MINUTES of the Penn Yan Municipal Board Regular Meeting held April 7, 2005 in the Village Office building, 111 Elm 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 2:00 pm.

MOTION by Commissioner Flynn, seconded by Commissioner LeClaire to approve the minutes of the Municipal Board Meeting held March 17, 2005. Carried.

At 2:02 pm, MOTION by Commissioner Flynn, seconded by Commissioner LeClaire to adjourn to Executive Session to discuss personnel issues. Carried.

At 2:14 pm, MOTION by Commissioner Flynn, seconded by Commissioner LeClaire to adjourn the Executive Session and return to the regular meeting. Carried.

MOTION by Commissioner Banach, seconded by Commissioner Flynn to recommend to the Village Board that the position of Wastewater Treatment Plant Operator Trainee be re-established. Carried.

MOTION by Commissioner LeClaire, seconded by Commissioner Banach, to recommend to the Village Board that Charlie Bush be promoted to the position of Lineworker, effective immediately. Carried.

Director Balsley asked the Board to adopt the revised Vehicle Rate Schedule developed by Treasurer Socola stating that the new rates are reasonable and are comparable to those currently being charged by other municipalities.

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to adopt the new Vehicle Rate Schedule. Carried.

Director Balsley provided the Board with and update about the Alternate Fuel Vehicle Program. Based on the cost of the vehicles and service considerations, it may not be in the Village's best interest to purchase a hybrid vehicle. Director Balsley has researched conventional vehicles available on state bid and mentioned that the Ford station wagon would suit his needs. He also mentioned that one Municipal pickup truck needs to be replaced and that two new skidsteers can be purchased at no cost to the Village since the purchase of two new skidsteers would be covered by the trade-in value of the old ones.

Director Balsley mentioned that the WWTP is interested in purchasing a Kubota tractor which would be used for mowing and could later be fitted with a front-end loader. The state bid price for the mower is $15,460. The John Deere tractor currently being used has a trade-in value of $7,350; therefore, the new Kubota would cost the Village $8,110. The Board agreed that, if the John Deere is in such good shape that it demands such a high trade-in value, perhaps the WWTP could hold off for a year or so on purchasing a new tractor. Treasurer Socola will discuss the matter with Bengt Sward. It was agreed that Car #1 and Truck #10 should be replaced this year. Director Balsley and Treasurer Socola will review vehicle needs and available vehicles and their cost.

MOTION by Commissioner Flynn, seconded by Commissioner LeClaire to replace Car #1 and Truck #10 and to trade in the two used skidsteers for two new ones. Carried.

In a letter dated February 28, 2005, the DEC directed Bengt Sward to replace, repair, or remove from service the Alum tanks at the WWTP. Assistant Director Osgood wrote a letter of response to the DEC expressing our plans to build a suitable storage facility for the Alum tanks. This letter was presented to the Board for its information.

The resolutions concerning the changes to the Sewer Rent and Water Rent Chapters of the Village Code were presented to the Board. These resolutions will be presented during a public hearing during the April 12th Village Board meeting.

Director Balsley presented a memo from Bob Mullane of MEUA regarding Special Assessments. According to the Memo, a continuing resolution for financial support for the MEUA Relicensing efforts will be introduced during the Semi-Annual MEUA Meeting being held April 20th. The MEUA is seeking an additional $80,000 so it can continue its Relicensing efforts

Assistant Director Osgood expressed an interest in attending the 2005 Rochester Engineering Symposium being held April 26th at a cost of $75.

MOTION by Commissioner LeClaire, seconded by Commissioner Flynn to authorize Assistant Director Osgood to attend the 2005 Rochester Engineering Symposium being held April 26th. Carried.

Jens Jensen has expressed an interest in attending the New York Rural Water Association's 26th Annual Technical Conference & Exhibition being held May 1st through May 4th in Saratoga Springs at a cost of $700 for the conference and lodging for three nights.

MOTION by Commissioner Flynn, seconded by Commissioner Banach to authorize Jens Jensen to attend the New York Rural Water Association's 26th Annual Technical Conference & Exhibition being held May 1st through May 4th in Saratoga Springs. Carried.

Assistant Director Osgood expressed an interest in attending the Culvert Repair and Rehabilitation workshop being held May 19th and 20th in Steuben County at no cost to the Village.

MOTION by Commissioner LeClaire, seconded by Commissioner Flynn to authorize Assistant Director Osgood to attend the Culvert Repair and Rehabilitation workshop being held May 19th and 20th in Steuben County. Carried.

Director Balsley presented the Board with a letter he received from Birkett Mills announcing that its custom application business at the Yates Blodgett Division in Penn Yan will be discontinued. The letter stated that any commitments made will be honored and that a limited supply of bagged fertilizer and cop protection chemicals is available at Carey's Rental Outlet on Seneca Street.

The Board reviewed Payment Application No. 8 from Lu Engineers which asks for a reduction in retainage from 5% to 2% with a payment figure of $6,306.68 for TRT Masonry, Inc. for work performed as part of the Lake Street and Commercial Avenue water main improvements. The Board wondered why *any* retainage was being held and asked Assistant Director Osgood to look into the matter. For this reason, approval of the payment request was tabled until the next Municipal Board meeting.

Payment Request No. 1 from Lu Engineers was reviewed by the Board. This request is for Contract 1 for the Cherry Street Pump Station Upgrade project. The amount requested by the contractor, Finger Lakes Piping, Inc., is $4,037.50. There has been no activity on the project to date. The Board asked Assistant Director Osgood to look into the matter, since the Payment Request may be for equipment purchased as part of the project. Approval of this payment request was tabled until the next Municipal Board meeting.

The Board discussed the continuing inflow and infiltration (I&I) problem in the Village and asked that the office of the Director of Public Works develop a plan to address the problem. The plan should include public education components such as articles and public meetings, as well as letters to homeowners citing specific problems. The plan also needs to include ways of enforcing penalties for illegal connections to the sanitary sewer.

After a review of the payment agreements . . . MOTION by Commissioner Flynn, seconded by Commissioner LeClaire to approve payment agreements in the amount of $4,948.39. Carried.

MOTION by Commissioner LeClaire, seconded by Commissioner Banach to adjourn the meeting at 3:40 pm. Carried.

The next Municipal Board meeting will be held Thursday, April 21st at 2:00 pm in the Executive Session Room in the Village Office building.

Karen M. Fox, Senior Typist