-Treasurer
Gary Meeks, Director of Public Works Brent Bodine and Assistant Director of Public Works Bill Jensen

ALSO ATTENDING: Mayor Bob Church, Village Attorney Ed Brockman, Town of Benton Supervisor Bob Clark, Electric Crew Chief Jef Bodine, Keuka Park Water/Sewer Clerk Carrie Wheeler, Village Engineer Bob Elliott, Town of Milo Supervisor Leslie Church and Trustee Mike Christensen

ABSENT: Commissioner Bruce LeClaire

Chairman French called the meeting to order at 8:35 am.

Approval of the 4/11/13 Meeting Minutes

MOTION by Commissioner Payne, seconded by Commissioner Mackerchar to approve the minutes of the April 11, 2013 MUB meeting with no corrections. MOTION CARRIED.

Public Requests and Comments

Town of Benton Supervisor Bob Clark was in attendance to ask if assistance could be provided by our water plant operators in light of the fact that the Benton Operator, Todd Nellis, passed away recently. This week, Village representatives discussed assisting the Town with re-chlorination, water sampling, UFPOs, etc. and utilizing Ron Keech and Matt Yonts as Operators in Responsible Charge to help Benton run its water distribution system – Water District #2. Supervisor Clark stated that, while Benton needs immediate assistance, perhaps a long-range, shared services plan could be developed between the Town and the Village. Director Bodine spoke with Sheryl Robbins of the NYS Department of Health regarding this assistance and she is fine with the Village using its licensed operators to assist Benton. Village Attorney Brockman expressed a concern about liability. It was agreed that a Hold Harmless Agreement should be drafted to cover this concern. Attorney Brockman also recommended that, if a long-range plan were to be put into effect with the Town of Benton, the Village should amend its inter-municipal agreement with the Town. A recommendation will need to be made as to how much the Village should charge Benton for our assistance. For right now, we will take care of their immediate needs and then figure out invoicing issues. The details of reimbursement to the Village will be discussed by Director Bodine, Clerk-Treasurer Meeks and Supervisor Clark.

Town of Milo Supervisor Leslie Church was in attendance and reported that both of Milo's water operators will be retiring within the coming year. Milo will need to either hire employees to take their places or look into the option of shared services with the Village.

MOTION by Commissioner Banach, seconded by Commissioner Mackerchar to recommend to the Village Board that the Village of Penn Yan offer assistance immediately to the Town of Benton for Benton's Water District #2. MOTION CARRIED.

MOTION by Commissioner Banach, seconded by Commissioner Payne to have Village Attorney Brockman draft a Hold Harmless Agreement with regard to the assistance being offered to the Town of Benton. MOTION CARRIED.

Trustee Allison suggested that a committee be formed to discuss the possibility of a long-range plan to provide shared services for our wholesale water customers. Town of Benton Supervisor Clark, Town of Milo Supervisor Church, Director Bodine, Assistant Director Jensen, Clerk-Treasurer Meeks, Commissioner Payne and a member of the Village Board would be part of this committee.

Supervisors Clark and Church thanked the Board for allowing them to speak at today's meeting and said they appreciated any support the Village could provide.

(The supervisors left the meeting at 8:52 am.)

Executive Session Needed?

No.

Municipal Employee – Jef Bodine

Electric Crew Chief Bodine reported that the crew is busy replacing poles that were identified as needing to be replaced during a pole inspection last year. He also reported that there is

the possibility that the NYS DOT will be replacing the traffic signals on Liberty Street at the Chapel Street, Court Street and North Avenue intersections. The new fixtures would be similar to the traffic signals on either end of the Liberty Street bridge. Work would need to be done by the Municipal

electric crew as part of this project. The Village will be reimbursed by the DOT, which would pay for everything including wages, labor and materials and any related sidewalk and tree removal work,

plus twenty-five percent. Work related to this project would probably last for several months and

Crew Chief Bodine assured the Board that, while the crew would be available to quickly respond to emergencies, other work on their to-do list could be pushed back on their schedule. Crew Chief Bodine would like to hire a temporary employee to assist the crew with flagging while they're working at those Liberty Street intersections. The cost to hire this employee would be reimbursed by the DOT.

(Electric Crew Chief Bodine left the meeting at 9:16 am.)

Audit

MOTION by Commissioner Banach, seconded by Commissioner Mackerchar to approve the audit as presented and to recommend to the Village Board that the Municipal bills for the month be paid as follows:

MOTION CARRIED.

Paid Before Audit	\$309,471.03
Electric Fund	\$ 23,372.23
Water Fund	\$ 11,169.24
<u>Sewer Fund</u>	<u>\$ 82,297.35</u>
Total Municipal Audit	\$426,309.85

MOTION

CARRIED.

(plus Village Audit)

Gen. Fund Paid Before Audit	\$ 44,196.43
Trust Paid Before Audit	\$ 9,977.64
Capital Paid Before Audit	\$ 0.00
Community Revitalization	\$ 0.00
H- Capital Fund	\$ 0.00
<u>General Fund</u>	<u>\$159,562.00</u>
Total Village Audit	\$203,758.43

Total Audit \$630,068.28

Treasurer's Report

Clerk-Treasurer Meeks distributed water and sewer rates that would go into effect June 1, 2013. A Public Hearing on the proposed rates will be held at the beginning of the Village Board meeting May 21st. If these rates go into effect, the average water customer would see a nominal increase of about \$5/year for water and the cost for sewer would decrease for all customers.

Electric

NYPA Firm Hydro Energy for May – No Reduction

F.Y.I. – Special Assessment Update

During the MEUA Semi Annual meeting on April 26th, a Resolution was passed for a special assessment to cover expenses incurred through the MEUA's participation in the activities of the NYISO and relevant transmission issues. If the MEUA is to continue its active involvement in NYISO activities in order to protect every system's best interests, this fund needs to be replenished. An invoice has been sent to the MEUA's participating municipalities reflecting an assessment based on NYPA hydro energy sales. Penn Yan's share of the Special Assessment of \$1,700 for 2012 is a portion of the total Special Assessment of \$67,783.68. The Village will be receiving another invoice during the 2013-2014 fiscal year. (The amount is unknown at this time.)

F.Y.I. - PSC Mini Rate Case Update

Information is being provided, as requested, to the PSC for the Mini Rate Case Study.

Water/Sewer

Cost Estimates to Replace Sewer Line on Chapel Street

Assistant Director Jensen reported that we received three (3) quotes from local companies to replace 275 feet of sanitary sewer line on Chapel Street from Keuka Street to Liberty Street. The estimates received were: \$25,592 (TRT Masonry); \$41,174 (TLM); and \$62,480 (City Hill). All estimates were calculated using Prevailing Wage Rates. Money is available in the current fiscal year's budget to cover this work. The Board suggested awarding the contract to TRT Masonry.

MOTION by Commissioner Banach, seconded by Commissioner Payne to hire TRT Masonry to replace the sanitary sewer line on Chapel Street between Keuka Street and Liberty Street per their estimate of \$25,592.

MOTION CARRIED.

Permanent Utility Easement – N. Main Street

YCRR wants to build a pavilion on its land on N. Main Street near the John D. Kelly Center and would like to establish utilities to service that pavilion by extending nearby water and sewer mains. Director Bodine is working with Soldiers & Sailors Hospital representatives to determine if they would be willing to grant a utility easement to Penn Yan so the existing, private sanitary sewer line from the John D. Kelly Center could be extended to the first existing, private manhole north of that site. Under the easement, this manhole would then become Penn Yan's property and the Village would then provide this manhole for YCRR to use to extend services to the pavilion site.

Quotes for Manhole Repair/Replacement

Director Bodine spoke with CASP Plant Manager Ken McNerski about the replacement of a fifth manhole downstream from CASP which was damaged years ago as a result of their high strength waste. Mr. McNerski asked Director Bodine if the Municipal Utilities Board would consider assisting CASP with paying for the replacement of this manhole. Director Bodine told him he would bring it before the Board and he did so during this May 17th meeting. The Board unanimously agreed that, since the damage to the manhole was caused by CASP's effluent, they should be solely responsible for paying to replace this manhole.

KWIC

Director Bodine reported that there are a few municipalities located around Keuka Lake that are considering no longer being members of KWIC (the Keuka Watershed Improvement Cooperative).

The Board discussed whether or not they feel KWIC is serving its original purpose and whether or not Penn Yan should remain a member. The agreement between KWIC and the municipalities is not a binding contract, so we could simply choose to discontinue our membership. KWIC provides the Village with septic system inspections. Is this something we could do ourselves?

The Village pays KWIC \$10,750 per year, which helps cover the cost of their full-time watershed inspector, Paul Bauter. Mr. Bauter will be retiring in less than a year. Will KWIC need to hire a full-time person to take his place to complete the work required by the various municipalities? Or could one or two watershed inspectors be retained on a contract basis and called on as needed? We don't have very many septic systems in the village which we're responsible for, so could we even have one of our own employees trained to do septic

systems inspections? This matter will be discussed further with the Mayor, Village Trustees and administrators of the other municipalities who are currently members of KWIC.

[The Board asked Director Bodine to provide a list of these septic systems for their information during the July MUB meeting.]

Water Treatment Plant

W. Lake Rd. Reservoir – Cost to Divert Water

Assistant Director Jensen reported that, to reshape the ditch near the W. Lake Road reservoir (so that overflow can be sent to property we have an easement for) would cost around \$2,500, which includes the stone needed for the project. The Board gave its approval for Director Bodine and Assistant Director Jensen to authorize WTP Chief Operator Yonts to spend that amount to complete the project.

Wastewater Treatment Plant

Composting Facility – Authorization to Submit Full Application

Two Resolutions will need to be passed by the Village Board this month so that the full application can be submitted to the NYS DEC for a proposed composting facility to be located at the Wastewater Treatment Plant. The deadline for submittal of the application is June 30th. One Resolution will authorize the submittal of the application to the DEC; the other Resolution will name a designated, authorized representative of the Village and that representative will be the Mayor (the position of Mayor, rather than the name of the current Mayor).

MOTION by Commissioner Mackerchar, seconded by Commissioner Payne to authorize submitting the full grant application and accompanying Resolutions to the NYS DEC for a proposed composting facility to be located at the WWTP.

MOTION CARRIED.

MOTION by Commissioner Mackerchar, seconded by Commissioner Payne to recommend to the Village Board that the Mayor of Penn Yan be designated as the authorized representative for the Village on the DEC grant application regarding the proposed composting facility.

MOTION

CARRIED.

Re-Bidding the Vacuum Truck – Proposed Change to Procurement Policy

The National Joint Power Alliance (NJPA) could be an additional source through which to procure vehicles, such as the vacuum truck, and is acknowledged by New York State as a viable alternative to other procurement avenues. Our current procurement policy does not recognize this entity, so Director Bodine would like to have NJPA added to our procurement policy. The Board members agreed that this makes sense, since it would offer more flexibility with regard to our procurement practices.

MOTION by Commissioner Payne, seconded by Commissioner Mackerchar to recommend to the Finance Committee that they recommend to the Village Board that the procurement policy be revised to include NJPA (National Joint Power Alliance).

MOTION CARRIED.

Alum Bid Results

We received two bids for alum: Amrex Chemical Co., Inc. (\$1.045/gallon) and Holland Company, Inc. (\$0.805/gallon).

MOTION by Commissioner Banach, seconded by Commissioner Payne to award the 2013-2014

fiscal year contract for Liquid Aluminum Sulfate (Alum) to Holland Company, Inc. per their bid of \$0.085/gallon.

MOTION CARRIED.

NYRWA Training – Pump Basics – June 12th - Canandaigua, NY (\$23/pp)

WWTP Chief Operator Ben Sward is interested in attending the NYRWA Pump Basics Training in Canandaigua on June 12th at a cost of \$23.00.

MOTION by Commissioner Payne, seconded by Commissioner Mackerchar to authorize the attendance of one (1) employee, Ben Sward, at the NYRWA ‘Pump Station Basics’ training session being held June 12th in Canandaigua, NY at a cost of \$23.

MOTION CARRIED.

Other

FLWWC Spring Workshop – June 6th – Canandaigua, NY (\$24/pp)

Assistant Director Jensen and WTP employees Yonts, Galliher and Marchionda are interested in attending the FLWWC Spring Workshop being held June 6th in Canandaigua. (Four employees are authorized to attend per Resolution 26-2013)

Update – CASP Meeting May 8th

A meeting with CASP and Village representatives was held on May 8th. During that meeting, CASP Plant Manager Ken McNerski reported that CASP will be doing a trial run to take its high-strength waste to Don Jensen’s farm on Post Road. Mr. Jensen has a digester on his property and can turn this waste into power. If this method is successful, CASP may not need to implement Phase III. While our revenues from CASP surcharges would decrease, our sludge hauling costs would also decrease. Director Bodine stated that a written report from CASP should be submitted to us by the end of June so we know how this procedure is working.

Village Engineer’s Report – Bob Elliott

Update on CWSRF

Plans are with the EFC and DEC for review. They have two months to review the plans.

Village Board Meeting

Chairman French plans to attend the Village Board meeting on May 21st.

Payment Agreements - \$19,882.53

The Board members asked if there was another way that the monthly payment agreement information could be provided to them that would more accurately reflect a better

'snapshot' of where we stand with regard to the agreements, since what appears on the report (printed several days ago) is not an actual reflection of what occurred throughout the month. Secretary Fox will discuss this with Clerk-Treasurer Meeks and Account Clerk Schroeder.

MOTION by Commissioner Payne, seconded by Commissioner Banach to accept the Payment Agreements in the amount of \$19,882.53

MOTION CARRIED.

Several regional MEUA meetings are being held in June. Director Bodine and Electric Crew Chief Bodine are interested in attending the Western Regional Meeting June 11th in Fairport, NY. Director Bodine is also interested in attending the Central Regional Meeting June 26th in Skaneateles, NY and asked that the Board authorize the attendance of one additional employee to attend as well.

MOTION by Commissioner Mackerchar, seconded by Commissioner Banach to authorize the attendance of two (2) employees, Brent Bodine and Jef Bodine, at the MEUA Western Regional Meeting being held June 11th in Fairport, NY. The cost will be \$50 for Electric Crew Chief Bodine; as an MEUA Board member, Director Bodine will be attending at no charge to the Village. MOTION CARRIED.

MOTION by Commissioner Payne, seconded by Commissioner Banach to authorize the attendance of two (2) employees, Brent Bodine and possibly one other employee, at the MEUA Central Regional Meeting being held June 26th in Skaneateles, NY. The cost would be \$50 for the second attendee; as an MEUA Board member, Director Bodine will be attending at no charge to the Village.

MOTION

CARRIED.

Service Requests

The Board reviewed the Service Requests and asked that old, completed items be removed from the list and that information be included for the 'disposition' column for the remaining items.

Executive Session

n/a

Next Meeting – Thursday, June 13th – 8:30 am in the MUB Meeting Room

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn the meeting at

11:09 am.

MOTION

CARRIED.

