

Agenda

LIVINGSTON COUNTY WATER & SEWER AUTHORITY
REGULAR MEETING
November 16, 2022 at 8:00 am
Watershed Education Center (Vitale Park)
Lakeville, NY 14480

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes

- a. October 19, 2022 – Regular Meeting

4. Reports

- a. Financial Report–October 2022
 - i. Approval of Financial Report
 - ii. Approval of Expenditures
- b. Operation/Capital Report
- c. Executive Director's Report

5. Other Business

- | | |
|-------------------------|---|
| Resolution No.: 2022-40 | RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY TO SIGN THE AGREEMENT WITH WEBSTER SZANYI, LLP FOR LEGAL SERVICES PERTAINING TO LABOR AND EMPLOYMENT MATTERS |
| Resolution No.: 2022-41 | RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY TO SIGN THE FIRST AMENDMENT TO THE LEASE AGREEMENT WITH THE VILLAGE OF LIVONIA |
| Resolution No.: 2022-42 | RESOLUTION TO AMEND THE PUBLIC AUTHORITIES LAW IN RELATION TO INCREASING THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY'S AGGREGATE PRINCIPAL AMOUNT OF BONDS FROM \$42,000,000 TO \$70,000,000 |

6. Communications

7. Adjournment

Next Regular Meeting: **Wednesday, December 21, 2022 @ 8 am**



Livingston County Water & Sewer Authority
1997 D'Angelo Drive
PO Box 396
Lakeville, NY 14480
Phone: (585) 346-3523
Fax: (585) 346-0954
TTY NY: (800) 662-1220

Unreviewed Minutes

**LIVINGSTON COUNTY WATER & SEWER AUTHORITY
REGULAR MEETING AND PUBLIC HEARING
October 19, 2022 at 8:00 am
Watershed Education Center (Vitale Park)
Lakeville, NY 14480**

Members Attending: M. Falk, D. Higgins, M. McKeown, B. Ceci, S. Beardsley, D. Fanaro (arrived at 8:04 a.m.), T. Saunders

Others attending: J. Molino (Executive Director), L. Monaghan (Executive Deputy Director), R. Lewis (Principal Account Clerk), M. Kosakowski (Director of Operations), S. Wright (Secretary) and J. Campbell (Attorney)

Call to Order: 8:00 a.m.

Approval of Agenda:

Motion: M. Falk moved, and T. Saunders seconded to approve the agenda with Resolution 2022-39 added. Carried unanimously.

Open Public Hearing:

At 8:00 a.m., the public hearing for the proposed 2022 Rate and Fee Schedule was opened.

Motion: D. Higgins moved, and S. Beardsley seconded to open the public hearing. Carried unanimously.

Approval of Minutes:

August 31, 2022 - Regular Meeting

Motion: M. Falk moved, and D. Higgins seconded to approve the regular board meeting minutes dated August 31, 2022. Carried unanimously.

September 21, 2022 - Regular Meeting

Motion: B. Ceci moved, and S. Beardsley seconded to approve the regular board meeting minutes dated September 21, 2022. Carried unanimously.

D. Fanaro arrived at 8:04 a.m.

Reports:

Financial Report – August and September 2022

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

Motion: S. Beardsley moved, and T. Saunders seconded to approve the August and September 2022 Financial Report. Carried unanimously.

Approval of Expenditures

Motion: D. Higgins moved, and B. Ceci seconded to approve paying Total Capital & Operating expenditures of \$297,286.07. Carried unanimously.

Motion: S. Beardsley moved, and B. Ceci seconded to approve paying utilities & miscellaneous expenditures of \$165,928.88. Carried unanimously.

Operations and Capital Report

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

- Work has started on Contract 5 of the Countywide Water System Improvement Project.
- Pump failures at the Maple Beach Pump Station occurred over the weekend, repairs have been made and additional parts will be ordered.
- The SCADA system was discussed, upgrades and improvements are needed.

Motion: M. Falk moved, and T. Saunders seconded to approve the Operations and Capital Report. Carried unanimously.

Executive Director Report

L. Monaghan reviewed:

- 25% of meters have been replaced as part of the Meter Replacement Project, Leicester is almost complete, the invoice will be sent upon completion, East Lake Road customers are the next group.
- Contract 5 has been started with a less invasive drilling process.
- The Inflow and Infiltration (I/I) study has been completed for Livonia and Lakeville, some manholes will need improvements, 4 homes were discovered to have downspouts connected to the sewer.

J. Molino reviewed:

- Wastewater Operators have been working on a phosphorus removal process to determine which chemical to use as DEC has determined our original chemical, Epic 70, cannot be used.
- An income study may be performed for grants for the Conesus Lake Pump Station Project and the Groveland Station Wastewater Treatment Plant Project.
- Home Rule Legislation is being researched for a possible increase in the debt ceiling to equate it to 2022 dollars.
- A work plan for 2023 is currently being constructed.

Other Business:

Resolutions:

2022-33 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY TO SIGN AN OPERATION AND MAINTENANCE AGREEMENT WITH THE CONESUS LAKE COMPACT

The agreement is for 2023-2025 and has a fee of \$23,000 with a 1% increase per year.

Motion: M. Falk moved, and D. Higgins seconded to approve Resolution 2022-33. Carried unanimously.

2022-34 RESOLUTION AUTHORIZING THE TREASURER OF THE LIVINGSTON COUNTY WATER & SEWER AUTHORITY TO PREPARE AND TRANSMIT A LIST OF THOSE PROPERTIES WITH UNPAID WATER CHARGES AND UNPAID SEWER CHARGES TO LIVINGSTON COUNTY BOARD OF SUPERVISORS FOR LEVY ON 2023 TAX ROLLS

M. McKeown asked if the amount is consistent with prior years. R. Lewis stated yes.

Motion: B. Ceci moved, and D. Fanaro seconded to approve Resolution 2022-34. Carried unanimously.

Close Public Hearing:

Motion: At 8:50 a.m., S. Beardsley moved, and T. Saunders seconded to close the public hearing. Carried unanimously.

2022-35 RESOLUTION ADOPTING THE 2023 LIVINGSTON COUNTY WATER & SEWER AUTHORITY BUDGET & CAPITAL PLAN

The budget had been reviewed and discussed in previous meetings.

Motion: D. Fanaro moved, and M. Falk seconded to approve Resolution 2022-32, adopting the 2023 Livingston County Water & Sewer Authority budget and capital plan. Carried unanimously.

2022-36 RESOLUTION ADOPTING THE 2023 RATE AND FEE SCHEDULE

A change was explained and edited on the rate and fee schedule.

Motion: T. Saunders moved, and S. Beardsley seconded to approve Resolution 2022-36. Carried unanimously.

- 2022-37 RESOLUTION ADOPTING THE SERVICE UNIT POLICY
The policy will replace existing Service Unit Definitions and Parcel Definitions and will simplify and equitably distribute water and sewer unit assignments across Authority customers.
Motion: M. Falk moved, and D. Higgins seconded to approve Resolution 2022-37. Carried unanimously.
- 2022-38 RESOLUTION TO ACCEPT A PROPOSAL FROM GHD CONSULTING SERVICE INC. (GHD) FOR PROFESSIONAL SERVICES FOR COMMUNICATIONS AND CONTROL SYSTEM UPGRADES TO THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY COMMUNICATION SYSTEM
This proposal is for the design phase only.
Motion: D. Higgins moved, and T. Saunders seconded to approve Resolution 2022-38. Carried unanimously.
- 2022-39 RESOLUTION TO TRANSFER \$25,000 FROM UNALLOCATED RESERVE TO THE OPERATING BUDGET FOR REPAIRS AND UPGRADES TO THE MAPLE BEACH PUMP STATION
Two of the three pumps failed at the pump station requiring an emergency repair. With parts on backorder for 8-10 months, the need to order additional parts now requires monies to be available to purchase in this budget.
Motion: D. Fanaro moved, and M. Falk seconded to approve Resolution 2022-39. Carried unanimously.

Adjournment – 9:30 a.m.

Motion: S. Beardsley moved, and M. Falk seconded to close the meeting. Carried unanimously.



Livingston County Water & Sewer Authority
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Board Financial Report
October 2022

ASSETS

<u>Operating Cash (Reserve)</u>	\$1,281,180	p. 3a	Cash Report p. 4
<u>Debt Reserve Bank Balance</u>	\$1,021,586	p. 3b	
<u>Restricted Cash:</u>	\$ 118,610	p. 3d	
<i>Town of Caledonia</i>	<i>(\$11,261)</i>		
<i>On Deposit M & T</i>	<i>(\$107,348)</i>		
<u>Accounts Receivable</u>	\$ 1,339,767	p. 3c	
Work-In-Progress (WIP Report Attached)	\$7,484,026	p. 4e	WIP Report p.5

LIABILITIES

<u>Current Liabilities</u>	\$ 7,996,600	p. 3f	
<i>Debt Payables, Retirement Accruals,</i>			
<i>Current WWTP Project, County Wide Water (Short Term Debt)</i>			
	7,960,026		
<i>Funds Held for Others</i>			
	\$14,231		<i>Customer overpayments</i>
	\$22,343		<i>Compact of Towns</i>
<u>Long Term Liabilities</u>	\$5,530.398	p. 3g	
Loans	\$3,577,775		
V. Livonia Lease	\$ 213,976		
Deferred Outflow-Pension	\$(683,081)		
Deferred Outflow-OPEB	\$(476,596)		
Deferred Inflow-OPEB	\$115,022		
Deferred Inflow-Pension	\$ 649,119		
Net Pension	\$ 2,225		
OPEB	\$2,094,564		
Compensated Absences	\$ 37,394		

REVENUE

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2022 Budget Revenue -\$3,460,268

p. 6a

October is a non - billing month (Revenue reflects service period 11/1/21-7/31/22)

Year to Date Revenue

\$2,226,499

p. 6b

Increase of \$95,452 from last year same time period.

Increases

Retail Fees

\$176,565

Village of Livonia & DOCCS

Decreases

O & M Services

\$84,483

Village of Livonia

EXPENSES

2022 Budget Expenses -\$3,459,882

p. 8a

Year to Date Expenses

\$2,875,577 (approx..83.1% of Budget)

p. 8b

Increase of \$371,451 from last year same time period

Increases

Wages & Fringe

\$291,565

additional staff, wage increases

Weekend Sewer Plant Staffing

10% increase, additional staff

Engineering

\$24,910

transferred from WIP to expenses

Project Engineering

\$54,892

Phase 2 I & I, Avon WWTP Eval

Vehicle Maint.

\$13,643

Net \$12,000 -\$3,000 insurance reimbursement

Small Equipment

\$23,226

Office Laptops, Field Tablets, Meter Auto Guns

Bldg. Repair

\$22,664

Vehicle Maint.

13,643

Decreases

Plant Ops

\$101,694

own staff

Other Prof. Service

\$18,424

Executive Director search

Livingston County WSA

Balance Sheet

As of 10/31/2022

(In Whole Numbers)

	Current Year	Prior Year	Current Year Change	Beginning Year Bal..	YTD Change
CURRENT ASSETS					
Operating Cash	1,281,180 a	825,939	455,241	1,567,214	(286,034)
Debt Reserve	1,021,586 b	839,814	181,771	1,012,560	9,025
Accounts Receivable	1,339,767 c	1,241,826	97,941	2,011,966	(672,198)
Capital Contributions Receivable	13,944	1,036	12,909	56,410	(42,466)
Inventory	19,176	36,860	(17,685)	41,875	(22,699)
Prepaid Expenses	108,397	57,797	50,600	127,325	(18,928)
Funds held for Others	36,574	33,745	2,829	35,637	937
Total CURRENT ASSETS	3,820,624	3,037,017	783,607	4,852,987	(1,032,363)
Total Current Assets	3,820,624	3,037,017	783,607	4,852,987	(1,032,363)
NON-CURRENT ASSETS					
Restricted Cash	118,610 d	667,377	(548,767)	118,568	42
Capital Contrib Receivable, net current	474,108	632,064	(157,956)	474,108	0
Property & Equipment, Net Deprec	33,089,984	22,544,269	10,545,715	33,099,956	(9,972)
Work-In-Progress	7,484,026 e	9,296,170	(1,812,145)	5,038,373	2,445,653
Total NON-CURRENT ASSETS	41,166,728	33,139,881	8,026,847	38,731,005	2,435,722
Total Non-Current Assets	41,166,728	33,139,881	8,026,847	38,731,005	2,435,722
TOTAL ASSETS	44,987,352	36,176,898	8,810,454	43,583,993	1,403,359
CURRENT LIABILITIES					
Accounts Payable	2,625	180,068	(177,443)	25,235	(22,610)
Current Portion Loans Payable	7,948,087	973,710	6,974,377	4,601,484	3,346,603
Other Current Liabilities	9,717	91,045	(81,328)	1,703,791	(1,694,074)
Funds held for others	36,171	33,613	2,558	35,637	533
Total CURRENT LIABILITIES	7,996,600 f	1,278,436	6,718,164	6,366,147	1,630,453
Total Current Liabilities	(7,996,600)	(1,278,436)	(6,718,164)	(6,366,147)	(1,630,453)
NON-CURRENT LIABILITIES					
System Revenue Notes Payable	5,530,398	3,811,225	1,719,173	5,570,398	(40,000)
Total NON-CURRENT LIABILITIES	5,530,398 g	3,811,225	1,719,173	5,570,398	(40,000)
Retained Earnings & Net Position					
Retained Earnings	(31,950,369)	(32,317,080)	366,711	(31,950,333)	(36)
Net Income	148,047	1,211,109	(1,063,062)	0	148,047
Total Retained Earnings & Net Position	(31,802,322)	(31,105,971)	(696,351)	(31,950,333)	148,011
Total Net Position	45,329,320	36,195,632	9,133,688	43,886,878	1,442,441

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	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
	Actual	Estim	Estim											
Cash on hand 1st of each month	\$ 1,564	\$ 1,641	\$ 1,568	\$ 194	\$ 850	\$ 1,139	\$ 1,151	\$ 1,519	\$ 1,254	\$ 817	\$ 930	\$ 1,779	\$ 1,281	\$ 1,419
Cash Received														
Customer Billing	523.5	355	33.2	424	356.5	64.6	328.8	477.6	50	363.2	474.5	46.4		
Miscellaneous	5.5	3		2.4	1		0.6	0.2		1	1	9.3	360	360
Grant/Contributions/EF C Draws			143.8				845.9							
Billing Services/O & M Services	2.6	37			16.8	15		3.8	13.2	16.3			35	35
Relevy						250.5								
Estimated Cash Receipts														
Cash Receipts														
Debt/Grant/Contrib Receipts				1048.3	404.2	655.8		125.6		379	443.7			
EFC	239.1	1163									859.2			
Cash Balance before expenditures	\$ 2,335	\$ 3,199	\$ 1,745	\$ 1,669	\$ 1,629	\$ 2,125	\$ 2,326	\$ 2,126	\$ 1,317	\$ 1,579	\$ 2,712	\$ 1,838	\$ 1,679	\$ 1,817
Utility & Misc. Vouchers	183.3	452	151	159.6	187.7	158.4	166	319.4	169.4	216.7	304.5	259.7	160	160
Operating Vouchers	180.7	108	83	79	88.8	77.3	93	95.7	83.6	269.1	40	185.9	90	90
Miscellaneous		96												
Project Vouchers	329.7	975	1317	580	213.3	738	548.7	456.7	247.4	163.4	587.8	111.4	10	10
Estimated Expenditures														
Utilities														
Operating														
Projects														
Cash Balance after expenditures	\$ 1,641	\$ 1,568	\$ 194	\$ 850	\$ 1,139	\$ 1,151	\$ 1,519	\$ 1,254	\$ 817	\$ 930	\$ 1,779	\$ 1,281	\$ 1,419	\$ 1,557
Reserve Projects in Progress Budget Bal + Equipment to Purchase	1037	931	887	918	728	759	707	707	435	413	397	390	380	370
Unallocated Cash Balance	\$ 604	\$ 637	\$ (693)	\$ (68)	\$ 411	\$ 392	\$ 812	\$ 547	\$ 382	\$ 517	\$ 1,382	\$ 891	\$ 1,039	\$ 1,187

10% of 2022 Budget Exenditures = \$345,988

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Project Code	Project Name	Expenditures		Budget		Expenses Budgeted	Funding	Financing			Date Began	End Date
		Assets	Expenses	Budget	Balance			Grant/Contributed	Reserve	Debt		
DEBT & REIMBURSABLE PROJECTS												
31131	WaterSystem Improvements (EFC WIIA)	3,120,694.67		8,658,000.00	5,537,305.33		WIIA Grant/Loan	\$ 3,000,000		\$ 3,842,000.00	7/12/2019	12/31/2024
31142	Upgrade Lakeville Plant Phase 2	4,245,159.31		5,525,016.06	1,279,856.75		EFC Grant/Loan C8-6449-05-00			5,525,016.06	1/1/2022	12/31/2022
31132	Groveland Wastewater Treatment Plant Disinfection Project	14,000.00		526,070.00	512,070.00		WQIP	\$ 367,576	\$ 158,494		1/1/2022	12/31/2023
31121	Lakeville WWTP Disinfection Phosphorus Removal	2,838.58		247,500.00	244,661.42		WQIP No. 111711	\$ 198,055	\$ 49,445		1/1/2022	12/31/2022
31450	Leicester/York Regional Water Project											
		7,382,692.56			7,573,893.50							
GENERAL RESERVE PROJECTS												
31148	SCADA System Wide Improvements (Phase 1)	96,425.00		370,000.00	273,575.00						1/1/2022	12/31/2022
31141	Penemite Manhole Repaid			8,542.19	8,542.19							
31146	PS Heating & Vent Upgrades	4,907.99		28,700.00	23,792.01							
	Groveland Station											
	Total General Reserve Projects	101,332.99			305,909.20							
	Total WIP Expense (GL 1600)	7,484,025.55										
Studies/ Non Capitalization												
	<i>Phase 2 Collection System Inflow & Infiltration Study Project</i>	5,400.00		120,000.00	114,600.00		EPG No. 105113	\$ 100,000	\$ 20,000		1/1/2022	12/31/2023
	<i>Avon WWTP Evaluation -Study</i>	15,600.00		30,000.00	14,400.00		(V) Avon/ (T) Avon/ LC IDA	\$ 22,500.00	\$ 7,500.00		1/1/2022	12/31/2022
	ERP Review (Billing/Accounting Software)			25,000.00	25,000.00				\$ 25,000		1/1/2022	12/31/2022
	Rate Study and Analysis			20,000.00	20,000.00				\$ 20,000		1/1/2022	12/31/2022
	Operation and Admin Bldg Assessment			25,000.00	25,000.00				\$ 25,000		1/1/2022	12/31/2022
				7,500.00	7,500.00				\$ 7,500		1/1/2022	12/31/2022
	Total Studies				206,500.00							
	Less Grants				122,500.00							
	Total Project Cash Committed				389,909.20							

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Livingston County WSA
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 10/1/2022 Through 10/31/2022

	<u>Current Period Actual</u>	<u>YTD Actual</u>	<u>YTD Last Year Actual</u>	<u>Current Year Change</u>	<u>Total Budget</u>	<u>Total Budget Variance</u>
OPERATING REVENUE						
Fees						
4110	Retail Fees	999.71	1,911,550.93	1,734,985.58	176,565.35	3,168,145.00 (1,256,594.07)
4120	Wholesale Fees	0.00	840.00	648.00	192.00	180,000.00 (179,160.00)
4125	Wholesale Fees V Caledonia	0.00	135,119.03	140,179.25	(5,060.22)	0.00 135,119.03
	Total Fees	999.71	2,047,509.96	1,875,812.83	171,697.13	3,348,145.00 (1,300,635.04)
Permit Fees						
4200	Permits	5,295.00	104,891.89	93,420.00	11,471.89	30,000.00 74,891.89
	Total Permit Fees	5,295.00	104,891.89	93,420.00	11,471.89	30,000.00 74,891.89
O&M Services						
4130	O & M Service	0.00	15,000.00	99,483.00	(84,483.00)	15,000.00 0.00
	Total O&M Services	0.00	15,000.00	99,483.00	(84,483.00)	15,000.00 0.00
Other Income						
4140	Late Fees	175.00	29,432.95	35,069.30	(5,636.35)	50,623.00 (21,190.05)
4150	Capital Fees	0.00	0.00	17.25	(17.25)	0.00 0.00
4160	Billing Services	0.00	11,375.00	14,189.55	(2,814.55)	0.00 11,375.00
4410	Miscellaneous Income	8,050.66	18,289.44	13,055.79	5,233.65	16,500.00 1,789.44
	Total Other Income	8,225.66	59,097.39	62,331.89	(3,234.50)	67,123.00 (8,025.61)
	Total OPERATING REVENUE	14,520.37	2,226,499.24	2,131,047.72	95,451.52	3,460,268.00 (1,233,768.76)
OPERATING EXPENSE						
Wages & Fringes						
5010	Wages & Salaries	88,461.89	771,320.24	568,981.97	202,338.27	1,011,098.00 239,777.76
5020	Overtime	2,995.93	33,748.39	20,721.03	13,027.36	43,519.00 9,770.61
5030	FICA	7,042.60	59,968.31	42,664.59	17,303.72	80,678.00 20,709.69
5040	Retirement	12,883.64	114,723.18	98,951.87	15,771.31	122,336.00 7,612.82
5048	Retiree Health Insurance	0.00	22,728.02	29,810.18	(7,082.16)	34,928.00 12,199.98
5050	Health Insurance	33,526.43	229,982.60	164,959.35	65,023.25	242,342.00 12,359.40
5060	Workman's Compensation/Disability	0.00	19,419.19	21,378.76	(1,959.57)	20,141.00 721.81
5065	Other Employee Benefits	0.00	0.00	10,000.00	(10,000.00)	0.00 0.00
5070	Unemployment	486.32	4,505.42	7,363.03	(2,857.61)	15,000.00 10,494.58
	Total Wages & Fringes	145,396.81	1,256,395.35	964,830.78	291,564.57	1,570,042.00 313,646.65
Professional Services						
6110	Legal Services	12,994.50	30,615.75	37,118.92	(6,503.17)	25,349.00 (5,266.75)
6120	Engineering Services	1,440.00	39,910.84	15,000.99	24,909.85	20,000.00 (19,910.84)
6125	Project Engineering NC	12,000.00	54,891.70	0.00	54,891.70	0.00 (54,891.70)
6130	Financial Services	319.88	19,965.26	29,857.00	(9,891.74)	19,300.00 (665.26)
6140	Computer Services	9,929.74	33,243.98	33,632.82	(388.84)	30,300.00 (2,943.98)
6150	Insurance	8,200.00	86,346.41	80,289.15	6,057.26	102,000.00 15,653.59
6160	Plant Operations	0.00	22,050.00	123,744.00	(101,694.00)	0.00 (22,050.00)
6190	Other Professional Services	11,800.00	12,154.25	30,578.48	(18,424.23)	0.00 (12,154.25)
	Total Professional Services	56,684.12	299,178.19	350,221.36	(51,043.17)	196,949.00 (102,229.19)

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Livingston County WSA
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 10/1/2022 Through 10/31/2022

	Current Period Actual	YTD Actual	YTD Last Year Actual	Current Year Change	Total Budget	Total Budget Variance	
Utilities							
6200	Computer Utilities	0.00	67.23	0.00	67.23	0.00	(67.23)
6210	Electricity	18,461.17	196,938.00	186,662.35	10,275.65	289,366.00	92,428.00
6220	Gas/Heating	615.41	25,939.08	16,301.38	9,637.70	20,304.00	(5,635.08)
6230	Telephone	2,224.07	18,882.64	16,133.27	2,749.37	23,007.00	4,124.36
	Total Utilities	21,300.65	241,826.95	219,097.00	22,729.95	332,677.00	90,850.05
Vehicle Expense							
6420	Vehicle Maint	2,120.00	17,787.41	4,144.79	13,642.62	10,000.00	(7,787.41)
6430	Gasoline	9,293.53	28,811.39	19,132.06	9,679.33	30,604.00	1,792.61
	Total Vehicle Expense	11,413.53	46,598.80	23,276.85	23,321.95	40,604.00	(5,994.80)
Purchased Water/Sewer							
6510	Purchased Water	27,560.04	263,395.44	272,702.81	(9,307.37)	537,500.00	274,104.56
6515	Purchased Water MCWA	19,983.98	155,102.35	158,913.48	(3,811.13)	0.00	(155,102.35)
6520	Purchased Sewer Treatment	0.00	45,765.95	43,675.41	2,090.54	85,000.00	39,234.05
	Total Purchased Water/Sewer	47,544.02	464,263.74	475,291.70	(11,027.96)	622,500.00	158,236.26
Equipment Maintenance							
6610	Equipment Repair/Supply	3,100.00	13,256.15	9,827.91	3,428.24	11,275.00	(1,981.15)
6625	Small Equipment Purchase	4,659.77	33,683.04	10,457.31	23,225.73	59,955.00	26,271.96
6635	Equip Lease/Rental Contracts	0.00	2,480.00	13,815.00	(11,335.00)	21,580.00	19,100.00
	Total Equipment Maintenance	7,759.77	49,419.19	34,100.22	15,318.97	92,810.00	43,390.81
Building Maintenance							
6300	Project Expense	0.00	4,501.20	0.00	4,501.20	0.00	(4,501.20)
6310	Outside O&M Services	964.00	244,750.40	240,133.16	4,617.24	289,618.00	44,867.60
6320	Laboratory Services	4,014.85	27,927.26	25,184.00	2,743.26	0.00	(27,927.26)
6350	Refuse Collection	750.38	8,373.37	5,395.86	2,977.51	0.00	(8,373.37)
6360	Cleaning Service	300.00	2,925.00	3,000.00	(75.00)	0.00	(2,925.00)
6620	Building Repair/Supply	29,478.62	99,505.44	76,841.47	22,663.97	170,810.00	71,304.56
6640	Customer Installation Supplies	13,300.00	74,797.68	55,293.06	19,504.62	26,232.00	(48,565.68)
	Total Building Maintenance	48,807.85	462,780.35	405,847.55	56,932.80	486,660.00	23,879.65
Other Expenses							
6340	Uniforms/Clothing	(102.97)	4,052.72	3,612.15	440.57	4,700.00	647.28
6700	Permits, Fees & Inspections	2,425.00	5,163.00	6,324.82	(1,161.82)	24,010.00	18,847.00
6810	Postage & Freight	29.13	10,425.14	9,083.99	1,341.15	14,400.00	3,974.86
6820	Office Supplies	733.01	4,865.17	3,181.01	1,684.16	4,800.00	(65.17)
6830	Advertising	294.76	17,416.40	4,167.55	13,248.85	3,990.00	(13,426.40)
6840	Travel & Training	623.92	13,191.67	4,410.15	8,781.52	24,740.00	11,548.33
6890	Miscellaneous Expenses	0.00	(0.10)	42.81	(42.91)	0.00	0.10
	Total Other Expenses	4,002.85	55,114.00	30,822.48	24,291.52	76,640.00	21,526.00
Easements & Judgements							
6870	Easements & Landtaking	0.00	0.00	0.00	0.00	40,500.00	40,500.00
6880	Judgements & Claims	0.00	0.00	637.20	(637.20)	500.00	500.00

1

Livingston County WSA
Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 10/1/2022 Through 10/31/2022

	Current Period Actual	YTD Actual	YTD Last Year Actual	Current Year Change	Total Budget	Total Budget Variance
Total Easements & Judgements	0.00	0.00	637.20	(637.20)	41,000.00	41,000.00
Total OPERATING EXPENSE	342,909.60	2,875,576.57 ^b	2,504,125.14	371,451.43	3,459,882.00 ^a	584,305.43
GAIN/LOSS BEF DEPRECIATION	(328,389.23)	(649,077.33)	(373,077.42)	(275,999.91)	386.00	(649,463.33)
DEPRECIATION EXPENSE						
6910 Deprec Expense-non contrib	(50,470.59)	(500,593.59)	(486,862.76)	(13,730.83)	0.00	(500,593.59)
6920 Deprec Expense-contributed	(58,124.20)	(581,242.00)	(594,141.25)	12,899.25	0.00	(581,242.00)
Total DEPRECIATION EXPENSE	(108,594.79)	(1,081,835.59)	(1,081,004.01)	(831.58)	0.00	(1,081,835.59)
OPERATING GAIN/LOSS	(436,984.02)	(1,730,912.92)	(1,454,081.43)	(276,831.49)	386.00	(1,731,298.92)
NON-OPERATING REVENUE/EXPENSE						
Non-Operating Income						
4115 Retail Fees-Debt related	173.82	232,404.48	187,625.75	44,778.73	343,447.00	(111,042.52)
4300 Restricted Revenue	9.55	40.68	15.28	25.40	0.00	40.68
7110 Interest Income	2,203.60	24,989.19	17,302.69	7,686.50	0.00	24,989.19
Total Non-Operating Income	2,386.97	257,434.35	204,943.72	52,490.63	343,447.00	(86,012.65)
Non-Operating Expense						
8110 Interest Expense	0.00	(27,272.82)	(43,031.57)	15,758.75	0.00	(27,272.82)
8120 G/L on sale of Assets	0.00	0.00	12,326.17	(12,326.17)	0.00	0.00
8140 Debt Fees	0.00	(19,098.83)	0.00	(19,098.83)	0.00	(19,098.83)
Total Non-Operating Expense	0.00	(46,371.65)	(30,705.40)	(15,666.25)	0.00	(46,371.65)
Total NON-OPERATING REVENUE/EXPENSE	2,386.97	211,062.70	174,238.32	36,824.38	343,447.00	(132,384.30)
NET GAIN/LOSS BEF CONTRIB	(434,597.05)	(1,519,850.22)	(1,279,843.11)	(240,007.11)	343,833.00	(1,863,683.22)
CAPITAL CONTRIBUTIONS						
Grant Revenue						
9110 Grant & Donation Revenue	226,060.83	1,332,720.93	50,000.00	1,282,720.93	0.00	1,332,720.93
Total Grant Revenue	226,060.83	1,332,720.93	50,000.00	1,282,720.93	0.00	1,332,720.93
Total CAPITAL CONTRIBUTIONS	226,060.83	1,332,720.93	50,000.00	1,282,720.93	0.00	1,332,720.93
CHANGE IN NET ASSETS	(208,536.22)	(187,129.29)	(1,229,843.11)	1,042,713.82	343,833.00	(530,962.29)



LCWSA OPERATIONS REPORT

November 16, 2022

Water and Sewer Work Program

Customer Work Orders	Staff completed 103 workorders, down 5 from last month.
UFPO	Staff completed 231 stakeouts; up 140 from last month. The majority of these stake outs were RGE installing a new gas main in Avon. Also from Contract 5 water project.
PM Maintenance	All PM maintenance was completed.
Sampling & Testing	All sampling and testing was completed. We are looking to switch Laboratories. We are starting to use ALS Labs at this time.

Water Work Program

Water Repair	Staff repaired a water service on West Lake Rd.
Meter reading	Staff completed meter reading. They did a great job. When the staff read Leicester it took them 47 minutes.
Meter Replacement Program LCWSA and Leicester Meter Replacements.	Staff is still working on meter replacements. Another round of letters will be sent out for the South end of East Lake Rd and the Hamlet of Conesus. The Leicester meter replacement have been completed. The town has a few left to change.

Sewer Work Program

Manhole Cleaning	Staff has been cleaning manholes with the Vac Truck
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LCWSA CAPITAL PROJECTS REPORT

November 16 , 2022

31085 DOCCS WSP

No change- still averaging between 110,000 and 135,000 gpd.

31131 Countywide Water System Improvements - Phase 1 (ARS Water Main Ext + Grov. Sta Inter)

MW Controls are still waiting on a few electrical Items. MW Controls have started contract 2 Chlorine System Upgrades with a possible completion in early December. Contract 5 Morsch Pipeline has started Pine Tree Mobile Home Park. They are about 85% completed on the water service transfers on Stone Hill Rd. The creek crossing has been bored and tied into the water main. they are pressure testing and chlorinating this week.

31138 Comprehensive SCADA System Evaluation

GHD has presented the Proposal and Control System Upgrades. GHD is also looking into a new controller for 11w.

31140 I&I Study (Smoke Testing + San Sewer Cleaning & Televising)

Staff is working on a corrective action plan to correct the deficiencies.

31142 Lakeville WWTP Upgrades - Phase 2 + UV

Blue Heron is waiting on the 2- 125hp pumps to come back for installation. Colacino is working on the drive units.



RESOLUTION NO. 2022-40

**RESOLUTION TO APPROVE WEBSTER SZANYI, LLP RATES FOR LABOR AND
EMPLOYMENT MATTERS COUNSEL SERVICES TO THE LIVINGSTON COUNTY
WATER AND SEWER AUTHORITY**

WHEREAS, Webster Szanyi, LLP have provided legal services to the Livingston County Water and Sewer Authority (the "Authority"); and Webster Szanyi, LLP's legal fees have not increased since 2017 despite increases in labor and material costs; and

WHEREAS, The Executive Director recommends that Webster Szanyi, LLP continue to serve as the Authority's Labor and Employment Matters counsel, and now therefore be it,

RESOLVED, The Livingston County Water and Sewer Authority Board accepts the proposal to increase the Webster Szanyi, LLP's hourly fee for legal services to \$275/hour for Partners, \$245/hour for Senior Associates, \$225/hour for Associates, and paralegal services to \$120/hour effective January 1, 2023.

November 23, 2022
Livingston County Water & Sewer Authority
Moved By:
Seconded By:
AYES:
NAYS:



Susan M. McClaren
Partner

October 20, 2022

Via Email

Jason Molino
Executive Director
Livingston County Water & Sewer Authority
1997 D'Angelo Drive
P.O. Box 396
Lakeville, NY 14480

Re: Labor and Employment Matters

Dear Jason:

Webster Szanyi LLP appreciates the opportunity to continue to represent the Livingston County Water & Sewer Authority in connection with labor and employment matters. The terms of our representation are set forth in this letter.

I will continue to be principally responsible for services provided to the Livingston County Water & Sewer Authority. As circumstances warrant, however, other attorneys may be assigned to work with me on your matters.

Our fees reflect the value of our services and are based on hourly billing rates that take into account the complexity of the matter, the skill and experience required to perform the services, the time constraints imposed by the circumstances and the size of the matter, among other factors. Effective January 1, 2023, Partners will be billed at \$275.00 per hour. Senior Associates will be billed at \$245.00 per hour, Associates at \$225.00 per hour and paralegals at \$120.00 per hour. We will always endeavor to use lawyers with the lowest billing rates for the tasks that are suitable to their level of experience and expertise. Our rates are reviewed annually and may be increased during the course of our representation. We will bill you monthly for both fees and other charges including all disbursements incurred by us on your behalf.

Conclusion of Representation; Disposition of Documents. Unless previously terminated, our representation in this matter will terminate upon our sending you our final statement for services rendered in this matter. At your request, your

October 20, 2022

Page 2

papers and property will be returned to you upon receipt of payment for outstanding fees and costs. Our own file pertaining to the matter will be retained by us. For various

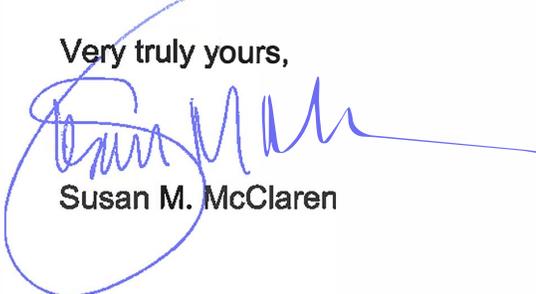
reasons, including the minimization of unnecessary storage expenses, we reserve the right to destroy or otherwise dispose of any such documents or other materials retained by us within a reasonable time after the termination of the engagement. Depending on the resolution of your matter (verdict, settlement, etc.), we may dispose of more or less materials, but we will maintain relevant materials for seven years following the conclusion of our representation, after which time all of the materials will be disposed of without further notice to you unless you contact us prior to this time and request that the materials be returned to you.

I am enclosing a Statement of Client's Rights which applies to all lawyers in New York State. Please contact me immediately if you ever feel that we are not living up to these requirements.

Please sign this letter in the space provided and return it to me.

Again, thank you for the opportunity to continue to serve you.

Very truly yours,



Susan M. McClaren

SMM:pst
enclosure

Agreed to and accepted:

By: _____
Jason Molino, Executive Director

Date: _____



RESOLUTION NO. 2022-41

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY TO SIGN THE FIRST AMENDMENT TO THE LEASE AGREEMENT WITH THE VILLAGE OF LIVONIA

WHEREAS, The Village of Livonia and Livingston County Water and Sewer Authority have entered into an Agreement dated July 21, 2021, where the Authority and Village agreed that the Authority will lease, maintain, operate, repair and replace the facilities of the System (as defined in the July 21, 2021 Lease Agreement), and will supply water directly to customers served by the System, under the terms and conditions specified in the Agreement, and

WHEREAS, This Amendment is intended to supplement and amend the Lease Agreement between the parties, being dated July 21, 2021 (hereafter "Original Agreement"), and

WHEREAS, The parties agree that the current Section 2.4 of the Original Agreement shall be replaced in its entirety and the Original Agreement shall be amended with the new Section 2.4 as described in the First Amendment to the Lease Agreement now, therefore be it,

RESOLVED, that the Livingston County Water and Sewer Authority Board hereby authorizes the Executive Director to sign any and all necessary Agreement documents with the Village of Livonia, subject to review and approval by the LCWSA Attorney.

November 23, 2022

Livingston County Water & Sewer Authority

Moved By:

Seconded By:

AYES:

NAYS:

FIRST AMENDMENT TO THE LEASE AGREEMENT
between the
LIVINGSTON COUNTY WATER AND SEWER AUTHORITY
and the
VILLAGE OF LIVONIA

This Amendment entered into as of October 26, 2022, by and between the **Livingston County Water and Sewer Authority**, a public benefit corporation (the "Authority"), having an office at 1997 D'Angelo Drive, Lakeville, New York and the Trustees of the **Village of Livonia**, a municipal corporation on its own behalf (the "Village"), having an office at 35 Commercial Street, Livonia New York.

WHEREAS, the Authority was created by state legislation (See NYS Public Authorities Law §1199-CCCC) for the express purpose of providing water and sewer services within Livingston County, New York; and

WHEREAS, the Authority has expertise in the operation of water distribution systems and sewer treatment and distribution systems; and

WHEREAS, the Village and Authority previously entered into a Lease Agreement, last dated July 21, 2021, whereby the Authority and Village agreed that the Authority will lease, maintain, operate, repair and replace the facilities of the System (as defined in the July 21, 2021 Lease Agreement), and will supply water directly to customers serve by the System, under the terms and conditions specified in this Agreement; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Supplement and Amendment to prior Lease Agreement. This Amendment is intended to supplement and amend the Lease Agreement between the parties, being dated July 21, 2021 (hereafter "Original Agreement"), a copy of which is attached hereto and made a part hereof.

2. Rights and Obligations of the Authority. The parties agree that the current Section 2.4 of the Original Agreement shall be replaced in its entirety and the Original Agreement shall be amended with the following new section 2.4:

"The Authority shall sell water to the customers of the System in accordance with the current Town of Livonia retail water rate and unit schedule through 2028. Additionally, the Authority may make periodic increases to the retail water rate, so long as any such increase or adjustment does not exceed four percent (4%) over the prior year's rate and unit charge. The only exception to such 4% increase cap would be for future Authority capital projects that

benefit the portion of the Authority system that serves Authority customers that receive water sourced from the City of Rochester. Such costs shall be passed along to all Authority customers receiving water sourced from the City of Rochester proportionally, including customers within the Village. After December 31, 2028, the Authority shall be free to charge customers of the System within the Village in keeping with the Authority Rate Schedule then in effect.

3. Term and Termination.

- a. The term of this Amendment shall run contemporaneously with the Original Agreement and shall automatically renew as part of the Original Agreement unless either party gives the other party not less than ninety (90) days prior written notice of its intent to terminate this Amendment and the Original Agreement.

4. Miscellaneous.

- a. Force Majeure. If the performance of this Amendment, or any obligation hereunder is prevented, restricted or interfered with by any act or condition whatsoever beyond the reasonable control of the affected party, whether or not foreseeable or identifiable, including without limitation acts of God, strikes, lockouts, riots, acts of war, governmental regulations, technology failures, pandemic or other wide-spread public health concerns, fire, power failure, earthquakes, severe weather, floods or other natural disaster, the party so affected, upon giving prompt notice to the other party, shall be excused from performance to the extent of such prevention, restriction or interference.
- b. Terms Not Modified Hereby. All other terms of the Original Agreement not otherwise modified or supplemented hereby shall continue in full force and effect and shall continue to apply to the services to be provided by the Authority to the Village of Livonia.
- c. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment with the intent that it be effective on the day and year first written above.

Dated: 10/24/2022

VILLAGE OF LIVONIA

By: *Calvin Lathan*

Calvin Lathan, Mayor

**LIVINGSTON COUNTY WATER & SEWER
AUTHORITY**

Dated: _____

By: _____

Jason Molino, Executive Director

To: Livingston County Water and Sewer Authority Board

From: Jason Molino, Executive Director 

Date: November 7, 2022

Subject: Amend Public Authorities Law

1. Action Requested:

Undertake special legislation to amend §1199-gggg (1) of the NYS Public Authorities Law in relation to the total amount of debt the Livingston County Water and Sewer Authority (“Authority”) may assume, increasing the aggregate principal amount of bonds, notes, or other obligations the Authority may issue from \$42 million to \$70 million.

2. Background:

Current Bond Limit

The Authority is a public benefit corporation established in 1995 by State legislation under New York State Public Authorities Law §1199-cccc (“Enabling Legislation”). The Authority provides water and sewer services for eleven (11) municipalities within Livingston County, New York. Because of the local topography, varying land elevations and rural customer base, the Authority is the largest publicly owned treatment works (“POTW”) in Livingston County, New York. Such POTW’s include approximately 120 miles of water transmission main, 50 miles of sewer transmission line, 48 sewer pumps stations, 11 water storage tanks and two wastewater treatment facilities. Those facilities allow the Authority to furnish its customers up to 3 million gallons per day (“MGD”) of potable water and treat approximately 1.3 MGD of wastewater.

The Authority's legislatively granted powers include fixing and collecting water and sewer rents and rates, borrowing money and issuing bonds, and acquiring, holding and disposing of personal and real property for its corporate purposes. As set forth in the Authority enabling legislation under Section 1199-gggg (1), the Authority's aggregate principal amount of outstanding bonds, notes or other obligations shall not exceed \$42,000,000. This amount has not changed since 1995. As detailed below, the Authority is now subject to mandates by Federal and State agencies that require the Authority to significantly increase capital expenditures to improve its facilities and treatment processes, which results in the consequential increase in the issuance of bonds to finance such expenditures. In addition to its own infrastructure and treatment process improvements, the Authority has been authorized by the Livingston County Board of Supervisors to develop and implement a water supply project to provide greater access to safe drinking water to the communities impacted by the 1994 AkzoNobel salt mine collapse. As further discussed below, in order to continue providing access to safe drinking water and sewer services to the Authority’s existing

customers, while at the same time increasing its capital expenditures to comply with Federal and State mandates and to provide safe drinking water to the communities impacted by the 1994 AkzoNobel salt mine collapse, the Authority will need to issue bonds in excess of its current statutory limit.

Current and Planned Bond indebtedness

The Authority currently has an aggregate outstanding debt obligation of approximately \$3,421,050. This number does not include various improvement projects that are in process currently.

In 2017, the Authority received approval of its Lakeville Wastewater Treatment Plant upgrade project. These sewer infrastructure improvements are necessary to comply with the revised State Pollutant Discharge Elimination System (SPDES) Discharge Permit to bring the plant up to design capacity as well as implement regulatory compliance requirements from the United States Environmental Protection Agency ("EPA") and the New York State Department of Environmental Conservation ("DEC"). The project is near completion and the Authority is currently working with the NYS Environmental Facilities Corporation ("EFC") to finalize financing for the project. Completion of this project will result in an additional indebtedness of \$7,652,105.

In 2021, the Authority received approval for its County Wide Water System Improvements project. These water infrastructure improvements and upgrades are necessary to comply with mandated action pursuant to an EPA Administrative Order. The total cost of implementing the project is \$8,500,000. The Authority will be required to finance \$5,500,000 of the project costs using bonds, notes, loans and water rents and other charges collected from its system users. The project is currently underway and is expected to be completed by 2024. Completion of this project expected to result in an additional indebtedness of \$5,500,000.

In 2022 the Authority received approval for its Conesus Lake Pump Station Improvements project. These improvements involve the replacement of 50-year-old wastewater collection system infrastructure surrounding Conesus Lake. The estimated cost of implementing the Conesus Lake Pump Station Improvements project is \$5,000,000. The Authority will be required to finance and estimated \$3,750,000 of the project cost through the use of bonds, notes, loans and sewer rents and other charges collected from its system users. The project is expected to be completed by 2024. Completion of this project is expected to result in an estimated additional indebtedness of \$3,750,000.

Future Bond Indebtedness

In 2022, the Authority received a request from the Livingston County Board of Supervisors to pursue the Leicester/York Regional Water Supply Expansion project. This regional water supply project involves participation from at least five (5) towns, three (3) Villages, Livingston County and the City of Rochester with the goal to provide greater access to safe drinking water to the

communities impacted by the 1994 AkzoNobel salt mine collapse. The salt mine collapse has caused water-level declines and contaminated groundwater throughout parts of Livingston County specifically in the Towns of York, Geneseo, Avon, Leicester, and Mount Morris. The total cost of implementing the regional water supply project is estimated to be \$55,000,000 (based on 2022 costs). The Authority projects that it may need to issue bonds to an amount of approximately \$32,500,000 in order to complete this project.

Increasing the Authority's debt limit through special legislation will allow the Authority to complete these projects without deferment or delay that would otherwise be caused by the outdated restriction imposed in 1995.

Prior Amendments to the Public Authorities Law

We have investigated the statutory debt limits of the other public authorities created under Article 5 of the Public Authorities Law. We found that four other public authorities that have had their debt limits increased by special legislation requests.

- The Upper Mohawk Valley Regional Water Finance Authority increased its debt limit from \$100M to \$300M in 2014.
- The Environmental Facility Corporation increased its bond limit from \$1.20B to \$2.20B in 2015.
- The Buffalo Sewer Authority increased its debt limit from \$125M to \$250M in 2018.
- The Metropolitan Commuter Transportation Authority increased its debt limit from \$55.40B to \$90.10B in 2020.

Of those public authorities that have increased their debt limits, the Upper Mohawk Valley Regional Finance Authority and Buffalo Sewer Authority are the most comparable to the Livingston County Water and Sewer Authority.

The purpose of the Upper Mohawk Valley Regional Finance Authority debt limit increase was to manage existing debt related to regulatory compliance while balancing the continued need for future water infrastructure replacement and upgrades as well as expected growth related to industrial development. As a result, the Authority received an increase in its established debt limit from \$100M to \$150M for regular water upgrades, while creating a separate debt limit of \$150M specifically for future growth related to economic and industrial development.

The Buffalo Sewer Authority debt limit of \$125M had been in place since 1975 prior to its increase in 2018. The increase to \$250M was necessary to accommodate large capital improvement projects forecasted in the future. In addition, these projects were compliance driven as they related to satisfying EPA Administrative Orders.

3. Financial Implications:

The current aggregate principal amount of bonds issued by the Authority is approximately \$3,421,050. The Authority predicts an additional indebtedness from its current capital improvement plan of approximately \$16,900,000, bringing its total aggregate debt amount to approximately \$20,321,050. As noted, to fully implement capital improvements to meet Federal and State regulatory mandates, construct the Leicester/York Regional Water Supply Expansion Project, as well as complete any water or sewer improvements in the foreseeable future while not compromising access to safe drinking water and sewer services for existing customers, the aggregate principal amount of bonds, notes, or other obligations the Authority is able to issue will need to increase in the very near future. It is recommended that the Authority seek an increase in the aggregate principal amount of bonds, notes, or other obligations the Authority may issue from \$42,000,000 to \$70,000,000.



RESOLUTION NO. 2022-42

RESOLUTION TO AMEND THE PUBLIC AUTHORITIES LAW IN RELATION TO INCREASING THE LIVINGSTON COUNTY WATER AND SEWER AUTHORITY'S AGGREGATE PRINCIPAL AMOUNT OF BONDS FROM \$42,000,000 TO \$70,000,000

WHEREAS, The Livingston County Water and Sewer Authority ("Authority"), a public benefit corporation, was established by Article 5, Title 8-G* of the New York Public Authorities Law for the express purpose of providing water and sewer services within Livingston County, New York; and

WHEREAS, Under Section §1199-gggg (1) the Authority is authorized from time to time to issue bonds, notes or other obligations to pay the cost of any project or for any other corporate purpose, including the establishment of reserves to secure the bonds, the payment of principal of, premium, if any, and interest on the bonds and the payment of incidental expenses, and the aggregate principal amount of such bonds, notes or other obligations shall not exceed \$42,000,000; and

WHEREAS, The Authority currently has several capital projects in progress including, but not limited to, the Lakeville Wastewater Treatment Plant Upgrades, the County Wide Water System Improvements Project and the Conesus Lake Pump Station Improvements Project that when completed will bring the Authority's total aggregate principal amount of debt to approximately \$20,321,050; and

WHEREAS, In 2022 the Authority received approval to pursue the Leicester/York Regional Water Supply Expansion project involving the participation of at least five towns, three villages, Livingston County and the City of Rochester to provide greater access to safe drinking water to the communities impacted by the 1994 AkzoNobel salt mine collapse. The salt mine collapse has caused water-level declines and contaminated groundwater throughout parts of the County specifically in the Towns of York, Geneseo, Avon, Leicester, and Mount Morris. The estimated total cost of implementing the regional water supply expansion project in 2022 dollars is \$55,000,000 and may require the Authority to finance up to \$32,500,000 of the project with its own resources, including bonds, notes, loans and water rents and other charges collected from its system users; and

WHEREAS, In addition, the Authority continues to plan and expects to complete capital projects into the future as it relates to the continued upkeep and safe operation of its existing water and sewer systems that may require additional indebtedness; and

WHEREAS, An increase to the Authority's statutory debt limit is needed for the Authority to complete these and future projects without deferment or delay which could compromise the Authority's ability to provide safe drinking water and sewer services to customers, now, therefore be it,

RESOLVED, that the Livingston County Water and Sewer Authority Board hereby requests that Public Authorities Law, Article 5, Title 8-G*, §1199-gggg (1) be amended to increase the aggregate principal amount of such bonds, notes or other obligations to \$70,000,000.

November 16, 2022

Livingston County Water & Sewer Authority

Moved By:

Seconded By:

AYES:

NAYS: