

MINUTES

**MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING  
THURSDAY, May 13, 2021 @ 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, A. Bernstein, M. Van Vechten, J. Rulison

**Members Absent (1):** R. Hurlbut

**Staff present:** N. Noce, Executive Director; D. Hendrickson, Director of Human Resources; L. Magguilli, Assistant to the Executive Director; A. Molinari, Director of Finance & Business Services; S. Savage, Director of Engineering; C. LaManna, Director of Production & Transmission; S. Trotta, Manager of Distribution

**General Counsel present:** Andrew Dean, Esq. – Harter, Secrest & Emery

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

**Pledge of Allegiance** – Lead by Chairman Nasca

**Chairman Nasca welcomed our newest Board Member, Ms. Marcia Van Vechten.**

**#21-070** Approve minutes of the Authority's Regular Meeting held on April 8, 2021.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #21-070 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

**#21-071** Approve list of disbursements on check registers dated March 31, April 7, April 14, April 21, and April 28, 2021, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-071 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

**#21-072** Accept Purchase Order List of materials and supplies for the period April 1, 2021 through May 5, 2021 in the amount of \$340,686.48.

On a motion made by Mr. Fero, seconded by Mrs. Volpe, the foregoing resolution #21-072 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

**COMMUNICATIONS/NOTIFICATIONS**

Mr. Noce informed the Board that an RFP/Q will be solicited for Training & Compliance. The value of this professional services agreement is not expected to exceed \$20,000 annually.

Mr. Noce was pleased to announce that – for the second year in a row – the Water Authority was bestowed the prestigious **J.D. Power & Associates Award** for ranking HIGHEST IN CUSTOMER SATISFACTION in the mid-size water authority category, Northeast Region. This is our fourth time receiving this award. Mr. Noce and Chairman Nasca commended all Water Authority employees for their hard work and dedication to the organization and to our customers.

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**#21-073** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Stephen Trotta to the title of Director of Operations, effective May 17, 2021 at Salary Schedule 6, Group 3.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-073 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-074** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Provisional Appointment of Samuel Lana to the title of Distribution Manager, effective May 17, 2021 at Salary Schedule 3, Group 6.

On a motion made by Mr. Rulison, seconded by Ms. Van Vechten, the foregoing resolution #21-074 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-075** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Promotional Appointment of Nicholas Taccone to the title of Utility Worker, effective May 17, 2021 at Salary Schedule 4, Group 3.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-075 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-076** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Provisional Appointment of Jessica Schwallie to the title of Engineering Technician, effective May 17, 2021 at Salary Schedule 5, Group 4.

On a motion made by Mr. Fero, seconded by Ms. Van Vechten, the foregoing resolution #21-076 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-077** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Alex Bresovski to the title of Senior Network Technician, effective June 1, 2021 at Salary Schedule 3, Group 5.

On a motion made by Ms. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #21-077 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-078** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Provisional Appointment of Kimberleigh Martin to the title of Communications Aide, effective June 1, 2021 at Salary Schedule 3, Group 3.

On a motion made by Mrs. Volpe, seconded by Mr. Bernstein, the foregoing resolution #21-078 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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**For Item #21-079**, Ms. Hendrickson addressed the Board for approval of the Seasonal Laborer Salary Schedule. The Schedule has been revised to keep pace with New York State minimum wage requirements, thereby attracting college students to apply as seasonal help for hydrant painting. She answered a follow-up question posed by a Board member.

**#21-079** Resolved hereby to: Approve **Seasonal Laborer Salary Schedule** in the form presented on this date, to be effective immediately.

On a motion made by Mrs. Volpe, seconded by Mr. Rulison, the foregoing resolution #21-079 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-080**, Mr. Savage briefed the Board for authorization to purchase various water service materials to be utilized by our Engineering Department on a water main replacement project. He recapped the bid results and stated that the Authority has successfully done business with this vendor for many years.

**#21-080** Authorize the purchase of **Water Service Materials** from low responsive, responsible bidder, **Core & Main, LP**, in the bid amount of \$15,935.06 to be utilized on an Engineering Project.

