

MINUTES

DRAFT – Subject to and Pending Monroe County Water Authority Board approval.

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
THURSDAY, April 4, 2024 @ 8:30 a.m.
ESOC Board Room
General Offices, 475 Norris Drive, Rochester, New York**

8:30 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, M. Fero, S. Mason, M. Van Vechten, J. Rulison

Absent: A. Bernstein

Staff present: N. Noce, Executive Director; L. Magguilli, Deputy Executive Director; D. Hendrickson, Director of Human Resources; S. Savage, P.E., Director of Engineering; C. LaManna, P.E., Director of Production; S. Trotta, Director of Operations, A. Molinari, Director of Finance & Business Services; K. Sharp, Communications

General Counsel present: Megan Dorittie – 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

#24-060 Approve minutes of the Authority's Regular Meeting held on Thursday, March 7, 2024.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-060 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#24-061 Approve list of disbursements on check registers dated February 28, March 6, March 13, and March 20, 2024, 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 #24-061 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

#24-062 Accept Purchase Order List of materials and supplies for the period February 27, 2024 through March 22, 2024 in the amount of \$12,446,507.43.

On a motion made by Mr. Rulison, seconded Mrs. Mason, the foregoing resolution #24-062 was put to a voice vote and unanimously carried. AYES: 6; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce informed the Board that their folders contain the 2023 final audited financial statements along with a notification of an RFP for phone system upgrades and maintenance. Mr. Noce also reminded the Board the Authority is issuing a half workday on Monday, April 8th due to safety concerns surrounding the solar eclipse.

#24-063 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Erica Aviles to the title of Office Clerk IV, effective April 15, 2024 at an hourly rate of \$21.90.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-063 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-064 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of Hallie Doane to the title of Office Clerk IV, effective April 15, 2024 at an hourly rate of \$21.90.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #24-064 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-065 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Provisional Appointment of Matthew McLean to the title of Electrical and Instrumentation I, effective April 9, 2024 at an hourly rate of \$45.74.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-065 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-066 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Promotional Appointment of Anthony Piascik to the title of Construction Engineer, effective April 8, 2024 at an annual salary of \$89,690.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-066 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-067, Mr. Trotta sought Board authorization for the as-needed purchase of asphalt materials utilizing the Monroe County Contract for Highway Materials. These materials are used for temporary road repair following planned and unplanned excavations. Mr. Trotta noted that the Authority has successfully worked with both vendors in the past.

#24-067 Authorize the as-needed purchase of **Asphalt Materials** utilizing Monroe County Contract for Highway Materials - Group II, Contract #0102-24, for an annual estimated amount of \$200,000 through contract period ending 2-28-2025 from vendors awarded, including: **Innovative Municipal Products US Inc. and Rochester Asphalt Materials**. This contract may be extended up to four (4) additional one-year terms provided the Monroe County Contract for Highway Materials - Group II, Contract #0102-24 is valid.

On a motion made by Mr. Fero, seconded by Mrs. Volpe, the foregoing resolution #24-067 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-068, Mr. Trotta requested authorization from the Board for the as-needed purchase of construction stone products utilizing the Monroe County Contract for Highway Materials. Mr. Trotta stated that the Authority has successfully worked with all three vendors in the past.

#24-068 Authorize the as-needed purchase of **Construction Stone Products** utilizing Monroe County Contract for Highway Materials – Group II, Contract #0102-24, for an annual estimated amount of \$400,000 through contract period 2-28-2025 from vendors awarded, including: **Dolomite Products Company Inc., Heidelberg Materials Northeast and Iroquois Rock Products**. This contract may be extended up to four (4) additional one-year terms provided the Monroe County Contract for Highway Materials – Group II, Contract #0102-24 is valid.

On a motion made by Mrs. Van Vechten seconded by Mrs. Mason, the foregoing resolution #24-068 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-069, Mr. Trotta addressed the Board for authorization to amend Resolution #21-158 to extend the contract for the as-needed purchase of tires and related services. He explained that New York State has not yet secured a new vendor and subsequent contract.

