

MINUTES

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

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, August 8, 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 (5): S. Nasca, S. Volpe, S. Mason, 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

Absent (2): A. Bernstein, M. Fero

General Counsel present: Megan Dorritie– 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

#24-134 Approve minutes of the Authority's Regular Meeting held on Thursday, July 11, 2024.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-134 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#24-135 Approve list of disbursements on check registers dated July 3, July 10, July 17, and July 24, 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 #24-135 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#24-136 Accept Purchase Order List of materials and supplies for the period July 1, 2024 through July 28, 2024 in the amount of \$1,445,134.12.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten the foregoing resolution #24-136 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce stated that Board folders contain notification of an upcoming RFP/Q for the Buffalo Road Booster Pumping Station.

Mr. Noce proposed a date of September 5th for the MCWA Budget Workshop/Board Training, to begin at 3:00 p.m. He also informed the Board of upcoming ABO training dates, to be held

on September 20th and September 25th. He noted it is recommended practice for new Board members to attend the ABO training and re-train every three years.

Mr. Noce congratulated Ms. Megan Dorritie, ESQ. for being named on the Rochester Business Journal's 2024 Litigation Power List.

#24-137 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Provisional Appointment of Matthew Cavallaro to the title of Engineering Contract Procedures Assistant effective August 12, 2024 at an hourly rate of \$38.57.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-137 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-138 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Promotional Appointment of Tracy Porter to the title of Office Clerk II, effective August 12, 2024 at an hourly rate of \$35.64.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason the foregoing resolution #24-138 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-139 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Provisional Appointment of Megan Pieper to the title of Assistant Manager of Customer Services, effective August 12, 2024 at an annual salary of \$68,058.

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten the foregoing resolution #24-139 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-140 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Promotional Appointment of Mark Mulpagano to the title of Senior Computer Programmer, effective August 12, 2024 at an annual salary of \$108,410.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison the foregoing resolution #24-140 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-141, Mr. Trotta sought Board authorization to purchase a new Ford transit van to replace a 2012 vehicle used by the Authority's Building and Grounds Department. He noted this will utilize the Onondaga County Contract.

#24-141 Authorize the purchase of one (1) new **2024 Ford Transit T350 AWD DWR Van with Reading Enclosed Body** from **Van Bortel Ford** in the amount of \$80,404.94, utilizing Onondaga County Contract for Police and Administrative Vehicles, Bid Ref. # 0010808.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-141 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-142, Mr. LaManna addressed the Board for authorization in the as-needed purchase of laboratory supplies and equipment from multiple vendors utilizing the New York State Contract. He stated the Authority primarily orders these supplies from Fisher Scientific.

#24-142 Authorize the purchase of **Laboratory Supplies and Equipment**, to be ordered as needed, utilizing New York State Office of General Services Group #12000, Award #23154, from **multiple vendors** authorized by the contract, for an estimated amount up to \$35,000 per contract term, for an initial term through July 17, 2025, with an option to extend for one additional 12-month term through the contract period ending July 17, 2026.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-142 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-143, Mr. Savage requested Board authorization to award a unit price contract for the 2024 Cement Lining Program in the towns of Greece and Pittsford. He outlined the project, which will entail the cleaning and cement lining of older cast iron mains that have sparked some water quality concern calls. He explained the importance of this project to improve water quality in these areas. Mr. Savage stated three bids were received.

#24-143 Authorize the award of a unit price contract for the **2024 Cement Lining Program** contract to the low responsive, responsible bidder, **Insituform Technologies, LLC** in the bid amount of \$2,499,900.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-143 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-144, Mr. Savage briefed the Board for authorization to award a unit price contract for the Buffalo Road Tank Water Main Connection Project in the Town of Bergen. The project will involve the installation of a 16" water main on South Lake Road to improve reliability and redundancy. He stated six bids were received, two of which were non-responsive.

#24-144 Authorize the award of a unit price contract for the **Buffalo Road Tank Water Main Connection Project** to the low responsive, responsible bidder, **Randsco Pipeline** in the bid amount of \$569,267.50.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-144 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-145, Mr. Savage sought authorization from the Board to award a unit price contract to replace approximately 10,500 feet of 8" water main on East Manitou Road in the Town of Greece. He noted the existing parkway crossing will remain in place.

#24-145 Authorize the award of a unit price contract for the **East Manitou Road Water Main Replacement project** to the low responsive, responsible bidder, **Randsco Pipeline** in the bid amount of \$2,006,985.50.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-145 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-146 Mr. Savage requested authorization from the Board to pay permit-related fees to CSX Transportation, Inc. for water main projects in the towns of Chili and Brighton. The projects require work to be performed in the CSX right-of-way, which will necessitate the hiring of CSX flaggers and field staff. The funds will reimburse CSX for these staffing

costs.

#24-146 Authorize payments to **CSX Transportation Inc.** for **permit related fees** not to exceed \$20,000.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-146 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-147 and #24-148 Mr. Savage addressed the Board for authorization to make easement payments to Pennwood Apartments for work associated with an upcoming Penfield Water Main Replacement Project. The payments will grant permanent easements needed for the water main replacement. Mr. Savage responded to a follow-up question posed by a Board member.

#24-147 Authorize the Monroe County Water Authority to make a payment in the amount of \$13,650 to **Pennwood Apartments, LLC** for a **permanent easement** located at **1689 Penfield Road**, in the town of Penfield.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-147 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-148 Authorize the Monroe County Water Authority to make a payment in the amount of \$6,300 to **Pennwood Apartments II, LLC** for a **permanent easement** located at **1699 Penfield Road**, in the town of Penfield.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-148 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-149 Mr. Savage sought Board authorization to execute a new retail lease agreement with the Village of Pittsford. The former 40-year lease agreement expired in June. The new lease agreement has been updated to match current terms and conditions on the other recently approved lease agreements and will run for a term of 40 years.

#24-149 **WHEREAS**, the Authority is operating the Village of Pittsford water system in accordance with the Retail Lease Agreement dated June 4, 1984 and its Amendment dated September 13, 1985; and

WHEREAS, the Current Agreement recently expired and the Village and the Authority wish to agree to a new forty (40) year term; and

WHEREAS, the parties are now making this Retail Lease Agreement for the Operation of the Water System (the "Agreement") pursuant to Village Law of the State of New York, to replace and supersede the Current Agreement in its entirety.

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

To authorize the execution of a 40-year Retail Lease Agreement for Operation of Water System with the Village of Pittsford.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-149 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Items #24-150 and #24-151 Ms. Molinari addressed the Board in discussion with the 2nd Quarter Investment and 2nd Quarter Financial Reports, which were enclosed in the Board packet of information and distributed in advance of the meeting date for prior review.

#24-150 Approve the Authority's 2nd Quarter Investment Report for the period ending June 30, 2024, as presented.

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten, the foregoing resolution #24-150 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-151 Approve the Authority's 2nd Quarter Financial Report for the period ending June 30, 2024, as presented.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-151 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-152 Mr. Magguilli requested Board authorization for the software licensing and maintenance renewal for Broadcom/VMware VSphere Foundation, the software that supports the Authority's servers.

#24-152 Authorize the award of the software licensing and maintenance renewal for **Broadcom/VMware VSphere Foundation** from the low responsive, responsible bidder, **Nobletec, LLC**. In the annual bid amount of \$23,089.92 for a three-year term.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-152 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-153 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 Mrs. Van Vechten, the foregoing resolution #24-153 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

In Board folders for review:

- RFP/Q for the Buffalo Road Pumping Station
- Copy of article from Rochester Business Journal's 2024 Litigation Power List

There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 9:25 a.m.

Diane L. Hendrickson, Recording Secretary

Scott D. Nasca, Chairman