

MINUTES

DRAFT – Subject to and Pending Monroe County Water Authority Board approval.

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, May 9, 2024 @ 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, M. Van Vechten, J. Rulison

Absent: A. Bernstein

Staff present: N. Noce, Executive Director; L. Magguilli, Deputy 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; L. Rawlins, Assistant Director of Finance; K. Sharp, Communications

General Counsel present: John Jennings – Harter, Secrest & Emery

Rate Consultant: Edward Marcus, Amawalk Consulting Group, LLC

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

#24-080 Approve minutes of the Authority's Regular Meeting and Annual Meeting both held on Thursday, April 4, 2024.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #24-080 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#24-081 Approve list of disbursements on check registers dated March 27, April 3, April 10, April 17, and April 24, 2024, which were forwarded to the Authority Members for their review.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison the foregoing resolution #24-081 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#24-082 Accept Purchase Order List of materials and supplies for the period March 23, 2024 through April 29, 2024 in the amount of \$34,433,892.05.

On a motion made by Mr. Rulison, seconded Mrs. Mason, the foregoing resolution #24-082 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce informed the Board their folders contained the 2024 Committee Meeting Schedule, notification of an RFQ/P for Coating Consulting Services, notification of an Emergency Purchase Order for replacement security cameras, and the February and March Financials.

Mr. Noce notified the Board that the Authority won the 2024 J.D. Power Award for ranking number one in customer satisfaction and trust among the Midsize Water Utilities in the Northeast Region. He commended the MCWA team for their extraordinary efforts and noted this honor is well deserved.

Board Member Rulison mentioned the consideration of customizing water storage tanks with logos or graphics in accordance with their corresponding local communities. Mr. Savage outlined examples of Authority tanks that are currently customized as such and explained this notion is taken into consideration every time the Authority paints an existing tank or constructs a new one.

Mr. Noce welcomed and introduced the Authority's rate consultant, Ed Marcus from Amawalk Consulting Group, LLC. Mr. Marcus gave the Board a detailed presentation on the Authority's rates. He explained a cost of service study is performed every five years to assess the adequacy of the Authority's rates and analyze its cost of service components. Mr. Marcus noted the Authority ranks six out of seventeen in comparison to other utilities of similar size and scope, which demonstrates the Authority's commitment to fiscal responsibility. He reviewed the Authority's revenue requirements, cash finance vs. debt, capital investments and revenue sources. Mr. Marcus applauded the Authority's use of cash financing. Mr. Marcus opened the floor for questions and responded to a follow-up question posed by a Board Member.

#24-083

RESOLUTION #24-083
EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD
TO RHONDA M. CONNORS UPON HER RETIREMENT

WHEREAS, Rhonda M. Connors, a longtime employee of the Water Authority,
has retired as of March 29, 2024; and

WHEREAS, Rhonda M. Connors is a highly skilled and knowledgeable 38 year
veteran of the Water Authority; and

WHEREAS, Rhonda M. Connors 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
Rhonda M. Connors, MCWA Retiree.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-083 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-084

RESOLUTION #24-084
EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD
TO JODY A. DUNN UPON HIS RETIREMENT

WHEREAS, Jody A. Dunn, a longtime employee of the Water Authority,
has retired as of April 30, 2024; and

WHEREAS, Jody A. Dunn is a highly skilled and knowledgeable 30 year veteran of the Water Authority; and

WHEREAS, Jody A. Dunn 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, the Recording Secretary of the Board is hereby requested to forward a copy of this Resolution to

Jody A. Dunn, MCWA Retiree.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-084 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-085 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Appointment of Miguel Suarez to the title of Skilled Laborer, effective May 13, 2024 at an hourly rate of \$26.07.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-085 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-086 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Appointment of Jason Watington to the title of Utility Worker, effective May 28, 2024 at an hourly rate of \$28.63.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-086 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-087. Mr. Trotta sought Board authorization in the purchase of a new Ford F-550 XL truck, to replace a vehicle in the Production Department. This purchase will utilize the Onondaga County Contract and is part of the 2024 budget for vehicle replacement.

#24-087 Authorize the purchase of one (1) new **2024 Ford F-550 XL regular cab 4x4 with Reading Service Body and Hydraulic crane** from **Van Bortel Ford** in the amount of \$182,943.75, utilizing Onondaga County Contract for Heavy Duty Trucks, Bid Ref. #ONGOV-106-19.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-087 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-088 Mr. Trotta requested authorization from the Board to purchase a new Ford F-350 truck to replace a 2011 vehicle used in the Operations Department. This purchase will utilize the Onondaga County Contract and is part of the 2024 budget for vehicle replacement.

#24-088 Authorize the purchase of one (1) new **2024 Ford F-350 SL Super Cab 4x4 with Reading Service Body and Vanair Air N Arc System** from **Van Bortel Ford** in the amount of \$100,635.05, utilizing Onondaga County Contract for Heavy Duty Trucks, Bid Ref. #ONGOV-106-19.

On a motion made by Mr. Rulison seconded by Mrs. Van Vechten, the foregoing resolution #24-088 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-089, Mr. LaManna addressed the Board for authorization in awarding a unit price contract for liquid sodium hypochlorite, a chemical crucial to the water treatment process. He explained the decision was made to re-bid instead of renewing the existing contract due to declining costs. The new contract price is ten percent lower than the previous contract. Mr. LaManna noted they will continue to track the cost index and make the decision whether to extend the contract or re-bid based on market trends.

#24-089 Authorize the award of the **Liquid Sodium Hypochlorite** unit price contract to the low responsive, responsible bidder, **Bison Laboratories, Inc.** for the bid amount of \$346,800 (\$2.04/gallon) for the initial six-month term June 1 through November 30, 2024 with the option to extend the contract for up to four additional six-month terms upon mutual consent.

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten the foregoing resolution #24-089 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-090, Mr. LaManna requested Board authorization in the as-needed purchase of pipe and plumbing supplies for the Production Department and the Facilities, Fleet and Operations Department utilizing the Monroe County Contract. He stated the contract will be split between two local vendors.

#24-090 Authorize the purchase of **Pipe and Plumbing Supplies** to be ordered as needed from multiple vendors utilizing Monroe County Contract No. 0106-24 for an estimated total annual cost of \$150,000 through the current term ending April 30, 2025. This purchase order may be extended for up to four additional twelve month periods through April 30, 2029 in accordance with the terms and conditions of the Contract.

On a motion made by Mrs. Van Vechten, seconded by Mr. Fero, the foregoing resolution #24-090 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-091, Mr. Savage briefed the Board for authorization in the amendment and restatement of an existing retail lease agreement in the town of Chili. He explained the existing retail lease agreement was executed in 2003 and did not include installment of radio equipment. The Authority and Town approved the installation of radio equipment on the Chestnut Ridge storage tank in 2022 through a temporary license agreement while the details of a renewed lease agreement were worked out. The new retail lease agreement includes provisions for the radio communication equipment and is for a 40-year term.

#24-091 **WHEREAS**, the Authority is operating the **Town of Chili** water system in accordance with the existing Retail Lease Agreement dated January 16, 2003; and

WHEREAS, the Town has installed antenna for the Department of Public Works on the Chestnut Ridge Water Storage tank through a Temporary License Agreement; and

WHEREAS, the Town and the Authority wish to amend and restate the Current Agreement to: (a) include a license to allow for the installation of radio communication equipment for use by the Town's Department of Public Works at the Chestnut Ridge site, (b) agree to a new (40) year term; and (c) make additional changes to the Current Agreement; and

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

To authorize the execution of a 40-year Amended and Restated Retail Lease Agreement for Operation of Water Districts with the Town of Chili.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-091 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-092, Mr. Savage sought authorization from the Board to award a unit price contract for the Frisbee Hill Road Water Main Replacement Project in Greece. He stated five bids were received, one of which was non-responsive. He recommended to award the contract to the lowest, responsive, responsible bidder, Rochester Pipeline, Inc.

#24-092 Authorize the award of a unit price contract for the **Frisbee Hill Road Water Main Replacement Project** contract to the low responsive, responsible bidder, **Rochester Pipeline Inc.** in the bid amount of \$1,237,710.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-092 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-093, Mr. Savage requested Board authorization to award a unit price contract for the Colonnade Drive and Glen Iris Drive Water Main Replacement Projects in the Town of Henrietta. He stated four bids were received, however, two were non-responsive. Mr. Savage noted the Authority has successfully worked with this vendor in the past.

#24-093 Authorize the award of a unit price contract for the **Colonnade Drive and Glen Iris Drive Water Main Replacements** project, to the low responsive, responsible bidder, **Randsco Pipeline, Inc.** in the bid amount of \$1,234,647.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-093 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-094, Mr. Magguilli addressed the Board for authorization in the annual renewal of Malwarebytes Endpoint Detection and Response, the anti-virus program used by the Authority. He stated three bids were received.

#24-094 Authorize the award of the **annual software licensing and maintenance** renewal for Malwarebytes Endpoint Protection and Response from the low responsive, responsible bidder, **NewBeg, Inc.** in the bid amount of \$30,360.

