

MINUTES

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
WEDNESDAY, November 10, 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 (5): S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison

Absent: R. Hurlbut, A. Bernstein

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; Kerry Sharp, Communication Aide

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

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

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

#21-218 Approve minutes of the Authority's Regular Meeting held on October 14, 2021.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #21-218 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#21-219 Approve list of disbursements on check registers dated October 6, October 13, October 20, and October 27, 2021, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #21-219 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#21-220 Accept Purchase Order List of materials and supplies for the period October 1 through October 29, 2021 in the amount of \$187,534.29.

On a motion made by Mrs. Van Vechten, seconded Mr. Rulison, the foregoing resolution #21-220 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce informed the Board of an employee separation memo included in their folders.

Mr. Noce noted that the Authority will be soliciting RFQ/P's for laboratory analytical services. The proposal will be posted on the website.

Mr. Noce directed the Board members' attention to proposed Board meeting dates for 2022. A resolution to establish the schedule will appear on the December Board meeting agenda.

#21-221

RESOLUTION #21-221
EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD
TO JAMES B. SPADA UPON HIS RETIREMENT

WHEREAS, James B. Spada, a longtime employee of the Water Authority,
has retired as of October 24, 2021; and

WHEREAS, James B. Spada is a highly skilled and knowledgeable 18+ year
veteran of the Water Authority; and

WHEREAS, James B. Spada 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
James B. Spada, MCWA Retiree.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #21-221 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

#21-222

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

Promotional Appointment of Laurel Neff to the position of Senior Accountant effective November 15, 2021, at Salary Schedule 3, Group 4.

On a motion made by Mr. Fero, seconded by Mrs. Van Vechten, the foregoing resolution #21-222 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

For Item #21-223, Mr. LaManna sought Board authorization for a commodity purchase order from Milton Caterpillar for the purchase of repair parts, services and diagnostic software for repairs and maintenance of the Authority's Caterpillar Inc. (CAT) emergency generator equipment. The Authority currently operates and maintains CAT generators at its treatment plants and booster pump stations to maintain system operations during power outages.

#21-223

Authorize a Commodity Purchase Order for the purchase of repair parts, services, and diagnostic software for the Authority's **Caterpillar, Inc.** emergency electric power generator equipment from **Milton-CAT** at the quoted unit prices, on an as-needed basis, for an estimated total cost of \$20,000 per contract term. The initial term is November 11, 2021 through September 30, 2022, which can be extended for two additional one-year terms upon mutual request.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #21-223 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

For Item #21-224, Mr. LaManna addressed the Board for authorization for a blanket purchase order for industrial commercial supplies and equipment from W.W. Grainger, Inc. for items not included on the New York State Contract. Mr. LaManna answered a follow up question posed by a Board member.

- #21-224** 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 **W.W. Grainger, Inc.**, for an estimated total cost of \$25,000 for a one-year term beginning December 10, 2021 through December 9, 2022.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #21-224 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

For Item #21-225, 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 and relocate a hydrant to complete repaving work in the Village of Pittsford. Mr. Savage stated that the work will be completed at no expense to the Authority.

- #21-225** WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **NY-31, NY-96, NY64 Pavement Rehabilitation, Town and Village of Pittsford, Monroe County, P.I.N. 4031.08.321**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project, **the verification of location or relocation of approximately one hydrant, and adjustment of approximately 58 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 Mrs. Van Vechten, the foregoing resolution #21-225 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

- #21-226** 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. Rulison seconded by Mrs. Van Vechten, the foregoing resolution #21-226 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

For Items #21-227 and #21-228, Ms. Molinari addressed the Board regarding the Authority's 3rd Quarter Investment and Financial reports for the period ending September 30, 2021. Ms. Molinari discussed each report, copies of which were also enclosed in Board member's packets and distributed in advance of the meeting date for their prior review. Ms. Molinari responded to a question from a Board member.

#21-227 Approve the Authority's 3rd **Quarter Investment Report** for the period ending September 30, 2021, as presented.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #21-227 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

#21-228 Approve the Authority's 3rd **Quarter Financial Report** for the period ending September 30, 2021, as presented.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #21-228 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

FINANCE COMMITTEE REPORT – Presented by Mrs. Van Vechten

Mrs. Van Vechten briefed the Board on the Finance Committee meeting held November 4, 2021, at which time the first item before the Committee was the review of the proposed 2022 Water Rates Schedule. She reported that Director of Finance, Amy Molinari, gave a detailed presentation of the proposed rates and responded to questions posed by Committee members. Following Ms. Molinari's review and some discussion, the Committee unanimously agreed to recommend approval of the 2022 Water Rates, as presented, by the full Board at their November Regular Meeting.

Mrs. Van Vechten continued her reporting by stating that the next item was the re-adoption of the Debt Management Policy. She said that Ms. Molinari stated that the annual review of this policy had been performed, and it was determined no changes are recommended at this time. Following some discussion, the Committee unanimously agreed to recommend re-adoption of the Debt Management Policy by the full Board at the November Regular Meeting.

Mrs. Van Vechten reported that the Finance Committee scheduled its meetings for 2022 on October 6th and November 3rd both to commence at 8:00 a.m., and concluded her reporting by stating that minutes of the Finance Committee's November 4th meeting are posted on the MCWA website.

For Items #21-229 and #21-230, Ms. Molinari gave the Board an overview of the proposed changes to the MCWA 2022 Water Rates Schedule, provided notification of the upcoming Public Information meeting pertaining to the 2022 Water Rates, and welcomed any questions from the Board members.

#21-229 **Approve an amendment to the Authority's Rules for the Sale of Water and the Collection of Rents and Charges effective January 1, 2022** 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*, twice in the *Batavia Daily News*, and once in the *Post Newspapers*; and filed in the Monroe County Clerk's office.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #21-229 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

#21-230 WHEREAS, the Monroe County Water Authority has adopted a water rate schedule effective January 1, 2022, 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 1, 2021 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.

On a motion made by Mr. Rulison, seconded by Ms. Van Vechten, the foregoing resolution #21-230 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

For Item #21-231, Ms. Molinari noted that there were no changes to the Debt Management Policy

#21-231 Upon recommendation of the Monroe County Water Authority's Finance Committee, the Board hereby re-adopts the **Debt Management Policy**, as presented.

On a motion made by Mr. Fero, seconded by Mrs. Volpe, the foregoing resolution #21-231 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

#21-ES 9:45 a.m. Chairman Nasca requested a motion to enter Executive Session pursuant to Section 105(l)(f) of the New York Public Officers Law in order to discuss the performance evaluation of a particular employee. Moved by Mr. Rulison, seconded by Mr. Fero, and put to a roll call vote, the Board Members unanimously agreed to enter Executive Session. AYES: 5 (S. Nasca, S. Volpe, M. Fero, M. Van Vechten, J. Rulison); NAYS: 0

10:00 a.m. Motion to conclude Executive Session: Moved by Mr. Rulison, seconded by Mr. Fero, the Board unanimously agreed to conclude Executive Session. Chairman Nasca called this Regular Meeting back in open session. No formal action was taken.

In Board folders for review:

- Proposed Recipients of RFQ/P for Laboratory Analytical Services
- Proposed 2022 Board meeting dates.
- 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 10:05 a.m.



Diane L. Hendrickson, Recording Secretary



Scott D. Nasca, Chairman