

Members Attending: T. Anderson, S. Beardsley, J. Deming, D. LeFeber, M. McKeown,
F. Miller

Excused: P. Brooks

Others Attending: M. Baines (Executive Director), M. Kosakowski (Director of Operations), R.
Lewis (Principal Account Clerk), J. Campbell (Kruk & Campbell, P.C.), J.
Foote (Clark Patterson Lee).

Organizational Items: See attached minutes.

Financial report: R. Lewis reviewed the Financial report with the Board. R. Lewis noted that LCWSA had not yet received payment from DOCCS in the amount of \$2,093,500. The original payment request and accompanying certification that the project has reached the 50% completion point were submitted to DOCCS on December 18, 2017. LCWSA staff has followed up several times with DOCCS representatives, and they have indicated that we should be receiving payment "shortly". At this time, there are insufficient funds in the DOCCS account to pay current project-related expenses. Therefore, it is recommended that current bills associated with the DOCCS project be approved, but only paid when LCWSA receives the \$2,093,500 payment. Based on invoices received since mid-December 2017, the project has now reached the 75% completion point. Therefore, LCWSA will be submitting another payment request to DOCCS, in accordance with the second amendment to the agreement, in the amount of \$1,256,100.

R. Lewis provided an update on (unaudited) year-end financials – Operating revenue is approximately \$96,000 more than budgeted (\$3,092,009 actual vs \$2,995,787 budget), and operating expense is approximately \$70,000 less than budgeted (\$2,608,419 actual vs \$2,678,856), which will result in a projected increase in the reserve fund balance of approximately \$483,000.

Motion: *S. Beardsley moved and T. Anderson seconded to approve the Financial Report. Carried unanimously.*

Operations and Capital Reports

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

Motion: *F. Miller moved and J. Deming seconded to approve the Operations and Capital Reports. Carried unanimously.*

Other Business

Lakeville WWTP Upgrades (NYSEFC Project No C8-6449-05-00) – Short-Term Financing

M. Baines informed the Board that New York State Environmental Facilities Corporation (NYSEFC) has forwarded several documents to LCWSA for execution in connection with the closing of short-term financing, which has been scheduled for February 1, 2018. The Board reviewed draft Resolution

No. 2018-02 (on file with Secretary), which authorizes the Chairman to execute the necessary closing documents.

Motion: F. Miller moved and D. LeFeber seconded to approve Resolution 2018-02 - Authorizing Chairman to Execute Closing Documents. Carried unanimously.

Authorizing Creation of Two (2) “Seasonal Laborer” Positions

M. Baines and R. Lewis noted that these two (2) positions were included in the 2018 budget. In accordance with Civil Service Law, any new positions can only be created with the title approved and certified by the Livingston County Personnel Officer. LCWSA staff coordinated with Tish Lynn to obtain the necessary approval and certification. The Board reviewed Resolution No. 2018-03 – Authorizing the Creation of Two (2) Seasonal Laborer Positions (on file with Secretary).

Motion: D. LeFeber moved and F. Miller seconded to approve Resolution 2018-03 – Creation of Two (2) Seasonal Laborer Positions. Carried unanimously.

The Board discussed establishing the hourly wage rate for the two (2) positions. It was mentioned that the County Highway Department utilizes several summer laborers, and the County established a wage rate of \$11.79/hr for 2018.

Motion: S. Beardsley moved and J. Deming seconded to establish the Seasonal Laborer wage rate for 2018 at \$12.00/hr, and to authorize the Executive Director to fill the two (2) positions. Carried unanimously.

Wildbriar Estates Development (Village of Livonia) – Water/Sewer Improvements

J. Campbell updated the Board that he and M. Baines had met with both the developer (Jill Alcorn, President & CEO of Genesee Valley Rural Preservation Council, Inc. – GVRPC) and the developer’s attorney, David Henehan, Esq., on January 18, 2018, regarding the above referenced project. This project involves the extension of Wildbriar Drive in the Village of Livonia, and the construction of 30+ apartments and 16 townhouses. M. Baines circulated a utility plan and a description of the proposed water and sewer improvements to Board members (on file with Secretary). This information was prepared by Clark Patterson Lee, who is providing engineering services to the architectural firm hired by GVRPC. The developer is proposing to construct gravity sewers, a sewage pumping station, and sanitary force main as part of the project, and intends to dedicate these facilities to LCWSA. The primary purpose of the meeting was to discuss the approximate 50’ x 60’ area, in which the sewage pumping station is to be located. The developer has requested that the Board consider accepting a permanent easement in lieu of fee ownership. There was extensive discussion among the Board regarding this request. The Board consensus was that a permanent exclusive easement would be acceptable, provided that J. Campbell prepare the necessary documentation. The cost associated with this effort will need to be incorporated into the main extension agreement between LCWSA and GVRPC. As Clark Patterson Lee is currently providing engineering service on the project, the Board discussed that it would be necessary to retain a different engineering firm to provide inspection services on behalf of LCWSA. These inspection costs would also be incorporated into the main extension agreement between LCWSA and GVRPC.

Motion: F. Miller moved and J. Deming seconded to authorize J. Campbell to negotiate a permanent exclusive easement, and prepare the necessary documentation, with costs to be paid for by the developer. Carried unanimously.

Motion: *F. Miller moved and T. Anderson seconded to authorize LCWSA staff to prepare and issue an RFP for inspection services. Carried unanimously.*

Minutes – December 22, 2017

Motion: *S. Beardsley moved and D. LeFeber seconded to approve regular board meeting minutes dated December 22, 2017. Carried unanimously.*

Bills: R. Lewis reviewed the monthly bills.

Motion: *F. Miller moved and T. Anderson seconded to approve paying the bills for DOCCS Expenditures in an amount not to exceed \$770,606.99, upon receipt of payment from DOCCS in the amount of \$2,093,500. Carried unanimously.*

Motion: *D. LeFeber moved and F. Miller seconded to approve paying the bills for Operating Expenditures and Projects in an amount not to exceed \$151,367.73. Carried unanimously.*

Motion: *J. Deming moved and S. Beardsley seconded to approve paying the bills for Utilities in an amount not to exceed \$27,416.73, Commodity in an amount not to exceed \$49,114.97, and for miscellaneous expense in an amount not to exceed \$37,005.07. Carried unanimously.*

Executive Session

Motion: *D. LeFeber moved and T. Anderson seconded that the Board adjourn and reconvene in Executive Session for the purpose of discussing information regarding proposed, pending or current litigation and that T. Anderson act as Chairman and M. Baines act as Secretary. Carried unanimously.*

The Board reconvened in regular session.

The following report was presented.

The LCWSA Board having met in Executive Session for the purpose of discussing information regarding proposed, pending or current litigation.

No action taken.

Motion: *F. Miller moved and J. Deming seconded to approve the report of Executive Session. Carried unanimously.*

Adjourn: *Motion: S. Beardsley moved and J. Deming seconded to adjourn the board meeting. Carried unanimously.*