

## MINUTES

**MONROE COUNTY WATER AUTHORITY  
REGULAR MEETING  
THURSDAY, October 14, 2021 @ 9:30 a.m.  
Main Conference 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 (7):** S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison

**Staff present:** N. Noce, Executive Director; L. Magguilli, Assistant to the 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. Naugle, Production Engineer, Kerry Sharp, Communication Aide

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

**Others Present:** Steven DePerrior, Burke Group, Mike Merola and Carl Chidlow, Winning Strategies Washington (WSW), Jack O'Donnell, O'Donnell & Associates

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

**#21-191** Approve minutes of the Authority's Regular Meeting held on September 9, 2021.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #21-191 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

**#21-192** Approve list of disbursements on check registers dated September 1, September 8, September 15, September 22, and September 29, 2021, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-192 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

**#21-193** Accept Purchase Order List of materials and supplies for the period September 1 through October 1, 2021 in the amount of \$1,331,057.10.

On a motion made by Mr. Fero, seconded Mrs. Van Vechten, the foregoing resolution #21-193 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

## **COMMUNICATIONS/NOTIFICATIONS**

Mike Merola and Carl Childlow from the Federal Government relations and grant procurement firm, Winning Strategies Washington (WSW) and Jack O'Donnell, O'Donnell & Associates, gave Board members a presentation on federal policy and funding. WSW outlined MCWA's federal agenda, described its strategies and tactics, discussed the New York State agenda and answered questions posed by Board members.

Mr. Noce noted that the Authority will be soliciting RFQs for service line material inventory preparation assistance. The RFQ will be posted on the website.

Mr. Noce informed Board members that packets containing Authority financials through August 2021 and employee separations were included in their folders.

- #21-194** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
- Appointment of Heather Heckman to the position of Senior Office Account Clerk effective November 1, 2021, at Salary Schedule 5, Group 3.

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #21-194 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-195** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
- Appointment of Christopher Berry to the position of Utility Worker effective November 3, 2021, at Salary Schedule 4, Group 3.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-195 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-196** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
- Appointment of Frederick Amacher to the position of Electrical/Instrumentation Mechanic III effective November 1, 2021, at Salary Schedule 4, Group 3.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-196 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-197** 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 Charella to the position of Heavy Motor Equipment Operator effective October 18, 2021, at Salary Schedule 4, Group 6.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #21-197 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-198** 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 Loughborough to the position of Heavy Motor Equipment Operator effective October 18, 2021, at Salary Schedule 4, Group 6.

On a motion made by Mr. Hurlbut, seconded by Mr. Bernstein, the foregoing resolution #21-198 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-199** 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 position of Construction Inspector effective October 18, 2021, at Salary Schedule 5, Group 3.

On a motion made by Mrs. Volpe seconded by Mr. Rulison, the foregoing resolution #21-199 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #21-200** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Title Change of David Katerle to the position of Utility Worker effective September 13, 2021, at Salary Schedule 4, Group 3.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #21-200 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-201**, Mr. Trotta sought Board authorization in awarding a unit price contract for pipe couplings used for water main repairs and adjustments. He stated that Blair Supply was the low responsive, responsible bidder.

- #21-201** Authorize the award of a unit price contract for **pipe couplings** from the low responsive, responsible bidder, **Blair Supply** in the bid amount of \$56,881. This is a one year contract with option to extend for up to four additional one year terms upon mutual consent. Bid amount is based on annual estimated quantities and items will be purchased as needed.

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #21-201 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. VanVechten, J. Rulison); NAYS: 0

**For Item #21-202**, Mr. Savage addressed the Board for authorization in awarding a unit price contract for clearing and grubbing on Walker Road in the Town of Pavilion in preparation for an upcoming tank project. Mr. Savage outlined the project, showing a map of the area, and answered a follow-up question posed by a Board member.

- #21-202** Authorize the award of a unit price contract for the **Walker Road Clearing and Grubbing** project contract to the low responsive, responsible bidder, **F.P. Kane Construction** in the bid amount of \$91,000.

