

MINUTES

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, October 12, 2023 @ 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 (5): S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison

Absent: M. Fero, S. Mason

Staff present: N. Noce, Executive Director; D. Hendrickson, Director of Human Resources; L. Magguilli, Deputy 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

General Counsel present: Megan Dorritie – Harter, Secrest & Emery

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

#23-178 Approve minutes of the Authority's Regular Meeting held on September 14, 2023.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #23-178 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#23-179 Approve list of disbursements on check registers dated September 6, September 13, September 20, and September 27, 2023, which were forwarded to the Authority Members for their review.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #23-179 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

#23-180 Accept Purchase Order List of materials and supplies for the period September 2, 2023 through September 29, 2023 in the amount of \$365,299.33.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #23-180 was put to a voice vote and unanimously carried. AYES: 5; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce informed the Board that their folders contain an RFP for a video management system, and a RFP/Q for structural and coding consulting services. He noted that the outstanding claims report and financial reports are also included.

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#23-181

RESOLUTION #23-181
EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD
TO MICHAEL P. DINAPOLI UPON HIS RETIREMENT

WHEREAS, Michael P. DiNapoli, a longtime employee of the Water Authority, has retired as of September 20, 2023; and

WHEREAS, Michael P. DiNapoli is a highly skilled and knowledgeable 35 year veteran of the Water Authority; and

WHEREAS, Michael P. DiNapoli 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

Michael P. DiNapoli, MCWA Retiree.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #23-181 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

#23-182 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Anthony Stadnyk to the title of Utility Worker, effective October 16, 2023 at an hourly rate of \$33.13.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #23-182 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

#23-183 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Hasaan Curry to the title of Laborer, effective October 16, 2023 at an hourly rate of \$19.67.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #23-183 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-184, Mr. Trotta requested Board authorization in awarding a unit price contract for pipe couplings used for the repair, relocation and installation of water mains throughout the distribution system. Mr. Trotta recapped the bid results and stated that the Water Authority has successfully done business with this vendor in the past.

#23-184 Authorize the award of a unit price contract for **pipe couplings** from the low responsive, responsible bidder, **Ferguson Waterworks** in the bid amount of \$80,204.91. This is a one year contract with the option to extend up to four additional one-year terms upon mutual consent. Bid amount is based on estimated quantities and will be purchased as needed.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #23-184 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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For Item #23-185, Mr. Savage sought authorization from the Board in awarding a unit price contract for the rehabilitation and recoating of the one million gallon West Webster water storage tank. He informed the Board that four bids were received and Amstar of Western New York, Inc. was the low, responsive, responsible bidder. He stated that the Water Authority has successfully worked with this vendor in the past.

#23-185 Authorize the award of a unit price contract for the **West Webster Tank Rehabilitation** project to the low responsive, responsible bidder, **Amstar of Western New York, Inc.** in the bid amount of \$838,000.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #23-185 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-186, Mr. Savage briefed the Board for authorization in entering into an agreement with the New York State Department of Transportation to allow their contractors to relocate water facilities necessary for the Department of Transportation to complete construction work on Route 31 from Route 19 to Transit Way in the Town of Sweden. This includes the relocation of two water services and two hydrants, along with adjustments to approximately nine water valve box elevations, two hydrant elevations and one manhole elevation. Mr. Savage noted that this work will be performed at no cost to the Authority.

#23-186 WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **Route 31 from Route 19 to Transit Way, Town of Sweden, Monroe County, P.I.N. 4031.73**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the relocation of approximately **two (2) water services, two (2) hydrants and adjust approximately nine (9) water valve box elevations, two (2) hydrant elevation and one (1) manhole elevation**, 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.

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On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #23-186 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-187, Mr. Savage requested authorization from the Board to enter into an agreement with the New York State Department of Transportation to authorize their contractors to relocate one water main and one water service necessary to complete work on Route 250 for the bridge replacement over Thomas Creek in the Village of Fairport. He stated that this work will be performed at no cost to the Authority.

#23-187 WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **Route 250 over Thomas Creek Bridge Replacement, Monroe County, P.I.N. 4250.11**, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the relocation of approximately **one (1) water main and approximately one (1) water service**, 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 #23-187 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-188, Mr. Savage addressed the Board for authorization in entering into an agreement with the New York State Department of Transportation to allow their contractors to remove one abandoned water valve box and make adjustments to water system facilities as necessary to complete work on Route 104 from Lake Avenue to Culver Road in the City of Rochester. Mr. Savage stated that this work will be performed at no cost to the Authority.

#23-188 WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of **Route 104 from Lake Avenue to Culver Road, City of Rochester, Monroe County, P.I.N. 4104.90**, and

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WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project to **remove approximately one (1) abandoned water valve box**, 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. Bernstein, seconded by Mr. Rulison, the foregoing resolution #23-188 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-189, 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. She stated revenues are expected to be approximately \$17,000.

#23-189 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 Mr. Bernstein, the foregoing resolution #23-189 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-190, Ms. Molinari requested Board authorization to utilize the New York State contract for the second phase of upgrades to the Authority's card readers. She explained that the first phase focused primarily on the replacement of external card readers, and this phase includes the replacement of the remaining internal readers.

#23-190 Authorize use of the New York State OGS Contract, Group #77201, Award #23150, Contract #PT68869, to enter into an agreement with **Technical Systems Group, Inc.** for Phase II of the **HID Access Control Credentials and Card Reader Upgrade** for an estimated total cost of \$110,000.

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On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #23-190 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-191, Ms. Molinari addressed the Board for authorization in entering into a Professional Services Agreement with EFPR Group, CPAs for auditing services of MCWA Employees' Deferred Compensation Plan. She recapped the RFP results and state that the committee scored EFPR Group the highest.

#23-191 Authorize the Executive Director to enter into a Professional Services Agreement with **EFPR Group, CPAs**, as proposed, to provide **Auditing Services of the Deferred Compensation Plan** for Employees of the Monroe County Water Authority for fiscal years ending December 31, 2023, 2024, 2025, 2026 and 2027.

On a motion made by Mr. Bernstein seconded by Mr. Rulison, the foregoing resolution #23-191 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-192, Ms. Molinari briefed the Board for authorization in standardizing Axis Communication Network Video Cameras and Products. She stated that the Authority has been using Axis network video cameras and products since 2013 and currently has approximately 130 camera in use. Ms. Molinari outlined the benefits of standardization and stated that it will make purchasing more efficient and economical.

WHEREAS, the Monroe County Water Authority has utilized Axis Communications cameras and products since 2013; and

WHEREAS, the Authority has over 130 Axis network video cameras in use today; and

WHEREAS, Axis Communications' open platform allows the Authority to explore multiple options for video management software; and

WHEREAS, the Authority's Purchasing and Procurement Guidelines has Appropriate Circumstances for Standardization of Goods and Services under which such a provision would be satisfied.

NOW, THEREFORE BE IT RESOLVED that:

In order to provide the most efficient and economical video cameras for the Authority's security system, all purchases or procurements by the Authority of security video cameras must be Axis cameras and products. All future buildings, renovations, capital improvements or other actions that impact Authority security system shall be Axis cameras and products.

FURTHER RESOLVED, that the Members and Staff 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 made by Mr. Rulison seconded by Mr. Bernstein, the foregoing resolution #23-192 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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FINANCE COMMITTEE REPORT –Presented by Ms. Van Vechten, Committee Member

Ms. Van Vechten gave a briefing on the Finance Committee meeting held Thursday, October 5, at 8:00 a.m., at which time the first item on the agenda was a review of the 2024 Preliminary Budget. The 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 2024 Preliminary Budget, as presented, to the full Board at the October 12, 2023 regular meeting.

Mrs. Van Vechten concluded her reporting by stating that the next Finance Committee Meeting was confirmed for Thursday, November 2, 2023 at 8:00 a.m. and that the minutes of the October 5th meeting will be posted on the MCWA website.

For Item #23-193, Ms. Molinari stated that there had been no revisions made to the proposed 2024 Preliminary Budget presented to the Finance Committee and discussed with the Board member at Budget Workshops held in September 2023. She invited any remaining questions.

#23-193 RESOLVED: That the **Authority's Preliminary Budget** for the calendar year 2024 totaling \$93,175,328 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 2024.

On a motion made by Mr. Bernstein, seconded by Mrs. Van Vechten, the foregoing resolution #23-193 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-194, Ms. Megan Dorritie from Harter, Secrest & Emery informed the Board that the Prohibited Contractor List was updated to reflect staffing changes and retirements.

#23-194 Resolved hereby to adopt the Monroe County Water Authority **Prohibited Contractor List**, updated September 28, 2023, as issued by the Monroe County Water Authority Ethics Board.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #23-194 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

For Item #23-195, Mr. Magguilli sought Board authorization in awarding a Professional Services Agreement for a Cyber Security Incident Response Service Retainer. He outlined the services included and stated that this vendor will be readily available to assist in the event of a cyber attack.

On a motion made by Mrs. Van Vechten, seconded by Mr. Bernstein, the foregoing resolution #23-195 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

#23-196 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

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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 Mr. Bernstein, the foregoing resolution #23-196 was put to a roll call vote and unanimously carried. AYES: 5 (S. Nasca, S. Volpe, A. Bernstein, M. Van Vechten, J. Rulison); NAYS: 0

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In Board folders for review:

- Routine monthly informational updates
- Notification of a RFP for Video Management System
- Notification of a RFQ/P for Structural and Coding Consulting Services
- Outstanding Claims Report

Additional Remarks:

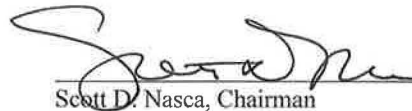
On behalf of the Board of Directors, Mrs. Volpe congratulated Ms. Hendrickson for 20 years of service with the Monroe County Water Authority and for her service to the Board.

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There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 9:20 a.m.



Diane L. Hendrickson, Recording Secretary



Scott D. Nasca, Chairman