On a motion made by Mr. Bernstein, seconded by Mrs. Volpe, the foregoing resolution #21-080 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Items #21-081**, Mr. Savage again briefed the Board for authorization of a unit price purchase contract for corrosion protection materials to be used on water mains as needed by our Engineering and Operations Departments. He summarized the bid results, and informed the Board that we have successfully done business with this vendor.

**#21-081** Authorize a unit price purchase contract for **Corrosion Protection for Water Pipe** from low responsive, responsible bidder, **Corrpro Companies, Inc.**, in the bid amount of \$17,697.30, for an initial term of one year, renewable for up to four additional one-year terms upon mutual consent. The bid amount is based on estimated quantities.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-081 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-082**, Mr. Trotta sought Board authorization for the use of Monroe County Contract for the as-needed procurement of automotive parts and supplies for maintenance and repair of the Authority's vehicle fleet.

**#21-082** Authorize the use of the **Monroe County Contract BP #0307-21** (SAP Contract #7700000061) for the as-needed purchase of **Automotive Parts and Supplies** from **Nu-Way Auto Parts** in the estimated amount of \$50,000 through the contract period ending April 30, 2022.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #21-082 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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**For Item #21-083**, Mr. LaManna addressed the Members for authorization in the use of Monroe County Contract for the as-needed procurement of automotive lubricants to be utilized by employees of our Production and Operations Departments.

**#21-083** Authorize the use of the **Monroe County Contract BP #1019-20** (SAP Contract #4700007613) for the as-needed purchase of **Automotive Lubricants**, including motor oils, gear oils, transmission fluids, grease, and other similar lubricants, from **Deckman Oil Company** in the estimated amount of \$20,000 through the contract period ending November 30, 2021.

On a motion made by Mrs. Volpe, seconded by Mr. Bernstein, the foregoing resolution #21-083 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-084**, Mr. LaManna briefed the Board regarding an amendment to the Agreement for Professional Consulting Services with Barton & Loguidice for additional services necessary to update our Maximo program and provide additional as-needed training for MCWA employees.

**#21-084** Authorize the Executive Director to amend the Agreement for Professional Consulting Services with **Barton & Loguidice, DPC** for the budget amount of \$15,300 for additional services related to updating the Authority's **Asset Management Software Program**.

On a motion made by Mr. Rulison, seconded by Ms. Van Vechten, the foregoing resolution #21-084 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-085**, Mr. LaManna sought Board authorization for a Change Order to our contract for laboratory analytical services pursuant to regulatory requirements of the New York State Public Health Law revisions and additional water quality parameters associated with compliance with the requirements of the Lead & Copper Rule. He stated this Change Order will increase quantities of select elements to be analyzed; however, unit prices will remain unchanged. Mr. LaManna responded to follow-up questions from two Board members.

**#21-085** Authorize **Change Order No. 1** to Commodity **Purchase Order No. 2254-1** with **Eurofins Eaton Analytical, LLC** for **Laboratory Analytical Services** in the amount of \$32,500.

On a motion made by Mr. Bernstein, seconded by Mr. Fero, the foregoing resolution #21-085 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-086**, Mr. LaManna addressed the Board for authorization to award a contract for Phase 2 of the Standby Generator Optimization project. He summarized the bid results and stated that the winning bid is 20 percent below the Engineer's estimate for the project. He answered a follow-up question posed by a Board member.

**#21-086** Authorize the award of the **Standby Generator Optimization – Phase 2 Contract** to the low responsive, responsible bidder, **Connors-Haas, Inc.**, for the bid amount of \$948,400.

On a motion made by Mr. Rulison seconded by Mr. Fero, the foregoing resolution #21-086 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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**PRESENTATION ON REVISED LEAD & COPPER RULE**

Mr. LaManna gave the Board an update on the finalized Lead & Copper Rule ("LCR"). This presentation, which was prepared by Messrs. LaManna and Savage, outlined the key components of the LCR and how it will affect the Water Authority with respect to items such as coordination with the City of Rochester, programs that will need to be developed to satisfy the requirements, and budgetary impacts. He fielded follow-up inquiries by several Board members.

**For Item #21-087**, Mr. LaManna sought Board authorization to enter into a Professional Services Agreement, together with the City of Rochester, for consulting services related to the Joint Corrosion Control Treatment Study Project. He summarized the RFQ process and described how the fees for these services will be shared by both entities. Mr. LaManna also responded to a follow-up question posed by a Board member.

