

Members Attending: T. Anderson, S. Beardsley, J. Deming, E. Gott, M. McKeown, T. Saunders,

Excused:

Absent:

Others attending: M. Baines (Executive Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Account Clerk), T. Hockey (Account Clerk/Typist), E. Wies (Clark Patterson Lee), J. Campbell (Kruk & Campbell, P.C.)

Organizational Items: See attached minutes.

Approval of Agenda

M. Baines and R. Lewis requested that a 2019 Budget Transfer Request be added under the financial portion of the meeting agenda.

Motion: E. Gott moved and T. Anderson seconded to approve the agenda as modified. Carried unanimously.

Approval of Minutes – December 20, 2019 Regular Board Meeting

Motion: J. Deming moved and E. Gott seconded to approve regular board meeting minutes dated December 20, 2019. Carried unanimously.

Privilege of the Floor – None.

Financial report: R. Lewis reviewed the December 2019 Financial report with the Board (on file with Secretary), including year-end (unaudited) statement of revenues and expenditures. R. Lewis updated the Board that Armory Associates had begun their full GASB 75 Valuation and a draft report should be submitted shortly for review. Bonadio & Co LLP is scheduled to be onsite the week of February 10 for the 2019 audit fieldwork. R. Lewis also reviewed the correspondence that LCWSA staff received recently from the Village of Livonia (see “Communications” item) regarding an increase to the Retail Water Rate for Village Customers, effective February 1, 2020 (Base Charge – includes 10,000 gals: \$50.00/quarter → \$63.00 quarter; Usage over 10,000 gals: \$6.00/1000 gals → \$7.55/1000 gals). The Board consensus was to include this information on the back of the bills to be sent out in early February 2020, but also to send out a letter to Village water customers either as a separate mailing prior to the May 2020 billing, or included in the May 2020 bills.

Motion: T. Saunders moved and T. Anderson seconded to approve the Financial Report. Carried unanimously.

Other item(s) discussed under the financial portion of the meeting:

▪ **2019 Budget Transfer Request - \$15,000 from 6510 to 5020, 5065, and 6620**

R. Lewis reviewed the proposed Budget Transfer Request with the Board, which would transfer a total of \$15,000 from 6510 (Purchased Water) to 5020 – Overtime (\$6,500), 5065 – Deferred Comp Match (\$4,000), and 6620 – Building Repair Supply (\$4,500).

Motion: T. Saunders moved and T. Anderson seconded to approve the Budget Transfer Request of \$15,000 as presented. Carried unanimously.

Bills: R. Lewis reviewed the monthly bills.

Motion: *S. Beardsley moved and T. Saunders seconded to approve paying Total Operating & Projects expenditures of \$139,307.04 as follows: DOCCS Project Expenditures in an amount not to exceed \$5,316.99; Operating Expenditures in an amount not to exceed \$89,345.92; and Other Project Expenditures in an amount not to exceed \$44,644.13. Carried unanimously.*

Motion: *J. Deming moved and E. Gott seconded to approve paying the bills for Utilities & Miscellaneous expenditures in an amount not to exceed \$190,002.00. Carried unanimously.*

Motion: *E. Gott moved and J. Deming seconded to approve final payment to R. B. Brock Construction in the amount of \$18,747.00 for Project 31126 (Roof Replacement - PS 1E 2E 3E). Carried unanimously.*

Operations and Capital Report

M. Kosakowski reviewed the Operations and Capital Reports with the Board (on file with Secretary).

Other Business

NYSAWWA Spring Water Event (April 14-16, 2020 – Saratoga Springs, NY)

M. Baines requested approval from the Board to attend the New York State American Water Works Association (NYSAWWA) Spring Water conference, which is held annually in April in Saratoga Springs, NY.

