

MINUTES of the Penn Yan Municipal Board Meeting held August 16, 2012 in the MUB Meeting Room of the Village Hall, 111 Elm Street, Penn Yan.

ATTENDEES: Chairman Rom French, Commissioners Dan Banach, Dave Payne, Leigh Mackerchar and Bruce LeClaire, Village Trustee Willie Allison, Director of Public Works Brent Bodine and Assistant Director of Public Works Bill Jensen

ALSO ATTENDING: Mayor Bob Church, Village Trustee Rich Stewart, Village Engineer Bob Elliott, Electric Crew Chief Jef Bodine, Village Intern Simon Gaston, Keuka Park Water/Sewer Clerk Carrie Wheeler and Observer Reporter David Specksgoor

ABSENT: Village Clerk-Treasurer Shawna Wilber

Chairman French called the meeting to order at 8:31 am.

APPROVAL OF MINUTES

MOTION by Commissioner Payne, seconded by Commissioner LeClaire to approve the minutes of the July 12, 2012 MUB meeting minutes with no corrections. MOTION CARRIED.

PUBLIC REQUESTS AND COMMENTS

No one from the public addressed the Municipal Board about this subject, but Assistant Director Jensen wanted to make the Board aware of an issue that has come before the Public Works Office. There is land at the corner of Cornwell Street and Outlet Road that is owned by Neil Freeland. A woman named Ashley Arcangeli is considering purchasing the property, but first asked if Municipal utilities could once again be provided for that property, as they once were. The request was made through the law firm of Heaton & Venuti, LLP. This parcel of land is not within the village limits. Many years ago, Village utilities were provided to properties outside of the village (for example, the homes on Outlet Road). But, that has since changed

and it is now the Village's policy that a property located outside of the village needs to be annexed into the village before municipal utilities can be extended to service that property. There are sections of our Village Code that specifically state that water and sewer services to properties shall not be provided with Village service unless "the entirety of the lot upon which the building or structure is situated is located within the geographic territory of the Village of Penn Yan". The only exceptions are: (1) "service to a municipal water or sewer district by virtue of an inter-municipal agreement" or (2) in the case of annexation. A letter will be prepared for Chairman French to sign explaining that, if either Mr. Freeland or Ms. Arcangeli is interested in pursuing annexation, he should work with the Town of Milo and Director Bodine so they can help them navigate the process.

CALL FOR EXECUTIVE SESSION

An Executive Session will not be necessary.

PRESENTATION BY VILLAGE INTERN

Village Intern Simon Gaston described the work he performed for the Village during his summer internship. In addition to the two tasks he was to perform – reviewing the Stray Voltage database and verifying info for the relay cabinet at the Cherry Street pump station – he also checked the alarm cabinet at the Wastewater Treatment Plant (WWTP). Director Bodine and WWTP Chief Operator Ben Sward have both been impressed with Mr. Gaston's performance and Director Bodine extended to him the option of returning as a Village intern next summer. Director Bodine stated that Mr. Gaston understands how to take what he's learned in the classroom and from books and translate that knowledge to field applications. Mr. Gaston stated that there were no prints available for the WWTP's alarm system, so he created drawings of the plant's alarm system. He reviewed the schematics for the relay cabinet at Cherry

Street and found that some items were not labeled or were labeled incorrectly. These discrepancies have been corrected. Mr. Gaston thanked Director Bodine and the Board for giving him the chance to be an intern and said that he enjoyed it very much.

MUNICIPAL EMPLOYEE

Electric Crew Chief Jef Bodine was in attendance. He reported that the electric crew has been working to rebuild the distribution lines on E. Main Street, just like they did on Garfield Avenue. Such work should continue into the Fall as the crew works its way toward the former boat company site.

The lights for the parking area at Red Jacket park have been installed.

While Crew Chief Bodine was present, the Board reviewed the items listed under ‘Electric’ on the agenda.

ELECTRIC

NYPA Firm Hydro Energy for August – NYPA’s memo indicates that there will be no reduction in August.

Bids were received to perform breaker maintenance at the Ryder substation and to update the relay settings at both substations.

MOTION by Commissioner Banach, seconded by Commissioner Payne to accept the bid from HMT, Inc. for \$32,075 to perform breaker maintenance at the Ryder substation and to update the relay settings at both the Ryder and Welker substations. MOTION CARRIED.

