



**APPROVED**

Regular Meeting Minutes

June 24, 2020

Date: May 27, 2020

*\*Due to COVID-19 situation, meeting held via teleconference.*

*See attached public notice posted on LCWSA webpage\**

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

**Excused:**

**Absent:**

**Others attending:** M. Baines (Executive Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Account Clerk), T. Hockey (Account Clerk/Typist), E. Wies (Clark Patterson Lee), J. Campbell (Kruk & Campbell, P.C.),

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

**Approval of Agenda**

**Motion:** *E. Gott moved and T. Anderson seconded to approve the agenda as presented. Carried unanimously.*

**Approval of Minutes** – April 22, 2020 Regular Board Meeting

**Motion:** *E. Gott moved and J. Deming seconded to approve regular board meeting minutes dated April 22, 2020. Carried unanimously.*

**Privilege of the Floor** – None.

**Financial Report:** R. Lewis reviewed the April 2020 Financial Report with the Board (on file with Secretary).

**Motion:** *S. Beardsley moved and T. Saunders seconded to approve the April 2020 Financial Report. Carried unanimously.*

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

- **Audit RFP – Discussion re: Contract Period**  
R. Lewis updated the Board that the RFP is being finalized, and staff was requesting feedback from the Board on the contract period to be specified. In 2014, LCWSA issued an RFP with a contract period of 5 years. Other sample RFPs that have been reviewed have specified a 3-year contract period, with two (2) optional 1-year extensions. The Board consensus was to proceed with a 3-year contract term with two (2) optional 1-year extensions.
- **Scheduling Public Hearing for adoption of “Non-Access Fee” – Follow-up Discussion**  
R. Lewis and M. Baines noted that due to COVID-19, the Board had postponed scheduling a public hearing until such time that Board meetings can resume in person. With various municipalities and other authorities beginning to schedule in-person meetings starting in June 2020, the Board discussed scheduling the public hearing for June 24, 2020.

**Motion:** *E. Gott moved and M. McKeown seconded to schedule a public hearing on the proposed “Non-Access Fee” on June 24, 2020 at 8:05am at the Watershed Education Center, 5828 Big Tree Road, Lakeville NY 14480, to hear all comments, and to direct LCWSA staff to provide the required public notice of such hearing. Carried unanimously.*

**Approval of Bills:** R. Lewis reviewed the monthly bills.

**Motion:** *S. Beardsley moved and E. Gott seconded to approve paying Total Operating & Projects Expenditures in an amount not to exceed \$184,453.56. Carried unanimously.*

**Motion:** *E. Gott moved and J. Deming seconded to approve paying the bills for Total Utilities & Miscellaneous expenditures in an amount not to exceed \$142,546.20. Carried unanimously.*

### **Operations and Capital Report**

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

- **Water Loss/Non-Revenue Water Update – LCWSA Service Areas**

M. Kosakowski reviewed the retail and wholesale numbers for each service area, from Q1 2019 through to current. It was noted that some of the recent water main repairs in the Village of Livonia have helped reduce the water loss for the Town of Livonia service area (which includes the Village), but the number is still higher than AWWA recommendations. The focus for the next 6 months will be on the following items:

- Replace water meters in the smaller discrete service areas (e.g. Caledonia #3, Caledonia #1, etc.) to eliminate need to estimate Q2 consumption.
- Initiate systematic leak detection project in the Village of Livonia, to verify if ductile iron pipe failures that have been observed recently are indicative of a more widespread issue within the Village.
- Schedule master meter reads to better align with retail meter reads, to allow for a more accurate comparison of numbers.
- Replace service saddles in South Livonia (part of 2020 CIP).
- Improve documentation re: flushing, firefighting, water main/service repairs (to better quantify gallons used).
- Track water loss in DOCCS service area by utilizing master meter at Maple Beach Pump Station.

### **Other Business**

- **COVID-19 Impacts - Update & Discussion**

M. Baines provided a brief update that with the Finger Lakes region in the beginning phases of “re-opening”, LCWSA field staff would be resuming “non-emergency” customer service appointments on June 1, 2020. Customers will continue to be screened for COVID-19 symptoms and field staff will be wearing protective personal equipment (PPE) during these appointments.

E. Wies noted that there have been some temporary impacts to certain grant funding programs, where grant awardees are unable to draw down grant funds due to cash flow issues at the state level. It is anticipated that this issue will be resolved shortly. This has not had an impact on LCWSA, as there have been no recent disbursement requests to EFC/DEC for those LCWSA projects that have grant funding.

- **CSEA-LCWSA Collective Bargaining Agreement (expiring December 31, 2020)**

M. Baines reminded the Board that per Article 5 (Duration) of the existing collective bargaining agreement (CBA), written notice shall be provided by June 1, 2020 by either party requesting a change in the agreement. This notice will trigger the commencement of negotiations for a new CBA, which shall start not later than August of 2020.

*Motion: J. Deming moved and T. Saunders seconded to authorize the Executive Director to provide written notice to CSEA by June 1, 2020, requesting a change/modification to the agreement, which will signal the commencement of negotiations for a new collective bargaining agreement. Carried unanimously.*

▪ **Draft EPA Administrative Order on Consent SDWA-02-2020-8011 (LCWSA Consolidated Water District) Compliance Schedule – Review & Discussion**

M. Baines updated the Board that LCWSA had received an updated Administrative Order on Consent, which now includes a compliance schedule to complete those “capital improvements” (Implementation of Chlorination System Improvements, New Tank Mixing Systems/TTHM Removal Systems, Groveland Station Water Main Connection, and American Rock Salt Water Main Connection) identified in the corrective action plan, that was recently submitted to EPA. The document is still in draft form, and based on internal discussions, LCWSA staff believe that the dates identified in the schedule may be too aggressive, and it would be prudent to request that they be extended an additional 3 months. EPA has indicated preliminarily that the schedule could be adjusted.

*Motion: T. Anderson moved and S. Beardsley seconded to authorize the Executive Director to sign the Administrative Order on Consent SDWA-02-2020-8011, subject to revisions to the schedule that will extend each milestone date by 3 months. Carried unanimously.*

▪ **LCWSA Capital Projects**

○ **County Wide Water System Improvements (DWSRF Project No. 18746) - RFP Engineering Services**

M. Baines informed the Board that the RFP had been sent out to five (5) firms and all five (5) firms submitted proposals by the May 22, 2020 deadline. Although consultant selection was listed on the agenda, M. Baines recommended that this be tabled until the June 24, 2020 Board meeting, to allow for a more thorough review of the proposals.

○ **Lakeville WWTP Upgrades Scope Modification/Potential Increase to 0% Loan Amt – Follow-up Discussion**

As requested by the Board at the May 27, 2020 Board meeting, LCWSA staff and CPL have prioritized the list of projects identified under “All Additional Upgrades” (on file with Secretary). The Board reviewed the list, which has been organized into three (3) groups: Priority Level #1 (7 projects totaling ~ \$1,640,000), Priority Level #2 (4 projects totaling ~ \$940,000), and Priority Level #3 (9 projects totaling ~ \$350,000).

E. Wies and M. Baines noted that EFC has been inquiring as to the status of the Board’s decision on increasing the scope of the project, as EFC is in the process of updating their annual Intended Use Plan (IUP), which is a listing of projects and funding amounts. As discussed previously, it is recommended that a decision be made at the June 24, 2020 Board meeting, in order to meet a potential project advertisement date of December 2020/January 2021 for Phase 2 of the upgrades project.

▪ **Village of Livonia Meadow Drive Water Improvements Project (DWSRF #18608) – Project Update & Discussion**

J. Campbell provided a brief update that no comments had been received yet on the proposed intermunicipal agreement that was sent to Pete Skivington, Esq., Village Attorney, back in mid-April 2020.

The project is now in the closeout phase, with the project area (Meadow Drive, a portion of Shelly Road, and Livonia Central School) successfully switched over to the high-pressure zone. M. Kosakowski and M. Baines noted that the switchover to high pressure on Shelly Road caused the failure of an existing water service saddle, which was subsequently repaired. LCWSA staff have concerns

about the integrity of the remaining 18-19 service saddles on this portion of the water main. It was recommended to the Village that these be replaced as part of a change order to the project. The Village has declined to replace these service saddles, in a letter received by LCWSA, dated May 16, 2020 (on file with Secretary).

### **Communications**

The following item(s) and/or updates were provided to Board members for informational purposes. No action taken.

- City of Rochester Bureau of Water Letter (dated April 28, 2020) re: Wholesale Water Rate Change, effective July 1, 2020.

E. Gott departed the meeting at 10:24 am.

### ***Executive Session***

***Motion: T. Anderson moved and T. Saunders seconded that the Board adjourn and reconvene in Executive Session at 10:36 am for the purpose of discussing contract negotiations; and that M. McKeown act as Chairman and T. Anderson act as Secretary. Carried unanimously.***

***Motion: E. Gott moved and J. Deming seconded to end the Executive Session at 10:45 am. Carried unanimously.***

The Board reconvened in regular session. The following report was presented.

### **REPORT OF EXECUTIVE SESSION**

The Board of Livingston County Water & Sewer Authority having met in Executive Session for the purpose of discussing contract negotiations; hereby reports as follows:

No action taken.

Dated May 27, 2020

M. McKeown

T. Anderson, Secretary

***Adjourn: Motion: T. Anderson moved and S. Beardsley seconded to adjourn the Board meeting at 10:46 am. Carried unanimously.***