

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING**

Wednesday, December 7, 2022 ~ 9:00 a.m.

Board Room

General Offices, 475 Norris Drive, Rochester, New York

Roll Call

Pledge of Allegiance

#22-211 Approve minutes of the Authority's Regular Meeting, held on November 10, 2022.

Moved By:

Seconded By:

Voice Vote:

#22-212 Accept list of disbursements on check registers dated of, November 2, November 9, November 16, and November 22, 2022, which were forwarded to the Authority Members for their review.

Moved By:

Seconded By:

Voice Vote:

#22-213 Accept Purchase Order List of materials and supplies for the period November 1 through November 28, 2022 in the amount of \$2,894,023.24.

Moved By:

Seconded By:

Voice Vote:

COMMUNICATIONS/NOTIFICATIONS

#22-214 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Appointment of Evan Conolly to the title of Laborer, effective December 19, 2022 at an hourly rate of \$19.54.

Moved By:

Seconded By:

Roll Call Vote:

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#22-215 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Provisional Appointment of Stephanie Leary to the title of Dispatcher, effective January 2, 2023 at an hourly rate of \$31.36.

Moved By:
Seconded By:
Roll Call Vote:

#22-216 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Appointment of Geraldine Moretter to the title of Micro Computer Maintenance Technician, effective January 2, 2023 at annual salary of \$57,900.

Moved By:
Seconded By:
Roll Call Vote:

#22-217 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Provisional Appointment of Wendover Neefus IV to the title of Junior Project Engineer, effective December 12, 2022 at an annual salary of \$85,810.

Moved By:
Seconded By:
Roll Call Vote:

#22-218 Authorize a Blanket Purchase Order for the purchase of **various parts, supplies and repairs**, as needed for maintenance and repair of the Authority's Caterpillar backhoes and loaders throughout 2023 from **Milton Cat** for an estimated annual amount of \$30,000. Milton Cat is the authorized Caterpillar dealer for Upstate and Western New York.

Moved By:
Seconded By:
Roll Call Vote:

#22-219 Authorize a Blanket Purchase Order for the purchase of **various parts, supplies and repairs**, as needed for maintenance and repair of the Authority's Kenworth dump trucks and crew trucks throughout 2023 from **Kenworth Northeast Group** for an estimated annual amount of

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\$75,000. Kenworth Northeast Group is the authorized dealer for New York State.

Moved By:
Seconded By:
Roll Call Vote:

- #22-220** Authorize the purchase of **Advanced Scientific Equipment and Instruments**, to be ordered as needed, under the terms of New York State Office of General Services Group #38700, Award #22962, Contract PC67243 from **Hach Company** for an estimated amount up to \$100,000 for the contract period through November 13, 2022 through November 12, 2023.

Moved By:
Seconded By:
Roll Call Vote:

- #22-221** Authorize the purchase of **Allen-Bradley® Programmable Logic Controllers** and ancillary equipment such as network interface cards, power supplies, input/output cards, cabling and displays on an as-needed basis from **Rexel USA, Inc.** January 1 through December 31, 2023 for an estimated total up to \$75,000.

Moved By:
Seconded By:
Roll Call Vote:

- #22-222** Authorize a Blanket Purchase Order for the purchase of **Industrial and Commercial Supplies and Equipment** not included on New York State Contract, to be ordered as needed from **W.W. Grainger, Inc.**, for an estimated total cost of \$25,000 for a one-year term beginning December 10, 2022 through December 9, 2023.

Moved By:
Seconded By:
Roll Call Vote:

- #22-223** Authorize a Blanket Purchase Order for the purchase of **various electrical materials and equipment** for maintenance and repair of the Authority's equipment and facilities, to be ordered as needed from **Kovalsky-Carr Electrical Supply Company, Inc.**, for an estimated total cost up to \$50,000 for the term January 1 through December 31, 2023.

