



Regular Meeting Minutes
Date: June 27, 2018

APPROVED
July 25, 2018

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

Excused Absent: J. Deming, T. Saunders

Others attending: M. Baines (Executive Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Account Clerk), C. Rewald (Account Clerk/Typist), B. Harris (Account Clerk/Typist), J. Bauer (Water/Wastewater Maintenance Person) and J. Cucinotta (Water/Wastewater Maintenance Person), J. Foote and E. Wies (Clark Patterson Lee), J. Campbell (Kruk & Campbell, P.C.)

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 P. Brooks seconded to approve the agenda as presented. Carried unanimously.

Minutes – May 23, 2018 Regular Board Meeting

Motion: E. Gott moved and P. Brooks seconded to approve regular board meeting minutes dated May 23, 2018. Carried unanimously.

Privilege of the Floor

T. Anderson recognized the following staff in attendance:

- Brittany Harris – Brittany was hired on June 11, 2018 as Account Clerk/Typist and had previously worked part-time at the Office of Workforce Development. Brittany is currently shadowing Carole Rewald and will be taking over her duties upon Carole’s retirement on July 20, 2018.
- Carole Rewald – In recognition of Carole’s upcoming retirement, T. Anderson presented Carole with a framed copy of the Board’s resolution “Honoring Carole V. Rewald On Her Retirement” (on file with the Secretary). The Board thanked Carole for her many years of dedicated service to LCWSA and wished her well in her future endeavors.

Motion: T. Anderson moved and S. Beardsley seconded to approve Resolution 2018-08 – Honoring Carole V. Rewald on Her Retirement. Carried unanimously.

- Joseph Bauer and James Cucinotta – Both Joe and Jamie will be recognized by the County Board of Supervisors at this afternoon’s Employee Recognition ceremony for their 10+ years of County Service. The Board thanked Joe and Jamie for their continued commitment to advancing LCWSA’s mission.

Financial report: R. Lewis reviewed the Financial report with the Board. As a follow-up to the May 23, 2018 Board Meeting, it was determined that the increase in utility costs as compared to last year can be attributed to a small increase in the electrical rate per kWh. With a significant number of utility accounts, this has resulted in an approximate increase of \$10,000 in expenditures. The Board requested that LCWSA staff verify whether this increase is to the supply charge or delivery charge.

Motion: S. Beardsley moved and P. Brooks seconded to approve the Financial Report. Carried unanimously.

Bills: R. Lewis reviewed the monthly bills.

Motion: *M. McKeown moved and S. Beardsley seconded to approve paying the bills for DOCCS Expenditures in an amount not to exceed \$437,299.23, Operating Expenditures in an amount not to exceed \$111,656.90 Projects in an amount not to exceed \$244.47. Carried unanimously.*

Motion: *M. McKeown moved and P. Brooks seconded to approve paying the bills for Utilities in an amount not to exceed \$22,630.35, Commodity in an amount not to exceed \$34,938.11, Payroll, Healthcare, Retirement in an amount not to exceed \$10,618.16 and for miscellaneous expense in an amount not to exceed \$6,882.78. Carried unanimously.*

Operations and Capital Report

M. Kosakowski reviewed the Operations and Capital reports with the Board (on file with the Secretary). The following items were further discussed by the Board:

- **Replacement of Generator Transfer Panels at Sewage Pumping Stations 9E and 10E**
M. Kosakowski noted that the coil units in both transfer panels had burned out, and due to the age of the transfer panels, the equipment is obsolete and cannot be repaired. Due to the critical nature of the transfer panels, LCWSA staff proceeded on an emergency basis and authorized Colacino Industries to proceed with the necessary replacement of both panels.
- **Water Meter Replacement Program – Phase 1**
M. Baines noted that this project was approved as part of the 2018 Capital Plan, and LCWSA staff was in the process of finalizing a Request for Proposal (RFP) to be issued to qualified vendors. M. Baines noted that the RFP would be structured in a way that would allow LCWSA to award based on “Best Value” and not necessarily to the lowest fee, which would allow LCWSA staff to consider relevant information such as warranty, scalability of the meter equipment, qualifications/experience, etc. in ranking the proposals. M. Baines also notified the Board that she is recusing herself from the review process because of a personal friendship with one of the vendors. The recommendation of award will be based on evaluations completed by M. Kosakowski, R. Lewis, C. Cappadonia, and field staff.

Other Business

Governance Committee & Joint Water Works Committee

M. Baines noted that with the resignation of F. Miller, effective May 24, 2018, this has left a vacancy on both the Governance Committee & Joint Water Works Committee that will need to be filled.

Motion: *P. Brooks moved and T. Anderson seconded to appoint E. Gott to the Governance Committee and T. Saunders to the Joint Water Works Committee. Carried Unanimously.*

DOCCS Water Supply Project

The following project related items were discussed:

- **Schedule Update & Notification Letter to Property Owners**
J. Foote and M. Baines notified the Board that start-up operations, including the filling of the water mains and Dennison Road tank, is taking longer than anticipated and therefore the June 30, 2018 target date for putting the system into operation is no longer realistic. There was extensive discussion with the Board regarding some of the causes, which include a combination of Contractor issues but also delays with National Grid. There are concerns about the lack of progress by the electrical contractor (MW Controls) and the Board discussed the potential of assessing liquidated damages, as the contractor is working beyond his substantial and final completion dates. The Board consensus was to put the contractor on notice that LCWSA reserves the right to assess liquidated damages.

LCWSA staff continue to receive phone calls from property owners along the DOCCS corridor who are interested in connecting to the water system. Although the system is not yet operational, LCWSA staff will prepare a letter notifying the residents that the permit process can commence, but residents will likely have to wait until September to fully complete their water service hook-ups.

- **Engineering Amendment No. 2 (Inspection Fees) – Clark Patterson Lee**

Due to the delays in completing the project, CPL has now exceeded its inspection budget and is requesting an engineering amendment to cover the additional costs to provide full-time inspection through to September 1, 2018 (revised anticipated operational date) and part-time inspection from September 1, 2018 through October 1, 2018. The Board reviewed the proposed amendment and fee.

Motion: S. Beardsley moved and M. McKeown seconded to approve Engineering Amendment No. 2 in the amount of \$33,000 to cover additional inspection expenses, due to delays in the DOCCS project. Carried Unanimously.

- **Dairy Knoll Farms Request re: Livestock Water Use**

Since the May 23, 2018 Board Meeting, LCWSA was notified by Dairy Knoll Farms that due to dry weather conditions, the farm has an immediate and critical need for water for non-potable purposes only (i.e. livestock water use). LCWSA and CPL consulted with the Livingston County Department of Health (LCDOH), which has approved the Authority providing water to Dairy Knoll on a temporary basis prior to completion of the DOCCS project contingent upon Dairy Knoll installing a tested and certified backflow preventer at the location on Rosebrugh Road where Dairy Knoll intends to draw water for non-potable purposes only, including livestock water use. LCWSA will also require that a tested and calibrated water meter be installed to monitor water usage. In response to this request from Dairy Knoll Farms, J. Campbell has prepared a “Temporary Water Supply Agreement With Release, Hold Harmless And Indemnification Provisions”, which was reviewed with the Board.

Motion: P. Brooks moved and S. Beardsley seconded to approve the “Temporary Water Supply Agreement With Release, Hold Harmless And Indemnification Provisions” between LCWSA and Dairy Knoll Farms, subject to Dairy Knoll Farms review, and to authorize the Executive Director to sign the agreement. Carried Unanimously.

- **June 21, 2018 Meeting (NYSDOH, DOCCS, LCWSA, et al.) – Update**

J. Foote and M. Baines provided a brief summary of the meeting that was held at the Livingston County Health Department. DOCCS and OGS representatives indicated that they have been able to accelerate the project schedule for the proposed Groveland Correctional Water Treatment Plant modifications and believe that these could be completed as soon as February 2019. DOCCS had previously indicated that it could be late 2019/early 2020 before these modifications would be complete, which are necessary prior to DOCCS accepting water from LCWSA. In addition, DOCCS indicated that they may also be able to reduce significantly the 1-year timeframe that was identified in the DOCCS Program Report for the transition to LCWSA water.

Rosebrugh Rd & Aten Rd Water Main Extensions

M. Baines noted that at the May 23, 2018 Board Meeting, the Board approved Amendment No. 1 to Water Improvement Repayment Agreement (Dairy Knoll Farms) and the Town of Groveland Intermunicipal Cooperation Agreement (Groveland Town Hall Water System Improvements), which cover the proposed Rosebrugh Rd water main extension and the proposed Aten Rd water main extension, respectively. In order to complete the necessary engineering, LCWSA staff requested that CPL submit engineering proposals for both

projects. The Board reviewed both proposals and corresponding fees (Rosebrugh Rd - \$3,950; Aten Rd - \$3,950).

