

**MINUTES**

**MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING**

**Thursday, February 14, 2019**

**9:30 a.m.**

**Board Room, General Offices, 475 Norris Drive, Rochester, New York**

9:30 a.m. The Chairman called this Regular Meeting to order.

Roll Call of the membership of the Board and determination that a quorum was present.

Members present (6): S. Nasca, S. Volpe, M. Fero, R. Hurlbut, W. Bleier-Mervis, J. Rulison

Members absent (1): A. Bernstein

Staff present:

N. Noce, Executive Director; M.A. Hussar, Secretary to the Authority; R. Metzger, P.E., Chief Engineer; R. Benshoff, Exec. Dir. of Operations; S. M. Savage, P.E., Dir. of Engineering; L. Magguilli, Assistant to Exec. Dir.; D. Hendrickson, Dir. of Human Resources; Greg Jablonsky, Dir. Information Technology; C. LaManna, Dir. of Production and Transmission

General Counsel present: R. Miller, Esq. HS&E; E. Hebert, Atty. HS&E

Monroe County Legislative Liaison present: (0)

Packets containing detailed information on Agenda items were distributed in advance of meeting date to each Member, Executive Staff and Counsel for their prior review.

Pledge of Allegiance – lead by Chairman Nasca

#19-021 Approve minutes of the Authority's Regular Meeting of the Board held on January 10, 2019.

On a motion made by Mr. Rulison, seconded by Ms. Bleier-Mervis, the foregoing resolution #19-021 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

#19-022 Accept list of disbursements on check registers dated January 9, January 16, January 23 January 30 and February 6, 2019 which were forwarded to the Authority Members for their review.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #19-022 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

#19-023 Accept Purchase Order List of materials and supplies for the period January 3, 2019 through February 6, 2019 in the amount of \$316,784.

On a motion made by Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution #19-023 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

**COMMUNICATIONS - None**

#19-024

**RESOLUTION #19-024**

EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND  
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD  
TO **FREDERICK R. MICHA II** UPON HIS RETIREMENT

*WHEREAS*, Frederick R. Micha II, a longtime employee of the Water Authority  
has retired as of January 26, 2019; and

*WHEREAS*, Frederick R. Micha II is a highly skilled and knowledgeable 38 year  
veteran of the Water Authority; and

*WHEREAS*, Frederick R. Micha II will be remembered for his dedicated service by  
his fellow employees and management of the Water Authority.

*NOW THEREFORE BE IT RESOLVED*, MCWA extends its appreciation and best  
wishes for a happy, fulfilling retirement; and

*BE IT FURTHER RESOLVED*, that the Secretary of the Board is hereby requested  
to forward a copy of this resolution to Frederick R. Micha II, MCWA Retiree.

MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING – February 14, 2019

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #19-024 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

#19-025

**RESOLUTION #19-025**

EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND  
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD  
TO **RICHARD N. EPISCOPO** UPON HIS RETIREMENT

*WHEREAS*, Richard N. Episcopo, a longtime employee of the Water Authority  
has retired as of January 30, 2019; and

*WHEREAS*, Richard N. Episcopo is a highly skilled and knowledgeable 34 year  
veteran of the Water Authority; and

*WHEREAS*, Richard N. Episcopo will be remembered for his dedicated service by  
his fellow employees and management of the Water Authority.

*NOW THEREFORE BE IT RESOLVED*, MCWA extends its appreciation and best  
wishes for a happy, fulfilling retirement; and

*BE IT FURTHER RESOLVED*, that the Secretary of the Board is hereby requested  
to forward a copy of this resolution to Richard N. Episcopo, MCWA Retiree.

On a motion made by Mr. Hurlbut, seconded by Mr. Fero, the foregoing resolution #19-025 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

#19-026

Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of **Michael DiGrazio to the title of Heavy Motor Equipment Operator**, effective March 4, 2019 at Salary Schedule 4, Group 6, Step 1.