#24-069 Authorize the amendment of Resolution #21-158 (ref. August 12, 2021) to reflect an extension of the contract period end date from March 31, 2024 to June 30, 2024 for the as-needed purchase of **Tires and Related Services** for MCWA Vehicles utilizing NYS Contract – Group 30600 – Award #23149 for an estimated amount of \$30,000 from vendor awarded **Lewis General Tire**.

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #24-069 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-070, Mr. Trotta sought authorization from the Board to purchase two new backhoes to replace two aging 2018 backhoes utilizing the 2024 vehicle replacement budget. He stated that the Authority has worked with Five Star Equipment, Inc. in the past and they have proven reliable.

#24-070 Authorize the purchase of two (2) new 2024 **John Deere 320P Backhoe/Loaders** with specified attachments from **Five Star Equipment, Inc.** in the amount of \$289,080, utilizing NYS OGS Contract for Heavy Equipment, Contract #PC70139, Group #40625, Award PGB-22792.

On a motion made by Mr. Fero, seconded by Mr. Rulison, the foregoing resolution #24-070 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-071, Mr. LaManna requested Board authorization for the as-needed purchase of advanced scientific equipment and instruments from Hach Company utilizing the New York State contract. He stated the Authority has successfully utilized Hach through the state contract for many years.

#24-071 Authorize the purchase of **Advanced Scientific Equipment and Instruments**, to be ordered as needed, utilizing New York State Office of General Services Group 38700, Award 23313, Contract PC70317 from **Hach Company** for an estimated amount up to \$100,000 for the initial contract period ending March 3, 2025. This contract may be extended for up to four additional 12-month periods through March 3, 2029 in accordance with the terms and conditions of the NYSOGS.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-071 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-072, Mr. LaManna briefed the Board for authorization to enter into a professional services agreement with Erdman Anthony and Associates, Inc. to provide design and bidding consulting services for the Lee Road Booster Pumping Station Electrical and HVAC Improvements Project. Mr. LaManna noted Lee Road is the Authority's largest booster pumping station and replacement of its electrical equipment, much of which is over 60 years old, is critical to the overall operation of the Authority's transmission and distribution system. Mr. LaManna explained this agreement is for the first phase of the project, which will include design and bidding services. The construction services phase will be brought before the Board at a later date.

#24-072 Authorize the Executive Director to enter into a professional services agreement with **Erdman Anthony and Associates, Inc.** to provide design and bidding assistance services for the **Lee Road BPS Electrical and HVAC Improvements Project** with the budget amount of \$170,000.

On a motion made by Mr. Fero, seconded by Mrs. Volpe, the foregoing resolution #24-072 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-073, Mr. Savage requested the Board authorize the Executive Director, Director of Engineering, Director of Production/Transmission, and Director of Operations to sign applications to specified agencies for permits and other approvals. Mr. Savage explained certain state and federal agencies require duly authorized signatures for various permit applications.

#24-073 Authorize the Executive Director, Director of Engineering, Director of Production and Transmission, and the Director of Operations to **sign applications to the following agencies for permits and other approvals** for operations, maintenance and projects: New York State Department of Environmental Conservation, New York State Department of Health, New York State Department of Transportation, New York State Department of Agriculture and Markets, New York State Office of Parks, Recreation & Historic Preservation and the US Army Corps of Engineers.

On a motion made by Mr. Rulison, seconded by Mrs. Mason, the foregoing resolution #24-073 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-074, Mr. Savage addressed the Board for authorization to execute a new 40-year Retail Lease Agreement between the Water Authority and the Town of Pembroke. Mr. Savage stated the Authority has been operating the Town of Pembroke's water system since the current retail lease agreement was entered in 2001. The Town of Pembroke is currently seeking federal funding to pursue an extension of the public water system. Mr. Savage noted that a new retail lease agreement is required for the town to qualify for outside funding.