On a motion made by Mr. Rulison, seconded by Mr. Rulison, the foregoing resolution #21-201 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. VanVechten, J. Rulison); NAYS: 0

**For Item #21-203**, Mr. Savage requested Board authorization in awarding a unit price contract for the Trabold Road water main replacement. He recapped the bid results and stated Blue Heron was the low responsive, responsible bidder.

- #21-203** Authorize the award of a unit price contract for the **Trabold Road Water Main Replacement**, to the low, responsive, responsible bidder, **Blue Heron Construction Co., LLC** in the bid amount of \$831,470.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #21-203 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-204**, Mr. Savage briefed the Board for authorization of an agreement with the New York State Department of Transportation permitting their contractor to adjust valve boxes to complete road reconstruction work in the Town of Chili. Mr. Savage stated that the work will be completed at no cost to the Authority.

**#21-204** WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **NY-33A from NY-252 to NY-204, Town of Chili, Monroe County, P.I.N. 4033.75.301**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the **adjustment of 12 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.

On a motion made by Mr. Rulison, seconded by Ms. Van Vechten, the foregoing resolution #21-204 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-205**, Mr. Savage sought authorization from the Board for the Executive Director to enter into any and all agreements with the New York State Department of Transportation for their Pedestrian Safety Action Plan project in the Village of Pittsford. Mr. Savage provided an overview of the project and explained that all work will be completed by the NYSDOT contractor, at no cost to the Authority.

**#21-205** Authorize the Executive Director to enter into any and all agreements with the **New York State Department of Transportation** for the **Pedestrian Safety Action Plan-Phase II Improvements at NY-96 and NY-31, Village of Pittsford, Monroe County (P.I.N. 40PS02.301)**

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #21-205 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-206**, Mr. LaManna requested Board authorization to purchase Industrial and Commercial supplies and equipment for MSC Industrial Supply Company utilizing New York State Contract Group. He stated that MCWA has used the vendor in the past and they have proven reliable.

**#21-206** Authorize the purchase of **Industrial and Commercial Supplies and Equipment**, to be ordered as needed, utilizing New York State Contract Group #39000, Award #22918, Contract #PC67234, from **MSC Industrial Supply Company**, for an estimated total annual cost of \$12,000 through the contract period ending September 30, 2022.

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #21-206 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-207**, Mr. LaManna briefed the Board for authorization in purchasing industrial and commercial supplies and equipment not covered under the New York State Contract from MSC Industrial Supply Company on an as needed basis for a one year term.

**#21-207** Authorize a Blanket Purchase Order for the purchase of **Industrial and Commercial Supplies and Equipment** not included on New York State Contract, to be ordered as needed from **MSC Industrial Supply Company**, for an estimated total cost of \$8,000 for the term ending September 30, 2022.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #21-207 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-208**, Ms. Molinari sought Board authorization in executing a Water Exchange Renewal Agreement with the Town of Ontario for the purchase of water at the existing meter vaults on Boston and Whitney Roads.

**#21-208** Authorize the execution of a Water Exchange Renewal Agreement with the **Town of Ontario, New York**, for the purchase of water at the existing meter vaults on Boston and Whitney Roads. The Agreement will be for a term of two (2) years.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-208 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**For Item #21-209**, Ms. Molinari addressed the Board for authorization to enter into a Professional Services Agreement with Jefferson Actuarial Services to provide actuarial services to the Authority. Ms. Molinari stated that the Authority received six proposals in response to the issued RFP and she answered follow-up questions posed by Board members.

**#21-209** Authorize to enter into a Professional Services Agreement with **Jefferson Solutions, Inc.**, as proposed, to provide Actuarial Services for fiscal years ending December 31, 2021, 2022, and 2023, renewable up to two additional one-year terms upon mutual agreement and in accordance with the terms of such firm's written proposal.

