

MINUTES of the Penn Yan Municipal Board Meeting held September 13, 2011 in the MUB Meeting Room of the Village Hall, 111 Elm Street, Penn Yan.

ATTENDEES: Chairman Rom French, Commissioners Dan Banach, Dave Payne and Jerry Nissen, Director of Public Works Brent Bodine and Assistant Director of Public Works Bill Jensen

ALSO ATTENDING: Mayor Robert Church, Village Trustee Wayne Davidson, Village Engineer Bob Elliott, WTP Chief Operator Matt Yonts

ABSENT: Commissioner Bruce LeClaire, Village Trustee Willie Allison and Village Clerk-Treasurer Shawna Wilber

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

MOTION by Commissioner Nissen, seconded by Commissioner Banach to approve the minutes of the Municipal Board meeting held August 11, 2011 with no revisions. Motion Carried.

Trustee Davidson commented that the next Waterfront Development Committee meeting will probably be held in November. Director Bodine will prepare a cost estimate to run water and sewer lines from Lake Street to the waterfront development site and present the estimate to the MUB and then to the Waterfront Development Committee.

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:

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| Electric Fund | \$ 26,326.15 | |
| Water Fund | \$ 72,445.03 | |
| <u>Sewer Fund</u> | <u>\$ 39,688.74</u> | |
| Total Municipal Audit | \$138,459.92 | Motion Carried. |

(plus)

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| <u>General Fund</u> | <u>\$289,822.27</u> | |
| Total Village Audit | \$428,282.19 | |

The septic system at 3 Maple Avenue failed an inspection on July 27th and action will need to be taken within one hundred eighty days of that inspection date to either connect that home to the Village's sanitary sewer or install a new septic system. Village Engineer Elliott stated that, from an economic standpoint, replacing the existing septic system makes more sense. However, the Municipal Board is still committed to eventually doing away with all septic systems within the village limits and connecting those homes to the sanitary sewer. This topic will remain on the MUB agenda until a course of action has been decided.

The monthly letter from the New York Power Authority (NYPA) regarding firm hydro energy for the month of September stated that there would be no reduction in firm hydro energy sales to NYPA's hydropower customers for the period of September 1st through 30th.

The IEEP Annual Meeting is being held September 29th in East Syracuse, NY. There is no fee.

MOTION by Commissioner Banach, seconded by Commissioner Nissen to authorize the attendance of up to two (2) employees at the IEEP Annual Meeting being held September 29th in East Syracuse, NY at no cost.

Carried.

Director Bodine reported that the Welker Substation Circuit Mapping project being done by RAM Consulting should be completed by the end of this fiscal year.

Director Bodine reported that the electric crew is about halfway done rebuilding the pole line on Garfield Avenue between the railroad trestle and E. Main Street.

The Board reviewed the memo from the MEUA stating that NYPA has started the process of raising its preference power rates. The proposed rate plan would increase rates by approximately six percent beginning November 1st. There will also be additional six or seven percent increases each year from May, 2012 through April, 2015. Director Bodine suggested that MEUA Executive Director Tony Modafferi attend the October MUB meeting to discuss the preference power rates and other topics.

Last month, developer David Eade addressed the Board to discuss the establishment of a Tractor Supply store on land in the Town of Milo on Route 14A, just south of Phelps Sungas. Such development would necessitate the need for water service at that location for domestic use and fire protection. The Board reviewed three viable options for providing water service to the site and cost estimates from Village Engineer Elliott.

The first option would be to connect the new water service to the twelve-inch line that services Horizon Business Park. The second option would be to connect the new service to the six-inch line that services the Church of the Nazarene. This option would not provide optimum water flow or pressure to the new store. The third option would be to connect the new service to the water line on South Avenue. The Board agreed that the first option is the most logical, as it would position the Village to continue adding services in that area of Route 14A. Director Bodine was asked to write a letter to David Eade and present the first option to him (using a contractor to do the work).