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Moved By:
Seconded By:
Roll Call Vote:

- #22-224** Authorize a Blanket Purchase Order for the purchase of **emergency generator repair parts, services, and diagnostic software** for the Authority's Cummins-Onan generators, to be ordered as needed from **Cummins Inc. Sales and Service** for an estimated total cost up to \$25,000 for the term January 1 through December 31, 2023.

Moved By:
Seconded By:
Roll Call Vote:

- #22-225** Authorize the award of the **Mechanical Maintenance Services** unit price contract to the low responsive, responsible bidder, **Crosby-Brownlie, Inc.** for the bid amount of \$131,997.00, January 1 through December 31, 2023, with the option to extend the contract for up to four additional one-year terms upon mutual consent.

Moved By:
Seconded By:
Roll Call Vote:

- #22-226** Authorize the award of the **Electrical Maintenance Services** unit price contract to the low responsive, responsible bidder, **Connors-Haas, Inc.** for the bid amount of \$82,810.19, January 1 through December 31, 2023, with the option to extend the contract for up to four additional one-year terms upon mutual consent.

Moved By:
Seconded By:
Roll Call Vote:

- #22-227** Authorize a Blanket Purchase Order for the purchase of various **electrical materials and equipment for maintenance and repair** of the Authority's equipment and facilities, to be ordered as needed from **Rexel USA, Inc. LLC** for an estimated total cost up to \$50,000 for the term January 1 through December 31, 2023.

Moved By:
Seconded By:

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Roll Call Vote

- #22-228** Authorize a Blanket Purchase Order for the purchase of **various electrical materials and equipment** for maintenance and repair of the Authority's equipment and facilities, to be ordered as needed from **Graybar Electrical Supply** for an estimated total cost up to \$50,000 for the term January 1 through December 31, 2023.

Moved By:

Seconded By:

Roll Call Vote

- #22-229** WHEREAS, the Monroe County Water Authority (the "Authority") has studied whether it should now standardize on Analytical Technology, Inc. (ATI) online amperometric chlorine residual monitoring equipment in order to maintain the efficiency, compatibility, and reliability of real time continuous monitoring of the chlorine residual in the Authority's treatment process, transmission, and distribution systems primarily located at the Authority's Shoremont, Webster, and Corfu Water Treatment Plants; and at booster pumping stations, storage tanks, reservoirs, and other distribution system facilities, and

WHEREAS, the Production and Transmission Department staff has found this equipment to be significantly more robust, durable, reliable, and cost effective than other manufacturers' equipment, and

WHEREAS, the Authority currently has other compatible equipment that will result in smaller parts inventory, and

WHEREAS, the operations and maintenance staff are trained in the installation, configuration, calibration, operation, and maintenance of this equipment, and

WHEREAS, upon the recommendation of the Authority's Production and Transmission Department, the Authority has determined that ATI online amperometric chlorine residual monitoring equipment is the most efficient and economic equipment currently available for the Authority's treatment process, transmission, and distribution systems.

NOW, THEREFORE, BE IT RESOLVED that:

1. In order to provide for the most efficient and economic source of online amperometric chlorine residual monitoring equipment and for the reasons stated above, all purchases or procurements by the Authority of online amperometric chlorine residual monitoring equipment, specifically for use in the Authority's

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treatment process, transmission, and distribution systems, and any ancillary equipment must be ATI.

2. The Members and staff of the Authority are hereby authorized and directed for and on behalf of the Authority and in its name to do all acts and things required or as may be necessary, or in the opinion of the officer so acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Authority with all of the provisions of the foregoing resolutions.

Moved By:
Seconded By:
Roll Call Vote:

- #22-230** Authorize the Executive Director to execute a Professional Service Agreement for **Real Estate Appraisals** with **GAR Associates LLC** for a term of one year, with the ability to extend up to four additional one year terms upon mutual written consent.

