

**MINUTES**

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

**MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING  
THURSDAY, June 13, 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 (7):** S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison

**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; K. Sharp, Communications

**General Counsel present:** Megan Dorritie- Harter, Secrest & Emery

**Others in Attendance:** Jennifer Kiblin, EFPR Group

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

**#24-103** Approve minutes of the Authority's Regular Meeting held on Thursday, May 9, 2024.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #24-103 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

**#24-104** Approve list of disbursements on check registers dated May 1, May 8, May 15, May 22, and May 29, 2024, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten the foregoing resolution #24-104 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

**#24-105** Accept Purchase Order List of materials and supplies for the period April 30, 2024 through June 2, 2024 in the amount of \$1,893,612.72.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-105 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

**COMMUNICATIONS/NOTIFICATIONS**

Mr. Noce notified the Board of two emergency POs included in their folders, along with the Authority's routine financial statements.

Mr. Noce briefed the Board on a press conference held by U.S. Senator Kirsten Gillibrand at the Authority's Shoremont Water Treatment Plant on June 7<sup>th</sup>. The Senator called for Federal funding to regulate industrial PFAS discharge. He noted that Senator Gillibrand spoke highly of MCWA and commended its work to eliminate PFAS in drinking water.

**#24-106**

**RESOLUTION #24-106  
EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND  
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD  
TO ROBERT J. WESTON UPON HIS RETIREMENT**

*WHEREAS, Robert J. Weston, a longtime employee of the Water Authority,  
has retired as of May 16, 2024; and*

*WHEREAS, Robert J. Weston is a highly skilled and knowledgeable 28+ year  
veteran of the Water Authority; and*

*WHEREAS, Robert J. Weston 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  
Robert J. Weston, MCWA Retiree.*

On a motion made by Mr. Bernstein, seconded by Mrs. Mason, the foregoing resolution #24-106 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#24-107** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Promotional Appointment of Erich Carlton to the title of Senior Plant Mechanic effective June 17, 2024 at an hourly rate of \$43.10.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-107 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#24-108** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Provisional Appointment of Marcia Conti to the title of Programmer Analyst effective June 17, 2024 at an annual salary of \$97,136.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #24-108 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #24-109**, Mr. Trotta sought Board authorization to purchase a new Ford truck with an electric crane used for hydrant repair crews. He noted this will replace a 2015 truck and is part of the 2024 budget for vehicle replacement. Mr. Trotta answered follow-up questions posed by Board members regarding supply chain and prices.

**#24-109** Authorize the purchase of one (1) new **2024 Ford F-550 XL regular cab 4x4 With Reading Service Body and Palfinger Electric Crane** from **Van Bortel Ford** in the amount of \$124,843.75, utilizing Onondaga County Contract for Heavy Duty Trucks, Bid Ref. # ONGOV-106-19.

On a motion made by Mr. Bernstein, seconded by Mrs. Mason, the foregoing resolution #24-109 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #24-110**, Mr. LaManna requested authorization from the Board for the as-needed purchase of various electrical equipment and materials from Motion AI utilizing the Monroe County Contract. Mr. LaManna stated the Authority has utilized this vendor for many years for new and replacement electrical materials.

**#24-110** Authorize the purchase of various electrical equipment and materials from **Motion AI** under the terms of Monroe County Contract No. 0509-21 for **Square D Products**, for an estimated total amount of \$175,000 for the contract term June 1, 2024 through May 31, 2025.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten the foregoing resolution #24-110 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #24-111**, Mr. Savage addressed the Board for authorization in the execution of a professional services agreement with five qualified firms to provide coating consulting services. He explained that these services will be utilized as needed for work orders dealing with water storage tanks and other concrete structures.

**#24-111** Authorize the execution of Professional Services Agreements with the following firms for **Coating Consulting Services: Corrosion Probe, Inc., Greenman – Pedersen (GPI), Inc., H2M Architects + Engineers, Tank Industry Consultants (TIC), and Wendel**. The agreements are for a term of five years.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein the foregoing resolution #24-111 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #24-112**, Ms. Molinari stated that the Board previously granted authorization for Arthur J Gallagher (formally M & T Insurance Agency, Inc.) to obtain quotations for Excess Liability Insurance per resolution #24-099.

**#24-112** Approve the proposal as submitted by Arthur J Gallagher (formerly M & T Insurance Agency, Inc.) for renewals of **Excess Liability Insurance Coverage** policies for an estimated cost of \$280,000. The term for insurance coverage is July 1, 2024 through June 30, 2025.

On a motion made by Mrs. Van Vechten, seconded by Mr. Fero, the foregoing resolution #24-112 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #24-113**, Mr. Noce sought authorization from the Board to renew the Authority's membership with Greater Rochester Enterprise (GRE). Mr. Noce and Mr. Rulison commended GRE's continued advocacy of the area's water supply and efforts in attracting new businesses to the Greater Rochester area.