Water Treatment Plant (WTP) Chief Operator Matt Yonts was present to inform the Board about operations at the WTP. Water Treatment Plant Operator Trainee, Jeff Breuer, starting working for the Village last Tuesday. WTP Operator Galliher is out for approximately ten weeks recuperating from knee surgery. Filter #1 at the WTP is scheduled to be taken offline the beginning of October to be cleaned and painted. It will take approximately one week to take the filter offline, ten weeks for painting and curing, and one to two weeks to reassemble the filter, do the necessary tests and get the filter back online. A letter was sent to the wholesale water customers on September 1st to let them know that filter #1 is going to be down for cleaning and painting.

Filter #2, which was taken offline last year, has a longer run time before backwashing is needed. This has resulted in a savings of about 30,000 gallons of water every day that used to be used to backwash that filter. Chairman French suggested that the other Municipal Board members visit the water plant while filter #1 is down to gain a better understanding of the components and how the filter works. Secretary Fox will work with Chief Operator Yonts to determine a date for such a visit once the filter is down. Village Board members will be invited as well. The W. Lake Road reservoir is due for a five-year inspection per the requirements of the WTP's SPDES permit. This inspection is scheduled for September 21st at 8:00 am. If the steel tank shows signs of corrosion, the inspector may recommend that the tank be painted. The last time the tank was painted was 1996. If this reservoir would need to be taken offline for painting, there would be nowhere to store water for use by Jerusalem or Pulteney. The water plant would need to be staffed accordingly to be ready to produce and deliver water to those municipalities as needed.

Chief Operator Yonts stated that, ideally, he would like to have a clear well with a capacity of 1 million gallons (vs. 40,000 gallons in the existing clear well) so that 1 million gallons of water would be available at all times. As the water supply in the W. Lake Road reservoir was depleted, water would be pumped automatically from the clear well to the reservoir as needed. Chief Operator Yonts mentioned that sampling techniques have been

improved and that recent THM (Trihalomethane) test results are in compliance with Department of Health requirements.

(Chief Operator Yonts left the meeting at 9:34 am.)

Director Bodine provided an update on the Water Distribution System Modeling project. Bill Weber would like to have a meeting late in October to discuss THM/water age data and the development of a plan to improve THM readings via pumping, water routing and flushing.

Village Engineer Elliott provided Director Bodine with specifications for the sanitary sewer slip lining project on lower Keuka Street. Director Bodine said that minor modifications are needed and then we can go out for bids.

MOTION by Commissioner Nissen, seconded by Commissioner Banach to authorize going out for bids for slip lining of the sanitary sewer line on lower Keuka Street in accordance with the modified specifications prepared by Elliott Engineering Solutions. Motion Carried.

Secretary Fox informed the Board members that they are registered as members of the Finger Lakes Water Works Conference. The membership is valid for three years. Secretary Fox also reported that hydrant flushing is scheduled to take place in Penn Yan the last week of September; our wholesale water customers will then flush their systems according to an established schedule once flushing in the Village has been completed.

Millings from past DPW projects will be used to repair the driveways to the W. Lake Rd. and Benton Hill Reservoirs. WTP Chief Operator Yonts will be coordinating these driveway repairs with Bob Payne from the Town of Jerusalem and Jeff Mann from the Town of Benton. Director Bodine received a letter from Benton supervisor Bob Clark stating: "We are trying to determine who owns the driveway (to the Benton Hill reservoir) and who in that vicinity has the right-of-way." The Village owns the driveway and indications are that Dudley Fox and David O'Dell have a right-of-way to cross the driveway. But nothing has been found to indicate that Virginia Maeske has a right-of-way. The Board agreed that an easement should be secured for the Maeske property to give that owner the right to legally cross our driveway. Director Bodine will discuss this matter with Village Attorney Brockman.

Comments were received from the DEC regarding the Village's WWTP Facility Report (the Phase II Engineering Study). According to the comments, the EPA is pushing to reinstate disinfection as a necessary step in treating wastewater, preferably with an ultraviolet system. Such a disinfection system was removed from our WWTP in 1999. If we are required to re-establish such a system, the cost could be nearly half a million dollars. This may need to be added to the list of improvements that could be covered by the \$4 million of interest-free financing the Village is eligible for under the Clean Water State Revolving Fund. Village Engineer Elliott will prepare an addendum to the Facility Report, which will be sent to the DEC and also the EFC to quell any concerns they may have as they review our application for the interest-free funds.

A filter press (a sludge dewatering device) will be delivered to the WWTP October 3rd and will be used on a trial basis at no cost to the Village. The Board agreed that a site visit should be scheduled. Secretary Fox will work with WWTP Chief Operator Sward to determine a date for such a visit once the filter press is operational. Village Board members will also be invited.

Director Bodine received an e-mail from Roland Klimm, CASP's Plant Manager, to say that the equipment and peripherals for the Dissolved Air Flotation (DAF) System project have been purchased and that the project is well underway with the completion date set for November 15th. A meeting with Mr. Klimm has been scheduled for Friday, September 30th at 1:00 pm at CASP. The MUB members, Director Bodine, Assistant Director Jensen and Village Engineer Elliott plan to attend.

During the August Village Board meeting, Trustee Christensen commented on the damage that is being done to Franklin Street, Sherman Street and Elmwood Avenue by the sludge hauling trucks and the septage haulers that frequent the WWTP. Trustee Christensen asked if the Municipal Board could help subsidize repairs to those roads. If a sludge dewatering system were put in place permanently at the WWTP, it would result in less liquid sludge and would thereby reduce heavy truck traffic on those roads. The general consensus of the Municipal Board is that Franklin Street, Sherman Street and Elmwood Avenue are Village streets and should be regularly maintained as such.

In February, 2011, there was a sewer problem at the Keuka Estates trailer park across from Red Jacket park and raw sewage spilled onto the ground. KWIC Watershed Inspector Paul Bauter was called and he worked with the Department of Health to rectify the situation. The sewer system in the trailer park is a private system approved by the DEC. According to the trailer park sewer plans on file with the Public Works office, the plans allude to the fact that all the laterals in the trailer park are to abide by Article 6 of the Village's Sewer Use Law. But that would make the Village and, specifically, the Director of Public Works responsible for problems that arise with that sewer system. It's a private system on property in the Town of Milo and, therefore, issues should be addressed and resolved by the Town of Milo Code Enforcement Office. Such an understanding should be in writing and signed by the appropriate Village and Town of Milo representatives. Director Bodine was asked to draft such an agreement. Once finalized, a copy of the agreement will also be sent to the current Keuka Estates landlord, Carol Bodine.

Commissioner Banach mentioned that there are times when accidents or storms occur and damage to NYSEG electric poles and lines may not be dealt with quickly because there are no NYSEG crews available in the immediate area. Would it be appropriate for the Village to establish some sort of mutual aid agreement to cut the response time in such instances? The Board asked Director Bodine to mention this topic while he's at the MEUA Annual Conference this week and to find out if other municipalities have such mutual aid agreements.

Commissioner Banach expressed concerns about the future development of the Birkett Mills warehouses on Water Street. While he and the other Board members feel development is a positive thing, the Village does not have any information about what is being proposed for the site and, therefore, does not know how it will impact its utilities. For example, what is being planned with regard to electric heat?

The Board agreed that legislation needs to be established outlining what is and is not allowed with regard to electric heat going forward. Director Bodine was asked to draft proposed legislation for the Board to review.

Chairman French and Commissioner Banach plan to attend the Village Board meeting on September 20th

MOTION by Commissioner Nissen, seconded by Commissioner Banach to approve payment agreements in the amount of \$4,884.19. Motion Carried.

MOTION by Commissioner Payne, seconded by Commissioner Nissen to adjourn the meeting at 10:52 am. Motion Carried.

The next Municipal Board Meeting will be held Thursday, October 13, 2011 at 8:30 am in the MUB meeting room on the second floor of the Village Office building.

Karen M. Fox, Secretary