Moved By:
Seconded By:
Roll Call Vote:

- #22-231** Authorize the award of a unit price contract for the **2023 Annual Geotechnical Investigation and Material Testing Services Contract** to the low, responsive responsible bidder, **CME Associates, Inc.** for the bid amount of \$261,961 which may be renewed for two subsequent one-year terms at the mutual, written consent of the Authority and the contractor.

Moved By:
Seconded By:
Roll Call Vote:

- #22-232** WHEREAS, The Monroe County Water Authority (the “Authority”) desires to retain qualified and competent attorneys to advise and represent the Authority on corporate, litigation, state and federal regulatory matters and other legal services as needed: and
WHEREAS, The “Authority” solicited Requests for Qualifications (“RFQ”) from numerous firms regarding legal services on October 11, 2022.

WHEREAS, four firms responded to the RFQ; and

WHEREAS, and Evaluation Committee comprised of various Authority personnel reviewed all proposals and determined that Harter Secrest &

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Emery LLC (the “Vendor”) offers the best qualifications and capabilities to perform the Services.

NOW, THEREFORE BE IT RESOLVED:

RESOLVED, that the Executive Director of the Authority is hereby authorized to enter into a Professional Services Agreement for on corporate, litigation, state and federal regulatory matters and other legal services as needed with Harter Secrest & Emery LLC, with principal offices at 1600 Bausch & Lomb Place, Rochester, NY 14604-2711, all in accordance with their proposal dated October 21, 2022. Fees for legal services were specified in a separate cost proposal. This agreement has an initial term of one year beginning January 1, 2023.

FURTHER RESOLVED, that the Executive Director is authorized, upon written mutual consent, to extend the agreement for four additional one year renewals but with a rate increase not to exceed four percent from the previous year.

Moved By:
Seconded By:
Roll Call Vote:

#22-233 WHEREAS, The Monroe County Water Authority (the “Authority”) desires to retain qualified and competent attorneys to advise and represent the Authority on property and real estate matters and other legal services as needed: and

WHEREAS, The “Authority” solicited Requests for Qualifications (“RFQ”) from numerous firms regarding legal services on October 11, 2022.

WHEREAS, four firms responded to the RFQ; and

WHEREAS, and Evaluation Committee comprised of various Authority personnel reviewed all proposals and determined that Phillips Lytle LLP (the “Vendor”) offers the best qualifications and capabilities to perform the Services.

NOW, THEREFORE BE IT RESOLVED:

RESOLVED, that the Executive Director of the Authority is hereby authorized to enter into a Professional Services Agreement for on corporate, litigation,

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state and federal regulatory matters and other legal services as needed with Phillips Lytle LLP, with principal offices at 28 East Main St, Suite 1400, Rochester, NY 14614, all in accordance with their proposal dated October 24, 2022. Fees for legal services were specified in a separate cost proposal. This agreement has an initial term of one year beginning January 1, 2023.

FURTHER RESOLVED, that the Executive Director is authorized to extend the agreement, upon written mutual consent, for four additional one year renewals but with a rate increase not to exceed four percent from the previous year.

Moved By:
Seconded By:
Roll Call Vote:

#22-234 Authorize the use of New York State OGS Contract, Group #73600, Award #22802, Lot 1, Contract #PM20800, for the purchase of a one-year **Cisco Smartnet Maintenance and Support Agreement** from **Aspire Technology Partners** for an estimated total cost of \$44,575.00.

Moved By:
Seconded By:
Roll Call Vote:

#22-235 Authorize the Executive Director to enter into a Professional Services Agreement for **Design and Production Services** with **Metrix Marketing, Inc.** to provide for creation and production of the Water Authority's Annual Report. The initial term of the agreement is two (2) years at the estimated cost of \$24,930 annually, with the option to extend the agreement up to two (2) additional years.

Moved By:
Seconded By:
Roll Call Vote

#22-236 Authorize the purchase of Office Supplies to be ordered as needed from W.B. Mason Co., Inc. for an estimated amount of \$3,000 utilizing the County Contract BP #1202-19 (4700007558) through period ending December 31, 2022.