Director Bodine received an e-mail from MEUA Executive Director Tony Modafferi that stated: “You should have received a notification from NYPA yesterday informing you that they are seeking to raise their N-Tac charge that they currently collect for their transmission costs. This charge was last increased back in 1999 and will need FERC approval to be changed. The MEUA will have Frank Radigan from Hudson River Energy review the filing and cost structure. Once this is done, we will have a better idea of what we are dealing with. Initially, this proposed increase appears to be small in nature and will be paid by all NYPA customers, not just municipals.” Director Bodine stated that, if the N-Tac charge is raised, it will affect our transmission costs.

Director Bodine presented an updated PPA (Purchased Power Adjustment) report that shows the demographics of how the electric load is being used and how often we exceed our hydropower allocation and require supplemental power. We currently purchase supplemental power twelve months of the year.

Possible expansion plans may be coming in the near future at Silgan Plastics. Director Bodine has been in contact with principals at Silgan to ask them to communicate such plans with the Village so that we can plan for, and assist them with, future electric requirements. Director Bodine suggested that a letter be sent to Silgan, under Chairman French’s signature, making this same request and reminding Silgan that any increase to the existing metered capacity of their service would need to be reviewed by outside agencies. Since we will have no control over the time they will need to review the effects of the upgrades or the resulting requirements they may impose, it’s important that we start the planning process for electrical upgrades sooner rather than later. Director Bodine indicated that we will need a minimum of ten to twelve weeks to complete our portion of any required upgrades after we have been through the review and approval process with New York State Electric & Gas (NYSEG) and the New York Power Authority (NYPA). Also, if Silgan’s future expansion can be tied to bringing additional jobs to the area, NYPA has a program that makes it possible for the Village to apply for an increase to its hydro power allocation.

The application and review process for an additional hydro allotment with NYPA takes time and must be approved before the upgrade takes place. Director Bodine will prepare a letter for Rom's signature.

Director Bodine reported that he has been asked if power can be accessed on Main Street for events such as the Pickin' in the Streets concert this Saturday. There are some convenience outlets that work only when the street lights are on. But it wouldn't be a good idea to allow people to use them because there is no protection, no guarantee that there won't be the risk of fire or damage to appliances that are plugged in. It would also be an unmetered load. Wiring could be done to provide a protected and metered load for events if the Board wished to authorize such wiring. Director Bodine said he could put cost figures together to help the Board make a more educated decision. This will be discussed during the next MUB meeting.

(Electric Crew Chief Bodine left the meeting at 9:10 am.)

AUDIT

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

Electric Fund	\$204,688.98
Water Fund	\$ 8,139.13
Sewer Fund	\$ 7,748.32
Total Municipal Audit	\$220,576.43
(plus)	
Facade Program	\$ 0
General Fund	\$ 28,727.66
Total Village Audit	\$249,304.09

MOTION CARRIED.

TREASURER'S REPORT

No report.

WATER/SEWER

Director Bodine reported that we are continuing to aggressively complete I&I (Inflow and Infiltration) inspections at residences and businesses in the village. According to Village Engineer Elliott, the DEC is impressed with our efforts to address our I&I issues. If the number of I&I inspections continues at the current rate, we will probably have inspected every building in the village that we've been given permission to inspect by the end of this year. Once all the inspections have been completed, Director Bodine will prepare a report for the Municipal Board and provide suggestions on how to identify other possible sources of inflow and infiltration. Once the new Sewer Use Law (Chapter 194 of the Village Code) goes into effect (there is a Public Hearing September 18th), it will be mandatory for an I&I inspection to be conducted before a property transfer can occur. Right now, all we can do is make the request.

There is a septic system at 40 Champlin Avenue that needs to be replaced and it is the Village's responsibility to clean it out and repair or replace it. Assistant Director Jensen, Supervisor Keech and Village Engineer Elliott are working to develop replacement recommendations, which will be submitted to the Keuka Watershed Inspector and the DEC and the NYS Department of Health, if necessary. While cost estimates are being obtained, the property owner, a plumber, will bring his sanitary sewer lateral out of his foundation wall in preparation for the new septic system connection.

The Board reviewed a letter from Lorie Hall of the Yates County Men's Slow Pitch League, which uses Larham's Field. On behalf of the League, she is requested some of their charges on both the water and sewer bills for July be waived because the bills are much higher than usual due to vandalism. A copy of the supporting police report accompanied her letter. Based on usage history, the Board agreed to forgive fifty dollars of the water and sewer charged billed in July. It was also agreed that, since the property is owned by the Village, we should take measures to make sure such vandalism can't occur again in the future.

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to authorize the forgiveness of \$50 of the water and sewer charges billed in July to the Yates County Men's Slow Pitch League for excessive water use at the Village-owned Larham's Field since the excessive water usage was the result of vandalism, as documented in a Police report. MOTION CARRIED.

A Penn Yan resident showed a letter he received to Director Bodine. The letter was from a company named HomeServe which is selling insurance coverage for water service lines. Property owners are responsible for the full cost of maintaining and repairing the water lateral from the main to their homes. HomeServe says that, with their optional coverage, "homeowners will be protected against the cost and inconvenience of emergency repairs to their water service line". The Public Works office has received several calls from residents who wondered if the Village endorsed either HomeServe or the coverage it's offering. A copy of the HomeServe letter was sent to Village Attorney Brockman and we are awaiting his direction as to whether or not we should include a message about this for our customers on their water bills.

[One day after this meeting, Attorney Brockman suggested we include the following message on the water bills: "It has come to the attention of the Village of Penn Yan that Village water customers are receiving solicitations from a company offering insurance to cover damage to customer's water supply lines on the customer's property. Please be advised that the Village has in no way endorsed this type of insurance or the company offering the insurance. Any questions may be directed to the Village of Penn Yan at 536-3374."]

WATER TREATMENT PLANT

New equipment is in place for the upgraded radio telemetry project, which has improved communication between the water plant and the Benton Hill reservoir. VSG has replaced the old equipment on the two reservoirs as well as the firehouse, providing for a central signal that can now communicate with the water plant. The necessary radio frequency technology is now in service and will make it possible for our wholesale water customers to remotely transmit information from their master meters to our water plant.

A meeting with all of the wholesale water customers was held on August 7th at the water plant. Sheryl Robbins of the NYS Department of Health suggested that such meetings be held twice a year, rather than once a year. The group is outgrowing the conference room at the water plant, so perhaps another venue could be considered, with the opportunity of touring the plant still offered to meeting participants. Thank you letters will be written to the three vendors who had their products on display.

WASTEWATER TREATMENT PLANT

CASP's Industrial Sewer Use Permit was revised and forwarded to CASP and they agreed with the changes. The Revised Permit will be signed and executed in October, ahead of its expiration date of December 1, 2012.

OTHER BUSINESS

There is SCBA (Self Contained Breathing Apparatus) equipment at both the water and wastewater treatment plants. The equipment was a safety requirement when chlorine gas was used at the plants years ago. While it would be nice to get rid of this equipment (and not need to train everyone how to use it),

there is still one chemical being used today – Sodium Fluoride – that requires the use of SCBA equipment. Since the Department of Health strongly recommends that we continue to fluoridate our water, eliminating that chemical is not a possibility. However, we could keep using the Sodium Fluoride, get rid of the SCBA equipment, and still provide for employee safety by utilizing EMS services if an emergency situation arises or a rescue is needed. Director Bodine spoke to Fire Chief Rick Simpson about this and the Chief agrees with this approach. Mayor Church said that we will need to revise our policies and update the Emergency Response Plans for the two plants.

Director Bodine extended an invitation to the Board to join him and Telog, VSG and SCT Computer for a meeting August 24th at 11:00 am to discuss upgrading the existing Telog equipment. Chairman French and Commissioner Mackerchar said they would be available to meet at that time. Upgrading the equipment would allow the wholesale customers to provide us with data electronically so we could monitor what is happening throughout our water distribution system and identify potential problem areas more quickly.

VILLAGE ENGINEER'S REPORT

Director Bodine has received a proposal from Elliott Engineering Solutions to perform this year's Stray Voltage Survey at a cost of \$6,600. He recommended to the Board that we accept the Proposal and authorize Village Engineer Bob Elliott to do the work.

MOTION by Commissioner Payne, seconded by Commissioner Banach to recommend to the Village Board that the proposal from Elliott Engineering Solutions (EES) for \$6,600 be accepted and EES authorized to perform this year's Stray Voltage Study for the Village. MOTION CARRIED.

With regard to the water plant intake pipe, Village Engineer Elliott is discussing repair options with the pipe equipment vendor.

Village Engineer Elliott said he is nearly finished with the bid specifications for the water main replacement on Keuka and Water Streets.

VILLAGE BOARD MEETING

Chairman French and Commissioners LeClaire and Banach plan to attend the Village Board Meeting on August 21st.

PAYMENT AGREEMENTS

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to accept the Payment Agreements in the amount of \$9,410.66. MOTION CARRIED.

SERVICE REQUESTS

The various crews are continuing work to address issues listed in the Service Requests report.

NEXT MEETING

The next Municipal Board Meeting will be held Thursday, September 13, 2012 at 8:30 am in the MUB meeting room on the second floor of the Village Office building.

ADJOURNMENT

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to adjourn the meeting at 10:42 am. MOTION CARRIED.

Karen M. Fox, Secretary