**#21-087** Authorize the Executive Director to enter into a Professional Services Agreement with **Ramboll Americas Engineering Solutions, Inc.** for the **Joint Corrosion Control Treatment Study Project** for the budget amount of \$432,000.

On a motion made by Mr. Fero seconded by Mr. Rulison, the foregoing resolution #21-087 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-088**, Mr. Savage briefed the Board for authorization in awarding a lump sum contract for the Harek Road BPS Hypochlorite Building Demolition project. He provided summary overview of the project scope and recapped the bid results.

**#21-088** Authorize the award of a lump sum contract for the **Harek Road BPS Hypochlorite Building Demolition Project** to the low responsive, responsible bidder, **O'Rourke, Inc.**, in the bid amount of \$27,200.

On a motion made by Mr. Fero seconded by Mr. Rulison, the foregoing resolution #21-088 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-089**, Mr. Savage again briefed the Board for authorization in awarding a unit price contract for the Metal Standing Seam Roof Replacement at the East Side Operations Center. He outlined details of the project and summarized the bid results.

**#21-089** Authorize the award of a unit price contract for the **Metal Standing Seam Roof Replacement at the East Side Operations Center** to the low responsive, responsible bidder, **RMG Custom Metal**, in the bid amount of \$69,050.

On a motion made by Mr. Rulison seconded by Mr. Bernstein, the foregoing resolution #21-089 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-090**, Mr. Noce addressed the Board on renewal of the Authority's membership in the Greater Rochester Enterprise (GRE) and their continued advocacy of the area's water supply.

**#21-090** Authorize the Monroe County Water Authority **membership renewal** with the **Greater Rochester Enterprise** (GRE) at the annual membership rate of \$25,000 per year.

On a motion made by Mr. Bernstein seconded by Mr. Rulison, the foregoing resolution #21-090 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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**For Item #21-091**, Ms. Hendrickson sought Board authorization for a Professional Services Agreement to provide annual on-site hearing testing for MCWA employees. She discussed the proposals received and indicated we have successfully done business with this firm for many years.

**#21-091** Authorize the Executive Director to enter into a Professional Services Agreement with **Occupational Safety On Site, Inc.** to provide **Annual On-Site Hearing Tests** for MCWA employees at the proposed unit prices for an initial three-year term, extendable for two additional one-year terms upon mutual agreement.

On a motion made by Mr. Rulison seconded by Mrs. Volpe, the foregoing resolution #21-091 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-092**, Mr. Magguilli addressed the Board for authorization of a Professional Services Agreement for Penetration Testing Services to identify and evaluate any vulnerabilities in our computer networks. He described the assessments to be done and informed the Members that this firm has experience working with public utility companies.

**#21-092** Authorize the award of a Professional Services Agreement for **Penetration Testing Services** to **REDBOT Security** for an estimated amount of \$58,000 for the term June 1, 2021 through May 31, 2022.

On a motion made by Mr. Bernstein seconded by Mr. Rulison, the foregoing resolution #21-092 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-093**, Mr. Savage briefed the Board for authorization in the use of the New York State Contract for the annual renewal of Autodesk AutoCAD licensing and maintenance. He explained that this software, mainly utilized by our Engineering Department, is a design and drafting tool used in the preparation and review of construction and design drawings, it identifies the locations of Water Authority facilities, and is renewed annually.

**#21-093** Authorize the use of **New York State OGS Contract, Group #73600, Award #22876, Lot 1, Contract #PD67647** for the annual renewal of **Autodesk AutoCAD Licensing and Maintenance** from **SHI International Corp.** for an estimated amount of \$28,500.

On a motion made by Mr. Bernstein seconded by Mrs. Volpe, the foregoing resolution #21-093 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**AUDIT COMMITTEE REPORT – Presented by Mr. Rulison, Chairman**

Mr. Rulison gave a briefing on the Audit Committee meeting held May 6, 2021 at 8:00 a.m., at which the first item on the Agenda was a review of the 2021 General Insurance renewals. He stated that Amy Molinari, Director of Finance, gave an overview of M&T's insurance renewal proposal and provided details regarding policies and layers of coverages. Following Ms. Molinari's review and the Committee's examination of the proposal, a motion was made by Mr. Fero, seconded by Mrs. Volpe, and passed unanimously to recommend forwarding to the full Board for its approval M&T Insurance Agency's renewal proposal for insurance coverages for a one year term commencing July 1, 2021.

