

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

Excused Absent:

Others attending: M. Baines (Executive Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Account Clerk), E. Wies (Clark Patterson Lee), J. Campbell (Kruk & Campbell, P.C.), N. Mazza (Bonadio & Co., LLP)

Call to Order – With a quorum present, Chairman T. Anderson called the meeting to order at 8:00 am.

Approval of Agenda

Motion: M. McKeown moved and S. Beardsley seconded to approve the agenda as presented. Carried unanimously.

Approval of Minutes – October 24, 2018 Regular Board Meeting

Motion: J. Deming moved and E. Gott seconded to approve regular board meeting minutes dated October 24, 2018.

Privilege of the Floor – None.

Financial report: R. Lewis reviewed the Financial report with the Board (on file with Secretary).

Motion: E. Gott moved and S. Beardsley seconded to approve the Financial Report. Carried unanimously.

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

Status of Major Capital Projects (DOCCS Water Supply & Lakeville WWTP Upgrades) – Cash Flow Discussion

R. Lewis and M. Baines reviewed the status of the LCWSA's two (2) major capital projects: DOCCS Water Supply and Lakeville WWTP Upgrades, and overall cash flow projection through March 2019. The following two (2) issues were discussed by the Board:

- *Final Payment Request to DOCCS not yet submitted*
Although the DOCCS Water Supply project is reaching completion, the final payment from DOCCS cannot be made until the "project is 100% complete except for final punch list items". Back in 2017, the LCWSA transferred funds (\$1,564,000) into the DOCCS account to cover costs incurred between the 75% and 100% completion points of the project and the "Upsizing Farms" component.
- *DEC/EFC approval of Lakeville WWTP Upgrades Project still pending*
Without approval on the project, EFC is not releasing funds for construction costs. LCWSA has expended over \$400K from its general reserve to pay for construction costs to date. Based on projections for future contractor payment applications, it is estimated that by end of January 2019, the general reserve would be fully depleted.

R. Lewis and M. Baines participated in a conference call on November 27, 2018 with representatives from Fiscal Advisors (J. Shehadi, K. Lathan) and Orrick, Herrington & Sutcliffe (T. Myers – Bond Counsel) to discuss potential options if LCWSA needed to borrow funds in January 2019, if EFC continued to withhold

funds. E. Wies indicated that his recent conversations with EFC have been positive, and he believes that EFC will ultimately approve the release of funds for construction. The Board had concerns about the length of time it may take before EFC may release funds, and therefore approved the following motion:

Motion: E. Gott moved and J. Deming seconded to authorize LCWSA staff to take necessary steps to enable LCWSA to proceed with short-term borrowing up to \$2,000,000, if needed.

Bills: R. Lewis reviewed the monthly bills.

Motion: J. Deming moved and M. McKeown seconded to approve paying the bills for Total Project Expenditures in an amount not to exceed \$711,702.52. Carried unanimously.

Motion: P. Brooks moved and T. Saunders seconded to approve paying the bills for Operating Expenditures in an amount not to exceed \$119,953.09. Carried unanimously.

Operations and Capital Report

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

Other Business

DOCCS Water Supply Project – Contract No. 5 (M.W. Controls Service, Inc.), Change Order No. 3

E. Wies circulated copies of proposed Change Order No. 3 (on file with Secretary) to the Board for review and approval. This proposed change order involves the installation of:

- 1) New pressure reducing valve (PRV) within the existing Stone Hill Road vault, to allow Airport Tank to fill while better maintaining pressure within the water system.
- 2) New backpressure sustaining feature on existing PRV in Route 20A vault.
- 3) New insulated coil door within the former vent opening at the Maple Beach Pump Station.

Total increase in cost is \$29,633.99.

Motion: M. McKeown moved and J. Deming seconded to approve Change Order No. 3 (New PRV, PRV Modifications, and Maple Beach Rd Pumping Station Overhead Door) to DOCCS Water Supply Project, Contract No. 5, in the amount of \$29,633.99. Carried unanimously.

LCWSA Employee Transition

Replacement for Asset Management Program/Work Order System – Update & Discussion

M. Baines provided an update to the Board regarding selection of a replacement for the existing computerized work order system, which will no longer be accessible to LCWSA once the IT migration is complete. Based on vendor demonstrations and discussions with other water utilities, the following two (2) options have been identified as they offer similar capabilities/features to the existing work order system:

- 1) IBM Maximo Enterprise Asset Management Software
This will require purchase of ten (10) user licenses (2019 Cost -\$7,084.80, Future annual increases @ 5%), plus consultant assistance in migrating data and implementing the work order, preventive maintenance, and asset management modules at a cost of approximately \$17,000.00 (Barton & Loguidice, D.P.C Letter Proposal, dated November 19, 2018).
- 2) Mohawk Valley Water Authority (MVWA) Customer Information System
This option would involve being hosted on MVWA's customer information system, and utilizing their existing work order module.

The Board reviewed the supporting information/documentation for both options, and the consensus at this time is to pursue Option 2.

Nick Mazza entered at 9:15 am.

CSEA Collective Bargaining Agreement (CBA)

T. Anderson granted privilege of the floor to N. Mazza (Bonadio & Co., LLP), who is providing consulting services to LCWSA to assist in the employee transition. N. Mazza indicated that the primary purpose for attending the meeting was to provide a “wrap-up” to the Board on the employee transition process, as he was aware that the Board would be approving/ratifying the CBA at this meeting and would be doing the same for the attendant Memorandum of Agreement (MOA) (re: carryover of certain benefits for employees to be transferred and/or appointed), at the December 21, 2018 Board meeting. N. Mazza noted that discussions regarding the potential transfer of employees began more than a year ago, and it has been a collective effort in completing several items including: development of the collective bargaining agreement, enrollment in County’s Workers Compensation Plan, adoption of 401(a) and 457(b) deferred compensation plans, selection of new health insurance plan, etc.

M. Baines noted that similar to the existing Livingston County-CSEA agreement, the CBA includes a Memorandum of Agreement that defines the drug and alcohol testing procedure for the employer’s commercial motor vehicle drivers. The proposed “Livingston County Water & Sewer Authority Drug and Alcohol Policy”, which mirrors the existing Livingston County policy, is appended to the Memorandum of Agreement. Prior to approval of the CBA, it is recommended that the Board approve the policy.

Motion: E. Gott moved and M. McKeown seconded to approve the “Livingston County Water & Sewer Authority Drug and Alcohol Policy” as presented. Carried unanimously.

The following draft resolution was reviewed by the Board:

RESOLUTION NO. 2018 – 28 RATIFYING TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE CSEA FULL-TIME UNIT AND AUTHORIZING EXECUTION OF THE COLLECTIVE BARGAINING AGREEMENT

WHEREAS, the negotiating parties for the Livingston County Water & Sewer Authority (LCWSA) and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO have reached a tentative agreement for a new collective bargaining agreement; and

WHEREAS, it is now recommended that the Livingston County Water & Sewer Authority (LCWSA) Board ratify this agreement; NOW THEREFORE BE IT

RESOLVED, that the tentative agreement for a new collective bargaining agreement having a term of January 1, 2019 through December 31, 2020, a copy of which is attached hereto, is hereby ratified; AND BE IT FURTHER

RESOLVED, that the Chairman of LCWSA Board and the Executive Director are hereby authorized to sign the collective bargaining agreement consistent with the terms of the tentative agreement.

Motion: M. McKeown moved and J. Deming seconded to approve Resolution No. 2018-28 Ratifying Tentative Collective Bargaining Agreement with the CSEA Full-Time Unit and Authorizing Execution of the Collective Bargaining Agreement. Carried unanimously.

Executive Session

Motion: S. Beardsley moved and M. McKeown seconded that the Board adjourn and reconvene in Executive Session at 9:45 am for the purpose of discussing the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; and that T. Anderson act

as Chairman and M. Baines act as Secretary, and J. Campbell and N. Mazza remain present. Carried unanimously.

Motion: E. Gott moved and T. Saunders seconded to end the Executive Session at 10:05 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 the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, hereby reports as follows:

No action taken.

Dated November 28, 2018

T. Anderson

M. Baines, Secretary

Communications

The following items were provided to Board members for informational purposes. No action taken.

- NYSDEC Letter (dated October 22, 2018) re: Lakeville Wastewater Treatment Plant SPDES Permit Application Technical Review
- Village of Mount Morris Letter (dated October 29, 2018) re: Sewer Rate Increase to LCWSA
- LCWSA Notice of Termination Letter (dated November 1, 2018) re: Employee Lease Agreement with Livingston County
- Livingston County Board of Supervisors Regular Board Meeting Agenda (November 14, 2018):
 - Public Services Committee, Item 20 (Authorizing A Professional Services Contract For The Livingston County Water Supply Study Update Project: Clark Patterson Lee)
 - Ways & Means Committee, Item 27, (Authorizing The Chairman Of The Livingston County Board Of Supervisors To Sign The Following Agreement For Livingston County: Livingston County Water And Sewer Authority)
- "Governor Cuomo Awards Nearly \$35 Million in Grants for Water Infrastructure Improvements in the Finger Lakes" (November 14, 2018)
 - Includes: Village of Livonia \$180,000 Grant (\$300,000 Project – Village of Livonia Water System Improvements, Meadow Drive & Shelly Road)

Adjourn: Motion: J. Deming moved and S. Beardsley seconded to adjourn the board meeting at 10:07 am. Carried unanimously.