

## MINUTES

### MONROE COUNTY WATER AUTHORITY REGULAR MEETING

Thursday, May 10, 2018  
9:30 a.m.

Board Room, General Offices, 475 Norris Drive, Rochester, New York

9:30 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, R. Hurlbut, W. Bleier-Mervis, J. Rulison

Member(s) absent (1): A. Bernstein

Staff present:

N. Noce, Executive Director; K. Eisenmann, Secretary to the Authority; R. Metzger, P.E., Chief Engineer; R. Benshoff, Exec. Dir. of Operations; S. M. Savage, P.E., Dir. of Engineering; L. Magguilli, Assistant to Exec. Dir.; D. Hendrickson, Human Resource Manager; G. Jablonsky, Dir. of Information Technology; T. Uschold, Associate Management Analyst

General Counsel present: L. M. Smith, Esq. of HS&E

Packets containing detailed information on Agenda items were distributed in advance of meeting date to each Member, Executive Staff and Counsel for their prior review.

Pledge of Allegiance to the Flag – lead by Chairman Nasca

#18-090 Approve minutes of the Authority's Regular Meeting and Annual Meeting both held on April 12, 2018.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #18-090 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

#18-091 Accept list of disbursements on check registers dated April 11, April 18, April 25 and May 2, 2018 which were forwarded to the Authority Members for their review.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #18-091 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

#18-092 Accept Purchase Order List of materials and supplies for the period April 5, 2018 through May 2, 2018 in the amount of \$3,933,454.46.

On a motion made by Mr. Rulison, seconded by Ms. Bleier-Mervis, the foregoing resolution #18-092 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

**COMMUNICATIONS** – Mr. Noce was pleased to announce that the Monroe County Water Authority has received the prestigious **J.D. POWER & ASSOCIATES AWARD** – for ranking **HIGHEST IN CUSTOMER SATISFACTION**, Residential Water Service - Northeast Region for 2018. This is the second time in three years that MCWA has received this award.

#### EXECUTIVE SESSION

#18-ES 9:41 a.m. Chairman Nasca requested a motion to enter executive session under attorney-client privilege to discuss the proposed Collective Bargaining Agreement (CBA) with the Union. Moved by Mr. Hurlbut, seconded by Mr. Rulison, and put to a vote on roll call, the Board unanimously agreed to enter executive session. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

9:57 a.m. Motion to conclude executive session: Moved by Mr. Rulison, seconded by Mrs. Volpe, the Board upon voice vote unanimously agreed to conclude executive session. Chairman Nasca called this Regular Meeting back in open session. Resolution ES#18-109 was then added to the agenda and taken out of sequence at this time.

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**AUDIT COMMITTEE REPORT** – Presented by Mr. Rulison, Committee Chairperson

Mr. Rulison gave a detailed briefing on the Audit Committee meetings held on May 4, and this morning May 10, stating that the items for these meetings pertained mainly to MCWA's Insurance renewals.

He reported that at the May 4 meeting, Mr. Uschold gave an overview of the insurance policies for renewal, the proposals received, and briefed the Committee on interviews staff recently conducted with representatives of broker firms on their proposals for providing various coverages for the July 2018 through June 2019 period. And that Mr. Thomas Weir, of CIC, the Authority's insurance consultants, provided some detail and analysis regarding policies and layers of coverages. Discussion followed, and more questions posed by Committee Members required additional examination and/or clarification by staff and the consultant. Mr. Rulison explained that for that reason, the Committee requested another meeting of the Audit Committee take place on May 10 at 8:30 a.m. for further review and discussion. And that there was no formal action taken other than to agree to schedule the additional Audit Committee meeting. He also reported there was an executive session at the May 4 meeting under attorney-client privilege, and no formal action was taken by the Committee.

Mr. Rulison continued on to the May 10 Audit Committee Meeting, reporting that Mr. Uschold addressed the remaining questions posed by the Committee Members at the May 4 meeting. And after discussion, the Audit Committee voted unanimously to recommend forwarding to the full Board for its approval to authorize a professional services agreement with Rose & Kiernan, 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 year; insurance coverage commencing July 1, 2018. Following that, the Committee voted unanimously to recommend forwarding to the full Board for its approval, to authorize Rose & Kiernan, Inc. to place a number of MCWA insurance renewals with the limits and deductibles as proposed and including any fees for service, for an amount not to exceed \$484,784. Additionally, direct Rose & Kiernan, Inc. to obtain quotations for Excess Liability coverage layers, quotations due to MCWA no later than June 1, 2018. Brokers' proposals and background information including recommendation from MCWA's insurance consultant is being provided to all Board Members for their review. Mr. Rulison concluded his report by mentioning the next Audit Committee meeting is scheduled for May 31, and that minutes from the May 4 and May 10 meetings would be distributed as soon as they become available.

#18-093 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Temporary Appointment of Mary Ann Hussar to the title of Office Clerk II, effective June 18, 2018, at Salary Schedule 7, Group 3.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-093 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

In discussion of Items #18-094 and #18-095, Mr. Savage briefed the Board on these resolutions for agreements with the NYSDOT for the project as described, providing detailed a summary overview of scope and locations, explaining this project includes the adjustment of approximately 25 water valve boxes to accommodate the NYSDOT work, and that all work will be performed at NYSDOT expense. Mr. Savage then addressed a question from Mr. Hurlbut on NYSDOT projects, as well as a question from Chairman Nasca on the expected start of this particular project.

#18-094 Authorize the Executive Director to enter into any and all agreements with the New York State Department of Transportation for the **NYS RT 252 MbC, Ridgeland Road to Mitchell Road, Towns of Henrietta and Pittsford, Village of Pittsford, Monroe County, P.I.N. 4252.11.321.**

On a motion made by Ms. Bleier-Mervis, seconded by Mr. Hurlbut, and duly put to a vote on roll call, the foregoing resolution #18-094 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

#18-095 WHEREAS, the New York State Department of Transportation proposes the **NYS RT 252 MbC, Ridgeland Road to Mitchell Road, Towns of Henrietta and Pittsford, Village of Pittsford, Monroe County, P.I.N. 4252.11.321**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project **multiple vertical adjustments of approximately twenty-five (25) water valve boxes, top sections and lids** so as to not be in conflict with the proposed construction, will be performed by the State's Contractor 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

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

WHEREAS, the State will provide for the performance of the above mentioned work, as shown in the contract proposal relating to the above mentioned project. It is not anticipated that the Contractor will have to perform work on these **Monroe County Water Authority** water facilities

NOW, THEREFORE,

BE IT RESOLVED: That the **Monroe County Water Authority** approves of the adjustment to their water valve boxes and related appurtenances, if needed, and the above mentioned work performed on the project and described in the contract proposal 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 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 secretary to 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 Mr. Rulison, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-095 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

In discussion of Item #18-096, Mr. Metzger addressed the Members. He recapped the RPQ/P process and reported that we received Statements of Qualifications and Proposal from three consultants for professional engineering for the design of the chlorine gas scrubber installations for SWTP and WWTP, and that after review of the qualifications submitted, the selection committee recommends Erdman Anthony to perform these services.

#18-096 Authorize the Executive Director to enter into a **professional services agreement with Erdman Anthony for the Shoremont and Webster Water Treatment Plants Scrubber Installation Engineering** with the budget amount for the design and bidding phases of \$30,000 and construction phase engineering services at the hourly rates proposed.

On a motion made by Mr. Rulison, seconded by Ms. Bleier-Mervis, and duly put to a vote on roll call, the foregoing resolution #18-096 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For Item #18-097, Mr. Metzger again addressed the Members. He recapped the RPQ/P process and reported that we received Statements of Qualifications and Proposal from four consultants for professional engineering for the evaluation of the Zebra Mussel Control System at SWTP, and that after review of the qualifications submitted, the selection committee recommends O'Brien and Gere. He explained the control system for the SWTP intake was installed in 1990 and the study is to include a detailed evaluation of the existing equipment and create a master plan for its maintenance and infrastructure renewal needs. Mr. Metzger also responded to a follow up inquiry from Chairman Nasca.

#18-097 Authorize the Executive Director to enter into a **professional services agreement with O'Brien & Gere Engineers, Inc. for the engineering of the Shoremont WTP Zebra Mussel Control System Upgrades** with the budget amount of \$26,800 for the study phase.

