

**MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING**

**THURSDAY, November 14, 2024 ~ 9:00 a.m.  
Board Room  
General Offices, 475 Norris Drive, Rochester, New York**

Roll Call

Pledge of Allegiance

**#24-198** Approve minutes of the Authority's Regular Meeting, held on Thursday, October 10, 2024.

Moved By:  
Seconded By:  
Voice Vote:

**#24-199** Accept list of disbursements on check registers dated October 2, October 9, October 16, October 23, and October 30, 2024 which were forwarded to the Authority Members for their review.

Moved By:  
Seconded By:  
Voice Vote:

**#24-200** Accept Purchase Order List of materials and supplies for the period October 1, 2024 through November 3, 2024 in the amount of \$4,659,410.25

Moved By:  
Seconded By:  
Voice Vote:

**COMMUNICATIONS/NOTIFICATIONS**

**#24-201**

**RESOLUTION #24-201  
EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND  
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD  
TO KIMBERLE J. PENNINGTON UPON HER RETIREMENT**

***WHEREAS**, Kimberle J. Pennington a longtime employee of the Water Authority,  
has retired as of October 6, 2024; and*

***WHEREAS**, Kimberle J. Pennington is a highly skilled and knowledgeable 22 year  
veteran of the Water Authority; and*

***WHEREAS,** Kimberle J. Pennington 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  
Kimberle J. Pennington, MCWA Retiree.*

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-202**

**RESOLUTION #24-202**  
**EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND**  
**BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD**  
**TO KARL J. PRAY UPON HIS RETIREMENT**

***WHEREAS,** Karl J. Pray a longtime employee of the Water Authority,  
has retired as of November 2, 2024; and*

***WHEREAS,** Karl J. Pray is a highly skilled and knowledgeable 30+ year  
veteran of the Water Authority; and*

***WHEREAS,** Karl J. Pray 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  
Karl J. Pray, MCWA Retiree.*

Moved By:  
Seconded By:  
Roll Call Vote:

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**#24-203** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Promotional Appointment of Daniel Austin to the title of Utility Stakeout Technician – Water Authority, effective November 18, 2024 at an hourly rate of \$31.88.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-204** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Promotional Appointment of Phillip Baglio to the title of Utility Stakeout Technician – Water Authority, effective November 18, 2024, at an hourly rate of \$33.23.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-205** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:  
Promotional Appointment of Kiley Miller to the title of Senior Drafting Technician, effective November 18, 2024, at an hourly rate of \$38.70.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-206** Authorize the purchase of two (2) new **2025 John Deere 320P Backhoe/Loaders** from **Five Star Equipment, Inc.** in the amount of \$278,400, utilizing NYS OGS Contract for Heavy Equipment, Contract #PC70139, Group #40625, Award #PGB-22792.

Moved By:  
Seconded By:  
Roll Call Vote:

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**#24-207** Authorize the purchase of one (1) new **2025 John Deere 624P Wheel Loader** from **Five Star Equipment, Inc.** in the amount of \$271,842.21, utilizing NYS OGS Contract for Heavy Equipment, Contract #PC70139, Group #40625, Award #PGB-22792.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-208** Authorize the purchase of one (1) new **2025 T66 T4 Bobcat Compact Track Loader** with attachments from **DJM Equipment Inc.** in the amount of \$102,827.90, utilizing NYS OGS Contract for Heavy Equipment, Contract #PC69396, Group #40625 Award #PGB-22792

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-209** Authorize the purchase of one (1) new **2025 Ford F-550 XLT regular cab 4x4 with 12' HD Rugby platform Body & Lift Gate** from **Van Bortel Ford** in the amount of \$80,300.73, utilizing Onondaga County Contract for Heavy Duty Trucks, Bid Ref. #ONGOV-106-19

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-210** Authorize the purchase of one (1) new **2025 Ford Transit 350 AWD Van, medium roof long wheel base with Adrian Steel Cargo Management System** from **Van Bortel Ford** in the amount of \$76,137.75, utilizing Onondaga County Contract for Police and Administrative Vehicles Bid Ref. #0010808.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-211** Authorize the purchase of one (1) new **2025 Ford Escape Active AWD** from **Van Bortel Ford** in the amount of \$31,090.30, utilizing Onondaga Contract for Police and Administrative Vehicles Bid Ref. #0010808

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Moved By:  
Seconded By:  
Roll Call Vote:

- #24-212** Authorize a Blanket Purchase Order for the purchase of **various electrical materials and equipment** for maintenance and repair of the Authority's equipment and facilities, to be ordered as needed from **Graybar Electrical Supply** for an estimated total cost up to \$50,000 for the term January 1 through December 31, 2025.

Moved By:  
Seconded By:  
Roll Call Vote:

- #24-213** Authorize a Blanket Purchase Order for the purchase of **various electrical materials and equipment** for maintenance and repair of the Authority's equipment and facilities, to be ordered as needed from **Kovalsky-Carr Electrical Supply Company, Inc.**, for an estimated total cost up to \$50,000 for the term January 1 through December 31, 2025.

Moved By:  
Seconded By:  
Roll Call Vote:

- #24-214** Authorize a Blanket Purchase Order for the purchase of **various electrical materials and equipment** for maintenance and repair of the Authority's equipment and facilities, to be ordered as needed from **Rexel USA, Inc. LLC** for an estimated total cost up to \$50,000 for the term January 1 through December 31, 2025.

Moved By:  
Seconded By:  
Roll Call Vote:

- #24-215** Authorize a Blanket Purchase Order with **Cummins Inc. Sales and Service** for the purchase of **emergency generator repair parts, services, and diagnostic software** for the Authority's Cummins-Onan generators, to be ordered as needed, for an estimated total cost up to \$25,000 for the term January 1 through December 31, 2025.

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Moved By:  
Seconded By:  
Roll Call Vote:

- #24-216** Authorize a Commodity Purchase Order with **Milton-CAT** for the purchase of repair parts, services, and diagnostic software for the Authority's Caterpillar, Inc. **emergency electric power generator equipment** at the quoted unit prices, on an as-needed basis, for an estimated total cost of \$25,000 for the term November 15, 2024 through September 30, 2025.

Moved By:  
Seconded By:  
Roll Call Vote:

- #24-217** Authorize the purchase of **Intelligent Facility and Security Systems and Solutions materials and services**, to be ordered as needed, utilizing New York State Office of General Services Group #77201, Award #23150, Contract #PT68817, from **Johnson Controls, Inc.**, for an estimated amount of \$25,000 per contract term, for an initial term through August 26, 2025, with an option to extend for up to four additional 12-month terms through the contract period ending August 26, 2029.

Moved By:  
Seconded By:  
Roll Call Vote:

- #24-218** Authorize the purchase of **17 cellular communication devices and accessories** from **TCI Systems, Inc.** utilizing New York State Office of General Services Group #73600, Award #22802, Contract #PM69710 for the Authority's SCADA system network for an estimated amount of \$29,000.

Moved By:  
Seconded By:  
Roll Call Vote:

- #24-219** Authorize the award of a unit price contract for the **2024 Structural Lining Program - REBID** project to the low responsive, responsible bidder, **Insituform Technologies, LLC.** in the bid amount of \$3,790,413.

Moved By:  
Seconded By:  
Roll Call Vote:

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**#24-220** WHEREAS, the Monroe County Water Authority (the "Authority") is replacing approximately 4,800 linear feet of existing 8-inch cast iron water main with new 8-inch ductile iron water main and appurtenances (with Authority Engineering No. 23-026) on Penfield Road in the Town of Penfield, County of Monroe, Zip Code 14625 (the "Project");

WHEREAS, the acquisition of 12 permanent easements from 8 property owners in the Town of Penfield along the Project is necessary for the construction, installation, operation, and maintenance of the Project;

WHEREAS, the Authority has acquired 9 permanent easements necessary for the construction, installation, operation, and maintenance of the Project;

WHEREAS, the remaining three (3) permanent easement necessary for the Project are described on Attachment "A" to this Resolution (the "Easement");

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

NOW, THEREFORE, it is

RESOLVED, that three (3) Permanent Easements that run along Penfield Road in the Town of Penfield, 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 Easements is to allow the completion of the construction, installation, operation, and maintenance of the Project, which will provide potable water and water for fire protection to residents in the Town of Penfield; and it is

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

FURTHER RESOLVED, that the acquisition of the Easements 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 Easements will cause harm to the public; and it is

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FURTHER RESOLVED, that the Executive Director, or any agent he may designate, is authorized to proceed immediately to acquire the Easements 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 Easements ("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 Easements 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 Easements.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-221**

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement **NY Route 204 Pavement Rehabilitation from Route 33A to Rochester City Line, Monroe County, P.I.N. 4204.26**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the **adjustment of 17 valve boxes**, 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.

Moved By:  
Seconded By:  
Roll Call Vote:

## **FINANCE COMMITTEE REPORT**

**#24-222** Approve an amendment to the **Authority's Rules for the Sale of Water and the Collection of Rents and Charges** effective January 1, 2024 in the form attached hereto and made a part of the minutes hereof, subject to compliance with the requirements of Subdivision 1 of Section 1096-a of the Public Authorities Law, with a copy of said amendment to be duly certified by the Recording Secretary of the Authority and filed with the President of the Monroe County Legislature and thereafter published twice in the Democrat and Chronicle, twice in the Daily Record, and twice in the Batavia Daily News; and filed in the Monroe County Clerk's office.

Moved By:  
Seconded By:  
Roll Call Vote:

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**#24-223** WHEREAS, the Monroe County Water Authority has adopted a water rate schedule effective January 1, 2025, which amends its present water rate schedule; and  
WHEREAS, Section 1096-a of the Public Authorities Law provides for (1) notification of such water rate schedule change to the President of the Monroe County Legislature and (2) a public information meeting.

NOW, THEREFORE, IT IS RESOLVED: That the Authority publish an announcement of a Public Information Meeting to be held on December 4, 2024 at 3:00 p.m. in the offices of the Authority, 475 Norris Drive, Rochester, New York; and

IT IS FURTHER RESOLVED: That the Authority will conduct the Public Information Meeting in order to inform the public of the need and the design of the water rates schedule changes; and

IT IS FURTHER RESOLVED: That a copy of this Resolution be certified by the Recording Secretary of the Authority and delivered to the President of the Monroe County Legislature.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-224** Upon recommendation of the Monroe County Water Authority's Finance Committee, the Board hereby re-adopts the **Debt Management Policy**, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-225** Approve the Authority's **3rd Quarter Investment Report** for the period ending September 30, 2024, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-226** Approve the Authority's **3rd Quarter Financial Report** for the period ending September 30, 2024, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**GOVERNANCE COMMITTEE REPORT**

**#24-227** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts the **Code of Ethics Policy**, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-228** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts the **Conflicts of Interest Policy**, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-229** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts the **Software Code of Ethics Policy**, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

**#24-230** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts **Whistleblower Policy**, as presented.

Moved By:  
Seconded By:  
Roll Call Vote:

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**#24-231** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts the **Disposal Guidelines**, as presented.

Moved By:  
Seconded By:  
Roll Call Vote

**#24-232** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby adopts the revised **Purchasing and Procurement Guidelines**, as presented.

Moved By:  
Seconded By:  
Roll Call Vote

**COMPENSATION COMMITTEE REPORT**

**#24-233** Resolved hereby to adopt the Monroe County Water Authority **Prohibited Contractor List**, updated October 4, 2024, as issued by the Monroe County Water Authority Ethics Board.

**#24-234** 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.

Moved By:  
Seconded By:  
Roll Call Vote: