

MINUTES

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, August 12, 2021 @ 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, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison

Members Absent (1): M. Fero

Staff present: N. Noce, Executive Director; D. Hendrickson, Director of Human Resources; L. Magguilli, Assistant to the Executive Director; A. Molinari, Director of Finance & Business Services; S. Savage, Director of Engineering; C. LaManna, Director of Production & Transmission; S. Trotta, Director of Operations, M. Quattrone, K. Sharp

General Counsel present: Andrew Dean, Esq. – Harter, Secrest & Emery

Monroe County Legislative Liaison present: Hon. Frank X. Allkofer

Honorary Chairman: Anthony J. Quattrone

Guest: William Gillette

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 Honorary Chairman Anthony Quattrone

#21-152 Approve minutes of the Authority's Regular Meeting held on July 8, 2021.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-152 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#21-153 Approve list of disbursements on check registers dated June 30, July 7, July 14, July 21, 2021 and July 28, 2021, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #21-153 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#21-154 Accept Purchase Order List of materials and supplies for the period July 1, 2021 through August 2, 2021 in the amount of \$818,167.64.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut, the foregoing resolution #21-154 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce presented the Board with a plaque commending their outstanding efforts in winning the JD Power Award. The plaque will be placed on display in the Board room.

Mr. Noce congratulated Board Treasurer, Joseph Rulison on being a recipient of Rochester Business Journal's Lifetime Achievement Award for showing longstanding financial leadership in the Rochester community.

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- #21-155** 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 Bellows to the title of Instrument/Control System Specialist, effective August 16, 2021 at Salary Schedule 3, Group 4.

On a motion made by Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution #21-155 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-156** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
- Promotional Appointment of Joseph Curley to the title of Electrical and Instrumentation Mechanic I, effective August 16, 2021 at Salary Schedule 4, Group 7.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-156 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-157** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
- Appointment of Michele Cleary to the title of Programmer Analyst, effective September 7, 2021 at Salary Schedule 3, Group 4.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut, the foregoing resolution #21-157 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #21-158, Mr. Trotta sought Board authorization to purchase tires and related services as needed for the Operations Department.

- #21-158** Authorize the as-needed purchase of various new **Tires and Related Services** for MCWA vehicles utilizing New York State Contract Group #30600, Award #PGB-23149 from vendor-awarded **Lewis General Tires, Inc.** for an estimated annual cost of \$100,000 through the contract period ending March 31, 2024.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut the foregoing resolution #21-158 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #21-159, Mr. Trotta addressed the Board for authorization in utilizing Monroe County Contract to purchase various Ford vehicle parts and supplies as needed for the maintenance and repair of Ford fleet vehicles.

- #21-159** Authorize the purchase of various **Ford Vehicle Parts and/or Supplies**, as needed for maintenance and repair of Water Authority vehicles utilizing Monroe County Contract #0601-17 (4700007408) from vendor-awarded **Emerling Ford, Inc.** for an estimated amount of \$20,000 through contract period ending July 31, 2022.

On a motion made by Mr. Bernstein, seconded by Mrs. Volpe, the foregoing resolution #21-159 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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For Item #21-160, Mr. Trotta requested Board authorization to purchase, utilizing New York State Contract, a new 2022 Ford F250 Super Duty XL four wheel drive with 6' ¾" standard box. Mr. Trotta informed the Board that the next three vehicles are the remaining 2021 budgeted replacement vehicles.

#21-160 Authorize the purchase of one (!) new **2022 Ford F250 Super Duty XL Four Wheel Drive with 6' ¾" Standard Box** through New York State Office of General Services (OGS) Vehicle Marketplace (Mini Bid), Group #40440, Award #23166, Mini-Bid #7516 from the low responsive, responsible bidder, **Van Bortel Ford, Inc.** in the amount of \$33,746.52.

On a motion made by Mr. Rulison, seconded by Ms. Van Vechten, the foregoing resolution #21-160 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #21-161, Mr. Trotta addressed the Board for authorization to purchase two (2) Conventional Day Cabs with 12' dump body. Mr. Trotta answered a follow up question from a Board member.

#21-161 Authorize the purchase of **two (2) new Unused Conventional Day Cabs with 12 foot Dump Body** from the low responsive, responsible bidder, **Regional Truck and Trailer** in the amount of \$248,740.00.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut, the foregoing resolution #21-161 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

For Item #21-162, Mr. Trotta sought the authorization from the Board to purchase one (1) new 2022 Ford F-450 XL, four wheel drive with regular cab, XL with Knapheide body utilizing the New York State Contract. Mr. Trotta explained a Knapheide body is a utility truck with bins on the sides of the truck bed for use by the valve and hydrant employees.

#21-162 Authorize the purchase of one (1) **New 2022 Ford F-450 XL Four Wheel Drive with Regular Cab, XL with Knapheide Body** through the New York State Office of General Services (OGS) Vehicle Marketplace (Mini-Bid), Group #40440, Award #23166, Mini-Bid #7550 from the low responsive, responsible bidder, **Eyer Ford, LLC** in the amount of \$72,569.68.

On a motion made Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-162 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

For Item #21-163, Mr. LaManna addressed the Board for authorization in the purchase of four new chemical metering pumps and appurtenances to retrofit ten existing chemical metering pumps. The new pumps will be installed at the Shoremont Water Treatment Plant as part of improvements to the sodium hydrochloride disinfection systems.

#21-163 Authorize the purchase of **four (4) New Chemical Metering Pumps and Appurtenances** from **Watson-Marlow, Inc.** for an estimated cost of \$64,500.00.

On a motion from Mr. Bernstein, seconded by Mr. Rulison, the forgoing resolution #21-163 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

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For Item 21-164, Mr. LaManna requested Board authorization to purchase of one (1) 500 horsepower motor for the Lee Road Booster Pump Station to replace a motor which had failed. Mr. LaManna summarized the bid results and explained Lee Road Booster Pump Station is one of the largest.

#21-164 Authorize the purchase of **One (1) 500 Horsepower Motor for Lee Road Booster Pump Station** to the low responsive, responsible bidder, **Pioneer Pump Systems, Inc.** in the amount of \$90,989.00.

On a motion from Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-164 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

For Item 21-165, Mr. Magguilli addressed the Board for authorization to purchase nine (9) new Dell Servers and associated equipment with a five-year warranty. The servers will replace nine existing servers nearing end-of-life and to enhance performance while providing greater system and system uptimes.

#21-165 Authorize the purchase of **Nine (9) New Dell Servers and Associated Equipment with a Five-Year Warranty** through New York State Contract (OGS), Group #73600, Award #22802, , Lot 2, Contract #PM20820 from **Mercury Networks** for an estimated amount of \$43,372.00.

On a motion from Mrs. Volpe, seconded by Mr. Rulison, the foregoing resolution #21-165 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

AUDIT COMMITTEE REPORT

Mr. Rulison gave a briefing on the Audit Committee meeting held on August 5, 2021 at 8:00 a.m., at which the item on the agenda was a discussion and review of the Banking Services RFP/Q. He stated that Amy Molinari, Director of Finance, gave an overview of the RFP/Q and the proposals which were submitted to the Authority. Following Ms. Molinari's review and the Committee's examination of the proposals, a motion was made by Ms. Volpe, seconded by Mr. Fero, and passed unanimously to recommend forwarding to the full Board for its approval of M&T Bank for Banking Services for the term of August 13, 2021 through August 12, 2024, renewable up to two additional one-year terms.

Mr. Rulison concluded his report by stating that the next Audit Committee meeting was confirmed for December 2, 2021, at 8:00 a.m. and that the minutes of the August 5th meeting are posted on the MCWA website.

#21-166 Upon recommendation of the Monroe County Water Authority's Audit Committee, authorize the Executive Director to enter into a Professional Services Agreement with **M&T Bank**, as proposed, to provide **Banking Services** for the term August 13, 2021 through August 12, 2024, renewable up to two additional one-year terms upon mutual agreement and in accordance with the terms of such firms' written proposal.

On a motion from Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-166 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

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- #21-167** 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. Bernstein, seconded by Ms. Van Vechten the foregoing resolution #21-167 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Items 21-168 & 21-169, Ms. Molinari addressed the Board in discussion with the 2nd Quarter Investment and 2nd Quarter Financial Reports, which were enclosed in packets of information on agenda items and distributed in advance of the meeting date for prior review.

- #21-168** Approve the Authority's 2nd **Quarter Investment Report** for the period ending June 30, 2021, as presented.

On a motion from Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-168 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

- #21-169** Approve the Authority's 2nd **Quarter Financial Report** for the period ending June 30, 2021, as presented.

On a motion from Mr. Hurlbut, seconded by Mr. Bernstein, the foregoing resolution #21-169 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

EXECUTIVE SESSION

- #21-ES** 09:53 a.m. – Chairman Nasca requested a motion to enter Executive Session pursuant to Section 105(1)(d) of the New York Public Officers Law in order to discuss proposed, pending or current litigation.

Moved by Mr. Rulison, seconded by Mr. Hurlbut, and put to a roll call vote, the Board unanimously agreed to enter Executive Session. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS 0

10:05 a.m. – Motion to conclude Executive Session: Moved by Mr. Rulison, seconded by Mr. Hurlbut, the Board upon voice vote unanimously agreed to conclude Executive Session.

Chairman Nasca called this Regular Meeting back into open session with formal action taken in adding Resolution ES#21-170

- ES#21-170** WHEREAS, on June 18, 2020, a complainant ("Complainant") filed a complaint charging the Monroe County Water Authority ("Authority") and co-respondent

(together, “Respondents”) therein with an unlawful practice relating to employment in violation of New York State law (“Claim”); and

WHEREAS, the parties wish to settle the Claim with no admission of violation by Respondents for the nominal settlement payment of \$25,000 pursuant to a Stipulation of Settlement, and further wish to executed a Nondisclosure Agreement concerning the Claim, Stipulation of Settlement, and settlement payment; and

WHEREAS, the Members of the Authority have determined that the Stipulation of Settlement and Nondisclosure Agreement, and the making of the settlement payment, are in the best interests of the Authority.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Members of the Authority hereby approve the terms of the Stipulation of Settlement and Nondisclosure Agreement.
2. The Members of the Authority hereby ratify all actions of the Members, officers and agents of the Authority taken on behalf of the Authority with respect to the negotiation and consummation of the Stipulation of Settlement and Nondisclosure Agreement.
3. The Members of the Authority hereby authorize the Chairperson of the Authority to execute the Stipulation of Settlement and Nondisclosure Agreement on behalf of the Authority and to execute all accompanying documentation as may be required to implement the same.
4. The Members of the Authority hereby authorize and approve payment to the Claimant in the amount of \$25,000 in full satisfaction of the Claim and with no admission of violation.
5. The 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 officer so acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Authority with all of the provisions of the foregoing resolutions.

On a motion from Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution ES#21-170 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison), NAYS: 0

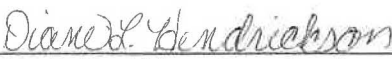
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In Board folders for review:

- Routine monthly informational updates

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There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 10:15 a.m.



Diane L. Hendrickson, Recording Secretary



Scott D. Nasca, Chairman