

Members Attending: H. Stewart, T. Anderson, D. LeFeber, P. Brooks

Excused Absent: D. Kriewall, F. Miller, S. Beardsley

Others attending: J. Campbell, E. Wies, M. Kosakowski, M. Baines, J. Foote

Financial Report: M. Baines presented the June financial report. D. LeFeber noted the current amount of funds in the DOCCS account, and inquired about the status of a second payment request to DOCCS. M. Baines noted that the current agreement with DOCCS includes a payment schedule, and that our second request can be made when the project is 25% complete. It is anticipated that construction on the remaining contracts may not begin until early September, which will still provide LCWSA with sufficient time to make a second payment request, prior to the submittal of the first payment applications from the various contractors.

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

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

1. Water Sampling and Testing – The Livingston County Department of Health (LCDOH) has notified the LCWSA of an exceedance in the maximum contaminant level (MCL) for Trihalomethanes (TTHM) in the 2nd Quarter of 2017, in the ARS/Groveland Public Water Supply (PWS ID NY2530018) system (Water Source: Village of Mount Morris – Silver Lake). This will require LCWSA to notify the public, in accordance with NYSDOH requirements. It was noted that LCDOH is in the process of scheduling a meeting with those communities that receive water from the Village of Mount Morris, to discuss improved coordination/scheduling of system flushing, to help reduce overall TTHM levels.
2. Automatic Valve Maintenance – LCWSA staff has reached out to the Town of Avon and Town of Geneseo to coordinate a schedule for Ross Valve to perform combined maintenance on all automatic valves within the three (3) systems, in an effort to realize some overall cost savings.
3. Lakeville Wastewater Treatment Plant – The programmable logic controllers (PLCs) for the main pumps at the plant are no longer operational, and require replacement. The pumps are currently being operated manually, with two (2) pumps running continuously.

LCWSA has reached out to two (2) vendors (M.W. Controls Service, Colacino Industries) to obtain quotes for repairs. Quotes were approximately \$22,000 and \$60,000 respectively, with more extensive upgrades being recommended by Colacino Industries, including a new pump

controls cabinet. The Board discussed advantages/disadvantages of both repair options, and the consensus was to proceed with the proposed scope submitted by M.W. Controls Service for a not-to-exceed amount of \$30,000.

As the current method of operating the pumps at the plant presents risk to the health and safety of LCWSA customers (i.e. pump failure could lead to sewer backups), it is critical that the repair work proceed immediately. General Municipal Law Section 103 (4) states, “in case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require immediate action which cannot await competitive bidding, contracts for public work or the purchase of supplies may be let by the appropriate officer, board or agency.”

Motion: P. Brooks moved and D. LeFeber seconded to waive the Purchasing Policy requirement of obtaining three (3) written quotes (for Public Works Expenditures of \$5,000-\$34,999.99), and authorize M.W. Controls Service to complete the pump equipment repairs for a not-to-exceed amount of \$30,000, which shall be deemed an “emergency contract” under General Municipal Law Section 103 (4). Carried unanimously.

Other Business

LCWSA Purchasing Policy – J. Campbell circulated draft copies of LCWSA’s Purchasing Policy with the following additions:

- “Piggybacking” Exception to Competitive Bidding (New Section 6)
- Award on the Basis of Best Value (New Section 7)

J. Campbell explained that these provisions are becoming more common, and appear in other municipal/authority purchasing policies. The addition of the above sections to LCWSA’s purchasing policy can provide additional flexibility during the procurement process.

Motion: P. Brooks moved and T. Anderson seconded to approve the LCWSA Purchasing Policy with the revisions/additions as presented. Carried unanimously.

T. Anderson requested that J. Campbell send out correspondence to those board members who are absent, summarizing the above changes to the Purchasing Policy.