**#24-113** Approve the Monroe County Water Authority **membership renewal** with the **Greater Rochester Enterprise** (GRE) at the annual membership rate of \$27,500 for one year.

On a motion made by Mr. Bernstein, seconded by Mr. Fero, the foregoing resolution #24-113 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, 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 June 6, 2024 at 8:00 a.m., at which the first item on the Agenda was a review of the Deferred Compensation Plan Audit. He stated Douglas Zimmerman of the EFPR Group gave an overview of the audited financial Statements as of December 31, 2023 for the Deferred Compensation Plan for the Employees of the Monroe County Water Authority. Following the review and some discussion, the Committee voted unanimously to accept the audited financial statements for the Deferred Compensation Plan and to forward to the full Board for their approval.

The next item on the Agenda was the review and recommended updates to the Deferred Compensation Model Plan. Mr. Rulison stated that Ms. Hendrickson discussed the recommended changes including amendments previously approved in accordance with the Secure Act 2.0. Following the review and some discussion, the Committee voted unanimously to accept the updated Deferred Compensation Model Plan Document and to forward to the full Board for its approval.

The next item on the Agenda was the review and approval of the Accounting Policies & Procedures Manual. Mr. Rulison said Ms. Molinari reviewed the recommended revisions, primarily housekeeping in nature, and the Committee voted unanimously to approve the Accounting Policies & Procedures Manual, as revised and presented, and to forward to the full Board for its approval.

Mr. Rulison concluded his report by stating the next Audit Committee meeting was confirmed for Thursday, November 27, 2024, at 8:00 a.m. and the minutes of the June 6<sup>th</sup> meeting are posted on the MCWA website.

**For Item #24-114**, Ms. Molinari introduce Jennifer Kiblin of the EFPR Group, who gave an overview of the Independent Auditor’s Report on the Financial Statements for the Deferred Compensation Plan for the Employees of the Monroe County Water Authority. Ms. Kiblin stated that it was a clean audit and applauded the Authority staff for excellent recordkeeping.

**#24-114** The Board hereby accepts the **Independent Auditor’s Report** on the financial statements for the **Deferred Compensation Plan for the Employees** of the Monroe County Water Authority for year ending December 31, 2023.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-114 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #24-115**, Ms. Hendrickson briefed the Board on updates to the Deferred Compensation Model Plan Document. She explained the provisions were made in accordance with the SECURE Act 2.0 needed to be amended.

**#24-115** 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”), had promulgated the Plan Document of the Deferred Compensation Plan for Employees of the Monroe County Water Authority (the “Model Plan”) and offers the Model Plan for adoption by local employers; and  
WHEREAS, the Monroe County Water Authority, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Monroe County Water Authority; and

WHEREAS, effective December 08, 2023, the New York State Deferred Compensation Board amended the Model Plan to adopt provisions related to the SECURE Act 2.0 legislation; and

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, the Monroe County Water Authority has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Monroe County Water

Authority by adopting the amended Model Plan;

NOW, THEREFORE, BE IT

RESOLVED, that the Monroe County Water Authority hereby amends the Deferred Compensation Plan for Employees of the Monroe County Water Authority by adopting the amended Model Plan effective January 1, 2024 including the optional provisions selected in Schedules A and B, in the form attached hereto as Exhibit A.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-115 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #24-116**, Ms. Molinari sought Board approval in the revised Accounting Policies & Procedures Manual, incorporating minor housekeeping updates and revisions to the organizational charts.

**#24-116** Upon recommendation of the Monroe County Water Authority's Audit Committee, the Board hereby approves the **Accounting Policies and Procedures Manual**, as revised and presented.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #24-116 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#24-117** 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. Rulison, seconded by Mr. Bernstein, the foregoing resolution #24-117 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

Mr. Stephen Savage, Director of Engineering, presented the Board with an update on MCWA's lead reduction efforts in conjunction with upcoming regulations. He reviewed the timeline of past and future regulations and outlined the lead and copper compliance program components. Mr. Savage provided metrics on the known and unknown numbers of service line materials within the MCWA distribution system. He explained the steps MCWA has taken in preparation for upcoming regulations, including field inspections, predictive modeling, and customer communications. Mr. Savage noted a self-identification form available to all customers to report their own service line materials, and pointed out the

challenges that accompany it. Mr. Savage concluded his presentation by outlining the next steps that MCWA will take in regards to lead regulation compliance, including publishing a service line material inventory, sending customer notifications and literature, replacing lead service lines upon discovery, and seeking funding opportunities. Mr. Savage responded to a follow-up question posed by a Board member.

**In Board folders for review:**

- April Financials
- U.S. Senator, Kirsten Gillibrand Press Release

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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.

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Diane L. Hendrickson, Recording Secretary

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Scott D. Nasca, Chairman