Moved By:
Seconded By:
Roll Call Vote

#22-237 **RESOLVED:** That the Authority **hereby ratifies and confirms in every respect the change in the Authority's *Rules for the Sale of Water and the Collection of Rents and Charges***, as presented to this meeting and made a part of the minutes hereof, which change is **effective January 1, 2023** and is subject of a Resolution of the Authority adopted at its November 10, 2022 meeting; and the Authority hereby finds and determines that the requirements of Section 1096-a of the Public Authorities Law in connection therewith have been accomplished.

Moved By:
Seconded By:
Roll Call Vote:

AUDIT COMMITTEE REPORT

#22-238 Authorize the Executive Director to enter into agreement for the purchase of MCWA **Group Life, Accidental & Dismemberment and Long Term Disability Insurances** with **Met Life Insurance Company**, as brokered through Brown & Brown, Inc.; for applicable employees at a two-year guaranteed rate, as proposed, estimated at \$34,000; based on present MCWA census.

Moved By:
Seconded By:
Roll Call Vote:

#22-239 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.

Moved By:
Seconded By:
Roll Call Vote:

GOVERNANCE COMMITTEE REPORT

#22-240 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby adopts the revised **Internal Controls and Financial Accountability Policy**, as presented.

Moved By:
Seconded By:
Roll Call Vote:

#22-241 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts the **Policy for Tracking and Disposal of Fixed Assets**, as presented.

Moved By:
Seconded By:
Roll Call Vote:

#22-242 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts the **Responsibilities of Members**, as presented.

Moved By:
Seconded By:
Roll Call Vote:

#22-243 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts **Professional Services Policy and Procedures**, as presented.

Moved By:
Seconded By:
Roll Call Vote:

#22-244 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts the **Procurement Disclosure Policy**, as presented.

Moved By:
Seconded By:
Roll Call Vote:

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#22-245 Approve **travel for selected Board Members and Staff to attend** AWWA National Convention and AWWA Conferences, NY Section – AWWA Meetings, GFOA Annual Conference, NYS-WA Meeting, NYS Department of State Educational Unit training programs, NPERLA, AMWA, and other **mission-related training seminars, conferences, and meetings during 2023**. The Authority will pay for expenses in accordance with its Travel and Reimbursement Policy.

Moved By:
Seconded By:
Roll Call Vote:

#22-246 BE IT HEREBY RESOLVED: That the Monroe County Water Authority Board Meeting dates for **2023** be as follows:

JANUARY	THURSDAY	12	9:00 A.M. – REGULAR MEETING
FEBRUARY	THURSDAY	09	9:00 A.M. – REGULAR MEETING
MARCH	THURSDAY	16	9:00 A.M. – REGULAR MEETING
APRIL	THURSDAY	13	9:00 A.M. – REGULAR & ANNUAL MEETING
MAY	THURSDAY	11	9:00 A.M. – REGULAR MEETING
JUNE	THURSDAY	08	9:00 A.M. – REGULAR MEETING
JULY	THURSDAY	13	9:00 A.M. – REGULAR MEETING
AUGUST	THURSDAY	10	9:00 A.M. – REGULAR MEETING
SEPTEMBER	THURSDAY	14	9:00 A.M. – REGULAR MEETING
OCTOBER	THURSDAY	12	9:00 A.M. – REGULAR MEETING
NOVEMBER	THURSDAY	09	9:00 A.M. – REGULAR MEETING
DECEMBER	THURSDAY	14	9:00 A.M. – REGULAR MEETING

Moved By:
Seconded By:
Roll Call Vote:

COMPENSATION COMMITTEE REPORT

#22-247 Upon recommendation of the Monroe County Water Authority's Compensation Committee, the Board hereby adopts the **Compensation Guidelines**, as presented.

Moved By:

Seconded By:

Roll Call Vote: