

Members Attending: M. McKeown, S. Beardsley, E. Gott, D. Fanaro, T. Saunders

Excused: T. Anderson

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 8:02 am.

Approval of Agenda

M. Baines noted that LCWSA staff was still waiting on information from CSEA regarding updated agreements for vision and dental coverage, to reflect the tentative agreement that was recently reached on a new union contract, and therefore it is recommended that review and approval of these agreements be tabled until the November 18, 2020 Board Meeting.

Motion: E. Gott moved and S. Beardsley seconded to approve the agenda as modified. Carried unanimously.

Approval of Minutes – September 23, 2020 Regular Board Meeting
October 7, 2020 Special Meeting

Motion: D. Fanaro moved and T. Saunders seconded to approve regular board meeting minutes dated September 23, 2020. Carried unanimously.

Motion: E. Gott moved and D. Fanaro seconded to approve special meeting minutes dated October 7, 2020. Carried unanimously.

Open Public Hearing (8:05 am)

Motion: S. Beardsley moved and D. Fanaro seconded to open the Public Hearing for the Proposed 2021 Rate and Fee Schedule (copy on File with Secretary). Carried unanimously.

M. McKeown asked if anyone wished to speak at the public hearing. M. Baines summarized the proposed 2021 rates and fees:

Proposed 2021 Water & Sewer Rates

Water/Sewer Rates (Base Charge & Commodity Charge (per 1000 gals))

- Hemlock Supply (WR) Service Area:
 - T Livonia (excl. Village) \$3.25 → \$3.35/1000 gals (\$0.10 increase/1000 gals)
 - Areas Outside T Livonia \$3.50 → \$3.54/1000 gals (\$0.04 increase/1000 gals)
(due to increase in wholesale rate from City of Rochester)
- No other proposed rate increases

Quarterly Debt Charge

- Lakeville WWTP Service Area: SL \$19.00 → \$20.00 per unit/quarter (\$76.00 → \$80.00/yr, increase of \$4.00)

SL91 (V Livonia) \$14.00 → \$15.00 per unit/quarter
(\$56.00 → \$60.00/yr, increase of \$4.00)

*(due to expanded scope for Lakeville WWTP Phase 2
Upgrades Project)*

Proposed 2021 Water & Sewer Permit Costs

▪ **Water Permits & Related Items**

- Increase to Water Meter Costs (3/4": \$210 → \$215; 1": \$355 → \$370; 2": \$720 → \$995); Add > 2" = Cost of Meter + 5%
- New - Add to Water Permit Fees: > 2": Residential Permit Fee = \$350.00 + Cost of meter, Commercial Permit Fee = \$500.00 + Cost of meter
- No changes in existing Residential & Commercial Permit Costs, or Near Side or Far Side Water Service Installations

▪ **Sewer Permits**

- Residential Permit Costs (increase from \$195.00 to \$205.00)

Proposed 2021 Miscellaneous Fees

- Straight-time rate per hour (increase from \$48.00 to \$51.00)
- Overtime rate per hour (increase from \$72.00 to \$76.00)
- Pick-up truck use per hour (no change – \$23.00)
- Backhoe use per hour (no change – \$44.00)
- Dump Truck use per hour (no change – \$58.00)
- Truck & Trailer use per hour (decrease from \$75.00 to \$71.00)

The Board left the public hearing open and continued with the agenda.

Privilege of the Floor – None.

Financial Report: R. Lewis reviewed the September 2020 Financial Report with the Board (on file with Secretary). R. Lewis provided an update on the “Work-in-Progress” report, and indicated that Project 31124 (Phase 1 Meter Replacement) will be closed and capitalized, as the budget of \$120,000 has been reached, and LCWSA staff will be moving on to Phase 2 of the comprehensive meter replacement program. R. Lewis also provided an update that the first “quarterly review” was held with Bonadio (R. Shepard) and the meeting/discussion was productive as several items were covered. The preliminary audit fieldwork for the 2020 regular audit has been scheduled for November 30 through December 2. R. Lewis indicated that the Livingston County Treasurer’s office had sent another NYSLRS invoice for “Remaining 25% of 2019 Bill” in the amount \$16,382.67. LCWSA staff believes this invoice was sent in error and will be following up with the Treasurer’s office.

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

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

2021 Budget & 2021 Capital Plan

Copies of the updated draft 2021 Budget were circulated to and reviewed by the Board. R. Lewis and M. Baines noted that the only major revision that has been made since the October 7, 2020 Special Meeting/Budget Workshop, is an increase under “Other Expense” to cover the anticipated increase in the annual SPDES Permit Fee for the Lakeville WWTP, due to the increase in permitted flow from below 1 MGD to above 1 MGD.

RESOLUTION NO. 2020-19 ADOPTING THE 2021 BUDGET & CAPITAL PLAN

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) Board has reviewed the proposed budget information and capital plan attached hereto and found it to be satisfactory; NOW THEREFORE BE IT

RESOLVED, that the Board adopts the 2021 Budget and 2021 Capital Plan and directs staff to file as required.

Motion: E. Gott moved and D. Fanaro seconded to approve Resolution No. 2020-19 Adopting the 2021 Budget & 2021 Capital Plan. Carried unanimously.

2020 Water & Sewer Relevy

R. Lewis noted that the list of properties has been assembled by LCWSA staff, and the total for unpaid LCWSA charges to be collected is \$195,586.94.

RESOLUTION NO. 2020-20 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 2021 TAX ROLLS

WHEREAS, pursuant to Section 1199-yyyy of the Public Authorities Law, all rates, fees, and other charges billed directly by the Livingston County Water & Sewer Authority (LCWSA) to its users, shall be considered a lien upon real property, from the first date fixed for payment of such rates, fees, and other charges; and

WHEREAS, pursuant to Section 1199-yyyy(2) of the Public Authorities Law, the treasurer of LCWSA shall prepare and transmit a list of those properties with unpaid water charges and sewer charges, on or before November 1 of each year to the Livingston County Board of Supervisors; NOW THEREFORE BE IT

RESOLVED, that the Livingston County Water & Sewer Authority (LCWSA) Board authorizes the treasurer to submit the 2020 list of properties with unpaid water charges and unpaid sewer charges (attached hereto) to Livingston County Board of Supervisors for levy on the 2021 tax rolls.

Motion: E. Gott moved and S. Beardsley seconded to approve Resolution No. 2020-20 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 2021 Tax Rolls. Carried unanimously.

Approval of Bills: R. Lewis reviewed the October 2020 monthly bills.

Motion: D. Fanaro moved and E. Gott seconded to approve paying Total Operating & Projects Expenditures in an amount not to exceed \$428,984.22. Carried unanimously.

Motion: S. Beardsley moved and D. Fanaro seconded to approve paying the bills for Total Utilities & Miscellaneous expenditures in an amount not to exceed \$143,938.00. 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:

- **LCWSA Capital Projects**
 - **31127 I/I Reduction Project (Manhole Rehabilitation) + 31141 Pennemite Rd Manhole Installation, Change Order No. 1 – Additional Manhole Rehab (Bench and Liner Work) (Contractor: Arold Construction)**

M. Kosakowski noted that additional manholes had been identified for rehabilitation, and LCWSA staff is recommending that this work be incorporated into the existing contract via change order. The Board reviewed draft Change Order No. 1, in the amount of \$22,500.00.

Motion: D. Fanaro moved and T. Saunders seconded to approve Change Order No. 1 to the “Compliance Directive II.D Manhole Rehabilitation” Contract, in the amount of \$22,500.00, to complete additional manhole rehabilitation work. Carried unanimously.

- **31144 South Livonia Water Services Project, Change Order No. 1 – Qty Adjustment, Additional Paving, Pipe Repair at Shelly Rd/Big Tree Rd. (Contractor: Blue Heron Construction)**

M. Kosakowski updated the Board that additional pavement restoration is needed on the project that was unanticipated, and the contractor will also be repairing the pipe leak that was discovered at the intersection of Shelly Road and Big Tree Road. Due to a quantity underrun on the contract, the cost of the additional work will be offset by a corresponding quantity adjustment (i.e. decrease).

Motion: E. Gott moved and D. Fanaro seconded to approve “no-cost” Change Order No. 1 to the “South Livonia Water Services” Contract, which includes: Quantity Adjustment, Additional Paving, and Pipe Repair at Shelly Rd/Big Tree Rd. Carried unanimously.

- **Heating and Ventilation Upgrades – Various Sites, Establish 2020 Capital Project & Preliminary Budget (\$35,000 – Equipment Only)**

M. Kosakowski and M. Baines updated the Board that in coordination with CPL, an overall plan had been developed regarding proposed upgrades to both heaters and de-humidifiers at various sites (~30+ sites), and the conversion to gas heat at certain sites. At this time, LCWSA staff estimates the equipment cost will be approximately \$35,000, but is still waiting on quotes from contractors to perform some miscellaneous gas plumbing and electrical work. Therefore, it is recommended that at this time, a budget be established for the equipment cost only, which can be increased by Board approval to include the additional labor costs once these have been quantified.

Motion: E. Gott moved and S. Beardsley seconded to establish a 2020 Capital Project entitled “Heating and Ventilation Upgrades – Various Sites” with a preliminary budget of \$35,000.00. Carried unanimously.

Other Business

Town of Geneseo – Existing Intermunicipal Services Agreement (Water Billing/Collection Services) Revised Fee – Review & Approval

M. Baines and R. Lewis updated the Board that since the September 23, 2020 Board Meeting, LCWSA staff has received correspondence from the Town indicating that they would be continuing to install Sensus water meters in their new Water District No. 6, and were not interested in direct purchasing of meters, sharing meter equipment, or having LCWSA staff read meters in this new service area. Therefore, the scope of services in the existing agreement has remained unchanged, but the fees have been increased to reflect cost increases over the last 15+ years, and a nominal one-time set up fee has been included to set up all new Water District No. 6 accounts in LCWSA’s billing program. Automatic renewal language has also been incorporated under Section 6 – Term and Termination.

Motion: E. Gott moved and S. Beardsley seconded to approve the revised Town of Geneseo Intermunicipal Services Agreement for Water Billing/Collection Services, subject to final review and approval by the Town of Geneseo . Carried unanimously.

Records Retention and Disposal Schedule - Adoption of New Schedule (LGS-1) (Resolution 2020-21)

M. Baines and R. Lewis updated the Board that the New York State Archives has issued a new records and retention schedule, which consolidates and revises several schedules that were previously issued, including Schedule MI-1 that was previously adopted by LCWSA in 2018.

RESOLUTION NO. 2020-21 ADOPTING RECORDS RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1)

WHEREAS, by Resolution 2018-32, the Livingston County Water & Sewer Authority (LCWSA) Board adopted *Records Retention and Disposition Schedule MI-1*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law; and

WHEREAS, the New York State Archives, an office of the New York State Education Department, has issued a new “*Retention and Disposition Schedule for New York Local Government Records (LGS-1)*”, effective August 1, 2020, which consolidates and revises several schedules that were previously issued by the New York State Archives; and

WHEREAS, local governments are required to adopt this new schedule by January 1, 2021; NOW THEREFORE BE IT

RESOLVED, by the LCWSA Board, that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed herein; BE IT FURTHER

RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

BE IT FURTHER RESOLVED, that the Secretary of the LCWSA Board shall continue to be designated as the official custodian of public records/Records Management Officer for the LCWSA.

Motion: T. Saunders moved and E. Gott seconded to approve Resolution No. 2020-21 Adopting Records Retention and Disposition Schedule for New York Local Government Records (LGS-1). Carried unanimously.

Village of Livonia/LCWSA Joint Water/Wastewater Committee - Selection of Two (2) Committee Members, and One (1) Alternate

M. Baines updated the Board that the Village of Livonia had selected the following two (2) trustees: Bill Kurtz and Annette Meade, to participate in the new joint water/wastewater committee that is being formed between the Village and LCWSA. Cal Lathan will serve as an alternate from the Village if one of the two (2) trustees is unavailable. M. Baines requested that the Board identify two (2) Board members and one (1) alternate to serve on the committee, on behalf of LCWSA.

Motion: E. Gott moved and S. Beardsley seconded to approve the appointment of T. Saunders and D. Fanaro to the Village of Livonia/LCWSA Joint Water/Wastewater Committee, with M. McKeown to serve as an alternate. Carried unanimously.

Communications

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

- Audit Reports issued by Office of NYS Comptroller (date October 2020)
 - “Oneida City School District – Information Technology”
 - “Susquehanna Valley Central School District – Information Technology”

Close Public Hearing

Motion: S. Beardsley moved and E. Gott seconded to close the public hearing on the proposed 2021 Rate and Fee schedule. Carried unanimously.

RESOLUTION NO. 2020-22 ADOPTING THE 2021 RATE AND FEE SCHEDULE

WHEREAS, notice of the public hearing regarding the proposed 2021 rate and fee schedule, was provided in accordance with Section 1199-yyy of the Public Authorities Law; and

WHEREAS, the public hearing was held on October 28, 2020, to hear comments on the proposed 2021 rate and fee schedule attached hereto; NOW THEREFORE BE IT

RESOLVED, that the Livingston County Water & Sewer Authority (LCWSA) Board adopts the 2021 rate and fee schedule, with the following effective dates:

- 2021 Water and Sewer Rates – November 1, 2020 (Start date for 1st Quarter 2021 Billing Period).
- 2021 Water and Sewer Fees – January 1, 2021.

Motion: E. Gott moved and T. Saunders seconded to approve Resolution No. 2020-21 Adopting the 2021 Rate and Fee Schedule. Carried unanimously.

Executive Session

Motion: T. Saunders moved and E. Gott seconded that the Board adjourn and reconvene in Executive Session at 9:42 am for the purpose of discussing contract negotiations; and that M. McKeown act as Chairman and M. Baines act as Secretary. Carried unanimously.

Motion: D. Fanaro moved and S. Beardsley seconded to end the Executive Session at 10:06 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 October 28, 2020
M. McKeown
M. Baines, Secretary

**CSEA Collective Bargaining Agreement + Memorandum of Agreement (MOA) - Review & Approval/
Ratification of Tentative Agreement**

M. Baines updated the Board that the tentative agreement that was reached on October 20, 2020, was ratified by the CSEA unit on October 27, 2020, and therefore the Board can now approve.

**RESOLUTION NO. 2020-23 RATIFYING TENTATIVE COLLECTIVE BARGAINING AGREEMENT
WITH THE CSEA FULL-TIME UNIT AND AUTHORIZING EXECUTION OF THE COLLECTIVE
BARGAINING AGREEMENT**

WHEREAS, the negotiating parties for the Livingston County Water & Sewer Authority (LCWSA) and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Livingston County Local 826, Livingston County Water & Sewer Authority #7301-00 Unit, have reached a tentative agreement for a new collective bargaining agreement; and

WHEREAS, the unit has ratified this tentative agreement, and

WHEREAS, it is now recommended that the LCWSA Board ratify this agreement; NOW THEREFORE BE IT

RESOLVED, that the tentative agreement for a new collective bargaining agreement having a term of January 1, 2021 through December 31, 2024, a copy of which is attached hereto, is hereby ratified; and be it further

RESOLVED, that the Chairman of LCWSA Board and the Executive Director are hereby authorized to sign the collective bargaining agreement consistent with the terms of the tentative agreement.

Motion: S. Beardsley moved and T. Saunders seconded to approve Resolution No. 2020-23 Ratifying Tentative Collective Bargaining Agreement with the CSEA Full-Time Unit and Authorizing Execution of the Collective Bargaining Agreement. Carried unanimously.

Executive Session

Motion: E. Gott moved and S. Beardsley seconded that the Board adjourn and reconvene in Executive Session at 10:07 am for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; and that M. McKeown act as Chairman and M. Baines act as Secretary. Carried unanimously.

Motion: E. Gott moved and T. Saunders seconded to end the Executive Session at 11:04 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 the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, hereby reports as follows:

No action taken.

Dated October 28, 2020

M. McKeown

M. Baines, Secretary

Motion: D. Fanaro moved and E. Gott seconded to schedule a Special Meeting on Wednesday, November 4, 2020 at 4:00 pm at the Watershed Education Center, 5828 Big Tree Road, Lakeville NY 14480, to further discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, and any other matters, and to direct LCWSA staff to provide the required public notice of such meeting. Carried unanimously.

Adjourn: Motion: E. Gott moved and D. Fanaro seconded to adjourn the Board meeting at 11:05 am. Carried unanimously.