Continuing his reporting Mr. Rulison said Mr. Noce notified the Committee that a Request for Proposals for Banking Services will be solicited in the coming weeks, and it is anticipated the Committee will have a recommendation prepared for the August Board meeting. This was for informational purposes only and did not require any action by the Committee.

Mr. Rulison concluded his report by stating that the next Audit Committee meeting was confirmed for June 3, 2021, at 8:00 a.m. and that minutes of the May 6<sup>th</sup> meeting are posted on the MCWA website.

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**For Items #21-094 and #21-095**, Ms. Molinari gave a brief summary of M&T Insurance Agency's renewal proposal including policies, coverage term and service fees, and invited any remaining questions from the Members.

**#21-094** Authorize the execution of a Professional Services Agreement with **M & T Insurance Agency, Inc.** for **Placement of General Insurance Coverage**, to **serve as Broker of Record**, and for **provision of Risk Management Services** for a period of one (1) year. The fee for this service is \$60,000. M & T Insurance Agency, Inc. is designated as Broker of Record for MCWA's General Insurance program for coverage commencing July 1, 2021.

On a motion made by Mr. Rulison seconded by Mrs. Volpe, the foregoing resolution #21-094 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-095** Approve the proposal as submitted by Broker, **M & T Insurance Agency, Inc.** and authorize to place **Insurance Coverage** to include: General Liability Insurance, Public Officials Liability Insurance, Employment Practices Liability Insurance, Property Insurance, Inland Marine Insurance, Vehicle Insurance, Crime Insurance, Flood and Earthquake Insurance, Pollution Insurance, Owners Contractors Protective Insurance, and Travel Accident Insurance, and Excess Liability Coverage (\$20M) with the limits of liability and deductibles as proposed and including any fees for service, for an estimated total cost of \$520,000.

Furthermore, **M & T Insurance Agency, Inc.** is directed to obtain quotations for an additional \$30,000,000 of **Excess Liability** coverage and **Premises Pollution (PPL)** coverage, net of commission, due to MCWA no later than May 28, 2021. The term for insurance coverage is July 1, 2021 through June 30, 2022.

On a motion made by Mr. Rulison seconded by Mr. Fero, the foregoing resolution #21-095 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-096** The Members of the Authority expressly make the following determination 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. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-096 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Items #21-097, #21-098, #21-099, and #21-100**, Chairman Nasca discussed appointments of Board Members to serve on the Audit, Finance, Governance, and Compensation Committees for the coming year. He thanked the Members for their service on each of these committees.

**#21-097** Appointment of **Members of the Authority's Standing Audit Committee** in accordance with the Monroe County Water Authority's By-Laws and Policy on Internal Controls and Financial Accountability. The following Members shall serve on this Committee: Joseph R. Rulison, Chairperson; Sheryal A. Volpe and Matthew J. Fero; and the Chairperson of the Authority serves as an Ex-Officio

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member of the Audit Committee pursuant to the Authority's By-Laws and shall have the right, but not the duty, to vote on all propositions before such Committee.

On a motion made by Mr. Bernstein, seconded by Mrs. Volpe, the foregoing resolution #21-097 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-098** Appointment of **Members of the Authority's Standing Finance Committee** in accordance with the Monroe County Water Authority's By-Laws and Policy on Internal Controls and Financial Accountability. The following Members shall serve on this Committee: Robert W. Hurlbut, Chairperson; Allen S. Bernstein and Marcia Van Vechten; and the Chairperson of the Authority serves as an Ex-Officio member of the Finance Committee pursuant to the Authority's By-Laws and shall have the right, but not the duty, to vote on all propositions before such Committee.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-098 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-099** Appointment of **Members of the Authority's Standing Governance Committee** in accordance with the Monroe County Water Authority's By-Laws. The following Members shall serve on this Committee: Sheryal A. Volpe, Chairperson; Joseph R. Rulison and Marcia Van Vechten; and the Chairperson of the Authority serves as an Ex-Officio member of the Governance Committee pursuant to the Authority's By-Laws and shall have the right, but not the duty, to vote on all propositions before such Committee.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-099 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-100** Appointment of **Members of the Authority's Standing Compensation Committee** in accordance with the Monroe County Water Authority's By-Laws. The following Members shall serve on this Committee: Matthew J. Fero, Chairperson; Robert W. Hurlbut and Allen S. Bernstein; and the Chairperson of the Authority serves as an Ex-Officio member of the Compensation Committee pursuant to the Authority's By-Laws and shall have the right, but not the duty, to vote on all propositions before such Committee.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #21-100 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-101**, Ms. Hendrickson briefed the Board regarding an amendment to the Plan Document of the *Deferred Compensation Plan for Employees of Monroe County Water Authority*. She summarized each new provision, recently enacted by the New York State Deferred Compensation Board, and answered a follow-up question posed by a Board Member.

**#21-101** WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Monroe County Water Authority (the "Model Plan") and offers the Model Plan for adoption by local employers; and

WHEREAS, Monroe County Water Authority, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as



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the Deferred Compensation Plan for Employees of Monroe County Water Authority; and

WHEREAS, effective December 11, 2020, the Board amended the Model Plan to adopt provisions, including:

- Provisions related to the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019, which extends the required start date for Required Minimum Distributions (RMD) to begin at the age of 72; changes the RMD rules for beneficiaries; creates new categories of beneficiaries; includes ability for plan sponsors to reduce the in-service distribution age from 70½ to as low as 59½; allows for in-service withdrawals for the birth or adoption of a child up to \$5,000; and
- Provisions related to the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, which waived RMDs for the calendar year 2020; allowed for in-service distributions of up to \$100,000 to qualified individuals no later than December 31, 2020; allowed for loans up to \$100,000 to qualified individuals (up to 100% of the account value); and allowed for deferment of plan loan repayments for one year for qualified individuals.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, Monroe County Water Authority has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Monroe County Water Authority by adopting the amended Model Plan.

NOW, THEREFORE, BE IT:

RESOLVED, that Monroe County Water Authority hereby amends the Deferred Compensation Plan for Employees of Monroe County Water Authority by adopting the amended Model Plan effective January 1, 2021, including the optional provisions selected in Schedules A and B, in the form attached hereto as Exhibit A, and kept for the record in the office of the Secretary of the Authority, and direct that the foregoing resolution be filed as appropriate.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-101 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Items #21-102 and #21-103**, Ms. Molinari addressed the Board in discussion of the 1<sup>st</sup> Quarter Investment and 1<sup>st</sup> Quarter Financial Reports, which were enclosed in their packets of information on agenda items and distributed in advance of the meeting date for their prior review.

**#21-102** Approve the **Authority's 1<sup>st</sup> Quarter Investment Report** for the period ending March 31, 2021, as presented.

On a motion made by Mr. Bernstein, seconded by Mrs. Volpe, the foregoing resolution #21-102 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-103** Approve the **Authority's 1<sup>st</sup> Quarter Financial Report** for the period ending March 31, 2021, as presented.

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On a motion made by Mr. Rulison, seconded by Ms. Van Vechten, the foregoing resolution #21-103 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-104**, Mr. Magguilli briefed the Board regarding a small revision to the Authority's Purchasing and Procurement Guidelines, which was done for clarification purposes.

**#21-104** The Board hereby approves the Authority's **Purchasing and Procurement Guidelines**, as revised and presented.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-104 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**EXECUTIVE SESSION**

**#21-ES** 10:25 a.m. – Chairman Nasca requested a motion to enter Executive Session pursuant to Section 105 (l) (f) of the New York Public Officers Law in order for the Board to discuss the employment performance history of a particular employee.

Moved by Mr. Fero, seconded by Mrs. Volpe, and put to a roll call vote, the Board unanimously agreed to enter Executive Session. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

10:34 a.m. – Motion to conclude Executive Session: Moved by Mr. Bernstein, seconded by Ms. Van Vechten, the Board upon voice vote unanimously agreed to conclude Executive Session. No formal action was taken.

Chairman Nasca called this Regular Meeting back in open session.

\* \* \*

**In Board folders for review:**

- Routine monthly informational updates

\* \* \*

There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 10:35 a.m.



Diane L. Hendrickson, Recording Secretary

  
Scott D. Nasca, Chairman