

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

Excused:

Absent:

Others attending: M. Baines (Executive Director), M. Kosakowski (Director of Operations), R. Lewis (Principal Account Clerk), B. Harris (Account Clerk/Typist), J. Campbell (Kruk & Campbell, P.C.)

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

Approval of Agenda

Motion: *S. Beardsley moved and J. Deming seconded to approve the agenda with the addition of an Executive Session at the conclusion of “Other Business”. Carried unanimously.*

Approval of Minutes – August 28, 2019 Regular Board Meeting

Motion: *E. Gott moved and M. McKeown seconded to approve regular board meeting minutes dated August 28, 2019. Carried unanimously.*

Privilege of the Floor – None.

Financial report: R. Lewis reviewed the Financial report with the Board (on file with Secretary). R. Lewis noted that the utility expenses are up significantly, which is primarily attributable to the Bio-Tower pump station which was put on-line recently as part of the Lakeville WWTP Upgrades project. The pump station consists of (4) 30 horsepower pumps, with two (2) pumps running continuously 24 hours/day, 7 days/week. LCWSA staff have been corresponding with CPL regarding operational adjustments, etc., that could be implemented to reduce the electrical consumption.

R. Lewis informed the Board that an issue arose recently with the Livingston County Department of Real Property Tax Services in which an LCWSA customer was refunded the re-levy amount by the County but the customer had already received a credit on their LCWSA account, which will now need to be reversed approximately one year later. Historically, this has not been an issue as County staff have typically contacted us if a LCWSA customer has requested a re-levy refund from the County, in order to verify if there have been any adjustments on their LCWSA account. In order to avoid future issues, LCWSA staff is interested in developing a policy that formalizes our current practice of applying payments received after the re-levy deadline as a credit on the customer’s next quarterly bill.

Motion: *J. Deming moved and P. Brooks seconded to approve the Financial Report. Carried unanimously.*

Other items discussed under the financial portion of meeting:

- **2020 Draft Budget Workshop/Meeting**

R. Lewis requested that Board members check their availability to meet to review the 2020 Draft Budget during the week of October 7, 2019.

Motion: *J. Deming moved and E. Gott seconded to schedule a special meeting on Wednesday, October 9, 2019 at 9:30 am at the Watershed Education Center, 5828 Big Tree Road, Lakeville NY*

14480, to review the 2020 Draft Budget and any other matters, and to direct LCWSA staff to provide the required public notice of such meeting. Carried unanimously.

Bills: R. Lewis reviewed the monthly bills.

Motion: E. Gott moved and S. Beardsley seconded to approve paying Total Operating & Projects expenditures of \$193,254.81 as follows: Operating Expenditures in an amount not to exceed \$61,477.46; Project Expenditures in an amount not to exceed \$131,777.35. Carried unanimously.

Motion: J. Deming moved and P. Brooks seconded to approve paying the bills for Utilities & Miscellaneous expenditures in an amount not to exceed \$83,190.74. Carried unanimously.

Operations and Capital Report

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

Other Business

Establishing Standard Work Day (Resolution 2019-09)

M. Baines reminded the Board that this is an annual resolution required by the New York State & Local Retirement System (NYSLRS) for reporting purposes. The Board reviewed the following draft resolution (on file with Secretary):

RESOLUTION NO. 2019-09 ESTABLISHING STANDARD WORK DAY FOR EMPLOYEES

Motion: E. Gott moved and T. Saunders seconded to approve Resolution No. 2019-09 Establishing Standard Work Day For Employees. Carried unanimously.

Declaring Certain Equipment Surplus (Standby Generator + Air Compressor)

M. Kosakowski reminded the Board that as part of the Lakeville WWTP upgrades project, a new larger generator has been installed on site and LCWSA no longer has a need for the existing Detroit Diesel standby generator. The generator was recently appraised by a representative from Teitsworth Inc. In order for LCWSA staff to proceed with disposing of the generator (e.g. offer for sale to other municipalities, advertise in designated newspapers and obtain sealed bids, or sell through a public auction), it will be necessary to declare the generator surplus in accordance with LCWSA’s disposition policy. LCWSA staff have been corresponding with Village of Avon regarding the generator. The Board recommended that a deadline be established one month from now for the Village to provide an answer on whether they are interested in purchasing it. M. Kosakowski also updated the Board that the new air compressor, which was approved as part of the 2019 Capital Equipment Budget, had been delivered, and therefore the existing Ingersoll Rand air compressor could also be declared surplus.

The Board reviewed the following draft resolution:

RESOLUTION NO. 2019-10 DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY

WHEREAS, in accordance with Section 24 of the Livingston County Water & Sewer Authority (LCWSA)’s Purchasing and Disposition Policy (F20-000), the LCWSA Board hereby declares the following equipment as surplus:

<u>Description</u>	<u>Serial No</u>
200 kW Standby Generator (Year installed: 2008, Manufacturer: Detroit Diesel, Model 200RJC6DT3, Hour meter: 268 hours) and Transfer Switch	176134-0608
185 cfm Air Compressor (Year: 1996, Manufacturer: Ingersoll Rand, Model P185WJD, Hour meter: 351 hours)	267301UGG327

NOW, THEREFORE BE IT RESOLVED, that the LCWSA Board hereby authorizes the Director of Operations to dispose of the above equipment in accordance with the following approved disposal methods:

1. Offered for sale to other municipalities; or
2. Advertised in designated newspapers in the form of a legal notice listing the items for sale. Sealed bids will then be received; or
3. Sold through a public auction.

Motion: J. Deming moved and E. Gott seconded to approve Resolution No. 2019-10 Declaring Certain Equipment as Surplus Property. Carried unanimously.

SCADA System Improvements – Cellular Modem Upgrade (3G to 4G)

M. Kosakowski circulated a memo to the Board (on file with Secretary) describing the project need and proposed scope of services. Verizon has indicated that they will be shutting down their 3G network at the end of year 2019 and will provide only their 4G network, which will require LCWSA to upgrade six (6) cellular modem devices with a seventh device to be dismantled and removed (as it will no longer be needed). LCWSA staff obtained quotes from the following two (2) consultants to complete the upgrade work: Optimization, and Colacino Industries. Both quotes were between \$20,000 and \$21,000. LCWSA staff is recommending that Colacino Industries be authorized to proceed with the work as they currently have the resources and availability to complete the upgrade, whereas LCWSA’s main contact at Optimization is currently working on a project out of the country and is unavailable until at least mid-November, which creates some concerns about having sufficient time to complete the work and troubleshoot any issues prior to the end of the year. M. Baines recommended that the Board establish a 2019 Capital Project with a budget of \$22,000.

Motion: E. Gott moved and T. Saunders seconded to authorize Colacino Industries to proceed with “SCADA System Improvements – Cellular Modem Upgrade”, for a not-to-exceed amount of \$20,887.99 (to be billed on a time & materials basis). Carried unanimously.

Motion: E. Gott moved and T. Saunders seconded to establish a 2019 Capital Project entitled “SCADA System Improvements – Cellular Modem Upgrade” with a budget of \$22,000. Carried unanimously.

Lakeville Wastewater Treatment Plant (SPDES NY0032328) – Consent Order Update

J. Campbell provided a brief update to the Board that the DEC review comments on the draft Sewer Use Rules and Regulations received last month had been incorporated and some additional minor revisions had been made to the document. J. Campbell is recommending that the Board approve the “Livingston County Water and Sewer Authority Sewer Use Rules and Regulations” dated September 25, 2019, a copy of which was included in the Board packages.

Motion: E. Gott moved and J. Deming seconded to adopt the “Livingston County Water and Sewer Authority Sewer Use Rules and Regulations”, dated September 25, 2019, as presented. Carried Unanimously.

As noted previously, LCWSA is not a municipality and cannot adopt laws/ordinances, therefore it will need to be able to enforce its Regulations with the same force and effect as if they were laws. This will be accomplished through Intermunicipal Agreements with each municipality located within LCWSA’s overall sewer service area. Given that the majority of LCWSA’s customer base is located with Livonia, it was recommended that the Town and Village be approached first with regarding to entering into intermunicipal agreements and adopting LCWSA’s Sewer Use Rules and Regulations through the adoption of a local law, which will require the scheduling of a public hearing. J. Campbell indicated that he would proceed with presenting a draft intermunicipal agreement at the next Town of Livonia board meeting.

M. Kosakowski and M. Baines noted that per the Consent Order, it will be necessary for LCWSA to revise the existing Significant Industrial User (SIU) Permits based on the new limits identified in the Sewer Use Rules and Regulations for BOD, Suspended Solids, Phosphorus, etc. This will impact LCWSA’s two (2) current SIUs:

Sweeteners Plus and ADM. New permits will need to be in place 8 weeks from adoption of the Sewer Use Rules and Regulations (i.e. November 25, 2019).

Town of Lima Water Districts 1-4 (~120 Customers) – Proposed Services Agreement (Billing/Collection/Meter Purchasing/Sharing of Meter Equipmt)

As a follow-up to the discussion at the August 25, 2019 Board meeting, LCWSA staff worked with J. Campbell to develop a draft intermunicipal services agreement with the Town of Lima, which covers:

- *Billing and Collection Services* for the Town’s water customers in Town of Lima Water Districts 1, 2, 3, and 4, including all labor, postage, materials and equipment necessary to perform the services.
- *Use of Authority’s AMR Equipment* for Town personnel to complete customer water meter readings in the Town’s Water Districts.
- *Direct Purchase of Residential Water Meters (5/8” x 3/4” Size)*, which will be provided to the Town “at cost” based on the volume pricing that LCWSA has established with the authorized meter vendor.

Fees are proposed as follows:

- A one-time fee for set-up and data conversion of \$1,500.00.
- An annual fee of \$3,000.00 shall be charged for the services set forth in the agreement. Such fee will be payable in four quarterly installments of \$750.00 each quarter.

The draft agreement was sent to the Town of Lima for review and the only review comment received from the Town Supervisor (Mike Falk) was that the Town Board requested that the “quarterly fee remain the same for the first 5 years or when they reach 150 customers (whichever comes first)”. The Board did not have any objections to incorporating this language into the agreement.

Motion: E. Gott moved and P. Brooks seconded to approve the Intermunicipal Services Agreement between the Town of Lima and LCWSA for Billing/Collection/Meter Purchasing/Sharing of Meter Equipment, with the addition of language regarding quarterly fees remaining the same for the first 5 years or when they reach 150 customers (whichever comes first), subject to final review and approval by the Town of Lima. Carried unanimously.

Communications

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

- Receipt of Notice of Claim: Jaclyn Corcoran against Livingston County Water and Sewer Authority, Dated September 9, 2019.
- Amendment to Public Authorities Law (PAL) re: New suspension powers for failure to submit reports required by PAL Section 2800 – Effective November 19, 2019
- Authorities Budget Office (ABO) Policy Guidance No. 19-01 (Subject: Posting and Maintaining Reports on Public Authority Websites) – Issued June 3, 2019 and Supersedes No. 10-03.
- Audit Reports issued by Office of NYS Comptroller (dated August 2019):
 - “Town of Grand Island – Information Technology”
 - “Village of Voorheesville – Water and Sewer Charges”
- “Smart Solutions Across the State: Advanced Technology in Local Governments: Report by Office of NYS Comptroller (September 2019)

Executive Session

Motion: J. Deming moved and P. Brooks seconded that the Board adjourn and reconvene in Executive Session at 9:45 am for the purpose of discussing information regarding proposed, pending or current litigation; and that T. Anderson act as Chairman and B. Harris act as Secretary, and M. Baines, M. Kosakowski, R. Lewis, and J. Campbell remain present. Carried unanimously.

Motion: E. Gott moved and P. Brooks seconded to end the Executive Session at 10:04 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 information regarding proposed, pending or current litigation, hereby reports as follows:

No action taken.

Dated September 25, 2019

T. Anderson

B. Harris, Secretary

Adjourn: Motion: S. Beardsley moved and P. Brooks seconded to adjourn the Board meeting at 10:05 am. Carried unanimously.