

**MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING**

**THURSDAY, August 10, 2023 ~ 9:00 a.m.**

**Board Room**

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

Roll Call

Pledge of Allegiance

**#23-147** Approve minutes of the Authority's Regular Meeting, held on Thursday, July 13, 2023.

Moved By:

Seconded By:

Voice Vote:

**#23-148** Accept list of disbursements on check registers dated July 5, July 12, July 19, and July 26, 2023 which were forwarded to the Authority Members for their review.

Moved By:

Seconded By:

Voice Vote:

**#23-149** Accept Purchase Order List of materials and supplies for the period July 1, 2023 through July 28, 2023 in the amount of \$319,503.32.

Moved By:

Seconded By:

Voice Vote:

**COMMUNICATIONS/NOTIFICATIONS**

**#23-150**

**RESOLUTION #23-150**

**EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND  
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD  
TO GAIL D. RICHARDSON UPON HER RETIREMENT**

***WHEREAS**, Gail D. Richardson, a longtime employee of the Water Authority,  
has retired as of July 7, 2023; and*

***WHEREAS**, Gail D. Richardson is a highly skilled and knowledgeable 13 year  
veteran of the Water Authority; and*

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***WHEREAS**, Gail D. Richardson will be remembered for her dedicated service  
by her 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**, the Recording Secretary of the Board is  
hereby requested to forward a copy of this Resolution to  
Gail D. Richardson, MCWA Retiree.*

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-151** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Appointment of Matthew McGraw to the title of Skilled Laborer, effective August 28, 2023 at an hourly rate of \$23.88.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-152** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Provisional Appointment of Autumn Ashley to the title of Junior Project Engineer – Water Distribution, effective August 14, 2023, at an annual salary of \$74,776.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-153** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Appointment of Ashley Hogan to the title of Office Clerk III, effective August 14, 2023 at an hourly rate of \$24.75.

Moved By:  
Seconded By:  
Roll Call Vote:

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**#23-154** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Appointment of Nicholas Sutphen to the title of Utility Worker, effective August 14, 2023 at an hourly rate of \$31.55.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-155** Authorize the use of New York State OGS Contract, Group #05602, Award #23236, Contract #PC69484 for the purchase of **Ultra Low Sulfur Diesel Fuel** for Authority vehicles and equipment from vendor awarded **NOCO Energy Corporation**, for an estimated annual amount of \$225,000, through contract period ending August 22, 2024. This contract can be extended one additional year upon mutual consent.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-156** Authorize the award of a lump sum contract for **Backwash Channel Dredging** at the Shoremont Water Treatment Plant to the low responsive, responsible bidder, **Denali Water Solutions, LLC** for the bid amount of \$121,990.15 with the option to renew for up to four additional one year terms with a maximum allowable annual increase in pricing of 5-percent, upon mutual consent.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-157** Authorize the award of a contract for **Monitoring, Inspection, Testing & Maintenance of Fire and CO Systems** from the low responsive, responsible bidder, **Technical Systems Group, Inc.** in the bid amount of \$22,211. This is a one-year contract with the option to extend for up to four additional one-year terms upon mutual consent. Bid amount is based on annual estimated quantities and services will be purchased as needed.

Moved By:  
Seconded By:  
Roll Call Vote:

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**#23-158** Authorize the award of a one-time purchase for eight (8) **Dell XPS 17” Laptops (9730)** from the low responsive, responsible bidder, **Derive Technologies** in the bid amount of \$28,270.80

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-159** WHEREAS, the Monroe County Water Authority (the "Authority") is replacing approximately 2,700 linear feet of existing 8-inch cast iron water main with new 8-inch ductile iron water main and appurtenances (with Authority Engineering No. 21-028) on Golden Road in the Town of Chili, County of Monroe, Zip Code 14624 (the "Project");

WHEREAS, the Project is necessary because the current water main no longer provides reliable service to the Authority’s customers;

WHEREAS, the acquisition of 18 permanent easements from 18 property owners in the Town of Chili along the Project is necessary for the construction, installation, operation, and maintenance of the Project;

WHEREAS, the Authority has acquired 17 permanent easements necessary for the construction, installation, operation, and maintenance of the Project;

WHEREAS, the remaining one (1) permanent easement necessary for the Project is described on Attachment "A" to this Resolution (the "Easement");

WHEREAS, the Authority has considered whether the acquisition of the Easement is de minimis in nature so that the public interest will not be prejudiced thereby;

WHEREAS, the Authority has considered whether the delay of the acquisition of the Easement will cause harm to the public.

NOW, THEREFORE, it is

RESOLVED, that the Easement, which shall be 20 feet wide and run along the frontage of the real property located at 230 Golden Road in the Town of Chili, as further described on Attachment "A" to this Resolution, and its appendices, is necessary to the Project, and it is

FURTHER RESOLVED, that the public use, benefit, or purpose of the acquisition of the Easement is to allow the completion of the construction, installation, operation, and maintenance of the Project, which will provide

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potable water and water for fire protection to residents in the Town of Chili; and it is

FURTHER RESOLVED, that the exercise of the power of eminent domain is appropriate and necessary to acquire the Easement for the completion of the construction, installation, operation, and maintenance of the Project; and it is

FURTHER RESOLVED, that the acquisition of the Easement is de minimis in nature so that the public interest will not be prejudiced; and it is

FURTHER RESOLVED, that any delay in the Authority obtaining immediate possession of the Easement will cause harm to the public; and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, is authorized to proceed immediately to acquire the Easement through exercise of the Authority's power of eminent domain pursuant to the provisions of New York State's Eminent Domain Procedure Law ("EDPL"); and it is

FURTHER RESOLVED, that public interests will be prejudiced by delay and, accordingly, the Executive Director, or any agent he may designate, is authorized to petition a court of competent jurisdiction for immediate possession and right of entry pursuant to EDPL §402 (B) (6) and/or to pursue any other lawful method of taking the Easement ("Condemnation Action"); and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, shall retain the authority to negotiate the purchase of the Easement on terms determined reasonable by him during the pendency of the Condemnation Action should that course of action be deemed by him to be feasible and desirable; and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, shall execute any and all documents necessary in the opinion of counsel to the Authority to give effect to the resolutions made herein; and it is

FURTHER RESOLVED, that the Executive Director shall have the authority to take such other actions as he deems advisable and necessary in relation to obtaining the Easement.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-160**     **WHEREAS**, The Authority owns and operates a regional water supply and distribution system; and

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**WHEREAS**, The Authority is committed to properly maintaining, repairing and replacing the water system infrastructure to improve the systems operating reliability and/or reduce costs; and

**WHEREAS**, The Authority has water storage facilities in the water system nearing the end of their useful life and are in need of replacement with a regional facility known as the Walker Road Water Storage Tank project; and

**WHEREAS**, As part of the Water Infrastructure Improvement Act (WIIA) and the Intermunicipal Water Infrastructure Grant (IMG) Program the New York State Environmental Facilities Corporation (EFC) is offering \$425 Million in grants for clean and drinking water projects during the 2023-2024 state fiscal year; and

**WHEREAS**, In the event that the Authority is awarded WIIA/IMG grant funding from New York State, the Authority shall be responsible for the portion of the total project costs that are not funded by New York State.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY WATER AUTHORITY:**

Authorize the Executive Director, Deputy Executive Director, and the Director of Engineering, and either one of them acting alone, be and hereby authorized to act as the Authorized Representative for the Authority for the purposes of this NYS Water Infrastructure Improvement Act and Intermunicipal Water Infrastructure grant application, to sign the applications, the funding agreement, and any associated documents with such terms and conditions as such person deems appropriate (his signature thereon being conclusive evidence of such approval), and the same shall be filed with the records of the Authority as soon as available after the execution and delivery thereof.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-161** WHEREAS, the Monroe County Water Authority has utilized CyberLock Access Control Systems for the past several years; and

WHEREAS, the Authority has over 300 locks installed in its security system; and

WHEREAS, CyberLock Access Control Systems door cores, pad locks, and programmable keys provide access solutions that meet all MCWA department's needs; and

WHEREAS, the Authority's Purchasing and Procurement Guidelines has Appropriate Circumstances for Standardization of Goods and Services under which such a provision would be satisfied.

NOW, THEREFORE BE IT RESOLVED that:

In order to provide an economic, flexible, wireless, and secure system, all purchases or procurements by the Authority of software and hardware must be compliant and capable of being integrated to Cyberlock Access Control Systems. All future buildings, renovations, capital improvements or other actions that impact Authority facilities shall be compatible with CyberLock Access Control Systems.

FURTHER RESOLVED, that 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:

### **AUDIT COMMITTEE REPORT**

**#23-162** WHEREAS, the Water Authority desires to retain a qualified and competent certified public accounting firm to provide auditing services; and WHEREAS, the Water Authority issued a Request for Proposal for **Professional Auditing Services** to 15 certified public accounting firms on June 13, 2023 and posted on Water Authority's website; and

WHEREAS, the Authority received three proposals; and

WHEREAS, the Audit Committee has carefully reviewed all the proposals submitted and has recommended it is in the best interest of the Water Authority to award the auditing services contract to **EFPR Group, CPAs, PLLC** as the most qualified proposer.

NOW, THEREFORE, it is

RESOLVED, that the Executive Director is authorized to enter into an Agreement for Professional Auditing Services with EFPR Group, CPAs, PLLC with principal offices at 6390 Main Street, Suite 200, Williamsville New York

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14221, all in accordance with a Proposal to provide Audit and Related Services, dated July 10, 2023, submitted by EFPR Group, CPAs, PLLC. All-inclusive fees for conducting recurring services shall be based as submitted in their Proposal dated July 10, 2023. This Agreement is to provide Professional Auditing Services for the fiscal years ending December 31, 2023, 2024, and 2025 with an option to renew for two additional 1-year terms upon mutual consent.

FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-163** Approve the Authority's 2<sup>nd</sup> Quarter Investment Report for the period ending June 30, 2023, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-164** Approve the Authority's 2<sup>nd</sup> Quarter Financial Report for the period ending June 30, 2023, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**#23-165** 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



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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: