

MINUTES

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, October 10, 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

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

#24-172 Approve minutes of the Authority's Regular Meeting held on Thursday, September 12, 2024.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-172 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

#24-173 Approve list of disbursements on check registers dated September 4, September 11, September 18, and September 25, 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 #24-173 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

#24-174 Accept Purchase Order List of materials and supplies for the period September 3, 2024 through September 30, 2024 in the amount of \$4,349,480.61.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-174 was put to a voice vote and unanimously carried. AYES: 7; NAYS:

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce informed the Board that their folders contained the Prohibited Contractor List for their review prior to the November Board meeting.

Mr. Noce introduced Director of Engineering, Stephen Savage, to provide an update on the Authority's compliance efforts in accordance with upcoming regulations surrounding lead and copper.

PRESENTATION – Mr. Stephen Savage, P.E., Director of Engineering – Lead and Copper Rule Revisions

Mr. Savage updated the Board on actions the Authority has taken in preparation for the Lead and Copper Rule Revisions, federal regulations that go into effect on October 16, 2024. He reviewed the timeline corresponding to the Authority's lead reduction efforts and outlined the requirements set forth by the EPA, including the publication of a service line material inventory. Mr. Savage showed the Board the interactive service line material inventory map and demonstrated its functionality. Mr. Savage also reviewed progress the Authority has made in regards to identifying unknown service line material in the MCWA service area. He then turned attention toward the next steps, which include notifications to customers who have lead, galvanized requiring replacement, or unknown service lines. He concluded his report by stating the Authority is and will remain in compliance with all state and federal regulations. Mr. Savage responded to a follow-up question posed by a Board member.

#24-175 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Appointment of Cheryl Mortellaro to the title of Dispatcher, effective November 4, 2024, at an hourly rate of \$30.34.

On a motion made by Mr. Bernstein, seconded by Mrs. Mason the foregoing resolution #24-175 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

#24-176 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Provisional Appointment of Jacob Vogt to the title of Distribution Maintenance Mechanic, effective October 21, 2024 at an hourly rate of \$41.59.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-176 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

#24-177 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Promotional Appointment of Richard Wagner to the title of Maintenance Mechanic II, effective October 14, 2024, at an hourly rate of \$38.46.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #24-177 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

#24-178 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Promotional Appointment of Michael Balistere to the title of Senior Construction Inspector, effective October 14, 2024, at an hourly rate of \$38.06.

On a motion made by Mr. Fero, seconded by Mrs. Mason, the foregoing resolution #24-178 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

#24-179 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Promotional Appointment of David Carroll to the title of Senior Construction Inspector, effective October 14, 2024, at an hourly rate of \$42.94

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-179 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

#24-180 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Promotional Appointment of Jasen Hillebrant to the title of Assistant Construction Inspector, effective October 14, 2024, at an hourly rate of \$29.33.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #24-180 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

#24-181 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Promotional Appointment of Jason Witkowski to the title of Assistant Construction Inspector, effective October 14, 2024, at an hourly rate of \$28.15.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-181 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

#24-182 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
Appointment of Jacob Olyer to the title of Laborer, effective October 28, 2024 at an hourly rate of \$21.34.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #24-182 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 #24-183. Mr. LaManna requested Board authorization to purchase services and materials necessary to repair the medium voltage variable frequency drive unit for pump #3 at the Lake Water Pump Station and to evaluate the medium voltage variable frequency drive for high duty pump #2 at the Webster Water Treatment Plant. He noted pump #3 is out of service until repairs are completed. Mr. LaManna stated ABB, Inc. is the only authorized vendor to work with these units.

#24-183 Authorize the purchase of services and materials from **ABB, Inc.** for the **repair and evaluation of medium voltage variable frequency drive equipment** located at the Lake Water Pump Station and Webster Water Treatment Plant for an estimated amount up to \$51,000.

On a motion made by Mr. Bernstein, seconded by Mrs. Mason, the foregoing resolution #24-183 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 #24-184. Mr. LaManna sought authorization from the Board to purchase vacuum regulators and ancillary equipment for the Webster Water Treatment Plant gaseous chlorine emergency disinfection system. He stated the labor will be performed internally. Mr. LaManna noted Pertech, Inc. is the only authorized supplier of Hydro Instruments equipment in New York State.

#24-184 Authorize the purchase of **Hydro Instruments vacuum regulators and ancillary equipment** from **Pertech, Inc.** for the Webster Water Treatment Plant gaseous chlorine emergency disinfection system for an estimated amount up to \$19,600.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-184 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 #24-185. Mr. LaManna briefed the Board for authorization to amend the Professional Services Agreement with Eurofins Eaton Analytical, LLC to increase the total amount to allow more analyses. He explained new regulations related to lead and copper and PFAS have resulted in an increased need for testing.

#24-185 Authorize the Executive Director to amend the Agreement for Professional Services with **Eurofins Eaton Analytical, LLC** for **Laboratory Analytical Services** to increase the total annual not-to-exceed amount to \$96,500.

On a motion made by Mr. Bernstein, seconded by Mrs. Mason, the foregoing resolution #24-185 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 #24-186. Mr. Savage requested authorization from the Board to amend an agreement with Arcadis of New York, Inc. for the Fluoride Chemical Systems Improvements Project at the Shoromont and Webster Water Treatment Plants. This amendment will cover additional design services and bid phase services.

#24-186 Authorize the Executive Director to amend the Agreement for Professional Consulting Services with **Arcadis of New York, Inc.** for the **Fluoride Chemical Systems Improvements Project** for the budget amount of \$25,000 for additional design services and bid phase services.

On a motion made by Mr. Bernstein, seconded by Mr. Fero, the foregoing resolution #24-186 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 #24-187. Mr. Savage addressed the Board for authorization to award a contract for the Allens Creek Vault Demolition Project. He explained the below ground pump station was not needed following construction of the Authority's Webster Water Treatment Plant. He noted the vendor has successfully completed work for the Authority in the past. Mr. Savage responded to follow-up questions posed by Board members.

#24-187 Authorize the award of a lump sum price contract for the **Allens Creek Vault Demolition project** to the low responsive, responsible bidder, **Frederico Demolition, LLC.** in the bid amount of \$39,500.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-187 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 #24-188. Mr. Savage sought Board authorization to approve payment to Bill Gray's, Inc. for granting a permanent easement on their property in Penfield, necessary for The upcoming Penfield Road Water Main Replacement Project. The amount is based on the appraised value of the property.

#24-188 Authorize payment to **Bill Gray's Inc.** in the amount of \$21,250 for a **permanent easement** at their property located at 1650 Penfield Road, in the Town of Penfield.

On a motion made by Mr. Bernstein, seconded by Mrs. Mason, the foregoing resolution #24-188 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 #24-189, Mr. Savage requested the Board to authorize an agreement with National Grid to install a new electric service for the Walker Road Tank in the town of Pavilion. The tank requires the construction of facilities to store disinfectant products and other materials, for which the facilities will need electricity.

#24-189 Authorize the Executive Director to execute an Agreement with **National Grid** for the installation of a **new electric service for the Walker Road Tank** in the Town of Pavilion. The estimated cost for the service installation is less than \$20,000.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-189 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 #24-190, Mr. Savage briefed the Board for authorization to enter into an agreement with the New York State Department of Transportation to allow their contractors to relocate water mains and make adjustments to the water system facilities, as necessary, to complete work on 33A and Route 259 in the Town of Chili. He noted the work will be completed at no cost to the Authority. Mr. Savage responded to a follow-up question by a Board member.

#24-190 WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **Route 33A and Route 259 Intersection Safety Improvements in the Town of Chili, Monroe County, P.I.N. 4033.77**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the **Remove/abandon and re-establish approximately four (4) water mains and one (1) water service. Relocate approximately two (2) water service locations and one (1) hydrant. Alter elevation of approximately two (2) water valves**, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans and Utility Special Note relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans and Utility Special Notes, relating to the above mentioned project.

NOW, THEREFORE,

BE IT RESOLVED: That the **Monroe County Water Authority** approves of the adjustment to water line valve boxes and the above-mentioned work performed on the project and shown on the contract plans relating to the project and that the **Monroe County Water Authority** will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED that the **Executive Director** has the authority to sign, with the concurrence of the **Monroe County Water Authority Board of Directors**, any and all documentation that may become necessary as a result of

this project as it relates to the **Monroe County Water Authority**, and

BE IT FURTHER RESOLVED: That the **Monroe County Water Authority** is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-190 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 #24-191, Ms. Molinari sought authorization from the Board to enter into a Professional Services Agreement with ACI Worldwide to provide third-party payment processing services. Ms. Molinari stated an RFP was distributed in August, of which the Authority received 12 responses. The selection committee scored ACI Worldwide the highest and recommends a three-year agreement, with the option to extend up to two years.

#24-191 WHEREAS, the Monroe County Water Authority (the "Authority") solicited Requests for Proposals ("RFP") to numerous firms regarding **Third Party Payment Processing (the "Services")** in connection with billing the Authority's ratepayers; and

WHEREAS, twelve firms responded to the RFP; and

WHEREAS, an Evaluation Committee comprised of various Authority personnel reviewed all proposals and determined that **ACI Worldwide** (the "Vendor") offers the best qualifications and capabilities to perform the services; and

WHEREAS, the Evaluation Committee hereby recommends that the Authority enter into a Professional Services Agreement with the Vendor upon the general terms set forth below.

NOW, THEREFORE, BE IT:

RESOLVED: The Director of Finance and Businesses Services of the Authority is hereby authorized to enter into an Agreement with the Vendor for an initial term of three years with two optional one-year extensions, and execute and deliver said Agreement, her signature being conclusive evidence of such Agreement.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #24-191 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 #24-192, Mr. Magguilli requested Board authorization to purchase a three-year Agreement with Cisco Security Enterprise utilizing the New York State Contract. He stated this will bundle the licensing agreement in a concurrent contract.

#24-192 Authorize the use of New York State OGS Contract, Group #73600, Award #22802, Lot 1, Contract #PM20800, for the purchase of a three-year **Cisco Security Enterprise Agreement** from **ePlus Technology, Inc.** for an estimated annual cost of \$65,000.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-192 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 #24-193, Mr. Magguilli addressed the Board for authorization to purchase Cisco networking equipment, licensing and warranty necessary for security system upgrades. He stated this purchase will utilize the New York State Contract.

- #24-193** Authorize the use of New York State OGS Contract, Group #73600, Award #22802, Lot 1 and 2, Contract #PM20800, for the purchase of **Cisco Networking Equipment, Licensing, and Warranty** from **ePlus Technology, Inc.** for an estimated five-year cost of \$1,540,000.

On a motion made by Mr. Fero, seconded by Mrs. Van Vechten, the foregoing resolution #24-193 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 #24-194, Mr. Trotta sought Board authorization to execute a memorandum of agreement to reimburse employees for the cost of obtaining a Commercial Driver's License (CDL). He provided background on the process associated with obtaining a CDL, which intensified with new regulations in February, 2022. The Authority will reimburse up to \$3,000 to employees who complete CDL training by a certified training facility, obtain a CDL license, when relevant to their job position. Employees will be required to be employed by the Authority for a period of at least one year to retain the reimbursement.

- #24-194** Authorize the Executive Director to execute a Memorandum of Agreement with **CSEA** for reimbursement to eligible employees for the cost and expense of obtaining a **Commercial Drivers' License (CDL)**.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-194 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

FINANCE COMMITTEE REPORT – Presented by Mr. Rulison, Committee Member

Mr. Rulison gave a briefing on the Finance Committee meeting, held Wednesday, October 2nd at 8:00 a.m., at which time the first item on the agenda was a review of the 2025 Preliminary Budget. The Director of Finance, Amy Molinari, gave a detailed presentation and responded to questions posed by Committee Members. Following the review and some discussion, the Finance Committee unanimously agreed to recommend approval of the 2025 Preliminary Budget, as presented, to the full Board at the October 10, 2024 regular Board meeting. Mr. Rulison concluded his report by stating the next Finance Committee meeting was confirmed for Thursday, November 7, 2024 at 8:00 a.m. and the minutes of the October 2nd meeting are posted on the MCWA website.

For Item #24-195, Ms. Molinari stated there had been no revisions made to the proposed 2025 Preliminary Budget presented to the Finance Committee on October 2nd and discussed with the Board members at the budget workshops held in September, 2024. She invited any remaining questions.

- #24-195** RESOLVED: That the **Authority's Preliminary Budget** for the calendar year 2025 totaling \$96,900,593 be, and it hereby is, adopted.

IT IS FURTHER RESOLVED: That in accordance with the Authority's Trust Indenture dated October 1, 1991, Section 506, Paragraph #2, the Preliminary Budget so adopted shall, when it has been approved by a certificate of the Consulting Engineer, constitute for all purposes the Annual Budget for 2025.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #24-195 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

COMPENSATION COMMITTEE REPORT – Presented by Mrs. Van Vechten, Committee, Chair

Mrs. Van Vechten gave a briefing of the Compensation Committee, held October 2, 2024, at which the first item on the agenda was to review the process for the Executive Directors' annual performance appraisal. The Committee entered into Executive Session, to discuss without the Executive Director present. The Executive Session was adjourned and regular session reconvened. The next item on the agenda was to review the recommended revisions to the Compensation Guidelines/Philosophy. Mrs. Van Vechten stated Mr. Noce summarized the revisions, after some discussion, the Committee voted unanimously to accept the revised guidelines and to forward to the full Board for their approval. Mrs. Van Vechten concluded her report by stating the Committee scheduled its next meeting for Thursday, December 5, 2024 at 8:30 a.m. and the minutes of October's meeting are posted on the MCWA website.

For Item #24-196. Mr. Noce briefed the Board for authorization to approve the revisions to the Authority's Compensation Guidelines/Philosophy, as recommended by the Burke Group and the Compensation Committee. He outlined the revisions, including the addition of two steps for management employee salary schedule. Board Chairman, Nasca thanked the Compensation Committee members for their work.

#24-196 Upon recommendation of the Monroe County Water Authority's Compensation Committee, the Board hereby adopts the **Compensation Guidelines** and Compensation Philosophy, as presented.

On a motion made by Mrs. Mason seconded by Mr. Bernstein, the foregoing resolution #24-196 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


#24-197 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. Volpe, the foregoing resolution #24-197 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

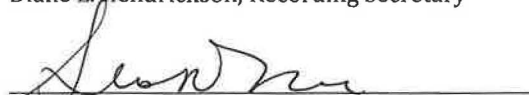
In Board folders for review:

- August Financials
- 2024 Prohibited Contractor List for Review
- Memo listing separations from employment

There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 9:40 a.m.



Diane L. Hendrickson, Recording Secretary



Scott D. Nasca, Chairman