M. Baines Employment Agreement – Amendment - “Chief Fiscal Officer” Designation

RESOLUTION 2017-05a AMENDING EMPLOYMENT AGREEMENT BETWEEN LIVINGSTON COUNTY WATER AND SEWER AUTHORITY AND MICHELLE BAINES (AMENDMENT NO. 1 – “CHIEF FISCAL OFFICER” DESIGNATION)

WHEREAS, Resolution No. 2016-21 created the position of Executive Director of the Livingston County Water & Sewer Authority (LCWSA) and delegated the duties and authority as set forth in the job description attached to the resolution; and

WHEREAS, the job description currently identifies the Executive Director as “Chief Executive Officer” of the LCWSA; and

WHEREAS, the LCWSA Board desires to amend the job description to include the additional designation of “Chief Fiscal Officer”; and

WHEREAS, the revised job description will become part of the Employment Agreement between the LCWSA and Michelle Baines (dated April 17, 2017), as Attachment No. 1 (Job Description), and will be known as Amendment No. 1; NOW THEREFORE BE IT

RESOLVED, that the LCWSA approve Amendment No. 1 to the Employment Agreement between the LCWSA and Michelle Baines.

Motion: T. Anderson moved and P. Brooks seconded to approve Resolution 2017-05 Amending Employment Agreement Between Livingston County Water & Sewer Authority and Michelle Baines (Amendment No. 1 – “Chief Fiscal Officer” Designation). Carried unanimously.

New York State and Local Retirement System (NYSLRS) Plan Adoption

RESOLUTION 2017 – 06 APPROVING PARTICIPATION IN THE NEW YORK STATE AND LOCAL EMPLOYEES’ RETIREMENT SYSTEM
(on file with secretary)

Motion: T. Anderson moved and D. LeFeber seconded to approve Resolution 2017-06 Approving Participation in the New York State and Local Employees’ Retirement System. Carried unanimously.

RESOLUTION 2017 - 07 PROVIDING ADDITIONAL BENEFITS OF SECTIONS 75-c AND 75-e (NON-CONTRIBUTORY RETIREMENT PLAN AND NON-CONTRIBUTORY RETIREMENT PLAN WITH GUARANTEED BENEFITS) OF THE RETIREMENT AND SOCIAL SECURITY LAW
(on file with secretary)

Motion: T. Anderson moved and D. LeFeber seconded to approve Resolution 2017-07 Providing Additional Benefits of Sections 75-C and 75-E (Non-Contributory Retirement Plan and Non-Contributory Retirement Plan with Guaranteed Benefits) of the Retirement and Social Security Law. Carried unanimously.

Lakeville WWTP Upgrades (NYSEFC Project No C8-6449-05-00), Update to 2015 Engineering Report – E. Wies distributed draft tables for Board discussion, which identify:

- Minor revisions to the proposed scope (and corresponding costs) for the Lakeville WWTP Upgrades project, and
- Potential cost sharing between LCWSA and Village of Avon, for upgrades needed at the Village of Avon WWTP, if the consolidation option is selected.

The Board consensus was to present the proposed cost sharing option to the Village at the next Village of Avon/LCWSA work session on July 10, 2017. The Board also recommended that tours of both wastewater treatment plants be scheduled, and Village and LCWSA Board members be invited.

M.Baines noted that LCWSA had received one (1) proposal in response to the Request for Proposal (RFP) that was issued for professional services for the Lakeville WWTP Upgrades project (NYSEFC Project No C8-6449-05-00).

**RESOLUTION 2017-08 AWARDING PROFESSIONAL ENGINEERING SERVICES
CONTRACT TO CLARK PATTERSON LEE FOR: NYSEFC PROJECT C8-6449-05-00
LAKEVILLE WASTEWATER TREATMENT PLANT UPGRADES (SPDES NY0032328)**

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) has qualified for hardship (interest-free) financing through the Clean Water State Revolving Fund (CWSRF) to complete approximately \$5.6 million in upgrades to its' Lakeville Wastewater Treatment Plant (WWTP), to meet its' modified SPDES permit requirements; and

WHEREAS, the New York State Facilities Corporation (NYSEFC) administers the CWSRF program and has notified the LCWSA that the deadline for closing on short-term financing is September 30, 2017; and

WHEREAS, prior to closing, NYSEFC is requiring that an agreement for Professional Engineering Services be submitted for the above referenced project; and

WHEREAS, the LCWSA Board authorized LCWSA staff to prepare and issue a Request for Proposal (RFP) at its regular meeting on May 24, 2017; and

WHEREAS, the RFP was sent to a total of six (6) engineering firms, and proposals were due on June 23, 2017 at 2 pm; and

WHEREAS, the LCWSA received one (1) proposal by the deadline from Clark Patterson Lee, with an office at 205 Saint Paul Street, Suite 500, Rochester, NY 14604; and

WHEREAS, LCWSA staff has reviewed the proposal and has determined that Clark Patterson Lee has the relevant qualifications and experience to complete the work, and its estimated fee of \$297,885 is a reasonable representation of the level of effort needed to complete the services requested in the RFP;
NOW THEREFORE BE IT

RESOLVED, that the Executive Director of the LCWSA is hereby authorized by the Board to sign an agreement with Clark Patterson Lee for Professional Engineering Services in connection with NYSEFC Project C8-6449-05-00, Lakeville Wastewater Treatment Plant Upgrades (SPDES NY0032328).

Motion: P. Brooks moved and D. LeFeber seconded to approve Resolution 2017-08 Awarding Professional Engineering Services Contract to Clark Patterson Lee for: NYSEFC Project C8-6449-05-00 Lakeville Wastewater Treatment Plant Upgrades (SPDES NY0032328). Carried unanimously.

DOCCS Water Supply Project

Contracts 2A/2B, 3, 4, & 5 – J. Foote distributed copies of the bid review letter, dated June 28, 2017, and discussed the bid results with the Board. J. Foote indicated that for Contract 3 (Water Storage Tanks), the low bidder Statewide Aquastore had notified Clark Patterson Lee that its parent company, CST Industries, Inc., had recently voluntarily filed for Chapter 11 bankruptcy, to facilitate corporate restructuring. Statewide Aquastore stated that this would not adversely impact its ability to successfully complete Contract No. 3.

RESOLUTION 2017-09 AWARDING BID FOR DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (DOCCS) WATER SUPPLY CONTRACT 2A TO: RANDSCO PIPELINE, INC.

WHEREAS, after proper legal advertisement for bids for DOCCS Water Supply Contract 2A, six (6) bids were received, then publicly opened and read aloud on June 15, 2017; and

WHEREAS, Clark Patterson Lee has completed a review of the bids and has assembled a bid review letter, dated June 28, 2017; and

WHEREAS, Randsco Pipeline, Inc., 672A Frey Road, Macedon, NY 14502, has been identified as the lowest, responsible, responsive bidder with a total bid amount of \$1,930,180.00 (Base Bid \$1,865,580.00 + Alternate A1 \$64,600.00); and

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) Board has reviewed the bid review letter and accepts the recommendation of award; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the LCWSA is hereby authorized to sign a contract with Randsco Pipeline, Inc., for Contract 2A in the amount of \$1,930,180.00.

Motion: T. Anderson moved and P. Brooks seconded to approve resolution 2017-09 Awarding Bid for Department of Corrections and Community Supervision (DOCCS) Water Supply Contract 2a to: Randsco Pipeline, Inc. Carried unanimously.

RESOLUTION 2017-10 AWARDING BID FOR DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (DOCCS) WATER SUPPLY CONTRACT 2B TO: VILLAGER CONSTRUCTION, INC.