On a motion made by Mr. Hurlbut, seconded by Mr. Fero, and duly put to a vote on roll call, the foregoing resolution #18-097 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

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For Item #18-098, Ms. Hendrickson addressed the Board. She recapped the RPQ/P process, reported that three Proposals were received and reviewed, and the recommendation is for Occupational Safety On Site for providing these services. She also indicated they have satisfactorily provided these services previously for MCWA.

#18-098 Authorize the Executive Director to enter into a **professional services agreement with Occupational Safety on Site, Inc. to provide annual drug and alcohol testing** for all employees of MCWA; this also includes drug and alcohol testing under the Department of Transportation CDL guidelines. The agreement would be for three years with the option to extend for two additional one-year terms, upon mutual consent; for an annual estimated cost of \$18,000.

On a motion made by Ms. Bleier-Mervis, seconded by Mr. Rulison, and duly put to a vote on roll call, the foregoing resolution #18-098 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For #18-099, Mr. Savage gave a detailed briefing for this professional services authorization. He explained to the Board that Monroe County is the Water Authority's Construction Permitting Agency for compliance with the NYS Building and Fire Code, and that SWBR is currently under contract with Monroe County for Code Enforcement Term Services throughout the end of 2018. He further explained the services to be provided and estimated cost of fees associated.

#18-099 Authorize the Executive Director to execute a **professional services agreement with SWBR Architecture, Engineering and Landscape Architecture P.C. for Code Enforcement Term Services**. The Agreement will be for the remainder of 2018 at County Contract pricing.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-099 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For Item #18-100, Mr. Uschold addressed the Members for authorization, in addition to the recommendation memorandum provided for Board review. He recapped the RFQ/P process, reported there were three respondents, and after review, the recommendation is to engage Auditel, Inc. to perform telephone bill audit services.

#18-100 Authorize the **engagement of Auditel, Inc. to perform telephone bill audit services** for an initial term of one year with the option to renew the engagement for up to four additional one-year terms. This engagement will be paid for through any savings that Auditel, Inc. uncovers in the course of the audit at the rate of 22.9% of savings actually realized by MCWA for a one-year term.

On a motion made by Mr. Hurlbut, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-100 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For #18-101, Mr. Metzger addressed the Board for authorization in awarding this lump sum contract. He indicated one bid was received; also that this is specialized work, and that the backwash channel is dredged annually. He mentioned that Denali Water Solutions LLC merged with WeCare Organics, LLC, who has successfully completed this type of work for the Authority in past years. And Mr. Metzger responded to an inquiry from Chairman Nasca on term & pricing.

#18-101 Authorize the award of a **lump sum contract for the Backwash Channel Dredging** to the low responsive and responsible bidder, Denali Water Solutions LLC, in the bid amount of \$83,749 with the option to renewed up to four additional one-year terms, with a maximum 3% allowable increase in lump sum pricing per year, upon mutual consent.

On a motion made by Mr. Hurlbut, seconded by Mr. Fero, and duly put to a vote on roll call, the foregoing resolution #18-101 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

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In discussion of Item #18-102, Mr. Metzger briefed the Board. He provided a detailed summary on what this unit price contract includes and that this is a planned upgrade. He also recapped bid results and mentioned that Crosby-Brownlie has done work of a similar scope for the Authority previously.

#18-102 Authorize the award of the **Kreag Road Pump #2 Replacement unit price contract** to the low responsive, responsible bidder, Crosby-Brownlie, Inc. for the bid amount of \$142,200.

On a motion made by Mr. Rulison, seconded by Mr. Fero, and duly put to a vote on roll call, the foregoing resolution #18-102 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For Item #18-103, Mr. Benshoff addressed the Members for purchase authorization through the NYS OGS Vehicle Marketplace (Mini-Bid). He indicated this is for a replacement vehicle as part of the Authority's planned replacement program, and he recapped mini-bid results.

#18-103 Authorize the **purchase of One (1) New 2019 Ford F-250 4x4 Crew Cab 4 WD Pickup Truck** through the New York State Office of General Services (OGS) Vehicle Marketplace (Mini-Bid), Group No. 40451, Award No. 22898, Mini-Bid No. T18040058 – from low responsive, responsible bidder, Carmody Ford Inc. in the bid amount of \$32,409.59.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, and duly put to a vote on roll call, the foregoing resolution #18-103 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For Item #18-104, Mr. Benshoff again addressed the Members for authorization. He spoke about the types of replacement parts and supplies available under this contract used throughout the year by the Authority in maintaining and repairing fleet vehicles, mentioning we have utilized the County Contract before and it has worked out well.

#18-104 Authorize the **use of Automotive Parts and Supplies Contract #BP #0312-16 (SAP Contract #4700007341), held by the County of Monroe (currently awarded to Nu-Way Auto Parts) for Parts and/or Supplies for Maintenance and Repair of Water Authority Vehicles**, for an amount estimated at \$50,000 through the current contract term ending April 30, 2019.

On a motion made by Mr. Hurlbut, seconded by Mr. Fero, and duly put to a vote on roll call, the foregoing resolution #18-104 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

In discussion of Item #18-105, Mr. Jablonsky addressed the Board for purchase authorization, in addition to the recommendation memorandum provided for their prior review. He explained this network equipment is for the SCADA network upgrade and that upgrading this equipment will allow the IT Department to build a more robust and efficient infrastructure and replaces equipment that is currently at end of life.

#18-105 Authorize the **purchase of Network equipment for the SCADA Network upgrade utilizing the NYS OGS Technology and Commodity contracts** at a total estimated cost of \$135,000.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-105 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

#18-106 The Members of the Authority expressly make the following determinations 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.

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On a motion made by Mr. Rulison, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-106 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For Item #18-107, Mr. Noce addressed the Members in discussion of this report which was enclosed in their packets of information on agenda items distributed in advance of meeting date for their prior review.

#18-107 Approve the Authority's **1<sup>st</sup> Quarter Investment Report** for the period ending March 31, 2018, as presented.

On a motion made by Mr. Hurlbut, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-107 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

For Item #18-108, Mr. Magguilli addressed the Members in discussion of this report which was also enclosed in their packets of information on agenda items distributed in advance of meeting date for their prior review.

#18-108 Approve the Authority's **1<sup>st</sup> Quarter Financial Report** for the period ending March 31, 2018, as presented.

On a motion made by Mr. Hurlbut, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-108 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

Item ES#18-109 was added to the agenda in open session upon conclusion of the executive session that concluded at 9:57 a.m. earlier in this meeting and was taken out of sequence at that time.

**RESOLUTIONS AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT  
WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000**

ES#18-109 WHEREAS, the Monroe County Water Authority (the "Authority") and the Monroe County Water Authority Unit of the Civil Service Employees Association, Inc., Local 1000 (the "Union") have agreed on the substantive terms of a new collective bargaining agreement covering the period from January 1, 2015 through December 31, 2022 (the "CBA"); and

WHEREAS, a majority of the members of the Union have ratified the CBA.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Members of the Authority hereby approve the terms of the CBA.
2. The Members of the Authority hereby authorize the Executive Director, in the name and on behalf of the Authority, to sign the CBA, sign all accompanying documentation, and implement the terms of the CBA.
3. The Members and Officers of the Authority are hereby authorized and directed for and on behalf of the Authority and in its name to do all acts and things required or as may be necessary, or in the opinion of the person so acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Authority with the provisions of the foregoing resolutions.

On a motion made by Mr. Hurlbut, seconded by Mrs. Volpe, and duly put to a vote on roll call, the foregoing resolution #18-109 unanimously carried. AYES: 6 (Nasca, Volpe, Fero, Hurlbut, Bleier-Mervis, Rulison); NAYS: 0.

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Presented for Board Members' informational/notification purposes:

- Notification of an Agreement with Pathfinder Engineers for Design and Bid of Emergency Boiler Replacement.
- Notification of an Agreement with New York State Police to provide annual Anti-Harassment and Workplace Violence Prevention training – at no cost to the Authority.
- Notification of proposed recipients of Request for Qualifications and Proposals (RFQ/Ps) for HVAC Engineering services.
- Notification of hiring Temporary Student Interns and a Seasonal Clerk at this time.
- In Board folders for review: Any routine monthly informational updates.

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There being no further business to come before the Authority, Chairman Nasca adjourned the meeting at 10:24 a.m.

  
Kathleen A. Eisenmann, Secretary to the Authority

  
Scott D. Nasca, Chairman