Motion: E. Gott moved and M. McKeown seconded to approve the proposal for Engineering Services for the Rosebrugh Road Water Main Extension, in the amount of \$3,950. Carried Unanimously.

Motion: E. Gott moved and M. McKeown seconded to approve the proposal for Engineering Services for the Aten Road Water Main Extension, in the amount of \$3,950. Carried Unanimously.

M. Baines recommended that the Board establish Capital Projects for both water main extensions, and establish a budget of \$15,000 for each project to cover those costs that are the responsibility of LCWSA, as described in each agreement.

Motion: E. Gott moved and P. Brooks seconded to establish a 2018 Capital Project entitled "Rosebrugh Rd Water Main Extension" with a project budget of \$15,000. Carried Unanimously.

Motion: E. Gott moved and P. Brooks seconded to establish a 2018 Capital Project entitled "Aten Rd Water Main Extension" with a project budget of \$15,000. Carried Unanimously.

Lakeville WWTP Upgrades (NYSEFC Project No C8-6449-05-00) – Phase 1 (Contract 1 & Contract 2)

M. Baines and E. Wies reminded the Board that when the Engineering Agreement was executed for the project in 2017, the project scope and schedule had not been fully refined. Therefore, a budgetary estimate for construction phase services was included. Now that contract times have been established for Contracts 1 and 2, CPL has assembled an engineering amendment to cover the necessary Construction Services (Construction Administration and Construction Inspection). The total cost of Engineering Amendment No. 1 is \$207,180.

Motion: E. Gott moved and P. Brooks seconded to approve Engineering Amendment No. 1 to the Lakeville Wastewater Treatment Plant Upgrades Project, in the amount of \$207,180, to cover Construction Services (Construction Administration and Construction Inspection) for Contracts 1 and 2. Carried Unanimously.

Proposed Village of Livonia Water System Pressure Improvements (Meadow Dr, Shelly Rd, etc.)

As a follow-up to the May 23, 2018 Board Meeting, M. Baines met with Mayor C. Lathan to discuss potential Option 3 that would involve the Village turning over ownership of the water system to LCWSA. C. Lathan indicated that this was briefly discussed by the Village Board, but at this time the Village Board has decided to proceed with Option 1 (Joint Village/LCWSA project). C. Lathan provided a copy of a resolution that was passed at the June 13, 2018 Village Board meeting formally committing the Village to the project. M. Baines recommended that the Board authorize J. Campbell to proceed with drafting an intermunicipal agreement between the Village and LCWSA for the project. As the Village will be retaining ownership of all the capital improvements to be completed as part of the project, the Board consensus was that the Village will be listed as the "Owner" in all project documentation.

Motion: S. Beardsley moved and M. McKeown seconded to authorize J. Campbell to prepare an intermunicipal agreement between the Village and LCWSA for the proposed Village of Livonia Water System Pressure Improvements Project (Option 1). Carried Unanimously.

LCWSA Employee Transition

M. Baines provided a brief update to the Board regarding the June 18, 2018 meeting with the County IT department. As IT support will no longer be provided by the County, as of January 1, 2019, LCWSA staff met with the IT department to identify tasks (e.g. email and data migration, etc.) that will need to be completed prior to this date. The IT department confirmed that the current asset management program/work order system that LCWSA staff utilize daily, cannot be migrated from the County's existing operating system. Therefore, LCWSA will need to identify a new software program with comparable features. In anticipation of these

changes, LCWSA staff has already met with three (3) local IT companies and is finalizing a Request for Qualifications (RFQ) for IT support to assist in the transition. The IT department also indicated that there are approx. 58 boxes in Records Management, comprising "Public Works" records, that will need to be transferred to the LCWSA office to be stored.

Communications

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

- Audit Reports issued by Office of NYS Comptroller (dated May 2018):
"Erie County Water Authority – Information Technology"
"Town of Batavia – Water and Sewer Operations"
"Village of Avon – Board Oversight and Professional Services"
- Audit Report issued by the Authorities Budget Office (dated June 8, 2018):
"Operational Review, Erie County Water Authority"
- June 1, 2018 Letter from Chatfield Engineers, P.C. re: Merger with MRB Group
- Laker News Summer 2018 Edition – "Water & Sewer Authority Update" re: Lakeville Wastewater Treatment Plant Upgrades (p.15)

Adjourn: Motion: P. Brooks moved and S. Beardsley seconded to adjourn the board meeting at 10:10 am. Carried unanimously.