WHEREAS, after proper legal advertisement for bids for DOCCS Water Supply Contract 2B, five (5) bids were received, then publicly opened and read aloud on June 15, 2017; and

WHEREAS, Clark Patterson Lee has completed a review of the bids and has assembled a bid review letter, dated June 28, 2017; and

WHEREAS, Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450, has been identified as the lowest, responsible, responsive bidder with a total bid amount of \$2,224,725.00 (Base Bid \$2,049,890.00 + Alternate B1 \$174,835); and

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) Board has reviewed the bid review letter and accepts the recommendation of award; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the LCWSA is hereby authorized to sign a contract with Villager Construction, Inc., for Contract 2B in the amount of \$2,224,725.00.

Motion: T. Anderson moved and P. Brooks seconded to approve resolution 2017-10 Awarding Bid for Department of Corrections and Community Supervision (DOCCS) Water Supply Contract 2b To: Villager Construction, Inc. Carried unanimously.

RESOLUTION 2017-11 AWARDED BID FOR DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (DOCCS) WATER SUPPLY CONTRACT 3 TO: STATEWIDE AQUASTORE, INC.

WHEREAS, after proper legal advertisement for bids for DOCCS Water Supply Contract 3, two (2) bids were received, then publicly opened and read aloud on June 15, 2017; and

WHEREAS, Clark Patterson Lee has completed a review of the bids and has assembled a bid review letter, dated June 28, 2017; and

WHEREAS, Statewide Aquastore, Inc., 6010 Drott Drive, East Syracuse, NY 13057, has been identified as the lowest, responsible, responsive bidder with a total bid amount of \$773,464.00 (Base Bid A \$575,500.00 + Alternate 1A \$73,592.00 + Alternate 2 \$21,120.00 + Alternate 3 \$28,188.00 + Alternate 4 \$8,784.00 + Alternate 5 \$66,280.00); and

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) Board has reviewed the bid review letter and accepts the recommendation of award; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the LCWSA is hereby authorized to sign a contract with Statewide Aquastore Inc., for Contract 3 in the amount of \$773,464.00.

Motion: T. Anderson moved and P. Brooks seconded to approve resolution 2017-11 Awarding Bid for Department of Corrections and Community Supervision (DOCCS) Water Supply Contract 3 to: Statewide Aquastore, Inc. Carried unanimously.

RESOLUTION 2017-12 AWARDED BID FOR DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (DOCCS) WATER SUPPLY CONTRACT 4 TO: BELL MECHANICAL CONTRACTOR, INC.

WHEREAS, after proper legal advertisement for bids for DOCCS Water Supply Contract 4, three (3) bids were received, then publicly opened and read aloud on June 15, 2017; and

WHEREAS, Clark Patterson Lee has completed a review of the bids and has assembled a bid review letter, dated June 28, 2017; and

WHEREAS, Bell Mechanical Contractor, Inc., 105 Lincoln Parkway, East Rochester, NY 14445, has been identified as the lowest, responsible, responsive bidder with a total bid amount of \$1,074,950.00; and

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) Board has reviewed the bid review letter and accepts the recommendation of award; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the LCWSA is hereby authorized to sign a contract with Bell Mechanical Contractor, Inc., for Contract 4 in the amount of \$1,074,950.00.

Motion: T. Anderson moved and P. Brooks seconded to approve resolution 2017-12 Awarding Bid for Department of Corrections and Community Supervision (DOCCS) Water Supply Contract 4 to: Bell Mechanical Contractor, Inc. Carried unanimously.

RESOLUTION 2017-13 AWARDING BID FOR DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION (DOCCS) WATER SUPPLY CONTRACT 5 TO: M.W. CONTROLS SERVICE, INC.

WHEREAS, after proper legal advertisement for bids for DOCCS Water Supply Contract 5, four (4) bids were received, then publicly opened and read aloud on June 15, 2017; and

WHEREAS, Clark Patterson Lee has completed a review of the bids and has assembled a bid review letter, dated June 28, 2017; and

WHEREAS, M.W. Controls Service, Inc., PO Box 290, 4578 Clay Street, Hemlock, NY 14466-0290, has been identified as the lowest, responsible, responsive bidder with a total bid amount of \$404,466.00 (Base Bid \$401,966.00 + Alternate 5C \$2,500.00); and

WHEREAS, the Livingston County Water & Sewer Authority (LCWSA) Board has reviewed the bid review letter and accepts the recommendation of award; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the LCWSA is hereby authorized to sign a contract with M.W. Controls Service, Inc., for Contract 5 in the amount of \$404,466.00.

Motion: T. Anderson moved and P. Brooks seconded to approve resolution 2017-13 Awarding Bid for Department of Corrections and Community Supervision (DOCCS) Water Supply Contract 5 to: M.W. Controls Service, Inc. Carried unanimously.

Motion: P. Brooks moved and D. LeFeber seconded to authorize the Executive Director to sign the Notices of Award for the above referenced contracts. Carried unanimously.

DOCCS Second Amendment Request – Update

J. Foote circulated draft copies of the letter to DOCCS, which has been revised based on as-bid costs. The total amount being requested is now \$874,000, for additional scope items that have been incorporated into the project. This letter will become an exhibit to the second amendment currently being prepared by DOCCS counsel.

Motion: D. LeFeber moved and P. Brooks seconded to authorize the Chairman of the Board to sign the Second Amendment for the DOCCS Water Supply Project, subject to LCWSA attorney review and approval. Carried unanimously.

DOCCS Schedule, Modifications to Groveland Correctional Facility Water Treatment Plant (WTP)

DOCCS technical staff (Keith Rupert, Eric Greppo) have indicated that DOCCS will be proceeding with a separate project through the Office of General Services (OGS), and that a request has been made for FY2018-2019 funding. Therefore, it may be the end of 2018 (or later) before the modifications will be completed at the treatment plant. The Board expressed concern about additional operational efforts (i.e. flushing) that may be needed to maintain water quality if the water main is constructed and put into operation by Spring 2018, but the Groveland Correctional Facility does not connect until end of 2018 (or later).

“Project Add-Ons” (Farms) – Update

M. Baines noted that based on the bid results, the cost for the additional infrastructure needed to accommodate Dairy Knoll Farms and Sparta Farms, is \$318,000.

Motion: D. LeFeber moved and P. Brooks seconded to authorize the Executive Director to revise the cost information in the draft farm agreements to reflect a total cost of \$318,000, and circulate revised agreements to Dairy Knoll Farms and Sparta Farms for signature. Carried unanimously.

2017 Consolidation Funding Application (CFA) – NYSDOS LGE Grant Program, Resolution

M. Baines noted that Livingston County had submitted a grant application to the NYSDOS Local Government Efficiency (LGE) program last year for a comprehensive water supply update to the 1991 study, and had been unsuccessful. The County will be re-submitting, and an updated resolution was still being drafted by Livingston County/Livingston County Planning Dept/Clark Patterson Lee. There had also been discussion whether this grant application would address both water and sewer needs within the County, or water only. An updated resolution will be presented at the July 26, 2017 Board Meeting.

Town of Avon/LCWSA Inter-municipal Cooperation Agreement (re: Town of Avon Consolidated Water District)

J. Campbell circulated draft copies of an agreement that has been assembled in response to the Town’s request to LCWSA for operational assistance with its water system. At this time, this includes:

- Performing physical inspections of approximately 550 water meters within the Town, to assist in resolving meter reading discrepancies that have been discovered by the Town; and
- Acting as interim “Water Operator in Responsible Charge” until such time as the Town retains a licensed water operator to operate the water system.

With an insufficient number of Board members present to approve the agreement (w/ D. LeFeber abstaining), the agreement will be re-presented at the July 26, 2017 Board meeting for approval.

