

MINUTES of the Penn Yan Municipal Board Regular Meeting held December 2, 2004 at the Maxwell Building, 127 Main Street, Penn Yan.

PRESENT: Chairman Rom French, Vice Chairman Ed Bolger, Commissioners Dan Banach, Thelma Flynn and Bruce LeClaire, Village Trustee Willie Allison, Village Treasurer Mark Socola, Director of Public Works Ed Balsley and Assistant Director of Public Works Richard Osgood

Chairman French called the meeting to order at 2:02 pm.

MOTION by Commissioner LeClaire, seconded by Commissioner Flynn to approve the minutes of the Municipal Board Meeting held November 4, 2004. Carried.

Assistant Director Osgood provided an update about the new Village Office building. While there are a few issues being addressed and the elevator has not yet been certified, the move will occur as scheduled on December 9th and 10th. Dexter Benedict has finished the weathervane and it will soon be placed on top of the dome.

Prior to the meeting, Stacy Wyant of Stork & Manahan Insurance provided information about the claims involving six families on Country Court. According to his summary, a total of \$16,132.01 has been paid to the families by insurance. The total depreciation amount not covered is \$3,877.95. After some discussion, the Board decided to refer the matter to Village Attorney Ed Brockman for his recommendation as to whether or not the Municipal Utilities Board should pay this amount to the residents or if the insurance settlement they received is fair compensation.

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

Paid Before Audit -	\$132,545.73	
Capital Projects -	\$18,213.76	
Electric:	\$16,166.66	
Water:	\$18,714.72	
<u>Sewer:</u>	<u>\$18,114.67</u>	
Total:	\$52,996.05	Carried.

Director Balsley reviewed the bids he received for stock transformers. Cooper Power Systems provided the best bid price for pole-type transformers (\$709 each). Six need to be purchased. Pauwels provided the best bid price for padmount transformers: \$6,959 each for 1, 750 KVA transformer; \$4,202 each for 1, 300 KVA transformer; and \$3,304 each for 4, 150 KVA.

MOTION by Commissioner LeClaire, seconded by Commissioner Flynn, to accept the bids and purchase the pole-type transformers from Cooper Power Systems and the padmount transformers from Pauwels. Carried.

Director Balsley reported that the bid opening for the Cherry Street Pump Station, Pump #1, will be held on December 17th. This bid covers the installation of the pump (which is on order) and related electrical work.

Director Balsley asked the Board to authorize the advertisement of bids for Variable Frequency Drives at the Water Treatment Plant. Lu Engineers is compiling a specifications package and it is estimated that the bid opening will be held the latter part of January.

MOTION by Commissioner Flynn, seconded by Commissioner LeClaire to authorize the advertisement of bids for Variable Frequency Drives at the Water Treatment Plant. Carried.

A Special Meeting of MEUA Members Systems is being held on Thursday, January 13th in Liverpool, NY to discuss the results of the survey taken during the MEUA Annual Meeting. Director Balsley will be attending.

MOTION by Commissioner Flynn, seconded by Vice Chairman Bolger, to authorize the attendance of Director Balsley at the MEUA Special Meeting being held January 13th in Liverpool, NY. Carried.

Director Balsley presented the Board with a letter he wrote to Mrs. Jere Garverick with regard to electric service on Sand Hill Road, where she owns property. She sent a letter to Director Balsley stating that: “I own property on Sand Hill road which I have trying to sell. I finally had a purchase offer until the buyer, Mr. Donahue, tried to get an answer about having electrical service provided to the property.” The letter sent to Mrs. Garverick from Mr. Donahue stated that there is a problem regarding territory rights and that he was unable to get an answer from the Village or NYSEG. He was told the cost would be expensive for NYSEG to provide service and that the Municipal crew could put a pole across the street from the last pole on Sand Hill road and run underground lines to a house if one were to be built in an open field. This would also be expensive. Mrs. Garverick said she cannot afford to continue paying taxes on property she can’t sell because it cannot be guaranteed that electric service will be provided. She feels she lost a sale because of this issue. Director Balsley responded to her letter by saying that we cannot legally extend our line any further up Sand Hill Road unless we have permission from the Town of Jerusalem, the NYS Public Service Commission and NYSEG. He also stated that the property in question is in the NYSEG service territory/franchise area, and that they should be the service provider.

Director Balsley will discuss this matter with the Town of Jerusalem and also with Village Attorney Ed Brockman for their perspective on extending our franchise area to include Mrs. Garverick's property.

Director Balsley and Treasurer Socola needed to determine a rate for a 6" water meter, since the first one in the Village was recently installed at Penn Yan Academy. The service charge is \$276 for a 6" meter inside the Village.

A rate has not been determined for a 6" meter installed outside the Village, since there are none at the present time. This monthly charge helps to cover the cost of repairing or replacing the meter as needed.

MOTION by Commissioner LeClaire, seconded by Commissioner Flynn, to adopt the service charge of \$276 for a 6" water meter installed within the Village limits. Carried.

Director Balsley has received a request from Data Ventures, Inc. (DVI) to advertise its Community Network service on Penn Yan Municipal utility bills. Village Attorney Ed Brockman has told Director Balsley that we should not include third-party advertisements on our utility bills. Director Balsley will inform DVI.

At 3:15 pm, MOTION by Vice Chairman Bolger, seconded by Commissioner LeClaire to adjourn into Executive Session to discuss personnel matters. Carried.

At 3:30 pm, MOTION by Vice Chairman Bolger, seconded by Commissioner Flynn to adjourn the Executive Session and return to the regular meeting. Carried.

The Board discussed the need for employee evaluations as a way of recognizing excellence as well as problem areas. The Board supports the idea of annual employee evaluations and the development of an organizational chart.

Treasurer Socola presented the Board with water and sewer rate analysis and information on rate increases to help cover operating expenses and debt load. A workshop will be held at noon on Thursday, December 16th in the Executive Session Room in the new Village Hall to discuss water and sewer rates.

After a review of the payment agreements . . . MOTION by Commissioner LeClaire, seconded by Commissioner Flynn to approve payment agreements in the amount of \$2,437.53. Carried.

MOTION by Commissioner LeClaire, seconded by Commissioner Flynn to adjourn the meeting at 4:25 pm. Carried.

The next Municipal Board meeting will be held Thursday, January 6th at 2:00 pm in the Executive Session Room in the new Village Hall.

Karen M. Fox, Senior Typist