#24-074 **WHEREAS**, the Authority is operating the Town of Pembroke's water system in accordance with the existing Retail Lease Agreement dated October 17, 2001; and

WHEREAS, the Town is seeking federal funding for the new water districts; and

WHEREAS, the Town of Pembroke has requested a new Retail Lease Agreement with the Authority for a new forty (40) year term.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE MONROE COUNTY WATER AUTHORITY:

To authorize the execution of a 40-year Retail Lease Agreement with the Town of Pembroke.

On a motion made by Mr. Rulison, seconded by Mrs. Van Vechten, the foregoing resolution #24-074 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-075. Ms. Molinari briefed the Board regarding the Water Authority's 2023 Annual Report, previously e-mailed to each Member for their prior review. She stated the report is filed with the New York State Authorities Budget Office each year to maintain accountability and transparency.

#24-075 Resolved: The Board hereby approves the **Monroe County Water Authority's 2023 Annual Report**, submitted in accordance with Section 2800 of the Public Authorities Law and entered electronically into the Public Authorities Reporting Information System (PARIS) as required by the New York State Authorities Budget Office.

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #24-075 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-076. Mr. Magguilli sought Board authorization to purchase six new Dell servers utilizing the New York State contract. He stated these servers will replace current ones that are aging out. Mr. Magguilli noted the new servers will allow more redundancy between the Shoremont Water Treatment Plant and East Side Operations Center.

#24-076 Authorize the use of New York State OGS Contract, Group #73600, Award #22802, Lot 2, Contract #PM20820, for the purchase of six new **Dell VxRail servers**, and associated equipment with a three-year warranty from **Mercury Networks** for an estimated amount of \$641,500.

On a motion made by Mrs. Van Vechten, seconded by Mr. Rulison, the foregoing resolution #24-076 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-077. Mr. Magguilli requested authorization from the Board to utilize the New York State contract to purchase licenses to accompany the servers approved in the previous resolution.

#24-077 Authorize the use of New York State OGS Contract, Information Technology Microsoft Reseller (Statewide) Group #76000, Award #23116, Contract #PS68202, for the purchase of **MS Windows Server 2022 Per Core licensing** from **Dell Technologies** for an estimated amount of \$32,000.

On a motion made by Mrs. Mason, seconded by Mr. Rulison, the foregoing resolution #24-077 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

For Item #24-078. Mr. Magguilli addressed the Board regarding a leak detection services contract that was tabled at the Board meeting held March 7, 2024. He informed the Board that management is recommending the resolution be dismissed while additional options are explored. Mr. Magguilli responded to follow-up questions posed by Board Members.

#24-078 Authorize the award of the **leak detection services** contract with **American Leak Detection** for the survey of approximately 850 miles of pipe, as directed by the Authority, for an approximate cost of \$253,000 and as needed the onsite leak correlation for a cost of \$182 per hour. This agreement is for a maximum of one year or until completed, if sooner, with a mutual option to extend an additional three years.

On a motion To Take from Table made by Mrs. Van Vechten, seconded by Mr. Fero, the foregoing resolution #24-078 was put to a roll call vote to Take from Table and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

Thereafter:

On a motion to amend Resolution #24-078 to dismiss in order to explore other options to be presented at a later date made by Mr. Rulison, seconded by Mrs. Mason the foregoing amendment to Resolution #24-078 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

#24-079 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 Mr. Fero the foregoing resolution #24-079 was put to a roll call vote and unanimously carried. AYES: 6 (S. Nasca, S. Volpe, M. Fero, S. Mason, M. Van Vechten, J. Rulison); NAYS: 0

In Board folders for review:

- Final Financial Statements
- Notification of RFP for phone system upgrades and maintenance

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There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 8:50 a.m.

Diane L. Hendrickson, Recording Secretary

Scott D. Nasca, Chairman