On a motion made by Mr. Fero, seconded by Mr. Bernstein, the foregoing resolution #21-209 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

#### **FINANCE COMMITTEE REPORT – Presented by Mr. Hurlbut, Committee Chairman**

Mr. Hurlbut gave a briefing on the Finance Committee meeting held Thursday, October 7, at 8:00 a.m., at which time the first item was a review of the 2022 Budget. 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 2022 Budget, as presented, by the full Board at the October 14, 2021 Regular Meeting.

Mr. Hurlbut concluded his reporting by stating that the Committee confirmed its next meeting, which is scheduled for November 4, 2020, at 8:00 a.m., and that minutes of the October 7 meeting are posted on the MCWA website.

**For Item #21-210**, Ms. Molinari responded to a follow-up question posed by a Board Member regarding the proposed budget. The 2022 budget information was previously presented to the Finance Committee and discussed with the Board members at budget workshops held in September 2021.

**#21-210** RESOLVED: That the **Authority's Preliminary Budget** for the calendar year 2022 totaling \$84,421,935 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 2022.

On a motion made by Mr. Fero, seconded by Mrs. Volpe, the foregoing resolution #21-210 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-211** 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 Conflicts of Interest Policies.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #21-211 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

#### **COMPENSATION COMMITTEE REPORT – Presented by Mr. Fero, Chairperson**

Mr. Fero gave a briefing on the Compensation Committee meeting held Thursday, October 7, at 8:30 a.m. For the first item on the agenda, Mr. Fero requested a motion to enter into Executive Session pursuant to Section 105 (1)(f) to discuss the Executive Director's annual performance appraisal timeline and compensation analysis for the Executive Director and the Executive staff. No formal action was taken.

Mr. Fero concluded his reporting by stating that the committee confirmed its next meeting, which is scheduled for Thursday, December 2, 2021 at 9:00 a.m., and the minutes of the October 7 meeting are posted on the MCWA website.

**GOVERNANCE COMMITTEE REPORT – Presented by Mrs. Volpe, Chairperson**

Mrs. Volpe gave a briefing on the Governance Committee meeting held Thursday, October 7, at 9:00 a.m. She reported that all items on the Agenda were Water Authority policies needing review and re-adoption. Ms. Hendrickson gave a brief description of each policy, all of which were previously reviewed by Executive Staff and recommended for re-adoption with only minor revisions to the Disposal Guidelines. They are: The Conflicts of Interest Policy; Code of Ethics Policy; Software Code of Ethics Policy; Disposal Guidelines; Policy Regarding the Acquisition of Interests in Real Property; and Policy Governing the Use of Authority Discretionary Funds. She stated that Committee members voted unanimously to re-adopt these policies, as presented, and forward to the full Board for approval at the October 14 meeting.

Mrs. Volpe concluded her reporting by stating that the Committee confirmed its next meeting, scheduled for Thursday, December 2, 2021 at 8:30 a.m. and that minutes of the October 7 Governance Committee meeting are posted on the MCWA website.

**#21-212** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby readopts the **Conflicts of Interest Policy**, as presented.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #21-212 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-213** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby readopts the **Code of Ethics Policy**, as presented.

On a motion made by Mr. Bernstein, seconded by Mrs. Volpe, the foregoing resolution #21-213 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-214** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby readopts the **Policy Governing the Use of Authority Discretionary Funds**, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #21-214 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, m. Van Vechten, J. Rulison); NAYS: 0

**#21-215** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby readopts the **Policy Regarding the Acquisition of Interests in Real Property**, as presented.

On a motion made by Ms. Volpe, seconded by Mrs. Van Vechten the foregoing resolution #21-215 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-216** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby adopts the revised **Disposal Guidelines**, as presented.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-216 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**#21-217** Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby readopts the **Software Code of Ethics Policy**, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #21-217 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

**In Board folders for review:**

- Proposed Recipients of RFQ/P for Service Line Material Inventory Preparation Assistance.
- 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 10:45 a.m.

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Diane L. Hendrickson, Recording Secretary

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Scott D. Nasca, Chairman