

MINUTES

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

MONROE COUNTY WATER AUTHORITY REGULAR MEETING

THURSDAY, May 8, 2025 @ 9:00 a.m.

ESOC 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 (7): S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten

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; A. Molinari, Director of Finance & Business Services; K. Sharp

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

#25-085 Approve minutes of the Authority's Regular Meeting held on Thursday, April 10, 2025.

On a motion made by Mr. Fero, seconded by Mrs. Van Vechten, the foregoing resolution #25-085 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

#25-086 Approve list of disbursements on check registers dated April 2, April 9, April 16, and April 23, 2025, which were forwarded to the Authority Members for their review.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #25-086 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

#25-087 Accept Purchase Order List of materials and supplies for the period April 3, 2025 through April 27, 2025 in the amount of \$2,918,100.89.

On a motion made by Mrs. Van Vechten, seconded Mr. Fero, the foregoing resolution #25-087 was put to a voice vote and unanimously carried. AYES: 7; NAYS: 0

COMMUNICATIONS/NOTIFICATIONS

Mr. Noce informed the Board that their folders contained the MCWA Claims Report through April 30, 2025 and the updated 2025 Committee Meeting Schedule.

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- #25-088** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
 Appointment of Carlos Lee to the title of Utility Stakeout Technician – Water Authority, effective June 2, 2025, at an hourly rate of \$34.56.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #25-088 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

- #25-089** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
 Promotional Appointment of Andrew Pangrazio to the title of Maintenance Mechanic III, effective May 12, 2025 at an hourly rate of \$32.67.

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten, the foregoing resolution #25-089 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

- #25-090** Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:
 Provisional Appointment of Kevin McGavern to the title of Assistant Instrumentation and Controls Systems Specialist, effective May 27, 2025 at an annual salary of \$74,880.

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten, the foregoing resolution #25-090 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-091, Mr. LaManna sought authorization from the Board for the as-needed purchase of various electrical equipment and supplies for Motion AI utilizing the Monroe County Contract. He explained that the materials will be used to upgrade and replace electrical equipment throughout the MCWA service area.

- #25-091** Authorize the purchase of **various electrical equipment and materials** from **Motion AI** under the terms of Monroe County Contract No. 0509-21 for **Square D Products**, for an estimated total amount of \$200,000 for the contract term June 1, 2025 through May 31, 2026.

On a motion made by Mrs. Volpe, seconded by Mrs. Van Vechten, the foregoing resolution #25-091 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-092, Mr. LaManna addressed the Board for authorization to award a contract to Johnson Controls Fire Protection, LP for the Webster Water Treatment Plant Fire Protection System Extension Rebid. He provided an overview of the project, which will extend the sprinkler system to a room that will be utilized for document storage. He noted that no bids were received the first round, which is why the project was rebid.

- #25-092** Authorize the award of the **Webster Water Treatment Plant Fire Protection System Extension– Rebid contract** to the low responsive, responsible bidder, **Johnson Controls Fire Protection, LP** for the bid amount of \$77,000.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #25-092 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-093, Mr. Savage requested Board authorization to award a unit price contract to T & K Harrington for the 2025 Vacuum Excavation Project. He outlined the contract, which will include vacuum excavation to identify the material of approximately 3,000 unknown service lines in Genesee, Ontario, Orleans and Monroe Counties. Mr. Savage stated three bids were received, one which was non-responsive. He responded to a follow-up question from a Board member.

#25-093 Authorize the award of a unit price contract for the **2025 Vacuum Excavation Contract** to the low responsive, responsible bidder, **T&K Harrington** in the bid amount of \$1,848,825. This contract may be extended for two subsequent one-year terms with mutual, written consent.

On a motion made by Mrs. Volpe, seconded by Mrs. Van Vechten, the foregoing resolution #25-093 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-094, Mr. Savage briefed the Board for authorization to award a unit price contract to Villager Construction, Inc. for the 2025 Water Service Replacement Project, which will be completed in tandem with the previous resolution. He explained this will include the replacement of any MCWA-owned lead and galvanized service lines that are discovered during the vacuum excavation project. Mr. Savage responded to follow-up questions posed by Board members.

