

MINUTES of the Penn Yan Municipal Utilities Board Meeting held August 14, 2014 in the MUB Meeting Room of the Village Hall, 111 Elm Street, Penn Yan, NY.

Attendees: Chairman Rom French, Commissioners Dan Banach, Bruce LeClaire, David Payne and Ray Hamilton, Village Trustee William Allison, Clerk-Treasurer Gary Meeks, Director of Public Works Brent Bodine, and Assistant Director of Public Works Bill Jensen

Also Attending: Village Engineer Bob Elliott, Mayor Leigh MacKerchar, Police Chief Mark Hulse and Jef Bodine

Absent:

Chairman French called the meeting to order at 8:32 am.

Review/Approval of the 7/10/14 Meeting Minutes

No changes – Approved as presented.

Public Requests and Comments

Municipal Employee – Jef Bodine

Liberty Street NY S DOT project is finished. Getting ready for 124 Elm Street demolition. Working on the new hotel poles located on Liberty Street; and a couple of poles down by Rite Aid on Wagener Street. Birchcrest is finished with tree trimming. Few issues discussed with Brent with the trimming process. LED lights on Main St have been ordered (56 lights – 8 at a time). These lights are working well. As of right now we are waiting for the next shipment. Some of the old lights have been scrapped and others we are reusing. The scrapped ones have not been declared surplus yet, they are being stored right now. Brent recommends to get rid of them, but will wait until we've finished replacing all of them.

Brent Bodine comments on Emmi Roth potentially expanding their electric (not until the next phase). Gave them NYPA Economic Development application to fill out and get it submitted for a request of a hydraulic allocation to tie it to the job. This expansion will create fifty (50) new jobs (Joe Debroski) will take care of this.

William Allison thanked Jef Bodine and his crew on an excellent job on Seneca Street in response to the Owl's Nest collapse.

William commented on the site of the overhead wires behind Main Street in the Municipal Parking Lot now that 124 Elm Street is down. The electric service (overhead wires) with 3 transformers on. Electric crew is going to evaluate the service and decide how to proceed. This not part of the current Hotel project, might have addition cost. It was suggested we wait until the construction is complete and incorporate any changes once parking lot is installed. Rom French asked if we should go underground? Jef comments yes & no....some will have to stay overhead and then some will be underground. Sort of like here at 111 Elm Street. Easements with some underground, keep 3 phases outside by the road and pad transformer (which is costly).

Executive Session needed to discuss the work history of an employee and invite Jef Bodine and excuse Brent Bodine?

MOTION by Commissioner Banach, seconded by Commissioner Hamilton to hold an Executive Session at 9:00 and MOTION by Reeve, seconded by Hamilton ended at 9:35

Chief Hulse presents to the board that a Municipal customer turned his electric back on himself. He allegedly removed the meter from its storage position and re-inserted the meter to restore power after it was turned off for nonpayment. Chief Hulse comments that this is not a felony issue because he did not have the intention to steal. This incident has been documented and Jeff Dawes interviewed the tenant. This person would not admit, but acknowledge that it is a dumb thing to do

and reassured the officer that it would not happen again.

Was the guy put on notice, anything on the meter box showing that it was off, did he cut the seal? . We seal meters for safety purposes. This seal was broken.

Laurie Schroeder joins the meeting 8:50 to explain to the Board what was said to this individual. The office made it clear to this individual that the electric would be turned back on until the next morning, which PSC gives us 24 hours to turn back on. Yes, this individual received a shut off notice by mail.

The Board asked if there's possibility that he did not receive this notice and do we mail them as register mail? We mail 500 notices a month. It would be costly if we mailed them as registered. This time of the year we shut off 30-40 a month.

The Board asked if we are covering ourselves if someone cuts a seal and are they aware of the danger/offense? A comment is made that NYSE&G leaves a sticker on the meter as a notice. Meter tampering is in the Electric meter/installation book and states that it is a criminal offence when you cut a seal. Where is it in the law?

A suggestion is if we can we put a blank meter in that way the customer doesn't have that option. As of right now we cut seal, pull meter and ¼ turn and put it back in "disconnect position" and reseal. We need to think of safety and to remove the Village's responsibility and the solution is to remove the meter, replace with a blank and reseal.

Brent Bodine and Mark Hulse will research the criminal and communication side and will be back next month.