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten, the foregoing resolution #24-094 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-095, Mr. Magguilli sought Board authorization to utilize the New York State Contract for the annual renewal of Autodesk AutoCAD licensing and maintenance. Mr. Magguilli noted the Engineering Department utilizes AutoCAD for design and drafting purposes.

#24-095 Authorize the use of the New York State OGS Contract, Group #73600, Award #22876, Lot 1, Contract #PD67644, for the annual renewal of **Autodesk AutoCAD licenses and maintenance** from **Dell Technologies** for an estimated amount of \$26,500.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-095 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-096, Mr. Magguilli requested Board authorization for the annual renewal of the Authority's Oracle licenses and maintenance utilizing the New York State Contract. He stated the Oracle platform is integral to the daily operations of the Authority.

#24-096 Authorize the use of New York State OGS Contract, Group #73600, Award#22802, Lot 1, Contract #PM20940, for the annual renewal of **Oracle Licenses and Maintenance** from **Oracle America, Inc.** for an estimated amount of \$19,900.

On a motion made by Mrs. Van Vechten, seconded by Mr. Fero, the foregoing resolution #24-096 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-097, Mr. Magguilli briefed the Board for authorization in entering into an agreement for Federal and State legislative and advocacy services. He stated the Authority currently utilizes O'Donnell & Associates and has been pleased with their services. Mr. Magguilli responded to a follow-up question posed by a Board member regarding federal and state funding opportunities.

#24-097 Authorize the Executive Director, or his designee, to exercise a one year contract **New York State Legislative and Federal Legislative Advocacy Services** with **O'Donnell & Associates** at an estimated monthly cost of \$10,500. This is for a one year term with a mutually agreed upon second year.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-097 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, 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 April 30, 2024 at 8:00 a.m., at which the first item on the Agenda was a review of the 2024 general insurance renewal. He stated Amy Molinari, Director of Finance, gave an overview of Arthur J. Gallagher's (formally M & T Insurance Agency) insurance renewal proposal and provided details Regarding policies and layers of coverage. Following Ms. Molinari's review and the Committee's examination of the proposal, the Committee voted unanimously to approve the proposal and to forward to the full Board for their approval.

Mr. Rulison concluded his report by stating the next Audit Committee meeting was confirmed for Thursday, June 6, 2024, at 8:00 a.m. and the minutes of the April 30th meeting are posted on the MCWA website.

For Items #24-098 and #24-099, Ms. Molinari gave a brief summary of Arthur Gallagher's (formally M & T Insurance Agency, Inc.) renewal proposal including policies, coverage term and service fees, and invited any remaining questions from the Board Members. She noted Arthur J. Gallagher is directed to obtain quotations for excess liability coverage, which will be presented at the June Board Meeting.

#24-098 Authorize the execution of a Professional Services Agreement with **Arthur J Gallagher** (formerly 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. Arthur J Gallagher is designated as Broker of Record for MCWA's General Insurance program for coverage commencing July 1, 2024.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #24-098 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-099 Approve the proposal as submitted by Broker, Arthur J Gallagher (formerly 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 Insurance, Vehicle Insurance, Crime Insurance, Flood and Earthquake Insurance, Pollution Insurance, Owners Contractors Protective Insurance, and Travel Accident Insurance, Cyber, and Excess Liability Coverage (\$10M) with the limits of liability and deductibles as proposed and including any fees for service, for an estimated total cost of \$775,000.

Furthermore, Arthur J. Gallagher is directed to obtain quotations for an additional \$40,000,000 of Excess Liability coverage, net of commission, due to MCWA no later than May 24, 2024. The term for insurance coverage is July 1, 2024 through June 30, 2025.

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #24-099 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-100 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 Mrs. Van Vechten seconded by Mrs. Mason the foregoing resolution #24-100 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Items #24-101 and #24-102, Ms. Molinari addressed the Board in discussion of the 1st quarter Investment and 1st Quarter Financial Reports, which were enclosed in their packets of information and distributed in advance of the meeting date for their prior review.

#24-101 Approve the **Authority's 1st Quarter Investment Report** for the period ending March 31, 2024, as presented.

On a motion made by Mrs. Van Vechten seconded by Mrs. Mason the foregoing resolution #24-100 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-101 Approve the **Authority's 1st Quarter Financial Report** for the period ending March 31, 2024, as presented.

On a motion made by Mrs. Van Vechten seconded by Mr. Rulison the foregoing resolution #24-101 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

In Board folders for review:

- 2024 Committee Meeting Schedule
- Notification of Emergency Purchase Order for Security Camera Replacement
- Notification of RFQ/P for Coating Consultant
- February and March Financials
- Employee Separation

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There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 9:35 a.m.

Diane L. Hendrickson, Recording Secretary

Scott D. Nasca, Chairman