

MINUTES of the Penn Yan Municipal Board Meeting held July 15, 2010 in the second floor MUB Meeting Room of the Village Hall, 111 Elm Street, Penn Yan.

ATTENDEES: Chairman Rom French, Commissioners Bruce LeClaire, Dan Banach and David Payne, Village Trustee Willie Allison, Director of Public Works Dick Osgood and Assistant Director of Public Works Brent Bodine

ALSO ATTENDING: Mayor Bob Church, Trustees Wayne Davidson and Rich Stewart, Town of Jerusalem Supervisor Daryl Jones and Village Engineer Bob Elliott

ABSENT: Commissioner Jerry Nissen and Clerk-Treasurer Shawna Wilber

Chairman French called the meeting to order at 8:36 am.

MOTION by Commissioner Payne, seconded by Commissioner Banach to approve the minutes of the Municipal Board meeting held June 10, 2010. Motion Carried.

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

Paid Before Audit:	\$169,751.54
Capital Paid Before Audit: \$	\$ 0
Electric:	\$ 41,539.60
Water:	\$ 30,918.81
Sewer:	\$ 54,262.60
Capital Projects:	\$ 11,732.50
Total	\$308,205.05

This MOTION which should also include \$750 for each of two applications (\$1,500 total) to be submitted to Finger Lakes Railway Corporation for direct bore work underneath the railroad tracks on E. Elm Street and Seneca Street. Motion Carried.

It was agreed that members of the Fairground Association should be invited to attend the August MUB meeting to put to rest any fears they may have regarding annexing the fairgrounds property into the village. If annexation did eventually take place, the dead end water line that services the Meadowside complex could be tied in with the water line at Horizon Park. It would also allow NYSEG to upgrade its gas supply line to Meadowside; currently, Meadowside gas pressures are too low to support future growth. This gas service would be needed for any future expansion at Meadowside, since electric heat would not be an option because of Village restrictions on establishing new electrical heating systems. Director Osgood will contract Jim Folts, the president of the Fairgrounds Association to invite him to the August MUB meeting.

This morning, work is being done to correct a problem with the #2 upflow clarifier at the water plant. When backwashing is done, it is believed that the grate holding the media lifts up and the shims between the grate and the frame allow media to enter this area. The water plant staff made water early this morning, took the clarifier offline and cleaned it. The other two clarifiers should also be inspected. Ideally, this should be done after the busy water-making season is over, but while the water is still warm enough to work comfortably on the clarifiers.

During the June MUB meeting, Director Osgood urged the Board to consider replacing a section of water line on Main Street in anticipation of the detours that will be in place during the Liberty Street bridge replacement and also the need to use booster pumps when the West Lake Road reservoir is taken down for painting and maintenance in a few years. The Board authorized Director Osgood to contact Mary Chaapel at Municipal Solutions and submit a grant application. This grant money could help cover two-thirds of the design costs for such a project. The application is to be submitted by July 19th. It was mentioned that two public hearings would need to be held prior to that date. One public hearing has already been held. Is another one needed and, if so, do we have time to schedule and advertise it and submit the application by July 19th? Director Osgood will check into this with Mary Chaapel.

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

Assistant Director Bodine has received a quote for \$6,594.00 from O'Connell Electric Co., Inc. for additional electrical work associated with the Welker Substation project. In Welker transformer #1 (T-1), oil sampling and re-sampling indicated signs of severe arcing. Over the course of four days, O'Connell Electric conducted an inspection to determine the source of the problem.

MOTION by Commissioner LeClaire seconded by Commissioner Banach to accept the estimate of \$6,594.00 from O'Connell Electric Co., Inc. to perform an internal tank inspection on transformer T-1 at the Welker substation. Motion Carried.

The cab and chassis for Truck #5 should deliver from International to Dueco the end of July to be outfitted to become the new hybrid bucket truck for the electric crew.

The IEEP (Independent Energy Efficiency Program) recently sent a letter to several Penn Yan Municipal electric customers to announce that they may be eligible to participate in an attic insulation program. Some customers called the Municipal Utilities office to ask if this program was legitimate or a scam. Assistant Director Bodine sent a letter to those who received the letter from the IEEP to assure them that the program is legitimate.

Assistant Director Bodine provided the Board members with a cost estimate to install street lights on Powell Lane. It was agreed that underground wires would be preferential to overhead wires and that LEDs should be used.

MOTION by Commissioner Banach, seconded by Commissioner LeClaire to authorize the installation of approximately 1,000 feet of street lighting on Powell Lane at a cost of \$9,283.27. Motion 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. 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 invoice was then forwarded to Silgan Plastics and Assistant Director Bodine reported that the invoice has been paid in full.

Director Osgood presented a draft I&I Policy during the July MUB meeting, but there was not enough time to review it. The policy outlines the items that perhaps could be reimbursed to the Village from the Municipal when storm sewers are upgraded to accommodate water volume increases as a result of the removal of illegal connections from the sanitary sewer. It will be important to have such a policy in place as we continue to address our I&I issues. This draft policy was also discussed during this week's Public Works meeting. Sometimes existing storm sewers need to be upgraded to redirect water from sump pumps and roof drains which now empty into the sanitary sewer system. It could be helpful to include a line item in the Municipal budget to fund storm sewer acceptance of I&I water. This will need to be discussed further by Municipal and Village officials. Commissioners Banach and Payne would like to attend the August 9th Public Works meeting to be part of the next phase of this discussion. Secretary Fox will remind them of the meeting as the date gets closer.

The Board reviewed a newspaper article regarding the Finger Lakes Cultural and Natural History Museum. In the article, it states that the project manager Don Naetzker cited three options exist for the sewer system planned for the museum: an on-site system, a public option with a forced main to Keuka Park or a new treatment plant for the museum, park and hamlet of Branchport. Town of Jerusalem Engineer Wayne Ackart and KWIC Watershed Manager Paul Bauter will discuss these options with the museum officials.

Director Osgood stated that we need to review our policy regarding grinder pumps that serve individual homes. There is no consistent policy in place at the present time. Some homeowners are maintaining their own grinder pumps while the Village is maintaining others. Some sort of maintenance and replacement program should be put in place and the size of the basins or tanks increased to allow at least a one-day reserve capacity to hold normal sewage flow before it would back up into someone's home. Should the Village continue the policy of maintaining these grinder pumps? In the area of Hillcrest Drive, which has two pump pits, could we use gravity to tie those sanitary systems into the town of Milo sewer line at the base of Hillcrest Drive? It was agreed that, when a pump is due to be replaced, the basin should be made larger to hold at least one-day flow capacity. It could cost the Village a few thousand dollars per pump and basin to replace. This should be a line item in the Municipal budget beginning with the 2011-2012 fiscal year. Director Osgood will present a draft policy during the August MUB meeting.

In 2009, a broken water pipe at 135 Linden Street resulted in the homeowners receiving a bill for \$2,045.84 . . . \$1,044.62 for water charges and \$1,001.22 for sewer charges. The owners – Marvin and Kristine Mize – are contesting the sewer charges, saying that the home has a dirt floor in the basement and water did not enter the sanitary sewer system. Attorney Jo Anne Leegant sent a letter to the Village June 25th asking whether or not we would be willing to eliminate the sewer charges and asked that we respond by July 12th. Director Osgood sent a letter to Ms. Leegant June 30th asking that we be given an opportunity to discuss this matter during the July Municipal and Village Board meetings and that we would provide her with a response after the Village Board has met. The Municipal Board agreed that it was negligence on the part of the Mizes who did not arrange to have someone checking on their unoccupied home on Linden Street during the winter months. If they did not have anyone available to provide this service for them, they could have simply called the Municipal Utilities office to arrange to have the water shut off. It was also agreed that an on-site inspection be done to see if there is any credence to their claim that water did not enter the sanitary sewer system. Director Osgood was asked to write a letter (for Ed Brockman's signature) stating our position which is that we will do an on-site inspection to check for floor drains and sump pumps to prove the contention that no water entered the village's sanitary sewer system. Also, a policy needs to be written so we have something official that states that, if a customer experiences a water pipe break, they *will* be held responsible for water and sewer charges.

The Municipal Board approved the letters for the wholesale customers regarding new DOH requirements and THMs (Trihalomethanes). Secretary Fox will proceed with mailing those letters.

A public hearing was recently held and the water rates increased, effective June 1, 2010. However, the rate charged for the water salesman at the water treatment plant has remained the same for years. The rate is currently \$4.55 per 1,000 gallons of water. But the base usage rate for those living inside the Village limits is \$4.68 for the first 1,000 gallons. This water salesman rate should be reviewed before new rates are possibly enacted on June 1, 2011. The current mechanism on the salesman is not working properly. Assistant Director Bodine will explore the options available to upgrade or replace the current system of water delivery.

Town of Jerusalem Supervisor, Daryl Jones, commented that he learned a lot by taking a tour of the wastewater treatment plant. Chairman French thought it would be a good idea to provide a tour of the water plant as well, since some of the supervisors may not have had the opportunity to do this. Also, there may be some new people on the Milo, Benton, Jerusalem, Dresden and Pulteney Boards -- and even on our Village Board -- who may be interested in touring the plant. Secretary Fox will work with the water plant staff to determine a few dates when this could be done and then invite the Board members from the various municipalities.

The Board reviewed a copy of the Clean Water State Revolving Fund Hardship Application for the wastewater treatment plant (WWTP). Village Engineer Bob Elliott and Assistant Director Bodine worked with Municipal Solutions to complete the application. This information was supplied to the state several years ago along with our project list for the WWTP. We needed to submit this hardship application as well so we can be in the running for possible stimulus funds. It will take a few months until we hear the results.

Mr. Elliott learned that Zotos, a beauty products manufacturer in Geneva, would like to send excess waste water (that Geneva can't handle for treatment) to Penn Yan. He told the Board that this wouldn't be a good idea, since the chemicals used in their manufacturing process could affect the bacteriological treatment of waste.

Director Osgood mentioned that he will be retiring in about six months. He will work until approximately the end of January, then use his accruals and be officially retired sometime in February. There is a list of eligibles for the position of Assistant Director of Public Works and interviews will be held later this month. Director Osgood stated that his experience with the Village has been a positive one and complemented the Municipal Board for its willingness to look at problems from all angles and effect solutions. The Board members thanked Director Osgood for his years of service and for all of his efforts.

Director Osgood received a proposal from Scott Demmin of DSD Web Works to include the Village on the KWIC database. Information provided by the database could include a list of I&I violations, a breakdown of I&I inspections and various related reports. Mr. Demmin estimates the cost will be \$4,000 to \$5,000 plus an annual cost for database maintenance and server costs that would run \$500 to \$1,000. Mr. Elliott asked if this database would be GIS-compatible. That is not known. Would it be a better and cheaper option for us to be included on the Yates County database instead, which *is* GIS-compatible? Director Osgood will investigate the options and report on this during the August MUB meeting.

Mr. Elliott presented a door hangar currently being used by the Monroe County Water Authority to alert customers about water system repair and construction projects that may temporarily affect their water service. Currently, the Village sends letters to those who could be affected by water, sewer or electric work, providing as much notice as possible. There does not seem to be a problem with this system. After some discussion, it was agreed that Penn Yan is a small enough community and that the present notification system is working fine and maintains a more personal form of communication.

The FLWWC Summer Meeting and BBQ is being held August 12th at Fireman's Field.

MOTION by Commissioner Payne, seconded by LeClaire to authorize the attendance of up to 20 employees at the FLWWC summer meeting on Thursday, August 12th at Fireman's Field at a cost of \$30 per person.

Motion

Carried.

At the end of the July MUB meeting, the Board members agreed that a United States flag and a Village flag be placed in the MUB meeting room. Justice Hibbard provided Secretary Fox with a U.S. flag that was in his office in the basement of the Village Hall. Secretary Fox wasn't certain if the Board preferred to be consistent and have a Village flag with black lettering on a yellow background -- similar to the one in the main board room -- or one that reflects what appears on Village letterhead. The Municipal Board asked her to be consistent and order a yellow flag. Justice Hibbard asked Secretary Fox to also order a Village flag for him, so a total of two flags will be ordered.

Mr. Elliott has scheduled a meeting with Plant Manager, Roland Klimm, at CASP, LLC for Tuesday, July 20th at 10:00 am. The discussion will include money owed to the Village, manholes that need repair and CASP's future plans regarding Phase 2 treatment.

Chairman French and Commissioner Banach plan to attend the Village Board meeting July 20th.

MOTION by Commissioner Banach, seconded by Commissioner LeClaire to accept the payment agreements in the amount of \$6,178.53.

Motion Carried.

The EDU committee is close to finalizing the EDU billing structure. Another meeting is needed to discuss this.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to adjourn into Executive Session at 10:56 am to discuss legal issues.

Motion Carried.

MOTION by Commissioner Payne, seconded by Commissioner Banach to adjourn out of Executive Session at 11:20 am and return to the regular meeting.

Motion Carried.

MOTION by Commissioner Banach, seconded by Commissioner LeClaire to adjourn the meeting at 11:21 am.

Motion

Carried.

The next Municipal Board Meeting will be held Thursday, August 12th at 8:30 am in the corner meeting room on the second floor of the Village Office building.