Business Session

Minutes – regular minutes dated May 24, 2017

Motion: T. Anderson moved and P. Brooks seconded to approve minutes dated May 24, 2017. Carried unanimously.

Bills: The Board reviewed the monthly bills.

Motion: T. Anderson moved and D. LeFeber seconded to approve paying the bills for Operating Expenditures in an amount not to exceed \$131,018.57, Projects in an amount not to exceed \$75,933.24, utilities in an amount not to exceed \$33,489.99, Commodity in an amount not to exceed \$70,492.55, and for miscellaneous expense in an amount not to exceed \$9,440.64. Carried unanimously.

Communications:

- NYSDEC WWTP Disinfection Notification Letter (May 30, 2017)
Letter was circulated to Board members for informational purposes. The compliance schedule included in the letter requires the design to be completed by 2020, and project implementation by 2022. The NYSDEC has a separate grant program (Water Quality Improvement Project – WQIP) that will assist in funding the construction of the disinfection system.

- D. Kriewall Letter to LCWSA Chairman (June 19, 2017) re: Intent not to seek re-appointment
The Board briefly discussed the letter, and the consensus was to schedule a Governance Committee meeting to discuss the process of identifying potential board member candidates in more detail.

- LCWSA Excerpt from AWWA “Leading Business Practices in Asset Management Case Study Report” (May 2017)
M. Baines indicated that this is an important recognition by a leading water resources organization, and reflects the large amount of effort by LCWSA staff, including Cathy VanHorne, in developing and implementing the computer-based asset management program. The Board suggested that a copy of the full report be forwarded to Cathy VanHorne.

Adjourn: Motion: P. Brooks moved and T. Anderson seconded to adjourn the board meeting. Carried unanimously.

Water and Sewer Work Program 2017	
Customer work orders	Staff completed 62 customer workorders - down from 11 last month
UFPO	Staff completed 75 UPFOs - down from 1 last month
PM Maintenance	All PM maintenance was completed.
Sampling and Testing	TTHM and HAA results were below the MC/L. ARS is still in violation due to a high sample in August 2016. We will need a result of around 60 in August to bring us below the MC/L.
Electrical Maintenance	RFPs were sent out for the 2017 electrical maintenance to 4 different vendors. Proposals are due July 5, 2017.
Driveway Maintenance	Staff has been working on the driveways that need gravel. This work program is every 3 years.
Regulatory Inspections	The DEC report came back from the Groveland Station inspection. DEC found the facility to be in satisfactory compliance.
Water Work Program	
Water inspections	Staff completed 5 water inspections.
Automatic valve maintenance	A RFP was sent out to 4 different vendors. Ross Valves was the only vendor to respond, and they kept the price from 2015 at \$4890.00.
Sewer Work Program	
Sewer inspections	Staff completed 2 sewer inspections.
Sewer Lateral repair	Morsch Pipeline repaired a lateral at the main in the Village of Livonia.
Sewer Cleaning and televising	Staff completed the Hemlock and Leicester districts. Staff is now working on the Livonia Center district.
Location and adjusting of manholes	Staff raised 3 manholes.
Motor replacement	Staff replaced the motor at 5E.
Lakeville Plant	
Shop/entrance chamber	The main pump's PLC is defective without repair. We have 2 pumps at this time running and changing with the flow. We are waiting on quotes for a new PLC and installation.

CAPITAL PROJECTS REPORT - June Outline	
31085 – DOCCS WSP	
6/28/2017	At this time, we have 5 new customers on the DOCCS line. We still have 4 permits where they haven't hooked up yet, but the permits are paid for. Bids were received for Contracts 2A/2B, 3, 4 & 5 on June 15, 2017 - CPL is currently reviewing the bids. A conference call was held on June 22, 2017 between LCWSA, CPL, and DOCCS (Eric Greppo, Keith Rupert, George Glassanos, Esq.) re: updating the amendment request based on bid costs.