On a motion made by Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution #19-026 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

Mr. Metzger requested authorization for item #19-027. He explained to the Members that the proposed services are for electrical engineering for various MCWA facilities and primarily on an as-needed basis. He also indicated that individual price proposals and schedules would be requested from each firm and evaluated for each project. Mr. Metzger also stated that any agreements would be for a term of five years.

#19-027 Authorize the execution of **Professional Services Agreements** with the following firms for **Electrical Engineering Services**: Arcadis of New York, Inc., Erdman, Anthony and Associates, Inc., and O'Brien & Gere Engineers, Inc.

On a motion made by Mr. Rulison, seconded by Ms. Bleier-Mervis, the foregoing resolution #19-027 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

In discussion of item #19-028, Mr. Jablonsky stated that iWorld Professionals has been retained to provide recruitment and placement services to fill a vacant Senior Programmer Analyst position within the IT Department. Mr. Jablonsky added that if an acceptable candidate were found, appointment would occur at a later date. He also answered questions from Chairman Nasca relating to fees.

#19-028 Authorize the execution of a **Professional Services Agreement** with iWorld Professionals, LLC for **candidate recruitment and placement fees** in the amount of \$19,394 for a Senior Programmer Analyst to be named and appointed in March 2019.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #19-028 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0

Mr. Benshoff briefed the members on item #19-029 explaining the function of Valve Boxes and that the low responsive, responsible bidder, Blair Supply Corp. has successfully provided these materials to the Authority in the past.

#19-029 Authorize the award of a **unit price contract for Valve Boxes and Lids** to the low responsive, responsible bidder, **Blair Supply Corporation** in the estimated bid amount of \$39,186. This is a one-year unit price contract with the option to renew for up to four (4) additional one-year terms upon mutual consent of the Authority and the Contractor.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #19-029 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0

MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING – February 14, 2019

For items #19-030 and #19-031, Mr. Savage addressed the Members, explaining these two contracts are for annual asphalt and concrete restoration within the Authority's service area. He indicated that in an effort to enhance our responsiveness, the contract is split into two contracts, one for the Authority's service area, East of the Genesee River and the other for our service area West of the Genesee River. He recapped bid results for both contracts.

#19-030 Authorize the award of a unit price contract for the **2019 Pavement Replacement Contract – East Side** to the low responsive, responsible bidder, Central Roadways, Inc. for the bid amount of \$1,598,425. This Contract may be extended for four (4) subsequent one-year terms with mutual, written consent.

On a motion made by Mr. Rulison, seconded by Ms. Bleier-Mervis, the foregoing resolution #19-030 was duly put to a vote on roll call and successfully carried. Ayes: 5 (Nasca, Fero, Hurlbut, Bleier-Mervis, Rulison)  
Nays: 1 (Volpe).

#19-031 Authorize the award of a unit price contract for the **2019 Pavement Replacement Contract – West Side** to the low responsive, responsible bidder, Central Roadways, Inc. for the bid amount of \$996,312.50. This Contract may be extended for four (4) subsequent one-year terms with mutual, written consent.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #19-031 was duly put to a vote on roll call and successfully carried. Ayes: 5 (Nasca, Fero, Hurlbut, Bleier-Mervis, Rulison);  
Nays: 1 (Volpe).

In discussion of Item #19-032, Mr. Savage briefed the Members on this unit price contract that includes several items used on an as needed basis to support the install of water services, vaults, water mains and appurtenances (associated items) throughout the Water Authority's service area. He recapped bid results and indicated that Villager Construction, Inc. was also the previous contract holder. Mr. Savage also explained that the total price bid is based on estimated quantities. He also added that over the past three-years, not all items in the contract were utilized and he referenced comparative data that indicated average usage for the previous contract was \$2,000,000.

#19-032 Authorize the award of a unit price contract for the **2019 Service and Water Main contract** to the low responsive, responsible bidder, **Villager Construction, Inc.** in the bid amount of \$6,075,000 with the option to extend for two (2) one-year terms.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #19-032 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

For item #19-033, Mr. LaManna addressed the Members indicating that this unit price contract is for the purchase and delivery of fire alarm equipment only and that qualified Authority personnel will be providing installation services.

#19-033 Authorize the award of the **Fire Alarm Equipment unit price contract** to the low responsive, responsible bidder, West Fire, Inc. for the bid amount of \$65,087.25.

On a motion made by Ms. Bleier-Mervis, seconded by Mr. Rulison, the foregoing resolution #19-033 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison);  
Nays: 0.

For item #19-034, Mr. Benshoff addressed the Members for authorization, explaining that the new 2019 Backhoe Loaders purchase is to replace existing 8-year old equipment that will also be used as trade-in allowance towards the new 2019 equipment purchase.

#19-034 Authorize the **purchase of two (2) new and unused 2019 John Deere 310SL Backhoe Loaders**, under NYS OGS Contract #PC67075, NJPA Contract #032515-JDC, Group #40625 (Heavy Equipment) Award #22792 – from John Deere Shared Services d/b/a John Deere Construction Retail Sales (delivery by authorized reseller, Five Star Equipment) at an approximate net cost of \$138,000 with trade-in of two (2) existing MCWA backhoes (Ser #00721 and Ser. #222989).

On a motion made by Mr. Fero, seconded by Mr. Hurlbut, the foregoing resolution #19-034 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

Mr. Benshoff again briefed the Members regarding purchasing authorization on item #19-035. He explained that the new Tag Trailer would be replacing an existing aged and smaller sized trailer. The newer and larger (load capacity and size) trailer will have a positive impact on decreasing outsourcing costs for particular heavy equipment transports done in the past by contractors.

#19-035 Authorize the **purchase of one (1) new and unused Heavy Duty TK40LP Trail King Tag Trailer** under NYS OSG Contract #PC67422, NJPA Contract #052015-TKI, Group #40625 (Heavy Equipment) Award #PGB22792 at an approximate cost of \$23,400 through authorized reseller, Five Star Equipment.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #19-035 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING – February 14, 2019

For item #19-036, Mr. Savage explained to the Members that the concrete repairs are part of the ongoing maintenance program that will help to prevent further deterioration of the concrete at SWTP. There were three (3) bids submitted and the lowest responsive, responsible bidder, Patterson-Stevens Inc., has successfully completed work for the Authority in the past.

#19-036 Authorize the award of a unit price contract for the **Concrete Repairs – Shoremont Water Treatment Plant (SWTP)** to the low, responsive, responsible bidder, Patterson-Stevens Inc., in the bid amount of \$52,425.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #19-036 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

For items #19-037 and #19-038, Mr. Jablonski addressed the Members requesting authorization to purchase various SCADA and Business Network equipment and various licenses for particular software programs, utilizing the NYS OGS Technology and Commodity Contract and the NYS Contract through Dell Marketing, respectively for the annual 2019 estimated costs listed.

#19-037 Authorize the purchase of **Network equipment for the SCADA and Business Network** for 2019 from the NYS OGS Technology and Commodity contracts at a total estimated cost of \$100,000.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #19-037 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

#19-038 Authorize the purchase of **various licenses** from Dell Marketing, LP under NYS Contract PS66134 at a total estimated cost of \$50,000.

On a motion made by Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution #19-038 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

#19-039 Authorization to **amend Resolution #18-133** (ref: 6/7/18) to **extend the contract period through April 30, 2019** for the purchase of Concrete Mixes Delivered (Delivered Concrete) utilizing Monroe County Contract No. 0414-18, #4700007455 (currently held by Cranesville Block Co., Inc.) for an estimated amount of \$40,000.

On a motion made by Mrs. Bleier-Mervis, seconded by Mr. Rulison, the foregoing resolution #19-039 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

#19-040 The Members of the Authority expressly make the following determinations for all awards of Procurement Contracts made during this meeting: (i) the proposed awardee has been found to be responsible; (ii) the proposed awardee complied with the State Finance Law provisions regarding Permissible Contacts (as defined in the Authority's Procurement Disclosure Policy); (iii) the proposed awardee has (or will prior to the final award being effective) complied with the State Finance Law provisions that require disclosure of all information required to be in the Authority's Solicitation Materials (as such term is defined in the Authority's Procurement Disclosure Policy); and (iv) the procurement process did not involve conduct that is prohibited by the Public Officers Law, the Authority's Procurement Disclosure Policy, and the Authority's Code of Ethics and Conflict of Interest Policies.

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #19-040 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

In discussion of item #19-041, Mr. Metzger briefed the Members stating that this request will be setting the groundwork for Phase II of the Genesee County's water project. The Project will allow MCWA to provide Genesee County with an additional water supply capacity of 2.4 million gallons per day. The overall project is made up of several individual components in both Monroe and Genesee Counties. Mr. Metzger went on to say that, Internal Revenue code and applicable regulations require the Authority to take official action in connection with the payment of certain expenses of the Project, prior to the issuance of tax-exempt bonds, to allow the Authority to be reimbursed for such expenditures. Mr. Metzger then addressed various questions from the Members relating to Phase III of the project.

#19-041 **WHEREAS**, the Monroe County Water Authority (the "Authority") has an intent to finance the costs of certain capital improvements for Phase 2 of Genesee County's water supply project, including (i) installing new water mains, (ii) increasing the Authority's ability to deliver water to Genesee County by expanding certain existing pump stations or installing additional pump stations, and (vii) any incidental improvements related thereto (the "Project"); and

**WHEREAS**, the Internal Revenue Code and applicable regulations require the Authority to take this action in connection with the payment of certain expenses of the Project prior to the issuance of tax-exempt bonds, to allow the Authority to be reimbursed for such expenditures.

MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING – February 14, 2019

**NOW THEREFORE, BE IT RESOLVED** by the Members of the Authority:

**Statement of Official Intent.** The statements in this resolution regarding the reimbursement of expenditures of the Project are intended to be statements of official intent as required by, and in conformance with, Treasury Regulations Section 1.150-2(e).

**Timing of Expenditures.** The expenditures to be reimbursed have been incurred within 60 days prior to the date hereof (or earlier to the extent permitted under the regulations) or will be incurred after the date hereof in connection with the Project.

**Expected Amount of Debt to be Issued.** The maximum principal amount of debt expected to be issued for the Project is \$20,000,000. This figure includes allowances for debt service reserve funds or other credit enhancement and debt issuance costs.

**Intent to Reimburse.** The Authority reasonably expects to reimburse the expenditures described in this resolution with the proceeds of tax-exempt debt to be issued by the Authority subsequent to the date hereof, but this resolution does not constitute a binding obligation to issue such debt.

**Effective Date.** This resolution shall take effect immediately.

On a motion made by Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution #19-041 was duly put to a vote on roll call and unanimously carried. Ayes: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); Nays: 0.

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**Presented for Board Members' informational purposes:**

- Notification of proposed recipients of Requests for Qualifications and Proposals (RFQ/Ps) to perform IBM Maximo® Enterprise Asset Management (EAM) Software assessment, upgrade and implementation services.
- In Board folders (along with any routine monthly informational updates):
  - 2018 MCWA Employees - No Sick Time Used Report.

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**EXECUTIVE SESSION**


#19-ES 9:57 a.m. Chairman Nasca requested a motion to enter executive session pursuant to Section 105(1)(f) of the New York Public Officers Law in order to discuss the employment history of a particular person.


Moved by Mr. Fero, seconded by Mr. Rulison, and put to a vote on roll call, the Board unanimously agreed to enter executive session. AYES: 6 NAYS: 0.

10:14 a.m. Motion to conclude executive session: Moved by Mr. Rulison, seconded by Ms. Bleier-Mervis, upon voice vote the Board unanimously agreed to conclude Executive Session. Chairman Nasca called this Regular Meeting back in open session. No formal action taken.

There being no further business to come before the Authority, Chairman Nasca adjourned the meeting at 10:15 a.m.

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MaryAnn Hussar, Secretary to the Authority

  
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Scott D. Nasca, Chairman