#25-094 Authorize the award of a unit price contract for the **2025 Water Service Replacement Project** contract to the low responsive, responsible bidder, **Villager Construction Inc.** in the bid amount of \$627,245. This contract may be extended for two subsequent one-year terms with mutual, written consent

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten, the foregoing resolution #25-094 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-095, Ms. Molinari sought Board authorization to award a unit price contract to Neptune Technology Group, Inc. for Neptune water meters and accessories. She stated the Authority standardized Neptune meters in 2018 and has been satisfied with the products. Ms. Molinari noted only one bid was received and then responded to a question from a Board member.

#25-095 Authorize the award of a unit price contract for **Neptune Cold Water Meters, Neptune Cold Water Large Meters, Neptune Meter and AMR Parts and Accessories, and Neptune 360** from the low responsive, responsible bidder, **Neptune Technology Group, Inc.** in the bid amount of \$3,176,838.75. This is a one-year contract with the 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. Barbeto, the foregoing resolution #25-095 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-096, Mr. Magguilli addressed the Board for authorization in the annual renewal of the Authority's Oracle licenses and maintenance utilizing the New York State Contract. He stated the Oracle platform is integral to the daily operations of the Authority.

#25-096 Authorize the use of New York State OGS Contract, Group #73600, Award #22802, Lot 1, Contract #PM20940, for the **annual renewal of Oracle licenses and maintenance** from **Oracle America, Inc.** for an estimated amount of \$19,850.

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On a motion made by Mrs. Volpe, seconded by Mrs. Mason, the foregoing resolution #25-096 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-097. Mr. Magguilli requested authorization from the Board to utilize the New York State Contract for the annual renewal of Autodesk AutoCAD licensing and maintenance. Mr. Magguilli stated the Engineering Department regularly utilizes AutoCAD for design and drafting.

#25-097 Authorize the use of New York State OGS Contract, Group #73600, Award #22876, Lot 1, Contract #PD67645, for the **annual renewal of Autodesk AutoCAD licenses and maintenance** from **Insight Public Sector, Inc.** for an estimated amount of \$26,896.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Volpe, the foregoing resolution #25-097 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-098. Mr. Magguilli sought authorization from the Board for the annual renewal of Malwarebytes Endpoint Detection and Response, the primary anti-virus program used by the Authority.

#25-098 Authorize the award of the annual software licensing and maintenance renewal for **Malwarebytes Endpoint Protection and Response** from the low responsive, responsible bidder, **Newbeg, Inc.** in the bid amount of \$30,449.25.

On a motion made by Mrs. Mason, seconded by Mrs. Van Vechten, the foregoing resolution #25-098 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-099. Ms. Megan Dorritie of Harter, Secrest & Emery stated the Authority worked with Harter, Secrest & Emery to complete the Website Privacy Policy, which is required by the New York State Office of Information Technology Services.

#25-099 The Board hereby adopts the **MCWA Website Privacy Policy**, as presented.

On a motion made by Mrs. Volpe, seconded by Mr. Van Fero, the foregoing resolution #25-099 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

AUDIT COMMITTEE REPORT – Presented by Mrs. Marcia Van Vechten

Mrs. Van Vechten gave a briefing on the Audit Committee meeting held on May 1, 2025 at 8:00 a.m., at which the first item on the Agenda was to discuss the execution of a Professional Services Agreement with Arthur J. Gallagher for placement of General Insurance coverage, to serve as Broker of Record. After a brief discussion, it was voted to unanimously approve Arthur J. Gallagher as Broker of Record and forward it to the full Board for its approval.

Mrs. Van Vechten continued her report with the second item on the Agenda, the review of the General Insurance renewal. Ms. Molinari gave an overview of Arthur J. Gallagher's insurance proposal and provided details regarding policies and layers of coverage. Following Ms. Molinari's review and the Committee's examination of the proposal, the Committee voted unanimously to approve the proposal and to forward to the full Board for their approval.

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Mrs. Van Vechten concluded her report by stating the next Audit Committee was scheduled for June 5, 2025 at 8:00 a.m. and the minutes of the May 1st meeting are posted on MCWA's website.

For Item #25-100. Ms. Molinari gave a brief summary of a Professional Services Agreement with Arthur J. Gallagher to serve as Broker of Record for placement of General Insurance.

#25-100 Authorize the execution of a Professional Services Agreement with **Arthur J Gallagher** for Placement of General Insurance Coverage, to serve as **Broker of Record**, and for provision of Risk Management Services for a period of one (1) year. The fee for this service is \$60,000. Arthur J Gallagher is designated as Broker of Record for MCWA's General Insurance program for coverage commencing July 1, 2025.

On a motion made by Mr. Fero, seconded by Mrs. Van Vechten, the foregoing resolution #25-100 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

For Item #25-101. Ms. Molinari summarized the proposal submitted by Broker, Arthur J. Gallagher for placement of insurance coverages. Ms. Molinari stated the insurance premiums increased a little over 10 % over last years' premiums.

#25-101 Approve the proposal as submitted by **Broker, Arthur J Gallagher** and authorize to place Insurance Coverage to include: **General Liability Insurance, Public Officials Liability Insurance, Employment Practices Liability Insurance, Property Insurance, Inland Insurance, Vehicle Insurance, Crime Insurance, Flood and Earthquake Insurance, Pollution Insurance, Owners Contractors Protective Insurance, Travel Accident Insurance, Cyber, Difference in Conditions, Aviation Unmanned Aircraft, and Excess Liability Coverage (\$10M)** with the limits of liability and deductibles as proposed and including any fees for service, for an estimated total cost of \$800,000.

Furthermore, Arthur J. Gallagher is directed to obtain quotations for an additional \$40,000,000 of Excess Liability coverage, net of commission, due to MCWA no later than May 23, 2025. The term for insurance coverage is July 1, 2025 through June 30, 2026.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #25-101 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

#25-102 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 Mrs. Van Vechten, seconded by Mr. Barbeto, the foregoing resolution #25-102 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

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For Items #25-103 and #25-104. Ms. Molinari addressed the Board in discussion of the 1st Quarter Investment and 1st Quarter Financial Reports, which were enclosed in the Board packets of information and distributed in advance of the meeting date for their prior review.

#25-103 Approve the **Authority's 1st Quarter Investment Report** for the period ending March 31, 2025, as presented.

On a motion made by Mrs. Van Vechten, seconded by Mrs. Mason, the foregoing resolution #25-103 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

#25-104 Approve the **Authority's 1st Quarter Financial Report** for the period ending March 31, 2025, as presented.

On a motion made by Mrs. Volpe, seconded by Mrs. Mason, the foregoing resolution #25-104 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

ES #25-003 9:25 a.m. Chairman Nasca requested a motion to enter Executive Session pursuant to Section 105 (1)(f) of the New York Public Officers Law in order to discuss the employment of a particular employee.

Moved by Mr. Fero, seconded by Mrs. Volpe and put to a roll call vote, the Board unanimously agreed to enter Executive Session. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

Chairman Nasca called this Regular Meeting back in open session.

Resolution #ES 25-105 was then added to the agenda.

Item ES #25-105 was added to the agenda in open session upon the conclusion of the Executive Session which concluded at 9:56 a.m.

ES #25-105 Approve Last Chance Agreement between MCWA and Skilled Laborer concerning conditions of continued employment including change of term from thirty six months to eighteen months.

On a motion made by Mr. Young, seconded by Mr. Barbeto, the foregoing resolution ES #25-105 was put to a roll call vote and unanimously carried. AYES: 7 (S. Nasca, S. Volpe, M. Fero, S. Mason, D. Young, T. Barbeto, M. Van Vechten); NAYS: 0

In Board folders for review:

- 1st Quarter Claims Report
- 2025 Committee Schedule

There being no further business to come before the Authority, Chairman Nasca adjourned this Regular Meeting at 10:00 a.m.

Diane L. Hendrickson, Recording Secretary

Scott D. Nasca, Chairman