Motion: *J. Deming moved and T. Anderson seconded to approve M. Baines' attendance at the Water Event in Saratoga Springs, NY from April 14-16, 2020. Carried unanimously.*

M. Baines Employment Agreement – Amendment No. 4 (Revisions to Benefits)

M. Baines noted that LCWSA employees not covered under an employee agreement are currently entitled to Bereavement Leave and Jury Duty Leave in accordance with the CSEA Collective Bargaining Agreement (CBA) or by separate resolution of the Board. The employment agreement between LCWSA and M. Baines does not currently include provisions for granting time off with pay in the event of a death in her immediate family, or if selected for jury duty on regularly scheduled working days. The Board reviewed the draft resolution (on file with Secretary) which would amend the current employment agreement to include Bereavement Leave and Jury Duty Leave, as set forth in the current CSEA CBA.

Motion: *E. Gott moved and S. Beardsley seconded to approve Resolution No. 2020-01 Amending Employment Agreement Between Livingston County Water and Sewer Authority and Michelle Baines (Amendment No. 4 – Revisions to Benefits). Carried unanimously.*

CSEA Agreement – Proposed Memorandum of Agreement, Re: Article 18 – Vacation

M. Baines indicated that the recent MOA that was approved that adjusted the basic work week from 35 hours per week to 40 hours per week as of January 5, 2020, has adversely impacted the number of paid vacation days to which impacted unit members were entitled to per Article 18 of the CBA. Therefore, a second MOA (on file with Secretary) has been prepared which adjusts the grant of paid vacation days as of January 5, 2020, on a one-time basis to reflect the new eight (8) hour workday. This impacts a total of three (3) unit members: Cheryl Cappadonia, Thomas Kuch, and Rene Lewis.

Motion: *S. Beardsley moved and E. Gott seconded to approve the Proposed “Memorandum of Agreement Re: Article 18 – Vacation” between LCWSA and CSEA, as presented, and to authorize the Executive Director to sign the agreement. Carried unanimously.*

Water Meter Replacement Non-Compliance Fee – Adoption of Fee + Approval of Procedure for Assessment of Fee

M. Baines reminded the Board that a public hearing on establishing a Water Meter Replacement Non-Compliance Fee was held on December 20, 2019. The Board postponed adoption of the fee until this meeting, to allow for LCWSA staff to develop a corresponding procedure regarding assessment of the fee. The Board reviewed the following draft resolution and the draft procedure flowchart (on file with Secretary). T. Saunders recommended that the Final Notification Letter (Letter #3) be sent to property owners via certified mail.

RESOLUTION NO. 2020-02 ADOPTING WATER METER REPLACEMENT NON-COMPLIANCE FEE

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) has initiated a comprehensive water meter replacement program; and

WHEREAS, the program will allow LCWSA to update and standardize its water meters, which will lead to greater efficiencies from both a meter reading and billing standpoint; and

WHEREAS, participation in this program is mandatory, and where customers are deemed non-compliant, LCWSA is proposing to assess a \$100.00 “Meter Replacement Non-Compliance Fee” (per quarter); and

WHEREAS, notice of the public hearing regarding the proposed fee was provided in accordance with Section 1199-yyy of the Public Authorities Law; and

WHEREAS, the public hearing was held on December 20, 2019, to hear comments on the proposed fee; NOW THEREFORE BE IT

RESOLVED, that the Livingston County Water & Sewer Authority (LCWSA) Board adopts the “Meter Replacement Non-Compliance Fee” at \$100.00 per quarter, effective February 1, 2020.

Motion: E. Gott moved and T. Anderson seconded to approve Resolution No. 2020-02 Adopting Water Meter Replacement Non-Compliance Fee. Carried unanimously.

Motion: E. Gott moved and T. Anderson seconded to approve the procedure for assessing the Water Meter Replacement Non-Compliance Fee, with the following modification: Final Notification Letter (Letter #3) to be sent to property owners via certified mail. Carried unanimously.

2020 Capital Improvement Program & Project Planning Discussion

M. Baines, R. Lewis, and M. Kosakowski reviewed a memorandum (on file with Secretary) with the Board that summarized LCWSA’s Long-Term Debt, Short-Term Debt, Current Debt Reserve & General Reserve Funds, Regulatory Driven Capital Projects, Major Capital Projects, and Future Capital Projects/Needs. One of the regulatory driven projects that was discussed was the Lakeville WWTP UV Disinfection Project, with a budgetary cost of \$1,255,000 (WQIP Grant Award – \$767,250, LCWSA “Local Share” – \$487,750). Per the SPDES compliance deadline, design plans and specifications are due to NYSDEC by May 1, 2020. Based on recent discussions with EFC, it is permissible to amend the current Lakeville WWTP Upgrades Project and increase the 0% loan amount to cover the “local share” of the UV Disinfection Project. This will require an amended engineering report, amended bond resolution, amended SEQR resolution, etc. The Board consensus was to proceed with the increase to the project cost, due to the favorable 0% interest financing. In order to meet the May 1, 2020 UV disinfection design submittal deadline, it was recommended that the design phase of the project be authorized as an Engineering Amendment to the Lakeville WWTP Upgrades Project.

M. Baines, R. Lewis, and M. Kosakowski also provided an update on the status of projects currently listed on the Work-In-Progress Report, and made the following recommendations for capital projects and vehicle/equipment expenditures as part of the proposed 2020 Capital Plan:

2020 Capital Improvement Plan – Proposed Projects

Description	Estimated Budget
Village of Livonia Flowmeter Replacement	\$75,000
Pennemite Road Sanitary Manhole Installation	\$75,000
Pump Station Roof Replacement (~7 total)	\$100,000
Water Loss Control – Service Saddle Replacement (S Livonia)	\$150,000
Energy Efficiency Audit	\$25,000
TOTAL	\$425,000

2020 Capital Improvement Plan – Proposed Vehicle/Equipment Purchases

Description	Estimated Cost
¾-Ton Pickup Truck (Qty 2) (1) w/ plow, (1) w/o plow	\$70,000
Zero Turn Mower* (*estimated re-sale on existing mower: \$4K)	\$12,000 (Net Cost - \$8,000)
Backhoe* (*estimated re-sale on existing backhoe: \$10K)	\$125,000 (Net Cost - \$115,000)
TOTAL	\$207,000

Motion: E. Gott moved and T. Anderson seconded to approve the 2020 Capital Improvement Plan as presented. Carried unanimously.

Lakeville WWTP Upgrades (NYSEFC Project No C8-6449-05-00), Engineering Amendment No. 2 (UV Disinfection Design)

Following the discussion earlier on the meeting regarding incorporating the UV Disinfection Project into the overall Lakeville WWTP Upgrades Project, the Board reviewed proposed Engineering Amendment No. 2 (on file with Secretary) that has been prepared by CPL, which covers the design effort required to meet the May 1, 2020 SPDES compliance deadline. The amendment would increase the overall engineering fee by \$71,510.

Motion: E. Gott moved and J. Deming seconded to approve Engineering Amendment No. 2 to CPL’s existing agreement for the Lakeville WWTP Upgrades Project, which increases the engineering fee by \$71,510, to cover the design of the UV Disinfection System. Carried unanimously.

LCWSA Project 3111 – Adams Road Pumping Station Upgrades

M. Baines and M. Kosakowski noted that there have been recent discussions with CPL regarding operational issues with the pump stations located both upstream (Clay St) and downstream (Livonia Center) of the Adams Road pump station. CPL was previously authorized in 2017 to design improvements to the Adams Road pump station, including piping replacement, installation of a new enclosure, and pump replacement. The concern is that these upgrades may adversely effect operation of these other pump stations, and therefore it is recommended that a more comprehensive hydraulic evaluation be performed of this service area (hamlet of Hemlock to the Village of Livonia). The Board reviewed proposed Engineering Amendment No. 1 (on file with Secretary) that has been prepared by CPL, which covers the additional hydraulic evaluation effort. The amendment would increase the overall engineering fee by \$3,200.

Motion: J. Deming moved and E. Gott seconded to approve Engineering Amendment No. 1 to CPL’s existing authorization for Project 3111 – Adams Road Pump Station Upgrades, which increases the engineering fee by \$3,200, to cover the additional hydraulic evaluation effort. Carried unanimously.

Inflow & Infiltration Study – Engineering Planning Grant Number 92730

M. Baines updated the Board that LCWSA staff had received the official award letter from NYSDEC/NYSEFC regarding the \$100,000 Wastewater Infrastructure Engineering Planning grant to complete an I/I Evaluation study. A “Checklist of Supporting Documents Needed for Grant Agreement” was included with this letter, and these documents include various board resolutions and an executed engineering agreement. The Board reviewed draft Resolutions No. 2020-03 (Authorization for Representative to Sign Documents, Authorization and Appropriation of Local Match) and No. 2020-04 (SEQR Determination – Type II), and the Engineering Services Proposal from CPL to assist with the Preliminary Phase, Study Phase, and Close Out Phase of the project, for a total fee of \$22,000.

Motion: E. Gott moved and S. Beardsley seconded to approve Resolution No. 2020-03 – Authorization for Representative to Sign Documents, Authorization and Appropriation of Local Match for Livingston County Water & Sewer Authority Engineering Planning Grant #92730.

Motion: J. Deming moved and E. Gott seconded to approve Resolution No. 2020-04 – SEQR Determination (Type II) for Livingston County Water & Sewer Authority Engineering Planning Grant #92730.

Motion: T. Saunders moved and J. Deming seconded to approve the CPL proposal for Engineering Services for the Wastewater Infrastructure Engineering Planning Grant I/I Study, in the amount of \$22,000. Carried unanimously.

Excused: S. Beardsley left meeting at 11:10 a.m.

Communications

The following item(s) and/or updates were provided to Board members for informational purposes. No action taken.

- December 23, 2019 Award Letter from NYSEFC re: DWSRF Project No. 18746 (LCWSA – County Wide Water System Improvements, Grant Award: \$3,000,000), & LCWSA Signed Acknowledgement Form.
- January 3, 2020 Award Letter from NYSDEC/NYSFEC re: Engineering Planning Grant Number 92730 (Livingston County Sewer Inflow and Infiltration Study, Grant Award: \$100,000), & LCWSA Email re: Funding Confirmation.
- Water/Wastewater Maintenance Person, Status of Civil Service Classification – “Non-Competitive Classification” for all Civil Divisions approved by NYS Civil Service Commission (Filing Date: January 10, 2020).
- January 16, 2020 Letter from NYSDOL re: Public Work Enforcement Fund, & LCWSA Response Letter dated January 24, 2020.
- January 23, 2020 Letter from Village of Livonia re: Increase to Retail Water Rate for Village Customers, effective February 1, 2020. (Base Charge – includes 10,000 gals: \$50.00/quarter → \$63.00 quarter; Usage over 10,000 gals: \$6.00/1000 gals → \$7.55/1000 gals).

Executive Session

Motion: T. Saunders moved and E. Gott seconded that the Board adjourn and reconvene in Executive Session at 11:24 am for the purpose of discussing contract negotiations; and that M. McKeown act as Chairman and M. Baines act as Secretary. Carried unanimously.

Motion: J. Deming moved and E. Gott seconded to end the Executive Session at 11:40 am. Carried unanimously.

The Board reconvened in regular session. The following report was presented.

REPORT OF EXECUTIVE SESSION

The Board of Livingston County Water & Sewer Authority having met in Executive Session for the purpose of discussing contract negotiations; hereby reports as follows:

No action taken.

Dated January 29, 2020

M. McKeown

M. Baines, Secretary

Adjourn: Motion: E. Gott moved and J. Deming seconded to adjourn the Board meeting at 11:41 am. Carried unanimously.