

MINUTES

**MONROE COUNTY WATER AUTHORITY
REGULAR MEETING
Thursday, January 10, 2019
9:30 a.m.**

Board Room, General Offices, 475 Norris Drive, Rochester, New York

9:30 a.m. The Chairman called this Regular Meeting to order.

Roll call of the membership of the Board and determination that a quorum was present.
Members present (6): S. Nasca, S. Volpe, M. Fero, R. Hurlbut, A. Bernstein, J. Rulison
Members absent (1): W. Bleier-Mervis

Staff present:

N. Noce, Executive Director; M.A. Hussar, Secretary to the Authority; R. Metzger, P.E., Chief Engineer; R. Benshoff, Exec. Dir. of Operations; S. M. Savage, P.E., Dir. of Engineering; L. Magguilli, Assistant to Exec. Dir.; D. Hendrickson, Dir. of Human Resources; Greg Jablonsky, Dir. Information Technology

General Counsel present: R. Miller, Esq. HS&E

Monroe County Legislative Liaison present: Hon. Frank X. Allkofer

Packets containing detailed information on Agenda items were distributed in advance of meeting date to each Member, Executive Staff and Counsel for their prior review.

Pledge of Allegiance – lead by Chairman Nasca

#19-001 Approve minutes of the Authority’s Public Information Meeting held on December 12, 2018 and minutes of the Regular Meeting of the Board held on December 13, 2018.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #19-001 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

#19-002 Accept list of disbursements on check registers dated December 12, December 19, December 26, 2018 and January 2, 2019 which were forwarded to the Authority Members for their review.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #19-002 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

#19-003 Accept Purchase Order List of materials and supplies for the period December 7, 2018 through January 2, 2019 in the amount of \$938,002.40.

On a motion made by Mr. Hurlbut, seconded by Mr. Bernstein, the foregoing resolution #19-003 was put to a voice vote and unanimously carried. Ayes: 6; Nays: 0.

COMMUNICATIONS / NOTIFICATIONS – Mr. Noce was pleased to share with the members notification received from *American Public Works Association - Genesee Valley Branch* that MCWA Chief Engineer, R. Metzger has been named Award Winner of the Professional Manager of the Year (*Water Resources Category*) for 2018. The Board and Mr. Noce congratulated Mr. Metzger on winning this prestigious award, and thanked him for his outstanding service and the expertise that he provides to MCWA every day.

#19-004

RESOLUTION #19-004

**EXPRESSING APPRECIATION FOR YEARS OF SERVICE AND
BEST WISHES OF THE MONROE COUNTY WATER AUTHORITY BOARD
TO MAUREEN A. METZLER UPON HER RETIREMENT**

WHEREAS, Maureen A. Metzler, a longtime employee of the Water Authority has retired as of December 28, 2018; and

WHEREAS, Maureen A. Metzler is a highly skilled and knowledgeable 25 year veteran of the Water Authority; and

WHEREAS, Maureen A. Metzler will be remembered for her dedicated service by her fellow employees and management of the Water Authority.

NOW THEREFORE BE IT RESOLVED, MCWA extends its appreciation and best wishes for a happy, fulfilling retirement; and

BE IT FURTHER RESOLVED, that the Secretary of the Board is hereby requested to forward a copy of this resolution to Maureen A. Metzler, MCWA Retiree.

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On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #19-004 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

#19-005 Confirm the following personnel appointment pending approval and pursuant to the Rules and Regulations of the Monroe County Civil Service Commission:

Appointment of **Adam Brinkman** to the title of **Skilled Laborer in the Building & Grounds Department**, effective January 28, 2019 at Salary Schedule 4, Group 2, Step 1.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut, the foregoing resolution #19-005 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

In discussion of Item #19-006, Mr. Savage addressed the Members. He explained the professional services to be provided and indicated these services will be as needed and supplemental to MCWA in-house activity, based on fluctuations in workload. He also pointed out that the agreement will be for a term of five years and that contractor has provided these services for MCWA successfully in the past.

#19-006 Authorize the execution of a **Professional Services Agreement with Christa Construction LLC** for Contract Administration and Inspection Services. The agreement will be for a term of five (5) years.

On a motion made by Mrs. Volpe, seconded by Mr. Fero, the foregoing resolution #19-006 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

For Item #19-007, Mr. Savage addressed the Board providing a detailed summary of the professional coating consulting services to be provided which will be on an as-needed basis to support in-house activity. He explained that our staff having reviewed all of the qualifications received, recommended agreements be executed with these six qualified firms listed.

#19-007 Authorize the execution of **Professional Services Agreements with the following firms for Coating Consulting Services:** CHA Consulting Inc.; CorrTech Inc.; H2M Engineers and Architects; Ravi Engineering & Land Surveying P.C.; Tank Industry Consultants (TIC); and Wendel. The agreements are for a term of five (5) years.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut, the foregoing resolution #19-007 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

In discussion of Item #19-008, Mr. Savage addressed the Members for authorization on award of this unit price contract. He explained the details concerning the project, reviewed the bid results and indicated that the bid was based on estimated quantities.

#19-008 Authorize the award of a **unit price contract for the 2019 Vacuum Excavation Contract** to the low responsive, responsible bidder, **Ledge Creek Development, Inc.** for the bid amount of \$176,405, which may be renewed for two subsequent one-year terms at the mutual, written consent of the Authority and the contractor.

On a motion made by Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution #19-008 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

For Item #19-009, Mr. Metzger briefed the Board by providing an overview of scope of work and a summary of the bid results. He explained that although C.P. Ward, Inc. was the sole bidder, they have done work for the Authority successfully in the past. The term of the agreement will be until upon completion of the project.

#19-009 Authorize the award of the **Shoremont West 1 Water Treatment Plant Improvements unit price contract** to the low responsive, responsible bidder, **C.P. Ward, Inc.** for the bid amount of \$1,695,000.

On a motion made by Mr. Hurlbut, seconded by Mr. Rulison, the foregoing resolution #19-009 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

Mr. Metzger again addressed the Board for Item #19-010. He explained that the current Scrubber at the Shoremont Water Treatment Plant has reached its 20-year end of useful life. The replacement Scrubber will be a new emergency gas dry scrubber, which is manufactured using innocuous materials. He also explained that there were (2) bidders and the recommendation is to award contract to the low responsive, responsible bidder Crosby-Brownlie, Inc. who has provided services previously to the Authority.

#19-010 Authorize the award of the **Scrubber Installation unit price contract** to the low responsive, responsible bidder, **Crosby-Brownlie, Inc.** for the bid amount of \$157,000.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut, the foregoing resolution #19-010 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

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For item #19-011 Mr. Metzger reviewed for the Members that Resolution #18-230 was a request for materials and services for the rehabilitation and repair of Echo Street Booster Pump Station (BPS) Pump No. 1. It was determined, after disassembly and completing inspection, that there are additional parts requiring repair, which necessitates a cost adjustment to the original estimated contract amount with Siewert Equipment.

#19-011 Authorize the **amendment of Board Resolution #18-230** (ref: 11/8/2018) for materials and services for the rehabilitation and repair of Echo Street BPS Pump No. 1 by Siewert Equipment, a Division of Cummins-Wagner, **increasing the estimated amount from \$22,000 to \$25,000.**

On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #19-011 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

For Item #19-012, Mr. Metzger addressed the Board and explained that this unit price contract is to furnish and deliver a 20-inch Pump Isolation Valve at the Shoremont Water Treatment Plant of which MCWA will handle the installation. He also indicated that this work is part of a sequenced rehabilitation and replacement program.

#19-012 Authorize the **award of the 20” Pump Isolation Valve unit price contract** to the low responsive, responsible bidder, **Core & Main, LP** for the bid amount of \$14,750.

On a motion made by Mr. Hurlbut, seconded by Mr. Fero, the foregoing resolution #19-012 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

For Item #19-013, Mr. Metzger once again addressed the Board and explained that this unit price contract is to furnish and deliver a 20-inch Pump Control Ball Valve at the Shoremont Water Treatment Plant of which MCWA will handle the installation. In providing additional background, he indicated that this work is also part of a sequenced rehabilitation and replacement program.

#19-013 Authorize the award of the **20” Pump Control Ball Valve unit price contract** to the low responsive, responsible bidder, **Core & Main, LP** for the bid amount of \$73,799.

On a motion made by Mr. Hurlbut, seconded by Mr. Fero, the foregoing resolution #19-013 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

For Item #19-014, Mr. Benshoff addressed the Members, providing detail on the purchase, indicating these will replace older Tapping Sleeves that are in need of replacement. He explained they are used by crews in new and renewal of water services.

#19-014 Authorize a **unit price purchase contract for Tapping Sleeves from Blair Supply Corporation**, the low responsive, responsible bidder, in the estimated bid amount of \$20,932 for an initial one-year term with the option to extend upon mutual consent for up to four (4) additional one-year terms.

On a motion made by Mr. Bernstein, seconded by Mr. Rulison, the foregoing resolution #19-014 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

Mr. Benshoff addressed the Members on this unit price, purchase contract, explaining this is for various water service products used throughout the year. He recapped bid results and mentioned we have purchased these types of materials from this vendor in previous years.

#19-015 Authorize a **unit price purchase contract for Water Service Materials from Blair Supply Corporation**, the low responsive, responsible bidder, in the estimated bid amount of \$34,436 for an initial term of one-year with the option to extend, upon mutual consent, for up to four (4) additional one-year terms.

On a motion made by Mr. Hurlbut, seconded by Mrs. Volpe, the foregoing resolution #19-015 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

For Item #19-016, Mr. Benshoff addressed the Board for this unit price, annual supply purchase contract. He recapped bid results stating there were (4) bidders total and all but (1) submitted incomplete bids, therefore Mr. Benshoff requests that the purchase contract be awarded to the low responsive, responsible bidder, Goodman Janitorial Supply, Inc., a new supplier to the Authority.

#19-016 Authorize a **unit price purchase contract for Janitorial Supplies from Goodman Janitorial Supply, Inc.** the low responsive, responsible bidder, in the estimated bid amount of \$15,771 for an initial term of one-year with the option to extend, upon mutual consent, for up to four additional one-year terms.

On a motion made by Mr. Rulison, seconded by Mr. Hurlbut, the foregoing resolution #19-016 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

For item #19-017, Mr. Benshoff briefed the Board for authorization in utilizing the Monroe County Contract for Collision Repair. He stated that the Authority has previously utilized the County Contract for collision and bodywork repair for MCWA vehicles, and that the County has renewed this contract as currently awarded to Hawk Frame & Axle, Inc.

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Mr. Benshoff also advised the Members that a portion of the MCWA costs projected in the resolution is subsequently reimbursed by insurance carriers.

#19-017 Authorize the **use of Monroe County Contract #1104-16 – SAP Contract #4700007380 Collision Repair, Vehicle** (currently awarded to Hawk Frame & Axle) for collision repair of MCWA vehicles as needed in an estimated amount of \$50,000 through the contract period ending December 31, 2019.

On a motion made by Mr. Bernstein, seconded by Mr. Hurlbut, the foregoing resolution #19-017 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

#19-018 The Members of the Authority expressly make the following determinations for all awards of Procurement Contracts made during this meeting: (i) the proposed awardee has been found to be responsible; (ii) the proposed awardee complied with the State Finance Law provisions regarding Permissible Contacts (as defined in the Authority's Procurement Disclosure Policy); (iii) the proposed awardee has (or will prior to the final award being effective) complied with the State Finance Law provisions that require disclosure of all information required to be in the Authority's Solicitation Materials (as such term is defined in the Authority's Procurement Disclosure Policy); and (iv) the procurement process did not involve conduct that is prohibited by the Public Officers Law, the Authority's Procurement Disclosure Policy, and the Authority's Code of Ethics and Conflict of Interest Policies.

On a motion made by Mr. Fero, seconded by Mrs. Volpe, the foregoing resolution #19-018 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

In discussion of Item #19-019, Mr. Savage briefed the Members on the specifics of the project and the necessity for obtaining these easements. He explained that we have already acquired (1) temporary and (10) permanent easements from other property owners that are needed for the project. Mr. Savage indicated that despite Staff attempts to acquire the other (9) easements voluntarily, MCWA has been unsuccessful to date, therefore Board action is necessary for this project to stay on schedule.

#19-019 WHEREAS, the Monroe County Water Authority (the "Authority") is installing approximately 10,430 linear feet of 12" ductile iron water main and appurtenances on Manitou Beach Road (NYS Route 261/County Road 272) between Payne Beach Road and Lake Ontario in the Town of Greece to replace the existing, deficient 8" cast iron water mains (the "Project"); and

WHEREAS, the acquisition of 9 Permanent Easements (the "Easements") from 9 property owners in the Town of Greece along the Project is necessary for the construction, installation, operation, and maintenance of the Project; and

WHEREAS, the Authority has acquired ten (10) Permanent Easements and one (1) Temporary Easement necessary for the construction, installation, operation, and maintenance of the Project; and

WHEREAS, the remaining nine (9) Permanent Easements are described on Attachment "A" to this Resolution; and

WHEREAS, the Authority has considered whether the acquisition of the Easements is de minimis in nature so that the public interest will not be prejudiced thereby; and

WHEREAS, the Authority has considered whether the delay of the acquisition of the Easements will prejudice the public interest.

NOW, THEREFORE, it is RESOLVED, that nine (9) Permanent Easements along Manitou Beach Road (NYS Route 261) in the Town of Greece as described on Attachment "A" to this Resolution are necessary to the Project; and it is

FUTHER RESOLVED, that the public use, benefit, or purpose of the acquisition of the Easements is to allow the completion of the construction, installation, operation, and maintenance of the Project, which will provide potable water and water for fire protection to residents in the Town of Greece; and it is

FURTHER RESOLVED, that the exercise of the power of eminent domain is appropriate and necessary to acquire the Easements for the completion of the construction, installation, operation, and maintenance of the Project; and it is

FURTHER RESOLVED, that the acquisition of the Easements is de minimis in nature so that the public interest will not be prejudiced; and it is

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FURTHER RESOLVED, that any delay in the Authority obtaining immediate possession of the Easements will prejudice the public interest; and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, is authorized to proceed immediately to acquire the Easements through exercise of the Authority's power of eminent domain pursuant to the provisions of New York State's Eminent Domain Procedure Law ("EDPL"); and it is

FURTHER RESOLVED, that public interests will be prejudiced by delay and, accordingly, the Executive Director, or any agent he may designate, is authorized to petition the court for immediate possession and right of entry pursuant to EDPL §402 (B) (6); and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, shall retain the authority to negotiate the purchase of the Easements on terms determined reasonable by him during the pendency of the condemnation action should that course of action be deemed by him to be feasible and desirable; and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, shall execute any and all documents necessary in the opinion of Counsel to the Authority to give effect to the resolutions made herein; and it is

FURTHER RESOLVED, that the Executive Director shall have the authority to take such other actions as he deems advisable and necessary in relation to obtaining the Easements.

On a motion made by Mr. Rulison, seconded by Mr. Bernstein, the foregoing resolution #19-019 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

Mr. Savage again addressed the Members pertaining to item #19-020. He explained the necessity for acquiring the (5) permanent easements and stated that negotiations have been unsuccessful to date to acquire (2) of the (5) permanent easements needed, therefore Board action is necessary at this time to ensure project stays on schedule.

#19-020 WHEREAS, the Monroe County Water Authority (the "Authority") is installing approximately 10,200 linear feet of 12" ductile iron water main and appurtenances on East River

Road (County Road 84) between Brooks Road and River Meadow Drive in the Town of Henrietta to replace the existing, deficient 12" cast iron water main (the "Project"); and

WHEREAS, the acquisition of five (5) Permanent Easements (the "Easements") from five (5) property owners in the Town of Henrietta along the Project is necessary for the construction, installation, operation, and maintenance of the Project; and

WHEREAS, the Authority has acquired three (3) Permanent Easements necessary for the construction, installation, operation, and maintenance of the Project; and

WHEREAS, the remaining two (2) Permanent Easements are described on Attachment "A" to this Resolution; and

WHEREAS, the Authority has considered whether the acquisition of the Easements is de minimis in nature so that the public interest will not be prejudiced thereby; and

WHEREAS, the Authority has considered whether the delay of the acquisition of the Easements will prejudice the public interest.

NOW, THEREFORE, it is RESOLVED, that two (2) Permanent Easements along East River Road (County Road 84) in the Town of Henrietta as described on Attachment "A" to this Resolution are necessary to the Project; and it is

FURTHER RESOLVED, that the public use, benefit, or purpose of the acquisition of the Easements is to allow the completion of the construction, installation, operation, and maintenance of the Project, which will provide potable water and water for fire protection to residents in the Town of Henrietta; and it is

FURTHER RESOLVED, that the exercise of the power of eminent domain is appropriate and necessary to acquire the Easements for the completion of the construction, installation, operation, and maintenance of the Project; and it is

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FURTHER RESOLVED, that the acquisition of the Easements is de minimis in nature so that the public interest will not be prejudiced; and it is

FURTHER RESOLVED, that any delay in the Authority obtaining immediate possession of the Easements will prejudice the public interest; and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, is authorized to proceed immediately to acquire the Easements through exercise of the Authority's power of eminent domain pursuant to the provisions of New York State's Eminent Domain Procedure Law ("EDPL"); and it is

FURTHER RESOLVED, that public interests will be prejudiced by delay and, accordingly, the Executive Director, or any agent he may designate, is authorized to petition the court for immediate possession and right of entry pursuant to EDPL §402 (B) (6); and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, shall retain the authority to negotiate the purchase of the Easements on terms determined reasonable by him during the pendency of the condemnation action should that course of action be deemed by him to be feasible and desirable; and it is

FURTHER RESOLVED, that the Executive Director, or any agent he may designate, shall execute any and all documents necessary in the opinion of counsel to the Authority to give effect to the resolutions made herein; and it is

FURTHER RESOLVED, that the Executive Director shall have the authority to take such other actions as he deems advisable and necessary in relation to obtaining the Easements.

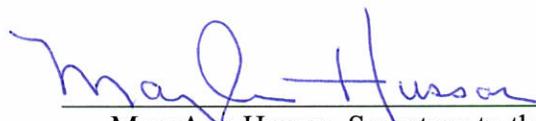
On a motion made by Mr. Rulison, seconded by Mrs. Volpe, the foregoing resolution #19-020 was duly put to a vote on roll call and unanimously carried. Ayes: 6; Nays: 0.

Presented for Board Members' informational/notification purposes:

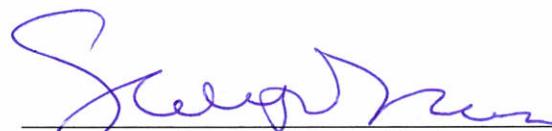
- In Board folders for review:
 - Quarterly Claims Report – 2018 4th Quarter
 - Any routine monthly informational updates.

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There being no further business to come before the Authority, Chairman Nasca adjourned the meeting at 9:54 a.m.



MaryAnn Hussar, Secretary to the Authority



Scott D. Nasca, Chairman