

MINUTES

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, November 10, 2022 @ 9:00 a.m.
ESOC Board Room
General Offices, 475 Norris Drive, Rochester, New York**

9:00 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, S. Mason, A. Bernstein, M. Van Vechten

Absent: J. Rulison

Staff present: N. Noce, Executive Director; L. Magguilli, Assistant to the Executive Director; D. Hendrickson, Director of Human Resources; S. Savage, P.E., Director of Engineering; C. LaManna, P.E., Director of Production; A. Molinari, Director of Finance & Business Services; S. Trotta, Director of Operations; Kerry Sharp, Communication Aide

General Counsel present: Megan Dorittie – 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

#22-187 Approve minutes of the Authority's Regular Meeting held on October 6, 2022.

On a motion made by Mrs. Van Vechten, seconded by Mr. Fero, the foregoing resolution #22-187 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#22-188 Approve list of disbursements on check registers dated September 28, October 5, October 12, October 19, and October 26, 2022, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #22-188 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#22-189 Accept Purchase Order List of materials and supplies for the period September 27 through October 31, 2022 in the amount of \$302,188.53.

On a motion made by Mr. Fero, seconded Mrs. Volpe, the foregoing resolution #22-189 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce directed the Board members' attention to a letter from the Pavilion Town Supervisor thanking Mr. Stephen Savage and Mr. Tod Ferguson for their excellence on a recent project.

Mr. Noce informed the Board of proposed RFP/Q recipients for engineering services for chemical system improvements at two of the Authority's water treatment plants.

For Item #22-190, Mr. Trotta requested authorization from the Board to award a unit price

Contract for the as-needed purchase of fire hydrants for new installation and replacement of deficient hydrants throughout the distribution system. Mr. Trotta recapped the bid results and responded to a follow-up question posed by a Board Member.

#22-190 Authorize the award of a unit price contract for **Fire Hydrants** from the low responsive, responsible bidder, **Core & Main** in the bid amount of \$336,408.00. This is a one-year contract with the option to extend up to four additional one-year terms upon mutual consent. Bid amount is based on estimated quantities and will be purchased as needed.

On a motion made by Mr. Bernstein, seconded by Mrs. Mason, the foregoing resolution #22-190 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-191, Mr. Trotta sought Board authorization in awarding a unit price contract for U.S. Pipe hydrant parts for the maintenance and repair of approximately 4,000 hydrants within the Authority's system. Mr. Trotta answered a follow up question from a Board Member.

#22-191 Authorize the award of a unit price contract for **U.S. Pipe Hydrant Parts** from the low responsive, responsible bidder, **Core & Main** in the bid amount of \$46,842.76. This is a one-year contract with the option to extend up to four additional one-year terms upon mutual consent. Bid amount is based on estimated quantities and will be purchased as needed.

On a motion made by Mrs. Mason, seconded by Mr. Bernstein, the foregoing resolution #22-191 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-192, Mr. Trotta briefed the Board for authorization in awarding a unit price contract for the as-needed purchase of valves to be used for new installation and replacement of deficient valves throughout the distribution system. He recapped the bid results and stated the Core & Main was the low, responsive, responsible bidder.

#22-192 Authorize the award of a unit price contract for **Valves** from the low responsive, responsible bidder, **Core & Main** in the bid amount of \$268,090.00. This is a one-year contract with the option to extend up to four additional one-year terms upon mutual consent. Bid amount is based on estimated quantities and will be purchased as needed.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #22-192 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-193, Mr. Trotta addressed the Board for authorization in awarding a unit price contract for the as-needed purchase of valve boxes and risers for the replacement and adjustment of valve boxes in the Authority's system. Mr. Trotta recapped the bid results and noted Blair Supply was the low, responsive, responsible bidder.

#22-193 Authorize the award of a unit price contract for **Valve Boxes and Risers** from the low responsive, responsible bidder, **Blair Supply** in the bid amount of \$95,225.00. This is a one-year contract with the option to extend up to four additional one-year terms upon mutual consent. Bid amount is based on estimated quantities and will be purchased as needed.

On a motion made by Mr. Bernstein, seconded by Mrs. Mason, the foregoing resolution #22-193 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Items #22-194, #22-195, #22-196, #22-197 and #22-198, Mr. Trotta sought authorization from the Board to purchase a total of eighteen (18) new Ford pickup trucks utilizing the New York State Office of General Services Vehicle Marketplace. Mr. Trotta explained that the Authority was recently notified of the cancellation of a previous order of seven vehicles from Jim Barnard Chevrolet. Due to the timing of this cancellation and the need to purchase new vehicles to replace older ones in the fleet utilizing the 2023 vehicle replacement budget, Mr. Trotta noted it made sense to combine orders utilizing both the 2022 and 2023 vehicle replacement budgets. Mr. Trotta responded to questions posed by Board members.

#22-194 Authorize the purchase of five (5) **New 2023 Ford F-350 XL Super Duty Super Cab SRW 4WD Trucks with Knapheide Service Body** through the New York State OGS Vehicle Marketplace, Group# 40440, Award# 23166, Mini-Bid# 6982 from the low responsive, responsible bidder, **Van Bortel Ford** in the amount of \$307,994.90

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #22-194 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

#22-195 Authorize the purchase of four (4) **New 2023 Ford F-250 XL Super Duty Super Cab Trucks with Commercial Caps** through the New York State OGS Vehicle Marketplace, Group# 40440, Award# 23166, Mini-Bid# 6984 from the low responsive, responsible bidder, **Van Bortel Ford** in the amount of \$240,223.12

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #22-195 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

#22-196 Authorize the purchase of three (3) **New 2023 Ford F-250 XL Super Duty Super Cab 4WD Trucks** through the New York State OGS Vehicle Marketplace, Group# 40440, Award# 23166, Mini-Bid# 6985 from the low responsive, responsible bidder, **Van Bortel Ford** in the amount of \$154,797.93

On a motion made by Mr. Bernstein, seconded by Mrs. Volpe, the foregoing resolution #22-196 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

#22-197 Authorize the purchase of five (5) **New 2023 Ford F-250 XL Super Duty Super Cab 4WD Trucks with Decked Cargo System** through the New York State OGS Vehicle Marketplace, Group# 40440, Award# 23166, Mini-Bid# 6986 from the low responsive, responsible bidder, **Van Bortel Ford** in the amount of \$275,768.85

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #22-197 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

#22-198 Authorize the purchase of one (1) **New 2023 Ford F-250 XL Super Duty Super Cab 4WD Truck with Western Snowplow** through the New York State OGS Vehicle Marketplace, Group# 40440, Award# 23166, Mini-Bid# 6989 from the low responsive, responsible bidder, **Van Bortel Ford** in the amount of \$59,665.56

On a motion made by Mr. Bernstein, seconded by Mr. Fero, the foregoing resolution #22-198 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-199, Mr. Trotta requested authorization from the Board to purchase two new backhoes utilizing the New York State OGS Contract for Heavy Equipment. He noted this purchase will replace older backhoes in the fleet and will be part of the 2023 vehicle replacement budget.

#22-199 Authorize the purchase of two (2) **New 2023 John Deere 320P Backhoe/Loaders** from **Five Star Equipment, Inc.** in the amount of 266,560.00, utilizing New York State OGS Contract for Heavy Equipment- Contract# PC69403, Group# 40625, Award# 22792.

On a motion made by Mr. Fero, seconded by Mr. Bernstein, the foregoing resolution #22-199 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-200, Mr. Trotta sought Board authorization in the purchase of two new dump trucks utilizing the Onondaga County Heavy Truck Class 8 Statewide Contract. He responded to a follow-up question posed by a Board Member.

#22-200 Authorize the purchase of two (2) **New 2024 Mack Granite 64FR Dump Trucks with 17' Heavy Duty Bibeau Dump Bodies** from **Beam Mack Sales Service Inc.** in the amount of \$433,673.18, utilizing Onondaga County Heavy Truck Class 8 Statewide Contract# 8996.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #22-200 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-201, Mr. LaManna requested Board authorization for a commodity purchase order from Milton Caterpillar for the purchase of repair parts, services and diagnostic software for repairs and maintenance of the Authority's Caterpillar, Inc. (CAT) emergency generator equipment.

#22-201 Authorize a Commodity Purchase Order for the purchase of repair parts, services, and diagnostic software for the Authority's **Caterpillar, Inc.** emergency electric power generator equipment from **Milton-CAT** at the quoted unit prices, on an as-needed basis, for an estimated total cost of \$20,000 per contract term. The initial term is November 15, 2022 through September 30, 2023, which may be extended for two additional one-year terms upon mutual request.

On a motion made by Mr. Bernstein, seconded by Mr. Fero, the foregoing resolution #22-201 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-202, Mr. LaManna addressed the Board for authorization in the award of a contract for the supply of an estimated 6,000 gallons of sodium permanganate, a chemical used primarily for zebra mussel control in the treatment of raw water. He recapped the bid results and noted Slack Chemical was the lowest, responsive, responsible bidder.

#22-202 Authorize the award of the Supply and Bulk Delivery of **20% Sodium Permanganate** unit price contract to the low responsive, responsible bidder, **Slack Chemical Co., Inc.** for the bid amount of \$67,320.00 (\$11.22/gallon) with the option to extend the contract for up to four additional one-year terms upon mutual consent.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #22-202 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-203, Mr. LaManna briefed the Board for authorization in the award of a contract for the supply of an estimated 160 tons annually of cationic polymer, a chemical used in the coagulation a filtration processes. He stated only one bid was received and the responsive

#22-203 Authorize the award of the **Cationic Polymer Supply** unit price contract to the low responsive, responsible bidder, **Polydyne, Inc.** for the bid amount of \$236,800.00 (\$1,480.00/ton) with the option to extend the contract for up to four additional one-year terms upon mutual consent.

On a motion made by Mr. Bernstein, seconded by Mr. Fero, the foregoing resolution #22-203 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-204, Mr. Savage sought authorization from the Board to award a contract for the Brace Road, Lyndon Road, and Orchard Street water main replacement project in the towns of Perinton, Victor, and Village of Webster. He recapped the bid results and stated that this vendor has successfully done work for the Authority in the past.

#22-204 Authorize the award of a unit price contract for the **Brace Road, Lyndon Road and Orchard Street Water Main Replacements** contract to the low responsive, responsible bidder, **Randsco Pipeline, Inc.** in the bid amount of \$2,100,236.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #22-204 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

#22-205 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. Fero seconded by Mrs. Volpe the foregoing resolution #22-205 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

FINANCE COMMITTEE REPORT – Presented by Mr. Bernstein, Committee Chairperson

Mr. Bernstein briefed the Board on the Finance Committee meeting held November 3, 2022, at which time the first item before the Committee was the review of the proposed 2023 Water Rates Schedule. He reported that the Director of Finance, Amy Molinari, gave a detailed presentation of the proposed rates and responded to questions posed by Committee members. Following Ms. Molinari's review and some discussion, the Committee unanimously agreed to recommend approval of the 2023 Water Rates, as presented, by the full Board at their November Regular meeting.

Mr. Bernstein continued his reporting by stating that the item was the re-adoption of the Debt Management Policy. He said that Ms. Molinari stated that the annual review of this policy had been performed, and it was determined no changes are recommended at this time. Following some discussion, the Committee unanimously agreed to recommend re-adoption of the Debt Management Policy by the full Board at the November Regular meeting.

Mr. Bernstein reported that the Finance Committee scheduled its meetings for 2023 be October 5th and November 2nd, both to commence at 8:00 a.m., and concluded his reporting by stating that minutes of the Finance Committee's November 3rd meeting will be posted on MCWA's website.

For Items #22-206 and #22-207, Ms. Molinari addressed the Board regarding the Authority's 3rd Quarter Investment and Financial reports for the period ending September 30, 2022. Ms. Molinari discussed each report, copies of which were also enclosed in Board member's packets and distributed in advance of the meeting date for their prior review.

#22-206 Approve the Authority's 3rd **Quarter Investment Report** for the period ending September 30, 2022, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mr. Fero, the foregoing resolution #22-206 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

#22-207 Approve the Authority's 3rd **Quarter Financial Report** for the period ending September 30, 2022, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #22-207 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Items #22-208 and #22-209, Ms. Molinari gave the Board an overview of the proposed changes to the MCWA 2023 Water Rates Schedule, provided notification of the upcoming Public Information meeting pertaining to the 2023 Water Rates, and welcomed any further questions from the Board members.

#22-208 Approve an amendment to the Authority's Rules for the Sale of Water and the Collection of Rents and Charges effective January 1, 2023 in the form attached hereto and made a part of the minutes hereof, subject to compliance with the requirements of Subdivision 1 of Section 1096-a of the Public Authorities Law, with a copy of said amendment to be duly certified by the Recording Secretary of the Authority and filed with the President of the Monroe County Legislature and thereafter published twice in the Democrat and Chronicle, twice in the Daily Record, and twice in the Batavia Daily News; and filed in the Monroe County Clerk's office.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #22-208 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten); NAYS: 0

#22-209 WHEREAS, the Monroe County Water Authority has adopted a water rate schedule effective January 1, 2023, which amends its present water rate schedule; and

WHEREAS, Section 1096-a of the Public Authorities Law provides for (1) notification of such water rate schedule change to the President of the Monroe County Legislature and (2) a public information meeting.

NOW, THEREFORE, IT IS RESOLVED: That the Authority publish an announcement of a Public Information Meeting to be held on November 30, 2022 at 3:00 p.m. in the offices of the Authority, 475 Norris Drive, Rochester, New York; and

IT IS FURTHER RESOLVED: That the Authority will conduct the Public Information Meeting in order to inform the public of the need and the design of the water rates schedule changes; and

IT IS FURTHER RESOLVED: That a copy of this Resolution be certified by the Recording Secretary of the Authority and delivered to the President of the Monroe County Legislature.

On a motion made by Mr. Bernstein, seconded by Mrs. Volpe, the foregoing resolution #22-209 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

For Item #22-210, Ms. Molinari noted that there were no changes to the Debt Management Policy

#22-210 Upon recommendation of the Monroe County Water Authority's Finance Committee, the Board hereby re-adopts the **Debt Management Policy**, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #22-210 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

#22-ES 9:25 a.m. Chairman Nasca requested a motion to enter Executive Session pursuant to Section 105(1)(e) of the New York Public Officers Law in order to discuss Collective Bargaining. Moved by Mrs. Van Vechten, seconded by Mr. Fero, and put to a roll call vote, the Board Members unanimously agreed to enter Executive Session. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten); NAYS: 0

9:48 a.m. Motion to conclude Executive Session: Moved by Mr. Fero, seconded by Mr. Bernstein, the Board unanimously agreed to conclude Executive Session. Chairman Nasca called this Regular Meeting back in open session. No formal action was taken.

In Board folders for review:

- Proposed Recipients of RFQ/P for Chemical Systems Evaluation
- Employee Separation Memo
- Proposed 2023 Board meeting dates.
- Routine monthly informational updates

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There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 9:50 a.m.



Diane L. Hendrickson, Recording Secretary



Scott D. Nasca, Chairman