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:

Paid Before Audit:	
General	\$28,057.33
Electric	\$217,803.09
Sewer	\$7,500.35
Water	\$7,597.08
CRC	\$0.00
Total Paid Before Audit	\$260,957.85
Current Audit:	
General	\$90,087.74
Community Development - CRC	\$0.00
Electric	\$56,393.17
Sewer	\$62,668.86
Water	\$18,907.62
Capital Projects	\$29,586.53
Total Current Audit	\$257,643.92
TOTAL AUDIT	<u>\$518,601.77</u>

Treasurer Meeks comments that there are additional invoices 2014 – auditors had to cut off activity. These cannot be paid until the final closing which will take place between this meeting and the next meeting.

MOTION CARRIED.

Treasurer's Report

In the report presented to the MUB, Clerk-Treasurer Meeks mention we are at 17% of our expenditures at this time. **Electric** revenue is at 8% of the year versus 17% because we are missing the 3rd billing (demand) and this summer has not been a hot one; expenses are at 13% of budget versus the 17%. **Sewer** revenue is at 13% of the budget versus at 17% because we are missing the billing of Milo & Jerusalem; expenses are 14% versus 17%. One line item that is a real issue is sludge hauling because of some delays in the project we are having to haul more sludge; we've used up our budget \$55,000.00. Part is the composting project and an issue with Canandaigua could not accept sludge so we had to haul to Bath. **Water** revenue is at 12% instead of 17% because we are missing the quarterly water sales; expenses are running behind 15% versus 17%.

Bill Jensen comments on the Waste Water Treatment plant project update - Bob Elliott comments where we are: sewer disposal fees concept of going into contingency portion because it is directly driven that the project is taking longer than expected. Need to get Digester 1 back on line to compensate. Gary Meeks comments that the original project was \$4 million; after bids it was \$4.631 million; and we've done a bond resolution. We could borrow additional funds to finish up the project; which we would like to avoid. In the last couple of years we have collected as part of our sewer rents \$375,000.00. Put that towards the \$631,000.00; that is a good dent. Included in that 4.6 million dollar project estimate was about \$206,000.00 contingency. And my question is do we need that contingency? Bob Elliot thinks there is going to be \$170,000.00 of that contingency that will not be needed. We should apply it towards the sludge hauling. We will need to seek approval from the EFC to apply those charges to the contingency budget. Bob Elliot comments that it will be a month to 2 months (October) before Digester 1 will be fully processing after startup. Due to the flood the months of May and June (5 – 6 months' worth of sludge). Can we make a case to FEMA? We are making sludge just not digesting it; hauling it out. Putting the digester on line will take time then we'll take digester 2 off-line for dewatering, inspection and painting.

William Allison asked if this increase is from the flood or was it actual sewer or from infrastructure? Bob Elliot comments that sand particles could have washed in. Loading was way up (biological). So that can go up from flushing out sewers, but mostly that settles in sewers. Some could be coming from EMMI ROTH? Unfortunately, yes. Rain water that washed across from the fields might have gotten into our waste water system. We are still monitoring EMMI ROTH; to their phase 3. Read in the paper where they are expanding. Phase 1 & 2 were driven by our distribution system. To get them in line with our sewer use permit. They'll need to continue to meet treatment requirements. Primary digester will be brought on line next week (pressure testing) fully functional = biologically operational in approximately a month. 2nd digester is the storage at this time versus treatment. Blue Heron has provided a new schedule for completion in November. RBC's are going in for the 2nd train – once they come back on line. 1st train is growing / 2nd train will be placed into service in a week or two. From here on out the schedule should be monitored real close.

Electric

NYPA Firm Hydro Energy for August & September – No Reduction

Recommended Award on Bid on 55ft Aerial Bucket Truck –

Opened the bids for replacing truck #6 (aerial bucket truck) which we've received two (2) bids to open.

Deuco's bid was incomplete and we had to reject it. Altec was a valid bid within our budget for the truck. This has been reviewed by Brent and Jef and the only concern was that the cost of the cab & chassis with Regional International is on a piggy back bid with International Vehicle and their cost is \$500.00 higher than the bid. That cost is based on the provided spec and Altec will resubmit before the Village board meeting.

Recommendation to the board to buy this truck through Altec for the price that does not include the cab & chassis in the amount of \$105,626.00. The cab & chassis should come in at less than \$69,500.00 which will be bought on a piggy back (state price). Roughly a \$175,000.00 truck and the old truck will be declared surplus.

MOTION by Commissioner Hamilton, seconded by Commissioner Reeve to approve the Village to purchase the truck from Altec for the price that does not include the cab & chassis in the amount of \$105,626.00 and the cab & chassis should come in at less than \$69,500.00 which will be bought on a piggy back (state price). **MOTION CARRIED.**

Permission to go out to bid for 6 50KVA pole top transformers

These pole top transformers are for stock/inventory.

Motion by Commissioner Banach, seconded by Commissioner Reeve to bid for 6 50KVA pole top transformers. MOTION CARRIED.

MEUA

– Dan Banach would like to go. Will be driving back and forth; will not be staying the night.

Water/Sewer

Orange Dinner

Invoice dispute with the Orange Dinner (101 Liberty) in regards to a sewer callout by the Village. They called the 911 call center (after office hours) saying they were having problems with their sewer lateral. The water/sewer serviceman arrived and found nothing wrong with our end. Office billed them for the call out and the owner of the business disputes that he was not notified that he would be paying for a 4 hour callout when the service guy was only there for an hour. Our contract says that a callout is 4 hour. Bill Jensen called the 911 dispatcher and they did not mention the call out fee; which they normally would not do. **DENIED.**

Engineering costs to extend public sewer on McKinley Ave – Budget transfer needed?

The sewer for the proposed development for the end of McKinley Ave. needs to have a way of relieving itself. We need a design put together as we have \$1,000.00 in the sewer engineering at the moment and would like to transfer \$2500.00 from the I & I account of the water & Sewer budget into the engineering account to cover \$3500.00 proposed engineering from Elliot Engineering to accomplish. We would like to do this to keep ahead of our road schedule; knowing the development going up on the corner McKinley Avenue and Geneva Street. The sewer line does run up McKinley Ave but stops 325 feet from the development. The extension would be from Vineland Apartments south to Geneva Street where the development driveway is. The two homes on Geneva are connected to Lincoln Avenue's sewer line. We will capture this cost and bill the developer because we are extending the line for the purpose of the development.

Motion by Commissioner LeClaire, seconded by Commissioner Reeve that we need a vote on extending the public sewer line on McKinley Ave and that developer will be made aware of this cost. Budget transfer does not need a motion. MOTION CARRIED

Septic Services

Keuka Housing Council is working on a grant for individuals whose septic tanks were damaged from the flood. This grant may cover the cost to remove or repair the septic tanks and when required connect to the Village sewer main. There are six (6) septic services that we maintain and there are a number of private septic systems that the individuals are responsible for the cost of maintenance. Brent Bodine will call Renee at Keuka Housing Council and talk with her.

Water Treatment Plant

There is a report on zebra mussel system repair/inspection from the work that was completed by Seaway Diving & Salvage Co., Inc. (pictures were passed around). They determined that there were blockages in the three (3) hoses coming into the plant to the chemical feed. They blasted these pipes out with a pressure washer, cleaned the nozzles out and reassembled. Everything is back in service and working.

KLA Host Agreement

This agreement covers their equipment that is located in our raw water building, which is located at WTP. This equipment is used by KLA to collect a signal which provides the lake level and temperature information and communicates between their server and their website. This agreement

also covers their responsibility to pay for the static IP address that they are offered through our connection with Time Warner. I am asking for this Boards recommendation to the Village Board to pass a Resolution to have the Mayor execute this agreement. This cost of the dedicated phone line is at \$570.00 annually and is paid by the Village, but is passed on to KLA who reimburses the Village.

Motion by Commissioner Reeve, seconded by Commissioner LeClaire to have the Village Board pass a Resolution and have the Mayor execute this agreement. MOTION CARRIED.

KLOC - Kimball's Creek at Keuka Lake Outlet

Is there an area wide enough for boats?

Bill Jensen comments that yesterday we set in the Turbidity Curtain in the outlet in accordance with the DEC permit to have this work done. Pete Townsend has moved the excavator on site and should be accomplishing the task over the next few days. This is a cost that will be submitted for reimbursed by the KLOC.

Wastewater Treatment Plant-

Permission to go out to bid for the equipment needed for our Composting Project.

Bob Elliot has been putting together the information for us and we just need to have permission to go out and placing the equipment and setting it up; rather than have the contractor do that. The project will provide all our electrical connections; we will take care of putting this into the facility and have it ready to go. We need permission to go out and get those items bid; ready to go to the paper on the 27th of August.

Motion by Commissioner Reeve, seconded by Commissioner Banach to grant permission to go out and get bids for the equipment needed for our Composting Project. MOTION CARRIED.

Change order for CWSRF project

In the sludge dewater building the operators are asking if a ceiling can be put in. The operators are concerned about the lighting and the maintenance of the installation. Bob Elliot comments that originally there were no plans for a ceiling in the dewatering building, so there's rafters exposed. The operators would like for the building to have a ceiling. Bob had asked the contractor's for an estimate and they came back and said \$20,570.00 to put a fiberglass ceiling.

DENIED.

Other

Update of General Engineering Services Contract with EES

Changes have been made with the contract with the dates, Mayor Name on signature line, an additional engineering line added for their new employee, Brian White and the change in Dan Elliot's pay rate.

Motion by Commissioner Banach, seconded by Commissioner Reeve to accept the changes of the 2013 Agreement for General Engineering Services Contract with EES. MOTION CARRIED.

Declare Car #2 as surplus and sell on EBay at fair market value

Motion by Commissioner Banach, seconded by Commissioner LeClaire to declare Car #2 as surplus and sell on EBay at fair market value. MOTION CARRIED.

Payment Agreements

MOTION by Commissioner LeClaire, seconded by Commissioner Reeve to accept the Payment Agreements in the amount of \$17,439.97. MOTION CARRIED.

Payment Agreements tabled back to MUB

Bruce Lyon's foil has been referred back to the MUB from the Village Board regarding to be notified by the MUB office of a tenant being disconnected for nonpayment and when a tenant signs an agreement. The Village Board is not in favor of putting all the services in the owner's name. Both Boards do not want to get involved in property management. It is the landlord's responsibility to keep track of their tenants' accounts and or the landlord can put electric and/or water/sewer services in their name.

Village Engineer's Report

CWSRF Project Update

*see discussion above

Status of EES Municipal Projects:

Water Main Replacement on Lake Street and Hicks Street

Lake Street is going to the Department of Health and Regional DOT for approval because we made some changes from the last time based on NYS DOT had some comments to change. Hicks Street may be included to DOH submission; Bob will check.

Relocation of Waddell Pump Station

Work is progressing.

Rebuild of Monell Street Sewer

Work is progressing; but will not be done this fall.

Construction of Gravity Sewer between PY Marine Site and Monell Pump Station

Work is progressing; but will not be down this fall.

Construction of Monell Pump Station

Work is progressing.

New SPEDES Permit from DEC

(After 3 years in the works)

These spedes will impact our budget.

-Temperature control

- Regulate at WWTP to 70 degrees or below; which last year we were above

-Mercury program

- pre-treatment
- copper and zinc testing

-I & I summation annually

-UOD (ultimate oxygen demand) requirement on two (2) different seasons

-Fish in simulation; make sure we are not killing fish

Bob Elliot will respond the Village Of Penn Yan's behalf's on their proposed SPEDES Permit for the WWTP. Cost will be in the general engineering and the timeframe will be provided within a week or two.

Mayor MacKerchar

Met with Chris Iversen and still working on the schedule. Delaying the hotel by a year; but not delaying the development.

Taco Bell & Hotel

The developer is hoping it will be open by January 1st and the developer for the hotel on Elm Street commented that they will be open by May 1st.

Village Board Meeting

Chairman French and Commissioner LeClaire plan to attend the Village Board meeting on August

19th.

Service Requests

Rom French comments that the work is being completed in a more timely fashion.

Part – Time Typist

Interviewing is taking place this week. We are proposing to the Personnel Committee to ask for their recommendation to move forward with the restructuring of the Code Enforcement Office and make it another department of the Public Works Office and use Margarita Morehouse and this part – time person to cover the administrative duties of both offices. Also in time, work towards correcting the Work Space Violence Issues upstairs that Steve Hill pointed out during his survey.

MOTION by Commissioner Banach, seconded by Commissioner Hamilton to adjourn the meeting at 11:50 am. **MOTION CARRIED.**

Next Meeting

The next Municipal Utilities Board meeting will be held Thursday, September 11th at 8:30 am in the MUB Meeting Room.

Christine Mickelsen, Account Clerk