

MINUTES

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, March 10, 2022 @ 9:00 a.m.
Board Room
General Offices, 475 Norris Drive, Rochester, New York**

9:00 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, A. Bernstein (Arrived at 9:18 a.m.), M. Van Vechten, J. Rulison

Members Absent (1): R. Hurlbut

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, K. Sharp, Communications Aide

General Counsel present: Andrew Dean, Esq. – 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

#22-028 Approve minutes of the Authority's Regular Meeting held on February 10, 2022.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #22-028 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#22-029 Approve list of disbursements on check registers dated February 2, February 9, February 16, and February 23, 2022, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #22-029 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#22-030 Accept Purchase Order List of materials and supplies for the period February 2, 2022 through February 28, 2022 in the amount of \$936,026.83.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #22-030 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce informed the Board that RFP/Q's will be solicited for a new rate consultant and surveying services.

Mr. Noce reported that the Monroe County Legislature, during their March 8th meeting, re-appointed Matt Fero to the Monroe County Water Authority Board of Directors. In addition, the Legislature appointed Ms. Sheila Mason to the Board of Directors.

#22-031

RESOLUTION #22-031

**EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD
TO KATHLEEN R. KELLY UPON HER RETIREMENT**

***WHEREAS,** Kathleen R. Kelly, a longtime employee of the Water Authority,
has retired as of February 25, 2022; and*

***WHEREAS,** Kathleen R. Kelly is a highly skilled and knowledgeable 25 year
veteran of the Water Authority; and*

***WHEREAS,** Kathleen R. Kelly 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
Kathleen R. Kelly, MCWA Retiree.*

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #22-031 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

#22-032 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Joseph Attili to the title of Laborer, effective March 14, 2022, at an hourly rate of \$18.73.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #22-032 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

#22-033 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Timothy Stevens to the title of Senior Project Engineer – Water Distribution, effective March 14, 2022 at an annual salary of \$92,602.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #22-033 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

#22-034 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Promotion of Phillip Baglio to the title of Skilled Laborer, effective March 14, 2022 at an hourly rate of \$23.88

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #22-034 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

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For Item #22-035, Mr. LaManna sought Board authorization of a unit price contract for liquid aluminum sulfate to be used in the water treatment process at the Shoremont and Webster water treatment plants. He recapped the bid results and stated that this is the Authority's current supplier. Mr. LaManna answered follow-up questions posed by Board members.

#22-035 Authorize the award of the **Liquid Aluminum Sulfate** unit price contract to the low responsive, responsible bidder, **Chemtrade Chemicals US LLC** for the bid amount of \$192,000.00 (\$320.00/dry ton) with the option to extend the contract for up to four additional one-year terms upon mutual consent.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #22-035 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 #22-036, Mr. LaManna addressed the Board for authorization of a commodity purchase order for the as-needed purchase of microbiological testing products. He stated that the vendor is a leader in the market.

#22-036 Authorize a commodity purchase order for the purchase of **microbiological testing products** from **IDEXX Distribution, Inc.**, to be ordered as needed, at the unit prices proposed for an estimated amount of \$125,000 for a term not to exceed two years, beginning April 1, 2022 through March 31, 2024.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #22-036 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 #22-037, Mr. LaManna briefed the Board for authorization in the purchase of seven small generators and appurtenant equipment to provide backup power for pump operation and SCADA communications at multiple remote sites. He stated this purchase will be completed utilizing the New York State Contract.

#22-037 Authorize the purchase of **seven generators and appurtenant equipment** from **Better Power, Inc.** utilizing New York State Contract Group #38232, Award #23173, Contract #PC69013 for an estimated total cost of \$35,000.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #22-037 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 #22-38, Mr. Savage requested Board authorization for a unit price contract for the rehabilitation and concrete roof coating of the five-million gallon Lee Road East water storage tank. He informed the Board that seven bids were received and Utility Service Co. Inc. was the low responsive, responsible bidder. Mr. Savage noted that there may be delays due to supply chain issues surrounding the coating and materials.

#22-038 Authorize the award of a unit price contract for the **Lee Road East Tank Rehabilitation and Concrete Roof Coating** project to the low responsive, responsible bidder, **Utility Service Co., Inc.** in the bid amount of \$1,834,800.

On a motion made by Mr. Fero, seconded by Mrs. Van Vechten, the foregoing resolution #22-038 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 #22-039, Mr. Savage addressed the Board for authorization for a unit price contract for water main replacement on VanVoorhis Road and Mendon-Ionia Road in the towns of Pittsford

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and Mendon. Mr. Savage noted that we have worked with this vendor in the past and they have proven reliable.

#22-039 Authorize the award of a unit price contract for the **Van Voorhis Road and Mendon-Ionia Road Water Main Replacements Project** contract to the low responsive, responsible bidder, **Nardoizzi Paving & Construction, LLC** in the bid amount of \$854,815.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #22-039 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 #22-040, Mr. Savage sought authorization from the Board to approve a payment to Elmwood Terrace Townhouses Owner KofP LLC for a permanent easement at their property. Mr. Savage displayed a visual map and explained the scope of the project, stating the easement is necessary to replace an existing water main with a high break frequency.

#22-040 Authorize the Monroe County Water Authority to make a payment in the amount of \$29,036 to **Elmwood Terrace Townhouses Owner KofP LLC** for a permanent easement at their property located in the town of Brighton.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #22-040 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

AUDIT COMMITTEE REPORT – Presented by Mr. Rulison, Committee Chair

Mr. Rulison gave a briefing on the Audit Committee meeting held on March 1, 2022 at 8:00 a.m., at which the first item on the agenda was a review of the 2021 Audited Financial Statements. Mr. Rulison reported that Tom Smith from EFPR Group reviewed their letter of findings, and stated there were no sensitive disclosures or misstatements affecting the financial statements and, therefore, no Management Letter is being issued. Furthermore, it was a clean, unqualified audit, and Mr. Smith commended Amy Molinari and the Authority's accounting staff. Mr. Rulison continued, reporting that Tom Smith from EFPR Group presented a thorough review of the financial statements for year ended December 31, 2021 and following the review and discussion, the Audit Committee voted unanimously to approve the financial statements and to forward to the full Board for approval.

Mr. Rulison continued with the next item, which was a review of the annual 2021 Investment Audit, for which EFPR Group conducted an audit of the Authority's investments for 2021, as required by the State Comptroller's Office, to confirm compliance with applicable laws and the Authority's investment policies, and stating the Authority was in compliance in all material aspects. The Audit Committee voted unanimously to approve as presented and forward to the full Board for its approval.

Mr. Rulison continued his reporting with the third agenda item, which was a review of the 2021 Annual Investment Report, stating that Ms. Molinari had given the Committee an in-depth review and responded to their follow-up questions. The Committee voted unanimously to approve the Report, as presented, and forward to the full Board for approval. Mr. Rulison said that following Ms. Molinari's review of the Investment Report, he informed the Committee that our Annual Statement of Investment Policy had been reviewed and no changes were recommended. The Committee voted unanimously to re-adopt this policy and forward to the full Board for re-adoption at its Annual Meeting in April.

Mr. Rulison stated that the next item brought before the Committee was a review of the Assessment of the Effectiveness of Internal Controls for year ended December 31, 2021. He said that Ms. Molinari explained the procedure for the review and indicated that the 2021 assessment found the Authority has sufficient controls protecting assets. The Committee voted unanimously to approve the Review, as presented, and forward to the full Board for approval.

Mr. Rulison concluded his briefing by mentioning the next meeting date of the Audit Committee is set for May 5, 2022 at 8:00 a.m. and that minutes of the March 1st meeting were posted on the MCWA's website.

For Item #22-041 and #22-042, Ms. Molinari introduced Mr. Douglas Zimmerman of EFPR Group. Mr. Zimmerman gave the Board an overview of the 2021 Audited Financial Statements and 2021 Investment Audit, reiterating that the Authority complied in all material respects with the standards established by the American Institute of Certified Public Accountants and in

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compliance with the rules and regulations of New York State relating to investments. They found no material weaknesses or significant deficiencies in the Authority's internal controls over financial reporting or in the Authority's compliance with certain provisions of laws, regulations, contracts, and grant agreements. It was a clean audit.

- #22-041** Upon consideration and recommendation of the Monroe County Water Authority's Audit Committee, the Board hereby approves the **2021 Annual Financial Statements** as audited by EFPR Group, LLP.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #22-041 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #22-042** Upon recommendation of the Monroe County Water Authority's Audit Committee, the Board hereby approves the **2021 Annual Investment Audit** as performed by EFPR Group, LLP.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #22-042 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #22-043, Ms. Molinari addressed the Board in summary of the 2021 Annual Investment Report, which had been provided for their prior review. She stated that 2021 was a challenging year for investments and they are hopeful 2022 will bring increased earnings.

- #22-043** Upon recommendation of the Monroe County Water Authority's Audit Committee, the Board hereby approves the **2021 Annual Investment Report** as directed under Title 7, Section 2925 of the Public Authorities Law, issued under the *Annual Statement of Investment Policy* in effect through December 31, 2021.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #22-043 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #22-044, Ms. Molinari briefed the Board on this annual review and the Management's Assessment of the Effectiveness of Internal Control Structure and Procedures. She reported that the review found there were no inordinate risks to the Authority's assets or operations and the Authority is in compliance with the New York State Authorities Budget Office regulations.

- #22-044** Upon recommendation of the Monroe County Water Authority's Audit Committee, the Board hereby approves **Management's Assessment of the Effectiveness of Internal Control Structure and Procedures**, as presented on this date.

On a motion made by Mr. Rulison, seconded by Mr. Fero, the foregoing resolution #22-044 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

- #22-045** 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

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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 Mr. Rulison, the foregoing resolution #22-045 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

GOVERNANCE COMMITTEE REPORT – Presented by Mrs. Volpe, Committee Chair

Mrs. Volpe gave a briefing on the Governance Committee meeting held on March 1, 2022 at 8:30 a.m., at which the first item before the Committee was the review and re-adoption of the Water Authority's Mission Statement. Mrs. Volpe informed the Committee that based on their review of the Statement, Executive Staff recommended no revisions. The Committee then voted unanimously to re-adopt the Mission Statement, as presented, and to forward to the full Board for re-adoption.

Mrs. Volpe continued her reporting by stating that Mr. LaManna gave a detailed review of the *Report on 2021 Performance Measurements*, which was prepared by Mr. LaManna, Director of Production & Transmission. Following the review, the Committee voted unanimously to accept the Report and to forward to the full Board for acceptance.

She reported that the next item on the Agenda was the review of the *2022 ABO Performance Measurements*, also prepared by Mr. LaManna. She stated that Mr. LaManna informed the Committee that the New York State Authorities Budget Office requires the Authority establish a set of performance measures to allow the Authority to determine how well it is carrying out its mission and to revisit the appropriateness of such measurements each year. Measurements for 2022 are unchanged from the prior year. Mrs. Volpe stated that following the review, the Committee voted unanimously to adopt the Report, as presented, and to forward to the full Board for adoption.

Mrs. Volpe concluded her reporting by stating that the next Governance Committee meeting is slated for June 2, 2022, at 8:30 a.m. and that minutes of the March 1st meeting are posted on the MCWA website.

#22-046 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby re-adopts MCWA's **Mission Statement**, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #22-046 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

#22-047 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby accepts the **Report on 2021 Performance Measures**, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #22-047 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

#22-048 Upon recommendation of the Monroe County Water Authority's Governance Committee, the Board hereby adopts **Performance Measurements for 2022**, as presented.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #22-048 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

In Board folders for review:

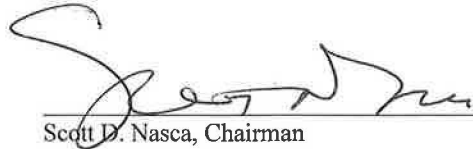
- Routine monthly informational updates

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- There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 9:35 a.m.



Diane L. Hendrickson, Recording Secretary



Scott D. Nasca, Chairman